SENATE—*Tuesday, May 12, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

There is a way which seemeth right unto a man; but the end thereof are the ways of death.—Proverbs 14: 12.

Righteousness exalteth a nation: but sin is a reproach to any people.—Proverbs 14: 34.

Eternal Father, God of truth, and righteousness, and justice, what do people do when their leaders fall? Where do they look for models? Who do they trust? Open our eyes to see and our ears to hear Your word through Moses. Therefore a man shall leave his father and mother and shall cleave into his wife and they shall become one flesh.—Genesis 2: 24. And the prophet, Malachi: *The Lord was witness to the covenant between you and the wife of your youth * * * she is your companion and wife by covenant. Let none be faithless to the wife of his youth for I hate divorce says the Lord, the God of Israel.*—Malachi 2: 14-16.

Strengthen our leaders, mighty God. Protect them against all that would defeat and destroy. Deepen their sense of profound responsibility—not only to themselves and their loved ones—but the people who trusted them—the youth who look to them—and to You.

My heart is heavy as I pray, patient Father, for I am a sinner. But for Your grace I would be a fallen one. Help us Lord. Forgive us Lord. Renew us before it is too late. I pray in the name of Him whose destiny in history was to save the sinner. 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. STENNIS].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 12, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I ask unanimous consent that my leadership time may be reserved.

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

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BICENTENNIAL MINUTE

MAY 12, 1954: DEATH OF SENATOR CLYDE HOEY

Mr. DOLE. Mr. President, on the afternoon of May 12, 1954, 33 years ago today, Senators on the floor were shocked and saddened by the announcement that one of their number, Senator Clyde Hoey of North Carolina, had died at his desk in the Senate Office Building across the street. He had just been on the floor among them that morning. The Senate immediately adjourned until noon the next day, as did the House, where Hoey had once been a Member. The 76-year-old Democrat had come to the Senate in 1945, and made a name for himself as head of the Subcommittee on Investigations, a position he held until 1953.

Clyde Hoey was born in 1877 in the North Carolina foothills, the son of a Confederate Army captain. To help pay off family debts, he quit school at the age of 12 and became a printer's devil at the local newspaper. His education came chiefly from the dictionary he always carried, and from the stories he set in type. Hoey studied law on his own and at the age of 20 was elected to the North Carolina House of Representatives. He turned 21, the legal age for service, just before it was time to be sworn-in. For the next 55 years, Hoey's life was one of public service, as State legislator, Governor, Member of the U.S. House of Representatives, and finally as Senator.

Hoey's death marked the passing of an era in the Senate. In both appearance and manner, he recalled an earlier age. The tall, white-maned Senator, a slightly stooped man with sharp features, was always a conspicuous figure on the floor in his cutaway morning coat of Confederate gray, his high stiff collar, high-topped shoes, old-fashioned string ties, and red carnation in his lapel. Those persons privileged to witness his old-time courtliness, and flavorful, flowery oratory never forgot the experience.

PUERTO RICAN STATEHOOD REFERENDUM

Mr. DOLE. Mr. President, this year we are celebrating the 200th anniversary of our Constitution. It is a celebration not only of this historic document, but also a celebration of our 50-State Union.

It is a time for reflection on just how far this country—and its 50 States—have come in that short time; and how

NOTICE

Effective May 18, 1987, the subscription price of the Congressional Record will be increased to $225.00 per year or $112.50 for six months. Individual issues may be purchased for $1.50 per copy. The cost for the microfiche edition remains the same, $118.00 per year, or $1.50 per issue.

This price increase is necessary to meet current production and distribution costs in order for the Record subscription program to be self-sustaining.

By order of the Joint Committee on Printing.

FRANK ANNUNZIO, *Chairman.*

much further they can go in the years ahead. So in that bicentennial spirit, I believe it is proper to consider if our flag should add one more star before the end of this century. Specifically, Mr. President, it is time to give the citizens of Puerto Rico the opportunity to vote on statehood.

There is one thread weaving through the rich history of the island of Puerto Rico, from 1897 when autonomy was granted from Spain, to today—Puerto Rico's unsettled political status.

Only 1 year after obtaining autonomy, the island was taken by 16,000 U.S. troops during the Spanish-American War; an action which began the long and unique relationship that Puerto Rico and the United States have shared for almost a century.

While our relationship is one of friendship and partnership, the ultimate status of Puerto Rico has, in effect, remained unsettled.

Since gaining commonwealth status, nine bills attempting to grant statehood to Puerto Rico have been introduced in the U.S. Congress, yet none has prevailed and the issue remains open.

Of greatest importance to me is that, since 1917 when the Jones Act granted U.S. citizenship to Puerto Rican residents, these U.S. citizens—citizens of the most prominent democracy in the world—have been allowed to vote on the issue of statehood on only one occasion—in 1967.

However, even the results of that election—or "plebiscite"—were distorted because it was officially boycotted by the political party representing statehood and the party favoring independence.

The right of the people of Puerto Rico to speak on this matter should not be hindered and should not be ignored. President Gerald Ford, who headed the 1976 Republican ticket when I proudly served as his running mate, proposed a referendum and process for statehood in 1976.

And, in 1979, when efforts were being made in the United Nations to call for independence for Puerto Rico, I joined in the introduction and passage of a resolution clearly stating that this was an issue for Puerto Rico and its people to decide.

In the past several months, more than one quarter of a million Puerto Ricans have signed a petition for statehood, calling for action by the Congress. But the clear majority of Puerto Ricans must speak, must desire statehood, as has been the tradition for all States granted admission to the Union by the Congress.

Therefore, today I am introducing a bill to facilitate the democratic proposition of allowing the people of Puerto Rico to decide whether they wish to join their colleagues—the U.S. citizens in the 50 United States—as the 51st partner in the Union.

The bill would provide for a referendum on the question "Should Puerto Rico be admitted into the Union as a State?" The referendum would be held between January 1, 1989, and December 31, 1994, if the Governor of the Commonwealth of Puerto Rico requested the referendum. The direct costs of conducting the referendum would be paid by the United States; and the Governor would inform the President, and the Congress, should the people of Puerto Rico desire to become a State.

Statehood, independence or any status cannot and should not be forced on the island and the U.S. citizens who reside there. The decision must be made first by its people, and then by the Congress of the United States.

It was not so long ago that Hawaii and Alaska were viewed as distant, exotic lands. In fact, by the turn of the century, the United States meant 45 States.

Mr. President, in this year of bicentennial celebration, I can think of no better way to honor the dreams of our Founding Fathers than to give our citizens in the Caribbean the opportunity to vote on statehood.

I send to the desk and ask for its proper referral a bill that I am introducing for myself, the distinguished Senator from New York [Mr. D'AMATO], and the distinguished Senator from Illinois [Mr. SIMON].

Mr. MATSUNAGA. Mr. President, will the distinguished Senator yield?

Mr. DOLE. I will be happy to yield.

Mr. MATSUNAGA. I deem it a great honor if I may be added as a cosponsor of the measure.

Mr. DOLE. I thank the distinguished Senator from Hawaii. I ask unanimous consent to add the name of the Senator from Hawaii.

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

Mr. DOLE. Mr. President, I ask unanimous consent that the text of the bill may be printed in the RECORD.

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

S. 1182

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) States have been admitted to the Union only after residents of the proposed States have requested statehood;

(2) residents of Puerto Rico have been given only one opportunity, in 1967, to determine for themselves whether they wish Puerto Rico to be admitted to the Union as a State; and

(3) as citizens of the United States, residents of Puerto Rico should be allowed to express themselves once again on being admitted to the Union.

SEC. 2. REFERENDUM.

(a) Upon the call of the Governor of Puerto Rico, an islandwide referendum shall be held in Puerto Rico in order to enable the qualified voters of the Commonwealth of Puerto Rico to vote for admission of Puerto Rico into the Union. The referendum shall occur no earlier than January 1, 1989, and not later than December 31, 1994. In the referendum the qualified electors of the Commonwealth of Puerto Rico shall vote for the adoption or rejection of the following proposition: "Shall Puerto Rico be admitted into the Union as a State?".

(b) The returns of the referendum held under this Act shall be made to the Governor of Puerto Rico, who shall cause them to be canvassed in the manner provided by law for the canvass of votes cast in general elections in the Commonwealth of Puerto Rico. If a majority of the qualified voters voting in a referendum under this Act vote in favor of admission into the Union, the Governor shall certify to the President and the Congress of the United States the decision of the people of Puerto Rico.

(c) The election laws of the Commonwealth of Puerto Rico shall apply to the referendum held under this Act. The Governor of Puerto Rico shall prescribe such regulations governing the conduct of the referendum under this Act as may be necessary to supplement such laws in order to carry out this Act.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary for defraying the direct costs of conducting the referendum provided for in this Act.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 2:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes.

WILLIAM J. CASEY

Mr. HECHT. Mr. President, a great American patriot, a dedicated public servant, died last Wednesday morning. Bill Casey was a man of keen intellect, strong, steady courage, and complete devotion to the interests of this Republic. The record of his achievements, in both public and private capacities, is extraordinary. Time and again he demonstrated the breadth of his talent and wisdom, moving between the finance, economics, national security, and political fields with exceptional effectiveness in all. To friends, opponents, and foes, he was universally recognized as "one of a kind."

Among United States and allied intelligence professionals, he is highly respected for the many positive contributions he made to our intelligence programs, beginning in World War II when he served in a key position in the American Office of Strategic Services, and throughout his recent service as Director of Central Intelligence. There are those who take exception to some of Bill Casey's decisions and actions—strong men of principle and courage who undertake to lead always run this risk.

For my part, I shall always be indebted to Bill Casey for his service to his country, and his efforts to keep it free and strong for the rest of us and our children. Bill Casey's contributions to America are great, Mr. President, he will be missed.

Mr. President, I ask unanimous consent that a list of his accomplishments be printed in the RECORD.

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

WILLIAM J. CASEY

Born 13 March 1913, New York City.

1919-30: Public and parochial schools, New York City and Long Island.

1934: Fordham University, B.S.

1935: Catholic University of America—Social Work.

1936-37: New York City Welfare Department—Social Worker.

1938: St. John's Law School, J.D.

1938: Research Institute of America—Editor of Federal Tax Coordinator.

1939-40: In Washington working on pre-World War II industrial mobilization; assisted Leo Cherne on book, Adjusting Your Business to War.

1940: Research for Tom Dewey—preconvention Dewey for President.

1940: Research, speechwriting—Wilkie campaign.

1940-41: Research Institute of America—chairman, Board of editors.

1941-42: Set up Washington Office for Research Institute, edited Business and Defense Coordinator, War Research Report.

1941: Army and Navy Munitions Board—consultant.

1942: Consultant, Board of Economic Warfare—preemptive buying of strategic materials.

1943-45: Office of Strategic Services—first as naval lieutenant and later as civilian; Special Assistant to General W.J. Donovan, Washington, DC; Aide to David Bruce, London; Chief, Secretariat, London—received Bronze Star for coordinating support and operations of French Resistance in support of Normandy landings and liberation of France.

1944-45: Chief, OSS Intelligence, European Theatre.

1946-51: Chairman, Board of Editors, Research Institute of America.

1948: Founder, later Chairman, American Friends of Russian Freedom.

1948: Research, Delegate Hunter, Dewey for President.

1948: Associate General Counsel, European Headquarters, Marshall Plan.

1951-71: Founder, in collaboration with Prentice-Hall, editor and chief executive of Institute of Business Planning, a publisher of business, financial and legal information services and books—created and earned royalties on seven or eight loose-leaf services and some 30 books in this capacity.

1951-71: Venture capitalist—participated in founding and developing some 25 enterprises (see disclosure to Senate Banking Committee at 1971 confirmation hearing).

1952: Research and speechwriting—Taft for Presidential nomination.

1952: Research and speechwriting—Eisenhower election campaign.

1952-71: Partner, law firm of Hall, Casey, Dickler and Howley, and predecessors.

1953-54: Assistant to Leonard Hall, chairman of the Republican National Committee.

1954-71: Cofounder and director, Capital Cities Communities.

1956: Assistant to Leonard Hall, campaign manager, Eisenhower for President.

1958: Founding director, National Strategy Information Center.

1959-60: Assistant to campaign manager, preconvention and election, Nixon for President.

1960: Founding director, National Strategy Information Center—stimulated course and chairs for national security studies on some 20 campuses.

1964: Executor of the estate of the owner of Human Events, ran it for close to a year, and worked out plans to turn it over to the writers who are still the owners.

1964: Worked with Leonard Hall and Fred Scribner on possible Romney and Scranton candidates and ran Nixon primary campaign in Oregon.

1965: Founding director, Center for Study of the Presidency.

1966: Primary candidate for Republican nomination for Congress on Long Island.

1966-71: Chairman, executive committee and then president, International Rescue Committee.

1968: Romney and Nixon preconvention, Nixon election campaign.

1968-71: President and then chairman, Long Island Association.

1969: Presidential Task Force on International Development with David Rockefeller, Cardinal Cooke, Earl Butz, and Rudy Peterson.

1970: General Advisory Committee on Arms Control with John McCloy, Dean Rusk, Cy Vance, Harold Brown, and Doug Dillon.

1971-73: Chairman, Securities and Exchange Commission.

1973-74: Under Secretary of State for Economic Affairs.

1974-76: Chairman and President, Export-Import Bank of the United States.

1976: President's Foreign Intelligence Advisory Board.

1976-77: Chairman, Task Force on Capital for Small and Growing Businesses, Ford administration.

1976-80: Founder, Center for International Economic Policy Studies—now Manhattan Institute.

1976-81: Counsel, Rogers and Wells.

1976-81: Director, Capital Cities Communications.

1977: Chairman, Blue Ribbon Panel on Governance of American Stock Exchange.

1977-79: Cochairman, Citizens Commission on Indo-Chinese Refugees.

1977-81: Chairman of Executive Committee, Long Island Trust Co.

1979-80: Vice chairman and then chairman, Reagan Presidential Kick-Off Drive.

1980: Campaign director, Reagan for President primary and election campaign.

1980-81: Chairman, Reagan transition.

1980-81: Chairman, Interim Foreign Policy Assessment Board.

1981-present: Director of Central Intelligence.

Books: Numerous books on legal and financial subjects, American Tour of the American Revolution.

Awards: William J. Donovan Award, St. John's Gold Medal.

Honorary degrees: Fordham University, St. John's University, Chung Ang University, New York Law School, Molloy College, Adelphi University, Polytechnic Institute of New York, Westminster College, Bryant College, Long Island University.

BIOGRAPHY OF WILLIAM J. CASEY

William Joseph Casey was sworn in as Director of Central Intelligence (DCI) on 28 January 1981. In this position he heads the Intelligence Community (all foreign intelligence agencies of the United States) and directs the Central Intelligence Agency. He is the first DCI to be designated by the President as a Cabinet officer.

Mr. Casey grew up in Long Island, New York, and graduated from Fordham University and St. John's University School of Law. He was then admitted to the New York Bar.

Following law school, he joined the Research Institute of America, rising to become chairman of the Institute's board of editors. He was commissioned in the U.S. Naval Reserve in 1943, joining the wartime staff of William J. Donovan, founder of the Office of Strategic Services. Assigned to the European Theater, Mr. Casey received the Bronze Star for his work in coordinating French Resistance forces in support of the invasion of Normandy and liberation of France. Later, in 1944, he became Chief of American Secret Intelligence operations in Europe.

In 1948 he served as Associate General Counsel at the European Headquarters of the Marshall Plan. Between 1949 and 1971 he practiced law and engaged in various publishing and entrepreneurial activities in New York City.

In April 1971 Mr. Casey was designated Chairman of the Securities and Exchange Commission where he served until February 1973. He subsequently became Under Secretary of State for Economic Affairs and President and Chairman of the Export-Import Bank of the United States. Returning to private life, he became Counsel to the New York and Washington law firm of Rogers and Wells.

During 1980 Mr. Casey managed the successful primary and election campaigns of President Ronald Reagan.

Mr. Casey has authored a number of books on legal and financial subjects, as well as a history of the American Revolution.

In October 1983, Mr. Casey received the Distinguished Intelligence Medal.

He has received the William J. Donovan Award and honorary degrees from Fordham University, St. John's University, Chung Ang University, New York Law School, Molloy College, Adelphi University, Polytechnic Institute of New York, Bryant College, and Westminster College.

Mr. Casey and his wife Sophia (nee Kurz) have one daughter, Bernadette Casey Smith.

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Mr. HECHT. Mr. President, my wife, Gail, and I want to express our condolences again to the family of Bill Casey, a man who will be missed greatly by all who knew him, both in and out of Government service. His many contributions to this country he loved so much will be with us forever.

At the request of Bill's family, Gail and I will make a donation to the Nicaraguan freedom fighters in lieu of sending flowers. It is only fitting that even in death, this great patriot's fight for freedom continues.

JAMES JESUS ANGLETON

Mr. SYMMS. Mr. President, the death of James Angleton yesterday was the loss of far more than a pioneer of counterintelligence strategy in the United States; it was the loss of a great American patriot.

Jim Angleton was a fellow Idahoan and a good friend that I was privileged to know. Members of his family still live in Boise, ID, where he was born in 1917. That was the year of the Bolshevik revolution. But no one knew then that he would spend much of his life contending with the heirs of bolshevism, the Soviet Communists.

Jim's contribution to American freedom—the freedom of the Western World, in fact—has affected the course of history. His work in developing and operating the counterintelligence division of the CIA was essential to counter the rise of Soviet espionage in the United States.

His accomplishments include routing many a Soviet agent—which he called "moles"—from the ranks of United States intelligence. He also discovered agents in West Germany and France, gained access to secret Soviet documents, and through relationships developed with the Israeli Mossad, he gathered critical intelligence about the Soviet military buildup.

While we know of many of his successes, it is impossible to know of the security calamities that were avoided because of his unceasing efforts to maintain the integrity of our national security. I wish the same could be said for our security operations today.

And I know of no one who has been proven more right and who has been more vindicated from personal attack than Jim Angleton. With all the recent problems the United States has had in national security, I think the error in dismantling the CIA division he built has been made clear. Cutting his staff from 300 back to 80 was a tragedy. I know that he knew that, and I talked with him about it during the past year. I know that at least he had the satisfaction of knowing that his work was on the right track in view of the adversary that the United States faces today.

Jim's successes were not a result of mere expertise in counterintelligence or of preoccupation with the exhilarating lifestyle of a spy. His success was a result of a commitment to freedom and an unwavering patriotism to the United States.

Unlike the treasonous few that have been overcome with intrigue and the temptation to enrich themselves at the expense of national security, Jim did not seek glory or personal gain. He was totally committed to the preservation of liberty in the Western World.

Even when he was confronted with the détente-at-any-cost mentality of newcomers in the 1970's, he avoided confrontation and exposure, choosing instead to act in the best interest of national security.

And without a doubt, Mr. President, the events surrounding the U.S. Embassy in Moscow have vindicated him—not that he sought vindication, but only that if his kind of commitment was present in our national security agencies, the fiasco in Moscow would likely have never happened.

And I might note that Jim opposed the decision to give the Soviets their Mt. Alto embassy site. He viewed it as diametrically opposed to the simplest of national security strategies—and he was right. The current mentality—primarily in the State Department—is bordering on foreign policy lunacy. They could have used a few lessons from Jim Angleton.

Mr. President, I ask for unanimous consent that these newspaper articles from the Washington Times, the New York Times and Washington Post about Mr. Angleton follow my comments in the RECORD, and I urge my colleagues, our national security leaders, and all Americans to review the life of James Jesus Angleton the American, and learn a lesson in commitment to the principles that have given us the freedom we all enjoy today.

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

[From the New York Times, Apr. 10, 1987]

ASSESSING INTELLIGENCE BREACHES

(By David Binder)

WASHINGTON, April 9.—He shuns the word "vindication" and is too much the patrician to say, "I told you so," but James J. Angleton, who directed United States counterespionage efforts for two decades, is mightily stirred by the latest disclosures of breaches in the defenses of American intelligence operations.

Mr. Angleton, who turned 69 last December, the month he was diagnosed as having lung cancer, refuses to give interviews on intelligence matters.

But he is quietly telling old friends these days that many of the problems of the moment—Americans selling secrets to the Russians, the Russians gaining access to off-limit areas of the American Embassy in Moscow, the Central Intelligence Agency losing a Soviet defector—have their origins in disputes in the intelligence community going back a quarter of a century or longer.

THE RUSSIANS' NEW EMBASSY

For instance, he says that from the beginning he and other senior American intelligence officials opposed allowing the Soviet Government to build its new embassy in Washington on the elevation known as Mount Alto because it would greatly enhance the Russians' electronic eavesdropping abilities in the capital.

In a conversation with a friend he said a key decision to allow the Russians to build at Mount Alto was made in 1966 by McGeorge Bundy, President Johnson's special assistant for national security affairs. "Bundy had the final word," he said. (Mr. Bundy, reached by telephone and asked about the decision, said, "I don't remember it.")

Mr. Angleton said recent setbacks involving defectors, signals intelligence and double agents could be attributed in part to the devastating cutbacks made in 1973 and 1974 in the Central Intelligence Agency's counterintelligence service. He headed that service "under a heavy cloak of anonymity," in his words, until forced to resign in December 1974.

The trauma of that episode, which pitted him against the newly installed Director of Central Intelligence, William E. Colby, has never receded for Mr. Angleton, mainly because he was forced to preside over the dismantling of his own creation.

Counterespionage, sometimes called a "hall of mirrors," is the most arcane branch of intelligence work, aimed ultimately, as Mr. Angleton has said, at "penetrating the other side." It includes turning enemy agents around and getting them to work against their former employers, misleading opponents with false information and apprehending hostile intelligence operatives.

NEVER BUILT UP AGAIN

At its peak in the 1960's, he tells friends, the counterintelligence directorate had a staff of 300. In the reductions sought by Mr. Colby, the staff went from 280 to 80, terminating many of its operations and virtually paralyzing those remaining. "It's never been built up again," he said.

He sees now that he had become "odd man out" in a huge bureaucratic struggle growing out of the Watergate scandals that involved disclosures to Congressional panels of such past domestic intelligence practices as opening suspect mail.

"If you're the odd man out, you're out," he said and, answering a question as to why no one high in the government had sought to protect the counterintelligence directorate, he replied: "That isn't the way Government works. If I had wanted to intrigue I could have, but I wasn't brought up that way."

At the time, he said, the C.I.A. was pursuing "four or five leads of penetration of the agency" by Soviet operatives.

In one case the operative had started out very young as a counterintelligence trainee in the Soviet Army. In an elaborate ruse in World War II he was parachuted behind German lines and then identified by a radio message to the Nazi Security Service. The Germans picked him up and made him into a double agent. But his true loyalty had remained with the Russians. After the war he was employed by the C.I.A., working under cover in Soviet émigré organizations based in Berlin, and was eventually taken on "as a full-fledged intelligence officer."

Although fragments of suspicious information about the man had surfaced over the years, it was not until a high-level K.G.B. official defected and provided a new clue that American counterintelligence officers became convinced that the operative was a Soviet agent. Even as the shadow fell on him he was wily enough to deflect attention by casting suspicion on another Soviet émigré. Ultimately, through a number of clumsy bureaucratic actions, the suspect was able to avoid prosecution and, as far as Mr. Angleton knew, lived quietly in the Washington area. "The man was a genius," Mr. Angleton recalled with genuine professional respect.

The lesson he coldly draws from this and the current cases involving people named Howard, Walker and Pelton is that "there will always be penetrations" of the Government and its intelligence services by Soviet agents. "It is a way of life," he said. "It should never be thought of as an aberration. Anyone who gets flustered by it is in the wrong business."

"The ultimate," he added, "is to break down the other man's signals security. That is the function, to protect your own signals and penetrate the other guy's signals security." That apparently is what the K.G.B. accomplished when it planted monitoring devices in recent years at the United States Embassy in Moscow.

Achieving such access to secret communications, he explained, "allows them to go backward and forward, recreating what our situation was at one time."

"Then comes imagination, how to enlarge that little penetration into something more dynamic. It could give wide oversight into our methodology, weaknesses and how we would respond to a situation."

WAITING TO BE CALLED

Mr. Angleton tells his friends he is hoping the latest intelligence setbacks will prompt the White House or Congress to ask him and his former deputies to step forward and testify on the weaknesses of American counterintelligence "going back to 1961 and leading up to the Church committee"—the panel headed by Senator Frank Church, Democrat of Idaho, that investigated the intelligence agencies in the mid-1970's.

"I don't like the word 'vindication,'" Mr. Angleton said, but he would also like to see a special committee appointed to investigate the competence of the current C.I.A. counterintelligence directorate.

But he will remain silent until he receives executive permission to speak out on these matters, not only because of the oath he took as an intelligence officer to protect Government secrets but also because they would "cause great pain."

"Meanwhile, he is contending with his own pain. Bent by disease short of breath and experiencing difficulty walking, Mr. Angleton is uncomplaining. Asked if his physician attributed his illness to smoking with a filter cigarette in his hand he replied, "Yeah, that and fatigue."

"I burned the candle at both ends," he added, laughing softly.

[From the Washington Times, Apr. 13, 1987]

THE ANGELTON PERSPECTIVE

Vindication of sorts finally has caught up with James J. Angleton, former chief of counterintelligence at the CIA and spook extraordinaire. Dismissed in 1974 for what was seen as a paranoid obsession with Soviet espionage, he looks better and better.

The contrast between Mr. Angleton and former Ambassador Arthur Hartman is especially striking. In a secret 1984 cable, Mr. Hartman expressed concern that "right wing" anti-spy programs might sour U.S.-Soviet relations. He warned that "overt and covert" counterespionage might make it "impossible" for our embassy in Moscow to carry out its diplomatic mission—just the sort of analysis that Mr. Angleton would have repudiated.

When many were peddling detente, celebrating termination of the Cold War, and scuttling the nation's intelligence and internal security apparatus, Mr. Angleton demurred—and not always politely. A lifetime of immersion in the dark intricacies of espionage, hostile and "friendly," had taught him not to underestimate the extent of covert deception or the capacity for self-delusion.

Like everyone, Mr. Angleton had his blind spots. He long maintained that the Sino-Soviet split was only disinformation. Still, it seems unlikely that, had he prevailed, U.S. Marines would have been acting as lookouts for KGB agents or that Ambassador Hartman would have been deemed "ruthless [on security]"—his characterization of himself—at an embassy so leaky that George Shultz and staff, in Moscow for arms talks, must confer off premises so as not to be overheard.

The virtue of Mr. Angleton was that he harbored no illusions about the will and capacity of the Soviets for making mischief and, unlike the technocrats at Langley, never failed to weigh in the human factor that remains invisible to high-flying satellites and state-of-art gadgetry. "There will always be penetrations" of government and intelligence agencies, he recently told The New York Times. "It is a way of life."

As the Politburo moves against our agents—agents exposed by ineptitude and worse—and assimilates the mountain of data its spies have stolen, Mr. Angleton's reputation gains renewed respect.

[From the Washington Times, May 12, 1987]

JAMES J. ANGLETON

The deaths of living legends are always occasions for reflection, and the death yesterday at Sibley Hospital of one whose passion for anonymity did not prevent his transformation into a legend comes at a time strangely, and disturbingly, appropriate. James J. Angleton, former chief of counterintelligence for the CIA, became a character in at least four spy novels during his long career and, depending on which ones you read, epitomized either all that was best or all that was worst in the American intelligence community.

Mr. Angleton cut his teeth in tradecraft during World War II, when he worked for the counter-intelligence branch of the Office of Strategic Services and, after the war, set up its successor within the CIA as a highly compartmentalized and (some would say) virtually autonomous unit. Among his greatest coups in his early years was the pilfering of Nikita Khrushchev's secret speech denouncing Stalin to the Soviet Communist Party in 1956. But by the early 1970s, his habitual distrust of the Soviets—and of Westerners who gurgled over them—was out of step with the times.

His insistence on the need for the secret arts of the spy became famous, and indeed despised, in many quarters, and in 1974 he was forced to resign from the CIA after witnessing the evisceration of his counter-intelligence staff. Not until the Reagan administration began to reconsider the need for counter-intelligence and the imperative for covert action in the early 1980s did the CIA again redevelop the capacity that Angleton's skills had constructed, and even today it still lacks what the United States should have in this respect.

Mr. Angleton, to be sure, was not without flaw, and the suspicion and secrecy that he deliberately cultivated, and which go with the profession he had chosen, alienated and frightened many who knew less but talked more than the cryptic spymaster—who did not write his memoirs, did not appear on television, and who cultivated his orchids in very private retirement.

Yet Congress even now is trying to crank up the high dudgeon of a weary nation for yet another inquisition into the intelligence community. Last week Gen. Richard Secord, asked how he thought the world was reacting to the hearings in which he was the first witness, frankly stated his opinion in the laconic style he affected throughout the week. The world, he said, "is laughing at us," and other countries cannot take seriously a nation that periodically hauls its own secrets before national television to wallow in an odd synthesis of guilt and glamor. What ally now would take the chance of sharing intelligence or cooperating in counter-intelligence operations when the prospect is appallingly good that in a year or two years, a congressional committee will broadcast every jot and tittle to a bemused world?

James Angleton would have understood what Gen. Secord meant. It is tragic that more congressmen do not.

[From the New York Times, May 12, 1987]

JAMES ANGLETON, COUNTERINTELLIGENCE FIGURE, DIES

(By Stephen Engelberg)

WASHINGTON, May 11.—James Angleton, the erudite Central Intelligence Agency officer whose search for Soviet agents inside the Government stirred an uproar in the murky worlds of intelligence for a generation, died here this morning of lung cancer. He was 69 years old.

Mr Angleton, who joined the C.I.A. at its inception in 1947, served for more than 20 years as head of its counterintelligence office. He was forced to resign his post in 1974 by William E. Colby, then Director of Central Intelligence, who had become convinced that Mr. Angleton's efforts were harming the agency.

The tall, donnish intelligence official remains one of the most fascinating figures in the history of the C.I.A. His counterintelligence office was considered one of the most secret in the agency, and the problems it analyzed resembled the multidimensional chess games depicted in the best espionage fiction.

With his departure, the agency cut the counterintelligence staff to 80 from 300, and turned away from some of the techniques he had pioneered. Today, some intelligence officials and members of Congress say this may have been an overreaction. They say that the recent disclosures about highly damaging Soviet espionage operations suggest that Mr. Angleton was more accurate in his suspicions than was once believed.

DISTRUST OF SOVIET MOTIVES

Counterintelligence is one of the most thankless jobs in spy craft. Its practitioners think the unthinkable, examining each operation, recruit or defector for the possibility that it may be a deception. Counterintelligence agents also try to recruit agents who work for hostile intelligence services, hoping to confuse opponents with cleverly packaged false information.

Friends and associates agree that Mr. Angleton, who wore glasses and had a pronounced stoop, was ideally suited for his life's work. His view of the world was characterized by an abiding suspicion—opponents called it paranoia—about the Soviet Union's motives and maneuvers.

When the Soviet Union and China split in the early 1960's, Mr. Angleton remained convinced that the widely reported antagonism was a ruse concocted by the two Communist powers.

The defection of Yuri Nosenko from the Soviet Union in January 1964 prompted a prolonged investigation by Mr. Angleton and his staff, Mr. Nosenko insisted that he had been the Soviet case officer for Lee Harvey Oswald, the assassin of President Kennedy.

Mr. Angleton was inclinced to doubt Mr. Nosenko's insistence that the Soviet security agency, the K.G.B., had no connection to the attack on the President. Mr. Nosenko was released after being interrogated for more than three years, and the consensus at the C.I.A. was that he had been a legitimate defector. Mr. Nosenko was subsequently hired as a lecturer at courses given by the agency.

POWERFUL ROLE IN AGENCY

Mr. Angleton may have lost the battle over Mr. Nosenko, but he wielded great power inside the agency for decades. His section had access to more information than virtually any other because it was permitted to examine virtually all C.I.A. operations. The counterintelligence staff under Mr. Angleton could and did effectively end the careers of C.I.A. officers suspected of working for the Soviet Union. He often declined to explain why a particular officer had fallen under suspicion.

In addition, Mr. Angleton handled one of the agency's most sensitive relationships with an allied intelligence service, its ties to the Israelis. Mr. Angleton handled "the Israeli account" as it was termed in C.I.A. argot, for more than a decade. Indeed, Mr. Colby, the agency director who forced his resignation, earlier insisted that Mr. Angleton relinquish his control over Israeli matters.

Even with the passage of decades, it is difficult to compile a reasonably certain account of Mr. Angleton's espionage successes, which remain classified. For instance, by one account he was instrumental in obtaining, the text of Nikita S. Khrushchev's secret denunciation of Stalin in 1956.

He was also said to have been deeply involved in the unmasking of Kim Philby, the British double agent. Others say that for a time, at least, Mr. Angleton was deceived by Mr. Philby a man who had come to be his friend.

James Jesus Angleton was born in 1917, the year of the Russian Revolution, in Boise, Idaho. His father worked for the National Cash Register Company in Italy, and James Angleton spent summers in Italy while attending Malvern College in England. In 1937, he entered Yale University, where he roomed with E. Reed Whittemore Jr., the poet. The two founded a literary magazine, reflecting what would be Mr. Angleton's lifelong interest in the letters. His favorite poets, friends say, were T.S. Eliot and E.E. Cummings, and in Washington he was often found at lectures on the writings of James Joyce.

Two years after being graduated from Yale, he was recruited by a professor into the Office of Strategic Services, the World War II intelligence agency and forerunner to the C.I.A.

Senator Malcolm Wallop, Wyoming Republican who was a strong defender of Mr. Angleton, said in a statement today: "James Angleton lived long enough to serve his country before, during and after World War II. He was the architect of the best counterintelligence the United States ever had. In the mid-1970's, Angleton went out of fashion, but he lived long enough to see time and events vindicate him and show how little his accusers understood of the difficult and inherently thankless business of counterintelligence."

In World War II Mr. Angleton directed agents working against Nazi Germany. In 1944 he traveled to Rome where he worked on operations aimed at the Italian Fascist intelligence service. After the war, he worked closely with Italian counterintelligence to uncover reams of data about Soviet operations.

When he returned to the United States, he began to specialize in studying the K.G.B. Mr. Angleton built huge files on the espionage operations of the Russians, and was authorized in 1954 by Allen W. Dulles, then the director of agency, to set up its first counterintelligence staff.

In 1975 Mr. Angleton was awarded the C.I.A.'s highest award, the Distinguished Intelligence Medal.

Mr. Angleton has been sharply criticized in recent years in the memoirs of some intelligence officials, including Adm. Stansfield Turner, the director of Central Intelligence under President Carter. Admiral Turner wrote that he had got Congress to appropriate money to compensate officers whose careers had been ruined because they had come under the suspicion of Mr. Angleton.

"He was truly a Renaissance man," said N. Scott Miler, the chief of operations under Mr. Angleton. "He had a remarkable amount of knowledge about world events, art, literature, most remarkable people I have ever known."

Mr. Angleton is survived by his wife, Cicely d'Autremont; a son, James Charles Angleton, of Los Angeles, and two daughters, Guru Sangat Kaur, of Great Falls, Va., and Lucy d'Autremont Angleton, of New Mexico. He also leaves a brother, Hugh Angleton of Boise, and two sisters, Carmen Mercedes Angleton of Rome and Delores Guarnieri of Florence, Italy.

Services will be held Friday, at Rock Springs Church in Arlington, Va., and the family asks that a donation to be made to the American Cancer Society in lieu of flowers.

[From the Washington Post, May 12, 1987]

JAMES ANGLETON, EX-CHIEF OF COUNTERINTELLIGENCE, DIES

(By Richard Pearson)

James J. Angleton, 69, a retired head of counterintelligence at the CIA, where he gained a reputation as a brilliant, tireless, single-minded, and, even by agency standards, mysterious guardian of the nation's secrets, died of cancer yesterday at Sibley Memorial Hospital.

Mr. Angleton joined the CIA shortly after it was formed in 1947 and he helped organize its clandestine side—the part that spies as distinct from the part that gathers intelligence from published sources or by other overt means. In 1954, he was named head of counterintelligence—the part that protects the organization and all its works from hostile services. He held that job until early 1975, when he was forced to resign.

In the course of his career, Mr. Angleton became one of the most celebrated intelligence officers of his time. Stooped, lean, professional and chain-smoking, he wrote poetry and grew orchids for relaxation. And though his detractors were numerous, no one denied that the accomplishments of this secretive man were extraordinary.

In the end, however, there were those who despite his achievements, appeared to believe that he was becoming something of a liability to the agency to which he was so clearly devoted. Intelligence work is secret and so are attempts to find out about it. It was Mr. Angleton's task to expose what is in a certain sense unknowable. If he uncovered many enemy spies—and he did that—he could never be certain that another had not escaped him. His efforts to pierce this enigma eventually caused such disruption in the CIA that he fell from grace.

Mr. Angleton began to make his reputation while he was still an Army major serving in Italy in World War II with the Office of Strategic Services, the predecessor of the CIA. He was credited with helping to establish what came to be the CIA's "special relationship" with Israel's secret service, the Mossad, that resulted in the United States' obtaining vast quantities of data on Soviet military hardware and on conditions in the Soviet Union.

He was credited by some with helping expose Kim Philby, the former high official of Britain's MI6 (Secret Service) who fled to Moscow in 1963. Philby spied for the Soviet Union for 30 years and he was a colleague of Donald Maclean and Guy Burgess, the famous Soviet spies who fled the West in the early 1950s.

Mr. Angleton helped develop the trail that led to Rudolf Abel, the KGB colonel who was a major Soviet spy in the United States in the 1950s. Abel was traded in 1961 for Francis Gary Powers, the American U2 pilot who had been shot down while flying a spy plane mission over the Soviet Union in May 1960.

And he helped uncover Soviet spies who had penetrated intelligence or security agencies in France and West Germany.

Perhaps his best-known feat was obtaining a copy of Soviet Premier Nikita S. Khrushchev's secret speech to the 20th Congress of the Communist Party of the Soviet Union in 1956. In that speech, Khrushchev denounced the late dictator Josef Stalin. Almost a decade earlier, Mr. Angleton obtained correspondence between Yugoslav leader Josip Broz Tito and Stalin that foreshadowed Yugoslavia's defection from Moscow in 1948, the first historic rift in the communist world.

Tom Braden, a journalist and former senior CIA official, wrote in 1974 that the CIA is the only major intelligence service in the world that has never employed a "mole," as deep-penetration agents were dubbed by John Le Carre. High officials in the intelligence community believe this is still true. This is a measure of what Mr. Angleton accomplished.

But some thought the price was too high. As Mr. Angleton cast a wider and wider net of suspicion, brilliant careers in the CIA itself were blighted, according to former high officials.

A famous incident involved Anatoli Golitsin, a Soviet defector who in 1962 told Mr. Angleton that a Soviet "mole" had infiltrated the CIA and that a "false" defector would soon arrive to discredit what Golitsin had said. A year later, Yuri Nosenko defected from the Soviets and told the CIA that Golitsin could not be trusted. Mr. Angleton chose to believe Golitsin and so he kept Nosenko in jail for three years while he frantically and fruitlessly searched for the "mole." Nosenko's release finally was ordered by CIA director Richard Helms.

Mr. Angleton's critics cited this incident as an example of what they believed to be counterproductive in his work. There even were stories that the counterintelligence chief had been investigated as a possible "mole" himself.

The criticism came to a head after William E. Colby, another career officer of achievement, became director of central intelligence in 1973. In his memoirs, "Honorable Men," Colby wrote that after he took office he "looked in vain for some tangible results in the counterintelligence field, and found little or none. I did not suspect Angleton and his staff of engaging in improper activities. I just could not figure out what they were all doing."

So Colby offered Mr. Angleton a new job writing a manual on counterintelligence work. Mr. Angleton refused and his resignation followed.

James Jesus Angleton was born in Boise, Idaho. His father, James Hugh Angleton, had chased Pancho Villa into Mexico with Gen. John J. (Black Jack) Pershing, and while in Mexico, he had married a 17-year-old woman. The Angleton family traveled to Europe in the 1920s, where the elder Angleton became head of National Cash Register's operations on that continent.

James Angleton was educated in England. He then entered Yale University where he became a scholar of Italian literature, specializing in Dante, and gained a great reputation as a poet. He also was a fan of horseracing, a competent poker player and an omnivorous reader.

He and his roommate, the poet Reed Whittemore, founded the poetry quarterly "Furioso" while still undergraduates. In addition to their own work, the magazine published poems by such figures as Ezra Pound, e.e. cummings, Archibald MacLeish and William Carlos Williams. After Yale, Mr. Angleton went to Harvard University, where he studied law and business. In 1943, he went into the Army for World War II service.

In his service in Italy, his intelligence skills and distinctive airs made an impression. Gen. William (Wild Bill) Donovan, the head of the OSS, called him the OSS's "most professional counterintelligence officer." Others told of coming upon Mr. Angleton late at night reading and writing poetry.

After the war, Mr. Angleton stayed in the Army, attaining the rank of major. He helped the Italian Christian Democratic Party of Alcide de Gasperi turn back the communists at the polls in 1948 in what became known as "the miracle of '48." It was during this period that he made contacts with the Israelis that later became a special intelligence relationship. He then joined the CIA.

Mr. Angleton, who lived in Arlington, is survived by his wife, Cicely d'Autremont Angleton; three children, James Charles Angleton of Los Angeles, Guru Sangat Kaur of Great Falls, Va., and Lucy d'Autremont Angleton of Albuquerque; one brother, Hugh Angleton of Boise, Idaho; two sisters, Carmen Angleton of Rome, and Delores Guarnieri of Florence, and two grandchildren.

[From the Washington Times, May 12, 1987]

LEGENDARY CIA COUNTERSPY JAMES JESUS ANGLETON DIES

(By Bill Gertz)

James Jesus Angleton, celebrated CIA masterspy and one of the most colorful figures in U.S. intelligence, died yesterday at Sibley Memorial Hospital. He was 69.

Mr. Angleton, the first U.S. intelligence official to reveal the Soviets' use of strategic deception and "disinformation," died at 10:23 a.m., according to his daughter, Lucy Angleton. The death was attributed to lung cancer, she said.

Mr. Angleton developed and later ran the CIA's counterintelligence section between 1954 and 1973, at a time when counterintelligence—detecting and exploiting enemy spies—played a major role in U.S. intelligence.

Former CIA Director Richard Helms, who worked alongside Mr. Angleton for many years, yesterday praised the counterspy chief as "a great patriot" who played a pivotal role in the developing CIA capabilities against hostile spying.

"James Angleton was to American counterespionage what Thomas Edison was to the development of electricity," Mr. Helms said.

At the CIA, agency spokeswoman Kathy Pherson issued a statement calling Mr. Angleton "a longtime intelligence professional, who gave many years of service to his country."

"We regret his passing," Ms. Pherson said.

N. Scot Miler, an Angleton protege at the CIA until 1974, praised his former boss as a "renaissance man" who attempted to build a national counterintelligence program in the face of rigid bureaucratic resistance.

"He was a global thinker, who was the first to recognize the dangers of Soviet disinformation," Mr. Miler said in an interview. "From about 1965 on, he tried to educate people to the fact that disinformation was more than just propaganda: It is part and parcel of the communist program of political, strategic and military subversion of the West."

A major character in both contemporary spy fiction and non-fiction, Mr. Angleton coined the term "wilderness of mirrors" in describing the business of spy vs. spy, where perceptions and deceptions were not be accepted at face value.

Tall and angular, Mr. Angleton departed from the the agency in December 1974 following a clash with William Colby, who was then director of the CIA, over policies and efforts to root out Soviet spies within the agency and among Soviet bloc defectors.

Mr. Angleton became the target of agency opponents and critics who opposed his counterintelligence methods. He was investigated and later cleared by the Senate Intelligence Committee that probed CIA activities in the mid-1970s.

Within a year of his departure from the CIA, the counterintelligence staff he built had been drastically reduced from about 300 specialists to about 80. According to some intelligence professionals, the reductions led to a government-wide backlash against counterintelligence that persists to this day.

Sen. Malcolm Wallop, Wyoming Republican, called Mr. Angleton "the architect of the best counterintelligence program the United States ever had."

"In the mid-1970s, Mr. Angleton went out of fashion, but he lived long enough to see time and events vindicate him and how little his accusers understood the difficult and inherently thankless business of counterintelligence," Mr. Wallop said. "Today we can be grateful for the lessons of skepticism and intellectual honesty for which James Angleton should always be remembered."

Mr. Angleton told friends privately that the current Moscow embassy scandal, involving U.S Marine guards charged with allowing Soviet agents inside secret sections of the U.S. Embassy in Moscow, was a vindication of sorts since he believed it was a direct result of the counterintelligence cutbacks of the late 1970s.

He once described penetration agents—"moles," spying covertly for the Soviet Union from within the U.S. Government—as "a way of life" for Soviet intelligence activities directed against the West. He believed five such moles were left in place when he left the CIA.

He was born in Boise, Idaho, on Dec. 9, 1917, and grew up in Milan, Italy, where his father, Hugh Angleton, was a representative of the National Cash Register Co. He received his early education at Malvern College in England before attending Yale University, where he graduated in 1941.

At Yale, Mr. Angleton edited a literary journal Furioso, that was known for publishing such poets as Ezra Pound, William Carlos Williams, e.e. cummings and Archibald MacLeish. Through his interest in poetry he also came to know the British poet T.S. Eliot.

He attended Harvard University law school, was drafted into the Army in 1943 and joined the Office of Strategic Services, the wartime predecessor of the CIA.

With the OSS, Mr. Angleton learned the difficult task of counterintelligence, once described by a practitioner "as the most difficult intelligence area since it deals with the dark side of human nature—betrayal, revenge and lust."

He learned the counterspy business in London under the Soviet mole in British intelligence, H.A.R. "Kim" Philby, who spied secretly for the Soviets in Britain until he defected to the Soviet Union in 1963. As a second lieutenant, Mr. Angleton was placed in charge of OSS counterintelligence in Italy, where he succeeded in exposing a double agent spying inside the Vatican.

After the war, he continued in intelligence work as an operations executive until the CIA was formed in 1947, when he went to work in the agency's counterintelligence section.

Mr. Angleton spent his last years in retirement defending former intelligence agents who were persecuted by the U.S. Government during the anti-intelligence backlash of the late 1970s. Along with other former CIA officials, he established the Security and Intelligence Fund, initially a legal defense fund that became the Security and Intelligence Foundation.

At his Northern Virginia home, Mr. Angleton raised orchids and harvested honey from a bee hive. He was also known as a master fly fisherman and an avid duck hunter.

He is survivied by his wife, Cicely d'Autremont Angleton of Arlington, a son, James Charles Angleton of Los Angeles; two daughters, Guru Sangat Kaur of Great Falls, Va., and Lucy Angleton of New Mexico.

Funeral services will be held Friday at 1:30 p.m. at Rock Springs United Church of Christ, 5010 Little Falls Road, Arlington. The family asks that expressions of sympathy be in the form of contributions to the American Cancer Society.

Mr. SYMMS. Mr. President, I also extend my sympathies to the Angleton family for the loss of a great member of their family. He was a great friend of all of us, and a great American.

THE FARM ECONOMY

Mr. SYMMS. Mr. President, I would like to read into the RECORD a letter from one of my constituents living in Preston, ID. Her name is Lee Ann Gilbert and her letter reads as follows:

APRIL 30, 1987.

DEAR SENATOR SYMMS, One of the earliest questions I asked as a child living on a farm was "Why aren't we growing anything on this field?" I remember how dishonest I felt when I was told our family got paid to not plant crops. Now it's 30 years later and I still feel dishonest when my husband and I consider accepting farm subsidies.

There must be another way to help farmers. Subsidies hurt the economy by taking away the profits of the businesses that service farmers—business such as equipment dealers, fertilizer suppliers, and fuel dealers.

Please help us get back to an honest economy.

Sincerely,

LEE ANN GILBERT.

As you know, Mr. President, Idaho is fourth among all the States in being dependent on its agriculture industry. And Mrs. Gilbert comes from one of the most agriculturally depressed areas in my State. In Preston, there are few, if any, crops other than wheat that are grown commercially. And as we are all aware, wheat farmers qualify for many Government subsidies.

The point of my bringing Mrs. Gilbert's letter to the attention of this legislative body is that perhaps we, as lawmakers, should question whether we are in step in the desires of those Americans we are desperately trying to help. And I use the word "help" very loosely, Mr. President.

Here is a woman in a situation that epitomizes the reasoning behind the evolution of many of our agricultural programs. She and her husband have more reasons than most to benefit from the subsidies we labored long hours to create. But instead, she simply asks, in essence, to be allowed to function in a market free from Government intervention, free from Government regulation, and most of all, free from Government handouts. It seems all Mrs. Gilbert wants is for us to allow her family farm to either experience success or failure, which is no different than what any risk-taking entrepreneur must face. To me, Mr. President, she deserves applause.

Thank you, Mr. President.

Mr. President, I yield the floor.

Mr. PROXMIRE addressed the Chair.

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

THE SHINING ARMS CONTROL SUCCESS

Mr. PROXMIRE. Mr. President, so yes there have been failures. In fact arms control is near death in this most dangerous era since civilization emerged on the planet. How can we save it? Five suggestions:

First, negotiate a mutual verifiable agreement with the Soviet Union to stop testing all nuclear weapons.

Second, negotiate a comprehensive, across-the-board, all-inclusive end to further deployment of all nuclear weapons, that is, the freeze—a smashing popular success.

Third, negotiate a mutual, verifiable reduction in nuclear weapons with special concentration on the least stable, that is, the use it or lose it most vulnerable nuclear weapons.

Fourth, negotiate a corresponding verifiable limit on conventional weapons.

Fifth, reinforce and strengthen the nonproliferation treaty.

Much criticism of the current status and the dreary record of arms control in the past 8 years gives too discouraging a picture.

Can we succeed? Can arms control win? Yes, we can take realistic comfort in the one shining success of arms control.

Where is this arms control success? Let me tell you. I recall the Senate debates of 20 or 25 years ago on the future prospect of avoiding a nuclear war. What was the overwhelming consensus in the early 1960's about nuclear proliferation? What did we believe would face the world in the mid-1980's? Answer: Even among the optimists we believed that at least 25 countries would have nuclear arsenals by say 1987, and that we would be on our way to much wider proliferation in coming years.

So what has happened. We were—thank the Good Lord—wrong. Today there are still the same five acknowledged superpowers there were 25 years ago—the United States, the Soviet Union, the United Kingdom, France, and China, period. Now it is true that India, Pakistan, Israel possibly Brazil, Argentina, and South Africa may have obtained some nuclear capability although most of them deny having it. The feared proliferation that would have made near term nuclear war a virtual certainty has not materialized.

Why? Two reasons. First the nonproliferation treaty has been a smashing, shining arms control success. The NPT signatories now include not all but the great majority of the world's nations including most of those who would be capable of developing a nuclear arsenal. And most of these nations have signed pledges on the dotted line not to build nuclear weapons and not to transfer to another country, or use for weapons purposes, weapons grade processed uranium or plutonium used in the production of energy. What is more, they have agreed to unannounced international inspection of their facilities to assure compliance with the pledge.

The second reason the terrible cancer of nuclear proliferation has not spread is that, to date, the nuclear powers, including especially the superpowers, have not yet—I stress yet—tested and developed in their laboratories nuclear weapons cheap enough to be affordable on a major scale by the Syrias and Libyas and North Koreas of the world.

So what can we learn from this great success? We can learn that those who believe in arms control have on their side the great majority of the world's governments. We have learned that nations recognize that whatever the quick and massive military power nuclear arms can bring, governments overwhelmingly believe its not worth the likelihood of nuclear retaliation that the possession of a nuclear arsenal also brings. Is this right? Yes, it is. But it's right only under present economic circumstances. Give the superpowers another 10 or 20 years to come on with the weapons testing of cheaper, more devastating nuclear warheads with many times more bang for the buck per pound—something like the antimatter bomb—and you can kiss this civilization good bye. So the lesson of our success in stopping proliferation—gives us two messages—first we can negotiate agreements that are winners with most of the countries in the world given the present technological status of nuclear weapons. Second we have another excellent reason to strive to negotiate a comprehensive, verifiable test ban treaty with the Soviet Union and other nuclear weapons nations.

Mr. President, I yield the floor.

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. PROXMIRE. 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.

GOLDEN FLEECE FOR MAY

Mr. PROXMIRE. Mr. President, today I am awarding my Golden Fleece for May to the U.S. Navy for throwing away more than $88,000 of taxpayer's money on a bloodmobile so poorly designed and so badly built that the vehicle cannot be operated safely, has numerous defects and has been gathering dust in a Bethesda Naval Hospital garage for the last 3 years.

The purchase has turned out to be one big bloody mess for the Navy and for the taxpayers. There is no way they will collect a pint of anything, except for taxpayer's tears, in this ridiculously built rolling rickety riot of a ride.

Like a big, sick elephant a heartbeat away from demise, this monstrosity is shedding parts all over the place. It has more component pieces missing than a tiger has stripes and drags its big rear across the road like a bear with no hind legs. When you apply the brakes after backing, the front wheels leave the ground like a bucking horse. This thing would probably lead to more bloodshed than blood collection.

That is not all. Space was not even provided for two important laboratory-style blood separation units. That is like building a house without a doorway. As a white elephant, this jalopy fits the bill.

The poor taxpayer, weary from years of irresponsible Government spending, will need a transfusion of the pocketbook when the final numbers are in. If the Navy buys submarines this way, we are sunk.

The Navy's problems with this purchase go back to the very beginning when a firm that had never built a bloodmobile got the contract. From the first inspection of the product up until final delivery, defects were discovered, but the critically ill vehicle was accepted. Despite the injection of more Government money and time in the vehicle's veins to get it going, the poor patient never registered more than a faint pulse.

The Navy says some of the blame goes to the Defense Department's contracting arm in Indianapolis, which handled the solicitation. In describing its own role in the debacle, the Navy says it was "penny wise, and pound foolish." I find it hard to see any wisdom, even a penny's worth. But there is more than a pound's worth of foolishness to go around. It seems elementary that somebody would have checked to make sure all the bidders were qualified.

When you look at some of the 23 deficiencies found on the first inspection in September 1983, right after this $88,328 "doom buggy" limped off the assembly line, you could sense trouble:

Markings were smudged with white paint, fuel gauges were unidentified, weight was improperly distributed—a safety hazard, cabinet doors would not stay shut while the vehicle was in operation, a ceiling storage cabinet was missing, fans and mufflers were missing, water leakage occured at all windows and doors, the sink and drain tank leaked, the toilet was installed to close to the sink.

More deficiencies turned up after delivery to the Bethesda Naval Medical

Center. But the Navy still accepted this "junkmobile":

Hydraulic jacks would not reach the ground, brake lines were poorly routed, the rear springs were collapsed, wiring did not match manufacturer's schematics, water collected on the roof because of faulty design, the rear tires were overloaded, troublesome main and auxiliary generators, including faulty wiring.

When the Navy pulled the sputtering machine from service in March 1984, 5 months after delivery to Bethesda, the vehicle had made only test runs. They ought to shoot the thing and take it out of its misery.

The Navy says it is now investigating the matter and is pursuing legal action. A day late and a dollar short they are now reviewing their procedures.

The Navy wants to convert the truck portion of the bloodmobile into a flatbed and snow removal vehicle. That would be quite appropriate and useful. After all, they are going to need something to dig the taxpayers out from under this latest snow job.

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

The PRESIDING OFFICER (Mr. BREAUX). Without objection, it is so ordered.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed for an additional 5 minutes in morning business, under the conditions previously entered.

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

AMENDING PARAGRAPHS 2 AND 3(a) OF RULE XXV

Mr. BYRD. Mr. President, I send to the desk a resolution which provides for certain changes in the sizes of committees, so as to permit appointments thereto, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 211) amending paragraphs 2 and 3(a) of rule XXV.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

S. RES. 211

Resolved, That paragraph 2 of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Agriculture, Nutrition, and Forestry" and insert in lieu thereof "19".

Strike "18" after "Banking, Housing, and Urban Affairs" and insert in lieu thereof "20".

Strike "20" after "Foreign Relations" and insert in lieu thereof "19".

SEC. 2. Paragraph 3(a) of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Small Business" and insert in lieu thereof "19".

SEC. 3. Paragraph 4(h) of rule XXV is amended for the 100th Congress by adding at the end the following new paragraphs:

"(37) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works and may, during the Hundredth Congress, also serve as a member of the Committee on Agriculture, Nutrition, and Forestry so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2.

"(38) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Armed Services and Energy and Natural Resources and may, during the Hundredth Congress, also serve as a member of the Committee on Banking, Housing, and Urban Affairs so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2."

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

COMMITTEE APPOINTMENTS

Mr. BYRD. Mr. President, I send to the desk a Senate resolution making additional majority appointments, and I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 212) making additional majority appointments to the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Banking, Housing, and Urban Affairs.

Resolved, That the Senator from Louisiana [Mr. BREAUX] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition, and Forestry, and the Senator from Colorado [Mr. WIRTH] is hereby appointed to serve as a member of the Committee on Banking, Housing, and Urban Affairs for the 100th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

COMMITTEE APPOINTMENTS

Mr. DOLE. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 213) making Republican appointments to the Committee on Agriculture, Nutrition, and Forestry, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business.

Resolved, That the Senator from Nebraska [Mr. KARNES] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition, and Forestry, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business for the 100th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DOLE. Mr. President, I am very pleased that with the action taken on the resolutions just agreed to by the Senate, we have finally secured the committee assignments for our colleague, Senator DAVID KARNES.

I want to thank the distinguished majority leader for his assistance.

We, as Republicans, have asked that the committee ratios be consistent as possible with the ratios in 1981, 1983, and 1986, when the Republicans controlled the Senate. In 1981, at 54 Republicans and 46 Democrats, there were only five "A" committees with two seat margins. In 1983, with 55 Republicans and 45 Democrats, there were again five "A" committees with two seat margins. Also, in 1986, with 53 Republicans and 47 Democrats, there were only four "A" committees with two seat margins. In the 3 years just mentioned, all other "A" committees had a one-seat margin.

As we started the 100th Congress, with 55 Democrats and 45 Republicans, there was but one committee with a one-seat margin, that being the Energy Committee. Now, after negotiating for the two "A" committee seats for Senator KARNES, we have three committees with a one-seat margin. Eight other committees have a two-seat margin and Appropriations Committee has a three-seat margin.

The numerical bases has been increased from 224 at the beginning of the 100th Congress, to 226 with the present ratio of 54 Democrats and 46

Republicans. The Democrats now control 124 "A" committee seats and the Republicans 102. The numerical break-down is 54 percent of 226 is 122.04 and 46 percent is 103.96. Therefore, the Democrats have two more seats than they are entitled to numerically and the Republicans have two less than we deserve.

The discrepency in numbers is in part because of the choice of committees by Senator Karnes. The Agriculture Committee with a new Republican seat would have put the committee numbers at a deadeven 9 to 9. Thus, an additional Democratic seat was necessary to retain majority status. The new committee ratio is 10 to 9.

The new ratio on the Banking Committee is 11 to 9. Senator Karnes was added to the committee and the Democrats asked for an additional seat to maintain the two seat margin.

This appears to be the best solution that could be reached under the circumstances. The increase in Democratic seats on an individual committee basis result in ratios that are consistent with the 54-to-46 ratio. However, in the aggregate they result in the Democrats having the advantage.

Again, I want to thank the distinguished majority leader for his assistance.

SENATOR KARNES AND COMMITTEE ASSIGNMENTS

Mr. DOLE. Mr. President, I want to take just a moment to congratulate our newest Member—Senator Dave Karnes of Nebraska—for his new committee assignments. I would also like to thank him for the extraordinary patience he displayed during the long and frustrating period it took to secure his committee seats.

I am confident that he will do an outstanding job on the Agriculture, Banking, and Small Business Committees. These were the committee assignments he requested, and these were the assignments we were determined to obtain.

As we all know, Dave came to Capitol Hill under very difficult and sad circumstances: the death of our beloved colleague Ed Zorinsky. I said at the time that Dave had some very big shoes to fill, especially on agriculture issues where Senator Zorinsky was a powerful voice for the American farmer, and that is exactly why Dave Karnes was a natural for the Agriculture Committee.

He understands the needs of rural America and has had the hands-on experience to make a difference in Washington. As far as I'm concerned, a Nebraska Senator and a seat on the Agriculture Committee go together like Nebraska and Cornhusker football.

Mr. President, it was a long time coming, but I am glad we were able to finally work out a committee agreement with the distinguished majority leader.

I look forward to working with Dave Karnes and will welcome his input on the tough issues that lie ahead.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 213) was agreed to.

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

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

The motion to lay on the table was agreed to.

REPRINTING OF DOCUMENT ENTITLED "CREATION OF THE SENATE: PROCEEDINGS IN THE CONSTITUTIONAL CONVENTION OF 1787"

Mr. BYRD. Mr. President, on behalf of Mr. Dole and myself, I send to the desk a Senate resolution that authorizes the reprinting of the manuscript entitled "Creation of the Senate: Proceedings in the Constitutional Convention of 1787," prepared by Dr. George Schulz in 1937.

The PRESIDING OFFICER. The clerk will state the resolution.

The assistant legislative clerk read as follows:

Resolution (S. Res. 214) to authorize the reprinting of the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz in 1937.

Resolved, That the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz, Director of the Legislative Reference Service, Library of Congress, and originally ordered printed as a Senate document in the 75th Congress in 1937, shall be reprinted as a Senate document.

Sec. 2. Such document shall include a suitable cover commemorating the Bicentennial of the Senate and a new preface to be prepared by the Majority Leader and the Minority Leader.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, 50 years ago Dr. George J. Schulz, Director of the Library of Congress' Legislative Reference Service, prepared a remarkable study entitled "Creation of the Senate: Proceedings in the Constitutional Convention of 1787." This study was first published by the Senate in March 1937 on the eve of the Constitutional Convention's 150th anniversary and 2 years before the Senate's own sesquicentennial. It consists of a chronological account, drawn from James Madison's Notes of Debates in the Federal Convention, of the convention's secret deliberations related to the establishment of the Senate.

Among the several delegates who kept notes during the course of the convention, between May and September 1787, James Madison was the most diligent and accurate. He deliberately selected a seat in front of the presiding officer. As he wrote later, "in this favorable position for hearing all that passed, I noted * * * what was read from the chair or spoken by the members; and losing not a moment unnecessarily between the adjournment and reassembling of the Convention I was enabled to write out my daily notes during the session or within a few finishing days after its close * * *"

Catherine Drinker Bowen in her magnificent account of the convention, "Miracle At Philadelphia," paints this picture of Madison as reporter. "In the front row near the desk, James Madison sat bowed over his tablet, writing steadily. His eyes were blue, his face ruddy. He did not have the scholar's pallor. His figure was well-knit and muscular, and he carried his clothes with style. Though he usually wore black, he had also been described as handsomely dressed in blue and buff, with ruffles at breast and wrist. Already, at age 36, he was growing bald and brushed his hair down to hide it. He wore a queue, pigtail, and powder. He walked with the quick, bouncing step that sometimes characterized men of remarkable energy."

As we know, Madison was more than a diligent reporter of convention proceedings. He was no less than the Constitution's principal architect. Consequently, his notes are of particular value as a source of his own enormously influential views. Without his record, we would have today only a sketchy and incomplete knowledge of what went on behind the convention's closed doors. This is particularly true with regard to what the framers intended the Senate to be.

Mr. President, it is most appropriate that we republish the Schulz edition of Madison's notes on the "Creation of the Senate." May 14 marks the 200th anniversary of the date the Constitutional Convention was scheduled to convene. Lacking the necessary quorum, that body finally got underway on May 25. Four days later, on May 29, Edmund Randolph introduced his "Virginia Plan"—a discussion draft prepared largely by Madison. The fifth section of that resolution provided for the creation of a Senate, whose members were to be selected by House members based on nominations from individual State legislatures.

As part of the forthcoming commemoration of the Senate's bicentennial, I am pleased to support reprinting of this important volume, which has been unavailable for many years. Through its pages Senators and all Americans can read James Madison's first-hand account of how the convention proceeded from this springtime beginning, through the hot Philadelphia summer, to create the Senate provided for in the Constitution of September 17, 1787.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 214) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INDEFINITE POSTPONEMENT

Mr. BYRD. Mr. President, while awaiting further information via the hotline, the cloakroom line—and the distinguished Republican leader and I have agreed on this one—I ask unanimous consent that Calendar Order No. 89, S. 643, amending the Surface Mining Control and Reclamation Act, be indefinitely postponed.

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

THE CALENDAR

Mr. BYRD. Mr. President, I inquire of the distinguished Republican leader if the leader has any objection to our proceeding with the consideration immediately of Calendar Orders Nos. 116, 117, 119, and 121?

Mr. DOLE. I have no objection.

Mr. BYRD. Mr. President, I thank the Republican leader.

I ask unanimous consent that the Senate proceed to the immediate consideration of those four items en bloc, that they be considered en bloc, agreed to en bloc, and the motion to reconsider en bloc be laid on the table.

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

(The measures are as follows:)

OFFICE OF LIBRARIAN OF CONGRESS EMERITUS

The bill (S. 1020) to create the Office of Librarian of Congress Emeritus, was considered.

PASSAGE OF S. 1020, A BILL TO CREATE THE POSITION OF LIBRARIAN OF CONGRESS EMERITUS

Mr. MOYNIHAN. Mr. President, I rise today to note the passage of S. 1020, a bill to create the Office of Librarian of Congress Emeritus.

On April 10, 1987, Senator HATFIELD and I introduced S. 1020, a bill to create the Office of Librarian of Congress Emeritus. Cosponsors of this bill include Senators FORD, STEVENS, PELL, DECONCINI, DODD, MCCLURE, INOUYE, and BINGAMAN. S. 1020 creates only the Office—it does not require any funds. The Library of Congress will provide office space, a parking space and any staff or materials which might be required.

The Librarian of Congress serves in an office of great distinction in this country. Since January 29, 1802, when President Jefferson appointed the first Librarian of Congress, John J. Beckley, there have only been 11 other such appointments.

The history of the Library of Congress is filled with some rather delightful stories. The early days of the Library were turbulent, to say the least. During Napoleonic wars, the United States sided with the French and in 1813, American troops burned the Parliament House and the Library of Canada in present day Toronto. Seeking revenge, a year later British troops stormed into Washington, burned the White House and the Capitol, and within the Capitol, destroyed the original Library of Congress. Recognizing that this national treasure must be restored, the then retired Jefferson offered his personal library at Monticello as a replacement.

After these shaky beginnings, the Library of Congress survived and prospered. Much of that prosperity must be credited to the Librarian of Congress—an individual who is vested with tremendous responsibilities. Today, the Library of Congress is a great institution, indeed a world renowned repository of books and ideas. The Library operates with a staff of over 5,200, and a budget of $235 million. It has 535 miles of shelves filled with the largest collection of books in the world. Indeed, the Library of Congress is larger than many major corporations in this country.

Not just anyone can be entrusted with the keep of such a vital national resource. In the words of Justice Felix Frankfurter:

> What is wanted in the directing head of a great library are imaginative energy and vision. He should be a man who knows books, loves books and makes books . . . only a scholarly man of letters can make a great national library a general place of habitation for scholars.

The present Librarian of Congress, Daniel J. Boorstin, is such a man.

Dr. Boorstin's tenure began on November 12, 1975. Within 2 months of taking Office, he initiated a year-long study of the Library, the result of which was a major reorganization of the Library in 1978.

In 1977, with private donations, Dr. Boorstin established the "Center for the Book," which sponsors studies, symposia and publications designed to stimulate interest in books and the printed word. In addition, in 1980, he set up the Council of Scholars, which advises the Library on its collections and services. The Council has met twice a year since its inception to keep the Library abreast of book collections available throughout the world, as well as new changes and trends in library services.

In addition, with his usual creativity and ingenuity, Dr. Boorstin initiated "hero luncheons," where the careers and lives of famous people are discussed by friends and colleagues and recorded and placed in the collection of the Library for future use. Some who have been honored in this way are Margaret Mead, Charles Lindbergh, Samuel Eliot Morison, and Richard Rodgers.

Under his watch, the new third Library of Congress Building, the James Madison Memorial Building was completed and occupied, and with the aid of the Architect of the Capitol and funding from Congress, renovation and restoration of the Jefferson and Adams Buildings were undertaken.

Yet, more than these contributions, Daniel Boorstin will be remembered for the type of man he is. A Pulitzer Prize-winning historian, he is a scholar with great vision. After announcing his retirement, Boorstin and his wife donated $100,000 to create the Daniel J. and Ruth F. Boorstin Publication Fund in the Center for the Book. This act demonstrates the commitment and dedication of Daniel J. Boorstin to the Library of Congress.

By making him the Librarian of Congress Emeritus upon his retirement in June, we in Congress can only begin to repay his dedication and great works on behalf of the Library and the country.

I thank my colleagues for their support.

The bill was ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each Librarian of Congress appointed by authority of the first undesignated paragraph under the center heading "Library of Congress" in the first section of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", approved February 19, 1897 (29 Stat. 546; 2 U.S.C. 136) shall upon retirement be designated Librarian of Congress Emeritus. The Librarian of Congress is authorized to make necessary administrative arrangements for any individual who holds the Office of Librarian of Congress Emeritus.

REPRINTING OF A SENATE REPORT

The concurrent resolution (S. Con. Res. 53) to authorize the reprinting of Senate Report No. 100-9, 100th Congress, first session, was considered, and agreed to as follows.

S. CON. RES. 53

Resolved by the Senate (the House of Representatives concurring), That the Senate Report 100-9, 100th Congress, 1st Session, entitled "Developments in Aging", be reprinted as a Senate document and that there shall be printed an addition 1,500 copies of Volume 1 and an additional 500 copies of Volume 2. All additional copies shall be for the use of the Special Committee on Aging.

AUTHORIZING THE SPECIAL OLYMPICS TORCH RELAY TO BE RUN THROUGH THE CAPITOL GROUNDS

The concurrent resolution (H. Con. Res. 91) authorizing the 1987 "Special Olympics Torch Relay" to be run through the Capitol Grounds, was considered, and agreed to.

THRIFT SAVINGS FUND INVESTMENT ACT

The bill (S. 1177) to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the thrift savings fund when restrictions on such investments and payments are caused by the statutory public debt limit, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1177

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 "Thrift Savings Fund Investment Act of 1987".

SEC. 2. THRIFT SAVINGS INVESTMENT.

(a) INVESTMENT AND RESTORATION OF THE FUND.—Section 8438 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) Notwithstanding subsection (f) of this section, the Secretary of the Treasury may suspend the issuance of additional amounts of obligations of the United States, if such issuances could not be made without causing the public debt of the United States to exceed the public debt limit, as determined by the Secretary of the Treasury.

"(2) Any issuances of obligations to the Government Securities Investment Fund which, solely by reason of the public debt limit are not issued, shall be issued under subsection (f) by the Secretary of the Treasury as soon as such issuances can be issued without exceeding the public debt limit.

"(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Government Securities Investment Fund obligations under chapter 31 of title 31 that (notwithstanding subsection (f)(2) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of obligations of the United States by the Government Securities Investment Fund will replicate the obligations that would then be held by the Government Securities Investment Fund under the procedure set forth in paragraph (5), if the suspension of issuances under paragraph (1) of this subsection had not occurred.

"(4) On the first business day after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Government Securities Investment Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount equal to the excess of the net amount of interest that would have been earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period if—

"(A) amounts in the Government Securities Investment Fund that were available for investment in obligations of the United States and were not invested during such debt issuance suspension period solely by reason of the public debt limit had been invested under the procedure set forth in paragraph (5), over

"(B) the net amount of interest actually earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period.

"(5) On each business day during the debt limit suspension period, the Executive Director shall notify the Secretary of the Treasury of the amounts, by maturity, that would have been invested or redeemed each day had the debt issuance suspension period not occurred.

"(6) For purposes of this subsection and subsection (i) of this section—

"(A) the term 'public debt limit' means the limitation imposed by section 3101(b) of title 31; and

"(B) the term 'debt issuance suspension period' means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit.".

(b) REPORTS REGARDING THE OPERATION AND STATUS OF THE FUND.—Section 8438 of title 5, United States Code, as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(i)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Thrift Savings Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (h) of this section. The report shall be submitted as soon as possible after the expiration of such period, but not later than 30 days after the first business day after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Executive Director and the Comptroller General of the United States.

"(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (f) of this section, the Secretary shall immediately notify Congress and the Executive Director of the determination. The notification shall be made in writing.".

CONFEREES ON THE CONCURRENT RESOLUTION ON THE BUDGET

The PRESIDING OFFICER. Pursuant to authority granted on May 7, 1987, the Chair has been granted authority to name Senators to serve on the committee of the conference on the disagreeing votes of the two Houses on House Concurrent Resolution 93 on behalf of the Senate.

The Chair appoints the following Senators:

Senators CHILES, HOLLINGS, JOHNSTON, SASSER, RIEGLE, and EXON.

Senators DOMENICI, ARMSTRONG, KASSEBAUM, and BOSCHWITZ.

EXTENSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the period for morning business be extended an additional 10 minutes under the same understanding as heretofore entered.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS FOR 15 MINUTES

Mr. BYRD. Mr. President, I am awaiting word to see if we could proceed to take up the FSLIC measure this afternoon. That measure has been cleared on this side of the aisle. I am hoping we might be able to proceed to it, H.R. 27, Calendar Order No. 115.

Rather than a quorum call going on for another 15 minutes, I ask unanimous consent that the Senate stand in recess for 15 minutes.

There being no objection, the Senate, at 3:06 p.m., recessed until 3:21 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. BREAUX].

The PRESIDING OFFICER. The Chair recognizes the majority leader.

EXTENSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I ask unanimous consent that the period for morning business be extended for 5 minutes.

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

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. BYRD. Mr. President, I should indicate what the state of play is here while we are in morning business.

The Senate, once morning business is closed, is to resume consideration of the unfinished business, which is H.R. 1827, Calendar Order No. 105, an act making supplemental appropriations for fiscal year ending September 30, and for other purposes.

Mr. President, we were last on this measure Friday. On the preceding day I had moved to waive the Budget Act, the purpose being that, in certain respects the appropriations bill exceeds the outlay figures and for other reasons a point of order would lie against the bill.

The waiver was rejected. I did not enter a motion to reconsider, nor did I move to reconsider. Today is the last day in which I can move to reconsider or enter a motion to reconsider. I do not plan to move to reconsider, nor do I plan to enter a motion to reconsider.

So when the Senate goes back on that bill today, it will be in a situation in which the waiver motion was rejected. The waiver motion requires 60 votes in order to carry. Fifty-one Senators voted to waive the appropriate provisions of the Budget Act, and that was nine votes short.

The bill, as reported by the Senate Appropriations Committee, is $2.570 billion under the President's request. The President's request was for slightly over $12 billion, and that $12 billion would be broken down in part as follows: The President requested almost $2.8 billion for DOD, military items, the Senate Appropriations Committee recommends $768 million; the President had requested slightly over $1 billion in foreign assistance items, the Senate Appropriations Committee recommends $154 million; the President's budget requested $6.9 billion in nondefense, domestic items, of which $6.7 billion is for the Commodity Credit Corporation, and the Senate Appropriations Committee is recommending $6.8 billion, which would be $128 million under the President's request; the President's request was for $1.2 billion for pay and retirement costs, and the Senate Committee is recommending $1.5 billion. This is because we have to fund some programs which the President had not anticipated, so that in addition to the items that I have mentioned there would be a little over $130 million for the homeless relief initiative. The overall as I have indicated, would amount to something like $12 billion in the President's request, about $9.4 billion of which the Senate Appropriations Committee recommends.

Now, with the waiver's having been rejected, because it did not command a 60-vote supermajority, the Senate can still proceed with this appropriations bill until and unless a point of order is raised against it.

The distinguished Senator from Texas [Mr. GRAMM] had indicated last week, when we were debating the bill, that he planned to raise such a point of order would in all likelihood be sustained by the Chair, in which case the bill would go back on the calendar and would stay there unless and until it is called up again.

Mr. President, in view of the fact that the administration wants this bill, I think the administration ought to help us get some votes from the other side of the aisle. Forty-two Democrats voted for the waiver, and 9 Republicans voted for the waiver. I believe there are five Republicans and three Democrats on the Appropriations Committee who did not vote for the waiver.

Mr. President, We can debate this quite at length, but I do not see any reason for saying much more except to say that if the point of order is made and the Chair sustains the point of order, I am inclined to just let the bill go back on the calendar and let the administration help to resuscitate it by breathing a little new life into it.

As far as I am concerned, it is my hope that we can go to the DOD authorization bill tomorrow. I do not know whether the President is aware of it or not, but this supplemental appropriations bill has money in it for DOD, military, and I note that the committee has recommended $131 million of the $500 million SDI supplemental specifically associated with research into advanced technologies for an Advanced Launch System.

"The committee also directs"—I am reading from page 35 of the committee report—"that $38 million of these funds be transferred to the National Aeronautics and Space Administration to supplement its fiscal 1987 activities in the ALS program with respect to advanced engine and booster development." So there is money that I am sure the President wants under the strategic defense initiative.

As to foreign assistance items, I was talking today with the Secretary of State, Mr. George Shultz, and he is interested in the $154 million in foreign assistance items the Senate is recommending. Out of the request from the President of over $1 billion, $300 million is in the bill by transfer for Central America.

And so I appeal to the President; if the administration wants to save this bill, now is a good time to put its shoulder to the wheel. Inasmuch as a supermajority is required to waive the provision of the Budget Act, it seems to me that Senate Democrats should not have to shoulder the overwhelming portion of the votes to waive this act, because the Republican administration wants this bill, the Republican President wants this bill, the Republican Secretary of State wants this bill. I am sure that the nine brave Members on the other side of the aisle who voted for the waiver on last Thursday were not the only Members on the other side of the aisle who want this bill. I do not think we can have our cake and eat it, too. It seems to me that our Republican friends ought to belly up to the ballot box and cast a vote for the waiver; they want what is in the bill.

So I will not move to reconsider the vote. I will keep morning business going for a little while. I would expect at an early point today to let the Senate get on the bill and then let the Senate work its will on the bill. If a point of order is raised against it, then I may or may not move to waive again and see what happens.

I say that just by way of explanation so those who may be listening to or viewing the deliberations can understand why they do not see anything happening at the moment.

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

The PRESIDING OFFICER. The absence of a quorum is noted. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, shortly I will ask the Chair to close morning business, and at this time the unfinished business will come back before the Senate.

The supplemental appropriations bill is the unfinished business. That will be the matter before the Senate, and it is my understanding Mr. GRAMM of Texas will make a point of order against the bill for the reasons which he will state.

I will ask that the Chair state the unfinished business, and then I will put in another quorum call.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SUPPLEMENTAL APPROPRIATIONS, 1987

The PRESIDING OFFICER. The clerk will state the unfinished business.

The bill clerk read as follows:

A bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate resumed consideration of the bill.

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

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

QUORUM CALL

Mr. BYRD. Mr. President, I understand that Mr. GRAMM will shortly make a point of order, and he may wish to debate the matter before he makes his point of order. I think this whole matter is sufficiently important that we ought to have more extensive attendance. I, therefore, suggest the absence of a quorum, and that it be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum Vote No. 15]

Byrd	Fowler	Hatfield
Dole	Gramm	Stennis

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of absent Senators.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia. On this question, the yeas and nays were ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Hawaii [Mr. INOUYE], the Senator from New York [Mr. MOYNIHAN] and the Senator from Maryland [Mr. SARBANES] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from Maryland [Mr. SARBANES] are absent because of questioning of witnesses during the Iran-Contra hearing.

Mr. SIMPSON. I announce that the Senator from Idaho [Mr. MCCLURE] and the Senator from New Hampshire [Mr. RUDMAN] are necessarily absent.

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

The result was announced—yeas 89, nays 5, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—89

Adams	Cranston	Gramm
Armstrong	D'Amato	Grassley
Baucus	Danforth	Harkin
Bentsen	Daschle	Hatch
Biden	DeConcini	Hatfield
Bingaman	Dixon	Hecht
Boren	Dodd	Heflin
Boschwitz	Dole	Heinz
Bradley	Domenici	Helms
Breaux	Durenberger	Hollings
Bumpers	Evans	Humphrey
Burdick	Exon	Johnston
Byrd	Ford	Karnes
Chiles	Fowler	Kassebaum
Cochran	Garn	Kasten
Cohen	Glenn	Kennedy
Conrad	Graham	Kerry
Lautenberg	Nunn	Simon
Leahy	Packwood	Simpson
Levin	Pell	Specter
Lugar	Pressler	Stafford
Matsunaga	Proxmire	Stennis
McCain	Pryor	Stevens
McConnell	Reid	Symms
Melcher	Riegle	Thurmond
Metzenbaum	Rockefeller	Trible
Mikulski	Roth	Warner
Mitchell	Sanford	Wilson
Murkowski	Sasser	Wirth
Nickles	Shelby	

NAYS—5

Bond	Quayle	Weicker
Chafee	Wallop	

NOT VOTING—6

Gore	McClure	Rudman
Inouye	Moynihan	Sarbanes

So the motion to instruct was agreed to.

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD. Mr. President, may we have order in the Senate. The distinguished Senator from Texas [Mr. GRAMM] wishes to address the Senate.

The PRESIDING OFFICER. The Senate is not in order. Senators will please take their seats.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM].

Mr. GRAMM. Mr. President, we are again on the matter of the supplemental appropriations. There are many worthy programs in the supplemental appropriations, many programs that are not subject to a point of order. Highest on that list is the refunding of CCC. The funds for the Commodity Credit Corporation are already built into the baseline, already in the deficit, so we are simply engaging in an accounting transaction by providing the budget authority for outlays that are already built into the budget baseline. So whether one thinks that we should do the budget different than we do it now, the bottom line is that while many people have been saying we have to waive the Budget Act in order to refund CCC, the fact that there is no budget point of order against CCC.

We have had arguments made today by various people on Capitol Hill that there are $300 million of funds for the Central American countries that are facing a Communist threat from Nicaragua. But I remind my colleagues that there is an offset for that funding, and therefore those $300 million are not subject to a point of order, because there is an offset for $300 million.

What is at issue here is not the makeup of programs that are present in the supplemental appropriation. One can be for those programs, against them, or neutral. What is at issue is: Are we going to waive the Budget Act in such a way as to raise the deficit by $2.6 billion?

I would like to make reference to two specific programs to make it clear that Congress has spoken very clearly on these issues.

I remind my colleagues that when we voted on the homeless assistance bill, an amendment was offered that said we will not fund any appropriations under this authorization bill in such a way as to raise the deficit. That amendment was offered, the yeas and nays were ordered, and we voted, and we voted by 100 to 0 in saying that any appropriation bill that was adopted pursuant to the authorization bill for the homeless should not raise the deficit. Every Member of the U.S. Senate was present, and every Member voted in a provision of that authorization bill that said that when it came time to actually spend money, we would not raise the deficit.

Yet, I ask my colleagues to look at the fact that we provide $138 million worth of budget authority for fiscal year 1987 and $97.5 million in outlays, and there is no offset. Either we meant it when we voted on that provision or we do not mean it now. We cannot have it both ways.

I remind my colleagues that when we voted on the Agriculture Disaster Payment Authorization Act, an amendment was offered, exactly the same amendment, that said that when it came time to pay the bills and provide the appropriations, none of the funds that were authorized in that bill would be provided in such a way as to raise the deficit. The yeas and nays were ordered. Ninety-six Members of the Senate voted, saying that when we funded the agriculture disaster payments, we would not do it in such a way as to raise the deficit. Zero voted against that amendment; it passed by a vote of 96 to 0.

Finally, Mr. President, a great point has been made of the fact that on this issue we are talking about urgent programs, programs that are critical. I should like to read to my colleagues some of these programs, and I should like them to listen to these programs and determine with me just how critical they are.

Should we vote to bust the budget by $2.6 billion to fund $8 million for construction of a weed, science, and technology center at North Dakota State University? Is there anyone here—and I will yield to them time to explain to me—who can state why, after millions of years of history with weeds, all of a sudden it is critically important that we waive the Budget Act and raise the deficit by $2.6 billion to fund the construction of a weed, science, and technology center at North Dakota State University, which, so far as I am aware, has never had any peer review, has never been selected by any selection committee based on its merits?

Yet, when we provide $135 million for disaster payments in this bill, we provide no offsets, we provide no revenues. We simply raise the deficit.

I remind my colleagues that when we voted on that issue, it was 96 to 0, saying we should not raise the deficit. Yet, here we are with a supplemental appropriation bill that raises the deficit. Either we did not mean it then or we are not carrying out the commitment we made when we cast those votes.

What we need to do, in my opinion, is to sustain the budget, to send this bill back to committee, to give them an opportunity to come up with offsets or to provide revenues. In any case, at this point, when the deficit is clearly in jeopardy, when interest rates are beginning to edge up, when inflation rates are edging up, we ought not be voting to set aside the Budget Act to raise the deficit by $2.6 billion. We have voted on this very issue, and the Senate refused to waive the Budget Act, and I urge those who voted to sustain the Budget Act at that time to stay with their vote.

If anyone would like to explain to me why that is so critical, that we ought to raise the deficit to pay for it, I will be glad to listen.

This bill provides $1.2 million for the establishment of an operational demonstration and research feed mill and Durham wheat flour mill. For 5,000 years, people have been milling wheat and making flour. All of a sudden, do we face a crisis whereby we ought to be raising the deficit to fund $1.2 million for the establishment of an operational demonstration and research feed mill? All of a sudden, after 5,000 years of doing it, do we face a crisis, in that people no longer know how to make flour? I submit that that is not a critical expenditure of money; nor, so far as I am aware, has any peer review of it occurred. Has any committee ever recommended the expenditure of that money?

We have $2 million for initial funding of an international trade division center in Iowa.

We have $15 million to be distributed among construction projects in 16 States at 26 different wildlife refuges and fish hatcheries.

We have $200,000 for staffing year-round operation of the Tern Island in Hawaii.

We have $100,000 for archeological work at the Stillwater National Wildlife Refuge.

I submit that all of these archeological finds—bones and pottery—have waited for thousands of years to be discovered. Yet, all of a sudden we have concluded that we should raise the deficit by $2.6 billion so that someone can rush out to Nevada on an emergency basis and dig up these bones and pottery. I submit that that is not an emergency use of funding.

I know that Members are fond of saying that they are against raising taxes. I do not believe you can be against raising taxes and be for raising the deficit by $2.6 billion. Somewhere we have to make a decision.

When we passed the Balanced Budget Emergency Deficit Control Act, we set out rules that said that if you are going to raise the deficit, you have to have 60 votes to do that, the idea being that it ought to be an extraordinary thing, after we have adopted a budget, that we later come back and change our mind, as we have here, by raising the deficit by $2.6 billion.

I believe the committee can do a better job. I believe that we should sustain the point of order on the budget; that we should vote not to riase the deficit by $2.6 billion; that we should send this back to committee; that archeological digging in Nevada can wait another year, perhaps longer; that we suddenly do not have to go back and teach people how to mill flour; that those are not emergency uses; that these items and many others can be dropped from this bill; that offsets can be found. I think it is vitally important that that occur.

This is an important vote because on this point, on vote after vote, we have voted to raise the deficit, we have adopted budgets calling for massive tax increases, on the argument that there is no other way to lower the deficit except by raising taxes, and here we are increasing the deficit by $2.6 billion—not next year, but this year.

So for these reasons and many more, Mr. President, I raise a point of order under section 311(a) of the Congressional Budget Act.

Mr. BYRD. Mr. President, will the distinguished Senator withhold making his point of order?

Mr. GRAMM. I am happy to withhold.

Mr. BYRD. There may be other Senators, if the Senator will allow, who would wish to speak to this point of order before it is made, if the Senator would indicate the point of order that he is going to make and then withhold that briefly.

Mr. GRAMM. I am happy to withhold.

Mr. BYRD. That is kind and good of the Senator, and I personally appreciate it. Maybe other Senators wish to speak.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. STENNIS] is recognized.

Mr. STENNIS. Mr. President, I do not know that I could add anything new to what has already been said.

I want to say with emphasis now that I think the Senator from Texas has rendered a fine service in the debate and writing this bill. He largely wrote this part of it, at least, and has made a contribution here.

That was shown by me when I voted for his bill the first time it came to a vote.

Now, it took a lot of different directions from there. Others offered amendments, and so forth. I did not vote with him all the time, but the initial one shows how he had impressed me.

But now we are up against the practical side of these things, I say to Members of the Senate. We have to do some things to put ourselves in order and in better order. You cannot do it all at once in one bill. I do not advocate willful noncompliance. But just as a practical matter you cannot do it all, as I have said, at one time.

So this proposal here about these amendments is in effect taking part of it at a time. It is trying to follow out the law that has been passed, including the elements of it that we do not particularly like, nevertheless, trying to carry out this law.

The Appropriations Committee and all of us considered to some extent these matters, the points involved, and we were trying to avoid actually increasing the amount of debt by taking the available funds here—$2.6 billion was the amount the Senator from Texas has given to us—and take that money which was already due and was beyond in a way the equitable ownership of the Federal Government because under the law it has accrued to these other individuals or companies, either, whichever it was, to that extent.

So when we put this amount of money in here to do this special service it was discharging an obligation for the same amount that had already accrued and was due. In fact, it is overdue now. The time is running and that money is not being paid.

I think May 1 is when that started. As I understood it and understand it now, we can take that obligation and discharge and liquidate it so the Government will no longer owe it and take that amount then and put it for these other purposes.

It is certainly not established law that there is anything illegal about that, but we knew that something had to be done to rectify and we have this debt of this obligation, I like to call it, that the Government has. We are liquidating that and applying it to the debt that we owe.

Now, it is true the law provides that budget law that has been enacted. It has to be considered and it is a part of the picture and, as I said, we were meeting that. We were meeting that by obligations that we already had to these other people.

Now, the law has provided, and we know that, that it would be contrary to the budget law unless that is waived. Why did the Congress put those provisions in there about it being possible to waive certain amounts? It was because they recognized there would be a need for adjustments and changes and a great deal of reform that we were trying to enact them, but it left a hole there of power in the form of Congress having a chance to pass on the matter and waive that requirement if it was considered too severe and unworkable and thereby inapplicable in justice and fairness and right.

That is why I said this. That is one of the reasons at least. I am certainly no expert in this line in this field, but I am just talking common sense.

Here it is before us, the provision in this law that we use and put in this bill. The law I refer to is something already enacted, and in that way we try to do justice and at the same time reduce, as I understand it, at least, the part of the debt. I do not blame the Senator from Texas for challenging this and arguing to the effect that it is not a basis for a waiver, and he makes a good argument. He always does. But that is as far as his argument goes or can go in the procedure that we are in now, as I understand it.

Now, I have served here. I know most everyone here fairly well. I know this is a group of people with common sense who want to do justice and right because we promised the people. That is our wish and we know there is an hour of accountability, too. It is just human nature.

It seems to me we are on the right trail if we are willing to take a little more time here and maybe modify this situation some. If a mistake has been made or an error has been made, we want to rectify it.

So I think that is the immediate question before us, and I do not believe that we can solve it with the confusion and uncertainty here in the late part of the day. Personally, I think this bill should lay aside for a few days until the leadership and the membership can think it over and get into it a little deeper and a little further and come up with some kind of a change or modification, perhaps, and find a way to do what they want to do which is to do justice to all, to rectify things that are not of order, put them back in, find a clearer way to see what is the best way to go rather than be tied up here on these matters.

So, in effect, with all deference, just to say you are going to kill it all or all or nothing, that does not solve any problems and it does not help anyone. It is such a massive matter and amount of new law and new steps to take that it is going to take a little time, and to have a setback or two on it is not extraordinary. The leaders could suggest a time element.

But it seems to me we could take 5 days, 10 days, or a lesser time while we are attending other things, also, and that something could be worked out—it will have to be worked out—and we can move forward on that basis.

Well, those are my beliefs and my sentiments individually. I hope that we will do that.

The Senator from Oregon is here, who has handled these matters in such a fine way for the last several years, and I hope he will be asking for recognition.

Mr. President, I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I appreciate the comments made by the chairman of our committee. I certainly respect his judgment on matters of this type. I would certainly support whatever the chairman of the Appropriations Committee may seek to develop as the basic strategy at this moment.

But before we get into that kind of a decision, I would like to just say to my colleague and friend from Texas that I believe that this is a good bill. Ninety-five percent of this bill is what we would call mandated spending, not something the Appropriations Committee has developed as a program of its own. It has urgent items included in that—$6.7 billion is for the Commodity Credit Corporation, as the Senator has indicated, out of a total of a $9.4 billion supplemental. This is $2.7 billion less than the President asked for. It is $1.7. billion less than the House of Representatives, without the 21-percent across-the-board cut.

I am not going to get hung up on some of those items which the Senator from Texas used as an example about digging bones or about a North Dakota project or Louisiana project or an Iowa project which are included in this bill, which was by the decision of the committee.

Let me say to the Senator from Texas, it is probably less than one-half of 1 percent for the so-called special projects which he has enumerated out of a total of $9.4 billion. Let us not make a judgment on the basis of less than 0.5 percent. And I would say to the Senator from Texas, he has an opportunity to raise those issues in the consideration of this supplemental. I might even join him on a motion to delete bone-digging. But I do not think we have to bring the entire bill down in order to get to less than one-half of 1 percent of the total spending. I have not computed it out precisely, but I would guess it is probably less than $50 million out of $9.4 billion.

Let us move ahead with the Commodity Credit Corporation, as we will have to ultimately do on that. Let us move ahead with the $1.5 billion that we will have to do on Federal pay and retirement which is part of this bill. Let us move ahead with the $400 million that we will have to deal with ultimately on the Military Medical Care Program. Let us move ahead with the $300 million for the implementation of the new immigration law and some of these other spending programs that we have to deal with.

Let us raise these issues one by one through the amendment process and challenge the committee's inclusion of some of these items that the Senator from Texas finds objectionable. I feel that that way, if we must ultimately take action on some of these programs, why not now.

I would like to say, as one of the sponsors of the homeless bill, the Senator recalled today some history of the authorization debate. I would like to at least correct hopefully my misimpression of his statement that somehow we had voted 100 to nothing to keep it deficit neutral. I do not think the record will show that. I think the record will show that the Senator from West Virginia made an amendment to the Senator from Texas' motion to make it deficit neutral by saying keep it in compliance with the Budget Act.

As the Senator from Texas will recall, I rose on the floor at the time and said, "I think we ought to all be ready and willing to vote for a budget waiver if we are going to vote for the Homeless Act." There is nothing more cruel, in my opinion, than to raise the expectation that we are going to create a program, go through the authorization process, and then fail to fund it. And I called attention on the floor at that time to the Members that we cannot fund the homeless bill without, first of all, dealing with a budget waiver motion because we cannot even get the supplemental to consideration before we could even consider that without a budget waiver and that I was ready now and there at that time, I said, to vote for a budget waiver in order to get considaration of funding of the Homeless Act. That is also part of the history of this.

We have some $130 million for funding that Homeless Act in this bill.

Now, there are different strategies. We could vote this budget waiver motion down again. We could even vote to recommit the bill to the committee.

I think, again, beauty is in the eye of the beholder. The Senator from Texas feels offended by certain projects that I, again, am not going to stand here and defend on the merits of each and every one of those projects. The authors of those amendments can do that very well themselves.

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

(Mr. DASCHLE assumed the chair.)

Mr. HATFIELD. But let me say to the Senator from Texas, I find that the SDI of $131 million, that is not very beautiful in my eye, and that is in here; and $300 million for Central America is not very beautiful in my eye, and that is in here. I think both of those would be attractive, probably, in the eye of the Senator from Texas, as an interesting example of how beauty is in the eye of the beholder.

Yes, I yield to the majority leader.

Mr. BYRD. I thank the distinguished Senator from Oregon and I also thank the distinguished Senator from Texas for withholding his point of order.

Mr. President, the distinguished Senator from Texas has called attention to the provision in the committee report whereby there was mention of $100,000 for archeological work in Nevada to protect the largest and perhaps the most important Indian site in Nevada from destruction. He has mentioned other items that are in the bill to which he takes objection, and that is his right to do so.

But let me ask the distinguished Senator from Oregon a question. Would it not be possible, under the procedures of the Senate, for the distinguished Senator from Texas, if the motion to waive were made and adopted, or if the point of order were not raised and the Senate just proceeded with the bill, would it not be possible for the distinguished Senator from Texas to simply—let us take this one item, for example, the item which is for $100,000, which comes under the U.S. Fish and Wildlife Service, found on page 51; it is not a line item, but there is an amount there for resource management, $3,100,000—could not the Senator from Texas offer an amendment to strike $100,000 from that amount and add language putting a limitation to the effect that no moneys in this bill shall be utilized for the purpose of whatever it is he objects to? In this case, the surveying, cataloging, recovery and removable operations in Nevada having to do with the Indian site. He could very well move to strike that and provide against expenditures for such matters. And there may be other Senators in here who would support him. But I am simply saying that the Senate could get on—as the distinguished Senator from Oregon is urging—the bill, debate it, and adopt the other parts of it that provided for the retirement funds, the Federal employees pay increases, Commodity Credit Corporation moneys, the defense moneys, and the foreign operations moneys, unless some Senators wish to strike portions thereof.

The Senate could work its will on the bill, and eliminate, if it were the will of the Senate to do so, the items that the Senator from Texas has addressed himself to. He could offer the amendments, and let the Senate work its will without making a point of order against the bill and sending it all back to the calendar.

May I say—and then I will sit down—he certainly has the perfect right to make the point of order. If that point of order is made and the Chair upholds it, I will be opposed to appealing that point of order and overriding the Chair by a majority vote.

I am not saying that forever and a day I will take that position. But certainly on this bill and in this instance I will take that position.

I do not want to override the Chair with 51 votes or a majority vote on a matter which under the Budget Act requires, and under the law requires, a 60-vote supermajority to waive. I will move to something else, or I will take some action to prevent anyone else from appealing that point of order and overriding by a majority vote.

As I say, that is my inclination today. I will not take an oath today that that will always be my position, but that will be my position and intention today.

Mr. HATFIELD. I thank the Senator from West Virginia.

The majority leader underscores the point I am making of course, not only in the matter that any part of this appropriation supplemental is open to challenge through an amendment process, but any Senator could offer an amendment to delete the $131 million for SDI research or for any special project that may be listed.

Let me also say to the body again that the Appropriations Committee had $700 million of rescissions over previous years' authority that we incorporated in this supplemental. We had another $200 million that we racheted down on reductions in loan authority in this appropriations supplemental. We had another $800 million of cuts and transfers of previously appropriated funds, and we had about $1.3 billion in the absorption of the Federal pay.

All of this adds up, in effect, to what we could call real offsets of about $3 billion. This is not something we just threw together in the overnight session.

As I say, when we underappropriated the President's request level and went by 2.7, and when we underappropriated minus the 21 percent across the board of about $2 billion from the House bill, I think the Senate Appropriations Committee acted in a very serious and responsible manner.

So again I would appeal to the Senator from Texas to let us get on the business about an appropriation process that we have to undertake sooner or later, get it over with, and raise the questions. As I say, I might even vote with him on an amendment to delete this or that that he feels is not of an emergency character. But at the same time let the Senate work its will, and I would be hopeful that the Senators would vote for a budget waiver, and then let it work its will during the process of amendments that would follow.

I can assure the Senators—from my perspective, potentially once the bill gets on the floor as a comanager of the bill—that I certainly will entertain from my perspective any amendment that is offered by any Senator, and I am not going to try to clamp down and say no amendment policy or anything like that. We welcome it, open ourselves to the amendment process as we always have done. Sometimes it has taken us all night long to get that amendment process worked out. But we have stayed by the issue and we have stayed by the vehicle—Senator STENNIS, my chairman, and Senator JOHNSTON and other Members, Senator COCHRAN and other members of the Appropriations Committee—many hours on this floor and have not in any way ever tried to restrict any Member from offering an amendment to remold, to remake, to delete, to add, to whatever. We stand by that record where the Appropriations Committee has stood many, many times.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, very briefly, I would simply like to underscore the bipartisan nature of this bill. Our distinguished ranking minority member, former chairman of the committee, has just underscored that by his excellent speech in favor of waiving the Budget Act in this instance. But I simply would like to underline the fact that this bill originated with an administration request.

The President of the United States felt that there were some $12 billion worth of urgent items that needed taken care of. The Appropriations Committee responded. Our thought was that they were about 21 percent less or almost $3 billion less of an urgent nature that the President felt. Perhaps we were more concerned on the Appropriations Committee about the budget deficit—maybe not. Maybe we just had different priorities. In any event, it originated with the President and we lopped off more than $2 billion.

Then, Mr. President, we passed it by a bipartisan majority with an overwhelming majority in the Appropriations Committee.

I would like to mention one thing, Mr. President. During the consideration of the Bumpers amendment, which frankly I favor, the Bumpers amendment had to do with limiting any expenditure or purchases of any item which would violate the SALT II Treaty. Many of us feel that it would be a mistake at this time to exceed the SALT II limits or to maintain anything in the inventory that exceeds the SALT II limits. Many of us feel very strongly that that is a greater inhibition to the Soviet Union than it is to the United States.

We had quite a spirited debate on that subject in the Appropriations Committee. Senator BUMPERS on the one side in his inimitable style really made his case very strongly. Senator STEVENS on the other hand talked about violations of those treaties.

I was ready to go with Senator BUMPERS. But the message came down to me very strongly and very clearly from representatives of the administration who said, "Look, we need this urgent supplemental. The farmers are hurting very badly in this country. And the President has got to veto if the SALT II language is in there. Can you not, for the purpose of this urgent supplemental, withhold your vote from the Bumpers amendment at this time? Vote for it if you must later on some other vehicle but this is an urgent supplemental, and the President will veto it."

Mr. President, I found that logic very persuasive because it is indeed an urgent supplemental. The CCC is out of money right now as we speak. They have been out of money for almost 2 weeks. Now is a very crucial time.

The distinguished occupant of the chair was speaking earlier today about the crucial nature of the timing of the planting season.

There is a small window where farmers in the spring must get their money and must plant their crops. It would be quite easy for us to argue here for another 2 or 3 weeks, you know, trying to make little points about $100,000 in some archeological deal out in Nevada. I do not know a thing in the world about that. But I bet if we looked at it I bet we would find there are some bones that would get destroyed if we did not take care of them. I do not know. I am not a big archeologist, frankly.

But if all that is wrong with this bill is $100,000 for archeology in Nevada and $8 million for North Dakota, let me tell you things are tough in North Dakota right now. Senator CONRAD told me about that. While I have talked about Louisiana, and we have a small project in here, I can tell you we have the highest unemployment in the country, too. But collectively, those little projects are less than one-half of 1 percent of this bill.

You can go down the list and talk about these one-half of 1 percent which many of us feel are very important, and very vital. Frankly, if they are not on this bill they probably would not be on the next one. But you can talk about those projects. But really the thrust here is agriculture, and the fact that we need to get the planting started now. And the thrust is almost $9 billion worth of urgent items.

How bad are the little add-ons? I can tell you this: The President of the United States, Mr. Balanced Budget himself, if you would listen to his rhetoric, has said this bill is urgent as it passed the Senate Appropriations Committee, as it is right here, this bill with $100,000 for archeology, and all the other items that are in here. And there are not many of them, I can tell you. We did not put in one item for energy and water subcommittees.

As this bill is right here right now, the President of the United States wants it and the Republican Members, at least most of them on the Appropriations Committee, want it.

It is not a perfect bill, it really is not perfect. If it were, I would have a lot more projects in it. But it is not perfect. No bill that passes this body is ever perfect.

So for once this year, let us pull together in a spirit of bipartisanship and give one for the Gipper, do one for President Reagan. He has asked for it. Let us give him the waiver he is asking for. Really, he is asking for it. In a bipartisan spirit, let us give it to him because the country needs it.

There is really no humor in that at all, not if you are a farmer, and not if you are ready to go plant your crops now and you need your money now, today, and the Senate is fiddling around on whether or not $100,000 for some archeological project in Nevada is important or not.

I do not know whether it is important, but I can tell you it is in the national interest to get this bill done and get it done now. Let us join together and get it done.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, just a minute, if I might.

No Senator here is more committed to deficit control than is this Senator, because I do not think there is another Senator in this body who has taken the pledge that I have taken: To get the budget deficit under control or not run again. I do not think there is any other Senator who has taken that pledge. I hope other Senators will join me in that pledge. I feel very strongly about it. I think the deficit is undermining the economic security and strength of this country. That is why I have taken the pledge, and I intend to stick by it. I intend to be effective in achieving deficit reduction.

In this debate about the supplemental, the good Senator from Texas has made a comment about weeds. We have a technology project in North Dakota for weed control. It is easy to take a shot at weeds. Weeds do not have a lot of appeal. But let me share with this body that the project in North Dakota—this is not my amendment but I obviously support it—is for a plant biology and biochemistry technology center to explore the nonpolluting and nonchemical means of weed eradication and control. Is that an urgent matter? Absolutely. Absolutely that is an urgent matter, and the reason is very simple.

If you look at what is happening to the ground water supplies of this country—the pollution of the ground water supplies—and the threat to all of our health as a result, you would conclude that we must find a nonpolluting, nonchemcial means of weed control and weed eradication.

Believe me, other than water and oxygen there is no more fundamental, important resource that we have in this country than our soil. And if you would go out to our farm areas you would see what we are doing to the soil through the excess use of chemicals, you would conclude, as many have, that finding a nonpolluting, nonchemical means of controlling weeds is critical and is urgent.

Let me just say that an $8 million project out of a $9 billion supplemental is mighty small potatoes. It is critical. It is urgent.

I share the concern of the Senator from Texas about an increase in expenditures without offsets—and I feel very strongly about that. But I think we are going to have to correct the budget problems we face this year on the debt limit or through some other vehicle. This is not the time or the place.

The farmers of this country are waiting. They are waiting for the CCC payments. The clock is ticking. We cannot wait any more.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, if we are not going to deal with the deficit when we are voting on waiving the Budget Act to raise the deficit by $2.6 billion, when are we going to deal with the deficit?

Our distinguished colleague from North Dakota talks about the importance of weeds, and certainly they are important. But they are obviously not important enough that you are willing to pay for them. What you are doing here is voting to bust the budget to add on another project.

My colleagues have raised the point that apparently I object to all of these projects that are called emergency from weed sciences to digging up bones in Nevada. I do not object to weed science. I do not object to digging up bones in Nevada. I think they are wonderful. But I think if you think they are wonderful you ought to be willing to pay for them. That is something this bill does not do.

You cannot have it both ways. You cannot be conservative and fiscally responsible back home and yet come here and right out of the chute, day after day after day, vote to raise the Federal deficit. That is what we are doing here. We are voting to raise the deficit by $2.6 billion.

I do not object to all these programs. I am sure they are wonderful programs. I am sure there are people for them. Giving American money to assist Polish free trade unions. A wonderful idea. Is it an emergency? Maybe it is. If it is worth it, why do we not pay for it? If it is worth it, why do we not take the money away from some other project? If it is worth it, why not include it in the bill raising taxes? Maybe it is a good idea to have programs—I could go on and on—from Hawaii to Nevada to Louisiana. These are all great programs, but none of them are emergencies or at least they are not enough of an emergency concern, that out of a $1.1 trillion budget that there is not $8 million somewhere that is less urgent than studying weeds. In a budget of $1 trillion, is there not $8 million somewhere that we can eliminate to fund the study of weeds?

I submit we could.

People keep talking about the CCC. This issue of the budget waiver has absolutely nothing to do with the farmer. Commodity Credit Corporation is already built into the budget baseline. There is no point of order against CCC.

If you want to go ahead and give the farmer the money on CCC, and I am ready to do it, there is no budget point of order against it. Move it, bring it up. Even if I wanted to raise a point of order, I could not do it. That basically is a phony issue.

The issue is that we have $2.6 billion of add-on spending that there is no offset for, that is not built into the budget baseline, that is a direct addition to the deficit. CCC is not part of that. That is already part of the deficit.

Basically, our position is this: Are we going to raise the deficit? A big point was made that President Reagan proposed spending more money, and he did. But he also proposed to offset every dollar of that spending through rescission of other programs. The President's proposal was not subject to a point of order because it did not raise the deficit.

Obviously, the President believed in what he proposed because he was willing to pay for it. He was willing to take the money away from lower priority uses.

What I object to here is not all this funding for all of these objectives; it is that you want to fund them but in a trillion-dollar budget you cannot find some offset so that we do not raise the deficit.

So we are going to send the cost on to the working men and women of America and to our children in terms of higher debt.

I believe, Mr. President, that is a mistake.

I have been asked by the leadership while they are discussing this matter to not raise the point of order. There may be others here who wish to be heard and, awaiting further direction from the leadership, I yield the floor.

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. GRAMM. 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. GRAMM. Mr. President, while we are waiting for the leadership to come back so that we might vote on this point of order, I thought my colleagues might like to know about one little tidbit in this emergency bill.

This little, sweet provision has to do with honey loans. You might ask, What is the emergency in honey loans? I was discussing this with the distinguished Senator from Indiana. Basically, we have $6 million in this emergency supplemental, and we have it to allow us to suspend a cap on deficiency payments on the Honey Loan Program, eliminating the cap, which is now $250,000 per beekeeper. By suspending that cap, we will provide $6 million to 20 beekeepers.

So I ask my colleagues, in looking at this provision, to recognize that one of these emergencies is that we are providing $6 million to allow us to suspend the $250,000 cap on payments to beekeepers, and there will be 20 beneficiaries of this Honey Loan Program.

I thought the distinguished Senator from Indiana might like to discuss this with us.

Mr. QUAYLE. Mr. President, I thank the Senator from Texas for zeroing in on some of the very important aspects of this emergency supplemental appropriation bill.

I do not think the Senator from Texas knows this, but about a year ago, the Senate went on record—about 63 Senators—by voting to eliminate the honey program altogether, not to spend an additional emergency $6 million, but to eliminate the whole program.

Once it got to conference, they said: "We can't be too greedy about this. There are only about 2,000 beekeepers on the program; yet, there are about 200,000 beekeepers in the country, and this is about 1 percent of them. So we will limit ourselves to only $250,000 per beekeeper." It applies to about 2,000 beekeepers in the country. So they were very reasonable in the conference.

However, during that debate, some Senators from bee-producing States got up and said: "The Senator from Indiana does not understand this program. This amendment is in the national security interests of this country."

I am not kidding the Senator from Texas. That is what we heard on the floor of the Senate: How this bee program was in the national security interests of this country because of lubrication, that that is very important to the national security interests of this country. It was not the pollination point of view. It was the lubrication point of view. I did not buy that, and I do not buy this here today.

This $6 million that is in this appropriations bill is an absolute ripoff, as the Senator from Texas pointed out, for 20 beekeepers. Twenty, count them—2-0, $6 million. That is not a bad day's work, even for bees. We know that bees are busy. We know they are important. We like those little critters. But in an emergency appropriations supplemental, to have to put in $6 million for 20 beekeepers is really nothing less than outrageous. This is a sweet little ripoff that has gotten in this bill, and there are probably others in this bill as well. That is probably the reason we are having a difficult time finding 60 Senators to waive a point of order to take care of 20 beekeepers. I am not going to vote for that.

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

Mr. QUAYLE. I am glad to yield for a question.

Mr. GRAMM. When the national security argument for the honey program was raised, was it an argument that there was a honey gap with the Soviet Union?

Mr. QUAYLE. No.

Mr. GRAMM. Does the Soviet Union have a cap that is higher than $250,000 per beekeeper?

Mr. QUAYLE. I do not think so. I do not think they were even talking about a bee control program like arms control. They did not even talk about that. But it was of national security interest because we had to do this for national security interest to protect all of our beehives and beekeepers in this country.

I think those who want to vote for this and vote for this appropriations bill and vote for this honey program to raise the cap of $250,000 per beekeeper—think of that—$250,000 is not enough. You have to raise it—going to put in a little $6 million, a little sweet taxpayers' money to pay for these beekeepers. This is absolutely disgraceful.

I congratulate the Senator from Texas for pointing this out. I imagine there are probably a few other little sweet ripoffs in this bill just like this honey program that 63 Senators a year ago voted to eliminate the program. We will probably eliminate the program again today if we get it put back in conference.

People know this is not in the national security interest. We do not need to keep these beekeepers going particularly trying to get it down to 20.

I congratulate the Senator from Texas for pointing this out to the Senate and concur with the remarks that he has made.

I yield the floor.

UNANIMOUS CONSENT AGREEMENT—H.R. 27

Mr. BYRD. Mr. President, while the distinguished Republican leader is here at the moment, I am going to propound a unanimous consent request that has been cleared on both sides.

I ask unanimous consent that when the Senate considers H.R. 27, the FSLIC bill, it be considered under the following time limitations:

There be no time on the bill itself. There be 1 hour on a substitute amendment to be offered by Mr. PROXMIRE to change the text of S. 790 as passed by the Senate; there be 1 hour on an amendment by Mr. GARN to be offered if the Proxmire amendment is agreed to, which amendment would strike titles 1 and 2 of the Proxmire substitute.

Provided further, that no other amendment be in order; that there be 15 minutes on any debatable motion, appeal, or point of order if submitted by the Chair; that the time on such debatable motion or appeal or point of order be equally divided in accordance with the usual form; that no motions to recommit be in order, and no motion to recommit with instructions; and that the division of time overall on the amendments be in accordance with the usual form.

Provided, that the majority leader may proceed to call this measure up after consultation with the distinguished Republican leader but not prior to Thursday of this week.

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

Mr. DOLE. Mr. President, if the majority leader will yield I thank the majority leader and also the distinguished Senator from Utah, Senator GARN. I know the majority leader would like to take it up tomorrow morning but I think the Senator from Utah has been most cooperative and he has agreed to reduce the time if he would just wait until sometime Thursday.

So I hope that does not upset the plans of the majority leader for that day.

Mr. BYRD. Yes, I thank the Republican leader. I thank Mr. GARN.

The total time, if it is all used on the two amendments that have been mentioned, will be 2 hours. That would be 1 hour on each.

Mr. President, I thank all Senators.

The text of the agreement follows:

Ordered, That the majority leader be authorized, but not before Thursday, May 14, 1987, after consultation with the Republican leader, to proceed to the consideration of H.R. 27, an act to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation and, for purposes of strengthening the reserves of the Corporation, to establish a forbearance program for thrift institutions and to provide additional congressional oversight of the Federal Home Loan Bank Board and the Federal home loan bank system, and that there be no time on the bill.

Ordered further, That there be 1 hour debate on a Proxmire substitute amendment containing the text of S. 790, as passed by the Senate, with the time to be equally divided, and that there be 1 hour on a Garn amendment, to be offered if the Proxmire amendment is agreed to, to strike titles I and II, with the time to be equally divided: Provided, That no other amendments be in order.

Ordered further, that there be 15 minutes on any debatable motion, appeal, or point of order, if submitted by the Chair, with the time to be equally divided, and that no motions to recommit be in order.

SUPPLEMENTAL APPROPRIATIONS, 1987

The Senate resumed consideration of the bill.

Mr. GRAMM. Mr. President, I raise a point of order under section 311(a) of the Congressional Budget Act against H.R. 1827 on the basis that the outlays ceiling for fiscal year 1987 would be further exceeded by $2.6 billion.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for 2 minutes.

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

Mr. BYRD. Mr. President, I will not move to waive pursuant to the point of order. It was my intention the other day to move to reconsider the vote on the previous waiver, but I will not do that.

If the point of order carries, it is my intention to go to something else or have morning business or some such. The measure will be returned to the calendar and can be motioned up at a later time. It will not be my desire or intention to move to bring the measure back up before the Senate until such time as I can see some support coming from the White House.

This is the President's request, and I would like to be assured of some support from the executive branch before I move again to waive the provisions of the law.

I thank the Senator.

The PRESIDING OFFICER. The bill as reported would result in an increase in outlays for fiscal year 1987 at a time when the appropriate level of such outlays set forth in the budget resolution for that fiscal year has already been exceeded and, therefore, violates section 311(a) of the Budget Act of 1974 as amended.

The point of order is sustained. The majority leader.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business for not to extend beyond 15 minutes and that Senators may be permitted to speak therein up to 5 minutes each.

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

NEW MEXICO SMALL BUSINESS PERSON OF THE YEAR

Mr. DOMENICI. Mr. President, in noting this week as National Small Business Week, I rise today to honor Larry Risley, New Mexico's Small Business Person of the Year.

As the president of Mesa Airlines, Larry has made some remarkable achievements. He has given great incentive to the airlines industry, as well as small businesses in New Mexico.

Mesa Airlines is a true success story. Mesa reported net earnings of $185,000 in fiscal 1985 and $742,000 in 1986. Its fleet has risen from three 14-passenger Beechcraft C-99's in 1984 to five C-99's and four 18-passenger Beech 1900's today. According to Mr. Risley, the net income is 10 percent of his airline's $14 million in annual ticket sales.

Literally a ma-and-pa operation when it started in 1982, the company now has a payroll of 182 people. It is currently in the process of offering common stock to the public. The proceeds will be used to finance new facilities and additional aircraft. Mesa will not buy larger aircraft or try to compete with the larger commercial airlines. Explains Mr. Risley, "Bigger isn't better, profits are better." Perhaps it is this attitude that has made Mesa Airlines the largest commuter airlines in the Southwest.

While other airlines have come and gone, Mesa has grown. What is the secret to Larry Risley's success? He would argue there is no secret, just hard work. Early on, Mr. Risley helped fuel planes, sold tickets, and unloaded baggage—in addition to making the company's executive decisions.

This week when we celebrate National Small Business Week, our theme is "Small Business: America's Growth Industry." I believe that Larry Risley's Mesa Airlines is a perfect example of a small business that is thriving. I applaud his hard work and wish him continued success.

NEW MEXICO SMALL PRIME CONTRACTOR OF THE YEAR

Mr. DOMENICI. Mr. President, earlier this week I recognized the Small Business Person of the Year from the State of New Mexico, Larry Risley. I would like to take time once again, during Small Business Week, to honor the Small Business Prime Contractor of the Year from SBA region 6, Philip Reinig.

One of 300 nominees in the country, Mr. Reinig was selected from region 6, which is made up of Oklahoma, Texas, Arkansas, Louisiana, and New Mexico, by the Small Business Administration's regional offices in Dallas, TX.

Mr. Reinig is a graduate of Gonzaga University, in Spokane, WA. He received the distinguished alumni award in 1985. From 1951 to 1965, he directed engineering management responsibilities at the General Electric Co.

In 1965, Mr. Reinig moved to New Mexico and began working as the head of the Engineering Department at the Los Alamos National Laboratory. He has been a resident of the State of New Mexico ever since.

In 1976, Mr. Reinig founded Los Alamos Technical Associates, Inc., an engineering firm of about 200 people, headquartered in Los Alamos, NM. The theme for this week of recognition is "Small Business, America's Growth Industry," and this is indeed true, especially in the case of Los Alamos Technical Associates.

Since 1976, Los Alamos Technical Associates has expanded its offices into six additional cities. For three consecutive years, they have appeared on the INC 500 list of the fastest growing companies in the Nation. Also, Las Alamos Technical Associates has appeared annually since 1981 on the Engineering News Record's top 500 design firms list.

The laboratories in New Mexico play an important role in the research and development for the entire country. Much of the technical expertise that goes into research for defense originates in New Mexico firms.

Los Alamos Technical Associates is a good example of such a firm. It specializes in the application of high technology systems and solutions to complex problems in the broad areas of environment, energy, and national security. Los Alamos Technical Associates currently supports a broad range of defense activities for the Department of Defense, Department of Energy, and the Strategic Defense Initiative.

The success of Los Alamos Technical Associates did not happen by accident. Mr. Reinig attributes the company's rapid growth to a talented staff, project management, client satisfaction, technical excellence, and, most of all, satisfied clients.

Despite Philip Reinig's busy schedule, he still manages to be an active member in his community. Currently, he serves as a member of the engineering advisory board at Gonzaga University. He and his wife of 39 years, Beverly, have six children and four grandchildren. Together, they enjoy skiing, hunting, and fishing.

Again, I want to extend my warmest congratulations to Mr. Reinig. His hard work and dedication truly benefits the State of New Mexico and is an inspiration to all small businessmen. I wish him continued success.

GLOBAL RESOURCES, ENVIRONMENT, AND POPULATION ACT OF 1987

Mr. SIMPSON. Mr. President, I commend Senator HATFIELD and Representative MACKAY on their recent introduction of the Global Resources, Environment, and Population Act. Congress must address the fact that the United States today is without a population policy.

While 92 other nations—many of them at the behest of our own Agency for International Development—have adopted official population policies, we have not yet done so. It is time we did. I congratulate Senator HATFIELD and Mr. MACKAY for their initiative and look forward to comparable legislation in the Senate.

It was while serving on the Select Commission on Immigration and Refugee Policy between 1979 and 1981 that I found, to my surprise, that the United States has no population policy. Other countries with limited borders and large populations have turned their attention to the question of what is a suitable population for their environment. They may not reach a conclusion, but at least they discuss it. Here we have not even discussed it. It is time we did.

The United States' current rate of population growth is higher than that of any other industrialized nation. If our fertility rate does not remain low, a firm annual limit is not placed on all legal immigration into this country, and illegal immigration is not ended, studies indicate that our population will grow by an amount equal to that of the present populations of California and Texas by the turn of the century.

Environmental and psychological stresses already are evident as a result of our continuing population boom and the accompanying resource demands and congestion.

Demographers project that, by the year 2000—only 13 years away—the New York metropolitan region will grow by another 1½ million people, to well over 20 million. The Washington, DC, region will grow by another half-million people. Almost 4 million people will be clustered around the Nation's Capital.

The Los Angeles basin will have to cope with the requirements of 15 million people, instead of today's 12½ million, and the San Francisco Bay area is looking at turn-of-the-century gridlock resulting from 6½ million, rather than today's 5½ million, residents. Dallas-Fort Worth can expect its 3½ million population to grow by almost another million in that short time span. And so it goes across the Nation.

As television accounts of the wanderings of that barge with 3,000 tons of Long Island garbage and no place to dump it have suggested, this evidence of our excessive population growth and failure to conserve and recycle resources is "a saga of our times." New Yorkers collectively discard 24,000 tons of trash every day. Half the cities in the United States have just about exhausted their current landfills. Many have frequent bad air quality alerts. Water shortages are cropping up all over the country.

And yet we have no population policy. It is time we had one. We should review every Federal program to assure that none of them encourage continued population growth in this country without a thorough debate in the Congress.

I commend Population Environment Balance, Inc., and its cooperators for their efforts to bring the need for a national population policy legislation to the attention of the Congress and the American people.

FITTING TRIBUTE TO ANTOINETTE DOWNING

Mr. PELL. Mr. President, I would like to share with my colleagues a tribute to Antoinette F. Downing, who last night received the Nation's highest award for historic preservation—the Louise Dupont Crowninshield Award of the National Trust for Historic Preservation.

Historic preservation works. It is not just an esoteric exercise for a few academics. It is vibrant force in our economy and a source of jobs and pride to countless citizens throughout our country.

Antoinette Downing has brought this message home to both Rhode Island and the Nation. It is a message she has been preaching for many years. Anyone here from Rhode Island can tell you that the evidence of her success is everywhere in our State.

I was one of those who nominated Antoinette to receive the Crowninshield Award, and I want to congratulate the National Trust for having the good sense to select her for this highest honor in the field of historic preservation.

My father once gave me advice that has stuck with me as a fundamental rule of effective leadership: "Always let the other fellow have your way."

Antoinette must have been listening because she has let us all have her way. We might not have thought twice about the tremendous potential commercial, economic, and social benefits of historic preservation, but Antoinette opened our eyes and let us have her way.

Antoinette is, first and foremost, a lady and a scholar. She has helped lead restoration efforts, not only in Providence but throughout Rhode Island. And those efforts reflect the highest of historic preservation standards.

I would like to share with my colleagues a recent editorial section article from the May 10, 1987, edition of the Providence Sunday Journal titled, "A Tribute to Antoinette F. Downing." I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

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

[From the Providence Sunday Journal, May 10, 1987]

A TRIBUTE TO ANTOINETTE F. DOWNING

After a half century devoted to the study and preservation of historic architecture in Rhode Island and America, Providence's Antoinette F. Downing has won the nation's highest award for contributions to the historic preservation movement. Tomorrow, in Washington, D.C., she will receive the Louise Dupont Crowninshield Award of the National Trust for Historic Preservation.

She will be recognized for this honor at the annual meeting of the Providence Preservation Society at the restored Casino at Roger Williams Park Tuesday. Over the years Mrs. Downing has earned Rhode Islanders' admiration. In her success we have been winners too.

She began as a scholar. For five years she researched and recorded the state's historic buildings. In 1937, her book "Early Homes of Rhode Island" was published, and remains the standard reference on 17th, 18th and early 19th century building in the state. During the 1930s and 1940s, Mrs. Downing raised a family and taught school. In the late 1940s, she returned to the study of old buildings by assisting the newly founded Preservation Society of Newport County with a program to document and bring attention to the magnificent legacy of historic architecture in Newport, then threatened by decay through neglect and indifference.

The effort culminated in the publication of "The Architectural Heritage of Newport, Rhode Island, co-authorized with Vincent J. Scully, Jr., in 1952.

In the 1950s, Mrs. Downing's scholarship took an activist turn. At that time the College Hill neighborhood of Providence was an area with many rundown and unappreciated historic buildings threatened with demolition by plans for expansion at Brown University and proposals for urban renewal along Benefit and Main Streets. Mrs. Downing and other residents, determined not to lose their neighborhood and its historic buildings, organized the Providence Preservation Society.

The report, "College Hill, A Demonstration Study of Historic Area Renewal," (1959) which she helped to research and write, became the blueprint for the neighborhood's restoration and a national model for using historic preservation as a means of community renewal.

As chairman of Providence's Historic District Commission and chairman of the Rhode Island Historical Preservation Commission, Mrs. Downing has made historic preservation part of everyday life in Rhode Island. Under her leadership, the Historical Preservation Commission's statewide survey has identified about 50,000 historic buildings and sites in Rhode Island's 39 cities and towns.

In all, more than 10,000 Rhode Island properties have been listed on the National Register of Historic Places. Furthermore, the reuse and rehabilitation of historic buildings has become an important part of the state's economy in the last decade. More than $200 million has been invested in projects approved by the Historical Preservation Commission alone. Add to this the dollars spent by tourists visiting our state's historic sites. Even greater is the intangible value of the lesson repeated many times during Mrs. Downing's career; that historic neighborhoods, with a little appreciation and care, can be vital, attractive and comfortable places in which to live.

Throughout Antoinette Downing's work has run the belief that our heritage of historic districts, structures and sites is an important, non-renewable resource that is worth keeping, a valuable asset for our own time and the future. This was a revolutionary, even visionary point of view in the 1950s and 1960s. Time has proved her right, and we have all been the beneficiaries.

MAJ. GEN. ROBERT F. MOLINELLI

Mr. SYMMS. Mr. President, I spoke earlier today about one great Idahoan who passed on to his reward, the late James Jesus Angleton, but we lost another great American last week, Maj. Gen. Robert F. Molinelli, a decorated air cavalry officer and combat aviator who since July 1985 had been Director of the Combat Support Systems in the Office of the Army Deputy Chief of Staff for Research, Development and Acquisition. Joe Molinelli died May 4 at Stanford University Hospital Center of complications as a result of the treatment of lymphoma.

A resident of Fort Myer, General Molinelli was in California for specialized treatment of his illness.

At the time of his death, he had served 31 years in the Army, including two tours of duty as a helicopter pilot and commander during the Vietnam war. He was commander of the 6th Air Cavalry Brigade and at the end of his second Vietnam assignment in 1971 he was named the Army's "Aviator of the Year."

Subsequent assignments included service as chief of staff and assistant commander of the 2d Armored Division at Fort Hood, TX, command of the Army's readiness and mobilization region at Fort Devens, MA, deputy commander of the 1st Army and post commander at Fort Devens.

General Molinelli was born in Pocatello, ID, and graduated from Idaho State University. During his Army career, he earned a master's degree in communications science at Shippensburg State College in Pennsylvania. He also attended the Army War College and the Command and General Staff College.

On May 7, General Molinelli was posthumously awarded the Army's Distinguished Service Medal.

His other decorations included two Silver Stars, eight Distinguished Flying Crosses, a Bronze Star, two Purple Hearts, two Legions of Merit, 62 Air Medals, two Meritorious Service Medals, two Army Commendation Medals and a Master Aviator's Wings.

I extend my heartfelt sympathy and respect to his family in Pocatello. He is survived by his wife, Donna Ann, of Fort Myer, two sons, Robert O. of Fort Devons and Army Capt. David L., who is serving in West Germany.

Mr. President, I note that General Molinelli comes from an outstanding family in my State. In the tradition of other people in this country, he served his country well and we all mourn his death.

TO HONOR OUR NATION'S POLICE OFFICERS

Mr. MATSUNAGA. Mr. President, there was a memorial service held here in Washington yesterday morning which deserves to be noted by this body of lawmakers because of the dedication to the rule of law which was being memoralized at the ceremony. It was the Eighth Annual Memorial Service for Police Officers who died in line of duty, held at the Memorial Fountain of the D.C. Metropolitan Police Department under the auspices of the Ladies Auxiliary of the Fraternal Order of Police, D.C. State Lodge.

The service was a most impressive one and honored two police officers who died while in performance of their duty within the metropolitan area during the past year: Officer Kevin J. Welsh of the metropolitan police department and Trooper Alexander M. Cochran III of the Virginia State Police Force. The two officers were remembered in commemorative remarks by their colleagues and superior officers, by a posthumous award in the case of Officer Welsh, and by poetic and musical tributes as well as prayers led by police chaplains. The Order of Service was arranged by Mrs. Vickie G. Cummings, president of the auxiliary, assisted by its vice president, Mrs. Karen C. Hardman.

It was my privilege and honor to be invited to deliver the keynote address. So that my colleagues, as writers of the law, and others may gain due appreciation of the sacrifices demanded of those who preserve and enforce the law, I ask unanimous consent that the text of my address at the service be printed in the RECORD.

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

"IN MEMORY OF TWO GOOD, GREAT MEN," MEMORIAL ADDRESS BY THE HONORABLE SPARK M. MATSUNAGA, U.S. SENATOR, BEFORE THE LADIES AUXILIARY OF THE FRATERNAL ORDER OF POLICE

Thank you, Mrs. (Vickie) Cummings, for your most gracious introduction. It is with a sense of honor that I join you this morning in your annual memorial service for police personnel who die in the line of duty. I have always maintained a high respect for those who serve as police officers—as well as for their spouses, who fully share the anxieties of their calling every day without the immediate experience of its rewards.

I say this as one with an intimate familiarity with our law enforcement system—having served as an Assistant Public Prosecutor before becoming a legislator and having a police officer as a son-in-law and an Assistant Public Prosecutor as a daughter-in-law. If lawmaking is a noble calling—as indeed it is—then law preserving at the risk of life itself is nobler still. The role of the police officer in civilized society is central to its survival. That role is to preserve the public peace, while affirming the dignity and upholding the rights of each and every individuals. It is a task far easier to define than to execute.

In oppressive societies the police maintains public order without regard to the rights of individuals, other than those of the ruling elite. But this is a perversion of the universally recognized police function as the guardian of law and protector of the weak and helpless. The police role is pivotal to all the other civil functions whereby justice is upheld and it is the most demanding one of all. Indeed, this role is unrelenting in its demands and all too frequently it calls for "the last full measure of devotion."

The two officers, whom we memoralize this morning, paid that "last full measure" in keeping with the highest standards of their profession, in defense of the helpless. In doing so they demonstrated to their colleagues, their families and their communities why the profession of police service holds such unique standing in society. No other calling possesses its central paradox—its dedication to the preservation of life at the risk of life itself. The soldier may sacrifice his life in time of war in combat to defend his country against a declared enemy; but the police officer places his or her life at risk at all times to protect the life or property of fellow citizens against unknown perpetrators of crime.

Trooper Alexander McKie Cochran III, of the Virginia State Police Force was cut down, together with an Army sergeant, when the two men responded to the sounds of a gun shot and screams in their neighborhood. It was an incident of domestic violence, dreaded in patrol work because of the irrational and unpredictable turns such cases can take—as in this instance. But Trooper Cochran did not hesitate when he heard gun fire and a woman's voice screaming for an ambulance. Pausing only to arm himself, he answered his neighbor's call for help.

Trooper Cochran had been on the State force for only 2 years, but he had prepared himself well for his patrol duties; he had studied at Rappahanock Community College and gained experience as a security guard and as a volunteer with the Callao, Virginia Rescue Squad. There he trained and qualified as an emergency medical technician and rose to the rank of second lieutenant. Also a member of the Virginia National Guard, Trooper Cochran was a helicopter crew chief who had told his neighbors his goal was to fly helicoper search and rescue missions. His entire life was devoted to honing the skills necessary to assist those in distress—to the preservation of life in a fight against the odds of death. His National Guard commander, Colonel James D. Holden, remembers him as "an A-Number One, all-American boy . . . The kind of boy that you'd want to live next door to."

Officer Kevin Welsh, in the words of his commanding officer, Deputy Chief Charles E. Samarra of the District of Columbia Metropolitan Police, "died as he lived—helping others." He dove, courageously and without hestitation, into the Anacostia River in order to rescue a despondent woman who had attempted suicide by jumping from the 11th Street Bridge into the river. As one who knew him well said at the time: "Some very fine police officers may have hesitated on that river bank, and without fault. But Kevin was just Kevin: professional, unrelentingly dedicated, thorough, ready to do his job as he knew it so well, no matter the risks or after-the-fact analysis. It made no difference to him who went off that bridge or why."

As with Trooper Cochran, behind the heroic act which claimed Officer Welsh's life lay a career of daily dedication. In his case it was a remarkable, 7 year career during which he had earned eight commendations from the police chief, 31 commendations from his commanders for outstanding performance in the line of duty, and more than 60 letters of praise sent by residents in appreciation of his assistance. Kevin Welsh was, indeed, "one of Washington's finest." One can only marvel at the record of his service, so much in keeping with his final valor.

While Kevin's life was a comparatively short one, he was singularly blessed, for, as his fellow officer Steve O'Dell said of him, "He had a zest for his job—and what that job stood for—that was second to none." He once asked his brother, also a member of the force, "Did you ever think you would be a police officer in the Nation's Capital?"

In giving his own life to save the life of a fellow human being in despair, Officer Welsh has left us with a legacy of inspiration and dedication from which we can all draw great hope for the future. In our media-dominant age in which we are constantly reminded of the dark side of human nature and of the foibles of the mighty, it is important to keep life in proper perspective. There are those among us who seek to go down in history as great men or women, while others prefer to be known for their good deeds. I have long believed that it is better to be known as a good man than a great one, for greatness is an assessment of mortals, goodness a gift of God. The two officers we honor this morning were members of a rare breed—good men, gifted by God, who were called upon to symbolize the greatness of their vocation and who were found not wanting. We mourn their deaths but take pride in the undeniable fact that by their actions they both proved themselves good, great men, worthy of emulation.

To the members of the families of Trooper Cochran and Officer Welsh, may I say that while I fully realize that mere words of any mortal cannot ease the inner pain over their immeasurable loss, I pray that they will find some solace in the knowledge that they have earned our Nation's admiration and gratitude for their professional dedication.

Society asks of the men and women called to police work to cope dispassionately and without favor with the consequences of the sordid, perverse and irrational side of human nature under conditions of great stress, and often without the benefit of reflection and second thoughts. When they are able to do so with such distinction as did Trooper Cochran and Officer Welsh and still retain their zeal for the protection of life at the risk of their own, we can only be grateful that the essential goodness and indeed the greatness, of human nature remains triumphant.

Let us take courage from their example as we go forth now to fulfill our own responsibilities for the institutions we represent.

THE ACHIEVEMENT OF AMBASSADOR LEW TAMBS

Mr. HELMS. Mr. President, the Washington Post recently ran a series of articles on the U.S. diplomatic service, which seemed to suggest that political appointees to ambassadorial posts were somehow incompetent, and at worse an embarrassment. The fact is that the diplomatic service is purposely designed to be a mix of men and women of various backgrounds, bringing different talents and experience to the job of representing our country. And in this regard, the Reagan administration can be proud of the men and women from private life who have been called upon to represent the President's policy in many countries around the world.

A good example of this is Ambassador Lew Tambs, who has recently returned to his teaching post at the University of Arizona after serving as the President's representative in Colombia and Costa Rica.

Lew Tambs had already had an outstanding career as a businessman, a scholar, and an educator when President Reagan tapped him to go to Colombia. As is well known, when Lew Tambs went down to Colombia, his task had been considered hopeless. Colombia was the major center for the production and shipment of cocaine and other dangerous substances. The drug Mafia in Colombia was so powerful that it rivaled the Government itself in financial and paramilitary resources. Although the Government of Colombia was cooperating to an extent in international drug interdiction, the fact is that it could do very little against the powerful forces that threatened to take over the country. A series of professional diplomats from the Foreign Service had been unable to deal effectively with the problem.

But it was Lew Tambs who was able, with constant prodding, explanation, and exhortation, to wake up the leaders of Colombia to the dangers which threatened their country. He was able to show them that it was not just a U.S. problem; it was a problem that was threatening the independence of their Government, and the future of their own youth.

For the first time, Colombia decided to take effective steps against the drug Mafia. Their justice minister was assassinated. Their supreme court was taken over by narcoguerrillas, with scores of judges and employees held hostage, ending in a tragedy when the building burned to the ground with the hostages and the Marxist guerrillas.

Nevertheless, Ambassador Tambs was able to encourage the Colombians to continue to take dangerous steps. With the assistance of the U.S. mission, a series of the biggest drug busts in history were successfully carried out, destroying major drug factories in the jungle. Finally, Ambassador Tambs was successful in getting Colombia to sign the long-discussed Drug Extradition Treaty, to bring drug conspirators to the United States for trial. Such an extradition treaty is extremely rare in Latin America, where national sovereignty is rightly treated with great reverence. Moreover, as Ambassador Tambs was leaving his post, he even persuaded Colombia to begin implementing the treaty, bringing key drug mafiosi to the United States for trial.

Indeed, this was an incredible achievement for Ambassador Tambs, a man who was not a career ambassador, but brought great understanding and experience of the Latin American scene to the problem. Moreover, it placed his life and that of his family in constant jeopardy from the narcotrafficantes who brazenly published reward posters seeking his assassination.

For such results, you would think that the State Department would be grateful, for he had succeeded where the professionals had failed. But instead, the State Department conducted a vendetta against Ambassador Tambs. Everything possible was done to prevent him from getting another post. After months of foot-dragging by the Department, the matter was personally communicated to the President, who was outraged, and immediately appointed him as Ambassador to Costa Rica. Even then, however, the bureaucracy continued to take its revenge, taking weeks and weeks to do a security clearance on a man who had been a sitting ambassador, performing under heroic and dangerous conditions.

But the President knew he was dealing with a man who knew and understood his policies in a way which the State Department did not. Lew was sent to Costa Rica because of the key geostrategic location of that country immediately adjacent to the Marxist-Leninist aggression coming from Nicaragua.

Lew Tambs is a man who understands the meaning of freedom. He is a man who understands that all freedom fighting against Communist aggression throughout the world are fighting the same battle—a battle not only for their own freedom, but for our freedom as well. He knows that Marxist-Leninist aggression can easily lead to the collapse of freedom throughout Central America and Mexico, resulting in tremendous humanitarian and economic pressures against the United States. Moreover, the collapse of freedom could well shake the complacency of many in this country—and indeed in this Congress—who think that we can collaborate with communism and socialism and bring so-called peace.

Mr. President, Ambassador Tambs recently articulated these views in a brilliant exposition of the Reagan doctrine in a speech delivered to the Council for Inter-American Security, in Palm Springs, CA. The speech is entitled "The Future Belongs to the Free," and has been reprinted in the April 1 edition of "Vital Speeches." It will be of great interest in the national debate we are having on whether or not we will defend freedom.

Mr. President, I ask unanimous consent that the address by Ambassador Lew Tambs be printed in the RECORD at the conclusion of my remarks.

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

THE FUTURE BELONGS TO THE FREE—THE REAGAN DOCTRINE AND CENTRAL AMERICA

(By Lewis A. Tambs)

The future belongs to the free and President Ronald Reagan, in the Reagan Doctrine, has given us a vision of victory. A vision of victory for democracy, freedom, and self-determination over dictatorship, oppression, and Soviet-imposed satellite states. The President only asks that the West, led by the United States, supply and support freedom fighters striving for their liberties, much as France, the Netherlands, and Spain aided the thirteen American colonies in their struggle against the English Empire.

When President Reagan discusses the East/West context, he always cites the following five countries: Nicaragua, Angola, Abyssinia, Cambodia, and Afghanistan. He could also mention Mozambique, Guinea-Bissau, and South Yemen, for in these eight nations there are indigenous forces fighting in the field against Soviet-supported regimes which are shielded in many cases by Cuban mercenaries. These freedom fighters, be they called *contras*, *mujahideen*, or *commandos de la libertad*, are seeking to liberate their own native lands from totalitarian Marxist-Leninist governments. These resistance forces are not fighting for the United States, Western Europe, or Latin America. They are fighting for their own identity, self-determination, and national culture.

Thus, the Reagan Doctrine, which aspires to support these true wars of national liberation, gives the West a vision of victory without the danger of nuclear war. In these eight conflicts, the possibility of victory is immediate and real. Moreover, the Soviets are over-extended militarily, their economy is in ruins, and their Cuban sepoys which sustain these regimes are in many cases mutinous.

Thus, the Reagan Doctrine gives the West the opportunity to reverse the domino theory, a process by which the Soviet Union has sought since 1917 and increasingly since 1945 to undermine western civilization and achieve global domination by promoting terrorism, insurgency, and subversion.

In general, the post-war period can be divided into four distinct phases: Cold war, 1945-1965; detente, 1965-1976; a near final phase, finlandization, 1976-1980; and a resurgence of U.S. power and determination to accept its global responsibilities and defend the West, beginning in 1980 with the election of Ronald Reagan.

During these four phases, the Soviet Union developed and deployed a three-point strategy for destroying the West; first, surround geographically the People's Republic of China (PRC); second, deny the western industrial nations access to petroleum and strategic minerals (Middle East and Southern Africa); and thirdly, isolate the U.S. from its friends and allies in Latin America.

The Soviet Union's efforts to surround geographically the PRC is clearly designed to neutralize the only other major power of the Eurasian continent. Mainland China is bordered on the north by Soviet Siberia, on the southwest by Soviet allied India and Vietnam. U.S. defeat in southeast Asia closed the semicircle on the PRC. One should recall that in 1971, when President Richard Nixon dispatched General Alexander Haig to Peking, one of the first statements that Chairman Mao Tse-Tung made to General Haig was "Don't lose in Indo-China." Although Chairman Mao was a committed Communist, he was a Chinese Nationalist first. Moreover, with the fall of Saigon in 1976 to the Communists, the Soviets gained an opening into their second major effort, denial to the West of oil and minerals. For with the occupation of South Vietnam by the North Vietnamese Communists, the Soviets gained under the Friendship Treaty of 1978 the naval base at Cam Ranh Bay, the best port in the South China Sea. Since 1978, the Soviets have stationed at Cam Ranh Bay a naval task force which endangers Japan's major sea lines of communication (SLOC) which carry oil and ore through the South China Sea, and Japan is the U.S.'s major ally in the Western Pacific. Regarding Soviet encirclement of the PRC, the invasion of Afghanistan in 1979 can be seen as a part of this strategy as well as being an effort to realize the age-old Russian dream of winning a warm water port in the Indian Ocean.

The second major Soviet maneuver is to deny the western industrialized nations access to petroleum and strategic minerals. Soviet penetration and presence in the Middle East, whose oil is vital to the continuing survival of Japan, Western Europe, the United States, and Latin America is indicated by satellites in South Yemen, which controls the mouth of the Red Sea, Ethiopia on the same Red Sea SLOC, and Syria which threatens Israel and Egypt. The Soviets do not have to occupy petroleum-producing areas of the Middle East, but by utilizing South Yemen, Ethiopia, and Syria, they can subvert and destabilize the oil-endowed Persian Gulf states, thereby cutting off the vital flow of energy to the Nippon, NATO, and the Americas. A similar situation prevails in Southern Africa. Africa, from Zaire south, holds strategic minerals vital to the industrialized democracies—cobalt, molybdenum, chrome. Here again, the Soviets have established satellites in Mozambique, Angola, and Guinea-Bissau. These Soviet-sponsored states serve as basis for subversion and destabilization of the mineral-producing nations. Once again, the Soviets are not obliged to occupy the entire area. They only have to insure that the West is denied access, particularly so since in the case of Southern Africa, God or nature has played us false because the only other area which produced these strategic minerals in commercial quantities is the Soviet Union.

The third Marxist maneuver is to isolate the U.S. from it friends and allies in Latin America. In the strategic sense, Latin America is the soft underbelly of the U.S. Ever since the Spanish-American War of 1898, the U.S. has been able to depend upon a cooperative Caribbean and a supportive South America.

Central America and the closed sea of the Caribbean are America's power perch. The U.S. has not been obliged to divert massive resources of men, money, or material southward since the turn of the century. Hence, U.S. ability to protect power eastward across the Atlantic to Europe and the Middle East and westward across the Pacific to Asia rests upon a secure southern flank. Soviet penetration into the western hemisphere, beginning with the satellization of Cuba in 1959 and continuing with Grenada and Nicaragua, had by 1979 threatened to slice the Americas in twain by cutting the Caribbean in two by bringing the closed sea which binds North and South America together under the potential control of communist tactical air and light naval forces. The possible triad of air and naval bases on Grenada, Cuba, and Nicaragua portended the driving of a wedge from east to west across the American Mediterranean—a twentieth century repetition by the Soviets of seventeenth-century England's "Grand Design" against Spain. For Great Britain, by seizing Barbados, Jamaica and Mosquitia, broke Spain's bridge of ships which bound the empire together. Thus commenced the collapse of the Castillian Empire upon which the "sun never set." The situation in 1979 represented a serious challenge to the U.S. for most U.S. exports depart Gulf Coast ports and some 70 percent of all U.S. petroleum imports flow through or are produced in the Caribbean basin.

Venezuela and Mexico are major U.S. petroleum suppliers. Currently, Mexico is a greater source than Saudi Arabia. Thus President Reagan's actions in October 1983 liberating Grenada broke the ring of the Soviet strategy to encircle the Caribbean with tactical air and naval power. Nevertheless, the militarization of a Marxist-Leninist Nicaragua in Meso-America by the Soviet bloc presents problems of a strategic, economic, ideological, and metaphysical nature.

Peace and national reconciliation are the two major U.S. goals in Central America. Consequently, five programs—defense, democracy, development, demilitarization, and departure of foreign forces—have been launched by the Reagan Administration to achieve these two objectives. Defense of the U.S. and its allies in Central America is a prime concern. Democracy is desired because it is not only the best form of government, but as President Oscar Arias of Costa Rica stated in his inaugural address on May 8, 1986, "There is no peace without democracy." Central America, for the first time since independence in 1824, now has four democratically-elected civilian presidents. In the past there have been two, Costa Rica and one other republic, but American encouragement of democratic forces since 1981 has succeeded in accelerating this process in El Salvador, Honduras, and Guatemala. Development is vital so that economic as well as political justice can prevail; development which is promoted by the private sector is preferred by the Reagan Administration since in reality there are only two economic systems, state capitalism and private capitalism. State capitalism, be it called fascism, socialism, or communism, merely means government ownership and control of the economy. It has consistently failed. Hence, if one wants to feed one's people, one must turn to free enterprise in order to produce the most at the lowest cost. And Central America must produce in order to provide a decent life for its citizens. Demilitarization of Central America is sought by U.S. policymakers since disarmament would enable the Central American nations to devote their limited resources to investment in their most precious national resource, their people, specifically in education and health. Departure of foreign forces from Central America is needed to end the East/West conflict in the area. The U.S. currently has around 1,000 military personnel in Palmarola, Honduras, and 57 trainers in El Salvador. Conversely, there are 3,000 to 5,000 Cubans in Nicaragua along with associated exotic East Bloc types from the Soviet Union, Bulgaria, and East Germany, not to mention terrorists from the PLO, the Colombian M-19, and Lybia.

Marxist/Leninist Nicaragua consistently preaches the doctrine of revolution without frontiers. The Nine comandantes are specifically committed to exporting subversion as evidenced by their efforts in El Salvador and Honduras. The Sandinistas are also exporting people. Hundreds of thousands of Nicaraguans have in Lenin's phrase, "Voted with their feet." In Costa Rica alone, there are between 100,000 and 250,000 Nicaraguan refugees. These exiles, which now account for some 10 percent of the Costa Rican population, have fled political repression and economic deprivation. They have also added to the economic and social problems in Costa Rica. This figure should not be surprising since the standard rate of flight from a communist regime is a minimum of 10 percent. This figure is clearly evidenced in the cases of Vietnam, Afghanistan, Ethiopia, Eastern Europe, and Cuba where the refugee rates ran far above the minimum of 10 percent. Hence, if Communist Nicaragua survives and succeeds in exporting subversion, the democratic republics of Central America and perhaps even the U.S. face social and economic destabilization engendered by innocents fleeing communist tyranny. The population of Central America is 25 million, Mexico's is some 80 million. A total of approximately 100 million people. As the comandantes continue in their pledge to export revolution to their neighbors—El Salvador, Honduras, Guatemala, and Mexico—there exists the possibility that the U.S. could be confronted in a relatively short period of time with a human wave of some 10 million souls.

The impact on the U.S. of these innocents fleeing for their lives would present the U.S. with two difficult choices: admission or denial. Immediate admission would confront the U.S. with linguistic and cultural balkanization, as well as economic and social dislocation. This policy would hit our own less skilled workers the hardest since they would be competing for the same jobs as the new immigrants. Any effort to close the 2000-mile land frontier with Mexico would be difficult, both philosophically and practically. The U.S. is a nation of immigrants. All our forefathers came from Asia, Africa, or Europe and we sympathize with the poor and oppressed. Sealing the southern frontier would be painful. Moreover, it would present us with a strategic dilemma.

Sizable forces would be required to police the U.S.-Mexican border. The numbers needed are beyond the capabilities of the Immigration and Naturalization Service. Only three adequate manpower pools are available—NATO, the Rapid Deployment Force, and the National Guard. Should the U.S. be obliged to withdraw its armed forces from NATO in order to secure its southern border, the chances are that Western Europe would be finlandized. If the Rapid Deployment (RDF) were utilized, the U.S. would be unable to respond to any Soviet activities in the Middle East, Africa, or East Asia. Hence, the Soviets under this scenario, sometimes called "Operation Checkmate," would have won the world without ever facing the full military might of the U.S. The chances of any administration's calling out the National Guard to active service are minimal since it would be an open admission of absolute failure of foreign policy. Only NATO and RDF are political possibilities. Therefore, under "Operation Checkmate," the U.S. confronts catastrophic choices and the West, shorn of U.S. military might and economic power, would face final defeat from the Soviet chess strategy of pushing the Nicaraguan pawn to checkmate.

The future should belong to the free. But if the Sandinistas succeed in consolidating their expensive Marxist/Leninist regime, not only Nicaragua's neighbors but even the U.S. could be endangered. Hence, the Reagan Doctrine which calls for aid to the freedom fighters in Nicaragua, Angola, Abyssinia, Cambodia, and Afghanistan is a defensive as well as an offensive strategy. For the Reagan Doctrine gives hope to oppressed peoples occupied by East Bloc and Cuban mercenaries and guides the men and women of the Free World toward a vision of victory, a positive picture of tomorrow by which the three Soviet strategic maneuvers—encirclement of the PRC, denial of access to the West of ore and oil, and isolation of the U.S. from Latin America along with insurgent induced mass migration—can be thwarted and by which the future will belong to the free.

HARRY CLARKE: TRUE PATRIOT

Mr. HELMS. Mr. President, some weeks back I lost a very special friend. Harry W. Clarke was very special to a multitude of people in my State and around the Nation. He was a true patriot, and it is difficult to comprehend that we will never hear his voice again, nor be the beneficiary of his courage and wisdom.

Harry died the way he would have wanted to leave this life. He had spent the day working on a significant project in another city, far from his home in Asheville. Late at night, he was flying home alone in his plane. It crashed not far from the Asheville airport.

Mr. President, it has been said that people are divided into two general

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groups, talkers and doers. Harry was a doer. He got things done. He never waved away a person in need. He never ducked an opportunity to extend a helping hand to someone needing it.

He was president of an impressive organization known as Western Carolina Industries—an association of more than 600 member-companies employing more than 200,000 people in the 29-county area of western North Carolina. He had been with the association since 1959.

Harry was 60 when that plane crash in the middle of the night claimed his life. He was born in Oakway, SC, a small town in the northwest corner of South Carolina. When World War II began, Harry didn't wait to finish high school. He enlisted in the Navy, served 5 years in the submarine service—mostly in the Pacific picking up American flyers shot down off the coast of the Philippines, Japan, and the South China seas.

When the war was over, Harry came home, completed his college education at Furman University in 2 years. He earned a B.S. degree in mathematics and chemistry, and a minor in psychology. Then he earned his M.S. in mathematics at John Hopkins University and spent 2 years as a research scientist at Aberdeen Proving Grounds working on rocket research.

Mr. President, there was never a moment when Harry Clarke lapsed in his dedication to his God, his family or his country. He had his priorities straight. He worked, he sacrificed—and, yes, he fought—for principles that deserve to survive.

He was a great American and a splendid friend. He enriched my life, and those of countless others.

Mr. President, it was fitting that the memorial service for Harry Clarke was led by another great American, a remarkable minister of the gospel named George Heaton. Dr. Heaton, on that occasion, delivered a eulogy that was comforting to all who were present.

Mr. President, I ask unanimous consent that the text of Dr. Heaton's remarks be printed in the RECORD.

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

A MEMORIAL TO HARRY W. CLARKE, 1926-87

He was your friend, and he was my friend. Had you known him for 30 years he would have amazed you by the unfolding of his greatness. He was unique, and he did among us those deeds that no one else could possibly do. His achievements were the result of genuine accomplishment rather than appearances. His dedication was to the quality of his work rather than glittering accessories. He gave himself to a task so great that it will take decades for those who come after him to ever finish what he started. His vision of Western Carolina was fulfilled in the opportunities for employment and the enrichment of the working atmosphere.

How did this amazing man come to be? It was the power of love. His love for his work and his friends, but, of course, the greatest of all love, the love of his wife, Patsy, and her children. So he seemed to say, "In my hand there is a secret plan, and my hand is big . . . big . . . because of this plan. That the God who dwells in this hand knows this secret plan of what He will do for the world, using my hand." So he refused to give himself to anything so small that he could ever hold it in his hand and say it was finished. Instead, nerved by God he set out on a pilgrimage. A pilgrimage to bring into actuality his unprecedented, unique and never recurring potentialities. And the pilgrimage goes on, for no end is visible, no end is even conceivable in the saga of Harry Clarke's life.—*Dr. George D. Heaton, Clarke Memorial Service, March 11, 1987.*

A SALUTE TO AMERICAN SMALL BUSINESS

Mr. DASCHLE. Mr. President, I rise to add my voice to the many, many others saluting American small business during this Small Business Week of 1987.

Small businesses across this land get none of the headlines of the corporate giants. But small businesses provide the lion's share of the jobs and the innovation and the income that sustains our entire economy. They are vigorous. They are competitive. They command our respect not out of sympathy, but because of their performance.

The Tobkin brothers, all four of them who operate the Veblen Cheese Co., and who are South Dakota's Small Business Persons of the Year, are perfect examples of the vitality of small enterprise. They have expanded and diversified their company since assuming operation from their father over a decade ago. They sell their excellent cheese products from coast to coast. They have branched out with a subsidiary in veterinary and livestock supplies. John, Joseph, Daniel, and Douglas give back tenfold to their community and truly exemplify the personal qualities that make American small business the envy of the world.

It is families like the Tobkins of Veblen, SD, that this Congress and our administration must picture and remember as we wrestle to reduce our deficit, curb predatory corporate business practices, and create trade laws that give our small business people a fighting chance to survive. We must remember that a fighting chance is all people of the Tobkin's quality need to survive, but that it is also the very least they deserve.

THE CRISIS OF THE PRESIDENCY

Mr. DIXON. Mr. President, our colleague and my good friend, the junior Senator from Illinois [Mr. SIMON], recently offered some astute insights on constitutional issues concerning the Presidency that have been brought to the fore by several recent developments. He presented the keynote address at a seminar on these issues organized by Garry Wills, the noted professor and columnist, at Northwestern University. I commend Senator SIMON's remarks to the attention of my colleagues. I ask unanimous consent that his remarks be printed in the RECORD.

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

THE CRISIS OF THE PRESIDENCY

(Speech by Senator Paul Simon at Northwestern University)

I thank my friend Garry Wills—one of the most gifted and creative political writers of our nation—for inviting me.

It's good to be at Northwestern University. A few years ago Northwestern gave me an honorary doctorate so I can even claim the distinction of being an alumnus of Northwestern.

The title of this conference, "The Crisis of the Presidency," was intended to focus on that institution in this bicentennial of our constitution. When I accepted this invitation I did not know that I would be a candidate for the Presidency. And no one guessed only a few days ago the dramatic changes that would focus in unexpected ways on the people who seek the presidency.

Today's headlines are a reminder that the threat to the presidency is not only from the secrecy of unwise arms deals or abuse of executive privilege beyond the confines of the law.

The threat to the presidency can also come from a poorly informed electorate and from a media more intent on reporting the personal mistakes of public officials that are easily understood, than the much more significant issues that will have great impact on the lives of citizens that are not easily understood.

More people know with whom Gary Hart went to the Bahamas than have any idea what stands he has taken on the nuclear arms race that threatens the extinction of humanity. More people knew that Gerald Ford stumbled occasionally than knew that he had helped reach agreements with the Soviets to aid in keeping civilization alive.

I do not know where to draw the line. Public officials are by definition more public. We operate in a fish bowl. And the higher we climb the greater the exposure. That is proper. The public has a right to know enough information about our personal lives so they can make a judgment: Is he or she someone who can be trusted?

But when the focus on personal life becomes a substitute for focus on arms control, or reducing the deficit, on moving toward a quality education, on solving problems in rural America and on long-term care for seniors, then the public is ill served.

The focus on the less important by the media and the public too often results in leadership of personality rather than substance.

That type of focus by the media and the public will not provide this nation with the leadership we need to turn from today's comfortable but dangerous downhill course to a path that makes our nation more compassionate and more competitive and more just.

The chief problem is not structural. A free people electing their leadership is better than any other system, but people indifferent to whom they elect too often select leaders indifferent to the needs of the people. The answer is not moving away from free elections but to recognize that we can do better. Media that focuses more attention on the Milwaukee Brewers winning streak than on the problems faced by the frontline states in Africa is appealing to the public appetite more than the public interest. The answers is not to move away from a free press, but for all of us to recognize that we can do better.

The presidency affects us in a thousand subtle ways.

We now assume that the presidency matters to us personally. But it wasn't long ago that most people would have been astonished at that idea. The presidency hasn't always seemed that important. Let me give you an example.

George Reedy, a student of the presidency, grew up a few miles south of here in one of Chicago's Irish neighborhoods. In grade school, he was the only student in the class who knew that the President of the United States was Calvin Coolidge.

Probably all of George's friends knew the name of the mayor of Chicago, their alderman, their precinct captain. These were the people who really counted.

I don't know whether the elementary school that George Reedy attended is still standing. If it is, any third-grader there today could tell you the name of the President, but almost none could tell you the name of their precinct captain.

That difference between what third-graders knew during Reedy's childhood and what they know today symbolizes a much larger change in our country in the last 60 years. Presidents are now far more visible.

There are several reasons for that change. There's national television and radio. There's the great mobility of American families that weakens their ties to local institutions. And there's the historic shift of governmental functions from local government to Washington.

When something is awry with the institution of the presidency, the country knows and feels it.

Robert Frost wrote that "good fences make good neighbors." Political institutions need fences at least as much as farmers.

But the fine old constitutional fences that surround the executive branch are in a state of disrepair. No fence has been safe. The executive branch has invaded the realms of Congress, of the courts, of the states, or foreign governments.

Many of the incursions by the executive branch haven't come up against as much resistance as they should. Let me give you an example: The mining of Nicaraguan harbors. This was an act of war against a country with which we are not technically at war. This mining violated the Rio Treaty. And we undermined the rule of international law by refusing to recognize the jurisdiction of the World Court in the matter when we were embarrassed by being caught. The executive branch violated the spirit and the letter of our laws and international law and we compounded the wrong by withdrawing from the jurisdiction of the international court, an action whose ultimate consequences will do great harm to our nation and to world stability.

This event was ominous in itself. But it also set a dangerous precedent. It helped clear the path to the Iran-Contra scandal.

Both the Nicaraguan and the Iran policies were stupid, but they were more than that. Mining the harbor in Nicaragua and selling arms to Iran found the nation's highest officials somehow unrestrained by the fence of the law which must limit our officials if our free system is to be preserved and strengthened.

Much of the growth in presidential power—particularly the growth in the last 50 years—has been good. Much of it was inevitable in a nation as powerful and complex as ours.

Is all this power inherently dangerous? Does power automatically corrupt as Lord Acton warned? Unbridled power does. But there's nothing automatically noble about weakness, or evil about power.

Our society is more humane, efficient, and compassionate, because of the times in the last half-century when new presidential powers were used wisely.

A crisis doesn't arise because we have a powerful presidency. We have a crisis of the presidency when the White House removes itself from the constraints of the political process.

The presidency has the power to strengthen or devastate the world economy—the means to start or stop wars—and the capability of annihilating the human race.

When a Supreme Court justice comes up with some nonsensical innovation, there are eight colleagues to temper the foolishness. When a senator dreams up a hare-brained scheme, it won't go any farther than the Congressional Record unless he or she can convince at least 50 skeptical senators to go along. But when a president dreams up some mischief, there may be no one who can and will tell him what he deserves to hear.

I doubt if structural changes can solve this problem. Structural changes are not a substitute for careful and thoughtful selections of a president by the electorate, and of nominees by each political party.

Unless there are some startling new revelations in the Irangate hearings—and there may be some—we can look forward to a quiet caretaker administration under Howard Baker. He is an able man, and he is political in the best and most useful sense. But his tenure will last for 21 months at the most, and then it will be time to start from scratch.

What will happen after that? There is no way of predicting. That's partly because the presidency is an infinitely flexible institution. It molds itself around the style and personality and view of the person who is president.

Maybe the next president will want power for its own sake, and will disrupt our institutions the way an alcoholic disrupts a family.

Or maybe the new president will fit Henry Adams' description of the begonia. He said it was "remarkable for curious and showy foliage; it was conspicuous; it seemed to have no useful purpose; and it insisted on standing always in the most prominent positions."

Those are two possibilities. In either case, the institution of the presidency is so adaptable that it will respond in kind.

But there is a third possibility. We can have a president who tries to conserve the presidency by respecting its limits.

We can have a president who understands, as George Reedy put it, what it means "to be a symbol of the nation, to be a teacher, to be a political organizer, to be a more preceptor, to be an arbiter of taste."

A good president must be much more than that, however. He must also be a leader. But that leadership should be within the confines of the law. The spirit of the law and the letter of the law should be observed as the principle method of preserving our free system. If that happens all of us will be well served.

A 29-year-old state legislator in Illinois, after the mob slaying of abolitionist Elijah Lovejoy in 1837, said in a talk in Springfield, "Let every man remember that to violate the law, is to trample on the blood of his father, and to tear the charter of his own, and his children's liberty. Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap. . . . In short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and condition, sacrifice unceasingly upon its altars." That message from Abraham Lincoln needs to be heard and repeated today.

If we can repair the fences of restraint, they can stand for future presidencies as a symbol to be guarded carefully by a free people eager to preserve their freedom.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of February 4, 1987, the Secretary of the Senate, on May 11, 1987, during the recess of the Senate, received a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on May 11, 1987, are printed at the end of the Senate proceedings.)

ANNUAL REPORT OF THE UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 42

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 11, 1987, during the recess of the Senate, received the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with Section 5(h) of the International Health Research Act of 1960 (Public Law 86-610; 22 U.S.C. 2103(h)), I transmit herewith the Twentieth Annual Report of the U.S.-Japan Cooperative Medical Science Program for the period of July 1985 to July 1986.

RONALD REAGAN.

THE WHITE HOUSE, *May 11, 1987.*

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 8, 1987, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

Under the authority of the order of the Senate of February 3, 1987, the enrolled joint resolution was signed on May 8, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 11, 1987, received a message from the House of Representatives announced that the House has passed the following bill, without amendment:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge";

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978; and

H.J. Res. 67. Joint resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

Under the authority of the order of the Senate of February 3, 1987, H.R. 1941 and House Joint Resolution 67 were signed on May 11, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

Under the authority of the order of the Senate of February 3, 1987, S. 1167 was signed on May 12, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

MESSAGES FROM THE HOUSE

At 2:04 p.m., a message from the President of the United States, delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the concurrent resolution (H. Con. Res. 93) setting forth the congressional budget for the United States Government for the fiscal years 1988, 1989, and 1990; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. GRAY of Pennsylvania, Mr. FOLEY, Mr. LOWRY of Washington, Mr. DERRICK, Mr. MILLER of California, Mr. FROST, Mr. FAZIO, Mr. RUSSO, Mr. OBERSTAR, Mr. ESPY, Mr. LATTA, Mr. GRADISON, Mr. MACK, Mr. GOODLING, Mr. DENNY SMITH, Mr. BUECHNER, and Mr. HOUGHTON as managers of the conference on the part of the House.

The message also announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 163. Joint resolution designating May 1987 as "National Home Remodeling Month";

H.J. Res. 178. Joint resolution designating June 25, 1987, as "National Catfish Day"; and

H.J. Res. 270. Joint resolution to recognize the one hundred and twenty-fifth anniversary of the United States Department of Agriculture.

MEASURES REFERRED

The following joint resolutions were read the first and second times by unanimous consent, and referred as indicated:

H.J. Res. 163. Joint resolution designating May 1987 as "National Home Remodeling Month"; to the Committee on the Judiciary.

H.J. Res. 178. Joint resolution designating June 25, 1987, as "National Catfish Day"; to the Committee on the Judiciary.

H.J. Res. 270. Joint resolution to recognize the one hundred and twenty-fifth anniversary of the United States Department of Agriculture; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bill and joint resolution:

On May 8, 1987:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

On May 12, 1987:

S. 1167. An Act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

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-1200. A communication from the Executive Associate Director of the Office of Management and Budget transmitting, pursuant to law, a report on a reapportionment of an appropriation on a basis necessitating a supplemental appropriation; to the Committee on Appropriations.

EC-1201. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report certifying the Secretary of Defense's estimate of the Panama Canal Commission's annual revenues to be deposited in the Panama Canal Commission fund; to the Committee on Armed Services.

EC-1202. A communication from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the 1986 SEC Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1203. A communication from the Director of the Federal Home Loan Bank Board transmitting, pursuant to law, the FHLBB's Annual Report for 1986; to the Committee on Banking, Housing, and Urban Affairs.

EC-1204. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 24 refunds of excess oil and gas lease royalty payments; to the Committee on Energy and Natural Resources.

EC-1205. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas lease royalty payments; to the Committee on Energy and Natural Resources.

EC-1206. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1207. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1208. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 29 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1209. A communication from the Administrator of the General Services Administration transmitting, pursuant to law, a copy of a lease prospectus for the consolidation of NOAA and NSF; to the Committee on Environment and Public Works.

EC-1210. A communication from the special counsel, Merit Systems Protection Board transmitting, pursuant to law, a report on allegations of violations of law and regulation creating a danger to public health at Loring AFB, ME; to the Committee on Governmental Affairs.

EC-1211. A communication from the Director of the Office of Management and Budget transmitting, pursuant to law, a report on the implementation of the Single Audit Act of 1984; to the Committee on Governmental Affairs.

EC-1212. A communication from the Executive Director of the Federal Retirement Thrift Investment Board transmitting a draft of proposed legislation to prevent the loss of earnings to Federal employees in the thrift savings plan; to the Committee on Governmental Affairs.

EC-1213. A communication from the Attorney General of the United States transmitting, pursuant to law, a report certifying a certain region to the Circuit Court of Appeals for the Eighth Circuit; to the Committee on the Judiciary.

EC-1214. A communication from the Acting Assistant Attorney General of the United States transmitting, pursuant to law, the annual report for Justice Programs, fiscal year 1986; to the Committee on the Judiciary.

EC-1215. A communication from the Chairman of the National Commission on Libraries and Information Sciences transmitting, pursuant to law, the Commission's 15th Annual Report; to the Committee on Labor and Human Resources.

EC-1216. A communication from the Secretary of Education transmitting, pursuant to law, a copy of final funding priorities for the Projects With Industry Program; to the

Committee on Labor and Human Resources.

EC-1217. A communication from the Executive Secretary of the Office of the Secretary of Defense transmitting, pursuant to law, a report on DOD procurement from small and other business firms for October 1986 through February 1987; to the Committee on Small Business.

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. DOLE (for himself, Mr. D'AMATO, Mr. SIMON, and Mr. MATSUNAGA):

S. 1182. A bill to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State; to the Committee on Energy and Natural Resources.

By Mr. BREAUX:

S. 1183. A bill to amend the Shipping Act of 1984 regarding certain practices of foreign carriers or other persons providing maritime or maritime-related services in foreign countries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FORD:

S. 1184. A bill to amend the Airport and Airway Improvement Act of 1982 to improve the safety and efficiency of air travel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FORD (for himself and Mr. ROCKEFELLER):

S. 1185. A bill to amend the Mineral Lands Leasing Act of 1920, as amended, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. METZENBAUM:

S. 1186. A bill to amend the Internal Revenue Code of 1986 to limit the fee a real estate broker may charge for preparing an information return in a noncommercial real estate transaction; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. ARMSTRONG):

S. 1187. A bill to amend the Internal Revenue Code of 1954 to conform the treatment of residential lot interest expenses to current law treatment of second home interest expense; to the Committee on Finance.

By Mr. SYMMS:

S. 1188. A bill to amend the Internal Revenue Code of 1986 to allow certain associations of football coaches to have a qualified pension plan which includes cash or deferred arrangement; to the Committee on Finance.

By Mr. MELCHER:

S. 1189. A bill to amend the Older Americans Act of 1965 to authorize grants to States for demonstration projects that provide to older individuals services in return for certain volunteer services provided to other individuals; to the Committee on Labor and Human Resources.

By Mr. LUGAR:

S. 1190. A bill to recover costs of providing services to farmer cooperatives and groups of producers; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1191. A bill to amend the Plant Variety Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the act; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1192. A bill to recover costs of establishing standards and specifications for agricultural products; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MATSUNAGA:

S. 1193. A bill to add additional lands to the Kilauea Point Wildlife Refuge on Kauai, Hawaii; to the Committee on Environment and Public Works.

By Mr. DOMENICI:

S. 1194. A bill to transfer jurisdiction over certain lands in Bernalillo County, NM, from the General Services Adminstration to the Veterans' Administration; to the Committee on Governmental Affairs.

By Mr. CRANSTON (for himself, Mr. MURKOWSKI, Mr. MATSUNAGA, Mr. DECONCINI, Mr. MITCHELL, and Mr. ROCKEFELLER):

S. 1195. A bill to amend title 38, United States Code, to provide authorities to help the Veterans' Administration overcome difficulties in the recruitment and retention of nurses, pharmacists, occupational and physical therapists, and other health-care personnel in its Department of Medicine and Surgery, and for other purposes; to the Committee on Veterans Affairs.

By Mr. DOLE:

S.J. Res. 127. A joint resolution designating the month of May 1987 a "National Asthma and Allergy Awareness Month"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BYRD:

S. Res. 211. A resolution amending paragraphs 2 and 3(a) of rule XXV; considered and agreed to.

S. Res. 212. A resolution making additional majority appointments to the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Banking, Housing, and Urban Affairs; considered and agreed to.

By Mr. DOLE:

S. Res. 213. A resolution making Republican appointments to the Committee on Agriculture, Nutrition, and Forestry, and Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business; considered and agreed to.

By Mr. BYRD (for himself and Mr. DOLE):

S. Res. 214. A resolution to authorize the reprinting of the manuscript entitled "Creation of the Senate," prepared by Dr. George J. Schulz in 1937; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOLE (for himself, Mr. D'AMATO, Mr. SIMON, and Mr. MATSUNAGA):

S. 1182. A bill to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State; to the Committee on Energy and Natural Resources.

(The remarks of Mr. DOLE and the text of the legislation appear earlier in today's RECORD.)

By Mr. BREAUX:

S. 1183. A bill to amend the Shipping Act of 1984 regarding certain practices of foreign carriers or other persons providing maritime or maritime-related services in foreign countries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FOREIGN SHIPPING PRACTICES ACT

● Mr. BREAUX. Mr. President, beyond dispute our international ocean liner trades are the most open in the world. They are accessible to the flags of all nations on a come one, come all basis; and our laws ensure that all vessels, regardless of their national registry, have an opportunity to compete freely and fairly for cargo. Ironically, this freedom has meant that most of the liner cargo which moves in our trades moves on foreign bottoms. In 1980, for example, 72.9 percent of the cargo in those trades moved on foreign flags; and by 1985, that percentage increased to 79 percent. There are those who would say that this disproportionate share is simply the result of the free market place at work. In other words, that foreign-flag vessels are better competitors.

Mr. President, such a view is naive in the extreme, and fails to recognize the numerous laws and practices of our trading partners which all too often give their national flags a competitive edge in our bilateral trades. The U.S. Maritime Administration, the State Department, the Special Trade Representative have each identified burdensome practices and barriers in Taiwan, Japan, Korea, Bangladesh, India, Pakistan, Turkey, Colombia, Venezuela, Argentina, Australia, Brazil, Canada, Dominican Republic, Egypt, France, Germany, Ghana, Indonesia, Italy, Mexico, Philippines, Singapore, Sweden, and Yugoslavia.

In addition to these burdensome practices and barriers, our merchant marine has not been receiving the amount of Federal assistance which is necessarily the price of admission to international ocean shipping. The Merchant Marine Act of 1936, as amended, is the principal law to promote the maritime industry. Among other things, that act authorizes the Maritime Administration to:

Award and administer construction-differential subsidy contracts and operating-differential subsidy contracts to aid the American merchant marine.

Provide insurance on construction loans and ship mortgages or guarantees on ship financing obtained from private sources for ship construction and reconstruction.

Since 1981, however, the administration has curtailed the number and scope of the Maritime Administration's promotional programs through budgetary and policy means. It has, for example:

Vetoed legislation because it failed to eliminate the statutory title XI

Ship Construction Loan Guarantee Program and Federal aid to State maritime academies.

Consistently requested zero funding for the Construction Differential Subsidy Program, and opposed legislation which would have authorized such funding.

Adopted a no expansion policy for the Operating Differential Subsidy Program [ODS] as part of its policy to end that program as existing ODS contracts expire through the year 2000; and opposed legislation which would have expanded the program.

Opposed congressional efforts however modest to increase cargo reservation—for example, cargo reservation for U.S. mail.

The administration is continuing its efforts in its budget request for fiscal year 1988, because it once again is proposing to eliminate the title XI Loan Guarantee Program and Federal aid to State maritime academies; and its budgetary request reiterates its intention not to expand the ODS program.

Mr. President, the legislation I am introducing today attempts to address both of the problems I have described so that our merchant marine may compete on a level playing field in our international liner trades.

Title I of the bill amends the Shipping Act of 1984, to give the Federal Maritime Commission more flexibility to deal with burdensome maritime and maritime-related practices which our liner vessels encounter in foreign countries.

Currently, the primary means the Federal Maritime Commission has to combat these practices of our trading partners is section 19, of the Merchant Marine Act of 1920. That act empowers the FMC to make rules to meet conditions unfavorable to shipping when those conditions result from either the actions of a foreign government or a foreign shipping line or its agent. While the Commission has recently undertaken section 19 investigations into cargo reservation systems established by Argentina, Brazil, Venezuela, and the Philippines, section 19 has resulted in a final order only once.

Mr. President, whatever the merits of section 19, it has not been an effective tool to eliminate these burdensome practices in our bilateral liner trades, as the reports of MarAd, the State Department, and the STR indicate.

The legislation I am introducing today would give the FMC an additional tool which I believe would enable it to discover these impediments more quickly, and to eliminate them expeditiously and effectively. It would also remove a good deal of the discretion and subjective determination which often confuses parties as to their rights and responsibilities under laws such as section 19, of the 1920 act.

Mr. President, simply put, the measure I am introducing today would amend the Shipping Act of 1984:

Direct the FMC to investigate the laws and practices of foreign governments and the practices of foreign carriers relating to maritime or maritime related services in their countries which result in the existence of conditions for United States carriers in United States oceanborne trades which conditions do not exist for foreign carriers under the laws of the United States or as a result of acts of United States carriers or other persons providing maritime or maritime-related services in the United States.

When the FMC becomes aware of such conditions it shall require that the vessels of those countries which are operating in our liner trades file reports with the FMC to assist the agency in assessing how burdensome these conditions are.

To neutralize the disadvantage to U.S.-flag operators as a consequence of those conditions, the FMC could, without hearing, take one or more steps:

Limit such operator's sailings to and from U.S. ports or the amount of type of cargo carried.

Suspend, in whole or in part, any or all tariffs filed with the Commission for carriage to or from U.S. ports, including such operator's right to use any of all tariffs of conferences in U.S. trades of which it is a member for any period the Commission specifies.

Suspend, in whole or in part, such operator's right to operate under any agreement filed with the Commission, including but not limited to, agreements authorizing preferential treatment at terminals, preferential terminal leases, space chartering from other common carriers, or pooling of cargoes or revenues; or

Refuse entry and port clearance.

Take any other action the Commission finds necessary and appropriate to offset such conditions.

The bill also directs the FMC to furnish to Congress an analysis of the conditions which exist in the 20 countries whose bilateral trades with the United States generate the greatest volume of cargo in common carriage in the bilateral liner trades. That report would address the relevant conditions which exist in those countries which do not exist in the United States, and the effect of those conditions on the free flow of commerce in the bilateral liner trades of the United States.

Title II of the bill I am introducing would amend titles VI and IX of the Merchant Marine Act of 1936, for the following purposes:

To reactivate the operating-differential subsidy [ODS] program by directing the Secretary of Transportation to approve applications which satisfy the criteria in title VI as here amended, as well as to enter into ODS contracts and contract amendments with persons whose applications have been approved.

To make all foreign-built or rebuilt liner vessels eligible for ODS.

To give existing and new liner ODS operators the option to provide subsidized service without any trade route limitations.

To free existing and new liner ODS operators from all limitations and restrictions on the providing of unsubsidized service with U.S.-flag vessels in international trade.

To terminate the 3-year waiting period for foreign-built U.S.-flag liner vessels to carry preference cargo.

Mr. President, the only thing which is set in concrete is the objective of the legislation I am introducing. My subcommittee has scheduled hearings for May 20 and 21, and we will be eager to entertain any suggestions and changes which will strengthen and improve the measure. I stress that this bill is a starting point, and it will undoubtedly undergo many alterations.

As I have said, the measure is intended, among other things, to strengthen our merchant fleet through deregulation of subsidized carriers, and the offer of subsidy to unsubsidized operators. Given the already perilous state of our merchant marine, it would be ironic if this measure caused the demise of any of them. The subcommittee will be especially interested in hearing testimony on the effect trade route deregulation will have on some of our smaller liner companies. It may be that the hearing record will show that it is in the national interest to provide some of the smaller companies with trade route protection, because we do not want deregulation to be the cause of their demise; and we do want it to give them the same opportunity for growth it provides for the larger carriers.

Mr. President, the subcommittee looks forward to the hearings on May 20 and 21. With the maritime industry's support and cooperation I would hope we will be able to report a bill the first week in June.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD.

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

S. 1183

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

TITLE I—FOREIGN SHIPPING PRACTICES

SEC. 101. This title may be cited as the "Foreign Shipping Practices Act of 1987".

SEC. 102. (a) The Shipping Act of 1984 (Public Law 98-237; 98 Stat. 67) is amended by adding at the end the following:

"SEC. 23. FOREIGN LAWS AND PRACTICES.

"(a) DEFINITIONS.—For purposes of this section—

"(1) 'foreign carrier' means an ocean common carrier whose vessels are documented under the laws of a country other than the United States;

"(2) 'maritime services' means port-to-port carriage of cargo by the vessels operated by ocean common carriers;

"(3) 'maritime-related services' means intermodal operations, terminal operations, cargo solicitation, forwarding and agency services, and all other activities and services integral to total transportation systems of ocean common carriers and their foreign domiciled affiliates on their own and others' behalf;

"(4) 'United States carrier' means an ocean common carrier which operates vessels documented under the laws of the United States; and

"(5) 'United States oceanborne trade' means the carriage of cargo between the United States and a foreign country by ocean common carriers.

"(b) AUTHORITY TO CONDUCT INVESTIGATIONS.—The Commission shall investigate any and all laws, rules, regulations, policies and practices of foreign governments and any practices of foreign carriers or other persons providing maritime or maritime-related services in a foreign country which result in the existence of conditions for United States carriers in United States oceanborne trades that do not exist for foreign carriers under the laws of the United States or as a result of acts of United States carriers or other persons providing maritime or maritime-related services in the United States.

"(c) INITIATION OF INVESTIGATIONS.—Investigations under subsection (b) of this section may be initiated by the Commission on its own motion or upon the petition of any person, including any common carrier, shipper, shippers' association, ocean freight forwarder or marine terminal operator, or any branch, department, agency, or other component of the government of the United States.

"(d) ORDERS.—In order to further the purposes of subsection (b) of this section, the Commission may, by order, require any person (including any common carrier, shipper, shippers' association, ocean freight forwarder, or marine terminal operator, or any officer, receiver, trustee, lessee, agent or employee thereof) to file with the Commission any periodic or special report, answers to questions, documentary material, or other information which the Commission considers necessary or appropriate. The Commission may require that the response to any such order shall be made under oath. Such response shall be furnished in the form and within the time prescribed by the Commission. Notwithstanding any other provision of law, the Commission may, in its discretion, determine that any such response shall not be disclosed to the public.

"(e) ACTION AGAINST FOREIGN CARRIERS.—Whenever the conditions specified in subsection (b) of this section exist, the Commission shall take any action that it considers necessary and appropriate against foreign carriers who are contributing causes to, or whose country is a contributing cause to, such conditions, in order to offset such conditions. Such action may include—

"(1) limitations on sailings to and from United States ports or on the amount or type of cargo carried;

"(2) suspension, in whole or in part, of any or all tariffs filed with the Commission, including the right of an ocean common carrier to use any or all tariffs of conferences in United States trades of which it is a member for any period that the Commission specifies;

"(3) suspension, in whole or in part, of the right of an ocean common carrier to operate under any agreement filed with the Commission, including agreements authorizing preferential treatment at terminals, preferential terminal leases, space chartering or pooling of cargo or revenues with other common carriers; and

"(4) imposition of licensing, domestic nationality, or other requirements upon such foreign carriers similar to those imposed upon United States carriers.

"(f) ACTIONS UPON REQUESTS OF THE COMMISSION.—Whenever the conditions specified in subsection (b) of this section exist, upon the request of the Commission—

"(1) the collector of customs at any port or place of destination in the United States shall refuse the clearance required by section 4197 of the Revised Statutes (46 App. U.S.C. 91) to any vessel of a foreign carrier that is identified by the Commission under subsection (e) of this section; and

"(2) the Secretary of the department in which the Coast Guard is operating shall deny entry of any vessel of a foreign carrier that is identified by the Commission under subsection (e) of this section to any port or place in the United States or the navigable waters of the United States, or shall detain any such vessel at the port or place in the United States from which it is about to depart for any other port or place in the United States.

"(g) REPORT.—The Commission shall include in its annual report to Congress—

"(1) a list of the twenty foreign countries which generated the largest volume of oceanborne liner cargo for that year in bilateral trade with the United States;

"(2) an analysis of conditions described in subsection (b) of this section being investigated or existing in such foreign countries;

"(3) any actions being taken by the Commission to offset such conditions; and

"(4) any recomendations for additional legislation to offset such conditions.

"(h) APPLICABILITY.—Notwithstanding any other provision of law, the actions of the Commission under this section shall be final and shall not be subject to judicial review.".

(b) The table of contents of the Shipping Act of 1984 is amended by adding at the end the following:

"Sec. 23. Foreign laws and practices.".

TITLE II—AMENDMENTS TO THE MERCHANT MARINE ACT, 1936

SEC. 201. The second sentence of section 601(a) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1171(a)) is amended by inserting immediately before the period the following: ", or the operation of a liner vessel in international trade".

SEC. 202. Section 602 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1172) is amended by striking "a vessel" and inserting in lieu thereof "a bulk vessel".

SEC. 203. Subsection (a) of section 603 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1173) is amended to read as follows:

"(a) Upon making the determinations specified in sections 601(a), 605(c) and where applicable, 602 of this title with regard to an application, the Secretary of Transportation shall approve the application and enter into a contract or amendment to a contract with the applicant for the payment of an operating-differential subsidy determined in accordance with the provisions of subsection (b) of this section for the operation of such vessel or vessels in an essential service and in cruises authorized under section 613 of this title. Such contract or amendment to a contract shall be subject to such reasonable terms and conditions, consistent with this Act, as the Secretary of Transportation shall require to effectuate the purposes and policy of this Act, including a performance bond with approved sureties, if such bond is required by the Secretary of Transportation. Any such contract shall be for a period not exceeding twenty years.".

SEC. 204. Section 606 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1176) is amended by adding at the end the following: "In addition, every contract for an operating differential subsidy for liner vessels under this title shall provide that the contractor is not subject to any restriction or limitation upon the performance of unsubsidized services in international trade with vessels documented under the laws of the United States.".

SEC. 205. Section 615 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1185) is amended to read as follows:

"Sec. 615. Any liner vessel built or rebuilt in a foreign shipyard and documented under the laws of the United States shall be deemed to have been United States-built for purposes of sections 601(a) and 610(l) of this title.".

Sec. 206. Section 901(b)(1) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1241(b)(1)) is amended—

(1) by striking ", or (2)" and inserting in lieu thereof ", (2)"; and

(2) by striking the period at the end and inserting in lieu thereof the following: ", or (3) a vessel is a liner vessel documented under the laws of the United States.".

SEC. 207. Section 905 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1244) is amended by adding at the end the following:

"(h) The term 'international trade' means foreign commerce, and commerce between two or more foreign countries.

"(i) The term 'liner vessel' means a vessel operated by a common carrier on a definite, advertised schedule, giving relatively frequent sailings at regular intervals carrying cargo in international trade.".●

By Mr. FORD:

S. 1184. A bill to amend the Airport and Airway Improvement Act of 1982 to improve the safety and efficiency of air travel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

AIRPORT AND AIRWAY CAPACITY EXPANSION ACT

Mr. FORD. Mr. President, I am introducing legislation today that will help resolve a number of the critical problems facing our aviation industry—deteriorating safety, increasing congestion, and the lack of funding for capital improvements.

This legislation, the Airport and Airway Capacity Enhancement Act of 1987, authorizes significantly increased funding levels for the Airport Improvement Program and the National Airspace System plan—both supported by the Airport and Airway Trust Fund and administered by the Federal Aviation Administration to ensure the safety and efficient operation of our aviation system.

This bill will address many of the problems in aviation that require immediate attention. First, and foremost, the enormous surplus that has built up in the trust fund will be dedicated to projects enhancing aviation safety. The bill increases funding for the modernization of the air traffic control system and requires that an additional 1,000 controllers be hired by the end of fiscal 1988. It also provides significantly higher funding for airports desperately needing additional capacity to handle increasing levels of airline traffic. And it doubles current funding for noise abatement projects at congested airports.

While focusing additional funds on the larger airports, smaller airports will benefit as well, receiving higher levels of Federal aid, thus ensuring the continued access of small communities to our air transportation system. Finally, the bill retains the integrity of the trust fund—continuing it as a funding source for capital improvements, rather than as a major subsidy for operating revenue.

In 1970, Congress established the Airport and Airway Trust Fund to ensure that there would be adequate resources to develop airport capacity and an air traffic control system capable of accommodating expected growth in both commercial and general aviation. In succeeding years, Congress has extended these programs to ensure that the physical infrastructure needed to support the aviation industry would continue to match user demand.

The most recent authorization bill, the Airport and Airway Improvement Act of 1982, provided a 5-year plan for increasing funding for both airport development and the modernization of the FAA's air traffic control system. It was based on projections for substantial increases in air traffic resulting from deregulation, as well as the realization that the aging air traffic control system needed replacing. To fund these programs, the 1982 act authorized increases in both passenger ticket and general aviation fuel taxes.

The forecasts made in 1982 have, in large part, been substantiated. Airline traffic in this country has increased from 275 million passengers in 1978 to a record 415 million last year. And while spending for the major FAA programs for airport development and safety improvements has increased, it clearly has not been adequate to provide the capacity needed to handle the demands currently being placed on it by aviation users.

There can be no denying the fact, however, that the money needed for providing this additional capacity has been collected and is currently available. The trust fund, into which all aviation user taxes are deposited, currently has a balance of over $9 billion. Of that amount, nearly $5.6 billion is surplus—in excess of the amounts needed to fund existing program commitments.

The legislation that I am introducing today attempts to address these issues by increasing the amounts of funding to be made available to both airport development and the modernization of the air traffic control system. It is the culmination of a series of hearings that I chaired, taking testimony from the administration, the Congressional Budget Office, and the General Accounting Office, as well as airports, the airlines, general aviation, State aviation officials, and labor groups. Our hearings also included a field hearing last month in Denver, CO—the site of the only major airport construction project in the country that is actively being considered.

Throughout these hearings we heard time and again that the problems of congestion and delays will only worsen unless we are willing to dedicate substantially more for funding the development of our aviation infrastructure. Testimony focused on the needs of both the Airport Improvement Program and the modernization of the air traffic control system. And it was nearly unanimous—with a $5.6 billion surplus in the trust fund, it is impossible to argue that the money is not available.

Mr. President, the legislation which I am introducing recognizes these needs and attempts to resolve them by increasing the Federal share of airport development. It would authorize $1.6 billion for fiscal year 1988—a 60-percent increase over the current fiscal year—to be increased by $100 million in each of the 2 succeeding years.

These additional funds will allow nearly every category of airports to receive substantially more for capital improvements. Large hubs, small commercial service, reliever, and general aviation airports will all get more under this bill than they currently receive. Additionally, the bill increases the maximum amount that each airport can receive, from $12.5 million to $16 million, as well as the minimum that any primary airport can receive from $200,000 to $300,000 annually. This should make it easier for the largest airports to get needed AIP funding, while adding to the annual allocations made to smaller airports.

This bill also strives to better target AIP funds. Under this legislation, the Secretary will be required to allocate no less than $250 million each year to projects that will significantly increase the capacity of the air transportation system—whether they be new runways, taxiways, or high-speed turnoffs. This amount can be used for either primary airports, which generate most of the commercial traffic, or reliever airports—thus ensuring that the airports with the greatest capacity problem will be eligible for this new source of money.

The second major change to the current AIP Program is the creation of a cargo hub airport funding program. Currently, all-cargo carriers pay a 5-percent waybill tax. However, because current AIP formulas relate only to the numbers of passengers enplaned, the airports where the cargo hubs are located receive nothing in return. This bill will rectify this oversight by establishing a formula program whereby some 40 cargo hub airports would receive funding based on the gross landed weight of the all-cargo aircraft using that airport. This will help maximize safety at these airports, as well as eliminate the inequity that currently exists for cargo hub airports.

The bill would also make several changes increasing the flexibility of airports to use AIP funds. First, it would allow primary and reliever airports to expedite construction of critical capacity projects by beginning prior to final FAA approval, with eligible costs to be reimbursed by the FAA. This advanced construction provision is needed to enable a number of hub airports to begin the construction of additional runways needed to handle growing traffic levels. The bill would also eliminate limits on using AIP funds for terminal development. However, under this provision, an airport would still be required to certify that it has met all FAA safety and security requirements.

Mr. President, this legislation would also double the amount of money allocated to airports for noise mitigation projects. Increasingly, communities surrounding major airports are striving to restrict aircraft operations, thereby limiting noise at the source. However, every effort must be made to limit the impact of aircraft noise on those communities, which our bill would do by dedicating no less than 10 percent of all Federal AIP funds—or some $160 million in fiscal year 1988—to noise abatement projects.

Small airports would also benefit under this legislation. Not only would our bill provide increased funding for reliever and general aviation airports, it would reduce the minimum enplanement level for primary airports—those eligible for entitlement formula funds—from about 40,000 annual enplanements to 10,000 passengers. This will guarantee that some 160 additional airports will receive formula funds for making capital improvements.

Finally, my bill incorporates legislation proposed earlier this year by Senator MURKOWSKI prohibiting AIP funds to any airport project using foreign materials or services if the foreign country does not allow fair and equitable market opportunities for U.S. bidders.

In total, this bill will provide the needed resources to ensure significant capacity and safety improvements for not only the major airports, but for the thousands of smaller airports as well.

The second major program funded by the bill relates to replacing and modernizing the equipment used in the air traffic control system. Known as the National Airspace System plan, this $12.2 billion, 10-year program is designed to replace the computers, navigational aids, and communications systems used by air traffic controllers and aviators in ensuring the safe flight of aircraft.

The NAS plan, although less visible to the average air traveler, plays an equally important role in aviation safety. Without the new computers and other equipment to assist controllers, the airspace is limited—by both human capacity and equipment that dates from the 1960's. To help eliminate delays and increase the number of aircraft that can be allowed to fly safely, the 90 different projects that comprise the NAS plan must be completed. Therefore, in extending the authorization for funding, this legislation provides $1.5 billion for each of fiscal years 1988 and 1989, with that amount increasing to $1.75 in 1990. This will allow for the continuation of the NAS plan, as well as ensure the funding of the facilities and equipment needed by the FAA.

This bill authorizes FAA research and development efforts for $200 million for both fiscal years 1988 and 1989, increasing to $225 million in fiscal year 1990. While FAA R&D supports both the Airport Improvement Program and the NAS plan, the work in recent years has focused principally on the air traffic control system. This bill does nothing to hinder progress in this area; however, it does require that the FAA allocate at least $25 million annually for R&D related to airport capacity and safety. This is consistent with our efforts to provide increased emphasis on creating additional airport capacity, while increasing the safety of operations at the most congested facilities.

Finally, this bill continues the existing limitations on the share of FAA operational expenses covered by revenues from the trust fund. Under current law, FAA operational and maintenance costs are funded by both the trust fund and the General Revenue Fund. The trust fund, which was created as an airport capital development fund, currently provides some 27 percent of total FAA operational expenses. Our bill will increase the amount from the trust fund to equal the amount allocated to the Airport Improvement Program—up to $1.6 billion.

Given current FAA estimates for its operational expenses, this will allow the trust fund share to grow to nearly 50 percent. And with outyear increases of $100 million a year the Airport Improvement Program, the amount from the trust fund will increase correspondingly. Additionally, this bill continues the two-for-one penalty against the NAS plan. Under this provision, there is a reduction of $2 taken from the trust fund for FAA operations, for every $1 not spent on the NAS plan.

Mr. President, in the coming weeks, I intend to introduce a second, related bill to extend the current excise taxes on aviation users. The bulk of the nearly $4 billion generated each year and deposited into the trust fund comes from an 8-percent passenger ticket tax, as well as general aviation fuel and the freight waybill taxes.

This legislation will be to extend these taxes at current levels for 5 years. However, it is my intention to ensure that if the money in the trust fund is not spent, that we no longer collect it. This trigger tax mechanism will require that the administration and Congress spend the money, or by fiscal year 1991, the taxes will be reduced substantially.

It is very simple. If we do not spend the taxes that we collect, then we should not collect those taxes.

The key, however, to satisfying all parties on this score is to recognize that we must fully fund the Airport Improvement Program and the NAS plan. The capital needs for aviation are enormous. In the past 5 years, there have been more than $10 billion of legitimate airport grant applications submitted to the FAA and rejected—because of insufficient funding. And the FAA currently has some $3 billion in airport projects on file—waiting for the money to proceed. Clearly, civil aviation is one area where increased Federal funding is part of an effective solution.

The bill that I am introducing will provide the next step toward an improved aviation system. I have done all I can to make this a realistic bill. And I can assure my colleagues that I am committed to doing all I can to see it enacted into law. Given our current state of aviation we can afford to do nothing less.

I urge each and every one of my colleagues to support this legislation. It will need that support to pass the Congress with the funding levels intact before our September 30 deadline.

Mr. President, I ask unanimous consent that the bill and a summary of its provisions be printed in the RECORD.

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

S. 1184

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 "Airport and Airway Capacity Expansion Act of 1987".

SEC. 2. Section 502(a) of the Airport and Airway Improvement Act of 1982 (hereinafter referred to as "the Act") (49 App. U.S.C. 2201(a)) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

exclusive purpose of inspecting air cargo, including facilities and equipment provided for or required by the Federal inspection services; and"; and

(B) by inserting immediately before the period at the end of subparagraph (C) the following. "or any land included within an unacceptably high level noise contour and identified on a current or projected noise contour map determined acceptable by the Secretary";

(2) by redesignating paragraphs (5) through (24) as paragraphs (6) through (25), respectively, and by inserting immediately after paragraph (4) the following:

"(5) 'Cargo hub airport' means a public airport that receives in excess of 100 million pounds landed weight of all-cargo aircraft on an annual basis, as determined by the Secretary.";

(3) in paragraph (12), as so redesignated, by striking all after "have" and inserting in lieu thereof the following: "more than 10,000 passengers enplaned annually.";

(4) in paragraph (13), as so redesignated, by (A) striking "development or" and inserting in lieu thereof "development,", and (B) inserting immediately after "planning," the following: "or for carrying out noise compatibility programs or parts of such programs under section 104(c)(1) of the Aviation Safety and Noise Abatement Act of 1979 (49 App. U.S.C. 2104(c)(1)),"; and

(5) in paragraph (18), as so redesignated, by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting immediately after subparagraph (A) the following:

"(B) any cargo hub airport,".

SEC. 4. Section 504(d) of the Act (49 App. U.S.C. 2203(d)) is amended—

(1) by amending paragraph (2) to read as follows:

"(2)(A) The Secretary and the Secretary of Defense, in consultation with aviation users, shall jointly conduct a national review of the need and utilization of special use airspace with a view to determining its impact on civil aviation operations.

"(B) Within 18 months after the date of enactment of the Airport and Airway Capacity Expansion Act of 1987, the Secretary and the Secretary of Defense shall report to the Congress the results of such review, together with their recommendations."; and

(2) by striking paragraph (3).

SEC. 5. (a) Section 505(a) of the Act (49 App. U.S.C. 2204(a)) is amended—

(1) by inserting "(1)" immediately before "In order"; and

(2) by adding at the end the following:

"(2) The aggregate amounts which shall be available after September 30, 1987, to the Secretary for such grants and for grants for airport noise compatibility under the Aviation Safety and Noise Abatement Act of 1979 (49 App. U.S.C. 2101 et seq.) shall be $6,864,700,000 for fiscal years ending before October 1, 1988; $8,564,700,000 for fiscal years ending before October 1, 1989; and $10,364,700,000 for fiscal years ending before October 1, 1990.".

(b) Section 505(b) of the Act (49 App. U.S.C 2204(b)) is amended by striking "September 30, 1987," and inserting in lieu thereof "September 30, 1990,".

(c) Section 505(c) of the Act (49 App. U.S.C. 2204(c)) is amended to read as follows:

"(c) AUTHORIZATION FOR LIQUIDATING APPROPRIATIONS.—There are to be appropriated from the Trust Fund, to remain available until expended, such sums as are necessary to liquidate obligations incurred under this section.".

SEC. 6. (a) Section 406(a) of the Act (49 App. U.S.C. 2205(a)) is amended—

(1) by inserting "(1)" immediately after "EQUIPMENT.—";

(2) by striking "and" after "1986;"; and

(3) by striking "1987." and inserting in lieu thereof the following: "1987; $7,827,000,000 for the fiscal years ending before October 1, 1988; $9,327,000,000 for the fiscal years ending before October 1, 1989; and $11,077,000,000 for the fiscal years ending before October 1, 1990.".

(b) Section 506(b) of the Act (49 App. U.S.C. 2205(b)) is amended—

(1) by striking "and" immediately before "$193,000,000"; and

(2) by striking the period at the end of the second sentence and inserting in lieu thereof the following: "; $200,000,000 for fiscal year 1988 (of which not less than $250,000 shall be made available for equipment designed to provide improved access by handicapped persons to commercial aircraft); $200,000,000 for fiscal year 1989; and $225,000,000 for fiscal year 1990, of which not less than $25,000,000 in each such year is authorized to be appropriated for research, engineering and development regarding airport capacity improvements.".

(c) Section 506(c)(2) of the Act (49 App. U.S.C. 2205(c)(2)) is amended—

(1) by striking "and" after "1986;"; and

(2) by striking "1987." and inserting in lieu thereof the following: "1987; and an amount not to exceed the amount made available for purposes of section 505 of this title for fiscal years 1988 through 1990.".

(d) Section 506(d) of the Act (49 App. U.S.C. 2205(d)) is amended—

(1) by striking "and" after "1986;"; and

(2) by striking "1987." and inserting in lieu thereof the following; "1987; $30,000,000 for fiscal year 1988; $30,000,000 for fiscal year 1989; and $30,000,000 for fiscal year 1990.".

(e) Section 506(e)(5) of the Act (49 App. U.S.C. 2205(e)(5)) is amended by striking "September 30, 1987" and inserting in lieu thereof "September 30, 1990".

SEC. 7. (a) Section 507(a)(1) of the Act (49 App. U.S.C. 2206(a)(1)) is amended by striking "(1) PRIMARY AIRPORTS.—" and inserting in lieu thereof "(1) PRIMARY AIRPORTS: PASSENGER ENPLANEMENTS.—".

(b) Section 507(a)(1)(B) is amended—

(1) by striking "1987," and inserting in lieu thereof "1990,";

(2) by striking "and" after "1986,"; and

(3) by striking "1987." and inserting in lieu thereof "1987, and 30 percent for each of the fiscal years 1988 through 1990.".

(c) Section 507(a)(1)(C) of the Act (49 App. U.S.C. 2206(a)(1)(B)) is amended—

(1) by striking "$200,000" and inserting in lieu thereof "$300,000:; and

(2) by striking "$12,500,000 and inserting in lieu thereof "$16,000,000".

(d) Section 507(a)(1)(D) and (E) of the Act (49 App. U.S.C. 2206(a)(1)(D) and (E)) is amended by striking "50 percent" each place it appears and inserting in lieu thereof "38 percent".

(e)(1) Section 507(a) of the Act (49 App. U.S.C. 2206(a)) is amended—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting immediately after paragraph (1) the following:

"(2) PRIMARY AIRPORTS CARGO HUB AIRPORTS APPORTIONMENT.—In addition to funds to which any public airport may be entitled under any other provision of this title, and notwithstanding any other limitation on funding, a 3 percent share of the total amount authorized or available under section 505 of this title shall be set aside for distribution to cargo hub airports. Such distribution will be made by the Secretary on a pro rata basis, determined by calculating the total amount of all-cargo aircraft landed weight at all qualified cargo hub airports and establishing each qualified cargo hub airport's percentage share of such total amount. Each qualified cargo hub airport shall be entitled to that percentage of the total 3 percent share of the total amount authorized or available under section 505 of this title for any fiscal year.".

(2) Section 507(a)(3) of the Act, as so redesignated, is amended by striking "October 1, 1987" and inserting in lieu thereof "October 1, 1990".

(3) Section 507(a)(4)(A) of the Act, as so redesignated, is amended by striking "and (4)" and inserting in lieu thereof "(3), and (5)".

(4) Section 507(a)(5) of the Act, as so redesignated, is amended by striking "paragraph (3)" and inserting in lieu thereof "paragraph (4)".

(f) Section 507 of the Act (49 App. U.S.C. 2206) is amended by adding at the end the following:

"(c) CARGO HUB AIRPORT CALCULATIONS.—For purposes of determining the pro data apportionment for any fiscal year under subsection (a)(2) of this section, the total all-cargo aircraft landed weight at an airport shall be based on the all-cargo aircraft landed weight for the preceding calendar year.".

(g) Section 509(e) of the Act (49 App. U.S.C. 2208(e)) is amended by striking "section 507(a)(1)" and inserting in lieu thereof "section 507(a)(1) and (2)".

SEC. 8. (a) Section 508(a) of the Act (49 App. U.S.C. 2207(a)) is amended—

(1) by striking "or (4)" and inserting in lieu thereof "(3), or (5)"; and

(2) by striking "507(a)(3)" and inserting in lieu thereof "507(a)(4)".

(b) Section 508(c) of the Act (49 App. U.S.C. 2207(c)) is amended by striking "507(a)(2)" each place it appears and inserting in lieu thereof "507(a)(3)".

(c) Section 508(d) of the Act (49 App. U.S.C. 2207(d)) is amended—

(1) by adding at the end of paragraph (1) the following: "Of such amount, $300,000 shall annually be apportioned to each primary reliever airport and be available for obligation in the fiscal year during which it was first authorized to be obligated and the succeeding fiscal year. For purposes of this paragraph, a 'primary reliever airport' is a reliever airport having the function of relieving congestion at a pacing airport, as determined by the Secretary, which (A) if located within 50 miles of a pacing airport, has 100,000 annual itinerant operations or 125,000 total annual operations and has 200 based aircraft, or (B) if located more than 50 miles from a pacing airport, has 25,000 annual itinerant operations, 150,000 total annual operations, 300 based aircraft, an air traffic control tower, and a published instrument approach.";

(2) in paragraph (2), (A) by striking "8 percent" and inserting in lieu thereof "10 percent"; (B) by striking "(A)"; and (C) by striking all from "section 104(c)" and inserting in lieu thereof "section 104(c)(1) of such Act.";

(3) in paragraph (3), (A) by striking "5.5 percent" each place it appears and inserting in lieu thereof "2 percent"; and (B) by striking "paragraph (4)" and inserting in lieu thereof "paragraph (5)"; and

(4) by redesignating paragraph (5) as paragraph (6), and inserting after paragraph (4) the following:

"(5) Not less than $250,000,000 shall be made available under section 505 for any fiscal year to be distributed to primary airports and their reliever airports for improvements which increase the capacity of facilities to accommodate passenger and cargo traffic, thereby increasing safety and efficiency and reducing delays.".

SEC. 9. Section 512 of the Act (49 App. U.S.C. 2211) is amended—

(1) in subsection (a), by striking "507(a)(1)" and inserting in lieu thereof "507(a) (1) and (2)";

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting immediately after subsection (a) the following:

"(b) AIRPORT DEVELOPMENT ALREADY ACCOMPLISHED.—The Secretary may approve a project grant application and make a grant to reimburse a sponsor for airport development already accomplished by the sponsor (including project formulation costs) at a primary or reliever airport if—

"(1) the airport development for which reimbursement is requested will result in a significant enhancement of systemwide capacity;

"(2) before the development was begun, the sponsor notified the Secretary of its intent to carry out the development and request reimbursement subsequent to accomplishment of the development; and

"(3) before the development was begun, the sponsor provided the Secretary with sufficient information to enable the Secretary to assure that the development would be carried out in accordance with all applicable statutory and administrative requirements imposed on sponsors in connection with projects funded under this title, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).".

SEC. 10. Section 513(b) of the Airport and Airway Improvement Act of the Act (49 App. U.S.C. 2212(b)) is amended—

(1) in paragraph (2), (A) by striking "Not more than the greater of (A) $200,000, or (B) 60 percent of the" and inserting in lieu thereof "The"; and (B) by striking "section 507(a)(3)" and inserting in lieu thereof "section 507(a)(4)".

(2) by striking paragraph (5).

SEC. 11. Section 519 of the Act (49 App. U.S.C. 2218) is amended by adding at the end the following: "The Secretary shall propose implementing regulations with respect to the airport grant program authorized by this Act, receive and consider public comment (including possible amendments to sponsor assurances to be included in grant agreements), and promulgate final regulations not later than one year after the date of enactment of the Airport and Airway Capacity Expansion Act of 1987.".

SEC. 12. Section 529 of the Act (49 App. U.S.C. 2225) is amended by striking "October 1, 1987" and inserting in lieu thereof "October 1, 1990".

SEC. 13. The Secretary of Transportation shall make permanent the low activity (VFR) Level I air traffic control tower contract program established under section 526 of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2222).

SEC. 14. (a) Not later then September 30, 1988, the Federal Aviation Administration shall hire not less than 1,000 air traffic controllers in addition to the total air traffic controller work force level specified in Public Law 99-591.

(b) The additional air traffic controllers hired pursuant to subsection (a) of this section shall not include air traffic assistants.

SEC. 15. The Act (49 App. U.S.C. 2201 et seq.) is amended by adding at the end the following.

"SEC. 32. DENIAL OF FUNDS FOR CERTAIN PROJECTS.

"(a) IN GENERAL.—

"(1) No funds provided under this Act may be used to fund any project which uses any product or service of a foreign country during any period in which such foreign country is listed by the United States Trade Representative under subsection (c) of this section.

"(2) Paragraph (1) of this subsection shall not apply with respect to the use of product or service in a project if the Secretary determines that—

"(A) the application of paragraph (1) to such product, service, or project would not be in the public interest;

"(B) products of the same class or kind as such product or service are not produced or offered in the United States, or in any foreign country that is not listed under subsection (c) of this section, in sufficient and reasonably available quantities and of a satisfactory quality; or

"(C) exclusion of such product or service from the project would increase the cost of the overall project contract by more than 20 percent.

"(b) DETERMINATIONS.—

"(1) By no later than the date that is 30 days after the date on which each report is submitted to the Congress under section 181(b) of the Trade Act of 1974 (19 U.S.C. 2241(b)), the United States Trade Representative shall make a determination with respect to each foreign country of whether such foreign country—

"(A) denies fair and equitable market opportunities for products and suppliers of the United States in procurement; or

"(B) denies fair and equitable market opportunities for United States bidders,

for construction projects that cost more than $500,000 and are funded (in whole or in part) by the government of such foreign country.

"(2) In making determinations under paragraph (1) of this subsection, the United States Trade Representative shall take into account information obtained in preparing the report submitted under section 181 of the Trade Act of 1974 and such other information as the United States Trade Representative considers to be relevant.

"(c) LISTING OF FOREIGN COUNTRIES.—

"(1) The United States Trade Representative shall maintain a list of each foreign country with respect to which an affirmative determination is made under subsection (b) of this section.

"(2) Any foreign country that is added to the list maintained under paragraph (1) of this subsection shall remain on the list until the United States Trade Representative determines that such foreign country does permit the fair and equitable market opportunities described in subsection (b)(1) (A) and (B) of this section.

"(3) The United States Trade Representative shall annually publish in the Federal Register the entire list required under paragraph (1) of this subsection and shall publish in the Federal Register any modifications to such list that are made between annual publications of the entire list.

"(d) DEFINITIONS.—For purposes of this section—

"(1) Each foreign instrumentality, and each territory or possession of a foreign country, that is administered separately for customs purposes shall be treated as a separate foreign country.

"(2) Any article that is produced or manufactured (in whole or in substantial part) in a foreign country shall be considered to be a product of such foreign country.

"(3) Any service provided by a person that is a national of a foreign country, or is controlled by nationals of a foreign country, shall be considered to be a service of such foreign country.".

S. 1184, AIRPORT AND AIRWAY FACILITIES EXPANSION ACT OF 1987

(To authorize funding for the Federal Aviation Administration's Airport Improvement Program, modernization of air traffic control system, and supporting research and development efforts for Fiscal Years 1988-1990)

AIR TRAFFIC CONTROLLERS

Requires the FAA to hire an additional 1,000 air traffic controllers by the end of Fiscal Year 1988, increasing total staffing to 16,000.

Permanently continues the contract air traffic control tower program, increasing safety at a number of airports with temporarily closed air traffic control towers.

AIRPORT IMPROVEMENT PROGRAM

Increases AIP funding by 60 percent—from $1.0 billion in 1987 to $1.6 billion in FY 1988, up to $1.8 billion in 1990.

Retains current statutory formulas with following exceptions:

1. Establishes a set-aside of $250 million for critical airport capacity projects;

2. Creates a formula grant program for the top 39 airports serving as hubs for all-cargo air service. Currently, funds are allocated only on numbers of passengers enplaned at each airport; and

3. Doubles the amount of funding for noise abatement projects, from $80 million annually to $160 million.

Allows primary and reliever airports to expedite construction of critical capacity projects by beginning prior to final FAA approval, with eligible costs to be reimbursed by the FAA.

Makes an additional 160 small commercial service airports eligible for AIP formula grants by lowering the minimum enplanement level for primary airports to 10,000 passengers.

Increases the minimum amount any primary airport can receive in a year from $200,000 to $300,000, and the maximum the largest, most congested airports can receive from $12.5 million to $16 million.

Removes the current limitation on use of AIP funds for terminal development, still requiring an airport to certify that it has met its safety and security requirements.

Denies AIP funds to any airport project using foreign materials or services if the foreign country does not allow fair and equitable market opportunities for U.S. bidders.

FACILITIES AND EQUIPMENT

Authorizes funding for FAA's 10-year program to modernize the air traffic control system (known as the National Airspace System Plan—or NAS Plan), for $1.5 billion in FY 1988, $1.5 billion in FY 1989, and $1.75 billion in FY 1990.

This nearly doubles current funding to allow for the replacement of aging air traffic control computers, navigational aids, and communications systems.

RESEARCH, ENGINEERING AND DEVELOPMENT

Authorizes $200 million in FY 1988 and 1989, increasing to $225 in 1990 for FAA research and development activities.

Specific language requires that, in addition to R&D work on the new air traffic control system equipment, no less than $25 million annually must be allocated to R&D for airport capacity expansion.

FAA OPERATIONS MAINTENANCE

Allows continued use of revenues from Airport and Airway Trust Fund for up to 50 percent of FAA operational expenses. Statutory penalties remain in place, to encourage full funding of the Airport Improvement Program and the NAS Plan.

AVIATION USER TAXES

In a separate bill, will extend taxes for 5 years at current levels. However, if surplus of Trust Fund is not drawn down beyond a yet to be specified level by FY 1991 (in conjunction with the Congressional Budget Office), tax levels will be reduced.

By Mr. FORD (for himself and Mr. ROCKEFELLER):

S. 1185. A bill to amend the Mineral Lands Leasing Act of 1920, as amended, and for other purposes; to the Committee on Energy and Natural Resources.

FEDERAL COMPETITIVE COAL LEASING AMENDMENTS ACT

Mr. FORD. Mr. President, today I, along with Senator ROCKEFELLER, am introducing legislation which will encourage U.S. companies to develop Federal coal reserves already under lease. The legislation will address problems resulting from the importation of foreign coal into the United States, including adverse effects on the domestic coal industry, displacement of jobs domestically, and deferred development of Federal coal leases.

Coal is our Nation's most abundant mineral resource, yet the United States continues to import coal from foreign sources. Today, our country imports coal from Colombia, Canada, and Australia.

In Colombia, Carbocol—a Colombian Government owned coal company—and Intercor—a wholly-owned subsidiary of Exxon—have jointly developed El Cerrejon North, one of the world's largest surface coal mines, investing some $3.2 billion over a 10-year period since 1976. El Cerrejon North is expected to reach a full production level of about 16.5 million tons by 1989, but has the potential to double that level by 2000 by developing a second pit.

Imports of such foreign coal adversely affect domestic coal, particularly in the east and gulf coast markets, where our coal is put to a competitive disadvantage. Lower foreign production costs and high rail transportation rates in the United States contribute to this problem.

For example, the Florida Power Corp. is receiving 550,000 tons of Cerrejon North coal each year pursuant to a 4½-year contract. Jacksonville Electric Authority is receiving 800,000 tons of Cerrejon North coal annually under a 10-year contract. Virginia Power Co. has received shipments of Colombian coal for test burning.

According to the Energy Information Agency [EIA], Colombian coal is projected to displace 2.5 million tons of Kentucky coal—600 miners' jobs—and 0.3 million tons of West Virginia coal in 1995. Canadian coal is projected to displace 1.1 million tons of Utah coal—230 miners' jobs—1 million tons of Wyoming coal and 0.1 million tons of Washington coal.

Our bill responds to this disturbing situation. It would prohibit the Secretary of the Interior from issuing a competitive coal lease, or approving the assignment of any such lease, to any corporation or similar entity that is a subsidiary of, affiliated with, or controlled by or under common control with an entity engaged in the production of foreign reserves for importation into this country. In short, U.S. companies undertaking such overseas activities could not acquire additional Federal competitive coal leases. Companies developing foreign reserves would thus not be eligible to obtain, for development, additional federally owned reserves in our country.

I ask unanimous consent that the text of the bill be inserted in the CONGRESSIONAL RECORD following my remarks.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Federal Competitive Coal Leasing Amendments Act of 1987."

SEC. 2. Section 2(a) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 201(a)), as amended by Section 3 of the Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201(a)), is further amended by adding a new paragraph (4) as follows:

"(4) The Secretary shall not issue a competitive coal lease or competitive coal leases under the terms of this Act, nor may the Secretary consent to the assignment of any such lease or leases, to any person, association, corporation, or any subsidiary, affiliate, or persons controlled by or under common control with such person, association, or corporation, where any such entity is engaged in the extraction or production of coal reserves in a foreign country for importation into the United States."

Mr. ROCKEFELLER. Mr. President, I rise to strongly and unequivocally support the legislation by the Senator from Kentucky and would ask to become a cosponsor. It is a measure similar to an amendment approved by the Senate Energy Committee last year—and which I cosponsored and supported—but which never saw floor action.

Mr. President, the Congress has been studying, and those of us from coal country have been worrying about, coal imports. What we may be seeing are early symptoms of the malady that has afflicted so many American industries—import saturation. At first a trickle of imports—and skepticism about whether we should take action. And then, signs of potential danger.

Does anyone doubt, that if we could turn back the clock in the steel industry, that we would have done more to protect our domestic industry and our American workers?

Mr. President, the experts tell us that between now and 1990, we face the potential import of between 5 and 17 million tons of coal. Perhaps a small number in the scheme of all that we produce, but very significant, and very damaging to those coal communities that are barely hanging on while they seek new markets here and abroad. And with all due respect to the experts, I'm afraid their prediction is understated.

Mr. President, some of the most promising new and expanding markets for West Virginia and Appalachian coal—Florida, the gulf coast, and areas up and down the east coast—are among those targeted by foreign coal producers. At first it appeared that the only threat would come from Colombia, but recent news reports show that Australian coal may be purchased in the gulf coast in the not too distant future. How long will it be before coal comes from China?

Coal imports pose a serious threat to the Appalachian coal industry, but they will also have an impact in Wyoming and Montana, and perhaps even on the emerging industry in Alaska. We must take this threat seriously and we should act now to stem the tide.

Mr. President, Senator FORD's legislation is about American jobs and about American workers. It is a small measure of protection to those coal miners who work so hard and under such hazardous conditions.

The amendment is a strong message to American companies who might be producing, or planning to produce coal abroad for import into the United States. The message is plain and simple: If you plan to take our jobs and move them overseas, if you plan to ignore our own potential coal reserves, and if you target American markets with your product, then it is the policy of the U.S. Government to deny you the benefit of access to Federal coal lands.

Mr. President, some will call this the anti-Exxon amendment; but it could just as well have been Shell Mining or Consolidation Coal or Peabody. They are companies out to make a profit—we would hope that they would see a responsibility to American workers, but fundamentally it is our job to encourage them to do it in the United States.

To date, however, the policy of the U.S. Government has not discouraged, but rather has encouraged coal imports. The $850 million Export-Import Bank loan for the Colombian project is a clear indicator of policy gone astray. The Exim loan may provide some measure of benefit for the equipment manufacturers in California and New York and Texas, but it does nothing for the hard working coal miners of West Virginia who suddenly are without work.

Mr. President, this has got to stop, and the legislation of Senator FORD is a start. I urge my colleagues to support it.

By Mr. METZENBAUM:

S. 1186. A bill to amend the Internal Revenue Code of 1986 to limit the fee a real estate broker may charge for preparing an information return in a noncommercial real estate transaction; to the Committee on Finance.

LIMITATION ON FEE FOR REPORTING REAL ESTATE TRANSACTIONS TO THE INTERNAL REVENUE SERVICE

● Mr. METZENBAUM. Mr. President, today I am introducing legislation that will limit the amount closing agents may charge for reporting real estate transactions to the IRS.

To improve taxpayer compliance, the Tax Reform Act of 1986 requires the person responsible for closing a real estate transaction to file certain information with the IRS. In order to comply with this provision, a broker is required to report the sale on a 1099 form.

Mr. President, this provision of the Tax Reform Act does not impose a complicated set of new reporting rules. It does not impose a voluminous recordkeeping burden. Instead, it broadens the filing requirements for brokers who are already very familiar with the 1099 form.

Mr. President, recently, several real estate brokers from Ohio brought to my attention a disturbing practice. Unfortunately, a number of brokers are taking advantage of the new reporting requirements by charging inordinate amounts for filing the simple 1099 form. Certain closing agents charge as much as $100 for filing this form, while other agents charge nothing at all.

My bill would redress this inequitable situation by limiting to $5 the amount any closing agent could charge for filing such a form. I believe this limitation will prevent brokers from imposing an unwarranted penalty on American homeowners and from exploiting the new reporting requirements for personal gain.

If we do not thwart this injustice now, it will get worse and worse. We should not tolerate any attempt to take advantage of a provision originally designed to promote better tax compliance. I urge my colleagues to support this measure.

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

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

S. 1186

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

SECTION 1. LIMITATION ON FEE CHARGED FOR RETURN PREPARATION IN THE CASE OF NONCOMMERCIAL REAL ESTATE TRANSACTIONS.

(a) IN GENERAL.—Subsection (e) of section 6045 of the Internal Revenue Code of 1986 (relating to returns of brokers) is amended by adding at the end thereof the following new paragraph:

"(3) LIMITATION ON FEE CHARGED FOR RETURN PREPARATION.—In the case of any real estate transactions involving a dwelling unit used as a residence by a customer (within the meaning of section 280A(d)(1)), a real estate broker shall not charge such customer a separately stated fee in excess of $5 for the preparation of the return and statement required under paragraph (1).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns the due date for which (determined without regard to extensions) is after the date of the enactment of this Act.●

By Mr. PRYOR (for himself and Mr. ARMSTRONG):

S. 1187. A bill to amend the Internal Revenue Code of 1954 to conform the treatment of residential lot interest expenses to current law treatment of second home interest expense; to the Committee on Finance.

RESIDENTIAL LOT INTEREST EXPENSE CONFORMING ACT

● Mr. PRYOR. Mr. President, I am introducing a bill today to conform the treatment of residential lot interest expense to the current law treatment of interest expense incurred for second home purchases.

My bill will address an obvious inequity for those taxpayers purchasing residential lots for the purpose of building a second home sometime in the future. Under the new Internal Revenue Code of 1986, a taxpayer may deduct interest expense incurred to purchase both a principal residence and a second home. However, if a taxpayer cannot afford to purchase a second home immediately, but can purchase a residential lot with the expectation of building in the future, the interest incurred on this purchase is not deductible.

The bill I introduce today will allow a taxpayer to designate a residential lot as a qualified second residence in order to deduct interest incurred on such purchase. If the taxpayer subsequently uses the lot in a trade or business or as an investment, he will have to recapture in income any deductions taken in prior years.

Mr. President, this bill will provide a measure of fairness to those lower middle-income taxpayers, many of them contemplating retirement, who purchase a lot with the expectation of building a second residence thereon. I urge my colleagues to join me in support of this legislation. I ask unanimous consent that a copy of the legislation be included in the RECORD.

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

S. 1187

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

SECTION 1. SHORT TITLE: AMENDMENT OF 1954 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Residential Lot Interest Expense Conforming Act of 1987".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. CONFORMING RESIDENTIAL LOT INTEREST EXPENSE TO TREATMENT OF SECOND HOME INTEREST GENERALLY.

(a) IN GENERAL.—Section 163(h)(5) is amended by adding the following subsection at the end thereof:

"(C) SPECIAL RULE FOR RESIDENTIAL LOTS.— For purposes of this subsection—

"(i) IN GENERAL.—A residential lot (within the meaning of clause (ii)) shall be treated as qualified residence.

"(ii) The term 'residential lot' means any lot—

"(I) which would constitute a residence within the meaning of section 1034 if a dwelling unit were located on the lot,

"(II) which is selected by the taxpayer for purposes of this subsection for the taxable year,

"(III) which is not used by the taxpayer in a trade or business or held by the taxpayer for investment, and

"(IV) which the taxpayer purchases for purposes of building a dwelling unit thereon.

"(iii) RECAPTURE.—If—

"(I) any lot is treated as a qualified residence under this subsection in any year, and

"(II) the condition contained in subsection 163(h)(5)(C)(ii)(III) is not met in any taxable year, the taxpayer's gross income shall be increased in the year that such condition fails to be met by the amount of any interest that was treated as interest on a qualified residence in prior years.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to all taxable years beginning before, on or after December 31, 1987.●

● Mr. ARMSTRONG. Mr. President, I join my colleague, Senator PRYOR, in the sponsorship of this legislation to clarify the status of residential lots as being eligible for consideration as "second homes" under some circumstances. This is significant for tax reasons as interest expense on second homes is fully deductible both for past and future purchases of second homes.

The Tax Reform Act of 1986 did not classify residential lots as second homes even when taxpayers are intending or are committed to build a residence on the property. Many taxpayers have purchased property in order to build a second home but have found it necessary to stagger the purchase of the land and the building of the residence because of the financial demands. A recent survey among owners of recreation and retirement properties found that their estimated household income at the time of purchasing the property was $37,900. This legislation makes it clear that if the land and property would otherwise qualify for second home tax treatment if purchased together, that the land should also qualify if it is purchased alone.

Last year's tax legislation failed to treat existing recreational property owners equitably, in my opinion, because their ability to claim interest deductions will be phased out or limited over the next several years. Relying on then existing law they have made a purchase of property where interest expense was deductible and in the taxpayers' opinion it should have qualified as a second home.

The policy decision made by the Congress last year was to give favorable tax treatment to second homes in the way of full deductibility of interest expense. If, then, residential lots can be appropriately defined in a manner that conforms to the definition of a qualified second home, there appears to be little reason that they should not be similarly treated for tax purposes.

This legislation proposes conditions under which residential lots would qualify as second homes. These conditions require that the residential lot would otherwise qualify as second residence if a dwelling unit were located on the property; the lot is not used in a trade or business or held for investment purposes and; the taxpayer intends to build on the lot. If for any reason any of these conditions no longer apply all interest expense that was deducted would have to be recaptured and brought into income that year.

Many people who have or hope to have vacation or recreation lots in Colorado and across the Nation are hopeful that the Congress can rectify this shortcoming in last year's tax legislation.

I urge my colleagues to cosponsor this legislation.●

By Mr. SYMMS:

S. 1188. A bill to amend the Internal Revenue Code of 1986 to allow certain associations of football coaches to have a qualified pension plan which includes a qualified cash or deferred arrangement; to the Committee on Finance.

401(K) PLANS FOR CERTAIN ASSOCIATIONS OF FOOTBALL COACHES

Mr. SYMMS. Mr. President, today I am introducing legislation that will allow the establishment of a 401(k) retirement plan for college football coaches. This bill is a companion measure to Representative DUNCAN's H.R. 1093. The 401(k) plan allows individuals to move from one organization to another without losing accrued retirement benefits.

At a time when we hear more discussion of portable pensions, the 401(k) plan provides the mobility a roving career needs. Whether or not they have to constantly change jobs, college football coaches should be able to have the security of a retirement fund that continues without change.

College football coaches sometimes have little job security. The average life of a football coach's position is 2.8 years. This is often not on account of their ability. Fred Akers provided the University of Texas with a successful program for a number of years. Yet, last year, Coach Akers moved on to a new position at Purdue University. I can only say "Watch out!" to Purdue's Big Ten rivals this year.

Mr. president, Coach Akers' situation is only the most celebrated recent case. Job security is not very common among coaches. Assistant coaches, in particular, are vulnerable. Assistant coaches are dependent for their positions on the head coach. The turnover of head coaches usually means several assistant coaches will also be forced to find a new position. While the head coach may have a golden parachute provided by the alumni, the assistant coaches rarely do.

The assistant coaches at the University of Idaho wrote me and asked that I introduce this companion legislation. I am proud to introduce this bill because I want to provide a little security for those fine young people, who are good role models for the young students at our Nation's universities.

Mr. President, every Member of this body has a 4-year school with a football program in his State. I urge my colleagues to cosponsor this legislation and help their coaches.

By Mr. MELCHER;

S. 1189. A bill to amend the Older Americans Act of 1965 to authorize grants to States for demonstration projects that provide to older individuals services in return for certain volunteer services provided to other individuals; to the Committee on Labor and Human Resources.

VOLUNTEER SERVICE PROMOTION ACT

● Mr. MELCHER. Mr. President, to promote greater independence and improve the quality of life for millions of America's senior citizens, I am today introducing the "Volunteer Service Promotion Act of 1987."

This bill will permit the elderly to receive credits for volunteering services now that they can cash in for similar services in the future. And it will use one of this country's greatest resources, its volunteers, to help meet the challenge of the coming "senior boom."

Under this legislation, States will select and train volunteers to provide homemaker services, respite care for families and adult day care, as well as educational, transportation and delivery services to designated beneficiaries. In return, these volunteers will have the right to receive similar services when they become elderly. In addition, these credits may be transferred to others.

This bill will amend the Older Americans Act to authorize annual grants over a 5-year period to as many as 20 States to fund a variety of demonstration projects. The grants will be distributed to ensure projects are developed in all regions of the United States, including rural and urban areas.

The bill will require the Administration on Aging to set aside between $8 to $20 million from its demonstration-project account to promote these programs.

In these times of fiscal duress, with both the cost of health care and the numbers of elderly on the rise, it is imperative that Congress develop cost-effective new ways to supplement current programs. I believe service-credit programs, like this one, are an excellent way to reach that goal.

I hope the Senate will recognize the value of mobilizing the great volunteer strength in America and take quick action on this important bill.●

By Mr. LUGAR:

S. 1190. A bill to recover costs of providing services to farmer cooperatives and groups of producers; to the Committee on Agriculture, Nutrition, and Forestry.

RECOVERY OF FUNDS OF THE AGRICULTURAL MARKETING SERVICE

● Mr. LUGAR. Mr. President, on the behalf of the Department of Agriculture's Agricultural Cooperative Service, I am introducing by request a bill in support of President Reagan's fiscal year 1988 budget to recover the costs of the activities of the Agricultural Cooperative Service [ACS]. In addition, this bill also has the effect of authorizing the collection of fees for wholesale market development work conducted under the Agricultural Marketing Act of 1946 by the Agricultural Marketing Service.

The ACS does research for and provides technical assistance to farmer-owned cooperatives and groups of farmers interested in organizing new cooperatives. The ACS carries out major functions authorized by Congress in the Cooperative Marketing Act of 1926. Its missions include:

Providing technical assistance to cooperatives and boards of directors;

Assisting groups of farmers: fishermen, and rural craft producers interested in organizing new cooperatives;

Conducting research or cooperative related issues and policies;

Collecting cooperative statistics; and

Disseminating educational information on cooperative practices and principles.

The Wholesale Market Development Program, which is authorized under section 203(i) of the act of 1946, is designed to improve the marketing of agricultural commodities through: first, the planning of new or improved wholesale food facilities; second, the identification and correction of economic and engineering problems relative to food processing and distribution facilities and operations; and third, evaluating problem areas and developing new technologies aimed at reduced market costs and improved marketing efficiency. Although not directed specifically at cooperatives, these activities are conducted under the same statutory authority as the ACS activities and thus should likewise be included in the fee provision.

I ask unanimous consent that the transmittal letter and a copy of the proposed legislation be printed in the RECORD.

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

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, in order to recover the costs of carrying out the provisions of subsections 203 (b), (e), (i), (m) and (n), of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622 (b), (e), (i), (m), (n)), and section 3 of the Act of July 2, 1926, 44 Stat. 802, 7 U.S.C. 453, effective October 1, 1987, the Secretary of Agriculture shall prescribe and collect fees from those who obtain services or assistance under said subsections. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties and accrued interest collected shall be credited to the account that incurs the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions cited in this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person or entity obligated for payment in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person or entity is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 10, 1987.
Hon. GEORGE H. W. BUSH,
President, U.S. Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover the costs of carrying out the wholesale market development program."

The Department of Agriculture recommends enactment of this proposed legislation which is submitted in support of the President's FY 1988 Budget.

The wholesale market development program, which is authorized pursuant to section 203(i) of the Agricultural Marketing Act of 1946, is designed to improve the marketing of agricultural commodities through (1) the planning of new or improved wholesale food facilities, (2) the identification and correction of economic and engineering problems relative to food processing and distribution, facilities and operations, and (3) evaluating problem areas and developing new technologies aimed at reduced market costs and improved marketing efficiency.

Upon request, typically from State or local government agencies, the Agricultural Marketing Service (AMS) analyzes State and local marketing needs and provides technical assistance and recommendations for improving wholesale market facilities in metropolitan areas and at points of product origin. AMS maintains a highly-skilled staff of industrial engineers, agricultural economists, and agricultural marketing specialists to proide this assistance to State and local government or other entities. Their expertise as a leading authority in wholesale food market planning has long been recognized in cities throughout the U.S. and the world. Based on studies conducted by AMS, plans for new or improved facilities are developed, including location and cost, as well as savings and benefit evaluations. These facilities often play a major role in metropolitan areas in getting food to consumers in the best possible condition. They also help eliminate waste and increase efficiency at shipping points. Inadequate facilities of this type often result in poor product quality, increased spoilage, and added handling costs. This reduces farm income and increases consumer prices.

In view of the special identifiable benefits which accrue to specific localities as a result of this federally financed activity, we believe it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill, the Secretary of Agriculture would be required to recover the costs of providing such technical assistance on a project-by-project basis. Fees, late payment penalties, and accrued interest collected would be credited to the account that incurs the cost of providing such assistance, and remain available without fiscal year limitation.

Estimated costs to be recovered by AMS, and resulting savings to the taxpayer, would approximate $1.6 million in FY 1988. Any other related departmental costs that may be recovered would be in addition to this amount.

Enactment of this legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 10, 1987.
Hon. GEORGE BUSH,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover costs of providing technical assistance to farmer cooperatives and groups of producers."

The Department of Agriculture recommends enactment of this draft bill.

This legislative proposal is submitted in support of the President's fiscal year 1988 budget and provides for recovery of costs of carrying out the services of the Agricultural Cooperative Service (ACS).

In response to requests from cooperative boards of directors or steering committees representing groups of farmers interested in organizing new cooperatives, the ACS provides feasibility analyses, merger and other organizational studies, strategic assessment and planning, and review of operations and performance of the full range of cooperative activities.

The Department proposes to recoup the costs for providing such services through an assessment on the cooperatives and/or groups obtaining assistance. In view of the special identifiable benefits which accrue to the agricultural industry for this type of service, we believe that it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill any fees, late payment penalties and accrued interest collected would be credited to the account that incurs the cost and would remain available without fiscal year limitation.

Estimated costs to be recovered by ACS in fiscal year 1988, and resulting savings to the taxpayer, are $3.769 million. Any other related Departmental costs that may be recovered would be in addition to this amount.

Enactment of this legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.●

By Mr. LUGAR:

S. 1191. A bill to amend the Plant Variety Protection Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the act; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1192. A bill to recover costs of establishing standards and specifications for agricultural products; to the Committee on Agriculture, Nutrition, and Forestry.

OPERATIONS OF THE AGRICULTURAL MARKETING SERVICE

● Mr. LUGAR. Mr. President, I am introducing today by request two bills relative to the operations of the U.S. Department of Agriculture's Agricultural Marketing Service [AMS].

The first bill, to amend the Plant Variety Protection Act, would change the manner in which fee collections from that program are deposited. The Plant Variety Protection Program is fee funded at this time; however, any income derived under current law must be deposited to miscellaneous receipts of the Treasury. Under this type of arrangement, AMS must obtain operating funds through the annual appropriations process. The legislation which I am offering in behalf of the administration establishes a plant variety protection user fee account to which fees, late payment penalties, and accrued interest collected may be deposited and credited, thus eliminating the need for annual appropriations. The Department of Agriculture believes that this process is totally unnecessary since applicants are paying the cost of the program. Other user fee programs administered by AMS are not subjected to the annual appropriations process.

The Plant Variety Protection Program, in which participation is entirely voluntary, provides patent-like protection for a period of 18 years to developers of new varieties of plants. Since the Plant Variety Protection Act was passed in 1970, protection has been made available to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. An applicant seeking protection now pays a $2,000 fee. Once the variety is approved by the Department of Agriculture as being a novel variety, the applicant is granted a certificate of protection, or exclusive property rights to sell, advertise, or license others to sell seed of the novel variety.

Mr. President, the administration's bill will not increase fees for the Plant Variety Protection Program. As I have indicated, it will merely give AMS the ability to manage this program in the same manner as it does other fee situations.

The second bill, submitted by the Department in support of its fiscal year 1988 budget request, would require the Secretary of Agriculture to recover the costs of the standardization and specification activities which AMS carries out for the various commodities—red meats—cattle, sheep, swine—poultry, eggs, grain dairy products, fruits, vegetables, cotton, tobacco, naval stores and wool. These costs now amount to about $4.5 million and would be recovered by assessment of fees' upon users of the grading programs. This would represent an average grading fee increase of about 3.5 percent.

AMS develops, reviews, and maintains agricultural commodity standards that describe product quality attributes. U.S. grade standards and specifications are used extensively in marketing farm products, and, in most instances, are voluntary. I understand there are some States and localities, as well as the commodity futures markets, that require the use of certain standards or specifications in their areas. U.S. grade standards and specifications are the basis of Federal and Federal-State grading and market reporting services, and manufacturers and packers often use them to establish quality control systems.

The use of standards, for the most part, is completely voluntary. Agriculture producers, handlers, and buyers request that standards for their commodities be developed because they realize that special identifiable benefits will accrue to their industry. These benefits take the form of increased buyer and consumer confidence in their product, increased interstate and foreign trade, and through these and other benefits, higher returns.

Mr. President, I ask unanimous consent that the transmittal letters and both proposed bills which the Department forwarded to Congress on February 11, 1987, be printed in the RECORD at this time.

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

S. 1191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective October, 1, 1987, Section 31 of the Plant Variety Protection Act (7 U.S.C. 2371)) is amended to read:

"SEC. 31. (a) The Secretary shall assess fees upon applicants for certificates of Plant Variety Protection in order to recover the costs of carrying out the provisions of this Act. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties, and accrued interest collected shall be credited to the account that incurs the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions of this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person obligated for payment of such charges under this Act in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

"(b) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act."

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, effective October 1, 1987, the Secretary of Agriculture shall prescribe and collect fees to recover the costs of carrying out the provisions of subsections (c) and (l) of section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(c), (l)), section 6 of the United States Cotton Standards Act (7 U.S.C. 56, 57, 57a), sections 3, 4, and 5 of The Tobacco Inspection Act (7 U.S.C. 511b-d), sections 3, 4, and 8 of the Naval Stores Act (7 U.S.C. 93, 94, 98), and the Act of May 17, 1928, 45 Stat. 593-594 (7 U.S.C. 415b-d) relating to wool standards. Such costs shall be recovered by assessment of fees upon users of the grading programs provided pursuant to these Acts. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties, and accrued interest collected shall be credited to the accounts that incur the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions cited in this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person obligated for payment of such charges under this Act in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 11, 1987.

Hon. GEORGE H.W. BUSH,
President, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a proposed bill "To amend the Plant Variety Protection Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the Act."

The Department of Agriculture recommends enactment of the proposed legislation.

The Plant Variety Protection Act (PVPA), enacted December 24, 1970, provides patent-like protection for a period of 18 years to developers of new varieties of plants which are reproduced by seeds. Protection under the PVPA is currently available to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. Participation is entirely voluntary.

Plant variety protection certificates are granted on the basis of novelty as documented in the breeder's application. Information provided by the breeder is stored and maintained in a computerized data base, along with descriptive characteristics of all known varieties, protected and non-protected. Such information is utilized by the Plant Variety Protection Office in the search process in order to determine if the variety described in the application is unique.

From the time regulations implementing the PVPA were promulgated in November 1972 until November 1982, a fee of $750 was charged to those granted certificates of protection, or exclusive property rights to sell, advertise, or license others to sell seed of a novel plant variety. The fee was increased to $1,500 in November 1982 and again in March 1984 to $2,000. These fees are currently deposited to miscellaneous receipts of the Treasury as required by law and are unavailable to the Department to help offset the cost of the program. Since its inception the program has been funded by annual appropriations.

Under this bill, breeders of novel varieties of sexually-reproduced plants would continue to be charged a fee for protection under the Act. Fees, late payment penalties, and accrued interest collected would be credited to the account that incurs the cost. Such receipts would remain available without fiscal year limitation for program expenditures.

In view of the special identifiable benefits which accrue to breeders from this type of protection, we believe it is in the public's interest to maintain the program on a cost-recovery basis. Fairness demands that the general taxpayer not bear these costs. Further, user charges are assessed for patent protection granted by the Patent and Trademark Office for novel asexually-reproduced varieties.

We have taken steps to minimize the cost of this program and intend to maintain the fee at $2,000 per application. Minimizing the cost has been achieved by reducing the amount of search time as well as the volume of information stored in the computer base. These and similar measures recommended by the PVP Board which are being implemented are expected to result in improved program efficiency and productivity, and offer recipients the same degree of protection without placing an unfair burden on the taxpayers.

This proposed legislation will not increase the Department's outlays in FY 1988. Estimated costs to be recovered by the Agricultural Marketing Service in FY 1988 and resulting savings to the taxpayer would be $380,000. Any other related departmental costs that may be recovered would be in addition to this amount.

A similar letter has been sent to the Speaker of the House.

This legislation would have no significant effect on the quality of the human environment.

The Office of Management and Budget advises that enactment of this legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 11, 1987.

Hon. GEORGE H.W. BUSH,
President, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover costs of establishing standards and specifications for agricultural products."

The Department of Agriculture recommends enactment of this proposed legislation which is submitted in support of the President's FY 1988 Budget.

The Agricultural Marketing Service (AMS) of the Department develops, reviews, and maintain agricultural commodity standards and specifications that describe product quality attributes such as taste, color, texture, yield, weight, and physical condition. U.S. grade standards and specifications are used extensively in marketing farm products and are developed for red meats (cattle, sheep, swine), poultry, eggs, grain, dairy products, fruits, vegetables, cotton, tobacco, naval stores, and wool. In most instances, the use of such standards and specifications is voluntary; however, some States and localities, as well as commodity futures markets, require the use of certain standards or specifications in their areas. U.S. grade standards and specifications are the basis of the Federal and Federal-State grading and market reporting services. Manufacturers and packers often use them to establish quality control systems. In view of the special identifiable benefits which accrue to the agricultural industry from this federally financed activity, we believe it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill, the Secretary of Agriculture would be required to recover the costs of the standardization and specification activities for the respective commodities. Fees, late payment penalties, and accrued interest collected would be credited to the accounts that incur the cost of providing these services. Such receipts would be available without fiscal year limitation.

Fees would be charged to users of the grading programs through increased grading fees for the respective commodities. Estimated costs to be recovered by AMS in FY 1988 and resulting savings to the taxpayer would be $4,467,000. Any other related departmental costs that may be recovered would be in addition to this amount.

This proposed legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.●

By Mr. MATSUNAGA:

S. 1193. A bill to add additional lands to the Kilauea Point Wildlife Refuge on Kauai, HI; to the Committee on Environment and Public Works.

KILAUEA POINT WILDLIFE REFUGE EXTENSION

Mr. MATSUNAGA. Mr. President, I am today introducing legislation which would authorize the Secretary of the Interior to acquire two parcels of property on the Hawaiian Island of Kauai for inclusion in the existing Kilauea Point Wildlife Refuge. My bill has been in the conceptual stage since last summer and I am pleased to report that it now has the support of nearly every individual who lives on my native island of Kauai. In the last 6 weeks alone, I have received some 250 letters supporting this proposal to extend the highly popular wildlife refuge.

Kilauea Point Wildlife Refuge is located on the north shore of the Island of Kauai, on a 31-acre site formerly occupied by the U.S. Coast Guard. A lighthouse was built there in the early 1900's. In 1974, the U.S. Fish and Wildlife Service leased vacant Coast Guard facilities for use as a wildlife administrative site so that the Hanalei and Huleia National Wildlife Refuges on Kauai could be monitored. In 1978, the Coast Guard vacated the site entirely, but continued to lease its facilities to the Fish and Wildlife Service until 1985, when the property was transferred to the Fish and Wildlife Service. The old lighthouse was designated a national historic landmark in 1979.

The wildlife refuge and surrounding area is the habitat of at least six species of seabirds, and sightings of dolphins, whales, sea turtles, and monk seals offshore are not unusual. Always popular with residents of Kauai, the wildlife refuge has, in recent years, become a favorite destination of visitors from the Continental United States, Canada, Japan, and Europe. While still under the management of the Coast Guard, in the early 1970's, Kilauea Point was visited by about 150 people a day. The number of visitors increased to 250 per day after the Fish and Wildlife Service made modest improvements aimed at enhancing observation and photography of the wild seabirds in 1974. In 1979 and 1980, interpretive displays were installed by the Fish and Wildlife Service, one of the former Coast Guard buildings was converted to a simple visitor center, a small parking lot was built, and a walking trail was established. Between 1980 and the present day, the number of visitors to the wildlife refuge increased to over 1,000 per day. More than 350,000 people visited Kilauea Point in 1985.

Because the three-person professional staff of the Fish and Wildlife Service at Kilauea Point was hard pressed to handle the rapidly increasing number of visitors, a corps of about 100 dedicated volunteers was assembled and trained to help interpret the wildlife, natural, and geological history of the area, and the cultural value of Kilauea Point to members of the general public. These volunteers have greatly enhanced the visitors' appreciation of the Kilauea Point Wildlife Refuge and, I might add, have made it possible for the Fish and Wildlife Service to extend the hours during which the refuge is open to the public without adding to its staff. This is but one example of the love that the people of Kauai have for the wildlife refuge.

Nevertheless, the explosive growth in the number of visitors to the refuge and the continuing development of the surrounding area have endangered the wild seabirds and their nests. My bill would enhance the protection of the wildlife in the refuge by authorizing the Federal Government to purchase two adjacent parcels of property: Crater Hill, comprising approximately 101.1 acres, and Mokolea Point, comprising about 37.6 acres. It further authorizes the Fish and Wildlife Service to build and maintain a protective fence and foot trails for use by visitors.

Mr. President, in conclusion, I wish to commend the Fish and Wildlife Service and the U.S. Department of the Interior for their tireless efforts over the years to protect the sea birds at Kilauea Point, and to make it possible for visitors to the refuge to have a truly unique and unforgettable experience. In my opinion, the extension of the wildlife refuge is overdue by several years, and I hope that my bill will be given expeditious consideration.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1193

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

SECTION 1. ADDITIONAL LANDS.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to acquire certain additional lands adjacent to the Kilauea Point Wildlife Refuge on Kauai, Hawaii, which shall become part of the Kilauea Point Wildlife Refuge upon acquisition by the Secretary.

(b) DESCRIPTION OF LANDS.—The lands to be acquired pursuant to subsection (a) are—

(1) Crater Hill, comprising approximately 101.1 acres; and

(2) Mokolea Point, comprising 37.6 acres.

SEC. 2. CONSTRUCTION OF ACCESS FOOT PATH

Upon acquisition of the lands described in section 1, the Secretary of the Interior shall construct and maintain a fence and access foot trails through such lands in order to provide wildlife protection and public access to such lands. Any trails constructed pursuant to this section shall be constructed in a manner consistent with preserving the wild and scenic beauty of the wildlife refuge.

SEC. 3. AUTHORIZATION OF FUNDING.

There is hereby authorized to be appropriated to the Secretary of the Interior $8,000,000 to be used to acquire lands and construct trails pursuant to the provisions of this Act.

By Mr. DOMENICI:

S. 1194. A bill to transfer jurisdiction over certain lands in Bernalillo County, NM, from the General Services Administration to the Veterans' Administration; to the Committee on Governmental Affairs.

TRANSFER OF CERTAIN FEDERAL LAND

Mr. DOMENICI. Mr. President, today I am introducing legislation to transfer a 5-acre tract of land in Albuquerque, NM, from the General Services Administration [GSA] to the Veterans' Administration [VA]. The land will be used to provide much-needed parking at the Veterans' Administration Medical Center Albuquerque.

This tract was originally owned by the VA. In April 1974, the VA transferred the land to the State of New Mexico at no cost. The State of New Mexico intended to use the land as a highway corridor. The State subsequently modified its plans and decided not to use the parcel for a highway corridor. Last year, the State retransferred at no cost the tract to the GSA, the agency designated by law to receive property for the Federal Government.

In January 1986, the VA and the Air Force established a joint venture which will result in the relocation of the Kirtland AFB Hospital to the VA Medical Center. As part of this project, three new buildings need to be constructed.

The 5-acre parcel that this bill would transfer is urgently needed to provide parking for VA employees and patients. Construction on the new facilities is to begin August. During the construction period, which will take many years, a good portion of existing parking on the VA campus will be lost to construction activity. The land is needed to overcome the anticipated parking shortage during construction and to provide sufficient long-term parking when the new facilities are in place.

The VA has requested that the GSA transfer the property back to the VA. Although the GSA is willing to do so, it is requesting that the VA pay $540,000 for the tract. The VA does not have the funds in its budget to pay for the land. The VA has inquired of OMB whether OMB would waive the payment for the land, but OMB has refused to do so.

Mr. President, this is a simple matter of transferring a small tract of land from one agency of the Federal Government to another. Fairness dictates that the transfer of the land back to the VA done at no cost, as the VA originally transferred it to the State of New Mexico at no cost. Furthermore, this transfer would cost the GSA nothing, since it received the land from the State for free. This transfer needs to be done quickly because of impending construction. I hope that the Congress will enact this measure quickly.

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

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

S. 1194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the real property described in subsection (b) shall be transferred without compensation or reimbursement from the control and jurisdiction of the General Services Administration to the control and jurisdiction of the Veterans' Administration.

(b) The real property referred to in subsection (a) is a tract of land located in the NW ¼ of section 39, Township 10 North, Range 3 East, New Mexico Principal Meridian, consisting of 5.081 acres, more or less, in Bernalillo County, New Mexico, such property being that same property that—

(1) was formerly part of the Veterans' Administration Medical Center, Albuquerque, New Mexico;

(2) was transferred to the State of New Mexico at no cost for use as a highway corridor in 1974; and

(3) was subsequently retransferred by the State of New Mexico to the Gereral Services Administration at no cost.

By Mr. CRANSTON (for himself, Mr. MURKOWSKI, Mr. MATSUNAGA, Mr. DECONCINI, Mr. MITCHELL, and Mr. ROCKEFELLER):

S. 1195. A bill to amend title 38, United States Code, to provide authorities to help the Veterans' Administration overcome difficulties in the recruitment and retention of nurses, pharmacists, occupational and physical therapists, and other health-care personnel in its Department of Medicine and Surgery, and for other purposes; to the Committee on Veterans' Affairs.

VETERANS' ADMINISTRATION HEALTH-CARE PERSONNEL ACT

Mr. CRANSTON. Mr. President, I am introducing today the "Veterans' Administration Health-Care Personnel Act of 1987." Joining me are the ranking minority member of the Veterans' Affairs Committee [Mr. MURKOWSKI] and my colleagues from the Veterans' Affairs Committee, Senators MATSUNAGA, DECONCINI, MITCHELL, and ROCKEFELLER.

The basic purpose of this bill, in the interest of assuring quality health care for our Nation's eligible veterans in VA health-care facilities, is to help overcome serious difficulties being experienced in the VA health-care system in the recruitment and retention of capable, qualified health-care professionals.

Mr. President, the VA health-care system, with its 172 hospitals and hundreds of other health-care facilities, provides high-quality health care to our Nation's veterans. The heart and soul of the system are the literally hundreds of dedicated individuals—physicians, dentists, nurses, psychologists, pharmacists, occupational and physical therapists, technicians, and numerous other health professionals—who are on the frontlines in providing those health services to veterans.

Our ability to continue to meet our obligation to the veterans of this country and to serve as the first backup to the Department of Defense medical system in the event of war is dependent on the VA's ability to attract and retain first-rate health professionals.

SUMMARY OF PROVISIONS

Mr. President, the substantive provisions in this measure would:

First, move pharmacists and occupational therapists into the title 38/title 5 "hybrid" category, thereby providing the VA with needed flexibility in appointment and pay matters.

Second, open the Health Professional Scholarship Program to physical therapists and other individuals who provide direct patient-care services or who provide services incident to direct patient-care services.

Third, lengthen the period of obligated service under the scholarship program from 1 year for every year of support to 2 years for every year of support and provide priority for nurses seeking a fourth year of baccalaureate training.

Fourth, provide for nurses who work on Saturdays the same premium pay currently applicable to Sunday work.

Fifth, establish a tuition reimbursement program for full-time nursing personnel—or when needed for other full-time health-care personnel—who are performing in a superior fashion for academic courses leading toward completion of any degree program in nursing or in a field related to nursing—or in other appropriate degree-granting fields for other personnel.

Sixth, require that chiefs of nursing service or their designees be members of VA health-care facilities' policy-making and fiscal committees.

BACKGROUND

Mr. President, at the end of 1986, the Veterans' Administration conducted an extensive survey to assess recruitment and retention needs among several non-title 38 VA health occupations, including pharmacists, physical therapists, and occupational therapists, as well as nurses.

The report, entitled "1986 Survey of Health Occupational Staff" was conducted in order to gather more concrete information about the staffing conditions of various professions within the VA system and to identify the geographic and personnel areas which are experiencing particular recruitment and retention difficulties. In addition, the survey identified factors that VA facilities believe place them at a competitive disadvantage with non-VA hospitals and which may significantly contribute to certain high VA vacancy and turnover rates.

In general, the data indicate that pay is a main factor in many facilities' inability to attract and retain health-care professionals. Certain fringe benefits, particularly relating to educational opportunities, were also cited as being far more generous in the private sector, and as, therefore, being an area, especially as to nurses, where the VA is at a serious competitive disadvantage.

I am very concerned that continuing high turnover rates will result in lowered quality of care for veterans. There is no substitute for the experience that comes from extended service, and I am concerned that some of our best people are leaving VA medical centers for other employment. In addition, high turnover rates are unnecessarily costly because of the extra expense associated with training new employees. Finally, it is disadvantageous to veteran patients for vacancies to go unfilled for long periods of time. As the survey points out, many vacant positions are either being filled by employees from other occupations or lost altogether. We must give the VA better tools, including providing competitive salaries and benefits, to be aggressive in recruiting the very best people into the VA system and ensuring that the VA remains an attractive employer so that those individuals want to stay. That is what this legislation is intended to do.

TITLE 5/TITLE 38 PERSONNEL HYBRID EXPANSION

Mr. President, health-care personnel working in DM&S are presently employed under one of two personnel systems. Under current law, physicians, dentists, nurses, optometrists, podiatrists, physicians' assistants, and expanded-function dental auxiliaries are employed under a special DM&S personnel system under title 38, United States Code. This system was established in 1946 when DM&S was first established by statute as a separate department within the VA. All other health-care personnel working in DM&S are employed in the regular civil service under title 5, United States Code.

The title 38 personnel system was established because of concerns that the regular civil service system was not flexible enough to permit the VA to hire direct health-care personnel in a timely fashion or to specify the terms and conditions of their employment in such a way as to facilitate the management of the provision of health care. Although there are many parallels between the title 38 personnel system and the civil service system, there are some significant differences, and it is generally agreed that the title 38 system has served the VA's needs very well.

In 1983, I proposed and the Congress created in Public Law 98-160 a title 38/title 5 "hybrid" category in order to address the need to improve the VA's ability to attract and retain certain health-care personnel—namely, registered respiratory therapists, licensed practical, or vocational nurses, and physical therapists—as to which the VA was experiencing significant shortages.

Although those health-care personnel remain under the title 5 personnel system, the Administrator has the same greater flexibility as under the title 38 personnel system with regard to hiring practices and setting pay rates. For instance, the Chief Medical Director can approve special pay rates for hybrid and title 38 employees, whereas special rates for title 5 occupations must also be approved by the Office of Personnel Management. Another advantage of the hybrid title 5/title 38 category is that those employees are not prohibited from outside employment—many physical therapists, for example, appreciate the ability to work extra hours in the private sector—as are title 38 employees. A third advantage is that the VA can apply title 38 features selectively and apply them only at certain stations.

Mr. President, the 1986 VA health occupational staff survey found widespread recruitment and retention problems among pharmacists and occupational therapists, both of whom are currently under the title 5 personnel system.

More than 52 percent of VA medical centers are experiencing difficulty in recruitment and retention of pharmacists. The turnover rate for pharmacists is 22.6 percent—nearly one out of very four pharmacists leave the VA annually. That results in disruption of critical pharmacy services to inpatients and outpatients as new pharmacists are recruited and trained. Agencywide losses exceeded gains by 51 pharmacists for a net loss rate of nearly 2 percent and the vacancy rate was reported to be 2.7 percent as of December 1986.

Losses of pharmacists are primarily concentrated in the mid-Atlantic States, in Florida, and in Wisconsin. This high number of losses nationwide has resulted in nearly 40 percent of facilities using alternative methods of coverage—additional shifts, overtime on recurring bases, and, most troubling, employing people in other occupations to provide coverage. More than 80 percent of the respondents to the VA survey stated that pharmacists working in non-Federal medical facilities receive salaries that are higher than those earned by VA pharmacists performing comparable work.

Mr. President, likewise, the VA is experiencing difficulties recruiting and retaining occupational therapists [OT's]. Overall the VA experienced a net loss rate of 5 percent for OT's. The vacancy rate for OT's in the VA is 9.2 percent with a turnover rate of 23 percent—again about one in four each year. VA facilities report that nearly 34 percent of OT's who left the VA did so for higher pay.

Mr. President, our legislation would move pharmacists and OT's into the title 38/title 5 hybrid category. In times of critical shortages and scarce personnel funding, the VA must be able to respond quickly and effectively to attract new professionals into the VA system and to target those efforts to the facilities most in need. Although the hybrid category has certainly not solved all the recruitment and retention problems for physical therapists, licensed practical or vocational nurses, or registered respiratory therapists, it has helped, and I believe it will also help attract pharmacists and OT's in the VA and prevent further damaging attrition.

ADDING PHYSICAL THERAPISTS TO THE HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

Mr. President, the 1986 VA Health Occupational Staff survey found that physical therapists [PT's] have the highest vacancy rate of any health profession in the VA—22.9 percent, more than double the next highest vacancy rate. The turnover rate of PT's, 26.5 percent, is also the highest in the VA. Nearly 58 percent of responding facilities stated that they were having difficulty recruiting and retaining physical therapists. Many reported that their PT positions have been vacant for so long that they were utilizing PT assistants because of their inability to hire physical therapists. In several facilities, staff shortages have caused the reduction or elimination of student PT training programs.

At the same time, as the demand for and shortages of PT's and other rehabilitation professionals become more severe, support for the education and training of allied health professionals has also declined. Cuts in Federal funding of these programs have been a contributing factor to the shortages. Many rehabilitation hospitals, for example, are starting up their own scholarship programs in order to attract graduates into their hospitals.

In the 96th Congress, we created the Veterans' Administration Health Professional Scholarship Program to assist in providing an adequate supply of trained physicians and nurses for the Veterans' Administration and for the Nation. Students of medicine, osteopathy, dentistry, podiatry, optometry, or nursing, or who are enrolled in a course of training to become a physician assistant or expanded-function dental auxiliary—these are the professions in the title 38 personnel system—are authorized to be eligible for scholarships. Individuals who receive a scholarship are obligated thereafter to work in the DM&S for certain minimum periods.

Before awarding scholarships in any course of training other than in medicine or nursing, however, the Administrator must notify the Senate and House Committees on Veterans' Affairs of the awards not less than 60 days prior to making the awards. Since the education and training needs have been the greatest for nurses, thus far the scholarships have been used exclusively to help train nurses. The scholarship program has been successful in attracting and retaining nurses in the VA. Of the 434 nurses who have completed their service obligation under the scholarship program, 329—73 percent—remain employed at the VA.

PT's have manifested interest in the scholarship program, and we believe there may also be interest among other professionals whose skills are also in great demand in the VA. The scholarship program offers an opportunity for the VA to attract young professionals in scarce skill categories into the system. Our legislation would open the program to physical therapists and other individuals who provide direct patient-care services or who provide services incident to directd patient-care services.

The VA indicated in its fiscal year 1988 budget request that it would like to provide scholarship support to PT students as well as to nurses and its fiscal year 1988 budget request included $1 million to support 1-year awards to 41 full-time students. Under our legislation, the VA would be able to make those awards.

Under the current scholarship program, recipients are required to serve for a period of 1 year for every year of scholarship support they receive, with a minimum of 2 years. Other scholarship programs, such as the newly established Congressional Teachers Scholarship Program, require a service obligation of 2 years of service for every year of scholarship.

In order to encourage greater retention of nurses and other professionals who receive educational assistance under the scholarship program, our legislation would lengthen the payback period to 2 years for every year of support. In addition, as described later, it would also provide that priority in awarding scholarships for nurses would be accorded to nurses in their fourth year of training so that they would be able to begin employment with the VA as soon as possible.

NURSE RECRUITMENT AND RETENTION

Mr. President, the most serious shortage of health personnel in the VA and in other hospitals throughout the country exists in nursing. With more than 33,000 registered nurses and a combined total of 60,000 registered nurses, licensed practical or vocational nurses, and nursing assistants working throughout the VA system as the primary care givers, any vacancy rate translates into hundreds of open slots and a decline in services.

The VA's 1986 survey found an overall vacancy rate of 0.8 percent and a turnover rate for the full Nursing Service of 16.6 percent. RN's have a relatively small vacancy rate of 0.2 percent as do licensed practical nurses at 0.3 percent but nursing assistants are experiencing vacancy rates of 4 percent. However, I would note that these figures are the net vacancy rates for the entire VA system. Since some facilities reported employing many more nurses than they have authorized positions for, the net vacancy rates do not necessarily reflect the severity of the shortage problem at many VA medical centers throughout the country. Among facilities reporting vacancies, rates ranged from a low of 0.6 percent to a high of 19.2 percent. Moreover, shortages are not evenly distributed throughout the country nor uniform in every nursing specialty. Facilities in California, Arizona, Ohio, and the mid-Atlantic States reported the highest net losses. In northern California, there are serious shortages of intensive care nurses.

Nationwide, the American Organization of Nurse Executives found that the vacancy rate for registered nurses doubled between 1985 and 1986, from 6.3 to 13.6 percent. Two-thirds of the hospitals reported that they needed more than 60 days to fill medical-surgical positions, and nearly 90 percent of the hospitals needed this long to fill intensive care nursing posts.

Mr. President, solving the nursing shortage problem nationwide will require long-term solutions that include encouraging young people to enter the profession. The American Association of Colleges of Nursing reports declining interest in nursing as a career and a 10-percent decline in overall nursing enrollments from 1983 to 1985. Enrollments in baccalaureate nursing programs dropped 17 percent between 1984 and 1986, and there are no indications that this trend will reverse soon.

Mr. President, this is not the first shortage in nurses that we have experienced. As many recall, in the late 1970's, a similar crisis emerged. In response, in August 1980, Congress passed Public Law 96-330, which established the Health Professionals Scholarship Program and which made significant improvements in the VA's pay practices for nurses.

In addition, that law required a study of the problems VA medical centers were having in recruiting and retaining nurses and established pilot programs to explore various alternative actions to overcome these difficulties. Because the nursing shortage had abated by the time the results of the pilot program were made available in February 1984, many of the study's recommendations were not pursued.

Two areas specifically identified in the 1984 report—Saturday premium pay and tuition reimbursement—are addressed in this legislation. In addition, our legislation seeks to give the nursing service greater input into the decisionmaking process at VA facilities in order to give nurses more recognition and a stronger voice in matters which directly affect their work environment. Finally, our legislation would modify the Health Professional Scholarship Program to give priority to fourth-year nurses for nursing scholarships in order to maximize recruitment into the VA system of nurses who are in their last year of study and who therefore would be able to begin working within a year.

SATURDAY PREMIUM PAY

Mr. President, current law provides that nurses who work on Sundays receive premium pay equal to 25 percent more than their basic pay. However, nurses who work on Saturdays receive no extra compensation. In the recent VA health occupational staff survey, 40 percent of VA facilities reported that weekend premium pay offered at non-VA medical facilities places them at a competitive disadvantage. In addition, many private sector hospitals provide nurses with a minimum of every other weekend off. VA medical centers generally provide registered nurses one weekend off out of three, and since premium pay is provided only on Sundays, this means that not only are many VA nurses working 1½ times as many weekends as their non-VA counterparts but during their weekends they are receiving considerably less pay.

Thus, our legislation would provide for the same premium pay for Saturdays as for Sundays. It is estimated that this change would cost about $21 million in fiscal year 1989, $22 million in fiscal year 1990, and $23 million in fiscal year 1991.

TUITION REIMBURSEMENT

Mr. President, many private sector hospitals offer tuition reimbursement programs to enable nurses and certain other health-care professionals to attend school for the purpose of obtaining a degree. Since the nursing profession is now emphasizing baccalaureate degrees as a minimum degree for staff nurses, more so-called diploma nurses, those who trained for 3 years in hospital-based training programs, and nurses with associate's degrees are looking for ways to go back to school. Also, many nurses with a baccalaureate degree are interested in pursuing graduate education.

Seventy-seven percent of the VA facilities, as reported in the VA's survey, believe that the lack of availability of tuition assistance as a fringe benefit is a major disadvantage in recruitment and retention. Over 80 percent of hospitals surveyed by the American Organization of Nurse Executives in 1985 offered tuition assistance as a benefit for full-time employees.

VA medical centers are at a major competitive disadvantage in this area. Under the Government Employee Training Act, financial assistance for additional course work or training is available. However, it must be for the purpose of improving or upgrading skills; it cannot be for the purpose of obtaining a degree.

Our legislation would establish a Health Professionals Educational Assistance Program, of which one component would be the current Health Professionals Scholarship Program—with a few changes I have described—and one component would be a newly established tuition reimbursement program. The tuition reimbursement program would provide financial assistance to certain full-time nursing personnel—selected from among those rendering superior performance—for academic courses leading toward completion of any degree program in nursing or in a field related to nursing. As under the scholarship program, the VA could also provide tuition reimbursement for degrees to other individuals—such as pharmacists, PT's, and OT's—providing direct patient-care services or services incident to direct patient-care services, if it determined that such a program would help alleviate recruitment and retention problems.

Tuition reimbursement would be provided to nurses following successful completion of the course or courses, or the VA could enter into agreements to pay the teaching institution directly. An employee who has worked a minimum of 2 years full time for the VA would be eligible to receive a maximum of $2,000 a year—indexed to Federal pay raises—and would be required to work for the VA for a period of 1 year following completion of the degree or the last course taken while a participant in the tuition reimbursement program.

This new program would enable VA nurses to improve their educations, their skills, and their standing in the medical community, thereby making them better nurses to their patients as well as enabling VA medical centers to be competitive with private-sector hospitals.

NURSING COMMITTEES

One factor that contributes to job dissatisfaction among nurses at VAMC's is the lack of representation of nurses in the decisionmaking process regarding policies that affect them and the overall management of VA facilities. Issues regarding workload, shift assignments, budget, and support staff all contribute to the "quality of life" for nurses, and nurses should have input into decisions that relate to those issues.

Because of my commitment to elevating the role of nursing generally and in the VA specifically and so that the voices of nurses would be heard in the VA's top policy councils, in 1980 I had proposed legislation to elevate the Director of Nursing Service in the VA Central Office to an Assistant Chief Medical Director or a Deputy Assistant Chief Medical Director in order to give the Nursing Service head a greater role in policy matters within DM&S. Although that provision was never enacted, I am pleased that the VA proceeded administratively to raise the Director of Nursing Service to the Deputy Assistant CMD level. At that time the two Veterans' Affairs Committees stressed that it is vital to have extensive Nursing Service participation in planning, policy development, and decisionmaking activities throughout the VA health-care system, not only at Central Office but in individual VA health-care facilities as well.

Yet, currently many hospital committees do not include nursing representatives. For instance, out of 172 VA medical centers, 146 include the Chief of Nursing Service or designee on their hospital education committees, 135 include such representation on the position management committees, while only 109 VAMC's hospital budget committees do the same. There are no data available as to how many hospitals, if any, have nursing representatives on all pertinent committees. I suspect there are very few.

Thus, in order to help VA medical centers be more sensitive to nurses' concerns and issues and generally to stress the key roles of the Nursing Service in VA health care, our bill would require that Chiefs of Nursing Service or their designees be members of all facilities policymaking and fiscal committees, including those relating to budget, education, position management, Dean's committee, clinical executive issues, planning, and resource allocation, at all Veterans' Administration health-care facilities.

CONCLUSION

Mr. President, a cadre of sufficient, qualified health-care personnel is the backbone of a strong VA health-care system. It is critical that the VA be able to attract and retain such personnel. We need to ensure that the VA is able to compete effectively with non-VA health-care employers for the services of qualified health personnel. Without sufficient qualified personnel, DM&S cannot be expected to fulfill its mission of providing high-quality health services to eligible veterans. The provisions of this bill are intended to further that goal.

I urge all my colleagues to support this measure.

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

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

S. 1195

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

SECTION 1. SHORT TITLE; REFERENCE TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Administration Health-Care Personnel Act of 1987".

(b) REFERENCES TO TITLE 38.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. MAKING NURSE ADDITIONAL-PAY AUTHORITIES AVAILABLE TO ASSIST IN RECRUITMENT AND RETENTION OF PHARMACISTS AND OCCUPATIONAL THERAPISTS.

(a) Section 4104 is amended—

(1) in paragraph (2), by striking out "Pharmacists" and all that follows through "therapists" and inserting in lieu thereof "Psychologists (other than those described in paragraph (3) of this section)"; and

(2) in paragraph (3)—

(A) by striking out "and"; and

(B) by inserting after "nurses" a comma and "pharmacists, and occupational therapists".

(b) Section 4107(f) is amended in the second sentence—

(1) by striking out "or licensed" and inserting in lieu thereof "licensed"; and

(2) inserting "pharmacists, or occupational therapists," after "nurses".

SEC. 3. PREMIUM PAY FOR SATURDAY WORK.

Section 4107(3) is amended—

(1) in paragraph (3), by striking out "Saturday" and inserting in lieu thereof "Friday"; and

(2) in paragraph (10)—

(A) in subparagraph (A), by striking out "Administrator" and all that follows and inserting in lieu thereof "Administrator may increase the rates of additional pay authorized under paragraphs (2) through (8) of this subsection.";

(B) in subparagraph (B), by striking out "(A)(i)" and inserting in lieu thereof "(A)"; and

(C) by repealing subparagraph (C).

SEC. 4. NURSE REPRESENTATION.

Section 4112 is amended by adding at the end the following new subsection:

"(c) The Administrator shall require that the Chief of Nursing Service, or the designee of the Chief, at each Veterans' Administration health-care facility be included in the membership of each policy-making and fiscal committee at each such facility including, but not limited to (1) committees relating to (A) budget, (B) education, (C) position management, (D) clinical executive issues, (E) planning, and (F) resource allocation, and (2) the deans committee or other advisory committee established pursuant to subsection (b) of this section.".

SEC. 5. EDUCATIONAL ASSISTANCE PROGRAM.

(a) Subchapter IV of chapter 73 is repealed.

(b) Part V is amended by adding at the end the following new chapter:

"CHAPTER 76—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL EDUCATIONAL ASSISTANCE PROGRAM

"SUBCHAPTER I—GENERAL

"Sec.
"4301. Establishment of program; purpose.
"4302. Eligibility; application; written contract.
"4303. Breach of contract; liability; waiver.
"4304. Exemption of educational assistance payments from taxation.
"4305. Program subject to availability of appropriations.

"SUBCHAPTER II—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

"4311. Duration of program.
"4312. Eligibility; application; written contract.
"4313. Obligated service.
"4314. Breach of contract; liability.

"SUBCHAPTER III—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL TUITION REIMBURSEMENT PROGRAM

"4321. Eligibility; application; written contract.
"4322. Obligated service.
"4323. Breach of contract; liability.
"4324. Allocation and distribution of funding.

"SUBCHAPTER I—GENERAL

"§ 4301. Establishment of program; purpose

"There is hereby established a program to be known as the Veterans' Administration Health Professional Educational Assistance Program (hereinafter in this chapter referred to as the "Educational Assistance Program"), which shall comprise (1) a scholarship program as provided for in subchapter II of this chapter, to be known as the Veterans' Administration Health Professional Scholarship Program (hereinafter in this chapter referred to as the "Scholarship Program"), and (2) a tuition reimbursement program as provided for in subchapter III of this chapter, to be known as the Veterans' Administration Health Professional Tuition Reimbursement Program (hereinafter in this chapter referred to as the "Tuition Reimbursement Program"). The purpose of the Educational Assistance Program is to assist in providing an adequate supply of trained health-care personnel who provide either direct patient-care services or services incident to direct patient-care services for the Veterans' Administration and for the Nation.

"§ 4302. Eligibility; application; written contract

"(a) To be eligible to participate in the Educational Assistance Program, an individual, in addition to meeting the criteria specified in section 4312 of this title for participation in the Scholarship Program or in section 4321 of this title for participation in the Tuition Reimbursement Program, must—

"(1) be accepted for enrollment or be currently enrolled as a student (A) in an accredited (as determined by the Administrator) educational institution in a State, and (B) in a course of training offered by such institution and approved by the Administrator, leading toward completion of any degree in an appropriate discipline (as determined by the Administrator);

"(2) submit an application to the Administrator for participation in the Educational Assistance Program;

"(3) sign and submit to the Administrator, at the time of submission of such application, a written contract (described in subsection (e) of this section) to accept payment of educational assistance and to serve a period of obligated service as provided in section 4313 of this title for the scholarship program or in section 4322 of this title for the Tuition Reimbursement Program; and

"(4) at the time of submission of such application, not be obligated under any other Federal program to perform service after completion of the course of study or program of such individual referred to in clause (1) of this subsection.

"(b)(1) In distributing application forms and contract forms to individuals desiring to participate in the Educational Assistance Program, the Administrator shall include with such forms—

"(A) a fair summary of the rights and liabilities of an individual whose application is approved (and whose contract is accepted) by the Administrator, including in the summary a clear explanation of the damages to which the United States is entitled under section 4314 of this title with respect to the Scholarship Program or section 4323 of this title with respect to the Tuition Reimbursement Program, if the individual breaches the contract; and

"(B) a full description of the terms and conditions that would apply to the individual's participation in the Educational Assistance Program and service in the Department of Medicine and Surgery.

"(2) The Administrator shall make such application forms and other information available to individuals desiring to participate in the Educational Assistance Program on a date sufficiently early to allow such individuals adequate time to prepare and submit such forms.

"(c) In selecting applicants for acceptance in the Educational Assistance Program, the Administrator, in addition to according priority as set forth in section 4312(b)(1) of this title with respect to the Scholarship Program or in section 4321(b) of this title with respect to the Tuition Reimbursement Program, shall give priority to the applications of individuals who have previously received educational assistance under this program and have not completed the program of education undertaken under such section.

"(d)(1) An individual becomes a participant in the Educational Assistance Program only upon the Administrator's approval of the individual's application submitted under subsection (a)(2) of this section and the Administrator's acceptance of the contract signed by the individual under subsection (a)(3) of this section.

"(2) The Administrator shall provide written notice to an individual promptly upon the Administrator's approval under paragraph (1) of this subsection of the individual's participation in the Educational Assistance Program.

"(e) The written contract (referred to in subsection (a)(3) of this section) between the Administrator and a participant in the Educational Assistance Program, in addition to the provisions specified in section 4312(b) of this title with respect to the Scholarship Program or in section 4321(d) of this title with respect to the Tuition Reimbursement Program, shall contain—

"(1)(A) subject to clause (2) of this subsection, the Administrator's agreement—

"(i) to provide the participant with educational assistance as authorized in this chapter and specified in the agreement, and

"(ii) to afford the participant the opportunity for employment in the Department of Medicine and Surgery (subject to the availability of appropriated funds for such purpose and other qualifications established in accordance with section 4105 of this title); and

"(B) subject to clause (2) of this subsection, the participant's agreement—

"(i) to accept such educational assistance;

"(ii) to maintain enrollment and attendance in the course of training until completed; and

"(iii) while enrolled in such course, to maintain an acceptable level of academic standing (as determined by the educational institution offering such course of training under regulations prescribed by the Administrator);

"(2) a provision that any financial obligation of the United States arising out of a contract entered into under this chapter, and any obligation of the participant which is conditioned thereon, is contingent upon funds being appropriated for educational assistance under this chapter;

"(3) a statement of the damages to which the United States is entitled under section 4314 of this title with respect to the Scholarship Program or section 4323 of this title with respect to the Tuition Reimbursement Program, for the participant's breach of the contract; and

"(4) such other statements of the rights and liabilities of the Administrator and of the participant as may be appropriate and consistent with the provisions of this chapter.

"(f) The maximum amount of (1) the monthly stipend paid to a participant in the Scholarship Program, specified in section 4312(d)(1)(B) of this title and as previously adjusted (if at all) in accordance with this subsection, and (2) the maximum amount of tuition reimbursement provided to a participant in the Tuition Reimbursement Program, specified in section 4321(e) of this title and as previously adjusted (if at all) in accordance with this subsection, shall be increased by the Administrator for each school year ending in a fiscal year beginning after September 30, 1988, by an amount (rounded to the next highest multiple of $1) equal to the amount of such stipend or tuition reimbursement multiplied by the overall percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment (if such adjustment is an increase) in the rates of pay under the General Schedule made effective in the fiscal year in which such school year ends.

"(g) The Administrator shall report to Congress not later than March 1 of each year—

"(1) the number of students receiving educational assistance under the Educational Assistance Program, broken down to show the numbers of students receiving assistance under the Scholarship Program and the Tuition Reimbursement Program separately, and the number of students enrolled in each type of health profession training under each program;

"(2) the education institutions providing such training to students in each program;

"(3) the number of applications filed under each program, by health profession category, during the school year beginning in such year and the total number of such applications so filed for all years in which the Educational Assistance Program (or predecessor program) has been in existence;

"(4) the average amounts of educational assistance provided per participant in the Scholarship Program and per participant in the Tuition Reimbursement Program;

"(5) the amount of tuition and other expenses paid, by health profession category, in the aggregate and at each educational institution for the school year beginning in such year and for prior school years;

"(6) the number of scholarships accepted, by health profession category, during the school year beginning in such year and the number, by health profession category, which were offered and not accepted; and

"(7) the number of participants who complete a course or course of training in each program each year and for all years such program (or predecessor program) has been in existence.

"(h) The Administrator shall prescribe regulations to carry out the Educational Assistance Program.

"§ 4303. Breach of contract; liability; waiver

"(a)(1) Any obligation under the Educational Assistance Program (or a written contract thereunder) of a participant in the Educational Assistance Program for service or payment of damages shall be canceled upon the death of the participant.

"(2) The Administrator shall prescribe regulations providing for the waiver or suspension of any obligation of a participant for service or payment under such Program (or a contract thereunder) whenever compliance by the participant is impossible due to circumstances beyond the control of the participant or whenever the Administrator determines that the waiver or suspension of compliance would be in the best interest of the Veterans' Administration.

"(3) Any obligation of a participant under such Program (or a contract thereunder) for payment of damages may not be released by a discharge in bankruptcy under title 11 before the expiration of the 5-year period beginning on the first date that payment of such damages is due.

"(b) The Administrator, in cooperation with and with the consent of the heads of other relevant departments and agencies and with the consent of the participant or individual involved, may permit—

"(1) any period of obligated service required to be performed under this chapter to be performed in another Federal department or agency or in the Armed Forces; and

"(2) any period of obligated service required to be performed in another Federal department or agency or in the Armed Forces under another Federal health personnel educational assistance program to be performed in the Department of Medicine and Surgery.

"§ 4304. Exemption of educational assistance payments from taxation

"Notwithstanding any other law, any payment to, or on behalf of a participant in the Educational Assistance Program, for tuition, education expenses, or a stipend under this chapter shall be exempt from taxation.

"§ 4305. Program subject to availability of appropriations

"The authority of the Administrator to make payments under this chapter is effective for any fiscal year only to the extent that appropriated funds are available for such purposes.

"SUBCHAPTER II—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

"§ 4311. Duration of program

"The Administrator may not furnish scholarships to new participants in the Scholarship Program after September 30, 1992.

"§ 4312. Eligibility; application; written contract

"(a) To be eligible to participate in the Scholarship Program, an individual, in addition to meeting the requirements specified in section 4302 of this title, must be accepted for enrollment or be enrolled (as described in clause (1) of section 4302(a) of this title) as a full-time student, except that an individual who is a Veterans' Administration employee described in subsection (e)(1) of this section may be accepted as a participant if accepted for enrollment or enrolled (as described in clause (1) of section 4302(a) of this title) for study on less than a full-time but not less than a half-time basis. (Such a participant is hereinafter in this subchapter referred to as a "part-time student".)

"(b)(1) In selecting applicants who are pursuing a course of training in nursing for acceptance in the Scholarship Program, the Administrator, in addition to according priorities as set forth in section 4302(c) of this title, shall give priority to the applications of individuals who have completed 3 years of a 4-year course of training leading to a baccalaureate degree.

"(2) Before awarding the intitial scholarship in any course of training other than in medicine or nursing, the Administrator, not less than 60 days before awarding such scholarship, shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives of the Administrator's intent to award a scholarship in such course of training and of the reasons why the award of scholarships in such course of training is necessary to assist in providing for the Veteran's Administration and adequate supply of personnel in the health profession concerned.

"(c) The written contract referred to in section 4302(a)(3) of this title between the Administrator and a participant in the Scholarship Program, in addition to the requirements set forth in such section, shall contain—

"(1) the Administrator's agreement, subject to section 4302(e)(2) of this title, to provide the participant with a scholarship (described in subsection (d) of this section) for from 1 to 4 school years (or in a case in which an extension is granted under subsection (e)(3) of this section, the number of school years provided for as a result of such extension) during which period the participant is pursuing a course of training described in section 4302(a)(1)(B) of this title; and

"(2) subject to section 4302(e)(2) of this title, the participant's agreement—

"(A) to serve as a full-time employee in the Department of Medicine and Surgery for a period of time (hereinafter in this subchapter referred to as the 'period of obligated service') of 2 calendar years for each school year or part thereof for which the participant was provided a scholarship under the Scholarship Program (to be reduced, in the case of a participant who is a part-time student, in accordance with the proportion that the number of credit hours carried by such participant in any such school year bears to the number of credit hours required to be carried by a full-time student in the course of training being pursued by the participant, but in no event, to less than one year);

"(B) if the participant's period of obligated service is deferred under section 4313(b)(3)(A)(i) of this title, to serve any additional period of obligated service prescribed by the Adminstrator under section 4313(b)(4)(B) of this title; and

"(C) in the case of a participant who is a part-time student, to maintain employment, while enrolled in such course of training, as a Veterans' Adminstration employee permanently assigned to a Veterans' Administration health-care facility.

"(d)(1) A scholarship provided to a participant in the Scholarship Program for a school year under a written contract under the Scholarship Program shall consist of—

"(A) payment to, or (in accordance with paragraph (2) of this subsection) on behalf of, the participant of the amount of—

"(i) the tuition of the participant in such school year; and

"(ii) other reasonable educational expenses, including fees, books, and laboratory expenses; and

"(B) payment to the participant of a stipend of not in excess of $485 per month (adjusted in accordance with section 4302(f) of this title) for each of the 12 consecutive months beginning with the first month of such school year, except that a stipend may not be paid to a participant who is a full-time employee of the Veterans' Adminstration and the stipend of a participant who is a part-time student shall be adjusted as provided in subsection (e)(2) of this section.

"(2) The Administrator may contract with an educational institution in which a participant in the Scholarship Program is enrolled for the payment to the educational institution of the amounts of tuition and other reasonable educational expenses described in paragraph (1)(A) of this subsection. Payment to such an educational institution may be made without regard to subsections (a) and (b) of section 3324 of title 31.

"(e)(1) To be accepted as a participant as a part-time student, an individual must be a full-time Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility on the date on which such individual submits the application referred to in subsection (a)(2) of section 4302 of this title and on the date on which such individual becomes a participant in the Scholarship Program.

"(2) If a participant in the Scholarship Program is awarded a scholarship as a part-time student—

"(A) the maximum amount of the stipend payable to such participant under subsection (d)(1)(B) of this section shall be reduced in accordance with the proportion that the number of credit hours required to be carried by a full-time student in the course of training being pursued by the participant; and

"(B) a stipend may not be paid to such a participant under such subsection for any month during which such participant is not actually attending the course of training in which such participant is enrolled.

"(3) In the case of a participant who is a part-time student, the Administrator may extend the scholarship award period to a maximum of 6 school years if the Administrator determines that such an extension would be in the best interest of the United States.

"(f) Notwithstanding any other provision of law, participants in the Scholarship Program shall not by virtue of their participation in such program (1) be considered to be employees of the Federal Government, or (2) be counted against any personnel ceiling affecting the Department of Medicine and Surgery.

"§ 4313. Obligated service

"(a) Each participant in the Scholarship Program shall provide service in the full-time clinical practice of such participant's profession or in another health-care position, in an assignment or location as determined by the Administrator, as full-time employee of the Veterans' Administration for the period of obligated service provided in the contract of such participant entered into under section 4302(a)(3) of this title.

"(b)(1) Not later than 60 days prior to (A) the date described in paragraph (3) of this subsection with respect to a participant in the Scholarship Program who is a full-time student, or (B) the date provided for under paragraph (5) of this subsection with respect to a participant who is a part-time student, the Administrator shall notify the participant of the date described in the applicable such paragraph for the beginning of such participant's period of obligated service.

"(2) As soon as possible after the applicable date described in paragraph (3) of this subsection or provided for under paragraph (5) of this subsection, the Administrator shall—

"(A) in the case of a participant who is not a full-time employee in the Department of Medicine and Surgery, appoint such participant as such an employee; and

"(B) in the case of a participant who is such an employee but is not serving in a position for which such participant's course of training prepared such participant, assign such participant to such a position.

"(3)(A)(i) With respect to a participant receiving a degree from a school of medicine, osteopathy, dentistry, optometry, or podiatry, the date for the beginning of the participant's period of obligated service is the date upon which the participant becomes licensed to practice medicine, osteopathy, dentistry, optometry or podiatry, as the case may be, in a State, except that the Administrator may, at the request of such participant to complete an internship or residency or other advanced clinical training. If the participant requests such a deferral, the Administrator shall notify the participant that such deferral could lead to an additional period of obligated service in accordance with paragraph (4) of this subsection.

"(ii) No such period of internship or residency or other advanced clinical training shall be counted toward satisfying a period of obligated service under this subchapter.

"(B) With respect to a participant receiving a degree from a school of nursing, the date for the beginning of the participant's period of obligated service is the later of (i) the date upon which the participant completes such participant's courses of training, or (ii) the date upon which the participant becomes registered as a graduate nurse in a State.

"(C) With respect to a participant receiving a degree from an institution other than a school of medicine, osteopathy, dentistry, optometry, podiatry, or nursing, the date for the beginning of the participant's period of obligated service is the date upon which the participant completes the course of training leading to such degree.

"(4) Any participant whose period of obligated service is deferred under paragraph (3)(A) of this subsection—

"(A) shall be required to undertake internship or residency or other advanced clinical training in an accredited program in an educational institution which is an affiliated institution (as defined in section 4108(c)(1) of this title) and with respect to which the affiliation agreement provides that all or part of the internship or residency or other advanced clinical training will be undertaken in a Veterans' Administration health-care facility; and

"(B) may, at the discretion of the Administrator and upon the recommendation of the Chief Medical Director, incur an additional period of obligated service—

"(i) at the rate of one-half of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clinical training is in a medical specialty necessary to meet the health care requirements of the Veterans' Administration (as determined under regulations prescribed by the Administrator); or

"(ii) at the rate of three-quarters of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clincial training is not in a medical specialty necessary to meet the health care requirements of the Veterans' Administration (as determined under regulations prescribed by the Administrator).

"(5) The Administrator shall by regulation prescribe the date for the beginning of the period of obligated service of a participant who was a part-time student. Such regulations shall prescribe terms as similar as practicable to the terms set forth in paragraph (3) of this subsection.

"(c)(1) Except as provided in paragraph (2) of this subsection, a participant in the Scholarship Program shall be considered to have begun serving such participant's period of obligated service—

"(A) on the date, after such participant's course completion date, on which such participant (in accordance with subsection (a) of this section) is appointed under this chapter as a full time employee in the Department of Medicine and Surgery; or

"(B) if the participant is a part-time employee in the Department of Medicine and Surgery on such course completion date, on the date thereafter on which such participant is assigned to a position for which such participant's course of training prepared such participant.

"(2) A participant in the Scholarship Program who on such participant's course completion date is a full-time employee in the Department of Medicine and Surgery serving in a capacity for which such participant's course of training prepared such participant shall be considered to have begun serving such participant's period of obligated service on such course completion date.

"(3) For the purposes of this subsection, the term "course completion date" means the date on which a participant in the Scholarship Program completes such participant's course of training under the program.

"§ 4314. Breach of contract; liability

"(a) A participant in the Scholarship Program (other than a participant described in subsection (b) of this section) who fails to accept payment, or instructs the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the contract entered into under section 4302(a)(3) of this title, shall, in addition to any period of obligated service or other obligation or liability under the contract, be liable to the United States for the amount of $1,500 as liquidated damages.

"(b) A participant in the Scholarship Program who—

"(1) fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled (such level determined by the educational institution under regulations prescribed by the Administrator),

"(2) is dismissed from such educational institution for disciplinary reasons,

"(3) voluntarily terminates the course of training in such educational institution before the completion of such course of training,

"(4) fails to become licensed to practice medicine, osteopathy, dentistry, podiatry, or optometry in a State, fails to become registered as a graduate nurse in a State, or fails to meet any applicable licensure requirement in the case of any other health-care personnel who provide either direct patient-care services or services incident to direct patient-care services, during a period of time determined under regulations prescribed by the Administrator, or

"(5) in the case of a participant who is a part-time student, fails to maintain employment, while enrolled in the course of training being pursued by such participant, as a Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility.

In lieu of any service obligation arising under such contract, shall be liable to the United States for the amount which has been paid to or on behalf of the participant under contract.

"(c) If a participant in the Scholarship Program breaches the written contract by failing (for any reason) to complete such participant's period of obligated service, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula:

$$A=3\Phi\left(\frac{t-s}{t}\right)$$

in which 'A' is the amount the United States is entitled to recover; 'Φ' is the sum of the amounts paid under this subchapter or on behalf of the participant and the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States; 't' is the total number of months in the participant's period of obligated service, including any additional period of obligated service in accordance with section 4313(b)(4)(B) of this title; and 's' is the number of months of such period served by the participant in accordance with section 4313 of this title. Any amount of damages which the United States is entitled to recover under this section will, within the one-year period beginning on the date of the breach of the written contract, be paid to the United States.

"SUBCHAPTER III—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL TUITION REIMBURSEMENT PROGRAM

"§ 4321. Eligibility; application; written contract

"(a) To be eligible to participate in the Tuition Reimbursement Program, an individual, in addition to meeting the requirements specified in section 4302 of this title, must—

"(1) be a full-time Veterans' Administration Nursing Service employee permanently assigned to a Veteran's Administration health-care facility who has been employed at such facility for at least 2 years and be enrolled in a course of training offered by an institution approved by the Administrator leading toward completion of (A) an associate or higher degree in nursing or (B) a masters or doctoral degree in a field related to nursing; or

"(2) if the administrator determines that it is necessary to assist in providing for the Veterans' Administration an adequate supply of personnel in the health profession concerned, be a full-time Veterans' Administration employee providing either direct patient-care services or services incident to direct patient-care services who is permanently assigned to a Veterans' Administration health-care facility and who has been employed at such facility for at least 2 years and be enrolled in a course of training offered by such an institution, and approved by the Administrator, leading toward completion of a masters or doctoral degree in an appropriate field.

"(b) In selecting applicants for acceptance in the Tuition Reimbursement Program, the Administrator, in addition to according priorities as set forth in section 4302(c) of this title, shall give priority to the applications of (A) individuals who have demonstrated superior proficiency and performance and who give evidence of sustained and improved performance, as determined by the Chief Nurse of the facility at which the individual is employed, in consultation with the local career development committee, and (B) individuals who have previously received tuition reimbursement under the Tuition Reimbursement Program.

"(c) Before approving tuition reimbursement assistance in any course of training other than nursing, the Administrator, not less than 60 days before awarding such assistance, shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives of the Administrator's intent to award assistance in such course of training and of the reasons why the award of such assistance in such course of training is necessary to assist in providing for the Veterans' Administration an adequate supply of personnel in the health profession concerned.

"(d) The written contract referred to in section 4302(a)(3) of this title between the Administrator and participant in the Tuition Reimbursement Program, in addition to the requirements set forth in such section, shall contain—

"(1) the Administrator's agreement, subject to section 4302(e)(2) of this title, to provide the participant with tuition reimbursement following successful completion (as determined, pursuant to regulations prescribed by the Administrator, by the educational institution involved) of (i) a course or courses required for the course of study described in subsection (a)(1)(B) of this section, or (ii) a course or courses taken as necessary prerequisites for degree program enrollment if a letter regarding the potential enrollment of the participant from an appropriate official of the institution involved includes a statement specifying such prerequisites; and

"(2) subject to section 4302(e)(2) of this title, the participant agrees—

"(A) to maintain employment while enrolled in the course of training being pursued by such participant, as a full-time Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility; and

"(B) to continue to serve as a full-time employee in the Department of Medicine and Surgery for one year (hereinafter in this subchapter referred to as the 'period of obligated service') after completion of the course for which the participant received tuition reimbursement.

"(e) Tuition reimbursement provided to a participant in the Tuition Reimbursement Program shall not exceed $2,000 per year (adjusted in accordance with section 4302(f) of this title).

"(f) The Administrator may contract with an educational institution pursuant to which such an institution would provide a course or courses at a Veterans' Administration health-care facility to participants in the Tuition Reimbursement Program. Pursuant to the contract, the Administrator may agree to pay to the institution an amount not in excess of an amount determined by multiplying the number of participants in such a course by the amount of tuition reimbursement each participant would receive for enrolling and successfully completing such course.

"§ 4322. Obligated service

"(a) Each participant in the Tuition Reimbursement Program shall provide service in the full-time clinical practice of such participant's profession as a full-time employee of the Veterans' Administration for the period of obligated service provided in the contract of such participant entered under section 4302(a)(3) of this title.

"(b) A participant who on such participant's course completion date is a full-time employee in the Department of Medicine and Surgery shall be considered to have begun serving such participant's period of obligated service on the course completion date.

"(c) Except in the case of a participant whose tuition was paid pursuant to section 4321(f) of this title, if a participant in the Tuition Reimbursement Program fails to successfully complete a course, no reimbursement will be provided and no period of obligated service will be incurred.

"(d) In the case of a participant whose tuition was paid pursuant to section 4321(f) of the title and who fails to complete the course involved, the period of obligation shall be of the same duration as it would have been if the participant had successfully completed the course and the course completion date shall be considered to be the date on which the participant's failure become an established fact.

"(e) For the purposes of this subsection, the term 'course completion date' means the date on which a participant in the Tuition Reimbursement Program completes such participant's course of training under the program.

"§ 4323. Breach of contract; liability

"(a) A participant in the Tuition Reimbursement Program who fails to maintain employment as a Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility—

"(1) shall not receive reimbursement for tuition for the course or courses in which the participant is enrolled; and

"(2) in lieu of any service obligation arising from completion of a course or courses in a previous semester or quarter, shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the contract.

"(b) If a participant in the Tuition Reimbursement Program breaches the written contract by failing (for any reason) to complete such participant's period of obligated service, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula:

$$A=3\Phi\left(\frac{t-s}{t}\right)$$

in which 'A' is the amount the United States is entitled to recover; 'Φ' is the sum of the amounts paid under this subchapter or on behalf of the participant and the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States; 't' is the total number of months in the participant's period of obligated service; and 's' is the number of months of such period served by the participant in accordance with section 4322 of this title. Any amount of damages which the United States is entitled to recover under this section will, within the one-year period beginning on the date of the breach of the written contract, be paid to the United States.

"§ 4324. Allocation and distribution of funding

"In determining the amount of funding to allocate to Veterans' Administration health-care facilities in connection with the Tuition Reimbursement Program, the Administrator shall take into account (1) the personnel ceiling for nursing personnel, and (2) the recruitment and retention needs of that facility, as determined by the Administrator.".

SEC. 6. EFFECTIVE DATE; SAVINGS CLAUSE.

(a) The provisions of this Act shall take effect on the date of enactment.

(b) The provisions of subchapter IV of chapter 73 as in effect on the date of enactment of this Act shall be deemed to remain in effect with respect to scholarships awarded under such subchapter.

● Mr. MURKOWSKI. Mr. President, I rise to join with my friend from California, the distinguished chairman of the Committee on Veterans' Affairs, in introducing the proposed "Veterans' Administration Health-Care Personnel Act of 1987." I am most pleased to join with Senator CRANSTON on this initiative which will improve the Veterans' Administration's [VA] ability to recruit and retain quality allied health-care professionals.

Mr. President, in order to effectively meet the health care needs of our Nation's veterans, it is vital that the VA employ high quality health-care personnel. To do so, the VA must have a variety of tools at its disposal to attract these professionals to the VA system.

All to often, professionals leave the VA for opportunities in the private sector which offer higher salaries, fringe benefits, and educational assistance. Of course, the private sector utilizes a variety of innovative techniques to address recruitment and retention difficulties. They have the flexibility to do so.

To the greatest extent possible, the VA must be provided with the flexibility to use such innovative methods if they are to respond to critical staffing shortages in a timely fashion.

The intent of this bill is to provide that flexibility.

This legislation addresses a critical problem regarding the recruitment and retention of certain health-care personnel. I have spoken before about the shortage of nurses in this country in general, and the VA, in particular. However, the VA is also experiencing recruitment and retention difficulties for other health professionals—specifically occupational therapists and pharmacists. These professionals also play an extremely important role in the VA's ability to provide quality medical services. Their services are vital.

This bill would provide for educational assistance programs in order to address declining enrollment in areas of study relating to allied health services. In addition, the bill would provide for flexibility in pay schedules. These types of initiatives are crucial to respond to this most serious issue.

In that light, on March 11, 1987, I introduced S. 713, the proposed "Veterans' Administration Registered Nurse Variable Incentive Bonus Act of 1987." This bill would authorize the

VA to pay up to a $20,000 bonus to registered nurses who agree to serve on a full-time basis at a geographic location or in a professional specialty for a minimum of 3 years.

I look forward to receiving testimony on these measures during the committee's May 21 hearing and to working with Senator CRANSTON and the other committee members on this important matter.●

By Mr. DOLE:

S.J. Res. 127. Joint resolution designating the month of May 1987 as "National Asthma and Allergy Awareness Month;" to the Committee on the Judiciary.

NATIONAL ASTHMA AND ALLERGY AWARENESS MONTH

Mr. DOLE. Mr. President, today I am introducing a resolution which would designate May 1987 as "National Asthma and Allergy Awareness Month." Our colleague, Mr. FAZIO, introduced similar legislation in the House, which passed on April 25, 1987.

Asthma and allergic diseases cause significant hardship for more than 35 million Americans every year. This hardship is not only financial, but creates physical and emotional concerns. One out of every six Americans is afflicted. Asthma alone may affect 9 million Americans and one-third of these are children. An estimated 5,000 individuals die each year from asthma. This is especially tragic since we have the medical know-how to prevent these deaths by proper and timely treatment.

The financial toll is tremendous. The American public pays $4 billion per year in medical bills directly attributable to the treatment and diagnosis of asthma and allergy, and pays another $2 million per year in indirect social costs. For example, about 8 million workdays and 130 million schooldays a year are lost due to hay fever and asthma. In addition, occupational allergic diseases are now believed to be a major cause of workplace-caused illnesses.

There are many recent medical developments which allow our health care providers to provide better care, including new medicines and additional knowledge in the field of immunology. Therefore, it is appropriate to raise the level of concern, both on an individual basis and in the workplace since there is help available. In addition, it is wise to call attention to the vast number of individuals who suffer from these disorders as public awareness helps to promote both public and private efforts directed toward their eradication.

Therefore, Mr. President, I call on us to join our colleagues in the House, and pass this joint resolution, and I ask unanimous consent that the joint resolution be printed in the RECORD.

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

S.J. RES. 127

Whereas asthma and allergic diseases result in physical, emotional, and economic hardship for more than 35,000,000 Americans and their families;

Whereas thousands of Americans, many of them young, die each year from asthma even though sufficient medical knowledge and resources exist to prevent many asthma-related deaths;

Whereas student absenteeism is due in significant part to asthma and allergic diseases;

Whereas environmental conditions in the workplace often cause or exacerbate asthma and allergic diseases among employees;

Whereas many hospital patients suffer allergic reactions to prescribed medications;

Whereas it is estimated that the American public pays $4,000,000,000 per year in medical bills directly attributable to the treatment and diagnosis of asthma and allergic diseases and pays another $2,000,000,000 per year as a result of the indirect social costs of asthma and allergic diseases;

Whereas because of recent developments in the study of immunology, health care providers are better equipped to diagnose and treat asthma and allergic diseases; and

Whereas increased public awareness of recent scientific advancements in the study of immunology will help dispel many of the common misconceptions concerning asthma, allergic diseases, and the victims of those illnesses; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1987 is designated as "National Asthma and Allergy Awareness Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 104

At the request of Mr. INOUYE, the names of the Senator from Utah [Mr. GARN], and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of S. 104, a bill to recognize the organization known as the National Academies of Practice.

S. 143

At the request of Mr. INOUYE, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Michigan [Mr. RIEGLE], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 143, a bill to establish a temporary program under which parenteral diacetylmorphine will be made available through qualified pharmacies for the relief of intractable pain due to cancer.

S. 321

At the request of Mr. D'AMATO, his name was added as a cosponsor of S. 321, a bill to amend the Clean Air Act to better protect interstate transport of pollutants, to control existing and new sources of acid deposition, and for other purposes.

S. 322

At the request of Mr. SARBANES, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 322, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 450

At the request of Mr. ARMSTRONG, the names of the Senator from West Virginia [Mr. BYRD], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 450, a bill to recognize the organization known as the National Mining Hall of Fame and Museum.

S. 455

At the request of Mr. HEFLIN, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 455, a bill to amend the Internal Revenue Code of 1986 to restore income averaging for farmers, to restore the investment tax credit and accelerated cost recovery for property used in the trade or business of farming, and for other purposes.

S. 461

At the request of Mr. MITCHELL, the names of the Senator from Ohio [Mr. METZENBAUM], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 461, a bill to prohibit the implementation of certain regulations of the Secretary of Health and Human Services and the Secretary of Agriculture respecting irradiated foods, to amend the Federal Food, Drug, and Cosmetic Act to prescribe labels for irradiated food, and for other purposes.

S. 490

At the request of Mr. BENTSEN, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 490, a bill to authorize negotiations of reciprocal trade agreements, to strengthen, United States trade laws, and for other purposes.

S. 500

At the request of Mr. PRYOR, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 500, a bill to identify and reduce barriers to, and distortions of, international trade in rice; to promote expansion of United States rice exports; and for other purposes.

S. 533

At the request of Mr. THURMOND, the names of the Senator from Arizona [Mr. DECONCINI], and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 533, a bill to establish the Veterans' Administration as an executive department.

S. 673

At the request of Mr. ARMSTRONG, the names of the Senator from Idaho [Mr. SYMMS], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 673, a bill to amend the Rehabilitation Act of 1973 to help ensure healthful schools and workplaces.

S. 696

At the request of Mr. COCHRAN, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 696, a bill to provide that full-time magistrates and bankruptcy judges receive a salary equal to 92 percent of the salary paid to judges of the district courts of the United States.

S. 701

At the request of Mr. SIMON, the names of the Senator from Ohio [Mr. METZENBAUM], and the Senator from Maine [Mr. COHEN] were added as cosponsors of S. 701, a bill to amend the Foreign Assistance Act of 1961 to establish a separate authorization for assistance for famine recovery and long-term development in sub-Saharan Africa, and for other purposes.

S. 708

At the request of Mr. PROXMIRE, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of S. 708, a bill to require annual appropriations of funds to support timber management and resource conservation on the Tongass National Forest.

S. 860

At the request of Mr. BOREN, the names of the Senator from Alabama [Mr. HEFLIN], and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 860, a bill to designate "The Stars and Stripes Forever" as the national march of the United States of America.

S. 879

At the request of Mr. BYRD, the names of the Senator from Kentucky [Mr. FORD], the Senator from Alabama [Mr. HEFLIN], the Senator from Alabama [Mr. SHELBY], the Senator from South Dakota [Mr. DASCHLE], the Senator from Kentucky [Mr. McCONNELL], the Senator from Tennessee [Mr. GORE], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Virginia [Mr. WARNER], the Senator from Pennsylvania [Mr. HEINZ], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Illinois [Mr. DIXON], were added as cosponsors of S. 879, a bill to encourage the deployment of clean coal technologies so as to assure the development of additional electric generation and industrial energy capacity.

S. 943

At the request of Mr. ADAMS, the names of the Senator from South Dakota [Mr. DASCHLE], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 943, a bill to amend the Federal Aviation Act of 1958 to ensure the fair treatment of airline employees in airline mergers and similar transactions.

S. 949

At the request of Mr. ROTH, the name of the Senator from Indiana [Mr. QUAYLE] was added as a cosponsor of S. 949, a bill to prohibit the availability of funds for the United States' proportionate share of the United Nations' Office of Research and Information Collection.

S. 983

At the request of Mr. DANFORTH, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 983, a bill to provide for the establishment of rural enterprise zones, and for other purposes.

S. 998

At the request of Mr. DECONCINI, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 998, a bill entitled the "Micro Enterprise Loans for the Poor Act".

S. 1020

At the request of Mr. MOYNIHAN, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from New Mexico [Mr. BINGAMAN], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1020, a bill to create the office of Librarian of Congress Emeritus.

S. 1027

At the request of Mr. HUMPHREY, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1027, a bill to prohibit trade between the Soviet puppet regime in Afghanistan and the United States.

S. 1080

At the request of Mr. BOSCHWITZ, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1080, a bill to amend the Automobile Information Disclosure Act to provide information as to whether or not certain motor vehicles are capable of using gasohol.

S. 1137

At the request of Mr. DANFORTH, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 1137, a bill to require implementation of a marketing loan program for agricultural commodities if negotiations fail to produce an international agreement on agricultural trade.

S. 1172

At the request of Mr. KARNES, his name was added as cosponsor of S. 1172, a bill to amend the Farm Credit Act of 1971 to provide a secondary market for agricultural mortgages, and for other purposes.

S. 1176

At the request of Mr. DANFORTH, the name of the Senator from California [Mr. WILSON] was added as a cosponsor of S. 1176, a bill to amend the Internal Revenue Code of 1986 to exclude research facility bonds from the volume cap for qualified 501(c)(3) bonds.

SENATE JOINT RESOLUTION 14

At the request of Mr. HELMS, the name of the Senator from Virginia [Mr. WARNER] was added as cosponsor of Senate Joint Resolution 14, a joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week".

SENATE JOINT RESOLUTION 104

At the request of Mr. BOREN, the names of the Senator from Washington [Mr. ADAMS], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Alabama [Mr. HEFLIN], the Senator from Michigan [Mr. LEVIN], the Senator from Arkansas [Mr. PRYOR], the Senator from Indiana [Mr. QUAYLE], the Senator from Alabama [Mr. SHELBY], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of Senate Joint Resolution 104, a joint resolution to designate the week of May 31, 1987 through June 6, 1987, as "National Intelligence Community Week".

SENATE JOINT RESOLUTION 118

At the request of Mr. HOLLINGS, the names of the Senator from Ohio [Mr. GLENN], the Senator from Hawaii [Mr. INOUYE], the Senator from Alabama [Mr. SHELBY], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Pennsylvania [Mr. HEINZ], the Senator from New Jersey [Mr. BRADLEY], the Senator from Maryland [Mr. SARBANES], and the Senator from Nevada [Mr. REID] were added as cosponsors of Senate Joint Resolution 118, a joint resolution to designate the week of May 10, 1987, through May 16, 1987, as "Senior Center Week".

SENATE JOINT RESOLUTION 120

At the request of Mr. SYMMS, the names of the Senator from North Carolina [Mr. HELMS], and the Senator from Oklahoma [Mr. NICKLES] were added as cosponsors of Senate Joint Resolution 120, a joint resolution to void certain agreements relating to the site of the Soviet Union's embassy in the District of Columbia.

SENATE CONCURRENT RESOLUTION 6

At the request of Mr. HUMPHREY, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of Senate Concurrent Resolution 6, a concurrent resolution expressing the sense of the Congress with respect to the denial of health insurance coverage for disabled adopted children.

SENATE RESOLUTION 93

At the request of Mr. LAUTENBERG, the names of the Senator from Iowa [Mr. HARKIN], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of Senate Resolution 93, a resolution expressing the sense of the Senate regarding future funding of Amtrak.

SENATE RESOLUTION 172

At the request of Mr. MURKOWSKI, the names of the Senator from South Dakota [Mr. PRESSLER], and the Senator from Idaho [Mr. McCLURE] were added as cosponsors of Senate Resolution 172, a resolution expressing the sense of the Senate with respect to United States policy objectives in providing assistance to the Nicaraguan democratic resistance.

SENATE RESOLUTION 174

At the request of Mr. DECONCINI, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of Senate Resolution 174, a resolution expressing the sense of the Senate condemning the Soviet-Cuban buildup in Angola and the severe human rights violations of the Marxist regime in Angola.

SENATE RESOLUTION 211—AMENDING THE STANDING RULES OF THE SENATE RELATIVE TO CERTAIN COMMITTEES

Mr. BYRD submitted the following resolution; which was considered and agreed to:

S. RES. 211

Resolved, That paragraph 2 of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Agriculture, Nutrition, and Forestry" and insert in lieu thereof "19".

Strike "18" after "Banking, Housing, and Urban Affairs" and insert in lieu thereof "20".

Strike "20" after "Foreign Relations" and insert in lieu thereof "19".

SEC. 2. Paragraph 3(a) of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Small Business" and insert in lieu thereof "19".

SEC. 3. Paragraph 4(h) of rule XXV is amended for the 100th Congress by adding at the end of the following new paragraphs:

"(37) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works and may, during the One Hundredth Congress, also serve as a member of the Committee on Agriculture, Nutrition, and Foresty so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2.

"(38) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Armed Services and Energy and Natural Resources and may, during the One Hundredth Congress, also serve as a member of the committee on Banking, Housing, and Urban Affairs, so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragrpah 2."

SENATE RESOLUTION 212—MAKING ADDITIONAL MAJORITY APPOINTMENTS TO CERTAIN COMMITTEES

Mr. BYRD submitted the following resolution; which was considered and agreed to:

S. RES. 212

Resolved, That the Senator from Louisiana [Mr. BREAUX] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition and Foresty, and the Senator from Colorado [Mr. WIRTH] is hereby appointed to serve as a member of the Committee on Banking, Housing and Urban Affairs for the 100th Congress.

SENATE RESOLUTION 213—MAKING REPUBLICAN APPOINTMENTS TO CERTAIN COMMITTEES

Mr. DOLE submitted the following resolution; which was considered and agreed to:

S. RES. 213

Resolved, That the Senator from Nebraska [Mr. KARNES] is hereby appointed to serve as a member on the committee on Agriculture, Nutrition and Forestry, the committee on Banking, Housing and Urban Affairs, and the Committee on Small Business for the 100th Congress.

SENATE RESOLUTION 214—AUTHORIZING THE REPRINTING OF THE MANUSCRIPT "CREATION OF THE SENATE"

Mr. BYRD (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 214

Resolved, That the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz, Director of the Legislative Reference Service, Library of Congress, and originally ordered printed as a Senate document in the 75th Congress in 1937, shall be reprinted as a Senate document.

SEC. 2. Such document shall include a suitable cover commemorating the Bicentennial of the Senate and a new preface to be prepared by the Majority Leader and the Minority Leader.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on S. 970, the Alternative Agricultural Products Research Act of 1987 on Friday, May 15, 1987, at 9 a.m. in room SR-332. Senator TOM HARKIN will preside.

This bill, known as the biotechnology bill, would authorize funding for long-term research to help discover nonfood uses for farm crops. For further information, please contact John Podesta of the committee staff at 224-2035 or Richard Bender of Senator HARKIN's staff at 224-3254.

SUBCOMMITTEE ON NUTRITION AND INVESTIGATIONS

Mr. LEAHY. Mr. President, I wish to announce that the Subcommittee on Nutrition and Investigations of the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on Tuesday, May 19, 1987, at 10:30 a.m. in SR-332 to receive testimony on S. 305, S. 236, S. 902, and H.R. 1728. Senator TOM HARKIN will preside.

For further information, please contact Bob Andros of Senator HARKIN's staff at 224-3254.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in room SR-301, Russell Senate Office Building, on Thursday, May 14, 1987, at 9 a.m., to mark up the request of the Committee on Agriculture, Nutrition, and Forestry for supplemental funding for 1987. The committee will also be receiving testimony from the Architect of the Capitol on the alternatives to the proposal to replace the Senate subway system.

For information on the Agriculture Committee's supplemental funding request, please contact Chris Shunk of the Rules Committee staff on 224-0277; for information on the Senate subway system, please contact John Swearingen of the Rules Committee staff on 224-0285.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, to continue markup of the Foreign Relations Authorization Act.

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

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, at 3:45 p.m. to hold a closed briefing with administration representatives on the Costa Rica peace initiative.

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 12, 1987, to resume hearings on proposed legislation authorizing funds for the Hazardous Materials Transportation Act.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, to hold hearings on S. 908, the Inspector General Act Amendments of 1987, and review of audit and internal investigation units in the Department of Justice.

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

ADDITIONAL STATEMENTS

MORAVIA, NY, ANNIVERSARY

● Mr. MOYNIHAN. Mr. President, it so happens that May marks 150 years since the incorporation of the village of Moravia in New York State. Moravia, a proud population of 1,582, can be found serenely in the middle of the Finger Lakes region. It would be an injustice to speak of Moravia as a simple small town. No, this is a village with a rich heritage and a special place in the heart of America.

Moravia has the rare privilege of claiming an American President as part of its past. Millard Fillmore, our 13th President was born in nearby Summer Hill, married in Moravia, and studied law there. As Vice President, Fillmore presided over the U.S. Senate during the fierce debates over slavery. And let me remind our trade bill enthusiasts that it was President Fillmore who initiated Commodore Perry's visit to Japan to open her ports to trade. Abigail Fillmore, a daughter of Moravia, was an amiable and graceful First Lady. Abigail was so perturbed by the lack of books in the White House, that she started the first White House Library.

Moravia's link to history does not end here. Andrew White, one of the founders, and first president of Cornell University, lived here while he himself was in college. John D. Rockefeller, America's first millionaire, made his first money here. So the tale goes that young John raised turkeys in his nearby boyhood home and drove them into Moravia to sell to the townspeople.

In this fertile region where farming was the way of life, came the first cast iron plows. Jethro Woods of Cayuga Falls, designed a plow that would be more durable than the wooden steel-shod plows in use at the time. With patent in hand, he and businessman Elias Rogers began manufacturing the cast iron plows for farms all over the region. The plow was seen as an important development for many—so exciting that the Czar of Russia sent Jethro Wood a diamond ring.

The village of Moravia is a place which serves as a reminder of a young, blossoming America, a country with steadfast determination and pride. Its people, much like the cast iron plow made here, have proven strong, tireless, and unbending. But the analogy ends here; in the case of the plow, technology found a better way and rendered it a relic. Moravia, in all its grace, charm, and character cannot be replaced.

My heartiest congratulations to the good people of Moravia, NY. If only all small towns could be so rich.●

S. 1172—AGRICULTURAL MORTGAGE MARKETING ACT

● Mr. KARNES. Mr. President, I ask that the record reflect that I have joined as a cosponsor of S. 1172, the Agricultural Mortgage Marketing Act of 1987. This bill would establish, within the framework of the Farm Credit Act of 1971, a secondary market mechanism for agricultural real estate mortgages.

This Congress will deal with a variety of proposals to address the financial problems faced by the Farm Credit System. The bill is an essential component of the comprehensive approach we must take to address those problems and assure that our farmers will be able to obtain flexible and reasonably priced credit.

Mr. President, the mechanisms which our Nation's Capital markets have developed to serve other sectors of the economy, such as housing, must be available to American agriculture. This is critical to assure that American farmers remain globally competitive. Agricultural lenders must have an increased ability to intermediate capital from individual and institutional investors in a volume, and at prices that will provide dependable sources of credit for farmers. Strong and healthy competition in our rural communities is a key to flexible and reasonably priced credit for farmers.

This bill presents a straightforward and balanced approach for establishing a secondary market in agricultural real estate loans. The language of the bill is clear, direct, and specific. The focus of its provisions are on the financing of real estate used in the type of production agriculture traditional to the State of Nebraska. The bill would promote participation in the secondary market by all types of lenders interested in financing agriculture in our State, and assure their equal access and balanced representation. The bill would also provide for the appropriate representation of the general public interest.

A properly structured secondary market facility would benefit our Nebraska communities in a number of important ways. It would provide farmers with lower interest rates, access to a larger number of competing lenders, and access to fixed-rate and long-term real estate mortgage credit, and would assure more simplified borrowing procedures. The facility would also provide agricultural lenders with greater flexibility to match their assets and liabilities, and to manage interest rate risks. It would enable them to generate more loan volume with reasonable capital commitments. Lenders could also gain additional sources of fee and service income to strengthen their capital resources. This would, in turn, strengthen our Nation's banking system generally.

It is my understanding that S. 1172 is supported by agricultural lenders across industry lines, including the American Bankers Association, the Independent Bankers Association of America, and the American Council of Life Insurance. The bill represents a concensus among those groups on issues related to the establishment of a secondary market in agricultural real estate mortgages. I commend the constituent members and leaders of those groups for their hard work and emphasis on their mutual interest in developing a mechanism to more effectively serve farmers in their communities. The successful establishment of a secondary market in agricultural real estate loans, with balanced participation and access, would enable those agricultural lenders to overcome barriers which have limited their ability to make a significant volume of long-term, fixed-rate loans available to farmers. The enactment of S. 1172 should serve to broaden and deepen their commitment to production agriculture in their communities.

It is important to recognize that the successful establishment and operation of a secondary market in agricultural mortgages involves a number of technical areas. This bill will require some adjustments to accommodate those technical needs. We must be sure that a secondary market is structured so that it can and will work. I pledge to use my background and experience in agriculture and banking to work with my distinguished colleagues to make a secondary market in agricultural loans a reality and a success.

Mr. President, I join as a cosponsor of S. 1172 and see it as an historic opportunity to provide greater alternatives and flexibility to farmers, lenders and investors for financing American agriculture through the establishment of a secondary market in agricultural real estate loans.●

KIL JOON YU CALLAHAN

● Mr. KERRY. Mr. President, I would like to express my appreciation to the Senate for the passage of S. 423, a bill for the relief of Kil Joon Yu Callahan. I would also like to express my gratitude to Senator KENNEDY for his assistance in moving this legislation through the Judiciary Committee and in obtaining its passage by the full Senate.

Mrs. Callahan is the wife of David Callahan, a citizen of Massachusetts now residing in South Korea. She has been excluded from the United States due to a ruling of the State Department and the INS dating to 1979. This bill would provide relief for Mrs. Callahan, and allow the Callahan family to be reunited in the United States.

My efforts in this matter are a continuation of efforts begun by my predecessor, Senator Paul Tsongas, in 1984. I introduced a similar measure in the 99th Congress which passed the Senate, but unfortunately the House did not act on the legislation. I am hopeful that with the Senate's action today in swiftly passing this measure, there will be ample time for the House to act in the 100th Congress, and finally bring relief to the Callahan family.●

NATIONAL ENERGY SECURITY

● Mr. HEINZ. Mr. President, I wish to draw my colleagues' attention to an editorial that appeared in the May 5 edition of the Philadelphia Inquirer. The editorial, entitled "To Drill or Not To Drill; That's Not the Question," points out that the United States still lacks a coherent energy policy—despite the oil price shocks of 1973-74 and 1979.

Data gleaned from Energy Information Agency sources indicate that oil consumption, after several years of decline, has risen recently, from 15.7 million barrels daily [mbd] in 1985 to 16.1 mbd last year. Oil consumption for the first 3 months of this year was 16.3 mbd. Furthermore, net oil imports, net OPEC imports, and net Arab OPEC imports—all as a percentage of U.S. consumption—reached their highest levels since 1981 last year. So we are consuming more oil, and importing more of the oil we consume. And more of the oil we import comes from Arab OPEC sources. Not calming trends, certainly.

All the while, current auto advertisements sing the praise of a "a really big car" and certain auto manufacturers clamor for the abolition of fuel economy standards. The administration, meanwhile, suggests we reduce the fill rate for the strategic petroleum reserve from 75,000 barrels daily to 35,000 barrels per day. Where is our common sense?

The President's recommendations on national energy security measures were issued late last week. I invite my colleagues to scrutinize the recommendations. Energy issues may be dormant, but they are not dead. If we do not revisit them soon, we'll end up driving our "really big cars" at 65 miles per hour headlong into gasoline lines.

I ask that the editorial from the Philadelphia Inquirer be printed in the RECORD.

The article follows:

[From the Philadelphia Inquirer, May 5, 1987]

TO DRILL OR NOT TO DRILL; THAT'S NOT THE QUESTION

If U.S. energy policy were to be described in one word, "schizophrenic" would fit nicely. This nation careens from frenzied consumption to fearful conservation and back again, ignoring the past, blind to the future.

Consider recent events:

The same day that the Organization of Petroleum Exporting Countries announced it was cutting crude oil production and raising prices, the Presidential Task Force on Regulatory Relief, chaired by Vice President Bush, recommended that fuel economy standards for new automobiles be abolished. The idea is under consideration.

Oil consumption in the United States, which had declined for five straight years, began rising again in 1984 and went up a full 2.6 percent last year alone. Oil imports in February jumped to 6 million barrels a day from 4.6 million barrels in February 1986.

The newly enacted 65 m.p.h. speed limit on rural highways will mean an additional 50,000 barrels of oil are consumed daily in this country.

Is America heading for another energy crisis? You'd better believe it. And the Reagan administration and Congress are responding in typically irrational ways. The scramble for a "secure energy future" is on again.

At what price?

The U.S. Department of the Interior has proposed opening millions of acres of coastal waters to oil exploration and development. The areas include the outer continental shelf off California, the Georges Bank in New England, the Florida Keys and the Pacific Northwest. Also targeted for exploration is the entire 1.5-million-acre coastal plain of the Arctic National Wildlife Refuge, near oil-rich Prudhoe Bay in Alaska.

Although all the areas targeted by Interior seem guaranteed to spark opposition from environmental groups and local residents, none will generate as much protest as the Arctic refuge proposal. The area was given special protection by Congress in 1980 due to its unique environmental qualities, and as a result any development there must first win congressional approval.

In selecting the various sites, Mr. Hodel was unequivocal. "The outer continental shelf and the Arctic National Wildlife Refuge coastal plain are the foundation of America's energy future," he said. "Together they mean the difference between a secure, environmentally sound oil and gas program for the country in the 21st century and the energy crises we suffered in the 1970s at the hands of OPEC."

Among those countering that assertion was Rep. Leon Panetta (D. Calif.), who charged: "This plan reflects the lack of a comprehensive energy policy for this nation. This administration has virtually abandoned the development of alternative fuels, retreated from incentives for conservation, failed to fill adequately our strategic petroleum reserves and allowed the nation to become more dependent on foreign oil."

Interior estimates there is just a 19 percent chance that the Arctic plain contains major oil reserves. Environmentalists argue that exploration could jeopardize this irreplaceable ecosystem that's home to grizzly and polar bears, musk oxen, porcupine caribou and other species, and maintain that's too great a price just to top off America'a gas tanks.

The problem is that in the 1970s, they raised similar alarms in an unsuccessful effort to block oil development in Alaska. Many of their warnings of environmental disaster proved to be unfounded. Wildlife and plant life have demonstrated they can coexist alongside Alaskan petroleum development—a fact that undercuts their case today.

Rather than again bring up the threat of species destruction, the environmentalists would help their case enormously by lobbying hard for a sensible, long-range energy plan. The day may come when America will be forced to despoil wild areas to satisfy her energy needs. That time is not now, and hopefully it will never come.

The case for oil exploration in Alaska is weakened by the fact that there is a lot of difficult-to-extract oil in America that would be pumped out if prices increased modestly. Increased prices would bring about energy conservation.

As Mr. Panetta suggests, the message that should be spreading in Washington is this: It's still cheaper—and far more sensible—to save a barrel of oil than to produce one. If environmentalists and others can get that idea across, they'll save the Arctic wilderness, the porcupine caribou—and a heck of a lot more.●

CONSTRUCTION DIFFERENTIAL SUBSIDY PAYBACK

● Mr. BREAUX. Mr. President, I ask that the following letter from the Defense Department to the Maritime Administration regarding the issue of construction differential subsidy [CDS] payback be inserted in the RECORD.

The letter follows:

DEPARTMENT OF THE NAVY,
Washington, DC, April 28, 1987.

Mr. JAMES E. SAARL,
Secretary, Maritime Administration, Washington, DC.

DEAR MR. SAARL: The Department of the Navy is opposed to the proposed rulemaking concerning Construction-Differential Subsidy Repayment as published in the Federal Register on 15 April 1987 (52 FR 12199).

Allowing tankers built with construction-differential subsidy (CDS) to repay that subsidy to the government and enter the domestic tanker trade has had a stifling effect on the domestic tanker trade since the STUYVESANT was admitted to that trade in 1978. The continuing threat of entry into the trade by subsidized tankers has had a debilitating effect on most operators in the trade; they have chosen to "wait and see" what the government would allow. As a result, very few ships have been constructed for the trade in the past five years.

The domestic tanker trade is the primary source of commercial tankers that would be used for carriage of military petroleum in wartime. When that trade is healthy, it provides the Defense Department with tankers for use in wartime. When that trade is depressed, we must find alternate sources of tanker tonnage. At this moment, we are evaluating bids in a competition for used tankers to place in the Ready Reserve Force. We expect to be buying 20 or more tankers over the next few years at a cost of more than $200 million to meet requirements that cannot be covered by the U.S. Flag commercial fleet. Independent estimates of the future of the U.S. flag commercial tanker fleet indicate that we might have to increase our tanker procurement significantly; we are evaluating those estimates.

We believe that the government should refrain from interfering, in an adverse way, in a commercial market when that market has a direct impact on our defense capability. The proposed CDS repayment rulemaking would continue to disrupt the domestic tanker market, as it has for the past nine years. Should be Department of Transportation find it necessary to provide additional tonnage for the trade to meet temporary surges in demand, the six-month permission and *pro rata* CDS repayment allowed by Section 506 of the Merchant Marine Act, 1936, as amended, and 46 CFR Part 250, seems adequate for that purpose.

Sincerely,

EVERETT PYATT.●

CONGRESSIONAL SALUTE TO DONALD QUINN

● Mr. ARMSTRONG. Mr. President, I would like to bring to the attention of my colleagues an outstanding member of the Denver community, Mr. Donald Quinn, who is retiring from his position as executive director of the Colorado-Wyoming Restaurant Association. Don's knowledge of the restaurant and hospitality industry and his high standards of professionalism have earned him respect throughout our community, and we certainly wish the best for him during his retirement.

Under his leadership, the Colorado-Wyoming Restaurant Association [CWRA] doubled its membership, increased its budget fourfold and saw its annual convention become a major regional food industry trade show. More importantly, CWRA expanded its professional service to its members and grew in influence among the business community, government agencies, allied associations, the news media and the public.

One of the most notable accomplishments on behalf of the restaurant and hospitality industry has been the major gains CWRA has earned in the Colorado and Wyoming Legislatures due to Mr. Quinn's tireless efforts and political skills. His dedication to building CWRA's leadership role was recognized in 1986 by the association's board of directors when they presented him with a special "bridge builder" award.

In 1981, he was chosen "Man of the Year" by the Colorado Chefs de Cuisine Association. And in January of this year, he was inducted into CWRA's Food Service Hall of Fame, which recognizes individuals who have made outstanding contributions to the food service industry and their communities.

Mr. Quinn is also a past president of the International Society of Restaurant Association Executives and an active member of numerous professional associations.

Before his association work, he had a distinguished career in journalism as a reporter, writer and editor for the Associated Press, the Washington Post, the St. Louis Review and other newspapers where he earned many awards.

Mr. President, I want to express my gratitude for all of the contributions Mr. Quinn has made to our community. His retirement is well-earned, and we thank him for a job well done.●

THE INCOMPARABLE HILDEGARDE

● Mr. HECHT. Mr. President, I have the honor of joining many U.S. veterans and my colleagues from Wisconsin in recognizing the illustrious career of the incomparable Hildegarde, and her numerous contributions to the morale of the United States and Allied troops during World War II.

Her many famous songs soothed an earlier generation in time of war, they provide beautiful memories for us now, and they are destined to become classics for future generations to enjoy in the years to come.

On April 21, 1987, the Soldiers', Sailors', and Airmen's Club has presented this amazing performer with their Gold Star Award, and the State of Wisconsin proclaimed October 4, 1986, as "Hildegarde Day." Without objection, I request that both of these proclamations be inserted into the RECORD.

The material follows:

SOLDIERS', SAILORS' AND AIRMEN'S CLUB GOLD STAR AWARD PRESENTED TO THE INCOMPARABLE HILDEGARDE ON TUESDAY, APRIL 21, 1987

In recognition of her outstanding contributions to the morale of the U.S. and Allied Troops during World War II by singing her French songs "The Last Time I Saw Paris" and "Darling, Je Vous Aime Beaucoup" to the Armed Forces in person near the battle zones, by overseas radio and on recordings. These and many of her other famous World War II songs have become classics for future generations to enjoy in a world of "Peace and Harmony" recorded by Hildegarde in 1986 on her 80th birthday.

A PROCLAMATION

Whereas, the Incomparable Hildegarde is one of Wisconsin's most illustrious daughters, and we are proud to recognize her outstanding, star-spangled career in show business on the occasion of her return to the Milwaukee stage; and

Whereas, Hildegarde's international career spans sixty years; she has conquered the world of musical entertainment, including Broadway, radio, recording, night clubs and supper clubs, and recently Carnegie Hall, where she celebrated her eightieth birthday on stage; and

Whereas, the voice of Hildgarde is loved the world over; her trademark lace handkerchiefs and long gloves are known to millions, whether they be the New York audiences who thrilled to her one-woman shows and show-stopping lead performances, or the armies of World War II American servicemen, for whom Hildegarde was the "voice back home"; and

Whereas, Hildegarde is truly loved here in Wisconsin, where her star will always shine brightly; it is highly appropriate on this very special occasion to show Hildegarde how much her home state cares for her with this offical recognition;

Now, therefore, I, Anthony S. Earl, Governor of the State of Wisconsin, do hereby proclaim October 5, 1986, Hildegarde Day in Wisconsin and thank and congratulate Hildegarde for all of the wonderful entertainment and happiness she has provided to so many people throughout her fabulous career.●

AMENDMENT TO THE RULES OF THE COMMITTEE ON THE JUDICIARY

Mr. BIDEN. Mr. President, I hereby submit for the RECORD an amendment to the rules of the Committee on the Judiciary as approved by the committee on April 8, 1987.

The amendment reads as follows:

VI. ATTENDANCE RULE

From April 8, 1987 until April 8, official attendance of all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance of all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

Official attendance of all hearings shall be kept, provided that, Senators are notified by the Committee Chairman and Ranking Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

I ask that a copy of the rules of the Judiciary Committee be printed in the RECORD.

The material follows:

RULES OF THE COMMITTEE ON THE JUDICIARY [1]

I. MEETINGS OF THE COMMITTEE

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

[1] Reaffirmed by the Committee on the Judiciary in executive session on February 22, 1983. Printed in the Congressional Record on February 23, 1983, pursuant to the Legislative Reorganization Act of 1970.

II. QUORUMS

1. Eight members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eight votes in the affirmative, one of which must be cast by the Minority.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any Subcommittee during its hearings or any other meetings, but shall not have the authority to vote on any matter before the Subcommittee unless he is a member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship, and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.●

FIXING THE CAPTIAL GAINS TAX—A TWO-TIERED APPROACH

● Mr. BOSCHWITZ. Mr. President, I have already made several speeches here on the Senate floor explaining the need to reinstate a capital gains exclusion in the new tax law. I would like to continue that discussion today. I will also continue to speak on this subject in the future.

In that regard, it is worth noting that it took my friend, the late Congressman Bill Steiger, years of persistence before he finally pushed through the capital gains exclusion of the old law.

As my colleagues are aware, the Tax Reform Act of 1986 repealed the 60 percent long-term capital gains exclusion which existed under the prior law. Under the new law, capital gains will be taxed as ordinary income. That means that the maximum marginal tax rate on long-term capital gains will increase from 20 percent to as high as 33 percent. That's a 65-percent increase at the Federal level alone. And as I have pointed out previously, when you combine the new law with State taxes the results are really disappointing. The maximum combined Federal and State tax on $1,000 of capital gains could be well over 40 percent in some States under the new law.

Today, I would like to explain several adverse consequences of such a tremendous increase for middle and lower income taxpayers. I think my colleagues and these taxpayers will be quite surprised. Opponents of capital gains are too often allowed to erroneously claim that an exclusion only benefits the wealthy. That is not true. Capital gains are very important to middle and lower income taxpayers.

To begin, it's very interesting to point out that repealing the exclusion will put a bigger hit on the pocketbook of middle and lower income taxpayers than wealthy taxpayers: Repealing the exclusion means that the Federal tax bite on long-term capital gains for someone in the highest tax bracket will go from 20 to 28 percent, a 40-percent increase.

However, for a middle-income family with $32,000 of taxable income, the Federal tax rate on long-term capital gains will increase from 10 percent under the old law—25 percent marginal rate times 40 percent subject to tax—to 28 percent. That's a 180-percent increase. For a taxpayer making $20,000, the Federal rate on long-term capital gains will increase from 7.2 percent under the old law to 15 percent. That's a 108-percent increase. For a family with $15,000 of taxable income, the Federal tax bite on capital gains will go from 6.4 to 15 percent, a 134-percent increase.

And that's not the only way middle and lower income taxpayers will be hurt by an increase in the capital gains tax rate. For many of these taxpayers, their single largest capital gain often comes from the sale of an asset—such as a farm or a business—which they have for years. In many cases the asset represents a substantial portion of their net worth. The unexpected and very substantial increase in their capital gains rate caused by repeal of the exclusion could be very difficult for these people to bear.

Indeed, in many cases the gain being taxed is not real economic gain, but merely inflationary gain which does not add to personal wealth. That's one of the reasons there was an exclusion under the old law and one of the reasons that capital gains income is different from other income. If you started a business or bought a farm many years ago, worked it for many years and then sold it at a higher price, you would have a tax gain but not necessarily a real economic gain. When we remove the capital gains exclusion, the taxpayer will no longer have any cushion against taxing increases caused by inflation.

So repealing the capital gains exclusion is really going to hurt middle and lower income taxpayers. Capital gains is not a loophole for the wealthy—it is very important to all taxpayers.

Earlier this year—and also last year—I introduced legislation to provide a two-tiered capital gains exclusion for individuals. In the case of assets held at least 1 year but less than 3 years, 40 percent of the gain would be excluded from tax. For assets held 3 years or more, the exclusion would be increased to 60 percent. I urge my colleagues to join me in this effort and cosponsor my will—S. 444.●

A TRIBUTE TO STEPHEN K. DOUGLAS

● Mr. PRYOR. Mr. President, recently scores of residents of Crittenden County, AR, and throughout the Midsouth banded together to raise money for a bone marrow transplant for Steve Douglas of Marion, AR.

Steve, founder of Dream Factory, a nonprofit organization dedicated to helping terminally ill children fulfill their dreams, suffered from Hodgkins disease. Despite the dedication of the people of this area and efforts to secure a waiver from Medicare to help defray the costs of such an expensive surgery, Steve lost his battle only hours before he was to have left for Seattle on April 14, 1987, to receive the needed operation.

Steve Douglas, putting the dreams of a number of children above his own ordeal, was a special individual. No doubt the fact that money is awaiting some other person with a similar need is all the memorial that he would want.

Steve Douglas was an extraordinary person from a caring community. His courage and compassion should be an inspiration to all of us.

I share the grief of his family and friends. His passing was noted by the West Memphis Evening Times on April 15, 1987. I ask that an editorial printed on that date be included in the RECORD.

The editorial follows:

DREAM DENIED DREAM FACTORY FOUNDER

The news Monday shocked Crittenden Countians and others from the Mid-South.

Steve Douglas of Marion, founder and president of the Memphis Chapter of Dream Factory, due to leave Monday morning for Fred Hutchinson Cancer Research Center, Seattle, Wash., for a bone marrow transplant, lost his battle for life just about two hours before he was to have left for Seattle.

It seems ironic that the young man whose efforts in establishing Dream Factory in Memphis, had resulted in providing last wishes for 30 area children who were victims of terminal diseases, yet—even though the funds were available—time ran out before he could have his dream of recovery fulfilled.

The $100,000 needed for the transplant, had seemed like an impossible goal to friends who headed the effort to raise the funds for the transplant. But they went to work, spreading the word and hoping that at least part of the needed amount could be raised in a relatively short time.

The campaign was more than they could have ever dreamed it would be. But Steve Douglas' need became everyone's concern and even before this week, the campaign had raised much more than the $100,000.

Much of that money came in small donations, and from various fundraising activities sponsored by youth, school, church and other groups, as well as from business and professional people.

Contributions were sent to the Organ Transplant Fund in Memphis, but marked for Steve Douglas.

And now, that The Marion resident does not have need of the outpouring of love and concern of friends and strangers, that money will be on hand for someone else who will need an organ transplant

To the people who knew Steve Douglas, the fact that money is awaiting some other person with a similar need would be all the memorial that he would want.

No one knows just how great the impact of Steve Douglas' tragic death will be in the future, but for the present, the loss is being shared by people in all circumstances, of all ages, and from churches of all faiths. For a while the need of one person became the need of entire communities. It somehow erased the worry about the problems of drugs, increased crime and moral decay.

Yes, the people of Crittenden County and nearby areas, have proved that a dream shared can do wounderful things.

Let's all hang on to our dreams as we remember a courageous and compassionate young man who helped others realize their dreams, but was unable to have his realized. But he did know that people still care about their fellow men, as demonstrated by the remarkable campaign that went over the top in hopes that he could have that chance at life as offered by the bone marrow transplant.

We share the grief of his family and friends and remind them that Steve Douglas did not die in vain.●

THE IMPORTANCE OF RICE TRADE TO THE UNITED STATES-JAPAN TRADE BALANCE

● Mr. PRYOR. Mr. President, 2 weeks ago I spoke to the Senate about the total ban which the Japanese Government has placed on United States rice imports.

The May 2 Economist spells out how this trade restriction:

1. Adds to the food costs of Japanese consumers,
2. Results in land costs rivalled only by those in Hong Kong,
3. Distorts tax policies,
4. Leads to housing costs many times greater than in the U.S.

And, most important to the United States:

5. Diverts disposable income away from the urban majority, which would be most likely to buy U.S. goods, and
6. Drastically reduces the income available to all Japanese citizens (who would be likely to spend one-fifth of any increased income—estimated at 2-3 percent of GNP—on imported goods).

I have proposed several approaches which would address the problem of the Japanese import ban and hope my colleagues will lend their support to those efforts.

I ask that the Economist editorial be included in the RECORD.

The editorial follows:

ACTION, PLEASE

In a week that began with the Tokyo stockmarket losing 4% of its value in a day, and ending with Mr. Yasuhiro Nakasone's anxious visit to Washington, some people have wondered whether the world is heading for a financial disaster or a trade war. Both are avoidable, provided political leaders will actually lead. What that means for the United States is tediously familiar: steady reductions in the budget deficit. For Japan, the issue is more difficult because the medium-term answers are less well-known—and politically much more challenging.

Part of America's (and Western Europe's) unhappiness with Japan's gigantic trade surplus—around $90 billion last year—comes from the success of the Japanese export machine. A bigger part comes from Japan's reluctance to buy foreign goods and services. Its imports last year were only 60% of the value of its exports; for West Germany, the other country with a large surplus, the ratio was nearly 80%. Japan's import anorexia has little to do with the trade barriers that westerners so love to criticise. Its two main causes have been the yen's low exchange rate, now a thing of the past, and the thriftiness-cum-enforced poverty of Japanese consumers. Freeing them to spend more would be the surest way to a lasting trade peace.

SLASH THE PRICES OF RICE AND LAND

The Japanese spend around a third of their disposable incomes on food, more than twice as much as Americans do and half as much again as West Germans. A tonne of Californian rice will cost $180 loaded on a ship in Los Angeles bound for Japan. It will never get there. Across the Pacific the Japanese government forbids anybody to import rice, and is meanwhile paying its inefficient farmers around $2,000 a tonne for the rice they grow on their postage-stamp paddies, and selling it to Japanese consumers for six or eight times the world retail price. Even when imports of food are allowed, the government makes sure there will be no undue competition for expensive rice: American wheat is landed in Japan for $130 a tonne, but then sold to millers for $525.

Japan's policy of protecting its rice farmers at all costs has contributed mightily to a second great nonsense: the astronomical price of land. The 122m Japanese live in a small mountainous country only a third of which is habitable. Almost half the habitable land is devoted to farming, and half of that to growing rice. In Japan last year, an acre of rice paddy cost the equivalent of $30,000; in California, it could have been bought for $1,600.

Such distortions have little to do with Japan's physical crowding. To the effects of rice subsidy are added property-tax policies that reward holding land as "farmland" even when it is not; capital-gains taxes that discourage sales of land to developers; and zoning regulations—especially a rigid protection of the right to sunshine—which keep Tokyo absurdly low-rise. The results is that a square metre of residential land in metropolitan Tokyo costs an average of $2,400 at today's exchange rates, and business land an average of $26,000; land in downtown Tokyo costs more than nine times as much as land in midtown Manhattan. The average price of a house or flat in a middle-class district of Tokyo is between seven and ten times the annual pre-tax earnings of its owner; in most western cities, the multiple is only four or five, for a home that is at least twice the size. The difference in housing costs is one big reason why Japan's savings rate is much the highest of any OECD country.

The rice policy does not just block imports directly; it diverts money to the high-saving and conservative rural minority, away from the urban majority who would be most ready to experiment with western goods. One Japanese economist guesses that if consumer spending on food were reduced even to West Germany's level, extra spending on other things would equal about 2-3% of Japan's GNP—and around one-fifth of that would go on imports. A removal of restrictions on land might have even bigger effects. The high yen will help spur some change; it is already making the Japanese restive about not seeing in their retail prices any of the benefit of the yen's greater purchasing power on world markets. The longer the discrepancies go on, the stronger the pressure will be for a change. But that, in itself, will not be enough.

Ask Mr. Nakasone. Last summer he won one of the biggest election victories in post-1945 Japan; he landed in Washington on Wednesday night a near-lame duck. What intervened was his proposal for a modest value-added tax to help shift Japan from direct to indirect taxes. He has been savaged for this: first by the small shopkeepers who are a mainstay of the ruling party (and who prefer income tax because they avoid paying it), and then by voters in local elections. Anybody seeking to reform the food and land oligarchies will have an even rougher time.

The reason is that politics in Japan is conducted by bargaining among special-interest groups—over none of which any central figure, including the prime minister, has much authority. Mr. Nakasone, with his special commissions to evade the bureaucrats and his direct appeals to the voters, has attacked this system more forthrightly than anyone. An assault on the farming interests, which are a powerful lobby, and on the property and construction interests, which lavishly grease the palm of the biggest faction in the ruling party, will require a big gulp and a lot of courage.

The man best suited to make such an assault is the lame duck visiting his friend Ron this week. Mr. Nakasone has rescued himself from other hopeless positions, so it would be foolish to write him off now. But he has never looked so weak. If he goes, all three of his possible successors look likely to return Japan to the interest-brokering ways that Mr. Nakasone was gradually eroding. Whoever leads Japan later this year, the Japanese cannot close their eyes to the choice they have to make. Twice before, in the Meiji restoration of the nineteenth century and after 1945, they dazzlingly reformed their society when they recognised the realities of the wider world. It is time they did so again. Cheaper food and cheaper land would be the way.●

FINANCIAL STATEMENT OF SENATOR PAUL SIMON

● Mr. SIMON. Mr. President, Each year I have been in public office, I have released my detailed financial statement. I would like to place the statement in the RECORD.

The material follows:

Income Statement Paul and Jeanne Simon—1986

Income:	
Salary, U.S. Senate	$75,100.00
State of Illinois, General Assembly System	17,604.00
Book Royalties	13,816.00
Consultant Fees—(Jeanne) Am. Assn. of Retired Persons	5,560.00
U.S. Senate, Expense reimbursement	17,837.00
Paul Simon for Senate Committee, expense reimbursement	478.00
Democracy Fund, expense reimbursement	229.00
Total	130,624.00

Honoraria and travel reimbursement:	
California State University, Talk	1,500.00
Baltimore Sun, article	100.00
Foster & Kleiser, talk	2,000.00
Lutheran Academy, talk	250.00
Georgetown University, talk	200.00
American Institute of Architects, talk	2,000.00
Religion In American Life, Inc., talk	2,000.00
Globe Newspaper Co., article	200.00
American Income Life Insurance Co., talk	2,000.00
Institute of International Education, talk	100.00
Everett McKinley Dirksen, annual lecture	2,000.00
National Cable Television Associaton, talk	1,500.00
Bristol-Myers Co., talk	2,394.11
Education Writers Association, talk	1,000.00
Susquehana University, talk	300.00
Washington University, talk	2,000.00
American Insurance Association, talk	1,500.00
Miller & Schroeder Financial Forum	2,000.00
Alma College, talk	500.00
Brookings Institution, talk	300.00
CPC International, talk	1,500.00
Chronicle of Higher Education, article	300.00
Miami Herald, article	150.00
United Association of Journeymen & Apprentices of Plumbing & Pipe Fitting, talk	2,014.20
Association of Trial Lawyers of America, talk	2,000.00
American Society of Composers, Authors, Publishers, talk	2,000.00
National Association of Mfgrs, talk	1,000.00
Chicago Magazine, article	25.00
U.S. Chamber of Commerce, talk	500.00
Association of Private Pension & Welfare Plans, Inc., talk	1,000.00
Howard University, talk	2,000.00
Total	[1] $36,333.31

[1] Honoraria are limited to $30,040. The amount over that has been donated to charities.

Interest income:

General American Life	$123
U.S. Senate Federal Credit Union	229
NCNB National Bank	12
Polish National Alliance	7
Towne Center	63
U.S. Government	178
Total	613

Dividends:

Adams Express	511
Borman's	1
Crown Zellerbach	3
Chock Full O'Nuts	4
Dreyfus Fund	1,204
Franklin Fund	63
Gulf & Western	1
Harper & Row	9
Lear-Siegler	18
Pacific Gas & Electric	376
Pax World Fund	28
Ralston Purina	13
Scott Paper	5
Total	2,236

Net Worth Statement (April 15, 1987)

Assets

University Bank, Checking Account	$11
U.S. Senate Federal Credit Union, Checking Account	4,341
NCNB National Bank of Florida, savings account	226
Loan to Senator Paul Simon Office Account	2,500
U.S. Savings Bonds	3,000
Christian Church of Salem, Bond	250
General American Life Insurance, cash value	3,643
Polish National Alliance Insurance, cash value	1,783
Congressional Retirement System, cash value	60,304
B&T Enterprises	332
11.8 Acres and Home, Makanda, IL (Appraised in March 1987)	204,000
Furniture and Presidential autograph collection	18,000
1983 Ford Mustang	5,000
1980 Chevrolet	2,000
IRA, Paul	20,561
IRA, Jeanne	11,427
Total	337,378

Stock and Bond Holdings with Number of Shares (April 15, 1987)

Adams Express, 136	2,856
Bethlehem Steel, 5	48
Borman's, 8	173
Chock Full O'Nuts, 10	80
Dreyfus Fund	16,414
Dreyfus Convertible Securities Fund	2,500
Franklin Money Fund	1,239
Gulf & Western, 1	75
Harper & Row, 15	968
Lear Siegler, Balance Due after sale	368
Intergroup, Inc, 25	288
Pacific Gas & Electric Company, 200	4,300
Pax World Fund, Inc.	1,267
Ralston-Purina, 12	972
Rohr Industries, 6	168
Scott Ppaer, 4	293
United M&M, 8	90
Jet-Lite, 120 (Approx. Value)	300
Total	32,399

Liabilities

First National Bank of Collinsville, Note	$41,350
Polish National Insurance, Loan	1,392
General American Insurance, Loan	3,021
Landmark Bank, Lebanon, Illinois, Mortgage	163,200
Community Trust, Irvington, Illinois, Note	21,923
Total:	230,886

Total assets:	369,777
Total liabilities:	230,886
Net worth:	138,891

Gifts received of more than $25.00 value outside of immediate family members:

2 Books from Stan Glass, value unknown.

Vase and Lotus bowl from Fredericak and Julie Chien, value unknown.

Carving set from United Transportation Workers, value unknown.

Sale of assets—Sold six shares of Crown Zellerbach for $270, May 9, 1987. Cost of shares, 1967, $193. Net gain on sale, $77.

Sold six rights Crown Zellerbach, $4.00.

Sold condominium for $91,000 on February 25, 1987. Cost in 1979, $81,000, Improvements, $214. Gross gain on sale, $9,786.●

CONGRESSIONAL SALUTE TO C. JUSTIN HILL

● Mr. BOREN. Mr. President, I would like to take this opportunity to recognize a well respected and highly regarded citizen of Oklahoma, Mr. Justin Hill, who is retiring after 22 years as executive director of the Oklahoma Restaurant Association. A man of great wisdom, wide experience, personal warmth, good humor, and strong leadership skills, Mr. Hill has distinguished himself as one of the premier authorities and advocates of the hospitality industry in the Sooner State.

Justin began his career as manager of the Lido Cafeteria in Little Rock, AR, in 1950. After making a name for himself there, he went on to become the director of the Arkansas Restaurant Association. In 1960, he became deputy executive director of the Oklahoma Restaurant Association, and then, in 1965, he assumed the responsibilities of the executive director.

During his tenure as executive director, Justin helped build the Oklahoma Restaurant Association into the dynamic organization that it is today. To his credit, the association has become an influential force in the State's capitol. Because of his tireless efforts on behalf of the hospitality industry, the association has never lost a legislative issue directed specifically to the food-service or hospitality industries.

Among his many accomplishments, Justin has helped establish national criteria for food service certification and helped create a nationally recognized restaurant site evaluation program. He is a recipient of Hospitality magazine's Hall of Fame Award and an honorary member of the Oklahoma

State University's College of home economics.

Justin has also served as president of the International Society of Restaurant Association Executives and president of the Oklahoma State Association Executives. He has also been active in National Restaurant Association activities, as well of chamber of commerce matters.

I wish only the best for Justin as he enters his retirement. He has done a superlative job representing the interests of restaurant operators in our State, and I wish him the best in future endeavors. He has been an inspiration to all of us who have known him.●

TRIBUTE TO AMBASSADOR ARTHUR HARTMAN

● Mr. SIMON. Mr. President, Ambassador Arthur Hartman has recently retired from the State Department after a truly remarkable career. Ambassador Hartman, our most recent Ambassador to the Soviet Union, has recently come under fire for his alleged views of embassy security. I am sure there will be a lot more conversation on what Ambassador Hartman did or said, but until all the facts are in I think we ought to step back and acknowledge the distinguished service Ambassador Hartman has rendered his country.

Ambassador Hartman begin his career as an economic officer working on the Marshall Plan in Paris. In the late 1950's he worked on European integration efforts, and served for a time as Special Assistant to Under Secretary of State George Ball in the early 1960's. He then spent several years in our London Embassy as Chief of the Economic section.

In the early 1970's Ambassador Hartman was Deputy Chief of Mission to the European Communities, and served as Assistant Secretary of State for European Affairs from 1974 to 1977. His first ambassadorial post was in France, from 1977 to 1981, where he served with distinction until his appointment as Ambassador to the U.S.S.R. in October 1981.

Ambassador Hartman performed admirably in what all observers agree is one of the State Department's toughest assignments. It was even tougher than usual owing to the rocky United States-Soviet relationship during the Reagan administration's first term. By all accounts Ambassador Hartman did what he could to smooth the rough waters and serve our national interest. That is often a very delicate balancing act, and Arthur Hartman is to be commended for his Moscow service and his long years of service to the Department of State and the Nation.●

A SALUTE TO A COMPASSIONATE ORGANIZATION

● Mr. SIMON. Mr. President, today, I would like to call attention to the works of a group called the Compassionate Friends. The Compassionate Friends is a self-help organization that offers support and understanding to parents who have experienced the death of a child. This year, the Compassionate Friends, will celebrate its 10th anniversary at the annual national conference in Tulsa, OK, and commemorate July 17, 1987, as the Compassionate Friends National Children's Memorial Day in the United States.

In our lives, we must all learn to deal with the death of friends and family as well as our own mortality. Few of us, however, know the particular devastation that comes from the loss of a child. We expect our children to outlive us; to be a continuation of our own lives. The shattering of this expectation is unique and complex and cannot be likened to any other loss. Through the Compassionate Friends, bereaved parents find understanding and comfort from others who have experienced the same tragedy.

Initially, the group provides basic support and empathy, often giving parents a place to cry, express anger or fear in an accepting environment. When relatives and friends feel uncomfortable talking about the death, the Compassionate Friends provides a willing ear. Most importantly, all the members of the Compassionate Friends have themselves lived through the ordeal of losing a child. They not only are able to understand the feelings of a newly bereaved parent, but also serve as examples that is possible to live past the initial anguish, move into the healing process and begin living once again.

Although the Compassionate Friends is headquartered in Oak Brook, IL, it is really a network of over 500 chapters covering all 50 States. A nonprofit organization, the Compassionate Friends has no religious affiliation, providing support for persons of any age, race, religion, or economic group. As members of the Compassionate Friends gather together in Tulsa this July, I ask that we all join in recognizing the fine work of this organization and encourage them to continue to reach out to parents who are suffering through the loss of a child.●

THOMAS F. FENTON

● Mr. CHAFEE. Mr. President, today I would like to pay tribute to an outstanding Federal employee: Mr. Thomas F. Fenton, District Manager of the Social Security Administration, who is retiring after 29 years of service and leadership in the State of Rhode Island.

Tom Fenton is a Korean war veteran who began his career as a claims representative trainee with the Social Security Administration in Providence. Since then, he has served the SSA in branch offices throughout the State, rapidly progressing from Operations Supervisor to Branch Manager to Assistant District Manager, and finally to District Manager of the Providence District Office in April 1978.

With a service area population of 440,000, the Providence office oversees the largest Social Security district in New England. Rhode Island workers and employers contribute approximately $800 million a year to the Social Security system, and slightly more than one in six Rhode Islanders receive a monthly Social Security check, bringing yearly payments to nearly $1 billion. The Office receives approximately 1,000 visitors and more than 2,000 phone calls each week.

It is Mr. Fenton's exceptional achievement within this vast operation which earned him a citation from the National Commissioner of the Social Security Administration in 1983. He also received a leadership award for his service as civilian chairman of the Combined Federal Campaign in 1985, and served as chairman of the Federal Executive Council of Rhode Island for many years.

The State of Rhode Island has benefited greatly from Tom's superior leadership, integrity, and direction. I join with all Rhode Islanders in commending Tom Fenton for his many accomplishments and in extending best wishes for continued happiness and good health in the years ahead.●

NAUM MEIMAN

● Mr. SIMON. Mr. President, I am encouraged by recent news from the Soviet Government. Sheina-Lea Swartz, a long-time refusenik and cancer patient, has been given permission to emigrate to receive medical treatment in the West.

Ms. Swartz and her family have been applying to emigrate since 1982. She was first diagnosed to have cancer in 1979. Since then, she has undergone three major surgeries, but her condition has continued to worsen. Hopefully, she will now be able to receive appropriate treatment.

I am pleased that the Soviets have granted Sheina-Lea Swartz permission to leave. I hope that this is an indication that other individuals in the Soviet Union who suffer from fatal illnesses will be also allowed to emigrate to acquire the necessary medical attention.

Naum Meiman, whose wife Inna recently died of cancer, has been waiting for over 10 years for an exit visa. His struggle has been long and hard. It is time for the Soviet Union to grant Naum and all other refuseniks permission to emigrate to the West.

I urge the Soviet Government to allow Naum to leave the Soviet Union.●

AFGHANISTAN: LETTERS FROM THE STATE OF LOUISIANA

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a U.N. report as: "A situation approaching genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Louisiana and ask that they be printed in the RECORD.

The letters follow:

DEAR SENATOR HUMPHREY: I have read several articles about the terrible plight of Afghanistan in medical journals and Reader's Digest. I am wondering, what can an "average" concerned American do to aid these people and their country? The stories I read about the injustices and atrocities committed against these people are appalling. But even more appalling to me is that it seems the whole world is standing by, watching, and knowing these things, yet unwilling to put an end to it. Where do we stand as a nation? I wonder how accurate our news media is on relaying information to the public.

Sincerely,

MARY SCHELLDORF.

LISBON, LA.

DEAR SIR: I am deeply concerned about the Soviet occupation of Afghanistan. I believe it is naive of us to think that the Soviet will withdraw on their own accord.

Sincerely,

A.A. REHMAN.

SHREVEPORT, LA.

ARTISTIC ENDEAVOR

● Mr. EVANS. Mr. President, buttons were popping off the vests of those of us who represent the State of Washington during the week of April 6. It is a remarkable week for the State of Washington and the Pacific Northwest in terms of artistic endeavor.

On four occasions, Washington State artists, troupes or personalities brought to the Washington, DC, area new enterprises, new entertainment, and new exhibits.

To many—including my three young sons—Gary Larson represents one of the best, most interesting, and most amusing of American cartoonists today. He is a resident of the city of Seattle. His cartoons, "The Far Side," have tickled the funny bone of people across the country for the last several years. He is now exhibiting his original cartoons in the Museum of Natural History, which is probably appropriate, since most of the characters in his cartoons are animals of one kind or another.

Jacob Lawrence is one of the finest American painters today. He was born in New York City, grew up in Harlem, joined the armed services of the United States, and after the war, became a faculty member at the University of Washington. During his long and productive career, he has portrayed American life in vivid and colorful paintings, striking portraits of America as he has experienced it and as we have lived it over the past half-century.

Jacob Lawrence is not only a remarkable man, but has the privilege of a retrospective exhibit, covering the five decades of his career. It is now open at the Phillips Collection in Washington, DC, and will be there until May 31.

At the National Theater, "I'm Not Rappaport" is playing. It is an immensely humorous, and at the same time sad portrayal of two elderly gentleman on a park bench and their trials, tribulations, and conversations. "I'm Not Rappaport" premiered at the Seattle Repertory Theatre a couple of years ago. It won the Tony Award last year and essentially the same cast that played in Seattle is performing at the National Theater.

Finally, the Pacific Northwest Ballet brought to the Kennedy Center the first of a number of performances of that extraordinary ballet troupe. Pacific Northwest Ballet was started by a young couple; Kent Stowell and Francia Russell, who are the artistic directors. Much of their success came from young people. They came to Seattle in 1977 to find what was then the promising Pacific Northwest Dance Co. They expanded it to the Pacific Northwest Ballet and the company has gained national recognition as one of the finest of the regional ballet companies in the Nation.

They have toured extensively during the past several years. They have been all over the United States and now they are planning international tours to expand the number of people who can see and enjoy their extraordinary talent.

The Washington Post, in an article the day after their premiere performance, gave them rave reviews and in doing so the reviewer, Mr. Kriegsman, said:

It is really quite startling to see a company as classy and as distinguished as the Pacific Northwest Ballet for the first time, given its history and location.

Mr. President, I guess that is why buttons are popping. In these four instances, residents of the Pacific Northwest and more particularly the State of Washington, have shown that they can be among the very best in each of these quite separate artistic endeavors.

I am pleased and proud that they have shared their talent with those of us in the Nation's Capital who are from the State of Washington. And for others, these artists have given a glimpse of the abundant talent from the Pacific Northwest.

Mr. President, I ask that the review of Wednesday, April 8, 1987, be printed in the RECORD.

The review follows:

THE PACIFIC AT HIGH TIDE—SEATTLE TROUPE'S STELLAR D.C. DEBUT

(By Alan M. Kriegsman)

It really is quite startling to see a company as classy and distinguished as the Pacific Northwest Ballet for the first time, given its history and location. The troupe's Kennedy Center debut, at the Opera House last night at the start of a week's engagement, must have struck most of the audience, as it did me, as a revelation.

One kept hearing delighted spectators exclaiming during intermissions, "I didn't even know it existed"—"it" meaning the company. Not surprising, PNB hails from Seattle, and has been led by its present artistic directors—husband and wife Kent Stowell and Francia Russell, both Balanchine protégés—for a decade.

It's within these 10 short years that the 40-member troupe has amazingly skyrocketed from a small, provincial entity to one of the nation's outstanding classical companies. This is, however, only its second trip to the East Coast (the first was to New York three years ago), though it received some national exposure through a movie version of its "Nutcracker" production (with decor by Maurice Sendak) this past winter.

The film, sad to say, did no kind of justice to the company, but the present visit promises to rectify that, at least for Washingtonians. In recent years especially, the Kennedy Center has been endeavoring to bolster its role as a showcase for the nation's finest indigenous performing organizations by bringing in the major "regional" ballet companies from across the land. PNB thus joins a list that has already included troupes from San Francisco, Philadelphia, Houston and Salt Lake City.

On the basis of the opening night program alone, the Seattle company must be rated very high in this league. The dancing was never less than splendid thoughout the evening, and the dancers were conspicuously attractive and well-trained. The repertory the troupe will be showing in its three Opera House programs, moreover, boasts at least as much, possibly more, choreographic substance and variety as any assortment we've seen from comparable outfits.

It only took one movement of Balanchine's **"Brahms-Schoenberg Quartet"** to have a reliable measure of the company's stature. This masterwork, dating from 1966, is a sumptuous feat of dancing, classically shaped but clearly reflecting the shadings of romanticism and modern sensibility implied by the two composers named in its title (the score is Schoenberg's orchestral version of Brahms' G-Minor Piano Quartet).

It's not a Balanchine piece one sees that often, and PNB and the San Francisco Ballet (under a joint production arrangement) are the only compaines besides the New York City Ballet that perform it. It was staged for PNB in 1985 by Russell, who as one of Balanchine's most widely versed ballet mistresses, has a solidly authoritative command of the material. Stowell partnered Patricia McBride (in the second moverment) in early performances of the work by NYCB, during his days with that troupe.

The PNB cast last night contended with the work's thorny difficulties remarkably well. One took note not only of the admirable technical rigor of the dancers—the fine turnout, the crisp footwork, the rhythmic acuity-but also of the generous amplitude of the movement and the fresh, unmannered spirit of the dancing.

On the whole, the women seemed rather tight in the shoulders and upper back, and the performance had its share of minor insecurities and expressive dead spots. On the other hand, for its size the company has an unusual number of individual dancers who catch the eye with special qualities, among them not a few who have been wholly or mostly reared in PNB and its associated school.

Deborah Hadley, for example, who was featured in the first movement of "Brahms-Schoenberg Quartet" and is a dancer of versatillity and depth (as the program was later to confirm), was trained elsewhere but has been a principal of PNB since 1979. Patricia Barker, who sparkled in the first movement and glowed in the third, is completely a PNB product. Seattle native Benjamin Houk, who helped energize the Gypsy-flavored finale, joined the troupe as an apprentice in 1983. Alejandra Bronfman, so lyrically appealing in the second movement, began her career with the Washington Ballet, but has plainly blossomed in her four years with PNB.

Then there are the veterans the troupe has enlisted from elsewhere, such as the dashingly piquant Colleen Neary, who led the finale. Neary spent a decade with NYCB, but she's been gone from there since 1980—what's the secret of her youthful look and undimmed virtuosity? (Magall Messac, of ABT fame, was to have danced in the Balanchine, but was injured—we may see her later in the run.) The men were no slouches either. Houk, Wade Walthall and Carey Homme were impressive in their various ways, Vienna-born Michael Auer lent particular resonance to the rapturous andante movement with his strength and warmth.

That the rest of the program was downhill was neither a surprise nor a disgrace-when you start with Balanchine, it's almost foreordained (though the program was too lengthy for its own good). The company must be applauded for commissioning post-modernist Lucinda Childs' Clarion, even if the result proved disappointing. At her luminous best, Childs makes highly patterned choreography that's like a diamond turned in the light, mirroring myriad facets and levels, but the synthetically minimalist score by Paul Chihara seemed at odds with the Childs esthetic. Stowell's ambitious. "Hall to the Conquering Hero," to a complied Handel score, working reasonably well as a company showcase, and was particularly flattering to Walthall. Maia Rosal, Neary and especially Hadely, in the "Xerxes" Largo, "Seattle Slew," the other Stowell piece, is fun but flimsy, nicely displaying Lucinda Hughey's long legs to music by William Bolocra that sounds like a cross between Offenbach and Gershwin-apt enough for the context, a showbiz portrait of the crowds who flock to championship horse races.

ROCHESTER CHAMBER OF COMMERCE 100TH ANNIVERSARY

● Mr. D'AMATO. Mr. President, I rise today in honor of New York's Rochester Area Chamber of Commerce, which has developed into a considerable presence in the business community and achieved enviable distinction among other large city chambers. I am proud to join in the celebration of its 100th anniversary.

Before the creation 100 years ago of the Rochester Area Chamber of Commerce, attempts to form such an organization were thwarted by a lack of consensus and resolve among community leaders. All that has since changed. In 1887, under the able stewardship of H.H. Warner as its first president, Rochester's chamber was born. That initial surge of vitality has not diminished with time. I am confident its pro-business, pro-community spirit will continue long into the future.

From its early efforts to unite the region's business and political leaders, to the ongoing challenge of sustaining the climate of prosperity it helped create, the Flower City's Chamber of Commerce can look back and be proud of its long and impressive record of accomplishment.

Held together by a commitment to a common goal—the city's continued economic well-being—the chamber has survived time, challenge and change, and has emerged as a model of excellence for other chambers across the Nation to follow.

Today's celebration is a milestone marking the beginning of another 100 years of dedication to the business and the community of Rochester.●

IN FAVOR OF BILL TO PROVIDE FOR A REFERENDUM IN PUERTO RICO ON STATEHOOD

● Mr. D'AMATO. Mr. President, I rise enthusiastically to join the distinguished Republican leader in cosponsoring legislation to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State. I commend the leader's initiative on this important effort.

Mr. President, this legislation is long overdue. Many on this island nation of approximately 3.2 million people want to be admitted fully into the Union, but they have not had a chance to express themselves on this matter, since 1967—almost a generation ago.

The Commonwealth of Puerto Rico is in association with the United States. The people of Puerto Rico are U.S. citizens. They share the rights and duties of U.S. citizens except they do not pay Federal income taxes and they do not vote in presidential elections. The history of Puerto Rico and the United States is closely bound. Puerto Ricans were freed from Spanish domination after the Spanish-American War. After World War II, "Operation Bootstrap" was incorporated to help encourage U.S. industrial investment on the island. Trade between the United States and Puerto Rico has flourished over the years and continues to be substantial today.

Frankly, Mr. President, I am in favor of admitting Puerto Rico into the Union. But that is not the purpose of this legislation. This bill only calls for a timely referendum on the issue of statehood and will defray the direct costs of conducting such a referendum.

I strongly urge my colleagues to cosponsor this important legislation and work for its adoption in this session of the 100th Congress.●

ACID DEPOSITION CONTROL ACT

● Mr. D'AMATO. Mr. President, I rise today in support of S. 321, the Acid Deposition Control Act of 1987, introduced by my colleague from Maine, Senator MITCHELL. I commend him for his leadership on this issue.

We are all aware of the environmental devastation caused by our failure to control the acid rain problem. I have been here on the Senate floor on several occasions to speak about the irreversible damage occurring on the beautiful Adirondack region in New York.

Recently, however, Senator MITCHELL has brought increased attention to another aspect of our acid rain problem: the direct effects on human health. In hearings before the Senate Committee on Environment and Public Works, the president of the American Lung Association, Dr. Thomas Godar, spoke regarding the risk of ozone and oxides of nitrogen and sulfur to those over 65, those with asthma, chronic bronchitis and emphysema, pregnant women, and people with a history of heart disease.

Dr. Philip Landrigan from the Mount Sinai School of Medicine, after reviewing a series of recent studies on the health effects of acid rain pollution, stated that "all of these data confirm that exposure to current, relatively low levels of air pollution can produce toxic effects on the lungs."

I have stated publicly on many occasions that I am willing to back any reasonable proposal to address our acid rain problem, and I consider S. 321 to be a major step toward a realistic solution. Without effective controls, we will continue to see a costly destruction of our irreplaceable resources, along with a direct threat to human health.

This bill establishes a long-overdue national program for the reduction of acid-rain-causing pollution from power plants, industries sources and motor vehicles. By the year 1996, annual emissions of sulfur dioxide would be reduced by 12 million tons, and nitrogen oxide pollution by 4 million tons.

S. 321 embraces a flexibile polluter pays approach to acid rain control. Emissions reductions are allocated to those States that produce the bulk of the pollution. Within 2 years of enactment, each State must adopt an enforceable plan to meet its share of the national reduction requirements. Final compliance with emissions limitations is required by 1996.

Specifically, the bill establishes a Statewide annual average emissions rate for fossil fuel fired electric utilities and industrial boilers of 0.9 pounds of sulfur dioxide per million Btu's and an annual average limit on nitrogen oxides equivalent to a 3-hour average emissions rate of 0.6 pounds per million Btu's.

The bill authorizes a variety of methods for achieving emissions reductions, including pollution controls, energy conservation programs, early retirement of polluting sources, trading of emissions within a State, and coal washing, with first priorities given to conservation measures.

Additionally, the President is directed to negotiate a tripartite agreement with Canada and Mexico for controlling air pollution and a separate directive requiring agreement with Canada to achieve comparable emission reductions.

Mr. President, I am cosponsoring this proposal because it is reasonable and fair. I believe it has a real chance of attracting the coalition necessary for passage. The acid rain problem is too important for us to clash on egos or pride of authorship. We need to reduce emissions responsible for the problem, and we need to do it now. I continue to stand ready to support any reasonable compromise to reduce these emissions effectively and expeditiously.●

ORDER OF BUSINESS

Mr. BYRD. Mr. President, there will be no more rollcall votes today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, I am proceeding with the understanding that the following matters are cleared on the side of the aisle and I am authorized by Mr. DOLE to proceed in his absence. Mr. QUAYLE, who is the acting Republican leader, will be here to protect the colleagues on his side as he sees fit.

ACREAGE DIVERSION PROGRAMS—CONFERENCE REPORT

Mr. BYRD. Mr. President, on behalf of Mr. LEAHY, I submit a report of the committee on conference on the disagreeing votes of the two Houses on the bill, 1157, the Farm Disaster Assistance Act of 1987.

The PRESIDING OFFICER (Mr. ROCKEFELLER). The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the conference report.

(The conference report will be printed in the House proceedings of the RECORD.)

Mr. LEAHY. Mr. President, I rise today in support of the conference report to H.R. 1157, the Farm Disaster Assistance Act of 1987. This act would authorize urgently needed relief for producers who were inadvertently excluded from the disaster assistance program provided for in the Continuing Appropriations Act of 1987.

The Senate passed H.R. 1157, with amendments, on April 21, 1987. The House of Representatives, on May 5, 1987, disagreed to the amendments of the Senate and requested a conference of the two Houses.

A conference was convened between the Senate and the House of Representatives on May 7, 1987. The Senate conferees included myself and Senators MELCHER, PRYOR, BOREN, LUGAR, DOLE, HELMS, and, for areas under the jurisdiction of the Committee on Environment and Public Works, Senators MOYNIHAN and STAFFORD. The House of Representatives were ably represented by the distinguished chairman of the House Agriculture Committee, Mr. DE LA GARZA, and Representatives GLICKMAN, HUCKABY, MARLENEE, ROBERTS, and for the consideration of Senate amendment numbered 21, Representatives NOWAK and STANGELAND.

Mr. President, the conferees were able to quickly resolve the differences between the two Houses concerning this very important piece of legislation. I want to thank my colleagues in the Senate and the House of Representatives for their diligent efforts to reach agreement on H.R. 1157.

Mr. President, I will not go into the details of this legislation again. We had a full discussion and debate of the bill during our earlier consideration of the bill. This bill provides for disaster assistance, pure and simple. The bill is within budget. We have succeeded, both during the debate on this bill in the Senate and in the Conference, in crafting a piece of farm legislation that will provide limited help to those who have suffered great economic hardship because of recent natural disasters.

Mr. President, I believe that this bill does more than just provide that assistance that is so desperately needed. Our action with respect to this legislation creates a valuable precedent. We have proved that the Senate can pass a narrowly focused farm bill that answers a specific need but is not burdened by budget busting amendments that attempt to rewrite basic farm legislation.

Mr. President, it is no longer standard operating procedure for the appearance of a piece of farm legislation on the floor of the Senate to trigger a swarm of amendments that have nothing whatever to do with the issue at hand. This tendency to treat every farm bill as a Christmas tree ready to be decorated has greatly hampered this body from responding to situations that deserve our attention.

The agricultural community deserves a Congress that is ready, willing, and able to act whenever the need arises. I believe that with the passage of this bill, we have taken a large step toward restoring our ability to act responsibly in all matters concerning agriculture.

Finally, Mr. President, I wish to specifically thank my friend, Senator LUGAR, for his assistance in helping us complete work on H.R. 1157. We wouldn't be passing this needed legislation today if not for his tireless efforts.

Mr. BOREN. Mr. President, I rise in support of the conference report on H.R. 1157, the Farm Disaster Assistance Act of 1987. This legislation will provide much needed relief to wheat producers who were affected by disasters last fall, but were inadvertently left out of last year's disaster assistance package.

The Senate has twice recognized the need to provide these producers assistance. On January 29, the Senate adopted S. 341, the Agricultural Emergency Assistance Act of 1987. The House adopted H.R. 1157 in lieu of S.

341 and on April 23, 1987, the Senate adopted H.R. 1157.

This legislation, if enacted, will establish an optional acreage diversion program applicable to producers of the 1987 winter wheat crop. Under this program, winter wheat producers, affected by disasters which occurred in 1986, would have the option of "setting aside" 100 percent of their acreage and receiving 92 percent of their deficiency payments. The so-called 0/92 provision will actually provide much needed assistance to winter wheat producers more cheaply than direct disaster assistance payments. In addition, this bill authorizes disaster payments for losses suffered by cotton producers as a result of a loss in quality due to natural disasters which occurred in 1986.

As my colleagues will remember, last fall we enacted legislation designed to provide disaster payments to agricultural producers whose crops were affected by drought, floods, excessive moisture and other natural disasters during 1986. At that time, it was the intention of the principal sponsor of that legislation to include disaster payments for wheat producers who were prevented from planting their crop due to excessive moisture. However, the enacted language precluded winter wheat producers from eligibility due to the phrase "1986 crops of wheat, feed grains, upland cotton and rice." The 1986 crop of wheat was the crop harvested prior to the flooding in the fall of last year. Winter wheat producers plant the 1987 wheat crop in the fall of 1986. Many winter wheat producers were prevented from planting the 1987 crop in time to ensure a normal crop due to excessive moisture and flooding which occurred in the fall of 1986. Consequently, even though it was everyone's intention to cover all crops affected by drought and excessive moisture in 1986, the language does not provide payments to producers of the 1987 wheat crop.

Mr. President, the exclusion of winter wheat producers was a technical error and this bill will correct it by requiring that the Secretary of Agriculture allow these producers to receive 92 percent of their deficiency payments if they idle 100 percent of their acreage.

In addition, Mr. President, this legislation includes a provision to correct a problem that has arisen with respect to cotton disaster payments. The disaster provisions we enacted last fall require the Secretary to make payments to cotton producers; however, a producer is only considered to have suffered a loss if his yield is below 50 percent of his normal yield. This works for most other commodities, but it does not work for cotton producers whose crops receive excessive moisture immediately prior to harvest. When cotton receives an excessive amount of moisture during the period immediately preceding harvest, the quality of the crop is substantially reduced. A cotton producer whose normal yield is 300 pounds per acre might harvest 300 pounds but due to excessive moisture his cotton would only be worth 10 cents a pound compared to the normal 39 or 40 cents per pound. The farmer's gross income would be reduced from $120 per acre to $30 per acre as a result of a natural disaster. If the farmer's yield has been reduced by the same percentage that the quality of his cotton had been reduced, he would have suffered the same amount of financial loss but would have been eligible for disaster assistance.

Subject to advance appropriations, this bill would make producers eligible for disaster payments if the quality of their crops was substantially reduced due to natural disasters which occurred in 1986. This legislation will require the Secretary of Agriculture to take into consideration the quality of the cotton produced in addition to reduced yields. In this way, if a crop has received, for example, a reduction in quality of 50 percent, the Secretary would be required to make disaster payments in the same manner as he would if the yield had declined by the same percentage. Without the enactment of this provision, the intent of the disaster provisions enacted last year cannot be carried out.

Mr. President, this legislation will provide assistance to those farmers who were inadvertently left out of last year's disaster assistance package. I urge my colleagues to support adoption of this conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENT—SEA GRANT COLLEGE PROGRAM ACT

Mr. BYRD. Mr. President, I ask unanimous consent that, when legislation relating to the Sea Grant College Program Act is introduced by Senator HOLLINGS, it be referred jointly to the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources.

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

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I inquire of the distinguished acting Republican leader if he has anything else he wishes to say or any further business to transact.

Mr. QUAYLE. Mr. President, I say to the majority leader that there is no other business on this side of the aisle as far as we are concerned.

Mr. BYRD. I thank the distinguished Senator.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 o'clock tomorrow morning.

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

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 o'clock tomorrow morning.

The motion was agreed to; and, at 6:03 p.m., the Senate recessed until Wednesday, May 13, 1987, at 10 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate May 11, 1987, under authority of the order of the Senate of February 3, 1987:

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

1. For permanent promotion:

To be medical director

William A. Eaton	William E. Mayer
Evan Eisenberg	Frank L. Mitchell
Bruce L. Evatt	Daniel W. Nebert
Marilyn H. Gaston	David Rodbard
Henry Krakauer	George R. Stanley
Stephen J. Kraus	Robert W. Sullivan
Wojciech A. Krotoski	Sumathy Vannarth
Frederick P. Li	Frank G. Witebsky
Jerry M. Lyle	

To be senior surgeon

Thomas R. Bender	Fitzhugh S. M. Mullan
James E. Berner	
Jack D. Blaine	Allan S. Noonan
George S. Bowen	Laurence J. Platt
Timothy G. Fleming	Roger J. Porter
Harold M. Ginzburg	Kenneth E. Powell
Mary E. Guinan	Michael Roe
Michael P. Hudgins	Bruce S. Schoenberg
William D. Lassek	Stanley L. Slater
Ira S. Lourie	Edith R. Welty
William J. Miner	Mark H. Zweig

To be surgeon

Roy C. Baron	Melinda Moore
Sara K. Dye	Guillermo R. Otero-Herrmann
Dean F. Effler	
Richard A. Goodman	Stephen R. Preblud
Douglas N. Klaucke	Steven M. Teutsch

To be senior assistant surgeon

Jean F. Fitch	Scott R. Lillibridge
Terence H. Hamel	Arvo J. Oopik
Martha L. Hauk	

To be dental director

Robert W. Beck
J. David Erickson
Gene F. Grewell
Stanford E. Hamburger
John H. Nasi
Michael W. Roberts
George T. Ward
Steven A. Weiss
William E. Wright

To be senior dental surgeon

C. Michael Beck
Stephen R. Curtice
John L. Drager
Arthur R. Hand
Howard L. Kelly
Jack A. Shannon
Channing D. Smith
John R. Sundell
William J. Williams

To be dental surgeon

Raymond D. Barnum
Charles L. Blackburn
James J. Crumbaker
Charles H. Detjen
Robert S. Enders
Neil F. Gardner
James J. Jan
David A. Krise
Gilbert Kunken
James T. Lowe, Jr.
George R. McCarthy
Donald T. Sauter
Kerald K. Shaddix
Fred B. Skrepcinski
David B. Snyder
Richard M. Snyder
John W. Stahl
James W. Toothaker
Richard H. White

To be nurse director

Katherine A. Callaway
Thomas P. Phillips
Donna G. Roehl
Sadie J. Stout

To be senior nurse officer

Linda N. Bullen
Dixie A. Deeter
Marilyn W. Getty
Anne Gray
Eileen P. Gunter
Joan A. Hartwell
Michael J. Henchy
Lillie A. Slebodnick
Jack F. Slusser

To be nurse officer

Margaret Brady
Terry L. Godfrey
Carolyn B. Lee
Raymond H. Levesque
Andrew G. Sparber
Thomas E. Stenvig

To be senior assistant nurse officer

Regan L. Crump
Danny J. English
Kathleen M. Kobus
Helen L. Myers

To be engineer director

Robert L. Bolin, Jr.
Clyde J. Dial
Tommie E. Flora
Walter E. Gundaker
William F. Holcomb
Michael E. Jensen
Richard Liberace
James C. Meredith
F. Warren Norris, Jr.
James G. Payne, Jr.
Roger T. Shigehara
Chester L. Tate, Jr.

To be senior engineer officer

David W. Alton
Gerald K. Falin
Bruce T. Ferris
Henry M. Holman
Robert H. James
David L. Larson
Oliver T. Love, Jr.
William H. Stroup
Darryl D. Tyler

To be engineer officer

Stephen S. Aoyama
Thomas F. Bloom
Willard D. Daellenbach
Barry J. Davis
John R. Giedt
Gary J. Hartz
Daniel L. Hightower
Thomas T. Kariya, Jr.
Terence S. Langan
William D. Laroche
Gary A. McFarland
Dennis M. Obrien
David S. Sundin
Terence L. Whitington, Jr.
Bryan K. H. Yim

To be scientist director

William G. Sorenson

To be senior scientist

Bobby D. Brayboy
David G. Brown
Lawrence E. Chaitkin
Richard C. Henneberry
Frederick A. Hodge
Harvey Rudolph
Hugh S. Sloan, Jr.
David E. Weber

To be scientist

Setphen A. Olenchock
John M. Russo
Yeu-Tong Sit
Gary B. Utter

To be sanitarian director

Kenneth E. Bailey
Conrad P. Ferrara
F. Gene Headley
William E. Knestis
Eugene W. Lewis
Jon R. Perry
Donavan C. Shook
Theodore A. Ziegler

To be senior sanitarian

Troy W. Cole
W. Allen Kingsbury
Truman L. McCasland

To be sanitarian

Patrick O. Bohan
Richard M. Bryan
Richard D. Eubanks
Robert F. Herrick
Robert J. Kapolka

To be senior assistant sanitarian

William J. Daniels

To be veterinary director

James W. Ebert

To be senior veterinary officer

Francis W. Chandler, Jr.

To be pharmacist director

Emil L. Cekada
Joseph H. Deffenbaugh, Jr.
John T. Gimon
Samuel C. Ingraham III
Kent T. Johnson
Jackie L. Knight
Jules M. Meisler
James E. Mills
William H. Peterson, Jr.
Francis A. Quam
Robert J. Schollard

To be senior pharmacist

John S. Cipriano
Charles W. Cook
James C. Cradock
Gayle R. Dolecek
Vincent J. Fierro
James A. Keene
William H. Kehoe, Jr.
Larry M. Kleinman
Mary L. Pengelly
Theodore B. Pukas
Jerome C. Short

To be pharmacist

James T. Carder
Gary A. Erickson
Nicholas M. Fleischer
Dennis R. Gillham
James W. Hall
Gary L. Henderson
Francis J. Hussion
Alexander P. Jones
Eddie R. Lee
Alfredo Matiella, Jr.
Jay D. McGath
Merril J. Mille
David J. Morgan
James F. Neighbors
Robert W. Parrish
Donald C. Peters
Robert W. Pollock
Robert M. Shelley
Michael R. Weaver
Edwin C. Wilkerson, Jr.
Tommy L. Worth
Patricia T. L. Yee-Spencer

To be senior assistant pharmacists

Robert M. Taylor

To be dietitian director

Barbara H. Dennis

To be senior dietitian

Carolyn C. Blackwood
Carolyn Przekurat
Edward R. Tate

To be dietitian

Pamela L. Brye
Cathy A. Levine

To be senior therapist

Robert K. Baus
Judith V. Culver
David A. Havlick

To be therapist

Harold W. Egbert
Andrew L. Smith

To be health services director

Harold A. Bond
Joseph A. Brennan, Jr.
David W. Callagy
Thomas J. Keast
Barbara A. Maxwell
Edward B. Radden
Edwin P. Yarnell

To be senior health services officer

Jack C. Bellino-Hall
John C. Bernson
Joel G. Bostrom
John H. Eilert, Jr.
James B. Gill, Jr.
Robert L. Heuser
Carl G. Leukefeld
Larry J. Marwedel
Edwin A. Miller
Tommy L. Mosely
John Rodak, Jr.
Martiniano R. Sandoval
Alan F. Schmierer
Wilbur F. Vanpelt
George J. Vasconcelos
David R. Weir

To be health services officer

Ieva Berzins
Beverly A. Bogner
Eleanor A. Crocker
Lawrence Eldridge
Joh D. Gallicchio
Stephen E. Gardner
Herman B. Martinez
Bobby L. Mason
Alejandro R. Montanez
Robert J. Morton, Jr.
Gary R. Pabalis
Philip J. Piasecki
Jay A. Rachlin
Gordon R. Seidenberg
Andrew R. Tartler
Jacob E. Tenenbaum
John J. Whalen

To be senior assistant health services officer

Robert G. Hammernik
Patricia A. Rye

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be lieutenant colonel

Gregory L. Cook, [redacted]
Rudolph E. Garity, [redacted]
Gary R. Hesselgesser, [redacted]
David V. Owen, [redacted]
Charles O. Porter, [redacted]
Alan R. Welch, [redacted]
Christopher Wheeler, [redacted]

To be major

Claude S. Rogers, [redacted]

The following-named distinguished honor graduate of officer candidate school for appointment in the Regular Army of the United States under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be second lieutenant

Brian Meade, [redacted]

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be captain

Mark C. Bockes, [redacted]
Brandon F. Denecke, [redacted]
James E. Enderle, [redacted]
Harvey S. Warshaw, [redacted]

To be first lieutenant

Christopher P. Holmes, [redacted]
Steven J. McGee, [redacted]

To be second lieutenant

Michael E. Broullette, [redacted]

The following-named officers for appointment in the Regular Army of the United States, in their active duty promotion grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be major

Bratz, Kay E., [redacted]
Berwanger, Mary C., [redacted]
Patton, Joab H., [redacted]
Smulowitz, Hillel, [redacted]

The following-named distinguished honor graduates of officer candidates school for appointment in the Regular Army of the United States under the provisions of title

10, United States Code, sections 531, 532, and 533:

To be second lieutenant

Wahl, Christopher M., xxx-xx-xxxx
Worshek, Curtis W., xxx-xx-xxxx
Robinson, Craig L., xxx-xx-xxxx

The following-named Reserve Officers' Training Corps cadets for appointment in the Regular Army of the United States in the grade of second lieutenant under the provisions of title 10, United States Code, sections 531, 532, and 533:

Abe, Alan M., xxx-xx-xxxx
Agostini, James S., xxx-xx-xxxx
Ahrens, Meghan A., xxx-xx-xxxx
Amos, Michael G., xxx-xx-xxxx
Andersen, Anne M., xxx-xx-xxxx
Anduagaarias, Roger F., xxx-xx-xxxx
Armenti, John J., xxx-xx-xxxx
Arnold, Henry A., III, xxx-xx-xxxx
Austin, Kevin J., xxx-xx-xxxx
Bailey, Robert N., xxx-xx-xxxx
Bair, Robert B., xxx-xx-xxxx
Bannon, Robert, xxx-xx-xxxx
Barber, Joseph A., xxx-xx-xxxx
Barlow, Stuart R., xxx-xx-xxxx
Barr, Glenn J., xxx-xx-xxxx
Bates, Kevin S., xxx-xx-xxxx
Behncke, Ted J., xxx-xx-xxxx
Bennett, Brian D., xxx-xx-xxxx
Berger, Christopher H., xxx-xx-xxxx
Bird, Alana S., xxx-xx-xxxx
Blazek, William V., Jr., xxx-xx-xxxx
Bloom, Bradley D., xxx-xx-xxxx
Bovais, Jeffrey A., xxx-xx-xxxx
Boward, Gary D., xxx-xx-xxxx
Bowie, Jimmy D., xxx-xx-xxxx
Branch, Francis A., xxx-xx-xxxx
Brawdy, Dennis J., xxx-xx-xxxx
Brecher, Joseph A., xxx-xx-xxxx
Brewer, Michael L., xxx-xx-xxxx
Briles, Douglas J., xxx-xx-xxxx
Brown, Anthony W., xxx-xx-xxxx
Brown, Barton B., xxx-xx-xxxx
Brown, Keith J., xxx-xx-xxxx
Burger, Debra L., xxx-xx-xxxx
Burrows, Charles L., xxx-xx-xxxx
Butcher, William C., xxx-xx-xxxx
Cable, Nanette L., xxx-xx-xxxx
Cacolice, Mary A., xxx-xx-xxxx
Cairns, Craig D., xxx-xx-xxxx
Campbell, James D., xxx-xx-xxxx
Cassidy, Robert M., xxx-xx-xxxx
Cenicacelaya, Ignacio D., xxx-xx-xxxx
Collier, Malcom C., Jr., xxx-xx-xxxx
Conley, John L., xxx-xx-xxxx
Connors, Scott P., xxx-xx-xxxx
Cooper, James G., Jr., xxx-xx-xxxx
Covert, Alexander G., xxx-xx-xxxx
Cox, Neal O., xxx-xx-xxxx
Craddock, Kerry W., xxx-xx-xxxx
Crawford, Gelene L., xxx-xx-xxxx
Crocker, Bradley B., xxx-xx-xxxx
Crout, Terry L., xxx-xx-xxxx
Cunningham, Jonathan J., xxx-xx-xxxx
Current, Micheal L., xxx-xx-xxxx
Damec, Jeffrey R., xxx-xx-xxxx
Dantonio, Jeffrey J., xxx-xx-xxxx
Deakins, Michael R., xxx-xx-xxxx
Deamaral, Zane E., xxx-xx-xxxx
Donatucci, William J., xxx-xx-xxxx
Dooley, Michael F., xxx-xx-xxxx
Dougal, James K., xxx-xx-xxxx
Dozer, Daniel W., xxx-xx-xxxx
Druecker, David L., xxx-xx-xxxx
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Dundzila, Tomas A., xxx-xx-xxxx
Dunham, Dean D., xxx-xx-xxxx
Edwards, Jeffrey L., xxx-xx-xxxx
Evans, Mark A., xxx-xx-xxxx
Ewing, James E., xxx-xx-xxxx
Fallon, Mark M., xxx-xx-xxxx
Fedak, John J., xxx-xx-xxxx
Fiore, Kevin T., xxx-xx-xxxx
Fisher, Russell E., xxx-xx-xxxx
Fitzpatrick, Neil E., xxx-xx-xxxx
Flach, Brian K., xxx-xx-xxxx
Fletcher, Charles D., xxx-xx-xxxx
Flood, Albert L., III, xxx-xx-xxxx
Florig, William R., xxx-xx-xxxx
Ford, Robert E., xxx-xx-xxxx
Frumerie, David L., xxx-xx-xxxx
Furstner, Gregory N., xxx-xx-xxxx
Gaede, Kinch P., xxx-xx-xxxx
Gatlin, Cabot N., xxx-xx-xxxx
Gentzler, Kevin E., xxx-xx-xxxx
Giles, Carl L., xxx-xx-xxxx
Goold, Amy L., xxx-xx-xxxx
Green, Timothy A., xxx-xx-xxxx
Griffin, Richard A., xxx-xx-xxxx
Guaglianone, David L., xxx-xx-xxxx
Hague, Mark O., xxx-xx-xxxx
Hall, Scott A., xxx-xx-xxxx
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Harms, Patrick J., xxx-xx-xxxx
Harris, Kenneth W., xxx-xx-xxxx
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Heidt, Jon P., xxx-xx-xxxx
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Hickey, Mark J., xxx-xx-xxxx
Hicks, Joseph E., xxx-xx-xxxx
Higginbotham, Arnold Z., xxx-xx-xxxx
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Hoffman, Barry W., xxx-xx-xxxx
Hopkins, Lloyd G., Jr., xxx-xx-xxxx
Hoskins, Fredrick D., xxx-xx-xxxx
Huff, Dorothy E., xxx-xx-xxxx
Hulslander, Robert L., xxx-xx-xxxx
Hunt, Robert J., xxx-xx-xxxx
Hutt, Thomas E., III, xxx-xx-xxxx
Irvin, Christopher T., xxx-xx-xxxx
Isaacson, Roy P., xxx-xx-xxxx
Jackson, Robert H., xxx-xx-xxxx
Jennings, Edward D., xxx-xx-xxxx
Jewett, Rene D., xxx-xx-xxxx
Johnson, Jennifer J., xxx-xx-xxxx
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Kaempfer, Eric W., xxx-xx-xxxx
Kashouty, Jonathan M., xxx-xx-xxxx
Kearney, Karl L., xxx-xx-xxxx
Keigan, Katherine R., xxx-xx-xxxx
Keller, Kenneth L., xxx-xx-xxxx
Kelly, David J., xxx-xx-xxxx
Kennedy, James D., xxx-xx-xxxx
King, Roderick A., xxx-xx-xxxx
Knapp, Samuel J., xxx-xx-xxxx
Kovac, Victor B., III, xxx-xx-xxxx
Kraft, James E., xxx-xx-xxxx
Kramer, Jeffrey P., xxx-xx-xxxx
Kramer, Jeffrey P., xxx-xx-xxxx
Kruger, Curtis M., xxx-xx-xxxx
Landis, Steven E., xxx-xx-xxxx
Landmesser, Kevin R., xxx-xx-xxxx
Lannom, Donald A., xxx-xx-xxxx
Lee, David J., xxx-xx-xxxx
Lenkeit, Larry R., xxx-xx-xxxx
Li, David T., xxx-xx-xxxx
Long, Louis F., III, xxx-xx-xxxx
Lyons, Timothy J., xxx-xx-xxxx
Mack, Craig R., xxx-xx-xxxx
Mahserejian, Kevork, xxx-xx-xxxx
Martin, Steven G., xxx-xx-xxxx
Matias, Madelfia A., xxx-xx-xxxx
Maxey, Tara J., xxx-xx-xxxx
McCormick, James L., xxx-xx-xxxx
McCormick, Thomas, xxx-xx-xxxx
McDorman, Kenneth W., xxx-xx-xxxx
McGinn, John A., xxx-xx-xxxx
McKee, Edward B., xxx-xx-xxxx
McRae, Reginald H., xxx-xx-xxxx
Mess, Joseph A., xxx-xx-xxxx
Meyer, Jerome, C., xxx-xx-xxxx
Mills, Patricia G., xxx-xx-xxxx
Minor, Michael W., xxx-xx-xxxx
Mis, James M., xxx-xx-xxxx
Moquin, Marc D., xxx-xx-xxxx
Nead, Kenneth R., xxx-xx-xxxx
Neal, Patrick M., xxx-xx-xxxx
Newton, Brian P., xxx-xx-xxxx
Panosh, John E., xxx-xx-xxxx
Parkes, Stanley M., xxx-xx-xxxx
Pascua, Edwin E., xxx-xx-xxxx
Patterson, Mark C., xxx-xx-xxxx
Paulino, Kenneth P., xxx-xx-xxxx
Perryman Eric R., xxx-xx-xxxx
Peterson, Jon J., xxx-xx-xxxx
Peterson, Natalie P., xxx-xx-xxxx
Phillips, Kathleen A., xxx-xx-xxxx
Pierce, Robert L., xxx-xx-xxxx
Poppie, John P., xxx-xx-xxxx
Potts, Anthony W., xxx-xx-xxxx
Powis, Paul J., xxx-xx-xxxx
Prellwitz, John R., xxx-xx-xxxx
Prosack, Henry G., xxx-xx-xxxx
Pquivey, Douglas J., xxx-xx-xxxx
Rayford, Cedric D., xxx-xx-xxxx
Reap, Vincent M., xxx-xx-xxxx
Reese, Constance R., xxx-xx-xxxx
Reichner, Lawrence H., Jr., xxx-xx-xxxx
Rigabar, Geoffrey S., xxx-xx-xxxx
Risner, Mitchell, xxx-xx-xxxx
Robb, Rita M., xxx-xx-xxxx
Rosa, Millie, xxx-xx-xxxx
Rosser, George L., Jr., xxx-xx-xxxx
Ryle, Barry W., xxx-xx-xxxx
Sabin, Paul J., xxx-xx-xxxx
Salmela, Sarah J., xxx-xx-xxxx
Schlosser, Lisa A., xxx-xx-xxxx
Schoff, Linda L., xxx-xx-xxxx
Severini, Robert D., xxx-xx-xxxx
Skamra, Brian M., xxx-xx-xxxx
Sliwicki, Ralph M., xxx-xx-xxxx
Smith, Jeffrey B., xxx-xx-xxxx
Smith, John T., xxx-xx-xxxx
Smith, Robin R., xxx-xx-xxxx
Snyder, Paul E., xxx-xx-xxxx
Speed, Eugene F., xxx-xx-xxxx
Stackhouse, Diane M., xxx-xx-xxxx
Stanley, Bruce E., xxx-xx-xxxx
Stewart, Roy E., xxx-xx-xxxx
Storch, Jeffrey J., xxx-xx-xxxx
Suich, Mark W., xxx-xx-xxxx
Swann, Crystal L., xxx-xx-xxxx
Swanson, Kenneth D., xxx-xx-xxxx
Tallman, Robert H., Jr., xxx-xx-xxxx
Taylor, David B., xxx-xx-xxxx
Thomas, Gregory M., xxx-xx-xxxx
Thompson, Marc C., xxx-xx-xxxx
Thurgood, Leon N., xxx-xx-xxxx
Togia, Bernard F., xxx-xx-xxxx
Trochak, Stephanie E., xxx-xx-xxxx
Unterkofler, Michael D., xxx-xx-xxxx
Viens, David R., xxx-xx-xxxx
Vogel, John T., xxx-xx-xxxx
Wagner, Timothy J., xxx-xx-xxxx
Walter, Timothy C., xxx-xx-xxxx
Warg, Lori J., xxx-xx-xxxx
Warner, Dudley J., xxx-xx-xxxx
Weigle, Scott A., xxx-xx-xxxx
Welfling, William D., xxx-xx-xxxx
Wendt, Eric P., xxx-xx-xxxx
Wheelock, George W., xxx-xx-xxxx
Williams Richard A., III, xxx-xx-xxxx
Willis, Norman B., xxx-xx-xxxx
Winton, Tracy J., xxx-xx-xxxx
Wood, Todd R., xxx-xx-xxxx
Woodus, Edward L., xxx-xx-xxxx
Wright, Donald P., xxx-xx-xxxx
Young, Rollin J., xxx-xx-xxxx
Zivkovich, Robert M., xxx-xx-xxxx

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be major

Adams, Tommy M., xxx-xx-xxxx

Bareford, Jackson D., xxx-xx-xxxx
Killgore, Donnie W., xxx-xx-xxxx
Montoya, Roberto, xxx-xx-xxxx

To be captain

Anderson, Dan K., xxx-xx-xxxx
Arata, John L., xxx-xx-xxxx
Archambault, Raoul, xxx-xx-xxxx
Armstrong, Keith A., xxx-xx-xxxx
Baillie, Malcolm G., xxx-xx-xxxx
Ball, Douglas J., xxx-xx-xxxx
Ballard, Elisha L., xxx-xx-xxxx
Barker, James R., xxx-xx-xxxx
Barrentine, Paul W., xxx-xx-xxxx
Bearden, Robert W., xxx-xx-xxxx
Beidleman, Edward B., xxx-xx-xxxx
Bell, Kenneth T., xxx-xx-xxxx
Bell, Lawrence J., xxx-xx-xxxx
Boatwright, Carless, xxx-xx-xxxx
Bolt, Bryan E., xxx-xx-xxxx
Bowman, Robert E., xxx-xx-xxxx
Bradfield, Patrick, xxx-xx-xxxx
Brown, Carey W., xxx-xx-xxxx
Brown, Norbert C., xxx-xx-xxxx
Brown, Robert P., xxx-xx-xxxx
Bumgardner, Ronald, xxx-xx-xxxx
Burke, Kevin J., xxx-xx-xxxx
Burns, Richard B., xxx-xx-xxxx
Bushey, Martin, xxx-xx-xxxx
Camperson, Brian T., xxx-xx-xxxx
Cannon, Michael M., xxx-xx-xxxx
Carey, Thomas J., xxx-xx-xxxx
Carlton, Alfred B., xxx-xx-xxxx
Christian, Mark J., xxx-xx-xxxx
Chronis, Fredrick J., xxx-xx-xxxx
Clark, James M., xxx-xx-xxxx
Cohn, Patrick T., xxx-xx-xxxx
Collins, Bart D., xxx-xx-xxxx
Cook, Mark L., xxx-xx-xxxx
Core, George V., xxx-xx-xxxx
Cornett, Timothy R., xxx-xx-xxxx
Coughlin, William J., xxx-xx-xxxx
Coxwell, Richard L., xxx-xx-xxxx
Crockett, James B., xxx-xx-xxxx
Crotty, Richard C., xxx-xx-xxxx
Damewood, Edwin C., xxx-xx-xxxx
Davis, James L., xxx-xx-xxxx
Dorman, William C., xxx-xx-xxxx
Doss, Olin E., Jr., xxx-xx-xxxx
Downing, Ronald V., xxx-xx-xxxx
Drumm, Michael W., xxx-xx-xxxx
Drury, Ricky L., xxx-xx-xxxx
Durrett, Thomas J., xxx-xx-xxxx
Enneking, Michael D., xxx-xx-xxxx
Evans, Michael G., xxx-xx-xxxx
Faires, Samuel E., xxx-xx-xxxx
Feltenberger, R., xxx-xx-xxxx
Finch, Raymond C., xxx-xx-xxxx
Fiorella, Charles E., xxx-xx-xxxx
Fisher, James G., xxx-xx-xxxx
Fogel, Robert E., xxx-xx-xxxx
Fox, Bruce W., xxx-xx-xxxx
Friedman, Arthur R., xxx-xx-xxxx
Friel, John W., xxx-xx-xxxx
Frum, Robert D., xxx-xx-xxxx
Gaddis, Willie E., xxx-xx-xxxx
Galloucis, Michael, xxx-xx-xxxx
Gill, David M., xxx-xx-xxxx
Gonsalves, Randall, xxx-xx-xxxx
Gramzinski, William, xxx-xx-xxxx
Greenberg, Milton L., xxx-xx-xxxx
Haines, Mark L., xxx-xx-xxxx
Harry, Charles A., xxx-xx-xxxx
Haven, Charles J., xxx-xx-xxxx
Havicon, Robert E., xxx-xx-xxxx
Hendrickson, Ray D., xxx-xx-xxxx
Hentschel, Timothy, xxx-xx-xxxx
Hickman, Sheila B., xxx-xx-xxxx
Higgins, David W., xxx-xx-xxxx
Hillard, William O., xxx-xx-xxxx
Hines, Lisa L., xxx-xx-xxxx
Holman, Victor, xxx-xx-xxxx
Holt, James M., xxx-xx-xxxx
Houghton, Marvin G., xxx-xx-xxxx
House, James M., xxx-xx-xxxx
Hrinishin, John W., xxx-xx-xxxx
Huff, Donald C., xxx-xx-xxxx
Jackson, Raymond P., xxx-xx-xxxx
Johanneck, Thomas M., xxx-xx-xxxx
Jones, Charles A., xxx-xx-xxxx
Jones, John R., xxx-xx-xxxx
Jones, William R., xxx-xx-xxxx
Jump, William J., xxx-xx-xxxx
Kane, Richard J., xxx-xx-xxxx
Kane, Ronald L., xxx-xx-xxxx
Karch, John C., xxx-xx-xxxx
Keesing, Christopher, xxx-xx-xxxx
Kerr, Richard E., xxx-xx-xxxx
Kimball, Ann J., xxx-xx-xxxx
Knapp, George D., xxx-xx-xxxx
Koffinke, Richard A., xxx-xx-xxxx
Larsen, James P., xxx-xx-xxxx
Lawrence, David L., xxx-xx-xxxx
Lentz, Robert E., xxx-xx-xxxx
Lieberman, Steve A., xxx-xx-xxxx
Lowe, Jerry A., xxx-xx-xxxx
Luther, Thomas C., xxx-xx-xxxx
Makaruk, Donald M., xxx-xx-xxxx
Marks, Barry K., xxx-xx-xxxx
Martin, Robert R., xxx-xx-xxxx
Masters, Burton L., xxx-xx-xxxx
McCoy, Billy C., xxx-xx-xxxx
McFadden, Norman I., xxx-xx-xxxx
McGaughey James P., xxx-xx-xxxx
McGuire William T., xxx-xx-xxxx
McQueen, Danny M., xxx-xx-xxxx
Mendell, Michael J., xxx-xx-xxxx
Miranda, Jose E., xxx-xx-xxxx
Moade, Paul J., xxx-xx-xxxx
Moore, Michael B., xxx-xx-xxxx
Morgan, Brian F., xxx-xx-xxxx
Morgan, Robert P., xxx-xx-xxxx
Nelson, Robert J., xxx-xx-xxxx
Oten, David R., xxx-xx-xxxx
Palmer, Rufus, D., xxx-xx-xxxx
Parker, Christopher, xxx-xx-xxxx
Parker, Patrick M., xxx-xx-xxxx
Parks, Carol J., xxx-xx-xxxx
Pasier, Mark J., xxx-xx-xxxx
Pearsall, Gilbert H., xxx-xx-xxxx
Person, Thomas A., xxx-xx-xxxx
Pharr, Michael D., xxx-xx-xxxx
Piper, Daniel K., xxx-xx-xxxx
Polczynski, Kevin P., xxx-xx-xxxx
Post, Victoria A., xxx-xx-xxxx
Pownall, Jerry D., xxx-xx-xxxx
Pucci, Martin E., xxx-xx-xxxx
Ramey, John L., xxx-xx-xxxx
Reichard, George D., xxx-xx-xxxx
Respass, Robert M., xxx-xx-xxxx
Revere, Gary L., xxx-xx-xxxx
Rike, Edward C., xxx-xx-xxxx
Rollins, Brook H., xxx-xx-xxxx
Rooney, Robert R., xxx-xx-xxxx
Rose, Michael S., xxx-xx-xxxx
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Rosten, Gregory A., xxx-xx-xxxx
Salo, Donald G., xxx-xx-xxxx
Sboto, Steven B., xxx-xx-xxxx
Seage, Michael P., xxx-xx-xxxx
Seward, John E., xxx-xx-xxxx
Shafer, Tony R., xxx-xx-xxxx
Shea, Karen E., xxx-xx-xxxx
Shirk, Thomas M., xxx-xx-xxxx
Small, Stephen C., xxx-xx-xxxx
Smith, Gerald W., xxx-xx-xxxx
Smith, Harry D., Jr., xxx-xx-xxxx
Smith, John L., xxx-xx-xxxx
Smith, Kevin W., xxx-xx-xxxx
Soniak, Robert W., xxx-xx-xxxx
Sovine, John W., xxx-xx-xxxx
Stallings, Gary M., xxx-xx-xxxx
Stephenson, Raymond, xxx-xx-xxxx
Stewart, Leslie D., xxx-xx-xxxx
Swart, Brent M., xxx-xx-xxxx
Sweeney, John P., xxx-xx-xxxx
Tabacchi, Peter J., xxx-xx-xxxx
Tallman, James C., xxx-xx-xxxx
Taylor, Vernon, Sr., xxx-xx-xxxx
Thornal, Mason W., xxx-xx-xxxx
Thorne, Gary M., xxx-xx-xxxx
Thornton, Dennis A., xxx-xx-xxxx
Turner, Calvin J., xxx-xx-xxxx
Tyler, Jack L., xxx-xx-xxxx
Varnado, Solomon G., xxx-xx-xxxx
Vegarivera, Edgardo, xxx-xx-xxxx
Waring, James M., xxx-xx-xxxx
Warner, Harland C., xxx-xx-xxxx
Warren, Anne P., xxx-xx-xxxx
Way, Gary L., xxx-xx-xxxx
Weiner, Ida O., xxx-xx-xxxx
Westbrook, John P., xxx-xx-xxxx
White, Jeffrey S., xxx-xx-xxxx
Williams, Denise F., xxx-xx-xxxx
Williams, Dwight E., xxx-xx-xxxx
Wilson, Charles D., xxx-xx-xxxx
Wolfington, Robert, xxx-xx-xxxx
Wood, Joe A., xxx-xx-xxxx
Yochim, Frederick A., xxx-xx-xxxx
Zimmer, Gary A., xxx-xx-xxxx

To be first lieutenant

Baxter, Jean M., xxx-xx-xxxx
Bloss, Richard E., xxx-xx-xxxx
Boylan, Timothy J., xxx-xx-xxxx
Calabrese, Mark A., xxx-xx-xxxx
Campbell, Randal L., xxx-xx-xxxx
Cappel, John W., xxx-xx-xxxx
Carroll, Michael J., xxx-xx-xxxx
Cendrowski, Robert, xxx-xx-xxxx
Cloy, Michael C., xxx-xx-xxxx
Cotter, David G., xxx-xx-xxxx
Cox, Benjamin F., xxx-xx-xxxx
Croom, Curtis E., xxx-xx-xxxx
Domi, Tanya L., xxx-xx-xxxx
Fauske, Arnold P., xxx-xx-xxxx
Funck, Bernard R., xxx-xx-xxxx
Gady, Stephen A., xxx-xx-xxxx
Goodman, Brian W., xxx-xx-xxxx
Gorriaranpedraza, A., xxx-xx-xxxx
Grattarola, Kevin E., xxx-xx-xxxx
Hill, Alicia M., xxx-xx-xxxx
Johnson, Maude A., xxx-xx-xxxx
Kelly, Thomas E., xxx-xx-xxxx
Kirk, Richard A., xxx-xx-xxxx
Lamar, Brian R., xxx-xx-xxxx
Lugo, Luis R., xxx-xx-xxxx
McCormick, Kelly M., xxx-xx-xxxx
McGurk, Shannon L., xxx-xx-xxxx
Mrozinski, Lawrence, xxx-xx-xxxx
Murphy, Dennis, xxx-xx-xxxx
Murphy, Kevin T., xxx-xx-xxxx
Nunez, Martin A., xxx-xx-xxxx
Peterson, William B., xxx-xx-xxxx
Pieklik, Michael C., xxx-xx-xxxx
Pouliot, Joseph N., xxx-xx-xxxx
Presgraves, Donald, xxx-xx-xxxx
Rathbun, Steven S., xxx-xx-xxxx
Raynor, Diana A., xxx-xx-xxxx
Richard, Joseph D., xxx-xx-xxxx
Robinson, Mark W., xxx-xx-xxxx
Royal, Christopher, xxx-xx-xxxx
Saxon, Robert D., xxx-xx-xxxx
Schlink, Michael J., xxx-xx-xxxx
Schroth, Paul D., xxx-xx-xxxx
Vahey, Michael J., xxx-xx-xxxx
Viaene, John A., xxx-xx-xxxx
Woody, Lamont, xxx-xx-xxxx
Wynn, Phillip V., xxx-xx-xxxx
Yates, Virginia D., xxx-xx-xxxx

To be second lieutenant

Banker, William P., xxx-xx-xxxx
Boydston, Steve C., xxx-xx-xxxx
Callahan, Joseph P., xxx-xx-xxxx
Cornelldechert, B., xxx-xx-xxxx
Dionisi, David J., xxx-xx-xxxx
Goggins, Joseph R., xxx-xx-xxxx
Hollandsworth, Shayne, xxx-xx-xxxx
McCorvey, James L., xxx-xx-xxxx
Shaffstall, Mark A., xxx-xx-xxxx
Vafides, Glenn S., xxx-xx-xxxx
Vigna, Alfred J., xxx-xx-xxxx
Warren, Michael V., xxx-xx-xxxx

Williams, Charles A., xxx-xx-xxxx

The following-named officers for appointment under automatic integration in the Regular Army of the United States, in their promotion grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be lieutenant colonel

Randall, Charles M., xxx-xx-xxxx

To be major

Bashay, Allen B., xxx-xx-xxxx
Miller, Frank W., xxx-xx-xxxx

The following-named distinguished honor graduates of officer candidate school for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, and 532, and 533:

Brown, Donald E., xxx-xx-xxxx
Holmes, Ricky L., xxx-xx-xxxx
Orletsky, Darryl W., xxx-xx-xxxx
Robinson, Craig L., xxx-xx-xxxx

The following-named officers from the temporary disability retired list for reappointment in the Regular Army of the United States under the provisions of title 10, United States Code, section 1211:

To be lieutenant colonel

Derouen, Donald B., xxx-xx-xxxx

To be major

Powers, William S, xxx-xx-xxxx

The following-named cadets, graduating class of 1987, U.S. Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, 532, 533, and 4353:

Abbott, Derek C., xxx-xx-xxxx
Adams, Ellen A., xxx-xx-xxxx
Adams, Thomas B., xxx-xx-xxxx
Adkins, Jeffrey L., xxx-xx-xxxx
Ahn, Johan K., xxx-xx-xxxx
Albanese, Thomas C., xxx-xx-xxxx
Allar, Jeffrey S., xxx-xx-xxxx
Allen, Lawrence C., xxx-xx-xxxx
Allen, Robert S., xxx-xx-xxxx
Allibone, Michael J., xxx-xx-xxxx
Alvermann, Stephen F., xxx-xx-xxxx
Ambrose, Matthew H., xxx-xx-xxxx
Anderson, Anne M., xxx-xx-xxxx
Anderson, Carol E., xxx-xx-xxxx
Anderson, David F., xxx-xx-xxxx
Anderson, Wendy K., xxx-xx-xxxx
Andre, John P., xxx-xx-xxxx
Andrews, Douglas A., xxx-xx-xxxx
Andrews, Michael S., xxx-xx-xxxx
Andrews, Trent M., xxx-xx-xxxx
Andrus, James A., xxx-xx-xxxx
Angers, Jeffrey P., xxx-xx-xxxx
Anton, Gus, xxx-xx-xxxx
Arata, Kevin V., xxx-xx-xxxx
Argyros, Joseph M., xxx-xx-xxxx
Ariyoshi, Mark T., xxx-xx-xxxx
Armstrong, Michael A., xxx-xx-xxxx
Armstrong, Peter J., xxx-xx-xxxx
Arthur, Paul L., xxx-xx-xxxx
Artiaga, Joseph E., xxx-xx-xxxx
Ashmore, Jeffrey A., xxx-xx-xxxx
Ast, Richard A., xxx-xx-xxxx
Atkinson, David J., xxx-xx-xxxx
Aufdengarten, Bobby L., xxx-xx-xxxx
Austin, Valarie R., xxx-xx-xxxx
Baca, Glenn C., xxx-xx-xxxx
Bachman, Randy J., xxx-xx-xxxx
Badal, Leonard J., Jr., xxx-xx-xxxx
Badoian, Peter J., xxx-xx-xxxx
Baer, Troy M., xxx-xx-xxxx
Baldelli, Joseph C., xxx-xx-xxxx
Banks, Bernard B., xxx-xx-xxxx
Bara, Michael J., xxx-xx-xxxx
Barber, Brace E., xxx-xx-xxxx
Bardon, William E., Jr., xxx-xx-xxxx
Barker, Wensley, III, xxx-xx-xxxx
Barlow, Donald J., Jr., xxx-xx-xxxx
Barron, Elizabeth K., xxx-xx-xxxx
Barry, Samuel J., xxx-xx-xxxx
Barshinger, Kerry A., xxx-xx-xxxx
Bartkiewicz, Alfred A., xxx-xx-xxxx
Barton, Timothy J., xxx-xx-xxxx
Bartulovic, Ljuban L., xxx-xx-xxxx
Bartyczak, Anthony J., xxx-xx-xxxx
Basik, Keith A., xxx-xx-xxxx
Batchelder, Dean R., xxx-xx-xxxx
Bauer, Belinda L., xxx-xx-xxxx
Bauer, Lisa A., xxx-xx-xxxx
Baxter, Richard E., xxx-xx-xxxx
Beaudoin, Christopher J., xxx-xx-xxxx
Bedard, Gary S., xxx-xx-xxxx
Bedell, Brian P., xxx-xx-xxxx
Beecher, Anathea J., xxx-xx-xxxx
Beemiller, Jeannette J., xxx-xx-xxxx
Beitz, Mark D., xxx-xx-xxxx
Bell, Kevin B., xxx-xx-xxxx
Bembry, Lisa L., xxx-xx-xxxx
Benjamin, Robert E., Jr., xxx-xx-xxxx
Bennett, Benjamin M., III, xxx-xx-xxxx
Bennett, Donald J., xxx-xx-xxxx
Berger, Bradley A., xxx-xx-xxxx
Bergeron, Kenneth W., xxx-xx-xxxx
Bergers, Lisa D., xxx-xx-xxxx
Berman, Nathan M., xxx-xx-xxxx
Bettner, Jonathan W., xxx-xx-xxxx
Biggins, Larry D., xxx-xx-xxxx
Biland, Kenneth J., xxx-xx-xxxx
Billington, Courtney L., xxx-xx-xxxx
Bilyeu, Allan L., xxx-xx-xxxx
Binegar, Guy E., Jr., xxx-xx-xxxx
Birchmeier, Joseph F., xxx-xx-xxxx
Blackwell, Darren C., xxx-xx-xxxx
Blatz, Michael J., xxx-xx-xxxx
Bliese, Mark R., xxx-xx-xxxx
Blodgett, Mark A., xxx-xx-xxxx
Bobroski, Timothy P., xxx-xx-xxxx
Bodiford, Kurt A., xxx-xx-xxxx
Boeckmann, Ralph., xxx-xx-xxxx
Boehme, Kenneth L., xxx-xx-xxxx
Boehmer, Peter J., xxx-xx-xxxx
Bollinger, Stephen A., xxx-xx-xxxx
Boothe, Constance M., xxx-xx-xxxx
Boston, James E., xxx-xx-xxxx
Botello, Rafael A., Jr., xxx-xx-xxxx
Bowen, Calvert L., III, xxx-xx-xxxx
Bowman, Martha M., xxx-xx-xxxx
Bowman, Robert L., Jr., xxx-xx-xxxx
Boyd, Charles D., xxx-xx-xxxx
Bradford, Jeffrey A., xxx-xx-xxxx
Bradley, Lawrence., xxx-xx-xxxx
Brady, David J., xxx-xx-xxxx
Brady, Gilbert P., xxx-xx-xxxx
Bragg, Earl G., xxx-xx-xxxx
Brenner, Robert A., xxx-xx-xxxx
Brewington, Howard K., xxx-xx-xxxx
Bridges, Michael R., xxx-xx-xxxx
Briegel, John G., xxx-xx-xxxx
Britton, Paul C., xxx-xx-xxxx
Brock, James D., xxx-xx-xxxx
Brost, Strom L., xxx-xx-xxxx
Brown, Deanna Y., xxx-xx-xxxx
Brown, Kevin P., xxx-xx-xxxx
Brown, Ross A., xxx-xx-xxxx
Brown, Todd A., xxx-xx-xxxx
Bruen, Thomas L., xxx-xx-xxxx
Bruening, Gerald P., xxx-xx-xxxx
Buck, Shawn P., xxx-xx-xxxx
Buczak, Jeffrey P., xxx-xx-xxxx
Budke, Shawn A., xxx-xx-xxxx
Burdette, Robert D., xxx-xx-xxxx
Burger, John R., xxx-xx-xxxx
Burks, Robert E., Jr., xxx-xx-xxxx
Burns, Wesley T., xxx-xx-xxxx
Buscher, Robert C., Jr., xxx-xx-xxxx
Bush, William R., xxx-xx-xxxx
Byall, James T., xxx-xx-xxxx
Cacic, Michael S., xxx-xx-xxxx
Cairns, Robert W., xxx-xx-xxxx
Calhoun, John Q., xxx-xx-xxxx
Callahan, Michael E., xxx-xx-xxxx
Calvin, Gregory P., xxx-xx-xxxx
Campbell, Eric L., xxx-xx-xxxx
Campbell, Ned M., III, xxx-xx-xxxx
Campbell, Terrance D., xxx-xx-xxxx
Canaday, Donald W., xxx-xx-xxxx
Canonico, John S., xxx-xx-xxxx
Cariello, Anthony C., xxx-xx-xxxx
Carlo, Jose D., xxx-xx-xxxx
Carlson, Mark J., xxx-xx-xxxx
Carr, Douglas A., xxx-xx-xxxx
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Rankin, James A., [redacted]
Ranne, Carl B., [redacted]
Raugh, Patricia L., [redacted]
Ray, David F., [redacted]
Reardon, Patrick J., Jr., [redacted]
Rector, James E., Jr., [redacted]
Reddy, John G., [redacted]
Redom, James T., [redacted]
Redwine, James D., [redacted]
Reed, Stephen S., [redacted]
Regalado, Michael A., [redacted]
Regan, Michael C., [redacted]
Reider, Gary W., Jr., [redacted]
Reist, Paul K., [redacted]
Relich, Mark E., [redacted]
Remmes, Jeanne M., [redacted]
Renzi, Alfred E., Jr., [redacted]
Repetski, Michael J., [redacted]
Reyes, David P., [redacted]
Rhonehouse, Brian L., [redacted]
Rhyne, Patrick N., [redacted]
Rice, Jennifer L., [redacted]
Rice, Mark A., [redacted]
Ridge, Larry N., [redacted]
Riggins, David W., [redacted]
Rigoni, Christopher J., [redacted]
Riley, Nicola I., [redacted]
Rinino, Theresa J., [redacted]
Rivera, Franklin D., [redacted]
Roberts, Laurence C., [redacted]
Robertson, Daniel S., [redacted]
Robinette, Anthony E., [redacted]
Robinette, James H., [redacted]
Robinson, Corey C., [redacted]
Roby, Justin D., [redacted]
Rodamer, Clayce C., [redacted]
Rodenbach, Frederick J., [redacted]
Rodeschin, Darrin H., [redacted]
Rodriguez, Arthur G., III, [redacted]
Rodriguez, Daniel, [redacted]
Rodriguez, Edwin, [redacted]
Roederer, Rodney L., [redacted]
Roemhildt, Steven J., [redacted]
Rogers, Charles C., [redacted]
Rollins, Christopher J., [redacted]
Rollins, Paul E., Jr., [redacted]
Romaine, Kenny A., Jr., [redacted]
Romeo, Mark K., [redacted]
Romero, Dwayne L., [redacted]
Rosario, Peter J., [redacted]
Rose, Michael W., [redacted]
Rosen, Scott P., [redacted]
Ross, Elbert G., [redacted]
Roth, Eric J., [redacted]
Roth, Thomas J., [redacted]
Rowe, Edward V., [redacted]
Rowe, Richard L., [redacted]
Rowe, Ronald W., [redacted]
Rue, Jonathan W., [redacted]
Ruggles, Todd R., [redacted]
Rush, Christian E., [redacted]
Russell, Christopher R., [redacted]
Russell, Joy R., [redacted]
Rutledge, James R., [redacted]
Ryan, Michael B., [redacted]
Sabol, Keith J., [redacted]
Saenz, James E., [redacted]
Salada, Samuel J., [redacted]
Samek, Joseph V., [redacted]
Sampson, Kenneth C., Jr., [redacted]
Sanchez, John C., [redacted]
Sanders, William A., [redacted]
Sanford, Earle G., [redacted]
Santanello, Stephanie A., [redacted]
Santopolo, Veronica D., [redacted]
Santos, Michael C., [redacted]
Santucci, James A., [redacted]
Sarka, Gregory V., [redacted]
Sartori, Robert J., [redacted]
Sauer, Jeffrey T., [redacted]
Scheyer, David O., [redacted]
Schmidt, Klaus D., [redacted]
School, William B., [redacted]
Schrecengast, Dennis L., Jr., [redacted]
Schroeder, Christopher W., [redacted]
Schuliger, Gregory A., [redacted]
Schupp, Jonathan F., [redacted]
Schwartz, Karl O., [redacted]
Schwartz, Scott J., [redacted]
Scott, Virginia J., [redacted]
Seebold, Scott A., [redacted]
Seeger, Gunter H., [redacted]
Seidel, Brian R., [redacted]
Seise, Alan, [redacted]
Selton, Philip A., [redacted]
Serwacki, Michael J., [redacted]
Sever, Janez A., [redacted]
Seward, Sandra J., [redacted]
Shannon, Joyce M., [redacted]
Sharp, Christopher L., [redacted]
Shaver, Douglas J., [redacted]
Shaw, Jennifer L., [redacted]
Shea, Stephen M., [redacted]
Shearin, Michael L., [redacted]
Sheinwald, Alan T., [redacted]
Shepard, David J., [redacted]
Sherman, Kathleen [redacted]
Shipman, Tanja K., [redacted]
Shultis, Ronald L., Jr., [redacted]
Siewertsen, James E., [redacted]
Simard, Thomas J., [redacted]
Simonelli, Joseph A., [redacted]
Sipes, John T., [redacted]
Siwik, Jaroslaw P., [redacted]
Siwinski, Thaddeus J., [redacted]
Skibicki, Gregg A., [redacted]
Skidmore, William L., Jr., [redacted]
Skiles, John H., [redacted]
Skinner, Ervin W., [redacted]
Skinner, John, J., Jr., [redacted]
Skowron, David J., [redacted]
Sload, Peter M., [redacted]
Smidt, Jeffrey S., [redacted]
Smith, Brennan C., [redacted]
Smith, David R., [redacted]
Smith, Irving, III, [redacted]
Smith, Jason A., [redacted]
Smith, Maria Y., [redacted]
Smith, Monica L., [redacted]
Smith, Paolo F., [redacted]
Smith, Robert E., [redacted]
Smith, Steven E., [redacted]
Smitherman, Jeffrey E., [redacted]
Smorra, Fernande M., [redacted]
Smythe, Daniel R., [redacted]
Snare, Ross W., III, [redacted]
Snow, J.L., [redacted]
Snowden, Bradford L., [redacted]
Sobiesk, Michael F., [redacted]
Sogan, John S., [redacted]
Sollohub, Robert J., [redacted]
Solomon, Cecil H., [redacted]
Solomon, George S., [redacted]
Solomon, Norman E., [redacted]
Sones, Bryndol A., [redacted]
Sorrells, William T., [redacted]
Sousa, Alexander, [redacted]
Spencer, Michael B., [redacted]
Sprague, Lynn K., [redacted]
Stacey, William M., [redacted]
Stader, Thomas N., [redacted]
Stagg, Lucie M., [redacted]
Staresinic, Kenneth P., [redacted]
Starostanko, Albert J., [redacted]
Steele, Anneliess M., [redacted]
Stempel, Alan K., [redacted]
Steptoe, Ronald J., [redacted]
Stewart, Michael J., [redacted]
Stinson, Gregory K., [redacted]
Stojadinovic, Alexander, [redacted]
Stringer, Kevin D., [redacted]
Stuart, Charles F., [redacted]
Suggs, Michael L., [redacted]
Sweeney, Joseph B., [redacted]
Swisher, John R., [redacted]
Tally, Kevin L., [redacted]
Tanaka, Jason T., [redacted]
Taras, Gordon J., Jr., [redacted]
Tarsa, Michael J., [redacted]
Tatum, Vernon L., [redacted]
Taylor, Janet R., [redacted]
Tease, Michael L., [redacted]
Templeton, Ella M., [redacted]
Theus, Harry L., Jr., [redacted]
Thompson, George E., [redacted]
Thompson, Lisa D., [redacted]
Thompson, Ralph C., III, [redacted]
Thor, Jeffrey C., [redacted]
Thrasher, Kelly F., [redacted]
Tiede, Joel F., [redacted]
Tien, John K., Jr., [redacted]
Tierney, Pele V., [redacted]
Tiller, Jerry R., [redacted]
Tillotson, James M., [redacted]
Tisdale, Valen S., [redacted]
Todaro, Timothy J., [redacted]
Todd, Michael A., [redacted]
Tolbert, Michael T., [redacted]
Tomasi, William E., [redacted]
Torch, Mark A., [redacted]
Toy, Richard M., [redacted]
Trebotte, Peter T., Jr., [redacted]
Troster, Rebecca A., [redacted]
Truesdell, Bryan P., [redacted]
Tsigounis, Polyxeni, [redacted]
Tuggle, Eric A., [redacted]
Tumino, John N., [redacted]
Tumminello, Douglas B., [redacted]
Turner, Eric C., [redacted]
Turner, James L., [redacted]
Turner, Keven, [redacted]
Turner, Michael E., [redacted]
Turner, Richard R., III, [redacted]
Tuscano, Robert V., [redacted]
Tyree, John D., [redacted]
Uemura, William K., [redacted]
Underwood, Robert M., [redacted]
Valentine Christopher C., [redacted]
Valley, Mark T., [redacted]
Vansant, John F., [redacted]
Vastano, Gaetano, F., [redacted]
Venhaus, John M., [redacted]
Vezeau, Jeffrey M., [redacted]
Vicari, Anthony J., [redacted]

Vilardi, Mark R., [redacted]
Vink, Kevin J., [redacted]
Visconti, Albert J., [redacted]
Vogel, James E., [redacted]
Vogel, Victoria L., [redacted]
Vogt, Jennifer, A., [redacted]
Voigt, Jeffrey R., [redacted]
Voisinet, Christine J., [redacted]
Voss, William J., [redacted]
Wagner, Ingrid M., [redacted]
Waizenhofer, Kevin P., [redacted]
Walsh, Matthew T., [redacted]
Walsh, Stephen P., [redacted]
Waltner, John P., [redacted]
Walton, Donald C., III, [redacted]
Walworth, Marvin R., Jr., [redacted]
Wark, Lawrence J., [redacted]
Washington, Paul L., Jr., [redacted]
Weathersby, William P., [redacted]
Weaver, Brent N., [redacted]
Weinpahl, Regina A., [redacted]
Welch, Jonelle A., [redacted]
Wellman, Frederick P., [redacted]
Wells, Robert L., Jr., [redacted]
Welu, Jay J., [redacted]
Westerlund, Frederick C., [redacted]
Weyand, Ernst H., III, [redacted]
Whalen, John B., Jr., [redacted]
Whalen, Timothy J., [redacted]
Whann, Gregory A., [redacted]
Whiddon, David R., [redacted]
White, Benjamin M., [redacted]
White, Richard G., [redacted]
White, Timothy M., [redacted]
Whitecar, Paul W., [redacted]
Whitehouse, Douglas A., [redacted]
Whitenack, John D., [redacted]
Wiggs, Brett R., [redacted]
Wild, Andrew R., [redacted]
Wilkinson, Theodore W., [redacted]
Williams, Charlene C., [redacted]
Williams, Christopher Y., [redacted]
Williams, Dain E., [redacted]
Williams, Daniel E., [redacted]
Williams, David F., [redacted]
Williams, Ila N., [redacted]
Williams, Richard E., [redacted]
Williams, Rufus B., III, [redacted]
Williamson, Terry G., [redacted]
Williford, Bernard E., Jr., [redacted]
Willis, Brian E., [redacted]
Willis, Dale C., [redacted]
Wilson, Darrell T., [redacted]
Wilson, Matthew E., [redacted]
Wingard, Stephen W., [redacted]
Winkelman, Ralph E., [redacted]
Winkle, Richard K., [redacted]
Winn, Natalie G., [redacted]
Winton, Craig S., [redacted]
Witte, Richard D., [redacted]
Wixted, Elizabeth A., [redacted]
Wood, Casey D., [redacted]
Wood, Zane B., [redacted]
Woods, William H., [redacted]
Wright, Benny L., [redacted]
Wurzbach, Shaun T., [redacted]
Yacone, James F., [redacted]
Yanoschik, Thomas J., [redacted]
Yeager, Michael J., [redacted]
Yeaw, Glenn A., [redacted]
Yelverton, Rush S., Jr., [redacted]
York, Gregory F., [redacted]
Young, Cheryl L., [redacted]
Young, Dennis A., [redacted]
Young, George R., [redacted]
Young, Michael S., [redacted]
Young, Theodore A., [redacted]
Zatloukal, Irene M., [redacted]
Zielinski, Matthew J., [redacted]
Zimmerman, Eric V., [redacted]
Zoppa, Robert J., [redacted]
Zsido, John R., [redacted]

The following-named cadets, graduating class of 1987, U.S. Air Force Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, 532, 533, and 4353:

Kraft, Michael J., [redacted]
Munger, Kevin Y., [redacted]

IN THE NAVY

The following-named commanders in the line of the Navy for promotion to the permanent grade of captain, pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICERS (11XX/12XX/13XX)

Affeld, Richard Lorman
Allen, Dannie Howard
Anderson, Betty Sue
Bankert, Harlan Roland, Jr.
Bardsley, George Paul
Bates, Kenneth Scott, Jr.
Beaty, William Everett, III
Beck, Brent Webster
Beinbrink, Jeffrey Robert
Bell, James Keith
Bier, Gary Lanar
Bird, Walter Dennis
Birkmaier, William B., Jr.,
Blankinship, Leslie Scott
Bouck, Dudley Charles
Bourland, Harry Raymond, II
Bowen, James Leroy
Bowers, William Raymond
Boyce, Brian Francis
Branum, Richard Cline
Broadhurst, William Thomas
Brown, Stanley Morton, III
Buchanan, Charles, Cecil, Jr.,
Bunton, Ray Lincoln
Burch, John Charles
Burchell, Charles Richard
Burggren, Peter Charles
Burin, James Michael
Burns, William Robert, Jr.
Burrow, Barry Vaile
Caldwell, Ellis Alton
Calhoun, William McBrayer
Canfield, Susan Barbara
Carr, Terry Alan
Caruso, Michael Jerome
Castor, Ralph Johnson, Jr.,
Clark, Bartlett Lee
Clark, Richard Allen
Cloyes, Robert Dagwell, Jr.
Cohen, Jay Martin
Collins, Martin Kevin
Comer, Joseph Scotcher,
Cook, James Ballou, II
Cook, Jon Leslie,
Coon, James Maynard
Copeland, William Winston, Jr.
Covington, Donald K., III
Crahan, Gary Michael
Graig, Billy Jack, Jr.
Graighill, John St. Clair
Criss, Nicholas R., III
Currie, Michael Patteson
Dadson, James B.
Daughtry, Joseph Sutton, Jr.
Davie, Clinton William
Davis, Joseph Warren
Dawson, Gerald Hill
Degroy, Charles Monrose
Denigro, Joseph Richard
Dewar, Dorel James, Jr.
Diman, William Louis
Doran, Walter Francis
Dufresne, William Francis
Dulin, James Evans
Dvorak, James Anthony
Eckart, James Edward
Eckler, Joseph Francis
Ellington, James David
English, Robert Hugh
Erickson, Paul Robert
Evans, William Ashely, IV
Fahey, John Michael
Fallon, William Joseph
Falls, James Sidney
Farver, Richard Kevin
Fears, John Aaron
Penn, Richard George
Ferrell, William Morgan
Figueras, Raymond James, III
Fitzpatrick, John Louis
Fletcher, Bennie Lyle, III
Franson, William Eric, Jr.
Fraser, Donald Ross
French, Timothy Allen
Fuller, Robert Thorpe
Gagarin, Gregory John
Gates, Christopher Gleason
Gautier, William Kirten
Gay, Robert George
Gilbert, Arthur James
Giles, Donald Allen
Glerum, Michel Dennis
Glover, James Redd, Jr.
Gorman, Joseph Daniel
Gouslin, William Adelbert
Gray, Stephen Vern
Gray, Will Phelps
Grove, John Axtell, II
Gumbert, Ronald Derwood, Jr.
Hack, Theodore Walter
Haley, Mark Christopher
Halley, Elmer John, Jr.
Harrison, Chester Flynn
Harsanyi, William Stewart
Hart, Joseph Edward, Jr.
Hartnett, James Thomas
Harvey, James Robert
Hawthorne, Robert Earle, Jr.
Hayes, Timothy James
Heaton, Joel Brian
Hedderson, Thomas Michael
Hefkin, Donald Clark
Heisig, Alan Louis
Hewett, Leslie Wilsoon, Jr.
Hewitt, Frank Floyd
Hinkle, James Bruce
Holl, Stephen Trygve
Horne, Robert Jackson
Houser, Robert Edward
Honick, James Francis
Hughes, James Leonard
Hutchinson, Thomas Gerald
Ihlenfeld, David Lawrence
Irelan, Dennis Wayne
Isban, Michael Andrew
Jones, James William
Jones, John Patrick
Jodd, Steven Edward
Kane, John Edward, Jr.
Kapernick, Robert Edwin
Kappel, Leslie George
Kauffman, Gordon Eddie
Keegan, Lawrence Thomas
Kelley, Michael Bernard
Kelly, Harold Wayne
Kelly, Robert Bolling, Jr.
Kelsey, Robert Joe
Kent, Thomas Richard
Kerr, Peter James
Kieley, John Joseph, III
Kline, Edward Marvin, Jr.
Knappe, Douglas George
Kraft, Charles Merle, Jr.
Kuhn, Richard Charles
Lackey, Terry Carter
Lang, Robert Earle
Langknecht, John Marshall
Langston, Arthur Navarro, III
Larson, Robin Cameron
Lauzon, Gilbert Paul
Lawson, Dunbar, Jr.

Lawver, Allen Eugene
Lear, George Barrett, Jr.
Leonard, Robert Emory
Lindfors, Bo Gottfrid
Lockwood, Ernest Reese
Long, Peter Avard Chipman
Lowell, Robert Leroy, Jr.
Ludwig, Frederic George, Jr.
Madden, Lewis Dot
Madden, Thomas Francis
Mann, John Edwin
Marks, Norman Alfred
Martin, Michael Dean
Martus, Michael Frederick
Mason, James Rutledge, Jr.
Mazza, Joseph Dennis
McCarthy, William J., IV
McCullough, Van Lee
McDaniel, Garold Stephen
McGinlay, Thomas Charles John
Messina, Edward Frederick
Migrala, Walter M., Jr.
Miles, Robert James
Miller, Roger Lee
Miller, William Cole, III
Mitchell, Anthony Edward
Montgomery, Samuel Adair, III
Moore, Gregory Rayfield
Moore, Richard Warren
Moore, Thomas Weller
Morris, Raymond John, Jr.
Moser, Robert Dayman
Murphy, Daniel Joseph, Jr.
Murphy, James Leroy, III
Mushen, Robert Linton, II
Natter, Robert Joseph
Naughton, Richard Joseph
Nesbitt, Howard Wayne
Nick, Louis Adolph, Jr.
Nordgren, Robert Carl
Nordman, Robert William
Norris, William Leland
Ogle, John Lee, Jr.
Ohearn, Michael Steven
Oser, Eric Leroy
Patton, Bernard Warren
Payne, John Scott
Phillips, Braden James
Pickavance, William W., Jr.
Pope, David Lawless
Porter, Joel Alan
Putnam, William L.
Pyetzki, Charles Melvin
Quigley, Michael Dennis
Qurollo, James Victor, Jr.
Raaz, Richard Dean
Ramsay, Robert Lee, III
Rice, Marvin R.
Rice, Theodore L.
Richard, Jeffrey Luke
Richardson, Arthur Fields
Ries, Stephen Hamilton
Robinson, Charles Leon
Roll, Francis Patrick
Roop, William Arthur
Ross, Alan Lawrence
Roth, Milton Dudley, Jr.
Roth, Patrick Henry
Rud, Gilman Everett
Ryan, Norbert Robert, Jr.
Sabatini, Joseph Francis
Samuels, Michael William
Sandoz, John Frederick
Sargent, David Putnam, Jr.
Scheu, David Robert
Schmidt, William Wallace
Sexton, Theodore Covert
Shaut, Earl Walter
Shaw, Robert Earl
Sheffield, Terry Randolph
Sherlock, James Carter
Sikes, Joseph Kelly
Skaar, Gerhard Erling
Smith, Raymond Charles, Jr.
Smith, Thomas H.
Snider, William Allen
Sollenberger, Robert Travis
Sommers, Thomas Andrew
Southgate, Gregg Vanremmen
Stillmaker, William James
Stoutamire, Stoney Lester
Svendsen, Michael Roy
Taylor, Malcolm Palmer, Jr.
Terrill, Thomas Joseph
Tetrick, Edward Leslie
Tickle, Harold Joseph
Tobin, Roy W.
Tracey, Patricia Ann
Tuck, Charles Marion
Turner, Dean
Urbin, Lawrence Walter
Vansaun, David
Vansickle, Garth Allan
Vazquez, Frank Xavier
Verhoef, Thomas Tymen
Vivian, William Charles
Vonsuskil, James David
Vtipil, Donald Sheridan
Walker, Bill
Ward, Chester Douglas
Ward, Paul Charles
Wasson, Gary Clinton
Webb, Stephen Louis
Webster, Kirwin Shedd
Welsch, James Edward
Westbygibson, Peter Barry
Westerbuhr, Norman Lee
Whalen, Daniel Patrick
White, Peter Leroy
Wilks, Robert Edgar
Williams, David Michael
Williams, Jack Bercaw, Jr.
Williamson, Robert Charles J.
Witt, Theodore Carl William
Wolfgang, Earl Dale
Wong, Henry Kingsy
Wood, Bruce V.
Wood, Stephen Carl
Woodall, Stephen Russell
Woodson, Walter Browne, III
Woolard, Richard Trusty P.
Yakeley, Jay Bradford, III

ENGINEERING DUTY OFFICERS (14XX)

Bassett, William Frederick
Bowler, Roland Tomlin E., III
Combs, Robert Meredith
Driscoll, John Robert, Jr.
Gehrman, Fred Herman, Jr.
Graham, Edward, IV
Idsinga, William
Kowalick, Stephen Joseph, Jr.
Lutz, Frederick Ray
MacPherson, George William
McComas, Jon Philip
Monroe, Jerry Melvin
Pierpont, Peter Stewart
Scalzo, John Carmine
Seward, Theodore Clark, Jr.
Todd, James M.
Williamson, Francis T., Jr.

AERONAUTICAL ENGINEERING DUTY OFFICERS (AERONAUTICAL ENGINEERING) (15 IX)

Belden, William Ellsworth, Jr.
Chicoine, Rene Joseph
Dabbieri, Peter Vincent, Jr.
Giardina, Thomas Joseph, II
Givens, Todd Williams
Hickok, John Howard
Jacobs, Gerald Keith
Keefer, Richard Lee
Koehler, Richard Evans
Merickel, Michael Reilly
Norris, William Lloyd, Jr.
Savage, Wayne Franklin
Strada, Joseph Anthony
Tilson, Paul Evans, Jr.
Volland, Karl Ferdinand, Jr.
Wendt, Terrill Jay

AERONAUTICAL ENGINEERING DUTY OFFICERS (AVIATION MAINTENANCE) (152X)

Breglio, Robert Anthony, Jr.
Dutton, Robert Langston, Jr.
Mozgala, David P.
Rossiter, Alan Wilson
Smith, Connor Lynn
Smith, Robert Wayne

SPECIAL DUTY OFFICERS (CRYPTOLOGY) (161X)

Bartholomew, Glenn S.
Burns, Joseph David
Dunn, Ivan Max
Engel, Ronald Allen
Maillefert, Christopher W.
Mitchell, John T.
Mitschang, George William
Nick, John Irvin
Pigoski, Thomas Max
Roser, James Henry, Jr.
Whiton, Harry Winsor

SPECIAL DUTY OFFICERS (INTELLIGENCE) (163X)

Dinkel, Robert Edward, Jr.
Duncan, Robert Nelson
Erskine, John Roger
Gertz, Wayne Harvey
Green, Jon Noel
Griffin, David Moss
Herrington, David Lynn
Ireland, Robert Louis
Lesley, Ronnie Joseph
Martin, William Charles
Muccia, Daniel Richard
Oates, John Scott
Peszko, David Adam
Vinson, John Emmanuel

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS) (165X)

Cherry, Michael Everett
Hanley, Paul Windsor

SPECIAL DUTY OFFICERS (OCEANOGRAPHY) (18XX)

Austin, Gary Lee
Donat, Winfield, III
Fraim, Thomas Stewart
Grant, Richard Francis
Imli, Carl Bolton, Jr.
Olsen, Wayne Lewis
Piwowar, Thomas Michael

LIMITED DUTY OFFICERS (LINE) (61XX/62XX/63XX/64XX)

Baller, Elmer William
Erickson, Richard Oscar
Garrahan, Richard
Joyce, John Joseph

The following-named Naval Academy midshipmen 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:

Aanonsen, Paul Christian
Adams, David John
Adams, John Jay
Adams, Thomas Edward
Adler, Robert Michael
Ahearn, Patrick Michael
Alder, John Edward
Aldridge, Daniel John
Allen, Kathryn Anne
Alley, James Scott
Allison, Todd Michael
Alvarez, Dawn Maria
Ambrose, Charles Richard
Amy, Clare Hammett
Anderson, Dale Edward
Anderson, David Terry
Anderson, Geoffrey Leigh
Anderson, Michael Douglas
Anderson, Richard Andrew
Anderson, Theodore Peter
Angeloni, William David

Arellano, Anthony John Gust
Arias, Christopher Vincent
Ashley, Darin Walker
Attisani, David Thomas
Augenstein, Roger Craig
Bacigalupo, Thomas Mark
Badger, David Dwain
Bahn, Christian Simon
Baker, Charles Ross
Baker, James Matthew
Baker, Joel Brian
Baker, Samuel Cranage
Balch, Mary Elizabeth
Baldin, Kirk Frederick
Baldwin, John Milton, IV
Ballister, Stephen Charles
Baltazar, Eric Lee
Banister, Grady Thatcher, III
Bannach, Keith Bernard
Basil, Daniel Lee
Bates, Daniel Thomas
Bates, James Albert
Battle, Steven Scott
Bays, John Timothy
Beaton, Ross Cameron
Beemer, David Alan
Beggs, James Harrison
Belcher, Mark Allen
Belesimo, Thomas Raymond, III
Bell, Michael Denis
Belling, Ralph John
Bement, David Carl
Bennett, James Wesley
Benson, Harry Warner
Benson, Kirk Raymond
Bernardo, Joaquin Andre
Berner, John Aloysius
Berry, Carol Lee
Bevans, Paul Bastos
Bibeau, Scott Christopher
Biddinger, David Myrvin
Bisaillon, David Gerald
Bissa, John Paul
Blackburn, Douglas Lawrence
Blanchard, Arthur Alexander
Blasini, Jorge Felix
Blazis, Enoch James
Bliss, Matthew Scott
Blochberger, Sean Charles
Blumenberg, Clifford Andrew
Boerman, Douglas Alan
Bolat, Jean Pierre
Bolinger, Todd Wesley
Bolt, Christopher Eugene
Bond, Phillip Sawyer
Bonn, Timothy Alan
Borgdorff, Leonard Hugh
Bouchard, James Everett
Bourgeois, Paul Alan
Bowmer, Scott Alan
Boyd, Brad William
Boyer, Alan Lee
Boyer, Scott Alan
Brackett, Joyce Marie
Braden Guy Milton,
Bradley, Anthony John
Bradley, Sybil Victoria
Bragg, David Lee
Bramble, John Michael
Branchfield, Craig Randall
Brandenburg, Michael Warthen
Brandle, Martin Edward
Brandt, Karl Dietrich
Brandt, Philip Dean
Brasek, Thomas Peyton
Brill, Roger Edward
Britt, Lawrence Francis, Jr.
Brockway, Barry Dean
Brooks, Michael Joseph
Broshkevitch, Mark Robert
Brown, Daniel Joseph
Brown, David Allen
Brown, Mark Steven
Brown, Marshall Brent
Brown, Scott Alan
Brown, Suzanne Mary
Brown, Theodore Leonard
Browne, Michael Edward
Browne, Thomas Patrick
Buck, Paul Gregory
Buckley, David Matthew
Buckley, Kathleen Marie
Buckon, Andrew Daly
Buechs, Todd Russel
Buenavista, Joseph C.
Bunge, Paul Dieter
Burgos, Brian Nicholas
Burke, John Anthony
Burkett, Paul Andrew
Burnham, David Leigh, Jr.
Burns, David Allan
Burns, Robert Nicholas, Jr.
Burris, Craig Martin
Buzzard, Gunnar Wade
Byrne, James Michael
Byrne, William Declan, Jr.
Caldwell, Conrad Chesnut, III
Calhoun, Christopher Scott
Calhoun, Robert Lee, Jr.
Callahan, Andrew Patrick
Callahan, Timothy Gerard
Cameron, John Scott
Campbell, Glen Scott
Campbell, Joseph Aloysius
Campbell, Nicholas Belvert, II
Campbell, William Roland
Cancio, Ramon Julio
Cantwell, Michael Treacy
Caporossi, Jeffrey Paul
Carlson, Rudolph Frederick, III
Carroll, Michael John
Carroll, Molly Ann
Carroll, Sean Christian
Carter, Gary Arthur
Casey, Thomas William
Cassidy, Charles John
Casson, Charles Edward, Jr.
Cayouette, Napoleon Antoine, III
Chandler, John Wells
Chao, Richard Jiawei
Cheneler, Joseph Michael
Childs, James Carlton
Chung, Chang Ki
Cimiluca, Arthur Edward, Jr.
Cipriano, Nicholas Joseph, III
Clark, Arthur Brooks, II
Clark, Kenneth Lee
Clark, Michael Christopher
Clark, Thomas Joseph
Clarke, Russell Howard
Clarke, Stephen Andrew
Clarke, Steven Michael
Clautice, Susanne Marie
Cobb, Philip Wayne
Cody, James Patrick
Cohan, Stephen Carter
Cohron, David Nicholas
Coil, Gregory Scott
Coleman, Alton Hugh, III
Coleman, Robert Eric
Collins, James Joseph
Colwell, Jeffrey Philip
Compeggie, Christopher Joseph
Contaoi, Gregory Vidanya
Cook, James David
Cooke, Rabon Elton
Corcoran, Philip Edmund
Corkery, Timothy John
Corrigan, Timothy Joseph
Corsello, Patricia Marie
Cote, Stephen Paul
Cotten, Gregory Benedict
Coughlin, Sean Thomas
Council, George Horace
Cox, George Frederick, Jr.
Coyne, Kevin Michael
Coyne, Thomas Stephen
Craig, John William
Cramer, Todd William
Crespin, Rudy Joseph
Cressman, Scott Alan
Cronin, Jason William
Cruz, Allen Regaspi
Crymes, Jeffrey Conrad
Culbertson, Jennifer
Curran, Paul Gerard
Curry, Sean Cecil
Curtin, Patrick Nicholas, III
Dalton, Marc Henry
Dambra, Charles Edward
Dambra, Michael Joseph
Daniels, Charles Lee, II
Danielson, Jeffrey Mark
Dano, Eric Brian
Danzer, Michael Gerard
Dau, Frederick William, IV
Davis, Susan Lyn
Dawson, Gregory Earl
Day, Stephen James
Deane, Timothy Michael
Debeauclair, Geoffrey Garret
Deleon, Joseph Adam
Dellorso, Craig Stephen
Demarsh, David Allen
Denine, John Joseph
Dennis, Shawn Esteban
Derrane, James Patrick
Desmarais, Albert Joseph
Dewalt, Rodney Paul
Diaz, Gil Rodriguez, Jr.
Dick, James Hamilton
Dietz, Robert Scott
Diggle, Anthony Andrew
Dikeman, Richard Randall
Dill, Rodrigo Matutina
Dimento, John Mark
Diorio, Nicholas John
Dipaola, Joseph Phillip, Jr.
Doherty, Daniel Joseph
Doman, Thomas Mathew
Donohue, Robert Brian
Donovan, Amy Lyons
Dorsett, Dolores Melina
Dougherty, Daniel John
Douglass, Robert Iain
Dour, Letitia Ann
Dove, John Calvin, Jr.
Driesbach, Dawn Helene
Dryer, John Elmer
Duke, James Joseph, Jr.
Duke, Owen Eugene, III
Dunn, Kenneth Franklin, Jr.
Dunphy, Christopher Edward
Dupre, Paul Anthony
Dutch, Dave Paul
Earle, Jeffrey Scott
Early, Matthew Lance
Eckert, Edward Allen
Edenfield, Bradford Jack
Edwards, Alexander Hamilton, III
Ellis, Robert Allen
Ellison, Greg Robert
Emmitt, James Dore
Emons, Russell William, Jr.
Ennis, Tomas Eamonn
Erdelatz, Scott Edward
Esparza, Jorge Antonio
Espe, Burt Lann
Espinosa, Paul Edward
Evers, Jeffrey Ray
Eversole, Joseph Scott
Ewing, Richard Eugene
Fabian, Anthony John
Farraday, Diana Lynn
Fay, Christopher Thomas
Feeney, John Patrick, Jr.
Fennell, David Alan
Fenner, John Francis
Fenstemaker, Steven Frederick
Ferguson, Charles Daniel, II
Ferguson, Randy Allen
Fernandes, Anthony Francis

Ferrari, Anthony Joseph
Fickle, John Hugh, Jr.
Fields, Michael DeLeon
Filyaw, Olin Oscar, Jr.
Finch, Michael Francis
Firlie, Marc Patrick
Fisher, James John
Fitzpatrick, Francis Xavier
Fitzwilliam, John William
Fransburg, John Thomas, Jr.
Fletcher, Kirklin Cathedris
Flewellen, Demetrius Lynn
Flood, Michael Walter
Florian, Timothy Allen
Fluker, David Paul
Flynn, John Patrick
Flynn, Patricia Agnes
Folsom, David Robert
Forster, Daniel Paul
Fox, Mark Harold
Frack, Kenneth Lawrence, Jr.
Franchi, John Thomas
Fuller, John Vincent
Fulp, John David
Gaffney, Michael Patrick
Gallop, Patrick Joseph, Jr.
Galvan, Richard
Ganahl, George Francis
Gardner, Mark Allen
Garrett, Stephen Chamy
Garrison, Jason Dwight
Gary, Francesca Deborah
Gasperino, John Patrick
Gavieres, Ruben Vidal
Georgiefski, Michael Terrence
Gephart, Gregory Alan
Gfrerer, James Paul
Giannone, Stephen Francis
Gibeley, Marc Morris
Gibson, Mark Conrad
Gieg, Michael Eugene
Gillespie, Stephen Mark
Gilstad, John Reed Hill
Girardi, Mark Edward
Glenn, Walter Benjamin
Gomez, Gabriel Eduardo
Gonzales, Anthony James
Gonzalez, Evaristo
Gonzalez, Reinaldo
Goodbody, Robert Anderson
Gordon, Andrew Lewis
Gordon, Charles Michael
Gordon, John Wesley
Gosnell, Paul Gregory
Gotay, Orlando, Jr.
Grabowsky, Jeanne Marie
Grammer, William Cody
Graves, Rodney Guy
Graves, Thomas Copp
Green, James Stanley
Green, John Kenton, Jr.
Green, Mary Ellen
Greene, Joseph Thomas
Gregus, Louis John, Jr.
Griffin, Donald Lamar, II
Griffith, Benjamin Perry, II
Griffith, Jeffery Perry
Groothuis, Mark Douglas
Gross, Paul Edward
Grover, Darrin Michael
Guyer, Michael Francis
Hagan, David Scott
Hagerty, Paul Patrick
Hagler, James Truett
Hair, John Douglas
Haley, Brian Elliott
Hall, John Theodore
Hallahan, William Douglas
Hallawell, Robert Elkins
Halpern, Steven Evan
Ham, Kenneth Todd
Hamblet, William Prentiss, Jr.
Hamilton, Mark Daniel
Hamilton, Partick John
Hansen, Leland Duane
Hanson, Douglas James
Hardebeck, Jason Dee
Hardig, John Jay
Harper, Ernest Anthony
Harrington, Robert Scott
Harrington, Thomas Malcolm
Harris, Gregory Norton
Harris, John Daniel
Harris, Roger Allen
Harris, Ronald James
Hart, Duncan Arthur
Hart, Reuben DeLoss, Jr.
Hartman, Curt Carl
Harwood, Bartlett, III
Hatheway, Michael Peter
Hawkins, Albert Wayne
Hayden, John Stuart
Headley, Stacey Lee
Hearn, Thomas Patrick
Hein, Robert Nicholas, Jr.
Helmers, Julie Vearl
Hemela, David Andrew, II
Henderson, James Anthony
Hendrickson, Daniel Brian
Henry, Eric Jon
Hensley, Jonathan Boyd
Henwood, Thomas Aloysius
Herbener, Scott Christopher
Herndon, Donald Wayne, Jr.
Herrera, Michael Anthony
Herrman, Alan Leigh
Herron, Michael Stephan
Hesse, John Walter
Hibbler, James Edmund, Jr.
Hickey, Robert Andrew
Higgs, Ronald LeRoy, Jr.
Hilarides, Roger John, Jr.
Hill, Daniel Clyde
Hill, Gregory Thomas
Hill, Kevin Carlos
Hill, Michael John
Hines, Douglas Michael
Hirko, Leslie Ellen
Ho, Eric Chee
Hodges, Christopher William
Hoffer, Geoffrey Alvin
Hoffmann, Richard John
Hogan, James Patrick
Holbrook, James Howard
Holden, Jerry Keith
Holland, Edward David
Holland, Kevin Andrew
Hollinger, Anthony Keith
Holloway, Eric Charles
Holmes, Sean Allan
Holtkamp, Erik Girrard
Hopkins, Robert Scot
Horan, Matthew Burke
Horan, Paul Thomas
Horel, Robert Harold
Horner, Brigette
Horrisberger, Michael Meredith
Horrisberger, Philip Gavin
Hosey, Patrick Joseph, Jr.
Hoskins, Robert Martin, Jr.
Hottendorf, John Eric
Houck, James David
Howe, William Ernest, III
Howes, Matthew Ryder
Hoy, Eric Harlyn
Hubbard, Thomas Richard
Huber, Michael James
Hudgins, Seth Foster, III
Huey, Wesley Scott
Hughes, David Wayne
Humm, Brian Nicholas
Humphreys, William Andrew
Hunnemeyer, Scott Eric
Hunter, Linda Marie
Hurler, Herbert
Hurley, Patrick James
Hushour, Larry Gene
Hutson, Peter Martin
Huxhold, Paul Edmund
Iannone, Edward John
Ihde, Alexander Gunther
Inglesby, Kenneth Albert
Ingold, Tina Bridget
Ives, Thomas Michael
Ivory, Steven Robert
Jackson, Guy DeLacey V.
Jacober, Jeffrey Scott
Janac, Gary Leo
Jenkins, John Lawrence
Jennings, Jeffrey Thomas
Jewell, Jonathan Joseph
Jezior, Stanley Paul
Jo, Sheldon Sucheol
Johnson, Christopher Elliot
Johnson, David Alan
Johnson, Randolph Blair
Johnson, Scott Douglas
Johnston, Gregory William
Jones, Logan Scott
Jordan, Matthew James
Jordan, Michael Philip
Joslin, Mark Preston
Joyner, Karen Elizabeth
Julian, David Alexander
Kamat, Keval Shawn
Kane, Jeffrey Paul
Kane, Robert John
Kata, Steven Joseph
Kay, Robert Theodore
Keane, John Thomas, Jr.
Keays, Wallace Raymond
Keith, Robert Taylor Scott, III
Keller, Christine Marie
Keller, Douglas Fitzgerald
Keller, Michael Edward
Kelly, Mary Catherine
Kelly, Patrick Michael
Kempkes, John Christopher
Kennedy, John Clarke, III
Kiess, Michael Andrew
King, Samuel James
Kirby, Charles Kenton
Kirk, Matthew Steven
Kirkland, Gary Conrad
Klatt, Deborah Denise
Klein, Kristopher Charles
Kless, David Ronald
Klimas, Anthony John
Kline, Brian Todd
Koehr, Bernard Edwin
Kot, Brandan Matthew
Kovanic, Edward Timothy
Kowenhoven, Peter Francis
Kozar, Mark Joseph
Kramer, Charles Mallan
Krensavage, Joseph Peter
Kurisky, Paul Joseph
Kushner, James Peter
Kuziela, Thaddeus John
Kyle, John Shepherd
Lacroix, Lance Leo
Ladwig, James Parker
Lafnitzegger, Eric Alois
Laforge, Michaele
Laible, Henry Alfred
Lambert, Lee Anne
Lane, Charles Dean
Laporta, Leonard, Jr.
Lara, Joseph Michael
Latrash, Frederick
Lauletta, Joseph Carmen, Jr.
Laurilla, Shelley Marie
Lavigna, Michael Louis
Lay, Jeffery Edward
Leach, Scott Charles
Ledesma, Roy Rodriquez
Lee, Brian Michael
Lee, Curtis Todd
Lelio, James Francis
Lenaburg, Jerry Don
Lennon, Andrew Charles
Leong, Eric Nathaniel

Lesniak, John Francis
Lessard, Laurence John
Lester, David Robert
Levins, Richard McClellan
Lewis, John Scott
Lewis, Paul Christopher
Liebert, Carl Clinton, III
Lim, Claude Philipp R.
Lindsey, Dwayne
Lipscomb, George Aloysius
Little, Eric Lester
Littlejohn, Stuart Michael
Liwski, Lisa Mercedes
Llaneta, Veronica Stefanie
Lochridge, Scott Owen
Locke, Stephen Kenneth
Loesch, John Hugo
Lombardo, Michael John, Jr.
Loricco, John Robert
Lott, Laura Louise
Lucas, William Aaron
Ludwig, Mathew Allan
Lukish, Jeffrey Ryan
Lunifeld, Thomas Jeffrey
Lyon, Robert Allen
MacArthur, Robert Duncan
MacChio, Richard Michael
MacFarland, Robert Steele, Jr.
Mack, Paul Gerard
MacMurchy, Richard Guy
MacMurtrie, James Alexander, Jr.
MaCrae, Thomas Hugh
Magee, Edward Ossie, Jr.
Major, David James
Malloy, Scott Webster
Malloy, Terence Petrick
Maloney, Brian Paul
Mangan, Michael Sean
Manhertz, Carey Mark Anthony
Marks, Adrienne Marie
Marsh, Charles Devon
Marsh, David Robert
Martin, Ernest Walter
Martin, Leslie Jo
Martin, Michael Robert
Martinez, Antonio Raul
Martinez, Arturo Zamora
Martinez, Rene
Martins, John Kenneth
Marzec, Thomas Adam
Masiello, Gregory Lee
Mason, Douglas Edward
Massoglia, Suzanne Elizabeth
Masters, Douglas Ray
Matheson, James Vincent
Matthes, William Peter
Mattson, Thomas Michael
Maxfield, Thomas Alexandria, Jr.
McBeth, Vincent Derrick
McCain, Rose Marie
McCarthy, William Arthur
McCawley, Brian Cronin
McCloy, Darin James
McDonald, Duane Hugh
McFadden, Bruce Robert
McFarlane, Scott Patrick
McGarry, Jeffrey Yates
MaGee, James Dennis
McGinley, John David
McGowan, John William, Jr.
McGrady, Jackson Lee
McGrath, Richard Scott
McKee, Margaret Ellen
McKelvey, Jay Bruce, Jr.
McKenna, John Joseph
McKenna, Thomas Arthur
McKinley, William Patrick
McMillan, Daniel George
McNeilley, William Gordon
Meisch, Paul Joseph
Meissel, John Edward
Melling, Christopher Norman
Mellor, John Phillip
Meoli, Dominic Joseph

Mercer, Thomas Alexander, Jr.
Merna, James Faulk
Merriam, Christopher Edward
Merritt, Howard Franklin
Metcalf, Ned Winford, Jr.
Metzger, John Vernon
Meyer, Stephen Rex
Mickelson, Lynne Denise
Midea, Matthew John, Jr.
Miggins, Matthew James
Miles, Erica Anne
Miles, Mary Alice
Miller, Edward Upchurch
Miller, Gregory Alan
Miller, Lee Howard, II
Miller, Thomas Scott
Milligan, David Bourke
Milliman, John Crosby
Mills, Hugh Edward, Jr.
Milone, Stephen Anthony
Misch, Robert Christopher
Mitchell, Ross Paul
Mitchell, Susan Louise
Mollon, Dennis Clyde
Mologne, Michael John
Money, James Lester
Monk, Greggory Boyd
Monroe, James Todd
Monroe, Robert David
Moore, Russell Anthony, II
Moore, Wallace Frank
Morales, Joseph Arthur, IV
Morgan, Curtis Alan
Morgan, James Michael Lee
Moroney, Kevin James
Moser, Heidi Johanna
Moss, Allen Jeffrey
Muggleworth, Charles Earle
Mullins, Matthew Bryan
Mumm, Wesley James
Murphy, Thomas Patrick
Muscha, William Robert
Musiek, Laurie
Mykleby, Mark Gary
Mykyta, John Lubomyr
Nagy, Stephen Matthew
Neidhold, Carl David
Nelson, Ralph Frederic, Jr.
Nerup, Carl Louis
Nesbit, Paul Eric
Neumann, William Davis, Jr.
Newcomb, Christopher James
Newell, Paul Dwight
Nickels, Trent Demarco
Nilsen, Thomas Gunnar
Northcott, Tad Christopher
Norton, Michael Alan
Noyes, Brian Douglas
Nygaard, Danny Allen
Oboyle, John David
Oddo, Dominick James
Odom, David William
Dechsel, Craig Roger
Ogden, David Averitt
Okuinghttons, Camilo Octavio, Jr.
Olsen, Robert Norman
Orans, David Martin
Ortega, John Charles
Ortiz, John Arthur
Oss, David Brandon
Ostroff, Pacy Philip
Otto, Steven Edward
Packard, Randall Craig
Padilla, Ann Marie
Pagan, Ivan Roman
Panchyshyn, Stephen John
Pandya, Sunita Lyn
Pappas, Dimitrios Anastasious
Parker, Eric Addison
Parker, Gary Wayne
Parker, Robert Charles, III
Parrillo, Michael Albert
Parzych, Garry Edward
Patten, Michael Paul

Patton, Brian Eugene
Peden, Keith Roy
Penny, Arthur Scott
Peoples, Michael Loren
Pereira, Frank, Jr.
Perkins, Patrick Ryder
Permitto, Curtis Mark
Perreca, Eric Norman
Perri, Craig Philip Russel
Peters, James David
Peters, John David
Peters, Stephen John
Petersen, George Joseph
Petty, Anita Sue
Pham, Huy Cuong
Pickrell, Brant Douglas
Pierson, Brett Matthew
Pignataro, Robert Paul
Pinnata, John George
Piontek, Joseph William
Pitrof, Stephen Moore
Plantz, Robert Nelson
Plohetski, John William
Plourde, John Edward
Polcari, Michael Anthony
Polowczyk, John Phillip
Poore, Louis Edward, II
Postoll, David Frederick
Potts, Kevin Michael
Powell, Christopher Scott
Prass, Ronald Eugene, Jr.
Prato, Anthony Wayne
Pray, Andrew Gregory
Pruett, Arthur Paul
Pugh, Jason Allen
Quast, John Michael
Quick, Mark David
Quinn, Michael Joseph
Quinn, Patrick Joseph
Quinn, Scott Wayne
Quint, David Michael
Rademacher, Lon Dietrig, Jr.
Radice, Michael Frank
Rakow, Steven William
Rangitsch, Joan Marie
Rapadas, Alex John
Rapp, Christopher George
Rathbun, James David
Rathjen, Lisa Ann
Ray, Michael Jeffrey
Rayburn, Jeffrey Paul
Rayhill, Paul Christopher
Raymond, James William
Raymond, John Michael
Rayner, Timothy Hugh
Redling, Fred Eugene
Reilly, William, Jr.
Reimann, Timothy John
Renberg, David Alexander
Ribera, John Joseph
Ricciuti, Andrew
Richards, Dennis Paul, Jr.
Richey, Ryan Gibson
Rideau, Errol Edward, Jr.
Rinkacs, John Stephen
Rizzo, Joseph Ralph
Robbins, Donald Wayne
Robell, Kenneth James
Roberson, Bradley Wayne
Roberson, Rob B.
Robinson, David Andrew
Robinson, David Maurice
Robinson, Joycelin
Rodgers, Alan Mcelwee
Rodriguez, Juan Carlos
Rodriguez, Miguel Alberto
Rogers, Graham Dillingham
Rogers, Timothy Alexander
Ropiak, Michael John
Ross, Kenneth Andrew
Ross, Wendell
Roth, Stephen Scott
Rovenstine, Michael Joe
Rowan, John Garand

Rowe, Andrew William
Rowe, Robert Steven
Roylance, Timothy Matthew
Ruge, Dana Dale
Ruggiano, Marc Louis
Ruggirello, Stephen
Russ, Kimberly Sue
Ryan, Michael
Ryan, Steven Lynn
Sadanaga, Dean Alan
Sahler, Erica Layne
Saksvig, Paul Amund
Saldivar, Raul Fernando, Jr.
Sambar, Al William
Sammons, Danford Elias, III
Sampson, Matthew Thomas
Sanchez, Joe Manuel
Sargent, Gregory Joel
Saroch, George Burchard
Sasek, David John
Schabert, Cary Michael
Scharf, Shawn Michael
Schenck, Christopher Robert
Scheulin, Eric Matthew
Schieber, Ty Alan
Schiffman, David Lee
Schill, Daniel Kenneth
Schilling, Charles Lee
Schindler, Dan S.
Schmidt, Harry Michael
Schmitt, James Gordon
Schoenbucher, Paul Eric, Jr.
Schofield, Edward Ronald
Schreiber, James Arthur
Schreiber, Mark Timothy
Schutz, Douglas Moore
Schwab, Thomas Michael
Seawright, David Arlyn
Sechriest, Walter Stimpson, III
Seeberger, Scott Christopher
Seibert, Joseph John
Sewell, David Edward
Shaffer, Daniel Gustaf
Shamblin, Brian Michel
Shay, Erik Fred
Shea, Patrick Owen
Sheerin, Michael Thomas
Shen, Jonah Wai
Shepherd, Robert Harding
Shevis, Philip Gordon
Shields, Daniel Kirk
Shinnick, Gregory Daniel
Shirk, Jeffrey Scott
Shores, Jose Ramon
Shove, Benjamin Sydney
Shuttleworth, Bruce Bowen
Simei, Joseph Anthony
Sindoni, Anthony John
Sisney, Steven Douglas
Sizemore, Robert Adam
Skelley, Suzanne
Skubi, Jason Kenneth
Slatter, Scott Darrel
Slaughter John Beauregard
Sledgianowski, John Forrest
Slough, Timothy Dehaven
Smith, Christopher Burke
Smith, David Glenn
Smith, Derrick Manton
Smith, Frederick William
Smith Jennifer Ann
Smith, Larry Wayne
Smith, Michael Kevin
Smith, Robert Franklin
Smith, Russell Edward
Smith, Stephan Michael, II
Smith, Tracy Lynn
Sniffen, John Mark
Snoke, Timothy Alan
Snyder, Daniel Benjamin
Snyder, Daniel James
Soer, Craig Steven
Soper, William Paul
Sopko, Michael Charles
Sorenson, Matthew David
Soto, Ruben David
Soupiset, Rayome Francois
Spands, Michael Louis
Spencer, Keith Andrew
Spitzer, John Lewis
Springer, James Glenn
Springer, Nancy Ann
Stanford, Scott Thomas
Stanton, Roger Crozier
Starkey, Michael Charles
Stauber, Renaud Emmanuel
Stauch, Patrick Sullivan
Stec, Jeffrey Dennis
Stefanko, John Christopher
Stefanon, Gregory Ernest
Steffan, Joseph Charles
Steggerda, Todd Roger
Stephens, Edward Leroy, II
Stevens, Glenn Warren
Stevenson, John Daniel
Stewart, Michael Andrew
Stewart, Robin Ann
Stillwaggon, Joseph Vincent
Stollmeyer, Richard Lee
Stonaker, Daniel Robert
Stratton, Patrick Thomas
Stringfellow, John Michael
Suarez, Carlos Martin
Sullivan, Charles Francis
Sullivan, Edward Charles
Sullivan, James Edward
Sullivan, Sean Patrick
Sullivan, Wendy Ilene
Swan, Ernest William
Swanson, James Lee
Swickley, Robert Louis
Swift, Steven Allen
Sylvester, Steven Michael
Szpisjak, Dale Frank
Tackett, Stephen Howard
Tadlock, Jimmie Carter, Jr.
Takats, Terry Robert
Taliaferro, Thomas Alan
Taylor, Jeffrey Howard
Taylor, Phillip Steven
Teeple, Stephen Michael
Tellez, Grover Dale
Tenhoopen, Douglas Jon
Tenney, Joseph Wilcox
Thiesse, Trav Andrew
Thomassy, Christopher Kerr
Thompson, Gregory Scott
Thompson, Jeffery Allen
Thompson, Mary Patricia
Thompson, Stephen Matthew
Thomure, Timothy Joseph
Tierney, Patrick William
Tigan, John Anthony, Jr.
Timm, Scott Allen
Titus, John Daniel, Jr.
Tluchowski, Michael Alan
Tobin, Michael Anthony
Todd, James Michael
Tolle, Anthony Miles
Tomaiko, Thomas
Torreon, Ben Eugene
Towers, Roland Michael
Townsend, William Oliver
Trahan, Arthur Francis, Jr.
Trevino, Jose Luis, II
Trott, Marjorie Dale
Truden Thomas Michael
Turner, Darren Lee
Turner, Peter Noble
Turner, Robert John
Turner, Wayne Douglas
Tuttle, James Victor
Tyner, Jerry Dwayne
Ubellacker, Kent Lee
Upham, Christopher Ivan
Urbach, Scott Edward
Vajgert, Joe Louis
Valmus, Jeffrey Lofton
Vanatta, Thomas Frost
Vanhelden, Joseph Paul
Vanhorn, Kent Richard
Vanhulzen, Chad Owen
Vaughn, Leroy Darrel
Vauk, Ronald James
Veach, Randall Scott
Verhovsek, Eber Lee
Vertel, John Frederick
Videll, Joseph Eric
Vitaro, Richard Patrick
Vonkolnitz, Thomas Judson
Vuillemot, Andrew James
Wade, Patrick Joseph
Wagner, Thomas Walter
Wagoner, Daryl Steven
Walker, Edward Fyfe, Jr.
Walker, Joseph Gary
Walker, Paul Andrew
Wall, Spencer Frank
Wallace, Frank Theodore
Walter, James Anthony
Walters, Duane Allen
Walters, Janet Margret
Walters, John Thomas, II
Wanebo, John Eric
Wanebo, Michael David
Ward, Donald James
Washburn, Jonathan Derrel
Wasson, Drew Theron
Watkins, Daryl Vaughn
Watson, John Neal
Watson, Thomas Cooper
Watt, Michael Robert
Weaver, John Clark, II
Weber, William Henry, IV
Wehman, Robert John
Weigert, Michael William
Weiner, Michael Scott
Welch, David Andrew
Welch, Thomas Bradley
Wells, John Leroy
Wertman, David Brian
West, David Paul, II
Wheat, Juan Mendoza
Whelan, Timothy Frederick
White, Dave John
White, Dennis Bryan
White, Kevin Francis
White, Timothy James
Wickerson, Andrew James
Wilder, Thomas Yates
Wilkens, John Douglas
Willcockson, James Edwin
Williams, George Scott
Williams, Michael Edwin
Williams, Michael James
Williams, Susan Lynn
William, Ted Raymond
Wilson, Christopher John
Wilson, Douglas Gregory
Wilson, Earl Kent
Wilson, John Christian
Wilson, John Gregory
Winkler, Mark Gerard
Wirries, John Wallace
Wirth, Charles David
Witten, Richard Mahone
Wojcik, Frederick Douglas
Wolf, Tomothy John
Wolfe, Scott Michael
Wong, Jason Dutming
Wood, Eric Eames
Woodaman, Ronald Frederick A.
Wooster, Michael Oliver, III
Woughter, John Charles
Wuamett, Michael Graham
Wuestenberg, Elizabeth Ann
Wulff, Siegfried Roland
Yoder, Steven Joseph

York, Andrew Lee, III
Young, John Michael
Young, John Richard
Young, Robin Alane
Zaccardi, Louis Peter
Zaorski, Robert Charles, Jr.
Zangotita, Carlos Juan
Zulick, John Andrew
Zymbaluk, Gregory Richard