

HOUSE OF REPRESENTATIVES—Friday, September 16, 1988

The House met at 10 a.m.

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

We are thankful, gracious God, for the miracles of Your hand in the lives of people, for the way Your spirit gives strength when we are weak, gives health when we are ill, encourages when we are alone. We admit that often we are not able to face the problems and worries of life and yet, O God, we know that Your mighty spirit touches us at the center of life with the promise of a new and better day. May Your blessing be with us this day and every day, we pray. Amen.

THE JOURNAL

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

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 439. An act for the relief of Thomas Wilson.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 1223) "An act entitled the 'Indian Self-Determination Amendments of 1987'."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (1467) "An act to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 2342) "An act to authorize appropriations for the Coast Guard for fiscal year 1988, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the

bill (4387) "An act to authorize appropriations for fiscal year 1989 for intelligence and intelligence-related activities of the U.S. Government, for the intelligence community staff, for the Central Intelligence Agency retirement and disability system, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4481) "An act to provide for the closing and realigning of certain military installations during a certain period," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NUNN, Mr. STENNIS, Mr. EXON, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. DIXON, Mr. GLENN, Mr. GORE, Mr. WIRTH, Mr. SHELBY, Mr. WARNER, Mr. THURMOND, Mr. HUMPHREY, Mr. COHEN, Mr. QUAYLE, Mr. WILSON, Mr. GRAMM, Mr. SYMMS, and Mr. MCCAIN to be conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1776. An act to modernize United States circulating coin designs, of which one reverse will have a theme of the Bicentennial of the Constitution;

S. 2283. An act to require the Secretary of the Treasury to mint and issue five-dollar coins in commemoration of the 100th anniversary of the statehood of Idaho, Montana, North Dakota, South Dakota, Washington, and Wyoming;

S. 2382. An act to delay the implementation of a certain rule affecting the provision of health services by the Indian Health Service; and

S. 2789. An act to require the Secretary of the Treasury to mint and issue one-dollar coins in commemoration of the 100th anniversary of the birth of Dwight David Eisenhower.

PLEDGE OF ALLEGIANCE

The SPEAKER. Would the gentleman from Connecticut [Mr. ROWLAND] kindly come forward and lead the Members in the Pledge of Allegiance to the Flag.

Mr. ROWLAND of Connecticut. Thank you very much, Mr. Speaker. My colleagues, please join me in the Pledge of Allegiance.

Mr. ROWLAND of Connecticut led the Members in the Pledge of Allegiance, as follows:

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

NATIONAL POW/MIA RECOGNITION DAY

(Ms. SLAUGHTER of New York asked and was given permission to address the House for 1 minute.)

Ms. SLAUGHTER of New York. Mr. Speaker, today is "National POW/MIA Recognition Day." I ask my colleagues and all Americans to join me in remembering and paying tribute to those who were captured by the enemy or declared missing in action while serving our Nation.

This past year has been particularly difficult for the families and friends of the 2,404 Americans still listed as missing in action in Southeast Asia. Hopes for a complete accounting of our missing were raised by the July announcement of a joint United States-Vietnam comprehensive investigation. Vietnam then reneged on the agreement, but recently agreed to resume cooperation in resolving this issue.

For the POW-MIA families this cycle of hope and disappointment is all too familiar. For more than 15 years they have been deprived of their basic human right to learn the fate of their loved ones. Today, we reemphasize the United States' determination to continue to press the nations of Southeast Asia until we have received the fullest possible accounting of our missing.

Mr. Speaker, I am proud to be a co-sponsor of "National POW/MIA Recognition Day." I hope all Americans take time today to recall and recognize the sacrifices of POW/MIA's and their families.

IMPENDING WITHDRAWAL FROM THE PHILIPPINES

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

Mr. ROTH. Mr. Speaker, let us seize the moment. Secretary Gorbachev has offered to withdraw from Cam Ranh Bay, the quid pro quo being that we withdraw from the Philippines, from our naval base. This is an excellent proposal for both the U.S.S.R. and the United States at the time when the Philippines are telling us they do not want us there, at a time when the Philippine officials are here in Washington, DC, holding us up like highway robbers, saying they do not know if they want \$500 million or \$1 billion or \$2 billion. This is preeminently the time for us to leave. It is time for us to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

pack up, time for us to agree with Gorbachev.

Let us think anew. Let us act anew. Let us seize the moment.

NURSING SHORTAGE AT VA HOSPITALS

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

Mr. BRENNAN. Mr. Speaker, as we commemorate "National POW/MIA Day," I would like to take special note of an important bill just approved by Chairman SONNY MONTGOMERY and the Veterans' Affairs Committee.

This legislation would address the serious nursing shortage threatening veterans' hospitals across the country. Our veterans deserve the best medical care we can provide. But they cannot be cared for without a trained and motivated nursing staff. And our nurses should be given the respect and compensation they deserve.

In my State of Maine, the Togus VA Hospital is facing a serious nursing shortage.

Unless help is on its way to nurses, veterans will not receive the care they need. Wards will have to close. Nurses will be responsible for too many patients on too many shifts. Nurses will burn out, and leave the profession.

Just yesterday, I learned that more nurses have left the VA hospital in Maine in the few weeks since we met.

H.R. 5114 provides, as we do for physicians, incentives to encourage nurses to remain in the VA system by offering improved pay rewards based on qualifications and experience.

I urge my colleagues to join me in supporting the bill when it comes to the House floor.

COASTAL STATES NEED HURRICANE HUNTER PLANES

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

Mr. LEWIS of Florida. Mr. Speaker, right now the strongest hurricane in recorded history, Hurricane Gilbert, is buffeting the Texas coast.

Our weather forecasters have done a terrific job of predicting this killer storm's movements and providing adequate warning to coastal residents. Nevertheless, the U.S. Air Force wants to scrap one of the most useful and surely the most dependable tools these forecasters have, the hurricane hunter planes.

The Air Force mistakenly believes that satellites alone can predict hurricane movements. Flatly that is just not true!

Today two dozen of my colleagues from coastal States have joined me to introduce a resolution that shows the

Air Force that this Congress wants the hurricane hunter planes flying.

If the Air Force Secretary is so sure he's right maybe we ought to move his office to the gulf coast. Until then he better keep those planes flying.

MOTION TO DISCHARGE COMMITTEE ON ARMED SERVICES FROM FURTHER CONSIDERATION OF H.R. 4264, NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

Mr. BATEMAN. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. BATEMAN moves to discharge the Committee on Armed Services from further consideration of H.R. 4264.

Mr. FOLEY. Mr. Speaker, I move to lay the motion to discharge on the table.

The SPEAKER. The question is on the motion offered by the gentleman from Washington [Mr. FOLEY] to lay on the table the motion offered by the gentleman from Virginia [Mr. BATEMAN].

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

Mr. BATEMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

They vote was taken by electronic device, and there were—yeas 211, nays 160, answered "present" 1, not voting 59, as follows:

[Roll No. 323]

YEAS—211

Ackerman
Akaka
Anderson
Andrews
Annunzio
Anthony
Applegate
Aspin
Bennett
Berman
Bevill
Bilbray
Boggs
Boland
Bonior
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clement
Coelho
Collins
Conyers
Cooper
Costello
Coyne
Crockett

Darden
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Flipppo
Foglietta
Foley
Frank
Frost
Gaydos
Geldenson
Gibbons
Glickman
Gonzalez
Gordon
Gray (PA)
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris

Hawkins
Hayes (IL)
Hayes (LA)
Hertel
Hochbrueckner
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jenkins
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Klecza
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
Manton

Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Miller (CA)
Moakley
Mollohan
Montgomery
Moody
Morrison (CT)
Mrazek
Murtha
Nagle
Natcher
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Owens (UT)
Panetta
Patterson
Payne

Pease
Pelosi
Penny
Perkins
Pickett
Pickle
Price
Rahall
Ray
Richardson
Robinson
Rodino
Roe
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Schroeder
Schumer
Sharp
Sikorski
Slisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)

Solarz
Spratt
St Germain
Staggers
Stratton
Studds
Synar
Tallon
Tausin
Thomas (GA)
Torres
Torricelli
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Weiss
Wheat
Whitten
Wise
Wolpe
Wyden
Yates
Yatron

NAYS—160

Archer
Armey
Baker
Ballenger
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Boehert
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Clinger
Coats
Coble
Coleman (MO)
Combest
Conte
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Edwards (OK)
Emerson
Fawell
Fields
Fish
Frenzel
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hansen

Hastert
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Johnson (CT)
Kasich
Kolbe
Kyl
Lagomarsino
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lukens, Donald
Lungren
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Morrison (WA)
Murphy
Myers
Nielson
Packard
Parris
Pashayan
Petri
Porter

Pursell
Quillen
Ravenel
Regula
Rhodes
Ridge
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Saxton
Schaefer
Schneider
Schuette
Schulze
Sensenbrenner
Shaw
Shays
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny
(OR)
Smith, Robert
(NH)
Smith, Robert
(OR)
Snowe
Solomon
Stangeland
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Wolf
Wylie
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Ford (TN)

NOT VOTING—59

Alexander
Atkins

AuCoin
Badham

Barnard
Bates

Beilenson	Gray (IL)	Rangel
Bentley	Gregg	Rinaldo
Bliley	Hatcher	Rose
Boucher	Hefner	Saiki
Boulter	Jeffords	Scheuer
Brown (CA)	Kemp	Spence
Cheney	Konnyu	Stallings
Clay	Latta	Stark
Coleman (TX)	Lujan	Stenholm
de la Garza	Mack	Stokes
Dowdy	MacKay	Swift
Dyson	Mica	Towns
Edwards (CA)	Mineta	Waxman
Florio	Neal	Weldon
Ford (MI)	Ortiz	Williams
Garcia	Owens (NY)	Wilson
Gephardt	Oxley	Wortley
Grant	Pepper	

□ 1031

The Clerk announced the following pairs:

On this vote:

Mr. Gray of Illinois for, with Mr. Oxley against.

Mr. Ortiz for, with Mr. Boulter against.

Mr. GRANDY and Mr. RITTER changed their vote from "yea" to "nay."

Mr. YATES changed his vote from "nay" to "yea."

So the motion to lay the motion on the table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DWIGHT DAVID EISENHOWER COMMEMORATIVE COIN ACT OF 1987

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs be discharged from further consideration of the bill (H.R. 3654) to require the Secretary of the Treasury to mint and issue one-dollar coins in commemoration of the 100th anniversary of the birth of Dwight David Eisenhower, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. HILER. Mr. Speaker, reserving the right to object, under my reservation I yield to the gentleman from Illinois [Mr. ANNUNZIO] to explain the bill.

Mr. ANNUNZIO. Mr. Speaker, I am delighted that the gentleman from Indiana [Mr. HILER], the ranking Republican on our subcommittee who has worked long and hard on this legislation, has yielded to me.

Mr. Speaker, this legislation would authorize the minting of up to 4 million 90-percent silver dollars in commemoration of the centennial of the birth of Dwight David Eisenhower in 1990. Each coin would be sold at the cost of minting, manufacturing, and marketing the coins, plus a \$7 per coin surcharge, which would be used solely to reduce the national debt.

This legislation was introduced by the distinguished gentleman from Pennsylvania [Mr. GOODLING], and is cosponsored by 251 Members of the House. Mr. GOODLING is to be congratulated for his work in drafting this legislation and presenting it to the Coinage Subcommittee. Following hearings on Wednesday, the legislation was unanimously adopted by the subcommittee. Yesterday, the full Banking Committee unanimously passed the legislation. Since the Senate passed identical legislation following the subcommittee hearing on Wednesday, I want to get this legislation to the President as quickly as possible.

It is a good bill and is in keeping with the subcommittee and House policy regarding commemorative coin legislation.

□ 1030

Mr. HILER. Mr. Speaker, further reserving the right to object, I am pleased that the House will take this matter up today, and I want to commend Chairman ANNUNZIO and his staff for moving this legislation in such a timely fashion. Also, I want to especially commend my colleague Mr. GOODLING for his foresight in introducing this bill and his tenacity in soliciting the proper number of cosponsors in order to comply with our subcommittee rules.

I am happy to rise in support of H.R. 3654, a bill to authorize the minting of an Eisenhower dollar. General Eisenhower was one of the truly great historical figures of this century. The general led our forces to victory in World War II, striking a blow for freedom and democracy. He was a fine soldier and a fine leader of men. General Eisenhower then went on to become President and lead this country through two consecutive terms of peace and prosperity. I think it is a fine idea to place the image of President Eisenhower on a dollar coin to commemorate his 100th birthday. His were the values and ideals that Americans should be proud of and commemorative coin is an excellent means to reinforce these values.

I know "I like Ike" and I hope the rest of the House does also. I am quite pleased that we can pass this fine bill under unanimous consent today.

Mr. Speaker, under my reservation, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

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

Mr. Speaker, I would like to thank the distinguished chairman of the Subcommittee on Consumer Affairs and Coinage, the gentleman from Illinois [Mr. ANNUNZIO], for all of his consideration and efforts on behalf of my bill, H.R. 3654, the Dwight David Eisenhower Coin Act, as well as the gen-

tleman from Indiana [Mr. HILER], the gentleman from Ohio [Mr. WYLIE], and the gentleman from Pennsylvania [Mr. RIDGE], who helped us with this legislation.

I would also like to commend Chairman ANNUNZIO for making the modern commemorative coin program, in existence since 1982, extremely successful. This can be traced to his leadership, expertise and good judgment of numismatic matters, which has allowed for the orderly and straightforward progress of the program.

I also would like to thank the gentleman from Kansas [Mr. ROBERTS], because without his time and energy on behalf of H.R. 3654, we probably would not be taking action today, as well as Senators DOLE and HEINZ for their efforts in the other body.

The Eisenhower silver commemorative coin created by my bill will allow for a fitting tribute to a great national leader on the 100th anniversary of his birth and will help to further enlighten and educate people about his deeds and accomplishments. He, too, is remembered as "a citizen, first in war, first in peace, and first in the hearts of his countrymen."

Mr. Speaker, I rise in strong support of H.R. 3654 and S. 2789, identical bills which authorize the minting of a silver commemorative dollar in 1990, in honor of the 100th anniversary of the birth of President Dwight David Eisenhower.

The tremendous accomplishments, achievements, and popularity of President Eisenhower during his distinguished career in the U.S. Army, as President of Columbia University, Supreme Commander of NATO, and as the 34th President of the United States are well-known. He rose from humble origins, in Kansas to become one of the great military leaders in our Nation's history, and one of the most beloved and popular Presidents in recent memory. Throughout his career, Ike was recognized for his honesty, integrity, leadership, as well as his ability to get the job done in a direct and straightforward manner. As President, Ike's numerous accomplishments included the establishment of the Interstate Highway System, maintaining a balanced Federal budget, and keeping America at peace during his 8 years in office.

Mr. Speaker, it is clear that collectors and the general public have shown great interest in commemorative coin programs, especially those which include silver coins, that are meaningful, historically significant, well planned, and effectively implemented. I believe that the 1990 Eisenhower commemorative silver dollar will add to the list of successful coins.

As a parent and an educator, I have long recognized the importance of numismatic items in the teaching of our

nation's history and heritage to young people. As a young boy, my son collected coins, and many of the pieces he obtained led to further questions and study on his part about the subjects and events depicted on each item. As a teacher, I can remember students coming to me in class with questions about a specific individual or event they had seen on one of the coins in their collection. The modern commemorative coin program has helped to teach youngsters in this way.

The celebration of the centennial of President Eisenhower's birth is only 2 years away. Many events and activities are being planned by a number of different organizations and institutions including: the U.S. Army, the National Archives, NATO, Columbia University, the Eisenhower Library in Abilene, KS, the St. Lawrence Seaway, the Eisenhower World Affairs Institute, the Eisenhower Society for Gettysburg, PA, and the Eisenhower Centennial Committee of the U.S. Congress. This worldwide celebration will focus on the life and times of a man truly deserving of such an honor. The Eisenhower commemorative coin will help to add to this tribute and will further enlighten and educate people about his deeds and accomplishments.

When thinking of Ike, I have always kept in mind a quote first used to describe George Washington: "A citizen, first in war, first in peace, and first in the hearts of this countrymen." I believe this statement effectively sums up the feelings of a majority of Americans about this great and honorable individual.

Mr. Speaker, I was pleased to author the legislation mandating the creation of this coin. I applaud the efforts of Chairman ANNUNZIO and all of my colleagues on behalf of H.R. 3654. They have allowed Ike to receive the tribute he deserves in 1990 and ensured that the modern commemorative coin program will continue to be a successful, popular, and profitable enterprise.

Mr. HILER. Mr. Speaker, I yield to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I rise in strong support of H.R. 3654, The Dwight David Eisenhower Commemorative Coin Act. I am pleased to be an original cosponsor of the bill and thank the sponsor, the distinguished gentleman from Pennsylvania introducing the bill and all of his efforts to get the bill to floor.

I would also like to thank Chairman ANNUNZIO of the Consumer Affairs and Coinage Subcommittee for his timely assistance in holding hearings and marking up the bill.

Mr. Speaker, this legislation authorizes the minting of a silver dollar in 1990 to commemorate the 100th anniversary of the birth of Dwight David Eisenhower. Several amendments have been made to improve the legislation

by reducing the number of coins to be minted, reducing the surcharge, and providing greater administrative flexibility. I believe that with these amendments, the Eisenhower coin will compete successfully in the numismatic marketplace just as its likeness competed successfully in athletics, in war, in academia, and, of course, in government.

I would like to stress the important role the coin will play in honoring a unique and pivotal figure in our Nation's history. Abilene, KS, Ike's hometown, is in the First Congressional District of Kansas, which I have the honor and privilege to represent. It was in Abilene that Ike grew to adulthood. His experiences in Abilene provided the foundations of the President's values, beliefs, and actions. General Eisenhower returned to his hometown to declare his intention to seek the Presidency. The city is also the home of the Eisenhower Library—the largest federally funding memorial to our 34th President.

The Eisenhower centennial on October 14, 1990, provides an unparalleled opportunity to honor this great American and to refamiliarize ourselves and our children with his life and legacy. As we look forward to the centenary, it is important that the Congress in particular and the Federal Government in general take a lead role in honoring this central figure of 20th century history. The Eisenhower dollar provides the Congress with an important and appropriate means of honoring the man who led our Nation in war and in peace. There is no cost to the Government as the minting and issuing of the coins and any proceeds from the sale of the coins will be used to reduce the Federal deficit.

Mr. Speaker, the world is literally a different place because the contributions of Dwight Eisenhower. H.R. 3654 represents an opportunity to issue a profitable coin and to honor a great American in his centennial year.

Mr. HILER. Mr. Speaker, I urge the House to pass this bill, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3654

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dwight David Eisenhower Commemorative Coin Act of 1987".

SEC. 2. DWIGHT DAVID EISENHOWER COMMEMORATIVE COINS.

(a) AUTHORIZATION.—Subject to subsection (b), the Secretary of the Treasury (hereinafter in this Act referred to as the "Secretary") shall mint and issue one-dollar coins in commemoration of the 100th anniversary of the birth of Dwight David Eisenhower.

(b) LIMITATION ON THE NUMBER OF COINS.—The Secretary may not mint more than 10,000,000 of the coins referred to in subsection (a).

(c) SPECIFICATIONS AND DESIGN OF COINS.—Each coin referred to in subsection (a) shall—

- (1) weigh 26.73 grams;
- (2) have a diameter of 1.500 inches;
- (3) contain 90 percent silver and 10 percent copper;
- (4) designate the value of such coin;
- (5) have an inscription of—
 - (A) the year "1990"; and
 - (B) the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum";
- (6) have the likeness of Dwight David Eisenhower on the obverse side of such coin; and

(7) have an illustration of the home of Dwight David Eisenhower located in the Gettysburg National Historic Site on the reverse side of such coin.

(d) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, the coins referred to in subsection (a) shall be considered to be numismatic items.

(e) LEGAL TENDER.—The coins referred to in subsection (a) shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 3. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins referred to in section 1(a) only from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 4. MINTING AND ISSUANCE OF COINS.

(a) UNCIRCULATED AND PROOF QUALITIES.—The Secretary may mint and issue the coins referred to in section 1(a) in uncirculated and proof qualities.

(b) USE OF THE UNITED STATES MINT.—The Secretary may not use more than 1 facility of the United States Mint to strike the coins referred to in section 1(a).

(c) COMMENCEMENT OF AUTHORITY TO SELL COINS.—The Secretary may begin selling the coins referred to in section 1(a) on January 1, 1990.

(d) TERMINATION OF AUTHORITY TO MINT COINS.—The Secretary may not mint the coins referred to in section 1(a) after December 31, 1990.

SEC. 5. SALE OF COINS.

(a) IN GENERAL.—Subject to subsections (b) and (c), and notwithstanding any other provision of law, the Secretary shall sell the coins referred to in section 1(a) at a price equal to—

- (1) the face value of such coins; and
- (2) the cost of designing, minting, and issuing such coins, including labor, materials, dies, use of machinery, and overhead expenses.

(b) BULK SALES.—The Secretary shall make any bulk sales of the coins referred to in section 1(a) at a reasonable discount to reflect the lower costs of such sales.

(c) PREPAID ORDERS.—Before January 1, 1990, the Secretary shall accept prepaid orders for the coins referred to in section 1(a). The Secretary shall make sales with respect to such prepaid orders at a reasonable discount to reflect the benefit to the Federal Government of prepayment.

(d) SURCHARGES.—The Secretary shall include a surcharge of \$9 per coin on all sales of the coins referred to in section 1(a).

SEC. 6. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as

may be necessary to ensure that the minting and issuance of the coins referred to in section 1(a) shall result in no net cost to the Federal Government.

(b) **PAYMENT FOR THE COINS.**—The Secretary may not sell a coin referred to in section 1(a) unless the Secretary has received—

(1) full payment for such coin;

(2) security satisfactory to the Secretary to indemnify the Federal Government for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Administration Board.

SEC. 7. PROCUREMENT OF GOODS AND SERVICES.

(a) **IN GENERAL.**—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

(b) **EQUAL EMPLOYMENT OPPORTUNITY.**—Subsection (a) shall not apply with respect to any law relating to equal employment opportunity.

SEC. 8. REDUCTION OF FEDERAL DEBT.

The Secretary shall deposit in the general fund of the Treasury for the purpose of reducing the Federal debt an amount equal to the amount of all surcharges that are received by the Secretary from the sale of the coins referred to in section 1(a).

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ANNUNZIO

Mr. ANNUNZIO. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. ANNUNZIO: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dwight David Eisenhower Commemorative Coin Act of 1988".

SEC. 2. DWIGHT DAVID EISENHOWER COMMEMORATIVE COINS.

(a) **AUTHORIZATION.**—Subject to subsection (b), the Secretary of the Treasury (hereinafter in this Act referred to as the "Secretary") shall mint and issue one-dollar coins in commemoration of the one hundredth anniversary of the birth of Dwight David Eisenhower.

(b) **LIMITATION ON THE NUMBER OF COINS.**—The Secretary may not mint more than four million of the coins referred to in subsection (a).

(c) **SPECIFICATIONS AND DESIGN OF COINS.**—Each coin referred to in subsection (a) shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches;

(3) contain 90 percent silver and 10 percent copper;

(4) designate the value of such coin;

(5) have an inscription of—

(A) the year "1990"; and

(B) the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum";

(6) have the likeness of Dwight David Eisenhower on the obverse side of such coin; and

(7) have an illustration of the home of Dwight David Eisenhower located in the Gettysburg National Historic Site on the reverse side of such coin.

(d) **NUMISMATIC ITEMS.**—For purposes of section 5132(a)(1) of title 31, United States Code, the coins referred to in subsection (a) shall be considered to be numismatic items.

(e) **LEGAL TENDER.**—The coins referred to in subsection (a) shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 3. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins referred to in section 1(a) only from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 4. MINTING AND ISSUANCE OF COINS.

(a) **UNCIRCULATED AND PROOF QUALITIES.**—The Secretary may mint and issue the coins referred to in section 1(a) in uncirculated and proof qualities.

(b) **USE OF THE UNITED STATES MINT.**—The Secretary may not use more than 1 facility of the United States Mint to strike each such quality of the coins referred to in section 1(a).

(c) **COMMENCEMENT OF AUTHORITY TO SELL COINS.**—The Secretary may begin selling the coins referred to in section 1(a) on January 1, 1990.

(d) **TERMINATION OF AUTHORITY TO MINT COINS.**—The Secretary may not mint the coins referred to in section 1(a) after December 31, 1990.

SEC. 5. SALE OF COINS.

(a) **IN GENERAL.**—Subject to subsections (b) and (c), and notwithstanding any other provision of law, the Secretary shall sell the coins referred to in section 1(a) at a price equal to—

(1) the face value of such coins; and

(2) the cost of designing, minting, dies, use of machinery, and overhead expenses.

(b) **BULK SALES.**—The Secretary shall make any bulk sales of the coins referred to in section 1(a) at a reasonable discount to reflect the lower costs of such sales.

(c) **PREPAID ORDERS.**—Before January 1, 1990, the Secretary shall accept prepaid orders for the coins referred to in section 1(a). The Secretary shall make sales with respect to such prepaid orders at a reasonable discount to reflect the benefit to the Federal Government of prepayment.

(d) **SURCHARGES.**—The Secretary shall include a surcharge of \$7 per coin on all sales of the coins referred to in section 1(a).

SEC. 6. FINANCIAL ASSURANCES.

(a) **NO NET COST TO THE GOVERNMENT.**—The Secretary shall take such actions as may be necessary to ensure that the minting and issuance of the coins referred to in section 1(a) shall result in no net costs to the Federal Government.

(b) **PAYMENT FOR THE COINS.**—The Secretary may not sell a coin referred to in section 1(a) unless the Secretary has received—

(1) full payment for such coin;

(2) security satisfactory to the Secretary to indemnify the Federal Government for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Administration Board.

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(a) **IN GENERAL.**—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

(b) **EQUAL EMPLOYMENT OPPORTUNITY.**—Subsection (a) shall not apply with respect to any law relating to equal employment opportunity.

SEC. 8. REDUCTION OF FEDERAL DEBT.

The Secretary shall deposit in the general fund of the Treasury for the purpose of reducing the Federal debt an amount equal to the amount of all surcharges that are received by the Secretary from the sale of the coins referred to in section 1(a).

Mr. ANNUNZIO (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I move the previous question on the amendment in the nature of a substitute and on the bill.

The previous question was ordered.

The SPEAKER. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois [Mr. ANNUNZIO].

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2789) to require the Secretary of the Treasury to mint and issue one-dollar coins in commemoration of the 100th anniversary of the birth of Dwight David Eisenhower, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2789

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dwight David Eisenhower Commemorative Coin Act of 1988".

SEC. 2. DWIGHT DAVID EISENHOWER COMMEMORATIVE COINS.

(a) **AUTHORIZATION.**—Subject to subsection (b), the Secretary of the Treasury (hereinafter in this Act referred to as the "Secretary") shall mint and issue one-dollar coins in commemoration of the one hundredth anniversary of the birth of Dwight David Eisenhower.

(b) **LIMITATION ON THE NUMBER OF COINS.**—The Secretary may not mint more than four million of the coins referred to in subsection (a).

(c) **SPECIFICATIONS AND DESIGN OF COINS.**—Each coin referred to in subsection (a) shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches;
 (3) contain 90 percent silver and 10 percent copper;
 (4) designate the value of such coin;
 (5) have an inscription of—
 (A) the year "1990"; and
 (B) the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum";
 (6) have the likeness of Dwight David Eisenhower on the obverse side of such coin; and
 (7) have an illustration of the home of Dwight David Eisenhower located in the Gettysburg National Historical Site on the reverse side of such coin.

(d) **NUMISMATIC ITEMS.**—For purposes of section 5132(a)(1) of title 31, United States Code, the coins referred to in subsection (a) shall be considered to be numismatic items.

(e) **LEGAL TENDER.**—The coins referred to in subsection (a) shall be legal tender as provided in section 5103 of title 31, United States Code.

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(1) the face value of such coins; and
 (2) the cost of designing, minting, dies, use of machinery, and overhead expenses.

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(c) **PREPAID ORDERS.**—Before January 1, 1990, the Secretary shall accept prepaid orders for the coins referred to in section 1(a). The Secretary shall make sales with respect to such prepaid orders at a reasonable discount to reflect the benefit to the Federal Government of prepayment.

(d) **SURCHARGES.**—The Secretary shall include a surcharge of \$7 per coin on all sales of the coins referred to in section 1(a).

SEC. 6. FINANCIAL ASSURANCES.

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SEC. 7. PROCUREMENT OF GOODS AND SERVICES.

(a) **IN GENERAL.**—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services necessary for carrying out the provisions of this Act.

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SEC. 8. REDUCTION OF FEDERAL DEBT.

The Secretary shall deposit in the general fund of the Treasury for the purpose of reducing the Federal debt an amount equal to the amount of all surcharges that are received by the Secretary from the sale of the coins referred to in section 1(a).

The Senate bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3654) was laid on the table.

GENERAL LEAVE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation just passed.

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

There was no objection.

REAGAN ADMINISTRATION WOMEN APPOINTMENTS

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

Mrs. SCHROEDER. Mr. Speaker, President Reagan last week announced that "no administration has named more women to top-level policy positions in the Federal Government" than has the Reagan administration. The President cited no figures, but a White House official later said the President had appointed 3,145 women to senior positions since he took office.

As President Reagan reminded the delegates to the Republican National Convention, facts are stubborn things. And, on the question of women appointed to top Government positions, it's no wonder President Reagan didn't mention the facts.

Fact: During his first term, President Reagan made 1,173 appointments to executive branch positions requiring Senate confirmation, like agency heads and their immediate deputies. Of these 1,173 appointments, 105 were

women. That figures out to a paltry 9 percent.

Fact: During the second Reagan term, there were 815 such appointments. Only 81 of them were women. So, the percentage went up to 10 percent.

Fact: President Carter appointed 41 women Federal judges in 4 years in office. In 7½ years, President Reagan has appointed only 36.

Fact: The White House has not substantiated its claim of 3,145 top-level women appointees. We could not figure where this number came from. We wrote to the White House and asked for the names of each of these women. So far, there's been no response from the White House.

Well, facts are stubborn things. The fact is that the record of the Reagan administration in the appointment of women is sorry. Nobody should be misled by the White House's substitution of fantasy for fact.

THE GAME OF ACID RAIN

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

Mr. CONTE. Mr. Speaker, this election has treated the American people to a confusing game of political hide and seek. The candidates are looking for each other on the issues, and we've heard the unending questions: Where's George or where's Mike?

Well, on acid rain, we have been playing that game for some time, but now we're close to finding who's left without a position.

The President has agreed to negotiate a treaty with Canada;

The Governors of New York and Illinois have reached an historic compromise on acid rain reduction;

The Senate is moving forward with a bipartisan approach to deal with the damage of acid rain, and

The Vice President has made a strong commitment to acid rain control.

But where is the House on acid rain? Where are the Democrats who control the leadership and the Energy and Commerce Committee. No acid rain bill has ever been reported from that committee, and over the years it has become a political graveyard for acid rain control.

Mr. Speaker, let us end the political hide and seek on acid rain. It is time for the House to come out from hiding and take a stand. Let us vote on acid rain in this 100th Congress.

REAGAN/BUSH BUDGET REQUESTS TOTAL \$1.1 TRILLION IN DEFICITS

(Mr. DORGAN of North Dakota asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, I recently heard President Reagan express surprise about the Federal deficit.

He said, "The President doesn't spend money, Congress does."

Because of this, I thought it would be useful to review President Reagan's leadership on the Federal deficit issue.

Since President Reagan arrived in Washington, he has submitted eight budgets to the U.S. Congress. Each of those budgets recommended a certain level of spending, a certain level of taxation, and a deficit for each fiscal year.

If you lay all of his budgets around a table and simply add up the bottom line, he has, in the eight budgets he has sent to Congress, requested deficits of \$1.1 trillion. The budgets the President sent to Congress requested the following deficits:

Fiscal year:	Billions
1982.....	45.0
1983.....	91.5
1984.....	188.8
1985.....	180.4
1986.....	182.0
1987.....	159.3
1988.....	147.4
1989.....	129.5
Total.....	1,123.9

These budgets that have been submitted by the Reagan administration cannot be laid at the feet of Jimmy Carter or Franklin Delano Roosevelt or other forces from the past that the President usually blames America's troubles on. These budgets were prepared and submitted to Congress by Ronald Reagan. They are deficits he asked for. They are his requests.

Yes, Congress has made some mistakes—its biggest mistake was to follow the President's lead. It led, as David Stockman said, to a fiscal catastrophe.

There are three steps in the budget process. First, by law the President is required to submit a budget to Congress. Second, the Congress appropriates money and raises revenue. Third, the President signs or vetoes the legislation that performs these functions.

The President has control of two of the three steps in the process that creates the Federal deficit. And when he puts on his blank face and rolls his eyes and jesters palms upward that he really had nothing to do with the deficit, he is taking a flight from reality.

The fact is, these are his budgets that have requested deficits of \$1.1 trillion. They have his name on the cover.

This was described by David Stockman, Director of Management and Budget, whom President Reagan appointed to formulate this administration's fiscal program in the first place.

David Stockman said the White House "had become a dream land. It

was holding the American economy hostage to a reckless, unstable fiscal policy based on the politics of high spending and the doctrine of low taxes * * * it bragged that its policies had worked as never before when, in fact, it had produced fiscal excesses that had never before been imagined."

That was not a statement of some partisan critic of President Reagan. It's what his own Director of Management and Budget says about this President's fiscal policies and the dangerous deficits they have created.

These deficits are dangerous for America's future and we are going to have to join hands and walk to safety together. It's going to require bipartisan cooperation and the only reason I point out President Reagan's record today is because his statements disclaiming any responsibility for his reckless fiscal policy are fundamentally dishonest and deceiving. Yes, we in Congress are responsible, too. And, it's time for everyone to sober up, roll up our sleeves, and go to work to put America back on track. We can do it, if we are honest about the causes and realistic about the solutions.

AIR FORCE HURRICANE RECONNAISSANCE MISSIONS

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

Mr. LIVINGSTON. Mr. Speaker, I have joined with many of my colleagues who represent coastal areas as an original sponsor of Mr. Lewis' important resolution expressing the sense of Congress that the Air Force should continue their hurricane reconnaissance mission in the Atlantic and Gulf of Mexico.

For the last 2 years, the gentleman from Florida [Mr. Young] and I have worked with our colleagues on the Appropriations Subcommittee on Defense to stop the Air Force from discontinuing this vital reconnaissance mission. We have been able to maintain funding in the annual Defense appropriations bills to keep four Reserve and eight Active Duty Air Force reconnaissance WC-130's available to fly at least 1,600 reconnaissance hours a year. We will continue this funding in this year's bill and well into the future.

Mr. Speaker, this Air Force mission, manned by hurricane experts and incredibly capable and daring pilots, is critical to accurate forecasting of hurricanes. Certainly our satellite technology contributes a great deal to our forecasting and warning capabilities. But only the reconnaissance aircraft can give us an exact fix on the eye of the hurricane and tell us about subtle trends and changes in direction at critical times when a hurricane, particu-

larly a killer like Hurricane Gilbert, begins to approach our coasts.

As we can see from tracking Hurricane Gilbert, just the slightest change in direction could mean the difference of whether and where the full force of this terrible storm would hit the U.S. coastline, or whether a heavily populated area would be threatened by 3- to 4-foot tides or 10- to 20-foot tides, or buffeted by only 50-mph winds contrasted with 100- to 200-mph winds.

As my local newspaper, the New Orleans Times Picayune, said in their July 28 editorial; when it appeared that the Air Force might discontinue these flights:

It seems ironic that the Air Force, which wouldn't dream of leaving U.S. coastal areas unprotected against a threatening human enemy, would let down its guard against a menacing natural enemy.

It is equally ironic that news reports reflect that the Soviet Union is running its own set of flights into Hurricane Gilbert and is probably going to continue to make hurricane reconnaissance flights in years to come. So should we.

HURRICANE HUNTER PLANES

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

Mr. HUTTO. Mr. Speaker, as a Representative from Hurricane Alley along the gulf coast, I strongly object to the Air Force proposal to eliminate the WC-130 weather reconnaissance program. Although I certainly understand the need to reduce Federal spending, the termination of the WC-130 Program will place the lives of our coastal constituents in unnecessary jeopardy. The task of preparing or evacuating for a hurricane is harrowing enough with the proper warning, but without accurate information it would be utter chaos.

You need only to look at the front page of the Washington Post to see the devastation that is left behind in the wake of hurricanes. The Air Force position that the use of satellite readings and landbased weather radar will provide adequate information for tracking and predicting hurricane paths, is simply unwise. The most accurate technology available to track these storms should not only be employed but improved.

Today, as the Air Force considers abandoning the WC-130 Weather Reconnaissance Program, people in low lying areas in Texas and Louisiana have the forewarning to evacuate their homes due to the up-to-the-minute hurricane reports from the U.S. Weather Service aided by the WC-130 hurricane hunter planes. This decision is truly a matter of life and death.

INTRODUCTION OF AMERICAN FAMILY ACT

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

Mr. COATS. Mr. Speaker, next week I will introduce the first part of the American Family Act. This first part of the American Family Act is comprised of 21 separate pieces of legislation, 4 of which have already been introduced.

I have delayed introduction until next week because I am also looking at possible additional pieces of legislation, particularly in the area of work and family.

In my capacity as the Republican leader on the Select Committee on Children, Youth, and Families, I have witnessed first hand the problems faced by today's families. The Family Act will promote family strengths through requiring a family impact statement on legislation of Congress, aiding the development of family support centers, and promoting family preservation efforts as an alternative to foster care in cases where feasible.

The Family Act will offer parents more choices in education, in child care and in housing. The Family Act will promote character and responsibility through proposals for character education, parent liability for gang-related violence, and tough child support laws.

The American Family Act will be a major step toward strengthening American families. I urge my colleagues to examine this package of legislation, and I welcome your support.

THE EFFECTS OF HURRICANE GILBERT

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

Mrs. KENNELLY. Mr. Speaker, Hurricane Gilbert has left a trail of destruction in the Dominican Republic, Jamaica, and on the Mexican coast, and may hit Texas within the next day. But it has also left its mark in my hometown of Hartford, CT.

Hartford has a West Indian population of about 20,000, and three-fourths of those people are from Jamaica. It has the second largest population of people of Jamaican ancestry in the United States.

Hurricane Gilbert was Jamaica's worst calamity this century, causing loss of life, leaving half a million people homeless, and causing up to billions of dollars of damage.

And those people in Hartford who were unable to reach loved ones for more than 2 days after the hurricane suffered, too, from uncertainty.

Relief aid to Jamaica is being collected and channelled by the Jamaican

Hurricane Relief Committee in Hartford, and other organizations in the State. And the United States has already begun assisting areas hit by Hurricane Gilbert, and will be providing almost \$400,000 in aid to Jamaica.

Mr. Speaker, many Hartford residents are feeling the effects of winds that damaged a country thousands of miles away, and they are doing what they can. We must do all we can locally and nationally to assist the victims of this natural disaster.

HURRICANE HUNTER PLANES

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

Mr. CALLAHAN. Mr. Speaker, I am pleased to join today with our colleague from Florida [Mr. LEWIS] in sponsoring a resolution expressing the sense of the Congress that the Air Force should continue its weather reconnaissance, or Hurricane Hunter Program.

With Hurricane Gilbert bearing down on our gulf coast, it is appropriate to start today in letting the Air Force know that it is not a good idea to eliminate its hurricane hunter planes. Those of us who represent coastal communities understand that the hurricane hunter planes provide critical information to weather specialists and to emergency planners. The Air Force Weather Reconnaissance Program is a vital addition to the National Oceanic and Atmospheric Administration's hurricane tracking program and provides precise information to correct possible errors in satellite reporting.

Mr. Speaker, no degree of hurricane reconnaissance will prevent these storms from hitting our coasts. But accurate information on the storms' paths can and has prevented the loss of life. In 1979, Hurricane Frederic struck the coast of Alabama and its devastation resulted in over \$2 billion in property damage. However, the course of the hurricane was accurately established, with the help of the Air Force, and there was only one death. We were prepared because we had good information.

I urge the adoption of this measure to send a strong signal to the Air Force that we cannot tolerate unnecessary loss of life due to incomplete information on killer hurricanes. We must insist that the Air Force continue its reconnaissance flights.

COMPLAINTS ABOUT NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY

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

Mrs. BYRON. Madam Speaker, let me say that I rise today once again to talk about Mr. James Roosevelt and his national committee to Preserve Social Security.

Madam Speaker, I do not know what upsets me more, and I have heard this from other Members, than to receive mail at home addressed to me, to open it, from a maiden lady in Frederick County, in Frederick City, and find a petition to Congress of the United States and a \$10 bill, understanding, from reading the petition, this lady is under the impression that if she sends me, her Member of Congress, \$10, I will save her Social Security. We have had this happen time and time again.

I do not know when Mr. Roosevelt and his national committee are going to get their act together and not use the Members of this body and the Senate to further themselves.

IF DRUG BILL FALLS SHORT, INVOLVE MILITARY

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

Mr. RAVENEL. Madam Speaker, I am going to vote for our omnibus drug bill. It is tough, but is it tough enough to win a war which has caused more American deaths than Korea and Vietnam combined?

We call our efforts a "war on drugs." But what kind of a war is one in which only those being invaded are victimized, while the invaders are extended every protection of our Constitution?

If this legislation fails to accomplish its intent, then we should more actively involve our military, having them close our borders to all surface and aircraft, except those following strictly prescribed regulations for entry, using designated corridors.

Subsequently, upon positive identification, which we have the means to ensure, we should begin destroying the drug-carrying planes and vessels in transit, without warning, giving no quarter. Very quickly these firm, sensible, and necessary measures will successfully conclude this tragic conflict.

DRUG BILL WILL GIVE POLICE A FIGHTING CHANCE

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

Mrs. PATTERSON. Madam Speaker, during the debate on the drug bill I have heard many good arguments in favor of this bill. But none of them have had the force of two statements I heard a few weeks ago in my district.

While I was in South Carolina, I had a chance to sit down with a group of

16 high school students and talk about the effect of drugs on their lives.

When I asked them the reason for drug use among their friends one student said, "Everybody attacks you for not participating with the rest of them." Another said "Everybody thinks you won't get caught."

Madam Speaker, this is what we have to stop. This is what we have been talking about throughout the debate. Our high schools should not be places where our children feel they have to use drugs to be part of the crowd. Drug dealers and drug users cannot stalk our Nation freely, believing that they will not be punished.

As we finish work on this bill, we are working to give our police a fighting chance, to return our neighborhoods to our families and our schools to our children. Today in addition to saying no, we must say now.

LIBYA, JAPAN, AND THE CONTINUED SPREAD OF CHEMICAL WEAPONS

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

Mr. PORTER. Madam Speaker, if Iraq's use of chemical weapons against its Kurdish minority was not troubling enough, today's Washington Post reports that Japan is helping Libya construct a metallurgical plant in the same complex that Libya is using to produce its stock of chemical weapons. Japan should know better.

Sadly, this type of Western complicity in the proliferation of toxic weapons is not a new phenomenon. Syria is producing these weapons with chemicals originally from our own country. When we placed an export ban on these chemicals, West Germany quickly stepped in to fill the gap.

At a time when the United States and the Soviet Union are making significant progress in Geneva toward a treaty banning chemical weapons, Western participation in the spread of these weapons is unconscionable. The United States and the West must lead by example, not by aiding volatile Third World countries to obtain and deploy "the poor man's atomic bomb."

H.R. 2880, a bill introduced by myself and IKE SKELTON, would establish a new U.S. chemical and biological weapons nonproliferation regime, and I urge Members to cosponsor it. In the meantime, Japan should know that we view its Libyan complicity with the deepest concern.

A SALUTE TO JOHN C. ROSANO

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

Mr. HOCHBRUECKNER. Madam Speaker, I am pleased that Congress has designated today as "National POW/MIA Recognition Day." This day will serve to honor those who were captured in war and increase public awareness of the many American servicemen still unaccounted for overseas. We must remember the sacrifices made by these American heroes not only on this day of national recognition, but every day. Let us give thanks to those who fought bravely to defend the freedoms that we so often take for granted.

Today I would like to salute John C. Rosano, a World War II veteran and POW from Long Island, NY, to whom I awarded the POW medal on July 30, 1988. I am proud to present this American hero in Congress. Throughout his service in Europe during World War II, Mr. Rosano exhibited true bravery in the face of constant danger and was willing to sacrifice his life to help others.

Mr. Rosano enlisted in the U.S. Army in April 1943. After basic training, he volunteered for the 82d Airborne and completed jump training at Fort Benning, GA. Soon after, he was sent overseas, where he participated in the Sicily campaign and the D-Day invasion of Normandy. When jumping behind enemy lines, as Mr. Rosano did in Normandy, he was completely on his own. There were many days and nights of the traumatic experience of hand-to-hand combat, in which Mr. Rosano had to look into the eyes of the men he was forced to kill.

Mr. Rosano was captured in France by German soldiers on August 9, 1944. They marched him toward Germany, picking up about 1,000 other POW's along the way. He watched his friends being shot before a German firing squad. Subsequently, his life was spared due to a timely allied bombing raid. He was locked in a boxcar with 60 men for 30 days, where there was no ventilation, no room to lay down, and rats which ate the remains of those who died of starvation.

In October 1944, Mr. Rosano and his fellow POW's began a "death march" to Germany. Those who survived the march were forced to work 16 hours a day building barracks and air raid shelters. Stationed 1 mile from a railroad troop station, Mr. Rosano's camp was bombed for at least 6 hours every night. That winter, they were forced to sleep on a cold cement floor with no winter clothing, and were fed only a slice of bread and a small portion of potato soup daily. In 9 months, Mr. Rosano lost 70 pounds. One night, the POW's were so hungry that Mr. Rosano, knowing he would be severely punished if caught, crawled under a barbed wire fence to take Red Cross packages to his men. While this allowed his fellow POW's to eat, Mr. Rosano was caught and placed for 2

weeks in a hole 5 feet long, 3 feet wide, and 4 feet high.

On January 15, 1945, there was an air raid by allied bombers on Mr. Rosano's POW camp. The air raid shelter was shared by both POW's and German civilians. During the raid, a German mother dropped her two children while running to the shelter. Exhibiting great courage and compassion, Mr. Rosano ran back into the bombing and rescued the two children. Just as he returned to the shelter, however, it received a direct hit. Mr. Rosano and four other POW's were buried alive for 5 days. During this incident, Mr. Rosano sustained physical injury that has plagued him ever since.

In May 1945, the POW's were liberated by the 10th Army Division. Mr. Rosano was sent to Lake Placid, NY, and then Fort Lee, VA, to recuperate. Doctors recognized that he had sustained serious and debilitating injury, but were unable to diagnose it. It was only in 1972 that he was diagnosed as having an organic brain syndrome. While Mr. Rosano frequently received medical treatment at the VA Northport Hospital on Long Island, his wife Lucy and his children Linda, Lori, and John have all helped to care for him over the years.

Mr. Rosano received the following honors for his distinguished military service: The European-African-Middle Eastern Campaign Medal, the Good Conduct Medal, the World War II Victory Medal, the Combat Infantry Badge, the Sharp Shooting Medal, the Bronze Star, with six smaller bronze stars for his six jumps behind enemy lines, and the Conspicuous Service Cross. Recently, I had the honor of presenting Mr. Rosano with the POW Medal.

Madam Speaker, let us devote this day to honoring John Rosano and all the POW's and MIA's who have sacrificed so much in the defense of our great Nation.

□ 1100

POW-MIA RECOGNITION DAY

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

Mr. YOUNG of Florida. Madam Speaker, it is very appropriate that today be acknowledged by the Congress and the President as a national day of remembrance for Americans who have been prisoners of war and missing in action.

It is ironic that at the time we do this Vietnam is giving signals throughout the world that they would like to become a part of the civilized world, they would like to have our aid and our assistance, and they would like to have our money. My signal to Vietnam

would be that if they want to become a part of the civilized world, act civilized. There are still some 2,500 Americans still listed as missing in action in Vietnam. If they want to be recognized as civilized they should give us a full accounting.

The families, the mothers, the fathers, the children, the brothers, the sisters, the aunts, the uncles, the friends, everyone deserves an accounting for their loved ones who are still missing in action in Vietnam. So I say to that country, if they want to be a part of the civilized world, if they want to be recognized as such, if they want aid and assistance from the rest of the civilized world, then act in a civilized fashion and give us an accounting of our Americans who are still missing in action in Vietnam.

Madam Speaker, the Congress and President Reagan have declared today to be "POW-MIA Recognition Day" to signal our Nation's strong determination to achieve a full accounting of the 2,500 Americans still missing in Southeast Asia.

As one Member of Congress who has been outspoken in demanding a resolution to this situation, I certainly share the frustration of the families of these missing Americans who pray that one day they will know the fate of their loved ones. As a member of the House Appropriations Subcommittee on Defense, I have repeatedly pressured Defense and Intelligence Agency witnesses before our committee about the extent of Vietnam's cooperation or lack of cooperation in this regard.

My firm belief remains that we should not resume diplomatic relations with Vietnam until officials of that country cooperate fully in the accounting of missing Americans. My opposition to diplomatic relations with Vietnam has grown even stronger in the past few months as Vietnam has reneged on agreements to assist American teams in identifying crash sites and in returning American remains.

Because of Vietnam's lack of cooperation over the years with the United States, this House in 1979 approved my amendment to the foreign assistance appropriations bill to prohibit American taxpayers' dollars from going to Vietnam either through direct or indirect foreign assistance payments. At the time, the World Bank planned to give money to Vietnam, but as the ranking member of the Appropriations Subcommittee on Foreign Operations, I reminded my colleagues of the inhumane treatment of our POW's by the Vietnamese and successfully put an end to the World Bank's plans.

We remember our missing Americans every day through our thoughts and prayers. This special day, however, provides us with an opportunity to reaffirm our commitment to the families of these special Americans, and this member can assure each of those family members that he will press forward through every available means to achieve a full accounting of the 2,500 brave individuals who sacrificed so much in the defense of our great Nation.

AIR FORCE CONTRACTS TO FACTORIES IN POLAND

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

Mrs. BENTLEY. Madam Speaker, just over 2 years ago, my interest in the full and lawful enforcement of our cargo preference statutes on military supplies purchased abroad brought to my attention an interesting report that I found at the time truly incredulous—the Air Force, yes, the U.S. Air Force, had just awarded a \$1 million-plus contract to a factory in Poland to build 20-foot ammunition storage and transport containers, passing over factories in our own country and those of our allies in Israel, Italy, and England.

Now, over 2 years later, the GAO has reported in full to me that the Air Force has not once, but twice, made these contract awards to the factory in Szczecin, Poland, for a total of 2,000 containers at a cost to the United States taxpayers of over \$5 million.

If the Congress does not act now and send a message to the Pentagon, we will pick up the morning paper one day soon and read that the Air Force has awarded millions to the University of Moscow's Applied Physics Lab for SDI research.

The time is at hand to stop this unbelievable practice and restore common sense for our taxpayers and the defense of our country.

OPENING ETHICS COMMITTEE INVESTIGATION OF THE SPEAKER TO THE PUBLIC

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

Mr. GINGRICH. Madam Speaker, the House should apply to itself the same rules it applies to others. The Iran-Contra investigation was televised and public. The ethics investigation of the Speaker should be in public.

If we are willing to risk America's secrets and embarrass America's allies, we should be willing to risk politicians' secrets and embarrass politicians' cronies.

By your actions this week when you asked to appear before the Ethics Committee, your use of evidence for a photo opportunity, and your efforts to use the press to focus the story on your terms, you have abused the process of Ethics Committee secrecy.

Your actions prove that the public deserves to know what is going on with an investigation of the second most powerful elected official in America, and the man second in line to be President.

The House must vote to open the investigation to the public and should establish the same rules for news cov-

erage it used in the Iran-Contra investigation.

In the near future, a motion will be made to open the investigation to public scrutiny. I hope my colleagues will support it.

WHO CAUSED THE DEFICITS?

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

Mr. DANNEMEYER. Madam Speaker, previously a Member from the Democrat side said the deficits are all the problems of Ronald Reagan, the President. The data and the figures are just the opposite.

This Member asked the OMB and the CBO to prepare an analysis that compares the Reagan budget requests from 1982 through 1986 with what Congress appropriated in response to the budget requests. This is what it showed:

In national defense over those 5 years Congress appropriated \$72 billion less; in Medicare, \$12 billion more; Social Security, \$16 billion less; net interest, \$20 billion more; and all others, \$181 billion more.

If this Congress had appropriated what this President asked to be spent, the total level of spending by the Federal Government each year would be about \$100 billion less than what it actually is. Presidents can only spend what Congresses appropriate. The big spenders are right here in this hall.

If the people of America want to change the course of runaway spending, they have to throw the big spenders out.

FUNDING PROVISION IN OMNIBUS DRUG BILL WOULD HANDICAP RURAL LAW ENFORCEMENT OFFICIALS

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

Mr. BARTON of Texas. Madam Speaker, I rise today to call my colleagues' attention to a funding provision in the omnibus drug bill that would severely handicap rural law enforcement officials in their efforts to eradicate clandestine laboratories that manufacture illegal drugs. Many rural counties have established task forces and programs under grants received from funds authorized in the 1986 omnibus drug bill. Drugs sold in our big cities are many times manufactured in the countryside just outside.

In my congressional district such a task force is operating successfully. Nine counties in my district and MARVIN LEATH's district in central north Texas have formed the Agriplex Roadrunners Task Force with funding

from the 1986 drug bill. Just as the task force has started showing real progress, its existence is in jeopardy because of a last minute change in the funding mechanism for grants to State and local drug enforcement officials.

The formula is heavily tilted toward awarding large metropolitan areas. The new language in the bill would award grants based on the amount of money a county or city government spent on criminal justice programs in the preceding year. This is markedly different from the formula in the 1986 bill which allowed funds to be distributed based on need, instead of fixed formulas based on population and prior expenditures.

The war on drugs must be fought on all fronts; not just in the large cities. The cities may think they are helping their cause in demanding a larger share of the funds, but in reality they are compounding their problem by virtually eliminating the valuable work being done by rural counties in stopping the growth and manufacturing of illegal drugs.

As we finish consideration of H.R. 5210, I urge my colleagues to join me in urging our colleagues in the other body to leave the funding formula as it was in the 1986 bill so we may continue to build on the success of programs already in place in rural counties across the Nation.

EQUALITY FOR WOMEN ON CAPITOL HILL

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

Mrs. MARTIN of Illinois. Madam Speaker, this morning we have heard in the usual wars of statistics what administration appoints what women to what spots. I think there is something we can have some agreement on. We hope this President continues to appoint the high quality of people he has appointed, many of whom are women.

It would be nice if this House, instead of always complaining about the executive, actually did something itself first, and that has something to do with the fact that we still have exempted ourselves from any civil rights legislation, that women are notoriously underpaid, that there is no way for any woman to criticize or complain, and we would not allow that in the executive. So may I suggest that especially on the majority side of the aisle they actually do what they demand of others here.

ABUSE OF THE FRANKING PRIVILEGE

(Mr. FRENZEL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FRENZEL. Madam Speaker, there is a cutoff period before the general election of 60 days during which Members are not allowed to send mailings of more than 500 pieces to their constituents.

This year when the fateful date of 60 days before the election arrived, there were 59 million pieces of mail stacked up in the House folding room awaiting delivery. That is a huge increase over the enormously amount of mail usually on hand in even-numbered years.

It is common knowledge that Members try to be the last person into the folding room so that their mail will be delivered even closer to the election.

This has become a national disgrace. It is likely that much of that mail may not be delivered until late October. Our system is being gamed, with the affect that the frank is being used for election purposes.

The other body, which we frequently criticize, has developed a system of personal accountability so that each Member is allotted a certain amount of money for mailing. Each Senator must live within the individual allocation.

The House, on the other hand, shelters its Members. Our huge franking expense is driven by the urges of those of us who mail most heavily. Because we stand nationally disgraced, we need a system of accountability.

SCHROEDER'S "SLEAZE LIST" DUBBED "SLEAZY LIST" BY WALL STREET JOURNAL

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

Mr. WALKER. Madam Speaker, a few moments ago the gentlewoman from Colorado came up and recited what she called facts about the Reagan administration. One would be a little more understanding at her questioning of the facts if one had not read her previous reporting of the facts in her so-called sleaze list.

As the Wall Street Journal editorialized just a few days ago, that list could more likely be called the sleazy list, because the fact is of the 242 people she singled out in the Reagan administration, it had a lot of misreporting of the facts. For instance, that list included people who have been found innocent in courts of law. It included Nancy Reagan for wearing designer dresses. It included one official who was guilty of having his dog Barf on official records.

Let us face it, that is not a very good recitation of the facts. Her list stands condemned. When she reports more facts to the American people, they ought to understand that they are facts that are highly suspect.

PROVIDING FOR CONSIDERATION OF H.R. 5142, AIDS FEDERAL POLICY ACT OF 1988

Mr. DERRICK. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 520 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 520

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5142) to amend the Public Health Service Act to establish grant programs, and confidentiality protections, relating to counseling and testing with respect to acquired immune deficiency syndrome, to amend such Act with respect to research programs relating to such syndrome, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered as having been read for amendment under the five-minute rule. No amendment to the bill shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution, said amendments may only be offered by the member designated or his designee, and shall be considered as having been read. Each of said amendments shall be debatable for the time specified in the report of the Committee on Rules, equally divided and controlled by the proponent and a Member opposed thereto. Each of said amendments shall not be subject to amendment except as specified in the report of the Committee on Rules, or to a demand for a division of the question in the House or in the Committee of the Whole, and all points of order against said amendments are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After passage of H.R. 5142, it shall be in order to take from the Speaker's table the bill S. 1220 and consider said bill in the House. It shall then be in order to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions of H.R. 5142 as passed by the House. It shall then be in order to move the House insist on its amendment to the bill S. 1220 and request a conference with the Senate thereon.

The SPEAKER pro tempore. (Mrs. KENNELLY). The gentleman from South Carolina [Mr. DERRICK] is recognized for one hour.

Mr. DERRICK. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Madam Speaker, House Resolution 520 is a modified open rule providing for the consideration of H.R. 5142, the

AIDS Federal Policy Amendments Act of 1988. The rule provides for 1 hour of general debate, with the time equally divided between the chairman and the ranking minority member of the Committee on Energy and Commerce.

The rule provides that no amendments are in order except for amendments printed in the report of the Committee on Rules accompanying this resolution. The amendments may be offered only by the designated members or their designee, with debate limited to the time specified in the report and divided between the proponent of the amendment and an opponent. The amendments shall be considered as having been read and are not amendable except as specified in the report. All points of order against consideration of the amendments are waived. The amendments made in order are:

First, four amendments to be offered by Mr. DANNEMEYER. These would mandate testing of prison inmates, require routine testing of some hospital patients, require clinics to provide information on AIDS patients to the State public health officer, and strike the title creating a national AIDS commission.

Second, an amendment may be made to the Dannemeyer amendment by Mrs. BYRON to limit testing in prisons to those inmates determined to be high-risk.

Third, two amendments may be offered by Mr. COATS requiring that States provide up-to-date information on the prevention and transmission of AIDS to applicants for marriage licenses and to physicians and dentists.

Fourth, an amendment may be offered by Mr. MADIGAN which would remove the designation of specific numbers of the new personnel authorized for AIDS research.

Fifth, an amendment may be offered by Mr. MCCOLLUM requiring that testing of individuals applying for marriage licenses.

Sixth, two amendments may be offered by Ms. PELOSI which would establish demonstration programs focusing on early monitoring and treatment and providing follow-up mental health counseling services.

Seventh, an amendment may be offered by Mr. WAXMAN which would expand the research use of drugs.

The rule provides one motion to recommit.

Finally, the rule provides that after passage of H.R. 5142, it is in order to consider a motion to take S. 1220 from the Speaker's table, substitute the text of H.R. 5142 for the Senate bill, insist on the House amendment, and request a conference with the Senate. This procedure simply facilitates a conference on the bill.

Madam Speaker, H.R. 5142 is the first comprehensive AIDS authorization bill to come before the House. It

is important that we begin to address the growing need for research, counseling, testing and better information for the public. AIDS is a threatening health menace which may strike up to a quarter of a million Americans by the end of the century by some estimates.

The bill made in order under this rule would help States carry out voluntary counseling and testing in a way that protects the confidentiality of individuals. It would accelerate our research efforts and help train key public health workers. It would provide notification procedures for emergency health workers who may be exposed to AIDS, and fund fellowships and training programs to train health professionals to care for AIDS patients.

H.R. 5142 does not address all the complex issues involved in the fight against AIDS, but it does take an important step in making AIDS research and treatment a priority for the Federal Government, and in shaping a coordinated Federal response to this terrible and deadly disease.

Madam Speaker, in view of the importance of this legislation, I urge my colleagues to support the rule and the bill.

□ 1115

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

Madam Speaker, although I offered a motion in the Rules Committee for an open rule on this bill, it was defeated. I am not satisfied with a less than open rule for this important bill, and I am going to ask Members to defeat the previous question and this rule.

The rule permits 12 amendments to be offered to H.R. 5142, the AIDS Federal Policy Act of 1988, most of which relate to testing persons for the AIDS virus and to counseling those at risk of contracting the virus.

Madam Speaker, because there is no cure for AIDS, because there is no cure in sight, because it is fatal, and because this infection is spreading rapidly, AIDS is potentially the most grave health risk threatening the people in this country and throughout the world. Informed opinion differs substantially on what steps should be taken to combat this fatal disease and to protect the population from becoming infected with it. There seems little dispute, however, that the Federal Government should devote even more money and effort to fight this disease. This bill is another step in this direction.

H.R. 5142 authorizes \$400 million of the next 3 fiscal years in grants to the States and to health care units serving people considered at great risk of contracting AIDS. In order to receive the grants certain reasonable conditions to

safeguard the uninfected population are attached.

The bill also authorizes an increase in Federal personnel at six Federal health agencies to work on the AIDS epidemic and establishes a National Commission on Acquired Immune Deficiency Syndrome. The AIDS Commission is directed to carry out national policies on AIDS research, the testing and treatment of AIDS victims, prevention and education and other aspects of our effort to combat this grim disease.

Madam Speaker, this is an important bill to accelerate our national effort against the AIDS epidemic. There is disagreement over some of the parts and a number of controversial amendments will be offered. There seems little dispute, however, that the basic thrust of the bill is needed and is aimed in the right direction. I ask for a "no" vote on the previous question so other beneficial amendments can be offered to improve the bill.

Madam Speaker, I yield 7 minutes to the gentleman from Indiana [Mr. COATS].

Mr. COATS. Madam Speaker, I thank the gentleman for yielding me such time.

I rise in an effort to inform my colleagues of some of the history with this particular issue and to urge their consideration for a vote against the previous question. By defeating the previous question, we would be allowed to offer a substitute rule which would include an amendment I proposed to the Rules Committee. I believe this particular amendment deserves debate and deserves a vote on this House floor.

This is a highly controversial bill. There are sharply separate views on both sides of the aisle as to what the bill ought to include. It is also an issue that is difficult for Members to discuss. AIDS is something that we do not want to think about, and hope that it does not become a serious problem for this country. Yet in the back of our minds we all know it is an extremely serious problem. We know that there is currently no cure and we know that the matter is not getting better. It is getting worse.

Today's Washington Post reports that the Nation's AIDS caseload will grow fivefold the next 4 years. The Federal Centers for Disease Control has reported statistics indicating that as of this week, 72,766 cases have been reported to the CDC. We all know that there are many cases out there, many deaths, that are classified as the cause of death being different than AIDS. However, medical researchers, scientists, and doctors know that the probable cause of death in many of these cases is AIDS. Due to concerns this could create in communities,

many times AIDS is not listed as a cause of death on a death certificate.

Currently, there are 72,766 reported AIDS cases, and of that number, 41,064 already have died. By the end of 1992 the Centers for Disease Control reports that a total of 365,000 people will have AIDS, and deaths will have reached 263,000 of that number or 72 percent of the total. Many scientists and researchers believe that eventually the number will reach 100 percent because we do not yet know how long it takes, once a person has contracted AIDS, for the patient to die.

It is an issue which we ought to discuss. The AIDS bill before the House next week, is a very partial proposal in dealing with the question. Members know that we will be back on the floor, many times in the future, discussing this question. I offered amendments in committee as well as other Members. A number of those were adopted. Yet Members on both sides of this issue have amendments that they feel are important that will not be offered on the floor, because the amendments were disallowed by the Rules Committee.

One of those amendments involves the issue of spousal notification, the question of whether or not the spouse of an AIDS-infected victim has the right to know that his or her spouse, his or her sexual partner, has AIDS. I believe this is a moral and ethical obligation on the part of the infected person to inform a marital partner that he or she carries the AIDS virus. This person is obviously in a position to transmit that virus and essentially transmit a fatal disease to his or her sexual partner. It is important that the spouse know that, for many reasons, obviously, for their own health's sake, but also to provide protection to children who almost in every instance contract AIDS if the sexual partner carries the virus.

According to researchers and doctors, the earlier a spouse is made aware of the fact that he or she may be carrying AIDS, the better the treatment and the longer his or her life can be prolonged.

Secondly, we know that the spouse can then make an immediate decision regarding childbirth. Knowing the facts in the instances of AIDS transmission to the child and certain death that results, decisions can be made to prevent childbirth from occurring.

Some will raise the objection that this places an obligation on the doctors that they should not have. My response to that is to simply urge Members to look at the amendment. We place no more obligations on the doctors than any doctor would want to have, knowing that his or her patient has AIDS. We simply state that if the doctor has reason to believe or knows that his patient has not contacted the spouse, that the doctor, if he knows

the identity and location of the spouse, will make that notification. This is consistent with the American Medical Association's Council on Ethical and Judicial Affairs advisory opinion which recently issued a statement to guide physicians on how to handle these questions. The AMA directed that physicians should first try to persuade the individual to stop sexual relations with their spouse. If the infected person will not inform the spouse, then the doctor should notify public health authorities. If the infected person still takes no action, the physician has an obligation to notify the endangered third party.

We are not even requiring in this amendment notification of public health authorities. We simply say that the spouse has the right to know if his or her partner has AIDS, which will transmit almost certain death to that unsuspecting spouse and/or their child. We think it is a moral and ethical obligation, and we are asking States to set up a procedure whereby doctors can notify the spouse.

I urge Members to join us in defeating the previous question so that we can modify the rule and offer it with this one additional amendment on spousal notification.

I thank the gentleman from Tennessee for this time.

Mr. DERRICK. Madam Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Madam Speaker, I rise to urge the Members strongly to support the previous question and the rule itself.

Madam Speaker, the gentleman from California [Mr. WAXMAN], chairman of the Subcommittee on Health and Environment, on which I serve and which held many hearings on the bill is, I am sorry to say, ill today, but he urges as well that the House strongly support this legislation. The Subcommittee on Health and Environment, under the leadership of the gentleman from California, and the full Committee on Energy and Commerce, under the chairmanship of the gentleman from Michigan [Mr. DINGELL], have considered the issues surrounding AIDS research and AIDS testing extensively. Since the beginning of the epidemic, our subcommittee has held over 20 hearings related to AIDS. Within the past year the subcommittee has held 5 days of hearings on the issue of counseling and testing for AIDS.

The legislation that comes to the House now represents a hard-fought synthesis of proposals made in those hearings. It provides for widespread voluntary counseling and testing in health care settings, for Federal confidentiality provisions of counseling and testing records, for the expediting and expansion of research, and for a na-

tional commission to advise us on AIDS issues that will be upcoming.

Madam Speaker, the bill is not perfect, and it is not anyone's first choice. However, it does represent a balanced compromise. It contains confidentiality provisions, but it does not contain nondiscrimination provisions that I and a number of other Members fought hard for. It contains mandatory testing of people convicted of high-risk crimes, but it does not contain mandatory testing of all prisoners. It contains routine testing of patients in VA clinics, but it does not require testing of all hospital patients.

□ 1130

It contains a notification program for emergency workers who may be exposed to AIDS on the job, but at the same time it does not jeopardize the privacy of patients' records.

Madam Speaker, what we would like to emphasize is simply that the counseling and testing policies in this bill focus limited resources on those patients who need them most, and it provides those people with some certainty that their private medical information will remain private.

In the research area the bill will speed up the administrative process of research without undercutting the basic protections of peer review and scientific quality.

Madam Speaker, it also cuts through some of the difficult clearance procedures to get the basic staff and laboratory facilities to perform the terribly needed research to end this disease.

The rule before us today obviously does not close the debate on this legislation. Clearly there are policy issues about which Members have strong feelings and beliefs. The subcommittee believes that it provides for a reasonable length of time and a reasonable number of amendments and allows the major issues of testing policy to be debated and voted on.

Madam Speaker, it is a fair rule for both the supporters and opponents of the bill. The health and medical consensus is clear on most of the proposed amendments.

The one thing that is clear is that we cannot afford to wait to act to end this epidemic in America and in the world.

One last point, Madam Speaker, just very briefly with respect to spousal notification. I want the Members to be very clear that this bill permits spousal notification. There is no ambiguity on this point. The bill permits spousal notification, but with the American Medical Association I and the gentleman from California [Mr. WAXMAN], the chairman of the committee, and others believe that it is a mistake to bring the Federal Government and Federal involvement into this area as a medical policy issue. The American

Medical Association coincides with our position, and I want the Members to be clear that the bill does permit spousal notification.

Mr. QUILLEN. Madam Speaker, I yield 1 minute to the gentleman from Indiana [Mr. COATS].

Mr. COATS. Madam Speaker, I thank the gentleman from Tennessee for yielding.

Just to respond to my colleague, the gentleman from Oregon [Mr. WYDEN] what we are attempting to do with this amendment is to state that no State can receive funds under this bill unless it establishes a procedure by which it would require doctors to notify spouses if their patient has AIDS. This is assuming that the doctor knows the location and identity of the spouse and assuming that the infected person is given the prerogative of giving that notification to the spouse before the physician would do so.

Madam Speaker, we are simply saying that if the doctor knows that the patient is going to tell his spouse that is fine. We simply want to establish a procedure through the States that requires the doctor to notify a spouse of an infected person if the physician believes or has to believe that the spouse has not been so notified by his marital partner.

So it is not a heavy hand of the Federal Government coming down, simply conditioning to receive the funds on that procedure.

Madam Speaker, I thank the gentleman from Tennessee [Mr. QUILLEN] for the additional time.

Mr. QUILLEN. Madam Speaker, I yield 7 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Madam Speaker, I thank the gentleman from Tennessee for yielding this time.

Madam Speaker, I was originally going to use dilatory tactics to try to stop this whole procedure today because I think the rule is so unfair, but, realizing that I would probably raise more animosity among my colleague on a Friday afternoon than solving the problem, I decided against that approach.

Madam Speaker, I rise today in favor of the substitute rule that will allow spousal notification. I cannot imagine anybody opposing that. It makes no sense to me whatsoever for a person who has AIDS to not be required to tell their wife, and anyone who does not tell their wife or husband that they have the AIDS virus is not only irresponsible, but they are inhuman. I cannot imagine this body not requiring that.

Madam Speaker, doctors ought to be, as a matter of principle, as a matter of law, required to tell someone's spouse that they have the AIDS virus, not just to protect the spouse, but to protect the entire household.

I am also up here to talk about the unfairness of this rule, not to DAN BURTON, but to the American people. This rule precludes the possibility of proposing amendments that are very important to the population of this Nation. One of those amendments is an amendment that would allow mandatory testing or routine testing of every American regarding the AIDS virus. Now most people pooh-pooh that, and they say, "Why should we test everybody in this country?" Well, I will tell my colleague why.

Madam Speaker, a number of scientists have pointed out through statistical study that we are likely to have millions of people dying in the not too distant future. Dr. Allan Salzberg of Miles City, MT, a scientist, doctor, and computer expert along with two of his colleagues have taken every cohort study available, they put it into a computer and came up with projections on the AIDS virus, the AIDS pandemic, through the year 2005. I have talked about it on this floor many times, and their statistical data parallels what the CDC came up with through the year 1991. So the facts and the figures that CDC came up with through 1991, their study parallels. There is no difference; just a few thousand people different, and so there is no reason to believe that their statistical projections are inaccurate.

Let me tell my colleagues what these statistical projects show. Now listen to this. I hope my colleagues will pay attention to this for just a minute. In 1995 their projections show that there will be 2.1 million cumulative cases of AIDS, people that have the AIDS virus. There will be 1.3 million people in this country dead or dying of the AIDS virus, and there will be 12 million carriers, and we are talking about 6 years away from now. This thing is going to grow in an exponential manner according to their projections.

Madam Speaker, they may be wrong, but I think they are pretty close to correct, but how in the world are we going to know unless we do testing? We have our head in a sack in this country. The CDC, our health agencies, have their heads in a sack, and this epidemic is spreading, and CDC says, "Well, we had 1½ million people with the AIDS virus, infected with it, 2 years ago, and it is doubling every 10 to 14 months." Now today they will tell you we still have 1½ million people or so infected. What happened to their projection of 2 years ago?

Madam Speaker, the fact of the matter is they do not know, and the only way to know if somebody has AIDS, my colleagues, is to test them because this thing can be carried in a healthy person's body without any manifestation of the disease for up to 15 or 20 years. The average they estimate now is 7 years, so, if your daughter or you are dating somebody and

they look perfectly healthy, they may have the AIDS virus and can carry it for 7 years without any manifestation of it, and every person they come in contact with sexually, or maybe otherwise, is at risk.

So, Madam Speaker, we need to know who is spreading it, how it is spreading, why it is spreading most rapidly so we can take action to deal with this crisis, and it is a crisis.

But the fact of the matter is that we have a Band-Aid approach, if my colleagues want to even call it that, that the gentleman from California [Mr. WAXMAN] came up with in his committee. It makes no sense. If Dr. Salzberg is even remotely accurate, we need to have mandatory testing or routine testing across the Nation.

The people that have dealt with routine testing or a mandatory testing program, the only group that has done that is the military of the United States, and I have talked with them at length. They have tested 2 million people, and they do it every single year, and they are able to say that it is not unfeasible to be able to test everybody in this country on a routine annual basis.

Madam Speaker, it is impossible to cover this in the short time that is allotted her for this debate, and that is why I wanted to have a complete debate, a complete hearing, on the amendment that will deal with a mandatory or routine testing program. Let me just say, and I hope everybody in the Congress will listen to this as well as everybody who may be paying attention to this debate, we have a minimum of a million and a half people infected. I think it is more like 4 million people. It is spreading at a very rapid rate. We do not know how fast. The projections through 1991 that CDC has are paralleled by the study I have before me, and this study carries it out to the year 2005, and they are projecting in the year 2005 that there will be 35 million people carrying the virus and 9.7 million people dead or dying.

Madam Speaker, I include the following material for the RECORD:

[From the Saturday Evening Post]

A STRATEGY TO PREVENT THE SPREAD OF AIDS

(By Col. Donald S. Burke, M.D.)

The Presidential Commission on the HIV Epidemic has heard ample opinion from witnesses on the theoretical adverse effects of HIV screening programs. I would like to directly address, and thereby refute, some of the more common misconceptions and concerns about HIV screening:

Misconception #1: "False-positive test results are common."

Fact: The false-positive error rate in the army HIV screening program has been measured to be only 1 out of every 135,000 persons tested. The fact that false-positive rates are unacceptably high in some private-sector laboratories is a direct consequence of the feeble quality-control programs implemented by civilian public-health authorities. The problem of false-positive test re-

sults is eminently correctable; it does not reflect any inherent technical limitations of the testing methods.

Misconception #2: "HIV screening is not cost-effective."

Fact: Laboratory test costs are \$4 per person screened in the army program. Among civilian applicants for military service, the cost per case detected is about \$2,500 nationwide. The cost in the New York, Washington, and San Francisco area is about \$300 per case detected.

Misconception #3: "The logistical problems of setting up a program for HIV screening are insurmountable."

Fact: On August, 30 1985, Deputy Secretary of Defense Mr. Taft directed that all applicants for military service would be tested. Within six weeks, the program was in full operation with 60,000 persons tested each month.

Misconception #4: "Suicides are commonplace when wide-scale testing is implemented."

Fact: Among the 1.8 million applicants for military service who have been screened during the past 2½ years, there have been 3,000 persons found to be HIV-infected. All have been informed of their infected status. No one has committed suicide as a consequence of learning of the test results.

Misconception #5: "The requirement for pretest counseling renders routine testing programs prohibitively expensive."

Fact: For civilian applicants for military service, "pretest counseling" consists of distribution of a one-page fact sheet. Individualized, one-on-one counseling is provided only as post-test counseling to persons who have tested seropositive.

Misconception #6: "Because there is no cure for HIV, testing is useless."

Fact: HIV-infected persons are directly benefited by knowledge of their infected status. First, they can be assured of prompt diagnosis and effective therapy of opportunistic infections. Second, HIV-infected persons who know their infected status may be able to slow progression of AIDS by careful attention to diet, physical fitness, and avoidance of other infectious diseases. Third, HIV-infected persons can avoid the guilt and pain of having unwittingly transmitted potentially fatal HIV-infections to their lovers or spouses.

Misconception #7: "Wide-scale screening for HIV will drive the epidemic underground."

Fact: To date only 75,000 HIV-infected persons have been diagnosed as HIV-infected through the alternative-test-site programs. This represents only about 5 percent of all HIV-infected persons in the United States. Restated, 95 percent of HIV-infected Americans remain totally unaware of the fact that they can transmit a fatal communicable disease to their sexual partners. As a direct consequence of a national failure to encourage wide-scale routine testing, the epidemic is *already* underground.

I reject the passive and fatalistic attitude, championed by some, that effective routine HIV testing is beyond the capability of the U.S. public-health machinery. The means are in hand today to establish an accurate diagnosis in each and every case of HIV. We as a society must abandon the "strategy of ignorance." We can no longer systematically deny the rights and benefits of painful but critically important knowledge to the 1.5 million members of our society who carry a fatal infectious disease. We must set, as a clear goal, wide and free availability of high-quality HIV testing.

How do we achieve this goal of accessible, high-quality HIV tests? I suggest that the commission should make the following four fundamental recommendations to the President:

Recommendation I: Rigorous quality control of HIV testing must be implemented immediately throughout the United States. This should include (a) establishment of guidelines for licensure or certification of all laboratories that perform HIV confirmatory tests and (b) creation of a national HIV proficiency test program in which substantial numbers of difficult test serum samples are sent on a regular basis to testing laboratories. Satisfactory performance in this program should be a requirement for continued certification.

Recommendation II: New, "second generation" diagnostic tests for HIV should be put on the fast track for licensure. Regulatory control of confirmatory tests for HIV should be removed from the Division of Blood and Blood Products of the FDA and placed instead in the Division of Medical Devices. This step would speed the availability of highly accurate yet low-cost HIV diagnostic tests, particularly those which are based on molecularly cloned and expressed HIV antigens.

Recommendation III: Clear and compelling legislation should be enacted at a national level to ensure the continued rights of HIV-infected persons to housing and employment. National leaders of high public visibility, such as the President and the Surgeon General, should forcefully denounce acts of irrational discrimination—such as the recent burning of the house of the three hemophiliac boys in Florida—and should frequently praise, in public, acts of compassion and understanding. Strong and sustained leadership is necessary to destigmatize HIV.

Recommendation IV: Public-health policies at the local, state, and national levels should include routine HIV testing as an important strategy for infection control. Infected persons detected in routine screening programs should be the focus of intensive yet compassionate counseling to ensure that they fully understand the fatal and communicable nature of the virus infection they carry.

If these four recommendations are implemented, I believe that the goal of epidemic control through wide-scale HIV testing and counseling of seropositives can be achieved.

SUMMARY

The enclosure is a summary of independent mathematical analysis on the AIDS pandemic done by the authors. None of this work was either authorized or sponsored by any Federal Governmental agency, and it represents the opinions of the authors and not of the Veterans Administration or any other governmental agency.

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MODELING THE AIDS PANDEMIC 1976-2005— ABSTRACT

Developed here is a mathematical model of the AIDS pandemic in the U.S. After determining the appropriate rate constants of the epidemic, we were able to closely recapitulate the history of the pandemic as well as to make future projections. Through 1991 our model is in excellent agreement with the CDC projections which are based on extrapolative curve fitting techniques.

The exceedingly long incubation time of HIV ensures however, that the full impact of the pandemic will not occur until after 1991. This long incubation time, coupled with the relatively short doubling time, ensures that the standard method of estimating a mean incubation time by averaging the known times from infection to AIDS is mathematically invalid and yields erroneous results. AIDS will gradually diffuse into the general population, and the number of victims could exceed 10 million by the year 2000. By 2005, the cumulative economic cost could exceed several trillion 1987 constant dollars. Although education could slow the spread of the virus, the model indicates that control will most likely require mandatory testing of the general population.

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MODELING THE AIDS PANDEMIC—1976-2005

INTRODUCTION

AIDS is a unique threat. First, it is a retrovirus which is incorporated into the genetic material of the cell. Second, it attacks the immune system. Third, it is deceptive in that although it is not transmitted by casual contact and has a very low infectivity per unit time, it has an average asymptomatic period of infectivity which is over 10 years. Furthermore, once infected the victim carries the virus for life. Infected mothers have about a 50% probability of transmitting it to their babies. Currently, once symptoms appear, the mortality is 100%. Consequently this disease is out of the ken of our experience, and quantitative estimates of its lethality are dependent on mathematical analysis. Estimates limited to 1991, as bad as they are, must markedly underestimate the deadline of this disease.

MODEL

In this paper, we present a cohort model for the spread of HIV-1 through a heterogeneous population comprised of interacting sub populations. A depiction of the states of each subgroup and their interactions follows:

Healthy \rightarrow Early infection \rightarrow
Incubation \rightarrow Sick \rightarrow Dead

For each i, j , $POP(i) \leftrightarrow POP(j)$

$\leftarrow \rightarrow$ implies bidirectional transmission

While the mathematics of the model are given in detail in Appendix A, its significance will not be appreciated by those not mathematically sophisticated. Consequently a brief discussion is in order. The processes that govern the transition from early infection to death are treated as sequential series of events each with an exponential decay. This is analogous to a radioactive decay series and can be represented by a series of simple differential equations. The infection process, as modeled, is more complex and is represented by a series of coupled non linear differential equations. The form of these equations is illustrated by the following example. Consider $n(1)$ carriers in sub population (1) and $h(2)$ healthy individuals in sub population (2). Then the number of infections per unit time in population (2) caused by the carriers in (1) is proportional to the product of $n(1)$ and $h(2)$, and the constant of proportionality is inversely related to the infectivity time constants discussed later in the paper. Thus the model, allows both for early exponential growth and later saturation effects. The model also assumes

conservatively that individuals with clinical AIDS do not contribute to the spread of the disease, and it does not consider ARC (AIDS related complex) because of the present insufficiency of available data.

In this presentation the gay males and the IV drug abusers are aggregated into one high risk group. The heterosexuals can be treated either as one group or they can be subdivided into heterosexual males and females as indicated. At the present time, there is insufficient data to allow further subdivision.

RATE CONSTANTS

In previous paper (1), we estimated the historical mean values of the time constants T_2 and TD as 12 years and 0.7-1.2 years. The incubation periods are assumed to be exponentially distributed. The intrinsic infectivity constants in the high risk groups averaged one transmission per carrier every 8 months in the period 1976-1987, increasing from about 4 months in the early stages to 20 months today. This improvement is most likely due to a combination of education and the previous saturation of the highest risk groups with HIV-1. The mathematical details are given in appendix A; in addition, the observed infectivity rates further decrease with time as the above intrinsic rates are modified by saturation effects on the subpopulations.

The crossover infectivity estimates from the high to low risk (general heterosexual) populations range from 20-40 years/carrier. In the low risk group the infectivity rate approximates one case every 3-4 years and the male to female and female to male rates are not markedly different. These heterosexual transmission rates are in concordance both with the data (using 95% confidence limits) presented in references (1,2,3) and over estimate of a 0.15%-0.30% probability of transmission of HIV per unprotected vaginal intercourse.

HETEROSEXUAL TRANSMISSION CONSTANTS

Reference (2) noted that 11/66 women who did not practice anal intercourse and who were sexual partners of HIV positive males were seropositive. Although the study was cross sectional rather than longitudinal, the data indicates that these women had about 100 sexual contacts with their partners. This translates to a 0.2% (range 0.09%-0.31%) probability of transmission per vaginal intercourse.

Ref (3) reported that 12 of 14 spouses of infected partners who practiced unprotected vaginal intercourse seroconverted after two years. They averaged 2.7 intercourse/week. Lumping together all the couples who continued to have intercourse gave about a 50% probability of conversion (14/28) after two years, and the transmission was bidirectional. Depending on which of the above samples is used, we obtain a 0.25% (range 0.13%-0.6%) transmission per vaginal intercourse. The high end is based on 12/14; whereas, the low end is based on 14/28. By way of contrast, there was no transmission of virus in the ten couples who abstained from sex.

Ref (4) which studied transmission from spouses who were infected by transfusion also showed relatively similar bidirectional transmission. In this study of older individuals, it was found that 12/80 partners seroconverted. This gave a range of 0.08%-0.28% as an estimate for the probability of infection per vaginal intercourse. This could well represent a lower bound as there was an absence of cofactors in this older less sexually active population. By way of comparison,

use of the model resulted in an estimate of the monthly heterosexual transmission rate of 0.025/carrier/month (0.02-0.03) for a sexually active population. These values are in excellent agreement with the transmission constants determined from the three studies discussed above.

There have been some statements that in the US that female to male heterosexual transmission is far less than the reverse process. However, even the raw data compiled by CDC belies this since, of the 1160 US AIDS victims who have absolutely no known risk factors, 930 are male (verbal communication CDC AIDS Statistics Office). A quantitative estimate of the relative male to female and female to male infectivity can be derived from this computer model. The dynamics here are:

high risk males \leftrightarrow females \leftrightarrow males
 \leftrightarrow low risk females

where \rightarrow is direction of infectivity and \leftrightarrow implies bidirectional transmission.

In this scheme, using the rate constants discussed elsewhere in this paper, and assuming that male-female infectivity equals 1.20 female/male infectivity, the model predicts 900 "no risk" male victims and 280 "no risk" female victims. Infectivity ratios of greater than 1.5/1 yield estimates incompatible with the CDC data. Thus it is unlikely that the hypothesis of unidirectionality is valid especially when coupled with the bidirectional transmission found in (3,4). Moreover, ref (5) states that up to 50% of the females and 30% of the males at sexual disease clinics in Baltimore found to have HIV infections denied belonging to a risk group.

ESTIMATES OF THE INCUBATION TIMES

In this analysis we used an average incubation time, T_2 , of 17 years with a range of 12-18 years. T_1 , the delay time, was set at one year. These numbers were initially chosen because use of them yielded results which are in excellent agreement with what is known. It is this long incubation which drives the epidemic as even heterosexuals could on the average transmit the disease to 4 others before developing clinical AIDS.

Although 17 years appears quite long, it is in good agreement with recent data from California where a 6% annual rate of illness was observed following a one year delay after seroconversion (6). The concept of a two stage response with mean delay time of about one year followed by a 15 year (plus or minus 3) mean incubation time is in excellent concordance with the analysis presented in ref (7) where there were few cases in the first two years. Subsequently 5%-7% of the carriers converted annually. Our estimate of the cumulative probability of developing clinical AIDS as a function of time from infection is depicted in Figure 1. These results also agree well with the Coolfont Report (ref (8)) which states that after 5 years carriers have a 20%-30% of developing AIDS.

Furthermore, as noted in Table 2, this incubation time gives results which very closely reproduce the historical epidemic. The 17 year mean incubation time with an exponential distribution is equivalent to an 11.7 year median time ($\ln 2$ mean time). This is about 3 years longer than the 8 year estimate from San Francisco cohorts.

Sensitivity analysis shows that substituting 8 years for 11.7 years changes the projection by less than 20% through 2005, as illustrated in Table 5b. Thus, the basic results are relatively invariant over a range (8-12 years) of median incubation times. However the incubation time, the cumula-

tive number of AIDS cases and the number of carriers are mathematically linked. In particular, a shorter incubation time implies that, for a given number of cases, there will be fewer carriers than would result from a longer incubation period.

A PARADOX

It is essential to note that the standard method of determining an "observed mean incubation time" for a disease which is based on averaging the time from infection to illness for known cases is mathematically incorrect for AIDS and any other epidemic where the mean incubation is significantly greater than the doubling time. Conceptually, this is due to the large number of recent infections who can become ill, compared to those previously infected. Mathematically, the problem arises with the non uniformity of the sample space of carriers who can convert to clinical AIDS. This set is highly skewed toward recent infections. Numerical solutions using the known time dependent doubling times of the AIDS epidemic along with the distribution function discussed in the previous paragraph, yield estimates of the "observed mean incubation time". In the earlier, more rapidly growing phase, the values were 2-3 years. In later years, they increased to 3-5 years. Both estimates were not sensitive to a wide range of change in the true mean incubation time (T_2). Interestingly, these numerical solutions are in concordance with early CDC estimates of the incubation time.

RESULTS

We then used the model to compute beginning with day one of the epidemic in 1976 estimates of the AIDS pandemic from 1977 through 2005. The specific constants used are detailed in Table 1.

TABLE 1.—TIME VARYING INFECTIVITY CONSTANTS FOR THE AIDS PANDEMIC

$T_1 = 1$ year $T_2 = 17$ years

Time period	High risk	Low risk	High to low
1976-1982	1.049	3.3	33
1982-1987	1.73	3.3	33
1987	1.75	3.3	33

¹ Years.

The disparity in changes in the infectivity constants, which for the high risk group represents over a 70% reduction in infection rates from the earlier phases of the epidemic, and the general heterosexual population are mirrored by a marked drop in venereal disease rates for gay males, a decrease not matched in the general population. The constant TD , the life span once full blown AIDS develops, is increased from 0.8 years to 1.8 after 1987 due to improved treatment of opportunistic disease as well as the advent of AZT and new antiretroviral agents which are in the development stage.

With these values the model yields the following results:

TABLE 2.—AIDS PROJECTIONS USA 1983-2005

Year	Cumulative cases (in thousands) — (¹ \pm)	(²)	Hetero (per cent)	Dead ³	Carriers ⁴ (millions)
1983	4.2	3.4	2.0	1.7	.12
1984	9.9	9.2	2.9	5.3	.21

TABLE 2.—AIDS PROJECTIONS USA 1983–2005—Continued

Year	Cumulative cases (in thousands) — (1 ^a)	(2)	Hetero (per cent)	Dead ^a	Carriers ^a (millions)
1985	20	19	3.9	13	36
1986	35	35.6	4.7	24	61
1987	50	63	5.6	42	1.1
	(60)				
1989	197	7.1	100	2.6	
1991	490	8.7	263	5.5	
1993	1,100	10	640	9.0	
1995	2,100	14	1,300	12	
2000	6,100	28	4,500	20	
2005	12,300	50	9,700	35	

^a As reported by CDC.^b Projected by model—cases in thousands; carriers in millions.^c Presently reported to CDC and extrapolated to year end. CDC is up to 6 months in behind in reporting so 50,000 is a low estimate. When all cases are in, the number could reach 60,000. (CDC Division of Statistics)

As can be seen, there is excellent agreement between the time dependent model and the data actually reported by CDC. There is also excellent agreement between the number of carriers predicted herein and that projected in the slightly less complex model discussed in (1).

Estimates of the dollar costs of the AIDS pandemic are given in Table 3 and are based upon the following assumptions.

1. The annual immediate cost of the disease per patient is the sum of the cost of the medical treatment and the loss of productivity while ill. This is set at \$65,000/year.

2. The total cost is the immediate cost plus the discounted loss in productivity due to premature death. This discounted value is conservatively estimated at \$300,000.

3. Changes in the above estimates will cause proportional changes in the values presented in Table 3.

TABLE 3.—ECONOMIC CONSEQUENCES OF THE AIDS PANDEMIC

[In billions constant 1987 dollars]

Year	Immediate (cumulative)	Total (cumulative)
1984	0.26	1.9
1985	6	4.3
1987	2.2	16
1989	9.1	39
1991	29	110
1995	150	550
2000	520	1,800
2005	1,200	4,100

Several points are obvious. First the economic costs of an unchecked AIDS epidemic could threaten the economic viability of the country in the outyears. Second the dominant cost is that due to premature death and not the actual medical costs, as great as they are. Third, our immediate cost projections are in excellent agreement with those of ref(9) for the year 1991 (\$11.8 billion vs. \$12 billion) while the \$Total are somewhat lower. Given both our assumptions and the near term agreement, we feel our outyear projections are relevant.

SENSITIVITY ANALYSIS

Since there is always uncertainty concerning future infection rates, we next examine the effects of markedly reducing the infectivity rates (increasing the time to infection) for the high risk groups well below the recent historical values for the high risk groups. Such results are shown in Table 4a and 4b which also examined both the effect of lowering the heterosexual infection rates,

and the effect of varying the mean incubation time.

TABLE 4a.—U.S. AIDS PROJECTIONS WITH LOWERED INFECTIVITY

[Total cases and carriers—in millions]

Months to infection	Year	Total cases	Carriers
24	1991	0.44	4.6
24	1995	1.9	10.5
24D2000	5.3	18.7	
24	2005	11.5	34.1
30	1991	.41	3.5
30	1995	1.5	8.5
30	2000	4.3	16.7
30	2005	10.0	31.7
33 ^a	1991	.38	3.1
33 ^a	1995	1.3	6.6
33 ^a	2000	3.5	11
33 ^a	2005	6.8	15
22 ^a	1991	.48	5.3
22 ^a	1995	2.1	11.0
22 ^a	2000	5.3	14.2
22 ^a	2005	9.6	18

^a Along with a 40-percent reduction in heterosexual rates.^b After 1987 5 percent annual decrease infection rates high risk groups; 2.5 percent decrease low risk groups.TABLE 4b.—EFFECT OF VARYING THE MEAN INCUBATION TIME ON THE SPREAD OF AIDS¹

Year	8-year median		11.7-year median	
	Cumulative cases	Carriers	Cumulative cases	Carriers
1987	66	0.85	63	1.1
1991	521	4.5	490	5.5
1995	2,300	10	2,100	12
2000	7,000	16	6,100	20
2005	14,000	28	12,300	35

¹ Infection rates as given table 1. Carriers in millions, cases thousands.

STRATEGIES FOR CONTROL—VOLUNTARY

With these numbers in mind, we next discuss and evaluate strategies for controlling the pandemic. At the present time, education is the only method which is presently being discussed publicly. The results presented in Table 4 shows that while education is valuable, by itself education will probably not be sufficient to control the pandemic.

In order to better understand the effects of serial monogamy on the spread of AIDS, we next studied three idealized populations consisting of about 1000 persons. The analysis assumes serial monogamy of varying periods. The first is for a gay population consisting of 1010 individuals of whom 10 are infected. The results are presented in Table 5.

TABLE 5.—EFFECT OF NUMBER OF PARTNERS PER YEAR ON THE SPREAD OF HIV IN A GAY COMMUNITY¹

Partners/year ^a	Years out		
	2	4	6
>15	331	984	1,010
4	158	807	1,001
2	75	398	862
1	37	121	338
0.5	21	40	77

¹ 1010 population, initially 10 infected.² Potential monthly infection rate 0.17 transmissions/carrier.

The results are basically what is expected. As the number or partners/year decrease there is a rapid drop off in the spread of the disease. This is due to the fact that homosexual transmission of the disease appears to be efficient enough that the limiting variable for the spread of HIV is the mixing of the population. Control of the epidemic requires that the monogamous period is in excess of 8 years.

Table 5 provides an insight of how cohort infectivity data late in the course of the epidemic can mislead the observer. Consider a hypothetical gay cohort consisting of 600 very high risk individuals and 400 more moderate risk gays (less partners per year). Let us further assume that in 1981 2 percent of the first group and 0.5 percent of the second group carry HIV. The model then yields the following results:

TABLE 6.—HIV SPREAD IN A HYPOTHETICAL COHORT OF GAY MALES¹

Year	High risk infected	Low risk infected	Percent cohort infected
1981	12	2	1.4
1982	56	4	6.0
1983	210	8	28
1984	451	14	47
1985	569	24	60
1986	595	41	65
1987	599	65	67

¹ High risk population 600 0.15 transmissions/mo/carrier.² Low risk population 400 0.049 transmissions/mo/carrier.

Each year from the end of 1982 through the end of 1985, the virus infected an additional 15–20 percent of the cohort. Afterwards the high risk group was saturated and by 1987, the observed infectivity fell to under 2% without any change in the intrinsic infectivity. This mirrors what has been found in many cohort studies where in the early stages the virus infected 20 percent of the cohort per year and by 1987 the infectivity rate fell to 1–4 percent. Thus the raw data does not allow one a priori to assume marked changes in the basic infectivity rates within subpopulations.

The second scenario involves a population of 1001 heterosexuals interacting only amongst themselves. Initially one individual is infected. The results of this computation are given in Table 7.

TABLE 7.—ESTIMATES OF EFFECTS OF SERIAL MONOGAMY ON AIDS IN A HETEROSEXUAL POPULATION^{1,2}

Partners/Years	Year out			
	0 ^a	6 ^a	12	18
>12	1/0	4.7/6	21/3.5	87/16
4	0.1	4.3/6	18/3.1	68/13
2	1/0	3.8/5	14/2.7	50/10.5
1	1/0	3.1/5	9.5/2.1	28/7
0.5	1/0	2.4/4	5.5/1.2	12.5/4
0.25	1/0	1.7/3.6	2.8/1.0	4.5/2.1
0.125	1/0	1.2/3	1.5/1.2	1.7/1.3
0.083	1/0	1.2/3	1.1/7	1.1/1

¹ (a) Population 1,000, initially 1 infected.² (b) Minimum mean time for transmission = 3.3 years.³ (c) Carriers.⁴ (d) Cumulative AIDS cases.

Albeit there are qualitative similarities in the two cases, they differ quantitatively. First, the disease spreads at a much slower rate in the heterosexual population, and monogamous periods of over four years in an isolated heterosexual population slows the epidemic to a level that is tolerable for the near term. Second, the initial effect of increasing monogamy is less pronounced. This follows from the relatively inefficient transmission in the U.S. of HIV by heterosexual sex so that for monogamous periods of 6 months or less, the spread of the virus is not dominated by the mixing of the population.

The third case is a microcosm of the country. Here we examined interacting subpopulations consisting of 110 high risk individuals of whom 10 are infected, and 1001 het-

erosexuals of whom 1 is infected. The results are given in Table 8.

TABLE 8.—EFFECTS OF SERIAL MONOGAMY ON THE TRANSMISSION OF AIDS IN A U.S. HETEROSEXUAL POPULATION INTERACTING WITH A HIGH RISK GROUP^{1, 2}

Partners/Year	Years out—			
	0 ^a	6	12	18
>12	1/0	18/1.5	106/15	326/74
4	1/0	17/1.4	96/15	291/66
2	1/0	16/1.4	84/13	247/56
1	1/0	14/1.2	62/10	171/42
0.5	1/0	11/1	42/8	100/28
0.5 *	1/0	11.1	41/8	96/27
0.5 *	1/0	13/1.2	56/10	133/37
0.25 *	1/0	9/0.9	29/6	57/19
0.125 *	1/0	8/0.8	22.5	35/14

¹ High risk population 110, 10 carriers heterosexual population 1,001, 1 carrier.

² Transmission times: Low to Low = 3.3 years; High to High = 1.75 years; High to Low = 33 years.

³ x/y x = number of carriers while y = cumulative number of AIDS cases.

⁴ High risk population = 76 decreased from the base value of 110.

⁵ High risk population = 135 representing an increase from the base value of 110.

⁶ High to low transmission rate 41.7 years, greater than the nominal 33 years used for shorter monogamous periods.

In this case monogamous periods of even four years results in 8% of the low risk population being infected in 18 years. With random dating (or more than one partner/year), the spread of the disease takes on frightening proportions. In this situation the high risk group serves as a nidus of infection for the heterosexual population.

STRATEGIES FOR CONTROL-TESTING

As a consequence of these results, we next examine mandatory and cyclic testing of the general population as part of a strategy to control the spread of HIV.

Before proceeding with the results of the model, we first must address the false positive problem. The standard Electronuclear ELISA test has a >99.7% sensitivity and a 99.7% specificity on repetition. Another ELISA test based on other call lines has similar numbers, and only partially cross-reacts with the Electronuclear test. In addition, a confirmatory IFA test has greater than a 99.7% specificity as does the Western Blot. Furthermore the application herein does not require a 100% sensitivity. If our test strategy is to reduce the sensitivity of the ELISA to 99%, we use the following confirmatory strategy.

Elisa—> Elisa—> Elisa*—> IFA—
> Western blot

*second cell line ELISA.

It is easy to see that a cumulative specificity achieved by reading positive on all the above tests could be better than one part in a million. Although this is better than is currently reported, the Army has achieved a false positive rate of 1/100,000 without the sequential use of both another cell line ELISA test and an IFA test. A specificity of less than one part in a million translates to less than 100 false positives per one hundred million tests, assuming a 0.1% prevalence of HIV-1 in the general population. The sensitivity would remain exceedingly high, albeit not 100%. Testees who are in a grey zone could be retested in 3-4 months, further enhancing the predictive power of the tests.

Based on Army experience, the actual test program for 150 million individuals (at \$6/screening ELISA test) should cost between \$900 million and \$1.2 billion per year. Although the sequential 5 test proposal seems expensive, it should only add less than \$250 million per million unknown carriers, as the

sequence stops with a negative result. Clearly, the military will be more efficient in testing its members than would a civilian population. Therefore we estimate the basic yearly cost of the test/intervention program to be \$3 billion.

Sexual practices have appeared to have improved among the gay males based on CDC reports of decreased venereal diseases in that group. Thus the baseline infectivity used in this analysis will be 1 case every 20 months which still does not come close to stemming the spread of the virus. The model also allows us to examine the potential gains made by identification of the carriers through a generalized and cyclic testing program coupled with counseling and other possible measures. A nominal 85% test cycle efficacy was assumed by allowing both for early infections before antibody is produced and for missed persons. However, reducing the test efficacy to 60% per cycle has a relatively marginal effect on the results. This shows that a small number of carriers missed by the test in one cycle will have little impact on the spread of the disease. Further reductions below 50 percent do have a profound negative impact, as at this point the rate of infection in the high risk group could exceed the rate of detection. From this analysis, it is unlikely that a purely voluntary approach will suffice. In a targeted high risk population, only 14 percent of the HIV carriers were detected (ref. 10).

The computations assume a 90 percent reduction in the average transmission rates for known carriers. This number is not arbitrary as reductions in infectivity of at least 80% are needed to arrest the pandemic.

The purpose of this analysis is to examine the effects on the HIV pandemic resulting from such a reduction in infection rates. A discussion of the ethics, legality or desirability of the means of achieving it are beyond the scope or the intent of this analysis. Although we hope for voluntary restraint, we are not sanguine about achieving it in this manner. Because of the nature of the HIV epidemic, it is likely that society could significantly impact the infection rates. This control could range from education all the way to positive identification or the judicious use of quarantine. The knowledge gleaned from the test program will allow the design on the least onerous, effective strategy. Thus at least theoretically, the rate reductions proposed are achievable.

TABLE 9.—POTENTIAL EFFECTS OF TESTING IN THE U.S. ON THE AIDS PANDEMIC

Year	Case ratio ¹	Carrier ratio ¹	Ratio ¹	Carrier ratio ²
1990	0.98	0.87	\$1.15	1.00
1993	.74	.47	.91	1.00
1996	.54	.35	.67	.92
1999	.44	.25	.54	.64
2002	.37	.18	.44	.64
2005	.29	.12	.35	.25

¹ Ratio between values obtained with test program starting at the beginning of 1990 values with no test program.

² Same except testing begins in 1995.

Assumptions: One test cycle/year which finds 85% of the carriers, and the infection rate for known carriers is decreased by 90%. Test/intervention cost \$3 billion/year.

The results given in Table 9 are quite interesting as testing/intervention with the hypothesized inputs is highly cost-effective in controlling the pandemic. Also apparent is that the earlier an effective strategy is employed, the more benefit will result. Regrettably, relying on less effective tactics only results in inordinate human and eco-

nomic costs. Education is synergistic with testing and must also be vigorously pursued.

CONCLUSIONS

The conclusions are sobering. Albeit the infectivity does improve with time, there will be an enormous increase in the prevalence through time especially in the general population.

This will occur even if future infection rates are markedly less than those of 1987. Such an increase will strain all strata of society. An intensive program, probably using mandatory testing/intervention in some optimal combination will be needed to contain the epidemic, and will require, in the absence of a technological breakthrough, increasing the infectivity time constants to a value greater than the mean incubation time of HIV-1 infections.

In addition, the disease will diffuse from the high risk to the general heterosexual population just as it did from the highest risk gays to the lower risk gays. The only difference lies in the timeline of the process. By the turn of the century, the majority of the carriers could well be heterosexuals.

There are no easy answers here or elsewhere. Containment of AIDS will require cooperative action on many fronts and will not be pleasant. Failure to contain the pandemic could well result in socioeconomic costs which could threaten the viability of the U.S. after the turn of the century.

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APPENDIX—MATHEMATICAL DERIVATION

The basic model is a cohort model in which members stay in the same cohort

throughout the study. Although this is a simplification, it does allow the program to be run on a PC/KT/AT. Furthermore, in the near term, the results are in reasonable agreement with extrapolation techniques. * * *

There are M subpopulations each of which can be in one of four states:

Sick = 1 Unknown Infected = 2 Uninfected = 3 Known Infected = 4 and dead.

The following rate constants are also defined:

$U(I,J,T)$ = Infection rate from an unknown carrier in subpopulation I to one of J in time dT (I can = J)

$K(I,J,T)$ = Same for known carriers

K_1 = Average lifetime once symptoms appear (years)

K_2 = $1/(\text{Mean Incubation Time})$

C_1 = \$ cost premature death

C_2 = \$ annual cost of AIDS while ill (includes loss of income)

From this the following set of difference equations follow:

Total = Original total population $dN(1,T) = K_2 \cdot dT \cdot M / \text{Sum}(K(N(2,K,T-dT) + N(4,K,T-dT)) - K_1 \cdot dT \cdot N(1,T-dT) + dN(2,J,T) = (M / \text{SUM}(L(U(J,L,T) \cdot N(3,J,T-dT) + N(2,L,T-dT) + K(J,L,T) \cdot N(3,J,T-dT) + N(4,L,T-dT)) / N(3,J,0) - K_2 \cdot dT \cdot dN(2,J,T-dT) - P(J,T) \cdot dN(2,J,T-dT) + dN(4,J,T) = N(2,J,T-dT) \cdot P(J,T) - K_2 \cdot dT \cdot dN(4,J,T)$

$d(\text{dead}(T)) = K_1 \cdot dT \cdot N(1,T)$

$dC_2 = (N(1,T-dT) + dN(1,T)) \cdot dT \cdot C_2$

$dC_1 = d(\text{dead}(T)) \cdot C_1$

$N(1,T) = N(1,T-dT) + dN(1,T)$

$N(2,K,T) = N(2,K,T-dT) + dN(2,K,T)$

$N(4,K,T) = N(4,K,T-dT) + dN(4,K,T)$

$\text{dead}(T) = \text{dead}(T-dT) + d(\text{dead}(T))$

$C_1(T) = C_1(T-dT) + dC_1(T)$

$C_2(T) = C_2(T-dT) + dC_2(T)$

Total = dead + Sum(N)

$P(J,T)$ = Probability detection/cycle of J^{th} population at time T.

In the calculations presented herein

Population 1 = High Risk

Population 2 = Low Risk Male

Population 3 = Low Risk Female

Further subdivisions were not done as the requisite data did not exist. The distribution function of incubation was taken, after a delay period with an average of T(delay), as a simple exponential

AMENDMENTS TO H.R. 5142 OFFERED BY MR. BURTON OF INDIANA

Page 13, after line 22, insert the following new section (and redesignate subsequent sections accordingly):

"SEC. 2307. CONTINGENT REQUIREMENT FOR STATE GRANTEEES OF MANDATORY TESTING OF ALL STATE RESIDENTS.

"The Secretary may not make a grant under section 2301 to a State unless the State provides assurances satisfactory to the Secretary that, if not less than 1 percent of the population of the State becomes infected with the etiologic agent for acquired immune deficiency syndrome, the State will require that each individual residing in the State be tested annually for infection with such etiologic agent.

Page 3, line 2, strike "2312" and insert "2313".

Page 5, line 2, strike "2311" and insert "2312".

Page 6, line 7, strike "2310(a)" and insert "2311(a)".

Page 6, line 14, strike "2310(a)" and insert "2311(a)".

Page 7, line 24, strike "2310(a)" and insert "2311(a)".

Page 20, line 8, strike "2310" and insert "2311".

Page 21, line 5, strike "2315(b)(1)" and insert "2316(b)(1)".

Page 21, line 23, strike "2311" and insert "2312".

Page 6, beginning on line 3, strike "declaring" and all that follows through line 6 and insert the following: declaring that the individual has been offered the counseling described in subsection (a) of section 2323 and that—

"(1) the decision of the individual with respect to undergoing such testing is voluntarily made;

"(2) the individual understands that the individual is not required to undergo the counseling described in subsection (a) of such section; and

"(3) the individual understands that the individual is, as a condition of undergoing such testing, required to undergo the counseling described in subsection (c) of such section.

Page 7, line 1, strike "provide" and insert "offer".

Page 8, line 17, strike "will review" and all that follows and insert the following: will offer to the individual appropriate counseling with respect to such syndrome, including the information described in subsection (a).

Page 9, strike lines 9 through 13 and insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

"(1) the information described in subsection (a), with emphasis on the appropriateness of further counseling, testing, and education of the individual with respect to acquired immune deficiency syndrome;

Page 7, after line 15, add the following new paragraph (and redesignate subsequent paragraphs accordingly):

(5) the risk of frequenting any public bathhouse used for sexual relations;

Page 64, line 19, strike "not less than 350" and all that follows through line 22 and insert the following: "such additional employees for the Centers for Disease Control as may be necessary, in the determination of the Director of such Centers, to carry out the activities of such Centers with respect to acquired immune deficiency syndrome.

Page 65, line 2, strike "not less than 300" and all that follows through line 5 and insert the following: "such additional employees for the National Institutes of Health as may be necessary, in the determination of the Director of such Institutes, to carry out the activities of such Institutes with respect to acquired immune deficiency syndrome.

Page 65, line 10, strike "not less than 50" and all that follows through line 13 and insert the following: "such additional employees for the Food and Drug Administration as may be necessary, in the determination of the Commissioner of Food and Drugs, to carry out the activities of such Administration with respect to acquired immune deficiency syndrome.

Page 65, line 19, strike "not less than 45" and all that follows through line 22 and insert the following: "such additional employees for the Alcohol, Drug Abuse, and Mental Health Administration as may be necessary, in the determination of the Administrator of such Administration, to carry out the activities of such Administration with respect to acquired immune deficiency syndrome.

Page 66, line 3, strike "not less than 25" and all that follows through line 6 and insert the following: "such additional employees for the Health Resources and Serv-

ices Administration as may be necessary, in the determination of the Administrator of such Administration, to carry out the activities of such Administration with respect to acquired immune deficiency syndrome.

Page 66, line 11, strike "not less than 10" and all that follows through line 14 and insert the following: "such additional employees for the Office of the Assistant Secretary for Health as may be necessary, in the determination of the Assistant Secretary for Health, to carry out the activities of such Office with respect to acquired immune deficiency syndrome.

Page 66, after line 14, add the following new subsection:

"(g) DEFINITION.—For purposes of this section, the term 'additional employees' means, with respect to the office or agency involved, employees in addition to the number of employees assigned to such office or agency as of December 31, 1987.

Page 82, line 7, strike "and minorities," and insert "heterosexual individuals, and minorities,".

Page 71, strike lines 1 through 7 (and redesignate the preceding paragraph accordingly).

□ 1145

Now, if they are only 50 percent accurate, we have a major catastrophe facing this Nation and the world. The only way to get a handle on it is to find out who has the virus, tell them they have to change their attitudes and ways, they can no longer communicate or have sexual contact with people outside the AIDS community, and then find a mechanism to enforce it.

Anything short of that is irresponsible, and the committee that is dealing with this issue before this Congress that is bringing this piece of trash before us today, and it is trash because it is not going to deal with the problem, is irresponsible.

I want to put into the RECORD today that at least one Member of Congress thinks the tragedy that is going to befall this Nation will be laid at the feet of those who will not handle it in a responsible manner today. They will not even allow a debate to take place on an amendment which would deal with the mandatory routine testing issue.

Madam Speaker, I have extraneous material that I would like to add for the RECORD, the amendments in question, and I hope that the Chair will allow me to do that.

Mr. DERRICK. Madam Speaker, for purposes of debate only, I yield 4 minutes to the distinguished gentleman from Ohio [Mr. ECKART].

Mr. ECKART. Madam Chairman, I guess emotional issues can force all sorts of emotional reactions from folks equally well intended in trying to effect public policy, but to suggest that the activities of those who support this rule or support this legislation are irresponsible is a borderline reference to the motives and direc-

tions of our committees and our leadership here.

We can disagree without certainly being disagreeable, but I do take personal offense to the references of my work product being trash or my activities being irresponsible.

Let me draw the attention of my colleagues to the provisions of this legislation, which is virtually being begged for by professionals in our society. The President's Commission on the HIV epidemic came to the startling conclusion regarding emergency workers. They said:

Virtually nothing has been done to address the concerns of emergency response workers who must perform life saving functions in the most unaccommodating environments.

This bill helps protect those who every day are asked to protect us. That is not trash. That is a responsible reaction.

This bill requires appropriate identification and notification to those who risk their lives. That is not trash. That is standing up for those who stand up for us.

Our subcommittee considered 26 amendments. Sixteen of those were adopted, six were defeated, three were withdrawn.

Our full committee considered 25 amendments; 14 were adopted, 9 were defeated.

The Rules Committee heard testimony in support of almost 4 dozen amendments and made a number of those in order, a majority of them from my Republican colleagues who share a different view than perhaps the committee; but on balance brought before this House a fair and responsible rule, designed to deal with the problem, not the polemics.

We are interested in responsible solutions, not sophomoric slogans. We want to draft a piece of legislation that reflects the consensus of every major health organization, from the champion conservative himself, Surgeon General Koop to Dr. Mason, the frontline soldier from the Centers for Disease Control, down to physicians battling with these problems and nurses, and yes, paramedics, police officers, and firemen, on the streets this very day.

Our legislation is not going to discover a cure. Our legislation is not going to bring about peace and happiness for those poor children born innocent victims of this disease. What our legislation is going to do, as so carefully crafted by our chair of the subcommittee, is to start this Nation off on the right foot of a proper program designed to address the real threat, to make sure that our blood supplies are safe, to test those who are at high risk, to insure that in the course of that testing we get real answers, and not pursue the kinds of suggestions advanced by some outside of this body

that would not bring us true answers, but only more confusion.

Support the rule, support the committee. I urge the adoption of the rule.

Mr. QUILLEN. Madam Speaker, I yield 3 minutes to the gentleman from Florida [Mr. McCOLLUM].

Mr. McCOLLUM. Madam Speaker, there is probably no more important issue facing us than AIDS. We have a drug issue that is on the floor, but the two seem to go side by side in the polls of the American people, and rightfully so.

I think at times we do see this issue so emotionally that we do not share the common bond of a desire to accomplish specific tasks. We need to try as much as possible as the people in the Congress, in my judgment, to draw together on these things and do what is absolutely essential to protect the public health of this Nation.

AIDS is deadly. The bottom line is that every physician, every expert I have spoken with, and I have done it with many, will tell you very quickly there is no cure, and probably there never will be a cure for somebody infected.

There is a hope, of course, that we might find a prevention someday.

The problem is that it is not a homosexual disease. It is a disease that is sexually transmitted, very clearly transmitted in the heterosexual population of this country.

The data from the Armed Services Study shows that about 50 percent or better of all the prostitutes in Washington, DC, have the HIV virus that transmits AIDS, and about that same number in New York City. From those studies, it looks like up to about 40 to 50 percent of the times that a woman so infected has intercourse, it passes the disease or potentially can pass it; a man similarly the other way.

The fact is that studies projected into the future show that by 1991 we will probably have more people die in this country from AIDS that died in the entire Vietnam war.

Now, that is not to scare people. That is just so we lay a predicate for this debate. It is not something to be taken casually.

I think testing is important and I am saddened by the fact that the Rules Committee did not allow but one of the amendments that I suggested of eight that I put forward to them in the rule; but of all the things that have been proposed by different people, the one glaring absence in the rule is the absence of a provision to require spousal notification. We do not have in this particular rule the opportunity to offer an amendment that would require the physician or require the counselor to tell the spouse, under limited conditions, that the person with whom they are sharing the bed has the disease, the person from whom if they continue to share that

bed they will definitely get that disease. We have got to have that if we are going to protect the health of this society.

The only way we can have the opportunity to offer that amendment to make that requirement is to defeat the previous question. I urge my colleagues to vote to defeat the previous question, to vote no on it when the time comes to vote on this rule in a few minutes, to give us a chance to offer an amendment to let the wives and the husbands of those infected in this country know that they are dealing with somebody who has that disease. It is for the sake of the future generations of this country, and it is the only public health commonsense way to do it.

Please vote "no" on the previous question.

Mr. DERRICK. Madam Speaker, for purposes of debate only, I yield 1 minute to the gentlewoman from Maryland [Mrs. BRYON].

Mrs. BRYON. Madam Speaker, I rise in support of the rule to H.R. 5142, the Federal Aids Policy Act of 1988.

I would like to commend the gentleman from Florida [Mr. PEPPER] for bringing this fair rule to the House floor. This rule allows amendments to be offered requiring AIDS testing for hospital patients, prisoners, and persons seeking marriage licenses, and mandatory reporting to State health officials and names of those with the virus.

H.R. 5142 also takes steps to expedite and expand AIDS-related research, sets up a system for notifying paramedics and other emergency workers that they may have been exposed to AIDS, and establishes a National Commission on AIDS.

Allowing this rule to pass today will allow us to consider important grants for AIDS counseling and testing, to establish Federal protection for the confidentiality of AIDS test results, to encourage States to require AIDS testing for persons convicted of certain crimes and to impose civil and criminal penalties for intentional transmission of the AIDS virus.

I urge all my colleagues to support this important rule.

Mr. QUILLEN. Madam Speaker, I yield 5 minutes to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. Madam Speaker, what we should do with this rule is defeat it. There are 42 amendments that were filed with the Rules Committee that we made in order, and this rule permits 11. Not all of those 42 are substantive but many of them are.

My colleagues, the gentleman from Indiana [Mr. COATS] and the gentleman from Florida [Mr. McCOLLUM] have put their finger on one issue that needs to be debated in the consider-

ation of this bill, spousal notification. For the life of me, I do not understand why the Rules Committee did not make it in order. They should have.

As I say, we should defeat the rule, because there are other amendments that should be considered in detail. My colleague, the gentleman from Indiana had an important amendment. This House needs to have a debate on testing everybody in this country. This epidemic is pervasive and so threatening to the continued existence of our society, we are not being responsible in the 100th Congress without debating that issue on the floor of the House.

I am saddened that the Rules Committee did not make the amendment of the gentleman from Indiana [Mr. BURTON] in order. As a compromise, this Member is prepared to assist my colleagues, the gentleman from Indiana [Mr. COATS] and the gentleman from Florida [Mr. McCOLLUM] to ask to defeat the previous question, just for one purpose only. We will take the product of the Rules Committee giving us our 11 amendments, and only 1 more, spousal notification. To do that we have to defeat the previous question. I think that is a rational compromise of what we should be doing.

As I say, I would like to defeat the whole rule, because there are a number of amendments that are not going to be in order for consideration by the House.

This bill, without a doubt, will prove, if not today, at least when we look back 5 years or even 2 years from now, to have been one of the most important bills considered by the 100th Congress, because we are developing a public health response to the AIDS epidemic. I would hope we would do that. We will only be doing it if we include some amendments that this Member from California will be putting into the bill, the cornerstone of which is reportability. That amendment will be offered and was made in order by the Rules Committee.

There are some people in America who believe, "Well, if I'm not in one of the high risk groups, such as an intravenous drug user or a male homosexual"—which together comprise roughly 90 percent of the cases in America today—"I have no concern about AIDS because, well, it is not something I am going to get."

If anybody in this Chamber believes that, please perish that thought.

Masters and Johnson published a very interesting report earlier this year where their cohorts in the promiscuous group, 7 percent of the females were HIV positive—these were heterosexuals—5 percent of the males, again in the promiscuous group, were HIV positive.

The Alameda County health department several years ago tested 2,000 women applying for marriage licenses

and visiting SED clinics and found a half percent positive for the virus. The U.S. Army finds that 0.21 percent of active duty personnel today are HIV positive, and so on goes the list.

The point is this epidemic has moved into the heterosexual population of America. Anybody who thinks otherwise is kidding themselves.

One of the tragedies that is unfolding before our eyes is that there are eight States in the Union that mandate reportability for those who are HIV positive, but those eight States contain less than 10 percent of the cases.

This bill will give us an opportunity of establishing a national policy or standard for implementing routine public health steps that historically have been pursued to control communicable diseases that have come down the pike. That cornerstone is the concept of reportability, in confidence to public health authorities.

The bill in the form before us has anonymous reportability. It is absolutely absurd. The absurdity is presented that when a physician in private practice in the United States today finds a patient with a curable venereal disease, that physician is required to report the patient by name, address, and phone number to Public Health, and contact tracing takes place, but if the same doctor finds a patient with a noncurable venereal disease, he is not required to report that patient to the public health authorities. Now, that is not public health policy. That is politics, that we would mandate the reportability of a curable venereal disease, but not do the same with a noncurable venereal disease, is just not sense.

I ask a no vote on the previous question.

Mr. QUILLEN. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Madam Speaker, I am sorry for the delay. I was on the phone with the Center for Disease Control.

As of this week, Madam Speaker, the death toll from AIDS is so much worse than the death toll in Vietnam that you wonder why there are not 250,000 people demonstrating on the Mall for proper health procedures on this disease that has been so horribly politicized.

Now, I cannot believe the moment of cowardice that strikes the House at this moment on this, the major public health issue of our times. About a dozen people died of Legionnaires disease in Pennsylvania, and it dominated our headlines for years. We already have 657 totally innocent children dead of a disease that was incubated by sodomy. We have 154 children's cases as of about 12 days ago. The death toll from AIDS is now 41,064, and there are 72,766 AIDS cases. The

CDC estimates that by 1992 there will be 365,000 cases and 203,000 deaths.

Combat deaths in Vietnam for 10 years were 47,000. Combat deaths in Korea were 33,629. We are already over 41,000 total deaths, and it is easily 10 percent low, because many family doctors over the last 8 years have been understandably saying someone died of pneumonia or heart disease or pulmonary disease, anything rather than saying they shriveled up in a prenatal position, covered with Kaposi sarcoma cancer sores and died of AIDS. Of course some doctors covered it up. Hopefully they are not doing that any more; but even a figure that I believe is 10 percent too low, it is still 72,000.

On the lawn of the White House last night at the White House picnic, President Reagan's last picnic, I bumped into Dr. Ian MacDonald, Under Secretary for Health, and I said, "Doctor, you gave me a figure at the convention as to how many people would die the next time the Democrats and Republicans came together in convention in 1992."

And he said, "Yes, the figure I told you was 62,000 will die in 1992."

And you will not allow an amendment requiring spousal notification? You don't want women to know that their husbands may kill them? It is incredible. This rule should be rejected. This is a moment of unbelievable disgrace in the history of the 100th Congress.

□ 1200

Mr. McCOLLUM. Madam Speaker, I urge a "no" vote on the previous question, and I yield back the balance of my time.

Mr. DERRICK. Madam Speaker, I urge a positive yes vote on the previous question, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mrs. KENNELLY). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 198, nays 182, not voting 51, as follows:

[Roll No. 324]

YEAS—198

Ackerman	Beilenson	Boland
Akaka	Bennett	Bonior
Andrews	Berman	Bonker
Annuzio	Bevill	Borski
Anthony	Bilbray	Bosco
Atkins	Boggs	Brennan

Brooks	Hatcher	Owens (NY)	Martin (NY)	Regula	Smith, Robert	Coelho	Huckaby	Patterson
Bruce	Hawkins	Owens (UT)	Mazzoli	Rhodes	(OR)	Conte	Hughes	Payne
Bryant	Hayes (IL)	Panetta	McCandless	Ridge	Snowe	Conyers	Jacobs	Pease
Bustamante	Hertel	Patterson	McCollum	Rinaldo	Solomon	Cooper	Jenkins	Pelosi
Byron	Hochbrueckner	Payne	McCrery	Ritter	Stangeland	Costello	Jones (NC)	Perkins
Campbell	Hoyer	Pease	McDade	Roberts	Stump	Coyne	Jones (TN)	Pickett
Cardin	Hughes	Pelosi	McEwen	Rogers	Sundquist	Crockett	Jontz	Pickle
Carr	Jenkins	Perkins	McGrath	Roth	Sweeney	Darden	Kanjorski	Price
Chapman	Johnson (SD)	Pickett	McMillan (NC)	Roukema	Swindall	DeFazio	Kaptur	Ray
Chappell	Jones (NC)	Pickle	Meyers	Rowland (CT)	Tallon	Dellums	Kastenmeier	Richardson
Clarke	Jones (TN)	Price	Michel	Saxton	Tauke	Derrick	Kennedy	Rinaldo
Clement	Jontz	Rahall	Miller (OH)	Schaefer	Taylor	Dicks	Kennelly	Robinson
Coelho	Kanjorski	Ray	Miller (WA)	Schuetz	Thomas (CA)	Dingell	Kildee	Rodino
Conyers	Kaptur	Richardson	Molinari	Schulze	Traffant	Dixon	Klecza	Roe
Cooper	Kastenmeier	Robinson	Moorhead	Sensenbrenner	Upton	Donnelly	Kolter	Rose
Costello	Kennedy	Rodino	Morrison (WA)	Sharp	Vander Jagt	Dorgan (ND)	Kostmayer	Rostenkowski
Coyne	Kennelly	Roe	Murphy	Shaw	Vucanovich	Downey	LaFalce	Rowland (CT)
Crockett	Kildee	Rose	Myers	Shumway	Walker	Durbin	Lancaster	Rowland (GA)
Darden	Klecza	Rostenkowski	Nelson	Shuster	Watkins	Dwyer	Lantos	Roybal
DeFazio	Kolter	Rowland (GA)	Nielson	Skeen	Weber	Dymally	Leath (TX)	Russo
Dellums	Kostmayer	Roybal	Packard	Slaughter (NY)	Weldon	Dyson	Lehman (CA)	Sabo
Derrick	Lancaster	Russo	Parris	Slaughter (VA)	Whittaker	Early	Lehman (FL)	Savage
Dicks	Lantos	Sabo	Pashayan	Smith (NE)	Wilson	Eckart	Leland	Sawyer
Dingell	Lehman (CA)	Savage	Penny	Smith (NJ)	Wolf	Edwards (CA)	Levin (MI)	Schneider
Donnelly	Lehman (FL)	Sawyer	Petri	Smith (TX)	Wyllie	English	Levine (CA)	Schroeder
Dorgan (ND)	Leland	Schneider	Porter	Smith, Denny	Yatron	Erdreich	Lewis (GA)	Schumer
Downey	Levin (MI)	Schroeder	Pursell	(OR)	Young (AK)	Espy	Lowry (WA)	Sharp
Durbin	Levine (CA)	Schumer	Quillen	Smith, Robert	Young (FL)	Evans	Madigan	Shays
Dwyer	Lewis (GA)	Shays	Ravenel	(NH)		Fascell	Manton	Sikorski
Dymally	Lipinski	Sikorski				Fazio	Markey	Slisisky
Dyson	Lowry (WA)	Slisisky	Alexander	Dowdy	Ortiz	Feighan	Martinez	Skaggs
Early	Luken, Thomas	Skaggs	Aspin	Florio	Oxley	Fish	Matsui	Skelton
Eckart	Madigan	Skelton	Aspin	Foley	Pepper	Flake	Mavroules	Slattery
Edwards (CA)	Manton	Slatery	AuCoin	Garcia	Rangel	Flippo	McCloskey	Slaughter (NY)
English	Markey	Smith (FL)	Badham	Grant	Saiki	Foglietta	McCurdy	Smith (FL)
Erdreich	Martinez	Smith (IA)	Barnard	Gray (IL)	Scheuer	Ford (MI)	McDade	Smith (IA)
Espy	Matsui	Spratt	Bates	Gregg	Solarz	Frank	McHugh	Solarz
Evans	Mavroules	St Germain	Bliley	Hefner	Spence	Ford (TN)	McMillen (MD)	Spratt
Fascell	McCloskey	Staggers	Boucher	Jeffords	Stallings	Frank	Mfume	St Germain
Fazio	McCurdy	Stratton	Boulter	Konnyu	Stark	Frost	Miller (CA)	Stratton
Feighan	McHugh	Studds	Boxer	Latta	Stenholm	Gaydos	Miller (WA)	Studds
Flake	McMillen (MD)	Swift	Brown (CA)	Lujan	Stokes	Gejdenson	Mineta	Swift
Flippo	Mfume	Synar	Cheney	Clay	Towns	Gephardt	Moakley	Synar
Foglietta	Miller (CA)	Tauzin	Clay	Coleman (TX)	MacKay	Gibbons	Montgomery	Tauzin
Ford (MI)	Mineta	Thomas (GA)	Coleman (TX)	Collins	Mica	Gilman	Moody	Thomas (GA)
Ford (TN)	Moakley	Torres	Collins	de la Garza	Moody	Glickman	Morella	Torres
Frank	Mollohan	Torricelli	de la Garza	Dixon	Wise	Gonzalez	Morrison (CT)	Torricelli
Frank	Montgomery	Traxler	Dixon		Wortley	Gordon	Mrazek	Traxler
Frost	Morella	Udall				Green	Murphy	Udall
Gaydos	Morrison (CT)	Valentine				Guarini	Murtha	Valentine
Gejdenson	Mrazek	Vento				Gunderson	Nagle	Vento
Gephardt	Murtha	Visclosky				Hall (OH)	Natcher	Visclosky
Glickman	Nagle	Volkmer				Hamilton	Nichols	Walgren
Gonzalez	Natcher	Walgren				Harris	Nowak	Weiss
Gordon	Nichols	Weiss				Hatcher	Oakar	Wheat
Gray (PA)	Nowak	Whitten				Hawkins	Oberstar	Whitten
Green	Oakar	Wolpe				Hayes (IL)	Obey	Wilson
Guarini	Oberstar	Wyden				Hayes (LA)	Olin	Wolpe
Hall (OH)	Obey	Yates				Hertel	Owens (NY)	Wyden
Hamilton	Olin					Hochbrueckner	Owens (UT)	Yates
Harris						Hoyer	Panetta	

NOT VOTING—51

□ 1219

Mr. GOODLING, Mr. GILMAN, Mrs. BENTLEY, Mr. HOUGHTON, and Mrs. SLAUGHTER of New York changed their vote from "yea" to "nay."

Mr. UDALL changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. KENNELLY). The question is on the resolution.

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

RECORDED VOTE

Mr. DANNEMEYER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 215, noes 170, not voting 46, as follows:

[Roll No. 325]

AYES—215

Anderson	Davis (IL)	Holloway	Ackerman	Bevill	Bryant
Applegate	Davis (MI)	Hopkins	Akaka	Bilbray	Bustamante
Archer	DeLay	Horton	Andrews	Boggs	Byron
Armey	DeWine	Houghton	Annunzio	Boland	Campbell
Baker	Dickinson	Hubbard	Anthony	Bonior	Cardin
Ballenger	DioGuardi	Huckaby	Aspin	Bonker	Carper
Bartlett	Dornan (CA)	Hunter	Atkins	Borski	Carr
Barton	Dreier	Hutto	AuCoin	Bosco	Chapman
Bateman	Edwards (OK)	Hyde	Beilenson	Brennan	Chappell
Bentley	Emerson	Inhofe	Bennett	Brooks	Clarke
Bereuter	Fawell	Ireland	Berman	Bruce	Clement
Billakis	Fields	Jacobs			
Boehlert	Fish	Johnson (CT)			
Broomfield	Frenzel	Kasich			
Brown (CO)	Gallegly	Kemp			
Buechner	Gallo	Kolbe			
Bunning	Gekas	Kyl			
Burton	Gibbons	LaFalce			
Callahan	Gilman	Lagomarsino			
Carper	Gingrich	Leach (IA)			
Chandler	Goodling	Leath (TX)			
Clinger	Gradison	Lent			
Coats	Grandy	Lewis (CA)			
Coble	Gunderson	Lewis (FL)			
Coleman (MO)	Hall (TX)	Lightfoot			
Combest	Hammerschmidt	Livingston			
Conte	Hansen	Lloyd			
Coughlin	Hastert	Lott			
Courter	Hayes (LA)	Lowery (CA)			
Craig	Hefley	Lukens, Donald			
Crane	Henry	Lungren			
Dannemeyer	Herger	Marlenee			
Daub	Hiler	Martin (IL)			
		Martin (NY)			
		Mazzoli			
		McCandless			
		McCollum			
		McCrery			

NOES—170

Anderson	Davis (MI)	Hunter
Applegate	DeLay	Hutto
Archer	DeWine	Hyde
Armey	Dickinson	Inhofe
Baker	DioGuardi	Ireland
Ballenger	Dornan (CA)	Johnson (CT)
Bartlett	Dreier	Johnson (SD)
Barton	Edwards (OK)	Kasich
Bateman	Emerson	Kemp
Bentley	Fawell	Kolbe
Bereuter	Fields	Kyl
Billakis	Frenzel	Lagomarsino
Boehlert	Gallegly	Leach (IA)
Broomfield	Gallo	Lent
Brown (CO)	Gekas	Lewis (CA)
Buechner	Gingrich	Lewis (FL)
Bunning	Goodling	Lightfoot
Burton	Gradison	Lipinski
Callahan	Grandy	Livingston
Chandler	Hall (TX)	Lloyd
Clinger	Hammerschmidt	Lott
Coats	Hansen	Lowery (CA)
Coble	Hastert	Lukens, Thomas
Coleman (MO)	Hefley	Lukens, Donald
Combest	Henry	Lungren
Coughlin	Herger	Marlenee
Courter	Hiler	Martin (IL)
Craig	Holloway	Martin (NY)
Crane	Hopkins	Mazzoli
Dannemeyer	Horton	McCandless
Daub	Houghton	McCollum
Davis (IL)	Hubbard	McCrery

McEwen	Ritter	Staggers
McGrath	Roberts	Stangeland
McMillan (NC)	Rogers	Stump
Meyers	Roth	Sundquist
Michel	Roukema	Sweeney
Miller (OH)	Saxton	Swindall
Molinari	Schaefer	Tallon
Mollohan	Schuetz	Tauke
Moorhead	Schulze	Taylor
Morrison (WA)	Sensenbrenner	Thomas (CA)
Myers	Shaw	Traficant
Nelson	Shumway	Upton
Nielson	Shuster	Vander Jagt
Packard	Skeen	Volkmer
Parris	Slaughter (VA)	Vucanovich
Pashayan	Smith (NE)	Walker
Penny	Smith (NJ)	Watkins
Petri	Smith (TX)	Weber
Porter	Smith, Denny	Weldon
Pursell	(OR)	Whittaker
Quillen	Smith, Robert	Wolf
Rahall	(NH)	Wyllie
Ravenel	Smith, Robert	Yatron
Regula	(OR)	Young (AK)
Rhodes	Snowe	Young (FL)
Ridge	Solomon	

NOT VOTING—46

Alexander	Garcia	Pepper
Badham	Grant	Rangel
Barnard	Gray (IL)	Saiki
Bates	Gray (PA)	Scheuer
Bliley	Gregg	Spence
Boucher	Hefner	Stallings
Boulter	Jeffords	Stark
Boxer	Konnyu	Stenholm
Brown (CA)	Latta	Stokes
Cheney	Lujan	Towns
Clay	Mack	Waxman
Coleman (TX)	MacKay	Williams
Collins	Mica	Wise
de la Garza	Neal	Wortley
Dowdy	Ortiz	
Florio	Oxley	

□ 1236

The Clerk announced the following pairs:

On this vote:

Mr. Florio for, with Mr. Bliley against.
Mr. Barnard for, with Mr. Boulter against.
Mrs. Boxer for, with Mr. Konnyu against.
Mr. Gray of Illinois for, with Mr. Oxley against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1720, FAMILY WELFARE REFORM ACT OF 1987

Mr. BROWN of Colorado. Madam Speaker, pursuant to the provisions of rule XXIII, clause 1(b), I offer a privileged motion to instruct conferees on the bill (H.R. 1720) to replace the existing AFDC Program with a new Family Support Program which emphasizes work, child support, and need-based family support supplements, to amend title IV of the Social Security Act to encourage and assist needy children and parents under the new program to obtain the education, training, and employment needed to avoid long-term welfare dependence, and to make other necessary improvements to assure that the new program will be more effective in achieving its objectives.

The Clerk read as follows:

Mr. BROWN of Colorado moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1720, be instructed—

(1) to assure that no more will be spent in carrying out the bill than the \$2.8 billion authorized by the Senate amendment; and

(2) to permit no impediments which would disallow work beyond those contained in the Senate amendment.

The SPEAKER pro tempore (Mrs. KENNELLY). The gentleman from Colorado [Mr. BROWN] is recognized for 1 hour.

Mr. BROWN of Colorado. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we last voted on a motion to instruct the conferees on the welfare bill 70 days ago. That was July 7. The instructions then were very simple.

We want a welfare bill, and the welfare bill ought to be within the dollar expenditures laid out in the Senate measure.

Second, we asked the conferees to not restrict work for able-bodied recipients more than the Senate had done.

Only two very simple guidelines. Thus far, 70 days later we not only do not have a welfare bill, but we do not have proposals that fit within those guidelines.

Madam Speaker, the point I believe is this, we want a welfare bill, this Nation deserves a reform of our welfare system. There is an enormous portion of this material that both parties, both Democrats and Republicans agree on. There is broad-spread agreement on the value of education, of training, of job referral, of enforcement, of child care payments.

There is too much common ground for us to turn our back on welfare reform. We ought to be willing to step forward and say enough is enough. Let us get on with the job. Let us get a welfare bill out of conference. Let us get realistic.

It is one thing to fight fiercely for the things in which you believe sincerely and both sides have done that, but we are at a point in the session where we have got to compromise and work together. That is what this instruction is all about. The instruction simply is exactly the same instruction this Chamber passed 70 days ago. So I would ask my colleagues to move forward with welfare reform, to pass this instruction. I believe it is the fundamental aspect to get a bill this year.

Madam Speaker, I yield 1 minute to the gentleman from New York [Mr. DOWNEY] for the purpose of debate only.

Mr. DOWNEY of New York. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, this is no question in my mind and I suspect probably not in anyone else's mind that one of the

hardest things to do is to fashion a compromise on welfare.

The gentleman is right, it has taken too long. In part, there are substantial differences between the House and the Senate. Many of the differences are being worked out and today, as a matter of fact, the gentleman and myself and other Members met with members of the White House. It is my intention sometime later this afternoon to meet with the Senator from my State to work out some of the details.

My hope is we will have a bill within the next 2 weeks to present. Now we do not have much time, because the House will not go into session until Thursday and the Senate still is working on its offer to us. We are awaiting another Senate offer.

But I believe the House will be satisfied with the fact that the amount of money has come down from the \$7 billion, which was initially in the House-passed bill to somewhere in the neighborhood between \$4 billion and \$3.5 billion. So the number is there.

I think that the gentleman would be equally satisfied and others on his side of the issue, with the fact that there will probably be a work requirement in the bill, and there will be substantially less money spent than initially the House voted.

I thank the gentleman for yielding.

Mr. BROWN of Colorado. Madam Speaker, I yield 1 minute to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding.

Madam Speaker, I certainly urge support for the motion to instruct, because apparently the House conferees have not gotten the message. The gentleman from Colorado indicated that on July 7, I believe it was, the House voted for the very same motion by that vote of 227 to 168. Now that is a pretty good solid margin of an expression on the part of this House. Yet when the conferees convened, the conferees were out there calling for substantially more spending than the \$2.8 billion which the President has indicated to me, at least, at leadership meetings that that is the figure that he can agree to and which we were supportive of in the House and, frankly, over in the other body.

So the way this whole process has been working appears to be somewhat of a sham, particularly if the conferees are not even meeting. We do need a good, solid welfare reform bill which does not cost the taxpayers an arm and a leg. We have such a measure that the President has indicated he would like to support before the conferees.

So I would urge again that the Members do what they did last time, reaffirm their solid position so that the conferees have a definite standard and

yardstick to go by in bringing this thing to final resolution.

Mr. BROWN of Colorado. Madam Speaker, I yield 1 additional minute to the gentleman from New York [Mr. DOWNEY] for the purpose of debate only.

Mr. DOWNEY of New York. I thank the gentleman for yielding further.

Madam Speaker, the fact is that we have had numerous meetings with the Senate. We continue to meet with them all the time. The White House is involved in this process. I anticipate it should be finished before long. I would urge my colleagues to resist the temptation to support this instruction. We supported it last time. We are moving in the direction of the requirement of the House to spend less money and to have work. I do not frankly see the need for this additional vote. But you should be aware that we are very close to having a very good welfare bill, one that I believe all parties could support.

Mr. ROWLAND of Connecticut. Madam Speaker, I rise today because of disturbing events that have taken place recently during the conference committee's deliberation on welfare reform. It is my understanding that the House-appointed conferees, ignoring the wishes of a clear majority of Members, made a \$4 billion counteroffer to the Senate conferees yesterday. On July 7, Madam Speaker, you may recall that 227 Members of this body voted to instruct House conferees to keep the cost of the final welfare reform bill to no more than \$2.8 billion. While the motion we voted on back in July was nonbinding on the conferees, the \$4 billion offer by the conferees can only be seen as a new phase in a growing tradition of trampled rights and privileges in the House.

The real losers in this tragedy, however, are the millions of welfare dependent Americans who are being denied the one chance they may have to break free. How is this so? Well Madam Speaker, the esteemed majority members of the House conference committee also eliminated the work restriction provisions in their offer. Welfare reform is serious business and the House should not be playing fiscal football with this issue.

Mr. BROWN of Colorado. Madam Speaker, we are offering as instructions precisely the same instructions that passed the House overwhelmingly the last time.

Madam Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Colorado [Mr. BROWN].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device and there were—yeas 249, nays 130, not voting 52, as follows:

[Roll No. 326]

YEAS—249

Andrews	Hammerschmidt	Penny
Anthony	Hansen	Petri
Archer	Harris	Pickett
Armey	Hastert	Porter
AuCoin	Hatcher	Price
Baker	Hayes (LA)	Pursell
Ballenger	Hefley	Quillen
Bartlett	Henry	Ravenel
Barton	Herger	Ray
Bennett	Hiller	Regula
Bentley	Holloway	Rhodes
Bereuter	Hopkins	Richardson
Bevill	Horton	Ridge
Bilbray	Houghton	Rinaldo
Bilirakis	Hubbard	Ritter
Boehlert	Huckaby	Roberts
Boggs	Hughes	Robinson
Bonker	Hunter	Rogers
Bosco	Hutto	Roth
Broomfield	Hyde	Roukema
Brown (CO)	Inhofe	Rowland (CT)
Bruce	Ireland	Rowland (GA)
Bryant	Jenkins	Saxton
Buechner	Johnson (CT)	Schaefer
Bunning	Johnson (SD)	Schneider
Burton	Jones (TN)	Schroeder
Byron	Kanjorski	Schuette
Callahan	Kaptur	Schulze
Campbell	Kasich	Sensenbrenner
Carr	Kemp	Sharp
Chandler	Kolbe	Shaw
Chapman	Kostmayer	Shays
Chappell	Kyl	Shumway
Clarke	Lagomarsino	Shuster
Clinger	Lancaster	Sisisky
Coats	Leach (IA)	Skaggs
Coble	Leath (TX)	Skeen
Coleman (MO)	Lehman (FL)	Skelton
Combest	Lent	Slatery
Conte	Lewis (FL)	Slaughter (VA)
Cooper	Lightfoot	Smith (FL)
Costello	Livingston	Smith (NE)
Coughlin	Lloyd	Smith (NJ)
Courter	Lott	Smith (TX)
Craig	Lowery (CA)	Smith, Denny
Crane	Lukens, Thomas	(OR)
Dannemeyer	Lukens, Donald	Smith, Robert
Darden	Lungren	(NH)
Daub	Madigan	Smith, Robert
Davis (IL)	Marlenee	(OR)
DeFazio	Martin (IL)	Snowe
DeLay	Martin (NY)	Solomon
Derrick	Martinez	Spratt
DeWine	Mazzoli	Staggers
Dickinson	McCandless	Stangeland
Dicks	McCollum	Stump
DioGuardi	McCrery	Sundquist
Dornan (CA)	McCurdy	Sweeney
Dreier	McDade	Swindall
Durbin	McGrath	Tallon
Dyson	McMillan (NC)	Tauke
Edwards (OK)	McMillen (MD)	Tauzin
Emerson	Meyers	Taylor
English	Michel	Thomas (CA)
Erdreich	Miller (OH)	Thomas (GA)
Fascell	Miller (WA)	Torres
Fawell	Molinari	Torricelli
Fields	Mollohan	Trafigant
Fish	Montgomery	Upton
Flippo	Moorhead	Valentine
Frenzel	Morrison (WA)	Vander Jagt
Frost	Myers	Volkmer
Galleghy	Nagle	Vucanovich
Gallo	Nelson	Walker
Gekas	Nichols	Watkins
Gilman	Nielson	Weber
Gingrich	Olin	Weldon
Glickman	Owens (UT)	Whittaker
Goodling	Packard	Wise
Gordon	Panetta	Wolf
Grandy	Parris	Wylie
Green	Pashayan	Yatron
Gunderson	Patterson	Young (AK)
Hall (TX)	Payne	Young (FL)

NAYS—130

Ackerman	Gibbons	Oakar
Akaka	Gonzalez	Oberstar
Anderson	Gray (IL)	Obey
Annunzio	Guarini	Owens (NY)
Applegate	Hall (OH)	Pease
Aspin	Hamilton	Pelosi
Atkins	Hawkins	Perkins
Beilenson	Hayes (IL)	Pickle
Berman	Hertel	Rahall
Boland	Hochbrueckner	Rangel
Bonior	Hoyer	Rodino
Borski	Jacobs	Roe
Brennan	Jones (NC)	Rose
Cardin	Jontz	Rostenkowski
Carper	Kastenmeier	Roybal
Clement	Kennedy	Russo
Coelho	Kennelly	Sabo
Collins	Kildee	Savage
Conyers	Kolter	Sawyer
Coyne	LaFalce	Schumer
Crockett	Lantos	Sikorski
Davis (MI)	Leland	Slaughter (NY)
Dellums	Levin (MI)	Smith (IA)
Dingell	Levine (CA)	Solarz
Dixon	Lewis (GA)	St Germain
Donnelly	Lipinski	Stokes
Dorgan (ND)	Lowry (WA)	Stratton
Downey	Manton	Studds
Dwyer	Markey	Swift
Dymally	Matsui	Synar
Early	Mavroules	Traxler
Eckart	McCluskey	Udall
Evans	McHugh	Vento
Fazio	Mfume	Visclosky
Feighan	Miller (CA)	Walgren
Flake	Mineta	Weiss
Foglietta	Moakley	Wheat
Foley	Moody	Whitten
Ford (MI)	Morella	Wilson
Ford (TN)	Morrison (CT)	Wolpe
Frank	Mrazek	Wyden
Gaydos	Murtha	Yates
Gejdenson	Natcher	
Gephardt	Nowak	

NOT VOTING—52

Alexander	Espy	Mica
Badham	Florio	Murphy
Barnard	Garcia	Neal
Bateman	Gradison	Ortiz
Bates	Grant	Oxley
Billey	Gray (PA)	Pepper
Boucher	Gregg	Saiki
Boulter	Hefner	Scheuer
Boxer	Jeffords	Spence
Brooks	Kleczka	Stallings
Brown (CA)	Konnyu	Stark
Bustamante	Latta	Stenholm
Cheney	Lehman (CA)	Towns
Clay	Lewis (CA)	Waxman
Coleman (TX)	Lujan	Williams
de la Garza	Mack	Wortley
Dowdy	MacKay	
Edwards (CA)	McEwen	

□ 1304

The Clerk announced the following pair:

On this vote:

Mr. Oxley for, with Mr. Towns against.

Mr. JONTZ, Ms. OAKAR, Mr. NOWAK, and Mr. STOKES changed their vote from "yea" to "nay."

Mr. HALL of Texas, Mrs. BOGGS, and Mrs. BENTLEY changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OMNIBUS DRUG INITIATIVE ACT OF 1988

The SPEAKER pro tempore (Mrs. KENNELLY). Pursuant to House Resolu-

tion 521 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5210.

□ 1305

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5210) to prevent the manufacturing, distribution, and use of illegal drugs, and for other purposes, with Mr. CARR in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Thursday, September 15, 1988, the amendment offered by the gentleman from Florida [Mr. SHAW] had been disposed of. The next amendment in order is another amendment offered by the gentleman from Florida [Mr. SHAW].

AMENDMENT OFFERED BY MR. SHAW

Mr. SHAW. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAW: Page 205, after the quoted matter following line 4, insert the following new subtitle:

Subtitle M—Serious Crack Possession Offenses

SEC. 6801. INCREASED PENALTIES FOR CERTAIN SERIOUS CRACK POSSESSION OFFENSES.

Section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a)) is amended by inserting after the second sentence the following new sentence: "Notwithstanding the preceding sentence, a person convicted under this subsection for the possession of a mixture or substance which contains cocaine base shall be fined under title 18, United States Code, or imprisoned not less than 5 years and not more than 20 years, or both, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams, if the conviction is after a prior conviction for the possession of such a mixture or substance under this subsection becomes final and the amount of the mixture or substance exceeds 3 grams, or if the conviction is after 2 or more prior convictions for the possession of such a mixture or substance under this subsection become final and the amount of the mixture or substance exceeds 1 gram."

The CHAIRMAN. Pursuant to the rule, the gentleman from Florida [Mr. SHAW] is recognized for 5 minutes in support of his amendment.

Mr. SHAW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I urge my colleagues to support this amendment which would increase the penalties for the possession of crack by lowering the amount, in grams, for which possession is considered a criminal offense.

In 1986, when we were working on the Anti-Drug Abuse Act, we recognized a national epidemic of new cocaine use because of the appearance of a new, highly addictive form of cocaine called crack. Because of its purity, crack is sold in smaller amounts for as little as \$10. Its purity also makes it highly addictive. Crack is usually smoked and gives the user a quick high which is inevitably followed by a craving for more. By its nature, crack is a drug dealer's dream—new customers are easily lured by its affordability and become hooked, allowing drug dealers across our Nation to build an enormous market. The major target market for crack dealers has been our youngsters—make no mistake about it.

We recognized the threat of our Nation's romance with crack in the 1986 drug bill, and toughened penalties for the possession of small amounts of crack. Unfortunately, crack dealers have virtually memorized the 1986 drug penalties. They know if they carry less than 5 grams of crack, they will not be subject to the tough 1986 penalties. Law enforcement officials have informed us that they have observed this trend among crack dealers particularly in our large cities. For example, DEA agents have informed me that in one instance, a crack dealer had hidden large amounts of crack in trash cans in a city alley. This dealer would carry small amounts of crack on his person, sell it on the street and return to the alley to restock his supply.

We must not let the drug dealers outsmart us. As lawmakers, we must devise creative solutions to such changes in drug trafficking patterns. That is the purpose of my amendment. The 1986 law provides tough penalties for 5 or more grams of crack only. My amendment would slap drug dealers with a stiff minimum-mandatory prison sentence of 5 to 20 years for the possession of a minimum of 5 grams on a first offense, for the possession of 3 grams on a second offense, and the possession of 1 gram on a third offense. Obviously, this will not completely solve the crack problem, but it will, at least, reduce the amount of crack on the streets.

Vote for my amendment in order to keep the pressure on the crack dealers victimizing our youngsters. Crack is an extraordinarily dangerous drug so we must take extraordinary steps to combat it. A vote against my amendment will be sending the wrong message to the crack dealers.

I urge my colleagues to vote "yes" on my amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. DIOGUARDI] who has taken a lead with regard to this subject and the amendment which I have proposed.

Mr. DIOGUARDI. Mr. Chairman, I thank the gentleman from Florida [Mr. SHAW] for yielding, and I commend him for his efforts on this.

This amendment, Mr. Chairman, recognizes one simple fact: Drug dealers are not stupid. After talking to prosecutors and law enforcement officials it has become clear that the dealers carry amounts below the possession amount of crack and cocaine which would trigger maximum penalties now on our books.

Mr. Chairman, in my own district, which is just above New York City, which is now considered the capital of crack in the country, we would have to catch someone now with 35 vials of crack. These dealers are not stupid. They are not going to walk around with 35 vials. They will walk around the streets with lower amounts, keep the rest in their apartments and keep going back and forth.

So, Mr. Chairman, it makes creative sense and common sense that on the first occurrence we should have penalties that are strong, but they should get stronger as we apprehend the same person so we do not have this revolving door type justice.

Mr. Chairman, I want to commend the gentleman from Florida [Mr. SHAW] and say that we have got to be as creative as the drug dealers in the penalties that we assess and the way that we enforce the laws that are on our books.

Mr. SHAW. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Florida reserves 30 seconds.

Mr. RANGEL. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. Pursuant to the rule, the gentleman from New York [Mr. RANGEL] is recognized for 5 minutes.

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I admit that it is consistent with our get-tough or look-tough policy, and I really think this is an ideal type of amendment to vote for just prior to the election, but I know the gentleman believes that we have a get-tough administration with a get-tough Attorney General with a get-tough Justice Department that has really supported everything right down the line that has been presented to us to increase penalties.

But, Mr. Chairman, the gentleman has read the Attorney General's report on this provision, and they clearly indicate that they are in opposition to it, that this would permit some of the traffickers to manipulate the drug statutes so as to minimize the penalties which are imposed in this.

It would seem to me that when we think about the limited resources we have in the Federal Government, when we take a look and find out what

our total manpower in the Drug Enforcement Administration is, it is a mere 2,800 men and women covering the entire world, that the burden that the gentleman would be putting on the Federal law enforcement system is not only unrealistic, but it is just not going to work.

The question has to remain that, if we want effective enforcement of the law, if we do not want prosecutors to decline cases, if we do not want judges and juries dismissing cases because they believe that the sanctions are too severe, then we are going to have to answer the question, "Where are you going to find the jail space to put these people if they are arrested and convicted?"

Mr. Chairman, it is great to say, "Arrest them all." We do it in New York. We arrest more people in the city of New York than probably they do in the entire southern district of New York on the Federal level, but what happens is they do not go to jail because there is no space available for them.

Mr. DioGUARDI. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. Mr. Chairman, I yield to my colleague, the gentleman from New York.

Mr. DioGUARDI. Mr. Chairman, the New York City police officials and the law enforcement officers in my district are asking for these kinds of penalties. I spoke to the district attorney himself in Westchester County because we have complaints in various jurisdictions. I will not mention the cities in my district or single out anywhere that they keep finding the same people on the same corners, and a DA keeps telling me they are back because they do not apprehend them with amounts that make these maximum penalties stick. It takes 5 grams under the initial—5 grams of crack is 35 vials. This simply says that on the second occurrence that if someone is caught with 3 grams; that is, 21 vials, the penalties will stick, and on the third occurrence, 1 gram; that is 7 vials.

Mr. Chairman, I think this is a commonsense way to deal with this.

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Mr. RANGEL. Mr. Chairman, let me retain my time only for the purpose of properly framing my question so that the gentleman can give those eloquent answers to my question, rather than the police in Yonkers.

My question is, Why would you support this if our aggressive Justice Department and the Attorney General's office opposes this?

Mr. DioGUARDI. Mr. Chairman, if the gentleman will yield further, the gentleman knows that we have to win the war on drugs in all facets. We know that there is a problem with the capacity we have in the jail system right now. That has got to be dealt

with as well, but one problem should not exclude the resolution of another problem.

Right now we are not getting the laws we need to apprehend and keep these people off the streets.

Mr. RANGEL. Mr. Chairman, clearly the response of my colleague, the gentleman from New York, says that it does not make any difference whether we have the space to put these people, that his legislation he is supporting from the gentleman from Florida [Mr. SHAW] is to arrest them and to provide sanctions and show that you are getting tough and then at some later date, after the arrest and after the prosecutions, we will provide the money to create the prisons.

Clearly, we know this is not going anywhere. The Attorney General opposes it. The Justice Department opposes it, and I oppose it.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Chairman, I am concerned for another reason. I think the gentleman makes a very valid point with regard to precious prison resources. We do not have the resources to house the traffickers because we have so many of them coming into the system; but I am concerned for another reason, and I think the Justice Department has put its finger on it, and I will read it to you. We all want to be tough on traffickers. Let me read what the Justice Department says:

On the other hand, crack traffickers, particularly street level dealers, frequently are arrested for less than 5 grams of crack in their possession. If this title were enacted into law, first offenders would argue that the possession of crack for personal use—

The CHAIRMAN. The time of the gentleman from New York [Mr. RANGEL] has expired.

Mr. HUGHES. Mr. Chairman, I ask unanimous consent that the gentleman from New York may have 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. SHAW. Reserving the right to object, Mr. Chairman, I will not object if 1 full minute is provided to each side.

The CHAIRMAN. The gentleman from New Jersey has made a unanimous-consent request that the gentleman from New York may proceed for 1 additional minute.

Is there objection to the request of the gentleman from New Jersey?

Mr. SHAW. Mr. Chairman, I, then, object.

The CHAIRMAN. Objection is heard.

Mr. SHAW. Mr. Chairman, I ask unanimous consent that each side be given 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RANGEL. Mr. Chairman, I yield myself my remaining 1 minute.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New Jersey.

Mr. HUGHES. Just to finish my sentence, Mr. Chairman, the Department of Justice fears that if this is enacted, they will not be able to charge those possessing less than 5 grams of crack as a trafficking offense, which they are now doing, so it actually undermines existing criminal statutes that provide the ability to charge traffickers.

For that reason, we are not being tough.

What we are doing is we are taking a step backward under the Shaw amendment.

Mr. RANGEL. Mr. Chairman, I just hope that the gentleman from Florida will not force his colleagues to vote on this once it is defeated by voice vote because what the gentleman would be doing is asking them to support bad law for what sounds like we are getting tough on drug offenses.

The CHAIRMAN. The gentleman from Florida [Mr. SHAW] is recognized for 1 minute and 30 seconds.

Mr. SHAW. Mr. Chairman, I yield one-half of that time to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I support the Shaw amendment and I support the Shaw amendment because there is a relationship between supply and demand, between what we call the supply side in the narcotics war and the demand side. In many places throughout the United States now crack dealers are driving down our main streets and back alleys and dispersing without cost to young people so that they can build a constituency of users and addicts.

The point is that there is so much crack that we in fact are affecting the demand side. We are creating users because the supply is so prevalent.

The Shaw amendment deals with that because it establishes a deterrent.

Mr. Chairman, I recommend support of the Shaw-DioGuardi amendment.

Mr. SHAW. Mr. Chairman, I yield myself the remaining time, and I yield to the gentleman from New York [Mr. DioGUARDI].

Mr. DioGUARDI. Mr. Chairman, I just want to respond to the gentleman from New Jersey, who either misstates or overstates his case, or both, that the objective is not to arrest the small users.

When the gentleman says five vials, 1 gram, that is on the third occurrence. This is a sliding scale penalty act, ranging from 5 grams to 1, and 1 gram is seven vials.

Mr. SHAW. Mr. Chairman, we are not at this time talking about drug users. We are talking about drug dealers. The only way we are talking about drug users is if they are also drug dealers, which is very often the case.

We must get to these people with the harshest penalties possible. This is most insidious of all drugs out there on the streets. This is the one that is getting to the youngsters, and we are talking about putting the dealers in jail. Let us do it. Let us get on with it, and let us pass the Shaw amendment.

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of Mr. SHAW's amendment to impose mandatory criminal penalties for crack possession. I believe that crack may possibly constitute the single most danger to potential drug abusers because of the nature of its lethal affect upon its users. Coupled with its availability and seemingly low cost this drug has been spreading like the plague.

We must stop this substance from being distributed. This amendment would impose mandatory criminal penalties on a graduated basis. We cannot allow this, one of the most addictive drugs, to continue to be processed. We cannot allow producers of crack to continue to distribute this killer substance and in the process cause further mayhem in our cities and towns across the country.

By imposing these penalties, we deter would be distributors by giving them a very clear indication of just how serious we are in our efforts to stop drug abuse and, in particular, the use of crack. We are saying that we will no longer tolerate our hospitals being filled with victims of this abusive substance. We will no longer allow innocent citizens to fall victim to robbery and perhaps physical violence by a crack user in need of fast cash. We will no longer allow our police to be gunned down in drug-related crimes. Nor will we allow any more of our children to become victim to this deadly drug. Far too many people have already found out just how dangerous and costly this habit can be. Unfortunately, they cannot tell you because the price they paid was their life.

Mr. AUCOIN. Mr. Chairman, I rise in opposition to the Shaw amendment and in support of the "innocent owner" provisions of H.R. 5210, the omnibus drug bill.

The issue at stake, Mr. Chairman, is not how hard we should come down on drug dealers, or how tough we should be with drug abusers who recklessly endanger lives on the high seas. We should throw the book at them. I think everyone in this Chamber agrees with that, and so do my fishing friends who make a living by harvesting the sea.

The issue is not how tough we're going to be. The issue is how fair we are going to be to boat owners who find themselves in a unique position that affects almost no other small business owner in America. Not only can their place of business be searched without warning at any time by Coast Guard or customs agents. They can also lose their live-

lihood and property because of the actions—of which they have no knowledge—of another person. I believe the provisions in this bill providing for an innocent owner defense for fishing boat owners in this predicament takes a step toward providing basic legal protections which are taken for granted by the rest of us.

Mr. Chairman, I have fought long and hard for adequate funding so the Coast Guard can continue the drug interdiction and search and rescue missions so critical to coastal States. I take a back seat to no one in support of their proper efforts to halt the drug trade.

But I have a concern based on what I have been hearing from fishermen about searches and seizures to which they have been subject in recent months. Simply put, many of these business owners have made tremendous efforts to ensure that their vessels and crews are drug-free and to comply with the zero tolerance drug enforcement policy. In spite of their efforts, they feel that their property and livelihoods are not secure from seizure for actions of an employee of which they are totally unaware, and they believe this is unfair.

Any law enforcement policy depends on public understanding and support for its success. The public must see that agents of the Government apply the law not only vigorously but also fairly and with full regard for the rights of innocent people. Constitutional and legal safeguards of personal rights and property cannot be compromised without undermining the public trust. I believe that the "innocent owner" provisions in the bill will give our war on drugs the chance to more adequately meet this test.

I urge my colleagues to be fair to our fishing fleets and oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SHAW].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DORNAN of California: Page 155, after line 11, insert the following new subtitle (and redesignate accordingly):

Subtitle B—Task Force on Clandestine Drug Laboratories

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the "Joint Federal Task Force on Clandestine Drug Laboratories Establishment Act of 1988".

SEC. 6102. FINDINGS.

Congress finds the following:

(1) The illegal manufacture of drugs has escalated dramatically in recent years.

(2) Law enforcement officials and emergency response personnel require specific training in the safe and environmentally sound handling and disposal of hazardous and toxic waste produced by clandestine drug laboratories to ensure compliance with applicable State laws and regulations.

(3) The Drug Enforcement Administration of the Department of Justice has indicated that the number of clandestine drug laboratories has tripled in recent years.

(4) The precursor chemicals that are combined in clandestine drug laboratories, such as those combined in illegal methamphetamine laboratories, produce extremely hazardous substances.

(5) Illegal drug laboratories have been found in apartments, motel rooms, motor homes, and dwellings in both urban and rural settings.

(6) Cleanup operations undertaken at the site of a seized illegal drug laboratory often neglect residual hazardous wastes which threaten the health of innocent tenants, homeowners, and livestock, as well as water supply of surrounding communities.

(7) Clandestine drug laboratories are hazardous waste producers.

(8) No Federal agency has been granted budgetary authority to provide for the effective disposal and cleanup of hazardous waste produced by clandestine drug laboratories.

(9) The failure to cleanup and dispose of hazardous waste produced by clandestine drug laboratories presents long-term health hazards.

(10) State and local authorities are currently ill-equipped to effectively cleanup and dispose of hazardous waste produced by clandestine drug laboratories.

SEC. 6103. ESTABLISHMENT OF TASK FORCE.

There is established the Joint Federal Task Force on Clandestine Drug Laboratories (hereafter in this subtitle referred to as the "Task Force").

SEC. 6104. MEMBERSHIP OF TASK FORCE.

(a) APPOINTMENT.—The members of the Task Force shall be appointed jointly by the Administrators of the Environmental Protection Agency and the Drug Enforcement Administration of the Department of Justice (hereafter in this subtitle referred to as the "Administrators").

(b) MEMBERSHIP.—The Administrators shall appoint the members of the Task Force from among employees of the Environmental Protection Agency and the Drug Enforcement Administration of the Department of Justice. Such employees shall include Emergency Response Technicians of the Environmental Protection Agency and Special Agents assigned to field divisions of the Drug Enforcement Administration of the Department of Justice.

SEC. 6105. DUTIES OF TASK FORCE.

(a) IN GENERAL.—The Task Force shall formulate, establish, and implement a program for the cleanup and disposal of hazardous waste produced by clandestine drug laboratories.

(b) CONSIDERATION OF FACTORS.—In formulating a program under subsection (a), the Task Force shall consider the following factors:

(1) The volume of hazardous waste produced by clandestine drug laboratories.

(2) The cost of cleaning up and disposing of hazardous waste produced by clandestine drug laboratories.

(3) The effectiveness of the various methods of cleaning up and disposing of hazardous waste produced by clandestine drug laboratories.

(4) The coordination of the efforts of the Environmental Protection Agency and the Drug Enforcement Administration of the Department of Justice in cleaning up and disposing of hazardous waste produced by clandestine drug laboratories.

(c) DEFINITION.—For the purposes of this subtitle, the term "clandestine drug laboratory" means any location, dwelling, or site which contains precursor chemicals intend-

ed for use in the illegal manufacture or synthesis of controlled substances.

SEC. 6106. REPORTS.

(a) **INITIAL REPORT.**—The Task Force shall transmit to the President and to each House of Congress not later than 120 days after the date of the enactment of this Act a report describing the program established by the Task Force under section 6105(a).

(b) **PERIODIC REPORTS.**—The Task Force shall periodically transmit to the President and to each House of Congress reports describing the implementation of the program established by the Task Force under section 6105(a) and the progress made in the clean-up and disposal of hazardous waste produced by clandestine drug laboratories.

The **CHAIRMAN.** The gentleman from California [Mr. DORNAN] is recognized for 5 minutes in support of his amendment.

Mr. DORNAN of California. Mr. Chairman, I have a statement that I would like to submit for the **RECORD** before I yield to the distinguished floor leader on this critically important bill.

The reason my amendment is non-controversial is because it involves the criminal phenomenon of PCP labs, this animal tranquilizer give amazing strength to people when they are on drugs. It takes five or six police officers to hold somebody down. A person of normal muscular strength and build becomes "The Hulk." And "meth labs," they use so many toxic chemicals in these labs, and we expect there to be three times as many labs grow over the next 3 or 4 years as the labs have tripled in number in the last 3 years.

They expect to bust over 760 labs next year. There were 658 labs across the United States, a horrible concentration of them in my State of California and in the beautiful Pacific Northwest because of the forests, I guess, in Oregon and in the State of Washington area.

When there is one of these law enforcement attacks on one of these labs, they sometimes have to disarm booby traps, and if it does not kill the law enforcement officers trying to destroy the lab, it blows these toxic chemicals all over everybody.

Then the States that are not financially equipped to deal with this myriad of toxic chemicals have this incredible problem.

It is one of those issues that crosses state lines, that involves the expertise of scientists and law enforcement people at the Federal level.

I appreciate the majority side understanding that this is something that we just have to address.

Mr. Chairman, meth labs and PCP labs have tripled in number in the last 3 years, especially in California, Oregon, and Washington. In 1987 the DEA seized 682 clandestine drug labs and this year they project to seize 760 labs. Typically, the precursor chemicals that are combined in these labs

produce residual hazardous wastes which threaten the health of the public, not to mention the law enforcement personnel who frequently have to defuse booby-traps in order to seize a laboratory.

Two years ago the Drug Enforcement Agency, the primary agency with the responsibility for controlling the proliferation of these clandestine drug labs, had no procedures for disposal or cleanup of these hazardous chemicals. The funding for DEA's disposal efforts came entirely out of their operating budgets—some \$3.5 million in 1987, \$5 million in 1988 and is projected to eat up at least \$8 million next fiscal year. For their trouble they have been labeled a "generator of hazardous wastes" by the Environmental Protection Agency.

Clearly, Mr. Chairman, the geometric proliferation of these meth labs is a public hazard which law enforcement officials should not have to deal with alone. For this reason, I proposed a joint Federal task force, combining the respective expertise of both the DEA and the EPA to formulate national standards for disposal and cleanup of the hazardous chemicals associated with these clandestine drug labs. Mr. WYDEN, the gentleman from Oregon, added to my approach by directing the EPA to establish guidelines for disposal and cleanup and funded demonstration projects to make this happen. Today we stand together, merged as one amendment to title X, combining the best of both worlds. For that Mr. Chairman, I thank Mr. WYDEN and the staffs of the Judiciary Committee who worked together with me to make this public policy a reality.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the distinguished gentleman from New Jersey.

Mr. HUGHES. Mr. Chairman, I thank the gentleman for yielding to me.

I want to congratulate the gentleman from California.

The subcommittee attempted to deal with what is a real serious problem. There is no question that many of the chemicals in these labs are toxic chemicals that are difficult to deal with.

The Drug Enforcement Administration does not have the expertise to deal with them. It is in the Environmental Protection Agency area of endeavor, and we do need to develop a task force type of operation that the gentleman in fact envisions with his amendment.

I understand that there is some language that has been agreed to with the majority, and frankly I am going to support that language.

Mr. DORNAN of California. Mr. Chairman, before I withdraw my

amendment so that it can be offered en bloc, I want to correct one figure.

The DEA seized in 1987 alone 682 clandestine drug labs. I was a couple dozen short, and they expect almost to seize 800 labs next year.

Mr. Chairman, before I withdraw my amendment, I yield 2 minutes to my distinguished friend, the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Chairman, this is I think one of the more important amendments we are going to have a chance to act on. If you represent a rural area near a large metropolitan area, like I do, there is currently a nine county task force made up of the nine sheriffs departments just south of Dallas-Fort Worth. In the 1 year that this task force has been in operation, they have busted over 50 of these "speed" laboratories. If they are given more resources and are able to work in an interagency fashion with Federal strike forces, I think we can do an even better job.

I want to commend the gentleman from California [Mr. DORNAN] for offering this amendment, and for the majority working with him.

I am very involved in this effort in Texas. I think that this amendment will go a long way to help our rural areas combat the manufacture of these illegal drugs in their areas, some of which are consumed in the rural areas, but many of which do go into the urban metropolitan areas.

Mr. DORNAN of California. Mr. Chairman, I ask unanimous consent to withdraw my amendment, so that it may be offered en bloc.

The **CHAIRMAN.** Is there objection to the request of the gentleman from California?

There was no objection.

The **CHAIRMAN.** The amendment offered by the gentleman from California [Mr. DORNAN] is withdrawn.

AMENDMENT OFFERED BY MR. HUGHES

Mr. HUGHES. Mr. Chairman, I offer an amendment.

The **CHAIRMAN.** The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUGHES: Page 178, line 14, strike out "\$620,551,000" and all that follows through "equipment" on line 15, and insert in lieu thereof "\$619,751,000".

The **CHAIRMAN.** Pursuant to the rule, the gentleman from New Jersey [Mr. HUGHES] is recognized for 10 minutes in support of his amendment.

Mr. HUGHES. Mr. Chairman, I am not going to pursue the amendment. The amendment basically deals with the voice privacy issue, something that is of immense concern to the Federal authorities as well as to State and local authorities.

This actually would add \$800,000 to the Drug Enforcement Administration's capability in developing voice

privacy communications systems so that they are secure. We find that often in the past our communications systems have been compromised by traffickers who themselves have developed very sophisticated systems, and we are trying to upgrade our own systems.

Unfortunately, State and local authorities, particularly along the border States, have not been as successful as the Federal authorities have in updating their communications systems.

This \$800,000 is certainly needed. As I understand the amendment, it is generic in nature. It provides \$800,000 to the Drug Enforcement Administration.

I do not intend to pursue the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from New Jersey [Mr. HUGHES] is withdrawn.

AMENDMENT OFFERED BY MR. STUDDS

Mr. STUDDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STUDDS: Page 212, strike line 1 and all that follows through line 8, and insert the following:

SEC. 7008. FORFEITURES OF CONVEYANCES.

(a) AMENDMENT TO ACT OF AUGUST 9, 1939.—Section 2 of the Act of August 9, 1939 (chapter 618, 53 Stat. 1291; 49 U.S.C. App. 782), is amended by adding at the end the following: "No vessel, vehicle, or aircraft shall be forfeited under this section to the extent of an interest of an owner for a drug-related offense established by that owner to have been committed or omitted without the knowledge or consent of the owner."

(b) AMENDMENTS TO TARIFF ACT OF 1930.—Section 594(b) of the Tariff Act of 1930 (19 U.S.C. 1594(b)) is amended—

(1) by inserting "(1)" after "(b)";

(2) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively; and

(3) by adding at the end the following: "(2) Except as provided in paragraph (1) or subsection (c), no vessel, vehicle, or aircraft is subject to forfeiture to the extent of an interest of an owner for a drug-related offense established by that owner to have been committed or omitted without the knowledge or consent of the owner."

The CHAIRMAN. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 10 minutes and a Member in opposition will be recognized for 10 minutes.

Mr. SHAW. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida [Mr. SHAW] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I do not think there is any need for the committee to spend much time on the amendment. It is, given the vote of the House yesterday on the subject of innocent owner defenses in its rejection of the amendment offered by the gentleman from Florida [Mr. SHAW], this now becomes essentially a conforming amendment.

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There are three places in the United States Code in which those subjects are treated. The bill before us has amendments to two of them with respect to innocent owner defenses, and the House reaffirmed its support of those provisions in its vote yesterday afternoon.

The third area is under the jurisdiction of the Committee on Ways and Means. That committee had sided yesterday with the gentleman from Florida, but given the vote of the House, however, and the clear feeling of the House on this matter, the chairman of the Committee on Ways and Means has informed me he supports this amendment in order to make uniform and consistent throughout the United States Code the way in which we deal with innocent owner defenses. It becomes essentially a conforming amendment, given the position of the House.

Mr. Chairman, the purpose of my amendment is simple: it is to ensure that there is consistency throughout the United States Code on the rules governing the forfeiture of vessels and other conveyances involved with drug related offenses.

Current Federal law authorizes the forfeiture of vessels and other conveyance that are seized in connection with a drug-related offense in three separate places of the United States Code. The provisions of the omnibus drug bill propose to insert an innocent owner defense into two of the three sections of the code governing forfeiture, but fail to make the same change for the third section. The sole purpose of my amendment is to insert the innocent owner defense into that third section of the code, thereby ensuring consistency throughout the United States Code on the question of forfeitures. The language of the amendment is identical to the innocent owner defenses now in the bill.

Mr. Chairman, in seeking originally to offer this amendment, I gave my commitment to the Committee on Ways and Means and the Rules Committee that I would only offer it if it was acceptable to the Committee on Ways and Means. I have checked with that committee, and am informed that it has no objection to the offering of this amendment. The amendment is also strongly supported by the bipartisan leadership of the Merchant Marine Committee and is identical to language that was coauthored by the Judiciary Committee. I believe it is a largely technical amendment that is consistent with the decision of the House yesterday to reject the Shaw amend-

ment and retain the innocent owner provisions in the legislation before us, and I urge its adoption.

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

Mr. SHAW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, those of us who have been working hard throughout the years, even though we disagree on some very key issues in the area of narcotics, I would like to recognize the chairman and ranking member of the Select Committee on Narcotics, the chairman and the ranking member of the Crime Subcommittee, and many of the other people throughout the Congress. We have all labored hard throughout the years to get some good drug legislation. Unfortunately the way the rules are set up in this House and because of the lack of interest in much of this type of legislation by the chairmen of the various committees who are in a position to block this type of legislation, we only every 2 years have an opportunity to address drug legislation. That makes it incumbent upon us to load up the cars to the hilt because we know that this is the only chance that we have had, and it may be the only chance that we will have for another 2 years or maybe for our entire career in Congress. By following this process, we do pass a lot of good laws.

Mr. Chairman, I intend to vote upon this drug bill favorably, because there is so much in it that is so good, but I would like to tell my colleagues that we made a tremendous mistake yesterday by eliminating two centuries of law with 20 minutes of debate.

The hearing process that should have gone forward under zero tolerance, the hearings that should have been held with the Coast Guard present and testifying, the hearings that should have been held with Customs present and testifying were passed over. It was passed over.

I am told now by the Coast Guard that if this particular provision of the bill survives the conference process and goes into law that we can forget the confiscation of vessels who are trafficking in drugs simply because the so-called innocent owner can simply say he knew nothing about it; he was not on board; "Give me my boat back," and unless they can prove a case against the so-called innocent owner, they will have to give the boat back. The boat will go right back into the drug traffic.

If we had gone through the committee process that has served us so well for so long here throughout the history of this House, this would not have happened. There is a lot of other legislation in which this same argument has been used which I have supported and which those on the other side of the issue have had some very strong

feelings about, and no doubt we are coming down and making great mistakes on both sides of this issue, but that is because the process that we are using here in the House is flawed.

We are going to all support this bill, and I do hope and pray that it will get through the committee process, and that it will be signed into law before this Congress adjourns.

Mr. Chairman, I would say to the Members who are returning next year, please, let us not do this again. Please, let us go forward and keep up with drug traders by having a dialog that is ongoing, to use the committee process, that it is us against them, and that we are going to destroy them and that we are going to put them out of business, that we are not going to just chip away at the problem. We are going to solve the problem.

I would urge all of my colleagues that we can do better. We must do better. We must work together. There is no line down this aisle when we are talking about drug dealers. There is no line down this aisle when we are talking about the future of our country and the future of our children.

I would hope and pray that we will not again pursue this mistaken and flawed process, and that we will work together to get some tough and hard legislation so we can go forward together to combat the drug trade in this country.

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

Mr. STUDDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have no intention of prolonging the debate. I would like the record to reflect one thing, given the remarks of the distinguished gentleman from Florida, and that is that one committee of jurisdiction, the Committee on Merchant Marine and Fisheries, did have a lengthy hearing. We heard from the Commandant of the Coast Guard and the Commissioner of Customs, and the testimony was weighed. A broad, strong, bipartisan majority of our committee found it to be wanting.

We at least went through the committee process.

Mr. DAVIS of Michigan. Mr. Chairman, I support the Studds amendment. The Judiciary and Merchant Marine and Fisheries titles of H.R. 5210 contain complementary provisions to give a defense to innocent owners of conveyances in forfeiture cases. The innocent owner defense does not keep the Government from seizing a vessel, but only allows the owner of the conveyance to prove his innocence later in the forfeiture proceeding. The House has voted overwhelmingly to support the innocent owner defense provisions in the bill.

To assure consistency in the law, an additional change needs to be made to the forfeiture laws under title 19, United States Code. This will ensure that our forfeiture laws are consistent and that the innocent owner de-

fense will be available in forfeiture cases regardless of the Federal agency handling the case.

This is a good amendment, that assures that a gap does not exist in the law when H.R. 5210 is enacted. I urge my colleagues to support the amendment.

Mr. JONES of North Carolina. Mr. Chairman, I rise in strong support of the Studds amendment. This amendment will add an "innocent owner" provision to the Tariff Act of 1930, title 19, and is necessary to insure continuity in the laws that are used to enforce zero tolerance.

The authority for the Coast Guard and the Customs Service to seize conveyances under the zero tolerance policy is found in titles 21, 49, and 19. Provisions which add an "innocent owner" defense to titles 21 and 49 are included in the omnibus drug bill. Yesterday, the House voted overwhelmingly to keep those "innocent owner" provisions in the bill when it defeated the Shaw amendment. Mr. STUDDS' amendment will simply insure that the same protections are available to innocent owners regardless which of the three statutes is used.

If you support the rights of the innocent and voted against the Shaw amendment yesterday, should vote for the Studds amendment today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. STUDDS].

The amendment was agreed to.

The CHAIRMAN. Pursuant to the rule, the gentleman from Michigan [Mr. DAVIS] is recognized to offer an amendment.

Pursuant to the rule, the gentleman for South Dakota [Mr. JOHNSON] is recognized.

AMENDMENT OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 213, after Line 17, insert the following:

Subtitle A—Federal Aviation Administration Drug Enforcement Assistance

Page 213, line 19, strike "title" and insert "subtitle".

Page 224, line 20, strike "title" and insert "subtitle".

Page 235, line 16, strike "title" and insert "subtitle".

Page 236, line 17, strike "title" and insert "subtitle".

Page 236, line 18, strike "title" and insert "subtitle".

Page 237, line 9, strike "title" and insert "subtitle".

Page 237, line 10, strike "title" and insert "subtitle".

Page 237, line 19, strike "title" and insert "subtitle".

Page 237, line 20, strike "title" and insert "subtitle".

Page 240, line 17, strike "title" and insert "subtitle" each place it appears.

Page 240, after line 20, insert the following:

Subtitle B—Alcohol and Drug Traffic Safety

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the "Alcohol and Drug Traffic Safety Act of 1988".

SEC. 8102. ENFORCEMENT PROGRAMS.

(a) GENERAL RULES.—Chapter 4 of title 23, United States Code, is amended by adding at the end the following new section:

"§ 410. Drunk driving enforcement programs

"(a) GENERAL AUTHORITY.—Subject to the provisions of this section, the Secretary shall make basic and supplemental grants to those States which adopt and implement drunk driving enforcement programs which include measures described in this section to improve the effectiveness of the enforcement of laws the purpose of which are to discourage individuals from operating motor vehicles while under the influence of alcohol. Such grants may only be used by recipient States to implement such programs.

"(b) MAINTENANCE OF EFFORT.—No grant may be made to a State under this section in any fiscal year unless such State enters into such agreements with the Secretary as the Secretary may require to ensure that such State will maintain its aggregate expenditures from all other sources for drunk driving enforcement programs at or above the average level of such expenditures in its 2 fiscal years preceding the date of enactment of this section.

"(c) FEDERAL SHARE.—No State may receive grants under this section in more than 3 fiscal years. The Federal share payable for any grant under this section shall not exceed—

"(1) in the first fiscal year a State receives a grant under this section, 75 percent of the cost of implementing and enforcing in such fiscal year the drunk driving enforcement program adopted by the State pursuant to subsection (a) of this section;

"(2) in the second fiscal year the State receives a grant under this section, 50 percent of the cost of implementing and enforcing in such fiscal year such program; and

"(3) in the third fiscal year the State receives a grant under this section, 25 percent of the cost of implementing and enforcing in such fiscal year such program.

"(d) MAXIMUM AMOUNT OF GRANTS.—

"(1) BASIC GRANTS.—Subject to subsection (c) of this section, the amount of a basic grant made under this section for any fiscal year to any State which is eligible for such a grant under subsection (e)(1) of this section shall not exceed 30 percent of the amount apportioned to such State for fiscal year 1989 under section 402 of this title.

"(2) SUPPLEMENTAL GRANTS.—Subject to subsection (c) of this section, the amount of a supplemental grant made under this section for any fiscal year to any State which is eligible for such a grant under subsection (f) of this section shall not exceed 20 percent of the amount apportioned to such State for fiscal year 1989 under section 402 of this title. Such supplemental grant shall be in addition to any basic grant received by such State.

"(e) ELIGIBILITY FOR BASIC GRANTS.—For purposes of this section, a State is eligible for a basic grant if such State provides—

"(1) for an expedited driver's license suspension or revocation system for individuals who operate motor vehicles while under the influence of alcohol which requires that—

"(A) when a law enforcement officer has probable cause under State law to believe an individual has committed an alcohol-related

traffic offense and such individual is determined, on the basis of one or more chemical tests, to have been under the influence of alcohol while operating the motor vehicle or refuses to submit to such a test as proposed by the officer, the officer serve such individual with a written notice of suspension or revocation of the driver's license of such individual and take possession of such driver's license;

"(B) the notice of suspension or revocation referred to in subparagraph (A) provide information on the administrative procedures under which the State may suspend or revoke in accordance with the objectives of this section a driver's license of an individual for operating a motor vehicle while under the influence of alcohol and specify any rights of the operator under such procedures;

"(C) the State establish the administrative procedures referred to in subparagraph (B) so as to ensure due process of law;

"(D) after serving notice and taking possession of a driver's license in accordance with subparagraph (A), the law enforcement officer immediately report to the State entity, responsible for administering drivers' licenses all information relevant to the action taken in accordance with this paragraph;

"(E) in the case of an individual who, in a 5-year period beginning after the date of the enactment of this section, is determined on the basis of one or more chemical tests to have been operating a motor vehicle under the influence of alcohol or is determined to have refused to submit to such a test as proposed by the law enforcement officer, the State entity responsible for administering driver's licenses, upon receipt of the report of the law enforcement officer—

"(i) suspend the driver's license of such individual for a period of not less than 90 days if such individual is a first offender in such 5-year period; and

"(ii) suspend the driver's license of such individual for a period of not less than 1 year, or revoke such license, if such individual is a repeat offender in such 5-year period; and

"(F) The suspension and revocation referred to under subparagraph (D) take effect not later than 15 days after the day on which the individual first received notice of the suspension or revocation in accordance with subparagraph (B).

"(2) for a self-sustaining drunk driving enforcement program under which the fines or surcharges collected from individuals convicted of operating a motor vehicle while under the influence of alcohol are returned, or an equivalent amount of non-Federal funds are provided, to those communities which have comprehensive programs for the prevention of such operations of motor vehicles or such other programs for the prevention of such operations of motor vehicles as the Secretary approves; and

"(3) that any person with a blood alcohol concentration of 0.10 percent or greater when operating a motor vehicle shall be deemed to be driving while under the influence of alcohol.

"(f) ELIGIBILITY FOR SUPPLEMENTAL GRANTS.—For purposes of this section, a State is eligible for a supplemental grant if such State is eligible for a basic grant and in addition such State—

"(1) provides for mandatory blood alcohol content testing whenever a law enforcement officer has probable cause under State law to believe that a driver of a motor vehicle involved in an accident resulting in the loss

of human life or, as determined by the Secretary, serious bodily injury, has committed an alcohol-related traffic offense;

"(2) provides for an effective system for preventing operators of motor vehicles under age 21 from obtaining alcoholic beverages, which may include the issuance of drivers' licenses to individuals under age 21 that are easily distinguishable in appearance from drivers' licenses issued to individuals 21 years of age and older; and

"(3) making unlawful the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle located on a public highway or the right-of-way of a public highway, except as allowed in the passenger area by persons (other than the driver), of any motor vehicle designed to transport more than 10 passengers (including the driver) while being used to provide charter transportation of passengers.

"(g) DEFINITIONS.—As used in this section—

"(1) ALCOHOLIC BEVERAGE.—The term 'alcoholic beverage' has the meaning such term has under section 158(c) of this title.

"(2) MOTOR VEHICLE.—The term 'motor vehicle' has the meaning such term has under section 154(b) of this title.

"(3) OPEN ALCOHOLIC BEVERAGE CONTAINER.—The term 'open alcoholic beverage container' means any bottle, can, or other receptacle—

"(A) which contains any amount of an alcoholic beverage; and

"(B)(i) which is open or has a broken seal, or

"(ii) the contents of which are partially removed.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 1989 and \$50,000,000 per fiscal year for each of fiscal years 1990 and 1991. Such sums shall remain available until expended."

(b) CONFORMING AMENDMENT.—The analysis of chapter 4 of title 23, United States Code, is amended by adding at the end the following:

"409. Drunk driving enforcement programs."

(c) REGULATIONS.—The Secretary of Transportation shall issue and publish in the Federal Register proposed regulations to implement section 410 of title 23, United States Code, not later than 6 months after the date of the enactment of this section. The final regulations for such implementation shall be issued, published in the Federal Register, and transmitted to Congress not later than 1 year after such date of enactment.

SEC. 8102. ALCOHOL AND DRUG IMPAIRMENT STANDARDS.

(a) STUDY.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct—

(1) a study to determine whether or not the blood alcohol concentration level at or above which an individual when operating a motor vehicle is deemed to be driving while under the influence of alcohol should be reduced below 0.10 percent and if so to what level; and

(2) a study to establish standards for determining whether or not an individual when operating a motor vehicle is impaired by a controlled substance or any other drug.

(b) REPORT.—In entering into any arrangement with the National Academy of Sciences for conducting the study under this section, the Secretary shall request the National Academy of Sciences to submit, not later than 1 year after the date of enactment of this Act, to the Secretary a report on the results of such study. Upon its receipt, the Secretary shall immediately transmit the report to Congress.

(c) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section \$100,000 for fiscal year 1989.

The CHAIRMAN. Pursuant to the rule, the gentleman from South Dakota [Mr. JOHNSON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I applaud the efforts of the House to deal with the critical issue of drugs that now faces America. I think great progress has been made in the area of interdiction, in the area of punishment enhancement as well as education and treatment.

However, there is one drug which remains unaddressed in the course of debating this bill, Mr. Chairman, and that is the drug which is the most abused drug of all, and that is alcohol, a drug which has perhaps a greater effect on our personal lives, each and every one of us in this Chamber, than any other single drug in this past year.

In the past decade, 250,000 Americans have been killed by drunk drivers; 2 of every 5 Americans, half of virtually every family, will be involved in an alcohol-related automobile accident.

The amendment currently pending is one which is endorsed and supported by Mothers Against Drunk Driving, by the Insurance Institute for Highway Safety, by the National Safety Council.

Mr. Chairman, it approaches the problem in a very positive, constructive manner. Rather than using the stick approach, it addresses the problem from an incentive approach, providing States with incentives, financial assistance, if they come up with an administrative license revocation. Twenty-three States currently have that form of license revocation for those who have been stopped for drunk driving. If they come up with a self-sustaining community drunk-driving program and if they support a .10 blood alcohol presumption, additional financial assistance is provided; if they come up with the mandatory blood alcohol testing when a driver is in a fatal or serious automobile accident, when they come up with an identifiable ID form for those who are under age, and when they outlaw open containers. It is purely optional on the part of the States.

The great majority of our States already comply with these terms, but it

would provide an incentive for our States to come up with a more effective, aggressive form of addressing the crisis of drunk driving that we have in the United States.

This amendment has been dealt with on the Senate side, and I think it is very appropriate that we address what may be one of the most critical problems facing America in terms of drug abuse, and that is the issue of drunken driving.

Mr. Chairman, I applaud the efforts of the House to enact legislation dealing with the critical and widespread problems of drug abuse that our country faces today. But I think it would be a drastic mistake for us to enact enforcement measures without significantly addressing the national crisis that has resulted from drunk driving on our Nation's streets and highways. Alcohol is the most widely abused drug in America and has claimed an overwhelming number of innocent lives on our streets. Over the past decade, a quarter of a million people have been killed as the result of the actions of drunk drivers. The problem is so widespread that we literally take our lives in our hands every time we get behind the wheel—it's estimated that two out of every five Americans will be involved in an alcohol-related crash at some point in their lives.

Research has shown that the most effective efforts to reduce drunk driving fatalities have occurred in those States that have adopted administrative license suspension or revocation laws. In fact, the Insurance Institute for Highway Safety recently unveiled a study of drunk-driving countermeasures across the country and found that nighttime fatal crashes could be cut by 9 percent if all States adopted administrative revocation laws. But at this time, less than half the States have adopted these measures.

Our amendment is designed to promote administrative license actions by establishing a new, limited incentive grant program to encourage States to adopt laws providing for the prompt suspension of the driver's license of an individual found to be driving under the influence of alcohol. Seed money would be provided to States to help them set up self-sustaining drunk-driving prevention programs, if a State agreed to meet certain criteria for eligibility. To be eligible, a State would be required to do two things:

First, it would have to adopt laws requiring prompt suspension or revocation of the license of an individual found to be driving under the influence of alcohol.

Second, a State would establish a self-supporting enforcement program, under which fines or surcharges collected from convicted drunk drivers, or other funds, are returned to local communities for enforcement.

States would also be eligible for supplemental funds if they adopt additional measures:

First, States must require the mandatory blood alcohol testing of drivers involved in fatal or serious accidents.

Second, States would establish an effective system for preventing persons younger than 21 from buying alcohol, such as making their drivers' licenses distinguishable from those of older drivers.

Finally, States would make it unlawful to possess an open container of alcohol while driving.

It's important to note that this amendment respects States rights—it does not force them to comply with Federal statutes. It merely gives States the option to participate, with incentives to do so.

This legislation has received extensive committee consideration in the Senate and has been reported from both the Senate Environment and Public Works Committee and the Commerce, Science and Transportation Committee. It is strongly supported by Mothers Against Drunk Driving, the Insurance Institute for Highway Safety, and the National Safety Council.

I wish, for the record, to state my views of due process requirements as they should be implemented to carry out the purpose of this amendment. First, as the Supreme Court has held, a driver whose license is taken must be assured the right to a hearing at a meaningful time and in a meaningful manner. The amendment requires that the license suspension or revocation must take final effect within a period of time in which such a hearing should be granted. It should be held before a neutral and detached decisionmaker. At the hearing, the individual should have the basic right to be represented by counsel, subpoena witnesses, cross examine witnesses, and produce evidence. The civil burden of proof must be on the state. The written notice that the driver receives under this amendment, in providing information on the administrative procedures under which the State may suspend or revoke a license, should contain information on these hearing rights.

This written notice should also include information regarding the potential civil and criminal penalties under the law for refusing to consent to a chemical test. With regard to any confusion about the relation between Miranda warnings and a refusal to submit to a chemical test—in over 40 States, there is no right to counsel concerning the chemical test alone, and the warning that is normally given reflects that. However, other aspects of the case may require a Miranda warning if questions which are testimonial in nature are asked. The State appellate courts have held that there can be confusion if these two warnings are not separated and the evidence gathered separately. Consequently, it is a matter of training the officer to properly gather the evidence, and if the officer does not, this confusion can be a basis for returning a driver's license.

Every 22 minutes in this country, a person is killed in an alcohol-related traffic accident. I urge my colleagues to support this amendment in an effort to significantly reduce this tragic statistic and to help prevent the deadly consequences of this Nation's most widely abused drug.

Mr. Chairman, I yield such time as he may consume to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, I rise in support of the Johnson-Dorgan amendment to H.R. 5210 the Omnibus Drug Initiative Act of 1988. This amendment would establish a new, limited incentive grant program to encourage States to promote

stricter, more effective laws to counter drunk driving. It would authorize Federal seen money to States to help establish self-sustaining drunk driving prevention programs if a State agrees to put such a program in place.

To be eligible for this grant money, a State would have to do several things. First, it would have to adopt laws requiring the prompt suspension or revocation of licenses of those apprehended for drunk driving. Under administrative revocation procedures, when a law enforcement officer has probable cause under State law to believe a driver has committed an alcohol-related traffic offense, and the driver is determined, by chemical tests, to exceed the legal blood alcohol concentration [BAC] in that State 0.10, or if the driver refuses to submit to a test, the officer will serve the driver with a written notice of suspension or revocation of the license, and take the license on-the-spot. This notice must provide information on the administrative procedures under which the State may suspend or revoke a license, and will specify the rights of the driver. These procedures must be established to ensure due process.

After notice has been served and the license has been taken, the officer must immediately report to the State entity responsible for administering licenses information relevant to the action taken against the driver. In the case of a driver, who, in a 5-year period—beginning after enactment—is determined by a chemical test to have been driving under the influence, or is determined to have refused to submit to a test, the State entity responsible for administering licenses, upon receiving this report, shall: First suspend the license for not less than 90 days if the driver is a first offender in that 5-year period; second, suspend the license for not less than 1 year, or revoke the license if the driver is a repeat offender; and third, provide a specific period of time in which the driver can appeal the license suspension or revocation.

Administrative revocation of the licenses of those apprehended for drunk driving is the centerpiece of this amendment. Twenty-three States and the District of Columbia now have such administrative systems. Administrative license suspension acts as a tried and true deterrent to drunk driving. Furthermore, studies have shown that in the 23 States that currently practice administrative license revocation, many more drunk driving offenders are receiving a punishment—the denial of the right to drive—than is the case in States without such laws. In addition, the highly respected Insurance Institute for Highway Safety recently unveiled a study of drunk driving countermeasures across the country and found that night time

fatal crashes could be cut by 9 percent if all States adopt administrative revocation. We are talking about thousands of lives each year.

Second, a State is eligible for a basic grant if it also establishes a self-sustaining enforcement program, under which fines or surcharges collected from persons convicted of drunk driving, or other non-Federal revenues, are returned to communities for enforcement programs.

States would also be able to secure supplemental funds if they enacted the following measures. First, States must provide for mandatory blood alcohol testing of drivers whenever a law enforcement officer has probable cause under State law to believe that a driver involved in a fatal or serious crash has committed an alcohol-related traffic offense.

The use of BAC testing varies widely nationwide. For instance, in the State of Delaware, the use of BAC testing is 80 percent; while in Mississippi it is less than 10 percent. Our knowledge of alcohol as a factor in highway death and injury is impaired by the lack of testing. Mandatory BAC testing will provide a more accurate data base on which to refine our antidrunk driving countermeasures.

Second, this amendment provides incentives to the State to vigorously enforce the 21-year-old minimum drinking age law passed by the Congress in 1984. The results of that law thus far are impressive. Greater enforcement efforts at the State level, such as requiring color-coded licenses for those below the legal minimum age, will enhance the lifesaving benefits of that law.

Third, States must enact laws banning open containers of alcoholic beverages in motor vehicles. I would like to highlight at this point the open container provision in this amendment, which my bill H.R. 637 contained. Allowing open containers in automobiles is senseless. It may surprise you that in most States in this country you can have open containers of alcohol at your side while you drive. In 15 States you can actually drink while driving without violating the law. In 23 States passengers can drink in the car.

As you know, 24,000 people are losing their lives to drunk driving each year. As the most widely abused drug in America, alcohol continues to kill an average of 65 people per day on our streets and highways, which is why I feel such an urgency about promoting effective countermeasures to deal with the problem.

As a result of congressional action in 1984, every State has now made it illegal for young people under 21 to purchase alcohol. But, if we do nothing about open containers, we are saying to the young people in those States that allow open containers: "You can't

drink until you are 21, but once you get there, you can drink in the driver's seat!" This amendment to ban open containers is simply a commonsense extension of our efforts to curb alcohol-related death and injury on our highways.

Finally, this amendment requires the National Academy of Sciences to conduct studies to determine whether or not the blood alcohol concentration level at which a driver is deemed to be driving under the influence should be reduced below 0.10 percent and if so, to what level, and to establish standards for determining whether or not a driver is impaired by a controlled substance or any other drug. The National Academy of Sciences is urged to submit not later than 1 year after enactment a report on the results of the study.

Mr. Chairman, the adoption of this amendment is an opportunity to do something that we know will work about the senseless, antisocial practice of drunk driving.

I would like to add that Mothers Against Drunk Driving, the Insurance Institute for Highway Safety, the National Safety Council, State Farm Insurance, the American Insurance Organization, the National Association of Governors' Highway Safety Representatives, and the National Beer Wholesalers Association all enthusiastically support this amendment.

In closing, I would like to say that sometimes from great tragedy great wisdom can spring. We were all touched by the recent bus tragedy in Kentucky in which so many innocent children were killed due to drunk driving. Sadly, every day twice as many Americans die at the hands of drunk drivers as died in that tragic crash. We can do something about it and we should try. I urge my colleagues to support this amendment to the Omnibus Drug Initiative Act of 1988.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I rise today in strong support of the Johnson-Dorgan amendment to H.R. 5210, the omnibus drug abuse bill. As a cosponsor of Congressman JOHNSON's Drunk Driving Prevention Act, I am extremely pleased that this important legislation will be considered as an amendment to H.R. 5210.

Drunk drivers kill and they must be kept off the road. Although each State is responsible for determining its own laws regarding drinking and driving, I feel that more must be done to discourage drunk driving. Because of my strong views in this matter, I have visited classrooms throughout the Fifth District of Connecticut to speak with our young people about the hazards of alcohol and drug use.

The Johnson-Dorgan amendment is a positive step toward encouraging States to take action and promote more strict and effective laws against drunk driving. This amendment establishes a new limited incentive grant program for States that adopt tougher drunk driving laws including the adoption of prompt driver licenses suspension laws for offenders found to be driving under the influence of alcohol. Under this program, fines or surcharges collected from convicted drunk drivers would be returned to local communities. These funds would help establish self-sustaining drunk driving prevention programs.

It is hard to believe that in most States, it is legal to have an open container of alcohol at your side while driving. In at least 14 States you can actually drink while driving. To address this problem, the Johnson-Dorgan amendment establishes supplemental funds for States that prohibit the possession of open containers of alcohol while driving and other tough measures to remove drunk drivers from our roads and highways.

I urge my colleagues to support this amendment. Alcohol claims countless innocent lives each year in traffic related accidents and clearly this amendment takes a positive step to discourage drunk drivers.

Mr. ANDERSON. Mr. Chairman, I rise in support of the Johnson-Dorgan amendment. The amendment would establish an enforcement incentive grant program for States to encourage the adoption and implementation of several procedures which would combat drunk and drugged driving. This amendment recognizes that the Federal Government should continue to play a significant role in combating drunk driving and that additional Federal resources are needed to prevent the erosion of past progress on this issue. Central to this amendment is administrative license revocation.

In many States currently, there is no assurance that the license of an offender will in fact ever be suspended or revoked. Due to judicial practices, including continuances, plea bargainings, probation without judgment, delayed prosecution, diversion programs, and other reasons, a large number, and in some cases, a majority of offenders may never lose their licenses.

Procedures to administratively suspend or revoke the licenses of those suspected of drunk or drugged driving have been found by the Insurance Institute for Highway Safety, the Highway Users Federation, and others, to be one of the most effective measures a State can enact to combat drunk driving. Presently, 22 States and the District of Columbia have laws or regulations authorizing administrative license revocation. This process has been shown in these States to be effective in increasing license suspensions and arrests, and in reducing alcohol-related fatalities. An Insurance Institute study found that administrative revocation reduces involvement of drivers in fatal crashes by about 9 percent.

Administrative license revocation is swift, immediate and affects the driver in a way that directly relates to the driving offense. In short, administrative license revocation works.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. JOHNSON].

The amendment was agreed to.

Mr. RANGEL. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. RANGEL]?

There was no objection.

Mr. McCOLLUM. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I am happy to yield to the gentleman from Florida.

Mr. McCOLLUM. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to inquire what the gentleman sees as the agenda for the remainder of the day and perhaps of this bill, when we can complete action, what is left. I have a view, but I would certainly like to hear from the majority side.

Mr. RANGEL. Mr. Chairman, I have discussed this with the gentleman from New Jersey [Mr. HUGHES], and it appears as though the gentleman's amendment which the rule allows for a 30-minute discussion is going to be followed by an amendment from the gentleman from California [Mr. ANDERSON], which will require an additional 30 minutes.

It is my opinion that there would be at least 1 hour on the next two amendments.

□ 1345

Further, if at this time it is decided that the committee would rise, that would leave these amendments to be handled next week. With the remaining amendments that are there, I think the gentleman from Florida would agree that it would be a total of about 2 hours that is left on the bill which the leadership could decide at what appropriate time they would want to bring it up.

It is my considered opinion that the leadership is anxious to rise at 2:15. Some of the Members have made plans to leave Washington and return to their districts.

Mr. McCOLLUM. Mr. Chairman, will the gentleman yield further?

Mr. RANGEL. I yield to the gentleman from Florida.

Mr. McCOLLUM. On that I certainly have no objection to proceeding today, because I know we would be able to complete it before 3 o'clock. But if it is the intent of the leadership to rise about 2:15, then it would not, of course, be possible to do that, as the gentleman stated.

Do we have any assurances when next week, a day certain, that we could complete this bill in the 2 hours that we need to have on it? I think it is extremely important that we do complete the bill and of course we only have 2 working days I believe next week, Thursday and Friday, where we are going to be in session to do that because of the Jewish holidays that are scheduled next week. Is there any indication yet as to when, I might ask the gentleman from New York on his time, we might see the completion of the bill?

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Chairman, I do not think there is any question that it is going to take us 1 hour because that is the way the rule is crafted, and I cannot imagine our taking any less time on those two very important amendments.

Just looking over what is left, it seems to me that we have about five amendments left, plus the Foley package of amendments for which there is allotted 1 hour. So I think we can probably conclude the drug bill in about 3 hours when we return on Thursday, and I understand we are going to return to it on Thursday. That is my understanding. At least the last time the leadership had looked over the agenda, it looked like Thursday was the most promising day to bring us back.

So we are going to be able to finish anyway within 3 hours probably when we return to it next week sometime.

Mr. RANGEL. It is my intention at the appropriate time to ask to be recognized and move that the committee rise. But before I do that, I will ask the gentleman from New Jersey would he entertain the idea of bringing up his amendment No. 34 at this time?

Mr. HUGHES. Mr. Chairman, the reason I would hesitate to do that is because we have two Members of Congress who are very interested in the steroid amendment who are not here and who want to speak on it, the gentleman from California, Mr. DAN LUNGREN, and the gentleman from Louisiana, Mr. RICHARD BAKER, who have been very, very instrumental in developing this amendment and who testified before my Subcommittee on Crime on it and who would want to be present and urge Members to adopt that amendment. So I would hesitate to take it out of order.

Mr. McCOLLUM. Mr. Chairman, will the gentleman yield further?

Mr. RANGEL. I yield to the gentleman from Florida.

Mr. McCOLLUM. Mr. Chairman, I just want to express a concern I know both you and the gentleman from New Jersey share about our finishing the

bill next week, at the very latest next Thursday, because there is such a short period of time left. I wonder if we cannot together during this brief period on the gentleman's time make some kind of a mutual encouragement of that fact for sure. We know the leadership intends that, but I think we need to embrace the fact that we want to join in that. Otherwise, the time will get to us, and the other body has not acted yet, and this is a very good product we have worked on. I think all of us would like to see it become law.

But there are only 2 or 3 more weeks left for consideration and the other body has not even acted. So I assume from the comments made so far that the gentleman shares my concern, and we can all join forces here to make sure that Thursday that sort of semi-commitment that sounds like it is out there can and will become a reality on this bill.

Mr. RANGEL. I think all of us share that concern.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate the gentleman yielding. I must say I would echo the concern being mutually expressed here. Very, very important progress has been made on this drug bill.

But we all know that the reality is that there is work with the other body involved, and there is eventually a conference. A lot of homework needs to be done there before we bring a bill back to us. We could run out of time, and the rhetoric would become a very great disappointment to the American public.

I would urge the leadership on that side of the aisle to push the calendar and if they can, take the bill up on Wednesday, if it is possible, certainly no later than Thursday, and I appreciate my colleagues supporting that view.

Mr. RANGEL. We all are concerned with that, and we are anxious to get this historic legislation to the other body.

Certainly as it relates to the money-laundering provisions, which I am sure the distinguished gentleman from New Jersey [Mr. HUGHES], chairman of the Subcommittee on Crime has a concern about, that provision that should be coming up next week. I yield to the gentleman from New Jersey on that subject.

Mr. HUGHES. Of course, as the gentleman knows, money laundering is probably one of the most dynamic tools we have developed in the last probably 5 years. Next to forfeiture and what forfeiture has done for law enforcement, I think money laundering and the whole area of financial investigations has provided law enforce-

ment brand new tools to put pressure on the folks that handle the money.

As the gentleman well knows, the testimony that he has taken in his Select Committee on Crime and as chairman of that committee, and that I have taken in the Subcommittee on Crime where we developed money-laundering statutes, we are finally putting pressure on the people who have the money, and they are the people generally who are close to the kingpins. If we can trace the money, we will find the top echelon of that trafficking organization.

So the money laundering provisions that are coming up are important. We have to make sure we are strengthening those provisions and not weakening them, so that will be an important area of our endeavors next week.

Mr. RANGEL. Mr. Chairman, I wanted to add to that dialog, as most of my colleagues have gone internationally and talked with foreigners about their attempts to control and for the eradication and pushing for the eradication of drugs, constantly we are reminded about what we are not doing in the United States in terms of reducing demand and in terms of law enforcement or getting people sentences. I think it is clear, as relates to money laundering, while we have talked about the abusers and the sellers, and we should, and we should jail them, that there are so many people involved in the white-collar crimes that do not touch the drugs, that do not touch the actual chemicals, and yet without their banking and financing and money laundering, certainly the bums on the streets would not be able to survive. So I think that that provision is going to be important, and I am glad that we are going to take that up next week, because that is just one of the tools that we hope that we can have in the bill.

Mr. McCOLLUM. Mr. Chairman, I think that is an excellent provision, and I believe I was the first to introduce a money-laundering bill in the last Congress, and the gentleman from New Jersey introduced one, and we finally got a product out in the great big omnibus bill. It did not get the debate attention because it was part of a package that nobody offered major amendments to, but the whole idea of capturing the proceeds, not just the forfeited assets but the actual dollars that go through our financial institutions is an extremely important element in the war on drugs. I understand from those involved in that that they have been able to take advantage rather well of the money-laundering law we passed in 1986, but it does need improvement, and this effort would improve it and enhance it a little bit more. And maybe, just maybe if we can get at those proceeds, we will squeeze those kingpins the gentleman is talking about.

So I am very pleased that the gentleman is engaging in this discussion and is able to bring up some points that are really often overlooked on the importance of fighting this war on drugs.

Mr. RANGEL. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McHUGH] having assumed the chair, Mr. CARR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5210) to prevent the manufacturing, distribution, and use of illegal drugs, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 5231, MEDICAL WASTE SANCTIONS ACT OF 1988

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until 6 p.m. today to file its report on H.R. 5231, the Medical Waste Sanctions Act of 1988.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1467, ENDANGERED SPECIES ACT AMENDMENTS OF 1988

Mr. JONES of North Carolina submitted the following conference report and statement on the bill (H.R. 1467) to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes:

CONFERENCE REPORT (H. REPT. 100-928)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—ENDANGERED SPECIES ACT AMENDMENTS OF 1988

SEC. 1001. DEFINITIONS.

(a) DEFINITION OF PERSON.—Paragraph (13) of section 3 of the Endangered Species Act (16 U.S.C. 1532) is amended to read as follows:

"The term person means an individual, corporation, partnership, trust, association,

or any other private entity; or any officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government; any State, municipality, or political subdivision of a State; or any other entity subject to the jurisdiction of the United States."

(b) DEFINITION OF SECRETARY.—Paragraph (15) of section 3 of the Endangered Species Act (16 U.S.C. 1532) is amended by inserting "also" before "means the Secretary of Agriculture".

SEC. 1002. LISTING.

(a) CANDIDATE SPECIES.—Subparagraph (C) of section 4(b)(3) of the Endangered Species Act (16 U.S.C. 1533(b)(3)(C)) is amended by adding at the end thereof the following clause:

"(iii) The Secretary shall implement a system to monitor effectively the status of all species with respect to which a finding is made under subparagraph (B)(iii) and shall make prompt use of the authority under paragraph 7 to prevent a significant risk to the well being of any such species."

(b) SIMILARITY OF APPEARANCE.—Subsection (e) of such section 4 (16 U.S.C. 1533(e)) is amended by striking out "regulation," and inserting in lieu thereof "regulation of commerce or taking."

SEC. 1003. RECOVERY PLANS.

Section 4(f) of the Endangered Species Act (16 U.S.C. 1533(f)) is amended to read as follows:

"(f)(1) RECOVERY PLANS.—The Secretary shall develop and implement plans (hereinafter in this subsection referred to as 'recovery plans') for the conservation and survival of endangered species and threatened species listed pursuant to this section, unless he finds that such a plan will not promote the conservation of the species. The Secretary, in development and implementing recovery plans, shall, to the maximum extent practicable—

"(A) give priority to those endangered species or threatened species, without regard to taxonomic classification, that are most likely to benefit from such plans, particularly those species that are, or may be, in conflict with construction or other development projects or other forms of economic activity;

"(B) incorporate in each plan—

"(i) a description of such site-specific management actions as may be necessary to achieve the plan's goal for the conservation and survival of the species;

"(ii) objective, measurable criteria which, when met, would result in a determination, in accordance with the provisions of this section, that the species be removed from the list; and

"(iii) estimates of the time required and the cost to carry out those measures needed to achieve the plan's goal and to achieve intermediate steps toward that goal.

"(2) The Secretary, in developing and implementing recovery plans, may procure the services of appropriate public and private agencies and institutions, and other qualified persons. Recovery teams appointed pursuant to this subsection shall not be subject to the Federal Advisory Committee Act.

"(3) The Secretary shall report every two years to the Committee on Environment and Public Works of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives on the status of efforts to develop and implement recovery plans for all species listed pursuant to this section and on the status of all species for which such plans have been developed.

"(4) The Secretary shall, prior to final approval of a new or revised recovery plan, provide public notice and an opportunity for public review and comment on such plan. The Secretary shall consider all information presented during the public comment period prior to approval of the plan.

"(5) Each Federal agency shall, prior to implementation of a new or revised recovery plan, consider all information presented during the public comment period under paragraph (4)."

SEC. 1004. MONITORING OF RECOVERED SPECIES.

Section 4 of the Endangered Species Act (16 U.S.C. 1533) is amended by redesignating subsections (g) and (h) as subsections (h) and (i) and by inserting the following new subsection:

"(g) MONITORING.—(1) The Secretary shall implement a system in cooperation with the States to monitor effectively for not less than five years the status of all species which have recovered to the point at which the measures provided pursuant to this Act are no longer necessary and which, in accordance with the provisions of this section, have been removed from either of the lists published under subsection (c).

"(2) The Secretary shall make prompt use of the authority under paragraph 7 of subsection (b) of this section to prevent a significant risk to the well being of any such recovered species."

SEC. 1005. COOPERATION WITH THE STATES.

"(a) MONITORING OF RECOVERED SPECIES.—Paragraph (1) of section 6(d) of the Endangered Species Act (16 U.S.C. 1535(d)(1)) is amended to read as follows:

"(d) ALLOCATION OF FUNDS.—(1) The Secretary is authorized to provide financial assistance to any State, through its respective State agency, which has entered into a cooperative agreement pursuant to subsection (c) of this section to assist in development of programs for the conservation of endangered and threatened species or to assist in monitoring the status of candidate species pursuant to subparagraph (C) of section 4(b)(3) and recovered species pursuant to section 4(g). The Secretary shall allocate each annual appropriation made in accordance with the provisions of subsection (i) of this section to such States based on consideration of—

"(A) the international commitments of the United States to protect endangered species or threatened species;

"(B) the readiness of a State to proceed with a conservation program consistent with the objectives and purposes of this Act;

"(C) the number of endangered species and threatened species within a State;

"(D) the potential for restoring endangered species and threatened species within a State;

"(E) the relative urgency to initiate a program to restore and protect an endangered species or threatened species in terms of survival of the species;

"(F) the importance of monitoring the status of candidate species within a State to prevent a significant risk to the well being of any such species; and

"(G) the importance of monitoring the status of recovered species within a State to assure that such species do not return to the point at which the measures provided pursuant to this Act are again necessary.

"So much of the annual appropriation made in accordance with provisions of subsection (i) of this section allocated for obligation to any State for any fiscal year as remains unobligated at the close thereof is authorized to be made available to that State

until the close of the succeeding fiscal year. Any amount allocated to any State which is unobligated at the end of the period during which it is available for expenditure is authorized to be made available for expenditure by the Secretary in conducting programs under this section."

"(b) APPROPRIATIONS.—Section 6 of the Endangered Species Act (16 U.S.C. 1535) is amended by adding the following new subsection:

"(i) APPROPRIATIONS.—(1) To carry out the provisions of this section for fiscal years after September 30, 1988, there shall be deposited into a special fund known as the cooperative endangered species conservation fund, to be administered by the Secretary, an amount equal to five percent of the combined amounts covered each fiscal year into the Federal aid to wildlife restoration fund under section 3 of the Act of September 2, 1937, and paid, transferred, or otherwise credited each fiscal year to the Sport Fishing Restoration Account established under 1016 of the Act of July 18, 1984.

"(2) Amounts deposited into the special fund are authorized to be appropriated annually and allocated in accordance with subsection (d) of this section."

SEC. 1006. PROTECTION OF PLANTS.

Section 9(a)(2)(B) of the Endangered Species Act (16 U.S.C. 1538(a)(2)(B)) is amended to read as follows:

"(B) remove and reduce to possession any such species from areas under Federal jurisdiction; maliciously damage or destroy any such species on any such area; or remove, cut, dig up, or damage or destroy any such species on any other area in knowing violation of any law or regulation of any state or in the course of any violation of a state criminal trespass law;"

SEC. 1007. PENALTIES AND ENFORCEMENT.

(a) CIVIL PENALTIES.—Paragraph (1) of subsection (a) of section 11 of the Endangered Species Act (16 U.S.C. 1540) is amended by striking "\$10,000" and inserting in lieu thereof "\$25,000", and by striking "\$5,000" and inserting in lieu thereof "\$12,000".

(b) CRIMINAL VIOLATIONS.—Paragraph (1) of subsection (b) of section 11 of the Endangered Species Act (16 U.S.C. 1540) is amended by striking "\$20,000" and inserting in lieu thereof "\$50,000", and by striking "\$10,000" and inserting in lieu thereof "\$25,000".

(c) REWARDS.—Subsection (d) of section 11 of the Endangered Species Act (16 U.S.C. 1540) is amended by adding at the end thereof the following sentence: "Whenever the balance of sums received under this section and section 6(d) of the Act of November 16, 1981 (16 U.S.C. 3375(d)) as penalties or fines, or from forfeitures of property, exceed \$500,000, the Secretary of the Treasury shall deposit an amount equal to such excess balance in the cooperative endangered species conservation fund established under section 6(i) of this Act."

SEC. 1008. SEA TURTLE CONSERVATION.

(a) DELAY OF REGULATIONS.—The Secretary of Commerce shall delay the effective date of regulations promulgated on June 29, 1987, relating to sea turtle conservation, until May 1, 1990, in inshore areas, and until May 1, 1989, in offshore areas, with the exception that regulations already in effect in the Cavanaugh area of Florida shall remain in effect. The regulations for the inshore area shall go into effect beginning May 1, 1990, unless the Secretary determines that other conservation measures are proving equally effective in reducing sea turtle mortality by shrimp trawling. If the Secretary makes

such a determination, the Secretary shall modify the regulations accordingly.

(b) STUDY.—

(1) IN GENERAL.—The Secretary of Commerce shall contract for an independent review of scientific information pertaining to the conservation of each of the relevant species of sea turtles to be conducted by the National Academy of Sciences with such individuals not employed by Federal or State government other than employees of State universities and having scientific expertise and special knowledge of sea turtles and activities that may affect adversely sea turtles.

(2) PURPOSES OF REVIEW.—The purposes of such independent review are—

(i) to further long-term conservation of each of the relevant species of sea turtles which occur in the waters of the United States;

(ii) to further knowledge of activities performed in the waters and on the shores of the United States, Mexico and other nations which adversely affect each of the relevant species of sea turtles;

(iii) to determine the relative impact which each of the activities found to be having an adverse effect on each of the relevant species of turtles has upon the status of each such species;

(iv) to assist in identifying appropriate conservation and recovery measures to address each of the activities which affect adversely each of the relevant species of sea turtles;

(v) to assist in identifying appropriate reproductive measures which will aid in the conservation of each of the relevant species of sea turtles;

(vi) in particular to assist in determining whether more or less stringent measures to reduce the drowning of sea turtles in shrimp nets are necessary and advisable to provide for the conservation of each of the relevant species of sea turtles and whether such measures should be applicable to inshore and offshore areas as well as to various geographical locations; and

(vii) to furnish information and other forms of assistance to the Secretary for his use in reviewing the status of each of the relevant species of sea turtles and in carrying out other responsibilities contained under this Act and law.

(3) SCOPE OF REVIEW.—The terms and outlines of such independent review shall be determined by a panel to be appointed by the President of the National Academy of Sciences, except that such review shall include, at a minimum, the following information:

(i) estimates of the status, size, age structure and, where possible, sex structure of each of the relevant species of sea turtles;

(ii) the distribution and concentration, in terms of United States geographic zones, of each of the relevant species of sea turtles;

(iii) the distribution and concentration of each of the relevant species of sea turtles, in the waters of the United States, Mexico and other nations during the developmental, migratory and reproductive phases of their lives;

(iv) identification of all causes of mortality, in the waters and on the shores of the United States, Mexico and other nations for each of the relevant species of sea turtles;

(v) estimates of the magnitude and significance of each of the identified causes of turtle mortality;

(vi) estimates of the magnitude and significance of present or needed head-start or other programs designed to increase the production and population size of each of the relevant species of sea turtles;

(vii) description of the measures taken by Mexico and other nations to conserve each of the relevant species of sea turtles in their waters and on their shores, along with a description of the efforts to enforce these measures and an assessment of the success of these measures;

(viii) the identification of nesting and/or reproductive locations for each of the relevant species of sea turtles in the waters and on the shores of the United States, Mexico and other nations and measures that should be undertaken at each location as well as a description of worldwide efforts to protect such species of turtles.

(4) COMPLETION AND SUBMISSION OF REVIEW.—Such independent review shall be completed after an opportunity is provided for individuals with scientific and special knowledge of sea turtles and activities that may affect adversely sea turtles to present relevant information to the panel. It shall then be submitted by the Secretary, together with recommendations by the Secretary in connection therewith, to the Committee on Environment and Public Works of the United States Senate and the Committee on Merchant Marine and Fisheries of the United States House of Representatives on or before April 1, 1989. In the event the independent review cannot be completed by April 1, 1989, then the panel shall give priority to completing the independent review as it applies to the Kemp's ridley sea turtle and submitting the same to the Secretary by that date, or as expeditiously as possible, and thereafter shall complete as expeditiously as possible the remaining work of the independent review.

(5) REVIEW OF STATUS.—After receipt of any portion of the independent review from the panel, the Secretary shall review the status of each of the relevant species of sea turtles.

(6) RECOMMENDATIONS OF SECRETARY.—The Secretary, after receipt of any portion of the independent review from the panel, shall consider, along with the requirements of existing law, the following before making recommendations:

(i) reports from the panel conducting the independent review;

(ii) written views and information of interested parties;

(iii) the review of the status of each of the relevant species of sea turtles;

(iv) the relationship of any more or less stringent measures to reduce the drowning of each of the relevant species of sea turtles in shrimp nets to the overall conservation plan for each such species;

(v) whether increased reproductive or other efforts in behalf of each of the relevant species of sea turtles would make no longer necessary and advisable present or proposed conservation regulations regarding shrimp-netting;

(vi) whether certain geographical areas such as, but not limited to, inshore areas and offshore areas, should have more stringent, less stringent or different measures imposed upon them in order to reduce the drowning of each of the relevant species of sea turtles in shrimp nets;

(vii) other reliable information regarding the relationship between each of the relevant species of sea turtles and shrimp fishing and other activities in the waters of the United States, Mexico and other nations of the world; and

(viii) the need for improved cooperation among departments, agencies and entities of Federal and State government, the need for improved cooperation with other nations and the need for treaties or international

agreements on a bilateral or multilateral basis.

(7) MODIFICATION OF REGULATIONS.—For good cause, the Secretary may modify the regulations promulgated on June 29, 1987, relating to sea turtle conservation, in whole or part, as the Secretary deems advisable.

(8) SECRETARY AND EDUCATIONAL EFFORTS.—The Secretary shall undertake an educational effort among shrimp fishermen, either directly or by contract with competent persons or entities, to instruct fisherman in the usage of the turtle excluder device or any other device which might be imposed upon such fishermen;

(9) SEA TURTLE COORDINATION.—In order to coordinate the protection, conservation, reproductive, educational and recovery efforts with respect to each of the relevant species of sea turtles in accordance with existing law, the National Marine Fisheries Service shall designate an individual as Sea Turtle Coordinator to establish and carry out an effective, long-term sea turtle recovery program.

(10) PURPOSE OF THIS SECTION.—Section 8 is intended to assist the Secretary in making recommendations and in carrying out his duties under law, including the Endangered Species Act (16 U.S.C. 1531 et seq.), and nothing herein affects, modifies or alters the Secretary's powers or responsibilities to review, determine or redetermine, at any time, his obligations under law.

(11) DEFINITIONS.—For the purposes of this section, the terms:

(i) "relevant species of sea turtles" means the Kemp's ridley sea turtle, United States breeding populations of the loggerhead, the leatherback, and the green sea turtle, and other significant breeding populations of the loggerhead, the leatherback and the green sea turtle;

(ii) "status" means whether a given species of turtle is endangered, threatened or recovered;

(iii) "size" means the size of a given species of sea turtle; and

(iv) "age and sex structure" shall be considered to mean the distribution of juveniles, subadults and adults within a given species or population of sea turtles, and males and females within a given species or population of sea turtles.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce \$1,500,000 through fiscal year 1989 to carry out this section.

SEC. 1009. AUTHORIZATION OF APPROPRIATIONS.

Section 15 of the Endangered Species Act of 1973 (16 U.S.C. 1542) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 15. (a) IN GENERAL.—Except as provided in subsections (b), (c), and (d), there are authorized to be appropriated—

"(1) not to exceed \$35,000,000 for fiscal year 1988, \$36,500,000 for fiscal year 1989, \$38,000,000 for fiscal year 1990, \$39,500,000 for fiscal year 1991, and \$41,500,000 for fiscal year 1992 to enable the Department of the Interior to carry out such functions and responsibilities as it may have been given under this Act;

"(2) not to exceed \$5,750,000 for fiscal year 1988, \$6,250,000 for each of fiscal years 1989 and 1990, and \$6,750,000 for each of fiscal years 1991 and 1992 to enable the Department of Commerce to carry out such functions and responsibilities as it may have been given under this Act; and

"(3) not to exceed \$2,200,000 for fiscal year 1988, \$2,400,000 for each of fiscal years 1989

and 1990, and \$2,600,000 for each of fiscal years 1991 and 1992, to enable the Department of Agriculture to carry out its functions and responsibilities with respect to the enforcement of this Act and the Convention which pertain to the importation or exportation of plants.

"(b) EXEMPTIONS FROM ACT.—There are authorized to be appropriated to the Secretary to assist him and the Endangered Species Committee in carrying out their functions under section 7(e), (g) and (h) not to exceed \$600,000 for each of fiscal years 1988, 1989, 1990, 1991, and 1992.

"(c) CONVENTION IMPLEMENTATION.—There are authorized to be appropriated to the Department of the Interior for purposes of carrying out section 8A(e) not to exceed \$400,000 for each of fiscal years 1988, 1989, and 1990, and \$500,000 for each of fiscal years 1991 and 1992, and such sums shall remain available until expended."

SEC. 1010. EDUCATION, STUDY AND REPORT.

(a) EDUCATION.—The Administrator of the Environmental Protection Agency in cooperation with the Secretary of Agriculture and the Secretary of the Interior, promptly upon enactment of this Act, shall conduct a program to inform and educate fully persons engaged in agricultural food and fiber commodity production of any proposed pesticide labeling program or requirements that may be imposed by the Administrator in compliance with the Endangered Species Act (16 U.S.C. 1531 et seq.). The Administrator also shall provide the public with notice of, and opportunity for comment on, the elements of any such program and requirements based on compliance with the Endangered Species Act, including (but not limited to) an identification of any pesticides affected by the program; an explanation of the restriction or prohibition on the user or applicator of any such pesticide; an identification of those geographic areas affected by any pesticide restriction or prohibition; an identification of the effects of any restricted or prohibited pesticide on endangered or threatened species; and an identification of the endangered or threatened species along with a general description of the geographic areas in which such species are located wherein the application of a pesticide will be restricted, prohibited, or its use otherwise limited, unless the Secretary of the Interior determines that the disclosure of such information may create a substantial risk of harm to such species or its habitat.

(b) STUDY.—The Administrator of the Environmental Protection Agency, jointly with the Secretary of Agriculture and the Secretary of the Interior, shall conduct a study to identify reasonable and prudent means available to the Administrator to implement the endangered species pesticides labeling program which would comply with the Endangered Species Act of 1973, as amended, and which would allow persons to continue production of agricultural food and fiber commodities. Such study shall include investigation by the Administrator of the best available methods to develop maps and the best available alternatives to mapping as means of identifying those circumstances in which use of pesticides may be restricted; identification of alternatives to prohibitions on pesticides use, including, but not limited to, alternative pesticides and application methods and other agricultural practices which can be used in lieu of any pesticides whose use may be restricted by the labeling program; examination of methods to improve coordination among the Environ-

mental Protection Agency, Department of Agriculture, and Department of the Interior in administration of the labeling program; and analysis of the means of implementing the endangered species pesticides labeling program or alternatives to such a program, if any, to promote the conservation of endangered or threatened species and to minimize the impact to persons engaged in agricultural food and fiber commodity production and other affected pesticide users and applicators.

(c) **REPORT.**—The Administrator of the Environmental Protection Agency in cooperation with the Secretary of Agriculture and the Secretary of the Interior shall submit a report within one year of the date of enactment of this Act, presenting the results of the study conducted pursuant to subsection (b) of this section to the Committee on Merchant Marine and Fisheries and the Committee on Agriculture of the United States House of Representatives, and the Committee on Environment and Public Works and the Committee on Agriculture, Nutrition, and Forestry of the United States Senate.

SEC. 1011. SCRIMSHAW CERTIFICATES.

(a) Section 10(f)(8)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1539(f)(8)(A)) is amended to read as follows:

"(8)(A)(i) Any valid certificate of exemption which was renewed after October 13, 1982, and was in effect on March 31, 1988, shall be deemed to be renewed for a 6-month period beginning on the date of enactment of the Endangered Species Act Amendments of 1988. Any person holding such a certificate may apply to the Secretary for one additional renewal of such certificate for a period not to exceed 5 years beginning on the date of such enactment."

(b) Section 10(f)(8)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1539(f)(8)(b)) is amended by striking "original" and inserting "previous".

(c) Section 10(f)(8) of the Endangered Species Act of 1973 (16 U.S.C. 1539(f)(8)) is amended by adding at the end thereof the following subparagraph:

"(D) No person may, after January 31, 1984, sell or offer for sale in interstate or foreign commerce, any pre-Act finished scrimshaw product unless such person holds a valid certificate of exemption issued by the Secretary under this subsection, and unless such product or the raw material for such product was held by such person on October 13, 1982."

(d) Section 10(f) of the Endangered Species Act of 1973 (16 U.S.C. 1539(f)) is amended by striking paragraph (9).

SEC. 1012. FEDERAL COST OF PROTECTING ENDANGERED SPECIES.

The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is amended by adding at the end thereof the following new section:

"ANNUAL COST ANALYSIS BY THE FISH AND WILDLIFE SERVICE"

"Sec. 18. On or before January 15, 1990, and each January 15, thereafter, the Secretary of the Interior, acting through the Fish and Wildlife Service, shall submit to the Congress an annual report covering the preceding fiscal year which shall contain—

"(1) an accounting on a species by species basis of all reasonably identifiable Federal expenditures made primarily for the conservation of endangered or threatened species pursuant to this Act; and

"(2) an accounting on a species by species basis of all reasonably identifiable expenditures made primarily for the conservation of endangered or threatened species pursuant to

this Act by states receiving grants under section 6."

SEC. 1013. TECHNICAL AMENDMENTS.

(a) In section 2 of the Endangered Species Act of 1973 (16 U.S.C. 1531), strike "(G) other international agreements," and insert "(G) other international agreements; and".

(b) In section 10(c) of the Endangered Species Act of 1973 (16 U.S.C. 1539), strike "notice," in the second sentence and insert "notice, of".

(c) In section 10(e)(3)(ii) of the Endangered Species Act of 1973 (16 U.S.C. 1539), strike "lacking," and insert "lacking".

TITLE II—AFRICAN ELEPHANT CONSERVATION

SEC. 2001. SHORT TITLE.

This title may be cited as the "African Elephant Conservation Act".

SEC. 2002. STATEMENT OF PURPOSE.

The purpose of this title is to perpetuate healthy populations of African elephants.

SEC. 2003. FINDINGS.

The Congress finds the following:

(1) Elephant populations in Africa have declined at an alarming rate since the mid-1970's.

(2) The large illegal trade in African elephant ivory is the major cause of this decline and threatens the continued existence of the African elephant.

(3) The African elephant is listed as threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and its continued existence will be further jeopardized if this decline is not reversed.

(4) Because African elephant ivory is indistinguishable from Asian elephant ivory, there is a need to ensure that the trade in African elephant ivory does not further endanger the Asian elephant, which is listed as endangered under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) and under Appendix I of CITES.

(5) In response to the significant illegal trade in African elephant ivory, the parties to CITES established the CITES Ivory Control System to curtail the illegal trade and to encourage African countries to manage, conserve, and protect their African elephant populations.

(6) The CITES Ivory Control System entered into force recently and should be allowed to continue in force for a reasonable period of time to assess its effectiveness in curtailing the illegal trade in African elephant ivory.

(7) Although some African countries have effective African elephant conservation programs, many do not have sufficient resources to properly manage, conserve, and protect their elephant populations.

(8) The United States, as a party to CITES and a large market for worked ivory, shares responsibility for supporting and implementing measures to stop the illegal trade in African elephant ivory and to provide for the conservation of the African elephant.

(9) There is no evidence that sport hunting is part of the poaching that contributes to the illegal trade in African elephant ivory, and there is evidence that the proper utilization of well-managed elephant populations provides an important source of funding for African elephant conservation programs.

SEC. 2004. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to assist in the conservation and protection of the African elephant by supporting the conservation programs of African countries and the CITES Secretariat; and

(2) to provide financial resources for those programs.

PART I—AFRICAN ELEPHANT CONSERVATION ASSISTANCE

SEC. 2101. PROVISION OF ASSISTANCE.

(a) **IN GENERAL.**—The Secretary may provide financial assistance under this part from the African Elephant Conservation Fund for approved projects for research, conservation, management, or protection of African elephants.

(b) **PROJECT PROPOSAL.**—Any African government agency responsible for African elephant conservation and protection, the CITES Secretariat, and any organization or individual with experience in African elephant conservation may submit to the Secretary a project proposal under this section. Each such proposal shall contain—

(1) the name of the person responsible for conducting the project;

(2) a succinct statement of the need for and purposes of the project;

(3) a description of the qualifications of the individuals who will be conducting the project;

(4) an estimate of the funds and time required to complete the project;

(5) evidence of support of the project by governmental entities of countries within which the project will be conducted, if such support may be important for the success of the project; and

(6) any other information the Secretary considers to be necessary or appropriate for evaluating the eligibility of the project for funding under this title.

(c) **PROJECT REVIEW AND APPROVAL.**—The Secretary shall review each project proposal to determine if it meets the criteria set forth in subsection (d) and otherwise merits assistance under this title. Not later than 6 months after receiving a project proposal, and subject to the availability of funds, the Secretary shall approve or disapprove the proposal and provide written notification to the person who submitted the proposal and to each country within which the project is proposed to be conducted.

(d) **CRITERIA FOR APPROVAL.**—The Secretary may approve a project under this section if the project will enhance programs for African elephant research, conservation, management, or protection by—

(1) developing in a usable form sound scientific information on African elephant habitat condition and carrying capacity, total elephant numbers and population trends, or annual reproduction and mortality; or

(2) assisting efforts—

(A) to ensure that any taking of African elephants in the country is effectively controlled and monitored;

(B) to implement conservation programs to provide for healthy, sustainable African elephant populations; or

(C) to enhance compliance with the CITES Ivory Control System.

(e) **PROJECT REPORTING.**—Each entity that receives assistance under this section shall provide such periodic reports to the Director of the United States Fish and Wildlife Service as the Director considers relevant and appropriate. Each report shall include all information requested by the Director for evaluating the progress and success of the project.

SEC. 2102. AFRICAN ELEPHANT CONSERVATION FUND.

(a) **ESTABLISHMENT.**—There is established in the general fund of the Treasury a separate account to be known as the "African Elephant Conservation Fund", which shall consist of amounts deposited into the Fund by

the Secretary of the Treasury under subsection (b).

(b) **DEPOSITS INTO FUND.**—The Secretary of the Treasury shall deposit into the Fund—

(1) subject to appropriations, all amounts received by the United States in the form of penalties under section 2204 which are not used to pay rewards under section 2205;

(2) amounts received by the Secretary of the Interior in the form of donations under subsection (d); and

(3) other amounts appropriated to the Fund to carry out this part.

(c) **USE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), amounts in the Fund may be used by the Secretary, without further appropriation, to provide assistance under this part.

(2) **ADMINISTRATION.**—Not more than 3 percent of amounts appropriated to the Fund for a fiscal year may be used by the Secretary to administer the Fund for that fiscal year.

(d) **ACCEPTANCE AND USE OF DONATIONS.**—The Secretary may accept and use donations of funds to provide assistance under this part. Amounts received by the Secretary in the form of such donations shall be transferred by the Secretary to the Secretary of the Treasury for deposit into the Fund.

SEC. 2103. ANNUAL REPORTS.

The Secretary shall submit an annual report to the Congress not later than January 31 of each year regarding the Fund and the status of the African elephant. Each such report shall include with respect to the year for which the report is submitted a description of—

(1) the total amounts deposited into and expended from the Fund;

(2) the costs associated with the administration of the Fund;

(3) a summary of the projects for which the Secretary has provided assistance under this part and an evaluation of those projects; and

(4) an evaluation of African elephant populations and whether the CITES Ivory Control System is functioning effectively to control the illegal trade in African elephant ivory.

PART II—MORATORIA AND PROHIBITED ACTS

SEC. 2201. REVIEW OF AFRICAN ELEPHANT CONSERVATION PROGRAMS.

(a) **IN GENERAL.**—Within one month after the date of the enactment of this title, the Secretary shall issue a call for information on the African elephant conservation program of each ivory producing country by—

(1) publishing a notice in the Federal Register requesting submission of such information to the Secretary by all interested parties; and

(2) submitting a written request for such information through the Secretary of State to each ivory producing country.

(b) **REVIEW AND DETERMINATION.**—

(1) **IN GENERAL.**—The Secretary shall review the African elephant conservation program of each ivory producing country and, not later than 1 year after the date of the enactment of this title, shall issue and publish in the Federal Register a determination of whether or not the country meets the following criteria:

(A) The country is a party to CITES and adheres to the CITES Ivory Control System.

(B) The country's elephant conservation program is based on the best available information, and the country is making expeditious progress in compiling information on the elephant habitat condition and carrying capacity, total population and population

trends, and the annual reproduction and mortality of the elephant populations within the country.

(C) The taking of elephants in the country is effectively controlled and monitored.

(D) The country's ivory quota is determined on the basis of information referred to in subparagraph (B) and reflects the amount of ivory which is confiscated or consumed domestically by the country.

(E) The country has not authorized or allowed the export of amounts of raw ivory which exceed its ivory quota under the CITES Ivory Control System.

(2) **DELAY IN ISSUING DETERMINATION.**—If the Secretary finds within one year after the date of the enactment of this title that there is insufficient information upon which to make the determination under paragraph (1), the Secretary may delay issuing the determination until no later than December 31, 1989. The Secretary shall issue and publish in the Federal Register at the time of the finding a statement explaining the reasons for any such delay.

SEC. 2202. MORATORIA.

(a) **IVORY PRODUCING COUNTRIES.**—

(1) **IN GENERAL.**—The Secretary shall establish a moratorium on the importation of raw and worked ivory from an ivory producing country immediately upon making a determination that the country does not meet all the criteria set forth in section 2201(b)(1).

(2) **LATER ESTABLISHMENT.**—With regard to any ivory producing country for which the Secretary has insufficient information to make a determination pursuant to section 2201(b), the Secretary shall establish a moratorium on the importation of raw and worked ivory from such country not later than January 1, 1990, unless, based on new information, the Secretary concludes before that date that the country meets all of the criteria set forth in section 2201(b)(1).

(b) **INTERMEDIARY COUNTRIES.**—The Secretary shall establish a moratorium on the importation of raw and worked ivory from an intermediary country immediately upon making a determination that the country—

(1) is not a party to CITES;

(2) does not adhere to the CITES Ivory Control System;

(3) imports raw ivory from a country that is not an ivory producing country;

(4) imports raw or worked ivory from a country that is not a party to CITES;

(5) imports raw or worked ivory that originates in an ivory producing country in violation of the laws of that ivory producing country;

(6) substantially increases its imports of raw or worked ivory from a country that is subject to a moratorium under this title during the first 3 months of that moratorium; or

(7) imports raw or worked ivory from a country that is subject to a moratorium under this title after the first 3 months of that moratorium, unless the ivory is imported by vessel during the first 6 months of that moratorium and is accompanied by shipping documents which show that it was exported before the establishment of the moratorium.

(c) **SUSPENSION OF MORATORIUM.**—The Secretary shall suspend a moratorium established under this section if, after notice and public comment, the Secretary determines that the reasons for establishing the moratorium no longer exist.

(d) **PETITION.**—

(1) **IN GENERAL.**—Any person may at any time submit a petition in writing requesting

that the Secretary establish or suspend a moratorium under this section. Such a petition shall include such substantial information as may be necessary to demonstrate the need for the action requested by the petition.

(2) **CONSIDERATION AND RULING.**—The Secretary shall publish a notice of receipt of a petition under this subsection in the Federal Register and shall provide an opportunity for the public to comment on the petition. The Secretary shall rule on such petition not later than 90 days after the close of the public comment period.

(e) **SPORT HUNTED TROPHIES.**—Individuals may import sport-hunted elephant trophies that they have legally taken in an ivory producing country that has submitted an ivory quota. The Secretary shall not establish any moratorium under this section, pursuant to a petition or otherwise, which prohibits the importation into the United States of sport-hunted trophies from elephants that are legally taken by the importer or the importer's principal in an ivory producing country that has submitted an ivory quota.

(f) **CONFISCATED IVORY.**—Trade in raw or worked ivory that is confiscated by an ivory producing country or an intermediary country and is disposed of pursuant to the CITES Ivory Control System shall not be the sole cause for the establishment of a moratorium under this part if all proceeds from the disposal of the confiscated ivory are used solely to enhance wildlife conservation programs or conservation purposes of CITES. With respect to any country that was not a party to CITES at the time of such confiscation, this subsection shall not apply until such country develops appropriate measures to assure that persons with a history of illegal dealings in ivory shall not benefit from the disposal of confiscated ivory.

SEC. 2203. PROHIBITED ACTS.

Except as provided in section 2202(e), it is unlawful for any person—

(1) to import raw ivory from any country other than an ivory producing country;

(2) to export raw ivory from the United States;

(3) to import raw or worked ivory that was exported from an ivory producing country in violation of that country's laws or of the CITES Ivory Control System;

(4) to import worked ivory, other than personal effects, from any country unless that country has certified that such ivory was derived from legal sources; or

(5) to import raw or worked ivory from a country for which a moratorium is in effect under section 2202.

SEC. 2204. PENALTIES AND ENFORCEMENT.

(a) **CRIMINAL VIOLATIONS.**—Whoever knowingly violates section 2203 shall, upon conviction, be fined under title 18, United States Code, or imprisoned for not more than one year, or both.

(b) **CIVIL VIOLATIONS.**—Whoever violates section 2203 may be assessed a civil penalty by the Secretary of not more than \$5,000 for each such violation.

(c) **PROCEDURES FOR ASSESSMENT OF CIVIL PENALTY.**—Proceedings for the assessment of a civil penalty under this section shall be conducted in accordance with the procedures provided for in section 11(a) of the Endangered Species Act of 1973 (16 U.S.C. 1540(a)).

(d) **USE OF PENALTIES.**—Subject to appropriations, penalties collected under this section may be used by the Secretary of the Treasury to pay rewards under section 2205 and, to the extent not used to pay such rewards, shall be deposited by the Secretary of the Treasury into the Fund.

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

SEC. 2205. REWARDS.

(a) **IN GENERAL.**—Upon the recommendation of the Secretary, the Secretary of the Treasury may pay a reward to any person who furnishes information which leads to a civil penalty or a criminal conviction under this title.

(b) **AMOUNT.**—The amount of a reward under this section shall be equal to not more than one-half of any criminal or civil penalty or fine with respect to which the reward is paid, or \$25,000, whichever is less.

(c) **LIMITATION ON ELIGIBILITY.**—An officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his or her official duties shall not be eligible for a reward under this section.

PART III—MISCELLANEOUS

SEC. 2301. PERMISSION TO IMPORT OR EXPORT AFRICAN ELEPHANT IVORY.

Section 9(d) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)) is amended to read as follows:

"(d) IMPORTS AND EXPORTS.—

"(1) **IN GENERAL.**—It is unlawful for any person, without first having obtained permission from the Secretary, to engage in business—

"(A) as an importer or exporter of fish or wildlife (other than shellfish and fishery products which (i) are not listed pursuant to section 4 of this Act as endangered species or threatened species, and (ii) are imported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes); or

"(B) as an importer or exporter of any amount of raw or worked African elephant ivory.

"(2) **REQUIREMENTS.**—Any person required to obtain permission under paragraph (1) of this subsection shall—

"(A) keep such records as will fully and correctly disclose each importation or exportation of fish, wildlife, plants, or African elephant ivory made by him and the subsequent disposition made by him with respect to such fish, wildlife, plants, or ivory;

"(B) at all reasonable times upon notice by a duly authorized representative of the Secretary, afford such representative access to his place of business, an opportunity to examine his inventory of imported fish, wildlife, plants, or African elephant ivory and the records required to be kept under subparagraph (A) of this paragraph, and to copy such records; and

"(C) file such reports as the Secretary may require.

"(3) **REGULATIONS.**—The Secretary shall prescribe such regulations as are necessary and appropriate to carry out the purposes of this subsection.

"(4) **RESTRICTION ON CONSIDERATION OF VALUE OR AMOUNT OF AFRICAN ELEPHANT IVORY IMPORTED OR EXPORTED.**—In granting permission under this subsection for importation or exportation of African elephant ivory, the Secretary shall not vary the requirements for obtaining such permission on the basis of the value or amount of ivory imported or exported under such permission."

SEC. 2302. RELATIONSHIP TO ENDANGERED SPECIES ACT OF 1973.

The authority of the Secretary under this title is in addition to and shall not affect the authority of the Secretary under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or diminish the Secretary's authority under the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.).

SEC. 2303. CERTIFICATION UNDER PELLY AMENDMENT.

If the Secretary finds in administering this title that a country does not adhere to the CITES Ivory Control System, that country is deemed, for purposes of section 8(a)(2) of the Act of August 27, 1954 (22 U.S.C. 1978), to be diminishing the effectiveness of an international program for endangered or threatened species.

SEC. 2304. EFFECTIVENESS OF CITES.

Within 3 months after the completion of the 8th Conference of the Parties to CITES, the Secretary shall determine whether this title, together with the CITES Ivory Control System, has substantially stopped the importation of illegally harvested ivory into the United States. If the Secretary determines that the importation of illegally harvested ivory has not been substantially stopped, the Secretary shall recommend to the Congress amendments to this title or other actions that may be necessary to achieve the purposes of this title, including the establishment of a complete moratorium on the importation of elephant ivory into the United States.

SEC. 2305. DEFINITIONS.

In this title—

(1) the term "African elephant" means any animal of the species *Loxodonta africana*;

(2) the term "CITES" means the Convention on the International Trade in Endangered Species of Wild Fauna and Flora;

(3) the term "CITES Ivory Control System" means the ivory quota and marking system established by CITES to curtail illegal trade in African elephant ivory;

(4) the term "Fund" means the African Elephant Conservation Fund established by section 2102;

(5) the terms "import" and "importation" have the meanings such terms have in the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(6) the term "intermediary country" means a country that exports raw or worked ivory that does not originate in that country;

(7) the term "ivory producing country" means any African country within which is located any part of the range of a population of African elephants;

(8) the term "ivory quota" means a quota submitted by an ivory producing country to the CITES Secretariat in accordance with the CITES Ivory Control System;

(9) the term "personal effects" means articles which are not intended for sale and are part of a shipment of the household effects of a person who is moving their residence to or from the United States, or are included in personal accompanying baggage;

(10) the term "raw ivory" means any African elephant tusk, and any piece thereof, the surface of which, polished or unpolished, is unaltered or minimally carved;

(11) the term "Secretary" means the Secretary of the Interior;

(12) the term "United States" means the 50 States, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the territories and possessions of the United States; and

(13) the term "worked ivory" means any African elephant tusk, and any piece thereof, which is not raw ivory.

SEC. 2306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund and to the Secretary a total of not to exceed \$5,000,000 for each of fiscal years 1989, 1990, 1991, 1992, and 1993 to carry out this title, to remain available until expended.

WALTER B. JONES,
GERRY E. STUDDS,
MIKE LOWRY,
BILLY TAUZIN,
SOLOMON P. ORTIZ,
BOB DAVIS,
DON YOUNG,
JACK FIELDS,

Managers on the Part of the House.

QUENTIN N. BURDICK,
GEORGE J. MITCHELL,
MAX BAUCUS,
JOHN BREAUX,
ROBERT T. STAFFORD,
JOHN H. CHAFFEE,
ALAN K. SIMPSON,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 1467 to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the action agreed upon by the managers and recommended in the accompanying Conference Report.

The Senate amendment struck out all of the House bill after the enacting clause and inserted, as an amendment, the text of the bill S. 675, to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes.

The House recedes from its disagreement to the amendment of the Senate with an agreement which is a modified version of the Senate amendment. To fully inform the House and Senate about the Conference agreement contained in the accompanying Conference Report, the managers will set forth, with the exception of certain technical and conforming changes, an explanation of certain differences and the resolution of these differences, section-by-section.

SECTION-BY-SECTION ANALYSIS Title I—Endangered Species Act Amendments of 1988

SECTION 1001. DEFINITIONS

The Senate amendment contained a definition of the term "person" which was not included in the House bill. The House recedes to the Senate provision.

SECTION 1002. LISTING

The Senate amendment contained a provision not contained in the House bill that was intended to clarify the Secretary's authority to treat species as endangered or threatened because of their similarity to listed species. The House recedes to the Senate provision. The Conferees agreed that the language is designed to ensure that the U.S. Fish and Wildlife Service need not regulate both trade and taking of species listed as threatened or endangered because

of their similarity of appearance to other listed species if regulation of only one of these activities is sufficient to protect the endangered or threatened species.

SECTION 1003. RECOVERY PLANS

The Senate amendment provided additional requirements in the preparation and implementation of recovery plans. The House bill contained no language on recovery plans. The Conferees accepted the Senate provision with the following modification. The Senate amendment required the Secretary to report annually on the status of efforts to develop and implement recovery plans for listed species. This agreement would require that the Secretary report once every two years.

The Conferees agreed that the report should provide general information on the status of each listed species and on the progress in developing and implementing recovery plans for each such species. The Secretary should set up a management tracking system to facilitate the preparation of the report.

The Senate amendment also required the Secretary to provide public notice and an opportunity for public review of proposed recovery plans, and to consider the public comments before approving the plan. The Conferees agreed that the requirement for public notice and review does not necessitate a rulemaking procedure.

The Senate amendment also required each federal agency to consider all information presented on a recovery plan during the public comment period before implementing the recovery plan. The Conferees agree that this amendment merely imposes new procedural requirements. For example, the substantive requirements of section 7(a)(1) of the law are not affected by this amendment. Similarly, the development and the content of recovery plans will continue to be based solely on biological considerations.

SECTION 1004. MONITORING OF RECOVERED SPECIES

The Senate amendment required that the Secretary monitor the conservation of recovered species in cooperation with the States. The House bill contained no language on this subject. The House recedes to the Senate provision.

SECTION 1005. COOPERATION WITH THE STATES

The Senate amendment amended section 6 of the Endangered Species Act by establishing a cooperative endangered species conservation fund from which matching funds would be authorized for appropriation and allocation annually to the States to provide support needed to protect and recover species. The House bill contained no language on this subject. This agreement contains the Senate provision, with an amendment to clarify that it authorizes appropriations for grants to states pursuant to Section 6 of the Endangered Species Act.

The Senate amendment also authorized the Secretary to provide financial assistance to states to monitor the status of recovered species. The Conferees agree that the monitoring of recovered species usually should be accorded lower priority than the conservation of listed species, and that assistance provided to the states should reflect that set of priorities.

SECTION 1006. PROTECTION OF PLANTS

The Senate amendment provided increased protections for endangered or threatened plant species. The House provision (section 3) was identical except for a

provision on the taking of plants in violation of state law or criminal trespass law. This agreement provides that any person who removes, cuts, digs up, damages or destroys any listed plant in knowing violation of any state law or regulation or in the course of any violation of a state criminal trespass law is in violation of the Endangered Species Act.

SECTION 1007. PENALTIES AND ENFORCEMENT

The Senate amendment increased the penalties for violations of the Endangered Species Act, and transferred certain funds into the cooperative endangered species conservation fund established under section 6(i) of the Act (as amended by this Act) when the balance of sums received by the Fish and Wildlife Service as penalties or fines, or from forfeitures of property exceeds \$300,000. The House provision (section 5 of the House bill) did not contain any language on the transfer of funds. This agreement provides that such funds will be transferred when the balance of sums exceeds \$500,000.

SECTION 1008. SEA TURTLE CONSERVATION

The House bill (section 8) directed the Secretary of Commerce to conduct an investigation of sea turtle biology and conservation in inshore areas. It also directed the Secretary to delay until May 1, 1990 the implementation of regulations relating to sea turtle conservation in inshore areas. The House recedes to the Senate provision, described as follows.

Section 8 of the Senate amendment contains two separate subsections regarding the conservation of endangered and threatened sea turtles. Subsection (a) provides for specific delays in the effective date of certain sea turtles conservation regulations published on June 29, 1987. It directs the Secretary of Commerce to delay the effective date of the regulations until May 1, 1990 in inshore areas and until May 1, 1989 in off-shore areas. Subsection (b) directs the Secretary of Commerce to initiate through the National Academy of Sciences an independent review of scientific information pertaining to listed sea turtles. The primary purpose of this independent review is to further the long-term conservation of each of the relevant species of sea turtles by reviewing available data to ensure that the Federal government is promoting the conservation of sea turtles in the most effective and comprehensive manner possible.

The independent review required by the Senate amendment entails a comprehensive analysis of the status of sea turtles around the world. Section 8(b)(4) recognizes that it may not be possible for this comprehensive analysis to be completed by April 1, 1989, and directs, accordingly, that first priority be given to completing the independent review of information on all populations of the Kemp's ridley sea turtle by that date, or as expeditiously as possible, and then completing the remaining work of the review as expeditiously as possible. Once the review of information on the Kemp's ridley sea turtle has been completed and submitted to the Secretary, it is the intent of the Conferees that the independent review focus next on all of the other U.S. populations of sea turtles that currently are listed as threatened or endangered under the Endangered Species Act. Upon expeditious completion of this review and its submission to the Secretary, the panel should focus finally on an analysis of other sea turtle populations around the world.

Given the illegal trade in turtle eggs, it is not the intent of the Conferees that the

review of information on nesting sites under section 8(b)(3)(viii) result in the publication of any maps or specific descriptions that might jeopardize the confidentiality of the locations of these sites. Rather, this aspect of the review is intended to provide information on the general location and number of nesting sites, the size of each nesting site and the appropriate measures that could be taken to enhance protection of such sites. It is the understanding of the Conferees that appropriate measures may include the conservation of nesting beaches, nest protection from human and natural disturbances, captive breeding and hatcheries, and experimental "head starting".

The Conferees also note that if, as a result of the independent study, the Secretary concludes that additional modifications in sea turtle conservation regulations are necessary and advisable, the Secretary may propose such modifications, consistent with 16 U.S.C. 1533(d) and other provisions of current law.

The Secretary is to carry out section 8 of this Act using any funds appropriated expressly for the purpose of carrying out the independent review or, if no funds are appropriated for this specific purpose, by reprogramming other funds within the Department of Commerce in as equitable a manner as possible.

SECTION 1009. AUTHORIZATION OF APPROPRIATIONS

The House bill (section 6) authorized appropriations for the purposes of the Act. The Senate amendment contained authorizations of appropriations in two sections. Section 5 of the Senate amendment authorizes appropriations for grants to states, and Section 9 of the Senate amendment authorizes appropriations for the remainder of the Endangered Species Act. The House recedes to the Senate language.

SECTION 1010. EDUCATION, STUDY AND REPORT

The Senate amendment required the Administrator of the Environmental Protection Agency with the Secretary of Agriculture and the Secretary of the Interior to conduct a program of education and study and to submit an interim and final report to Congress in connection with efforts to protect endangered and threatened species from pesticides. The House bill (section 9) contained a similar provision. The House recedes to the Senate with an amendment deleting the requirement for an interim report.

Agriculture is a major part of the U.S. economy and provides nutritional sustenance for our population and exports for abroad. Protection of endangered and threatened species also is an important national priority. The Conferees, therefore, anticipate that the Administrator of the Environmental Protection Agency shall work closely with the Secretary of Agriculture and the Secretary of the Interior to implement the Endangered Species Act in a way that protects endangered and threatened species while minimizing, where possible, impacts on production of agricultural foods and fiber commodities.

The purpose of the study required by this agreement is to provide information to aid in the development of regulations restricting or prohibiting the use of pesticides, to assist the EPA Administrator in identifying the relationship between the use of pesticides and their effects on threatened or endangered species, and in identifying alternatives to prohibitions on the use of pesticides that would provide the protection of such

species required by the Endangered Species Act.

The Conferees note that in a number of states, state agriculture departments have begun the process of developing state-initiated, state specific plans to protect endangered and threatened species and retain all safe uses of pesticides consistent with federal requirements. The Conferees commend the initiatives of these states and encourage the EPA to continue working with state-initiated coalitions.

SECTION 1011. SCRIMSHAW

The Senate amendment authorizes the continued sale of scrimshaw by individuals that held valid licenses on March 31, 1988. The House bill (section 4) contained language to achieve the same end. The House language differed from the Senate language because the former was passed before the licenses had expired. The House recedes to the Senate provision.

SECTION 1012. FEDERAL COST OF PROTECTING ENDANGERED SPECIES

The Senate amendment required the Secretary of the Interior to submit an annual report to Congress accounting for the funds spent, on a species by species basis, on conservation of species under the Endangered Species Act. The House bill contained no language on this subject.

This agreement provides for an annual report to Congress accounting, on a species by species basis, for all reasonably identifiable expenditures made primarily for the conservation of species under the Endangered Species Act by the Federal Government and by states receiving grants under section 6 of the Act. The purpose of this amendment is to provide Congress and the public with better information about the expenditure of funds that are appropriated for conservation of endangered and threatened species. Without such information, it is impossible to assess the validity of claims that the government is devoting a disproportionate effort to conserve a few, highly visible species at the expense of numerous, less well-known species that may have greater biological significance.

The conferees added the phrase "reasonably identifiable" to ensure that this new requirement will not become unduly burdensome and will not result in the diversion of funds from operation of the endangered species program itself. The Secretary is expected to make a good faith effort to develop and obtain data that is reasonably identifiable but is not expected to undertake extensive or extraordinary measures to develop exceptionally precise statistics. In this regard, generalized dollar estimates will suffice.

This amendment seeks to produce information relating primarily to the development and implementation of recovery plans for listed species. The amendment is not intended to apply to costs associated with monitoring candidate species. Expenditures for other conservation activities, such as listing of species, section 7 consultations, or law enforcement, are covered by the amendment but often will not be "reasonably identifiable." The amendment is not intended to require new, species-specific time sheets for biologists or law enforcement agents. Nevertheless, there will be cases, such as listing proposals that generate considerable controversy and a series of public hearings, formal consultations devoted to a single species, or major sting operations devoted to trade in a specific species, that will generate "reasonably identifiable," species-specific expenditures that should be reported.

Similarly, it may be unreasonable to ascribe the costs of employees' salaries and benefits to specific species. There will be cases, however, where such costs are "reasonably identifiable" and should be reported. The best example of this is an employee who devotes full-time to working on a single species or an employee who can readily identify the time devoted to a specific species. As stated above, this amendment does not require the development or use of species-specific time sheets.

The Secretary's report must include data on expenditures by other federal agencies and by the states. The Secretary is expected to make a good faith effort to obtain such data and, although submission of data to the Secretary by other agencies and the states shall not be a precondition to receiving contracts or grants under the Endangered Species Act, such agencies and the states are expected to comply in a timely manner with the Secretary's request for information that is needed to comply with this section.

SECTION 1013. TECHNICAL AMENDMENTS

The House bill (section 7) contained a series of technical amendments to the Endangered Species Act of 1973. The Senate amendment contained no technical amendments. The Senate recedes to the House provision. The Conference agreement includes section 7 of the House bill as new section 1013.

MISCELLANEOUS

The Conferees also strongly encourage the U.S. Fish and Wildlife Service and the Army Corps of Engineers to closely coordinate flood control activities and endangered migratory bird conservation efforts at the Gavin Point Dam and to improve communications with landowners who are downstream from the Dam.

Title II—African Elephant Conservation

The Conferees agreed to include as a new title II of this Act the text of H.R. 2999, the African Elephant Conservation Act, as passed by the House, with amendments to sections 2202 and 2305 which are described below, as well as a number of technical amendments.

SECTION 2001. SHORT TITLE

Section 2001 names Title II the "African Elephant Conservation Act".

SECTION 2002. STATEMENT OF PURPOSE

Section 2002 states that the purpose of this title is to perpetuate healthy populations of African elephants. A population of African elephants that is biologically sustainable and genetically viable would be considered healthy.

SECTION 2003. FINDINGS

Section 2003 states the Congressional findings that:

African elephant populations have declined significantly in recent years,

The illegal ivory trade threatens the continued existence of those populations,

The African elephant is listed as threatened under the Endangered Species Act of 1973, and its continued existence will be further jeopardized if this decline is not reversed,

An international system has been established to control that trade and should be allowed to continue in effect for a reasonable period of time to assess its effectiveness,

Many African countries do not have sufficient resources to conserve their elephant populations,

The U.S. is a large market for ivory products, and shares the responsibility for sup-

porting measures to stop the illegal trade, and

There is no evidence that sport hunting contributes to the poaching problem.

SECTION 2004. STATEMENT OF POLICY

Section 2004 states that it is the policy of the United States to assist in the conservation of African elephants.

Part I—African Elephant Conservation Assistance

SECTION 2101. PROVISION OF ASSISTANCE

Section 2101 authorizes the Secretary of the Interior to fund elephant conservation projects that provide scientific and biological information on the status of elephant populations or habitat, aid efforts to ensure that taking of elephants is effectively controlled and monitored, enhance compliance with the CITES Ivory Control System, or otherwise implement elephant conservation measures.

It is the sense of the Conferees that the assistance most urgently needed by the African countries under this section is that which would be used for halting the poaching of elephants, and that generally, a high priority should be given to projects that would directly aid such efforts.

SECTION 2102. AFRICAN ELEPHANT CONSERVATION FUND

Section 2102(a) establishes an Elephant Conservation Trust Fund to finance the elephant conservation projects referred to in section 2101.

Section 2102(b) authorizes the Secretary of the Treasury to deposit into the fund private donations, civil and criminal penalties collected pursuant to section 2204 of this title and appropriated for inclusion in the Fund, and other appropriated funds. Revenues accruing from the sale of confiscated ivory forfeited administratively under this title would also be deposited into the Fund.

Section 2102(c) provides that the fund may be used to support elephant conservation projects under this Part. It also places a limit on the amount of appropriated funds that can be used for the administration of the African Elephant Conservation Fund.

Section 2102(d) authorizes the Secretary of the Interior to accept donations and to use them to provide assistance for elephant conservation projects.

SECTION 2103. ANNUAL REPORTS

Section 2103 requires the Secretary of the Interior to report annually to Congress on the status of the African elephant, on the elephant conservation projects funded under this Part, and on the extent to which the international ivory control system is functioning effectively to control the illegal ivory trade.

Part II—Moratoria and Prohibited Acts

SECTION 2201. REVIEW OF AFRICAN ELEPHANT CONSERVATION PROGRAMS

Section 2201(a) required the Secretary of the Interior to solicit information on the elephant conservation programs of all African ivory producing nations.

Section 2201(b) requires the Secretary to review the information submitted pursuant to subsection (a), and within one year determine whether each country has an effective program for the management and protection of elephants. That determination would be based on the five criteria set forth in this section.

The first criteria is that the ivory producing country be a party to CITES, and adhere to the CITES Ivory Control System. An African ivory producing country must

submit an annual quota to meet this criteria. It is the intent of the Conferees that occasional technical violations or minor violation of the system would not lead to a determination that this criteria is not met.

The second criteria is that the elephant conservation program of the ivory producing country is based on the best available information, and that the country is making expeditious progress in compiling additional types of information on elephants. That information includes, but is not limited to, population status and trends, habitat conditions (including the rate of destruction of habitat) carrying capacity, birth rates and diseases affecting the population, and land use.

In making a determination on whether a country is making expeditious progress, the Secretary should consider whether the country is:

Undertaking the development of a written comprehensive elephant conservation plan which includes the identification of data or biological information which needs to be developed to provide a full understanding of the ecology of key elephant populations within a given country;

Undertaking the identification of specific projects or activities necessary to obtain such data;

Making a commitment of sufficient resources in terms of personnel and money to begin to undertake those projects or activities in order of priority of importance, and

Making continued progress in undertaking and completing those projects or activities.

The third, fourth, and fifth criteria address the control of the taking of elephants, the determination of the country's ivory quota, and the export of ivory from the country.

Section 2201(b)(2) provides that if the Secretary finds within one year of the date of enactment of this title that there is insufficient information upon which to make the determination of whether or not a country meets the criteria in subsection 2201(b)(1), he may delay issuing the determination, but no later than December 31, 1989. The additional time is provided in anticipation of additional information being made available at the 7th meeting of the Conference of the Parties to CITES which is scheduled for the fall of 1989.

SECTION 2201. MORATORIA

Section 2201(a)(1) requires the Secretary to place a moratorium on the importation of ivory from ivory producing countries that the Secretary determines do not meet the criteria in section 2201(b).

Section 2202(a)(2) requires the Secretary to place a moratorium on the importation of ivory from countries for which the Secretary is unable to make a determination under section 2201(b)(1), within one year after the date of enactment of this title, regarding whether they meet the criteria in section 2201(b)(1). That moratorium is to be established no later than January 1, 1990.

Subsection 2202(b) requires the Secretary to place a moratorium on ivory from an intermediary country that meets one or more of a set of criteria set forth in this subsection.

The first criteria is that the intermediary country is not a party to CITES. The second criteria is that the intermediary country does not adhere to the CITES Ivory Control System. It is the intent of the Conferees that occasional technical violations or minor violations of the system would not lead to a determination that this criteria is met.

The third, fourth, fifth and sixth criteria address the importation of ivory into intermediary countries, and the volume of those imports.

The seventh criteria addresses the amount of time that may transpire between the date a moratorium is placed on an ivory producing country, and the date on which an intermediary country must stop importing ivory from that ivory producing country to avoid being subjected to a moratoria under this Part. The purpose of this section is to allow for the transit time of shipments of ivory between Africa and an intermediary country. That transit time may vary according to the type of transportation used. The intent is to allow for the proverbial "slow boat to China." The acceptance of air shipments that arrive in an intermediary country from an ivory producing country for which a moratorium is in place after the first three months of that moratorium would be grounds for the intermediary country itself to be subject to a moratorium. The additional time would be for shipments by sea.

An African country would be considered an intermediary country under this section if it exports raw or worked ivory that does not originate within its borders. Hence, a country might be both an ivory producing country and an intermediary country.

Section 2202(c) authorizes the Secretary to suspend a moratorium established under this section due to changing circumstances.

Section 2202(d) provides that any person possessing substantial biological or trade data can petition the Secretary of the Interior to place a moratorium or suspend a moratorium which had been placed on the importation of ivory from individual countries, and requires that the Secretary take prompt action on those petitions accompanied by such data.

Section 2202(e) provides an exemption from the moratoria and the prohibitions in section 2203 for sport hunted elephant trophies that are legally taken by a sport hunter or his or her principal in an African country that has submitted an ivory quota.

The Conferees agreed to an amendment adding a new subsection (f). It provides that a moratorium should not be imposed on an ivory producing or intermediary country solely due to its trade in confiscated ivory, provided that two conditions are met. First, the confiscated ivory must be traded in accordance with the CITES Ivory Control System. Second, the proceeds from the sale or disposal of the confiscated ivory must be used solely to enhance wildlife conservation programs, including but not limited to elephant conservation programs, or to enhance the implementation of CITES and its purposes. It is the intent of the Conferees under section 2202(f) that confiscated ivory be disposed of in an open and public manner that includes safeguards to prevent persons responsible for elephant poaching or illegal ivory shipments from acquiring confiscated ivory at auction or receiving any of the proceeds from its sale.

SECTION 2203. PROHIBITED ACTS

Section 2203 set forth a series of acts that are prohibited under this Part. It makes an exception for sport hunted trophies that are legally taken by a sport hunter or his or her principal in an African country that has submitted an ivory quota.

SECTION 2204. PENALTIES AND ENFORCEMENT

Section 2204(a) provides that the criminal penalties for violations of this Part shall be in accordance with title 18 of the United States Code. Pursuant to sections 3559 and

3571 of that title, the effective maximum criminal penalty for an individual would be \$100,000, and one year in prison, and the maximum criminal penalty for an organization would be \$200,000. For the purposes of this section, each shipment made in violation of this Part is a separate violation of this Part.

Section 2204(b) provides that the maximum civil penalty for a violation of this Part is \$5,000.

Section 2204(c) incorporates the civil penalty assessment procedures of section 11(a) of the Endangered Species Act.

Section 2204(d) provides that penalties collected under this section may, subject to appropriations, be used to pay rewards or deposited into the African Elephant Conservation Fund.

Section 2204(e) provides that any enforcement action under this section shall be conducted in accordance with the procedures provided for in section 11 of the Endangered Species Act of 1973.

The Conferees intend that all of the enforcement authorities provided to the Secretary of the Interior under Section 11(e) of the Endangered Species Act of 1973 (ESA) (15 U.S.C. 1540(e)) shall be available to the Secretary for enforcing the provisions of this Part. In particular, the Conferees note that paragraphs (4) and (5) of section 11(e) of the ESA provide for the seizure and administrative forfeiture of any wildlife or plant products involved in the violation of the Act. It is the clear intent of the Conferees that the Secretary, the Secretary of the Treasury and the Secretary of the Department in which the Coast Guard is operating exercise identical seizure and administrative forfeiture authorities with regard to the importation of African elephant ivory in violation of the provisions of this Part. The Conferees intend that all illegal ivory shipments shall be seized and forfeited administratively. Such forfeiture shall be in addition to, and not dependent upon the imposition of other criminal or civil penalties imposed under the provisions of this Part. The Conferees are also aware of the United States Fish and Wildlife Service's current policy and regulations (50 C.F.R. Part 12) regarding the disposal of confiscated wildlife products. The Conferees intend that any confiscated and forfeited African elephant ivory seized for violations of this Part be disposed of pursuant to the Fish and Wildlife Service's disposal procedures and that any proceeds generated from the sale of such ivory be deposited, subject to appropriations, into the African Elephant Conservation Fund created under this title.

SECTION 2205. REWARDS

Section 2205 authorizes the Secretary to pay rewards to individuals who furnish information that leads to a civil or criminal penalty or conviction under this Part.

Part III—Miscellaneous

SECTION 2301. PERMISSION TO ENGAGE IN BUSINESS OF IMPORT OR EXPORT OF AFRICAN ELEPHANT IVORY

Section 2301 would require that all commercial importers and exporters of ivory in the U.S. regardless of volume of their business, be licensed by the Secretary of the Interior.

SECTION 2302. RELATIONSHIP TO ENDANGERED SPECIES ACT OF 1973

Section 2302 provides that nothing in this title shall limit or amend the authorities of the Secretary of the Interior under the Endangered Species Act. Similarly, nothing in

this title diminishes the Secretary's authorities under the Lacey Act.

SECTION 2303. CERTIFICATION UNDER PELLY AMENDMENT

Section 2303 provides that a country that does not adhere to the CITES Ivory Control System shall be deemed to be "diminishing the effectiveness" of an international agreement for the protection of endangered or threatened species. Under the Pelly amendment to the Fishermen's Protection Act, the President has the discretion to embargo the wildlife products from a nation for which such a determination is made.

It is the intent of the Conferees that occasional technical violations or minor violations of the CITES Ivory Control System would not lead to a determination that a country does not adhere to the system, and thus would not warrant certification under the Pelly Act. It is also the intent of the Conferees that a certification under the Pelly Act not occur if an ivory producing country fails to satisfy the criteria set out in section 2201(b)(1)(B) of this title.

SECTION 2304. EFFECTIVENESS OF CITIES

Section 2304 requires the Secretary of the Interior to determine in 1991 whether this title, together with the CITES ivory control system, has substantially stopped the importation of illegal ivory into the U.S. If it has not, the Secretary is to recommend changes to the title or other action, including a total ban on the importation of elephant ivory, if appropriate.

SECTION 2305. DEFINITIONS

Section 2305 contains definitions of terms used in the title.

The term "CITES Ivory Control System", which is defined in this section is referred to in documents submitted to the 6th Conference of the Parties to CITES as the "ivory export quota system" and the "Quota System".

The term "ivory producing country" is defined in this section as "any African country within which is located any part of the range of a population of African elephants". The Conferees understand because of the migratory nature of the species that the range of elephants in Africa may change over time, and that as a result, a country that is not currently an ivory producing country may become one in the future, and vice versa.

The Conferees agreed to amend the definition of the term "raw ivory" to explain that it may be a whole tusk or a piece thereof, and that it may be minimally carved. Certain ivory traders have gone to great lengths to circumvent the CITES Ivory Control System by laundering essentially raw ivory as worked ivory, which is subject to much less stringent control. Among the techniques used have been cutting raw ivory into blocks or even scratching and inking a superficial design into the surface of the tusk or block. These temporary designs are not intended to produce a finished product for sale, but only to get the ivory into commerce as worked ivory; they are easily buffed off later when the real carving process is undertaken in another country. This title's definition of raw ivory is intended to prevent such minimally carved ivory, which is not yet in the form of a finished product, from being entered into trade as worked ivory.

SECTION 2306. AUTHORIZATION OF APPROPRIATIONS

Section 2306 authorizes a total appropriation of \$5 million annually for both the Sec-

retary's costs for implementing this title and for providing appropriated funds for the African Elephant Conservation Fund.

WALTER B. JONES,
GERRY E. STUDDS,
MIKE LOWRY,
BILLY TAUZIN,
SOLOMON P. ORTIZ,
BOB DAVIS,
DON YOUNG,
JACK FIELDS,

Managers on the Part of the House.

QUENTIN N. BURDICK,
GEORGE J. MITCHELL,
MAX BAUCUS,
JOHN BREAUZ,
ROBERT T. STAFFORD,
JOHN H. CHAFFEE,
ALAN K. SIMPSON,

Managers on the Part of the Senate.

LEGISLATIVE PROGRAM

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

Mr. FOLEY. Mr. Speaker, the purpose of this request is to inform the Members of the schedule for the week of September 19, 1988.

It is as follows: On Monday, September 19, the House will not be in session.

On Tuesday, September 20, the House will meet at noon to consider the Private Calendar and 27 bills under suspension of the rules.

They are:

H.R. 5114, Veterans' Health-Care Programs Amendments of 1988;

H.R. 4535, to designate the James J. Howard Veterans' Outpatient Clinic;

H.R. 4948, to direct the American Battle Monuments Commission to restore, operate, and maintain the Pacific War Memorial on Corregidor;

H.R. 2524, location of principal offices of executive agencies in the National Capital Region;

S. 1934, Judiciary Office Building Development Act;

S. 659, FIFRA Amendments of 1988; H.R. 5056, Agriculture Research Act of 1988;

H.R. 5263, OPIC Authorization; and S. Con. Res. 102, to express the sense of Congress regarding the contributions of John Foster Dulles in International Affairs.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I appreciate the gentleman yielding. The list of items for consideration under suspension is extensive, to say the least, very extensive.

I would like to clarify for the membership, if I might, is my presumption correct that today beyond this perfunctory work that our work is done, there will be no more votes today?

Mr. FOLEY. The gentleman is correct. We expect no further votes today.

Mr. LEWIS of California. Mr. Speaker, I wonder if I might inquire of the gentleman, beyond that list of suspensions, if we could just spend a moment in a colloquy regarding informing the Members as to what the schedule is likely to be on Thursday, and specifically I would like to extend with the gentleman the conversation that we were having earlier about the likelihood or the prospect of taking up the drug bill on Thursday and completing it on Thursday.

Mr. FOLEY. Mr. Speaker, if the gentleman does not mind, I will just read through the list of suspensions.

Mr. LEWIS of California. If the gentleman wants to do that, that is fine.

Mr. FOLEY. They are:

S. 2365, to authorize the release of 86 USIA films with respect to the Marshall plan;

S.J. Res. 317, to commemorate the bicentennial of the French Revolution;

H.J. Res. 648, to encourage increased international cooperation to protect biological diversity;

H. Con. Res. 344, to commend the International Boundary and Water Commission;

H.R. 4983, Health Professions Reauthorization Act of 1988;

H.R. 5155, Protection and Advocacy for Mentally Ill Individuals Act;

H.R. 2800, Hazardous Waste Production Act;

H.R. 2837, to amend the Toxic Substances Control Act to assist States in responding to the threat posed by exposure to radon;

H. Con. Res. 290, to support the International Decade for Natural Disaster Reduction;

H.R. 3048, National Superconductivity and Competitiveness Act of 1987;

H. Res. 450, to express the sense of the House regarding aging aircraft;

H.R. 4686, Aviation Research Act of 1988;

H.R. 3779, Controller Performance Research Act;

H.R. 4362, Recreation and Public Purposes Amendment Act of 1988;

S. 1927, to provide for the approval of a desert land entry in the vicinity of the Dinosaur National Monument;

H.R. 4182, to establish the Zuni-Cibola National Historical Park in the State of New Mexico;

H.R. 4039, to disclaim any right, title, or interest of the United States in certain lands in the State of California; and

S. 1165, to provide for the development and operation of a visitor and environmental education center in the Pinelands National Reserve, in the State of New Jersey.

□ 1400

And also H.R. 5142, the Federal AIDS Policy Act of 1988, general debate.

On Wednesday, the House will not be in session in observance of Yom Kippur.

On Thursday, September 22 and Friday, September 23, the House will meet and we will have votes on those two days, Thursday and Friday. The House will meet at 10 a.m. and consider the Consent Calendar and recorded votes on suspensions postponed from Tuesday, September 20, which will be taken at the end of the day on Thursday.

We will also consider H.R. 5210, the omnibus drug abuse bill, to complete consideration; H.R. 5142, the AIDS Federal Policy Act of 1988 and H.R. 387, the Federal Equitable Pay Practices, open rule, 1 hour of debate.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from California.

Mr. LEWIS of California. I thank the gentleman for yielding.

Mr. Speaker, if we could go back to that extensive list of suspensions scheduled for Tuesday, the gentleman indicated that whatever votes there are would be taken at the end of the day on Thursday, is that correct?

Mr. FOLEY. Yes.

Mr. LEWIS of California. Could the gentleman share with us, is it the intention of the leadership at this point to take up and complete the drug bill on Thursday?

Mr. FOLEY. Yes, it is our intention to do so.

Mr. LEWIS of California. I am sure the entire membership would welcome the opportunity to move on to other things beyond the drug bill.

Mr. FOLEY. I might say the drug bill has been the subject of a very explicit rule which provides for amendments under time limitations. The only reason the bill has taken additional time than that previously expected is that other business has intervened, including the very high priority business of appropriations bills and conference reports and motions to go to conference and motions to instruct.

So although it may seem that the drug bill has been prolonged, it actually is proceeding exactly according to the schedule laid out in the rule.

Mr. LEWIS of California. I would suggest that the progress on the drug bill has been very, very productive. I would not criticize the time that has been used. Under the rule, the rule does provide for a comprehensive amendment at the end of that process in which the majority leader as well as the Republican leader would come together to solve some of the technical problems. I understand that progress is being made regarding that amendment.

Mr. FOLEY. Yes. We have been in discussion with the distinguished Republican leader on that. I assume

there will be an amendment offered jointly by us at the end of the bill.

Mr. LEWIS of California. As I am looking at the schedule, if the gentleman would yield further, it appears to me as though if we get through the votes on the suspensions and maybe the 3 hours that has been suggested it might take on the drug bill, that the AIDS bill then could take up a big part of the following week.

Mr. FOLEY. There is a possibility that the AIDS bill may go over to the week following.

Mr. LEWIS of California. I appreciate the gentleman yielding.

Mr. FOLEY. Mr. Speaker, I wonder if I could inquire of the distinguished acting Republican leader or the leader himself who is also on the floor if the minority side has any matters that they intend to bring up which would be useful for the Members to be aware of next week on Thursday or Friday.

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

Mr. FOLEY. I yield to the distinguished leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding.

Mr. Speaker, I must confess that I am not aware of it offhand. One of the gentlemen was inquiring whether or not when we would have all those votes on suspensions, whether or not earlier in that day there would be a roll call vote. I guess we cannot guarantee that will not happen. We have had several times on the issue with respect to the defense bill going to conference; I think the gentleman who has been most persistent in making that point may or may not be here. He has not consulted with the leader here. I am not altogether sure.

Mr. FOLEY. I might note on the last occasion when the House was in more or less technical session the gentleman from Pennsylvania forebore offering his amendment to discharge. I think a similar decision would probably be well received on both sides of the aisle.

Aside from that, does the distinguished Republican leader know of any other motions or actions originating on the minority side that might possibly draw a roll call vote.

Mr. MICHEL. On Thursday when we come back?

Mr. FOLEY. On Thursday or Friday?

Mr. MICHEL. Not to my knowledge. But if I find upon searching inquiry here that there are some of those things that might come off the wall, the gentleman knows me well enough that I would certainly give him as much advance notice as I possibly can.

Mr. FOLEY. I appreciate the gentleman's courtesy.

ADJOURNMENT FROM TUESDAY, SEPTEMBER 20, 1988, TO THURSDAY, SEPTEMBER 22, 1988

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, September 20, 1988, it adjourn to meet at 10 a.m. on Thursday, September 22, 1988.

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

There was no objection.

MAKING IN ORDER CALL OF THE CONSENT CALENDAR ON THURSDAY, SEPTEMBER 22, 1988

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar be considered on Thursday, September 22, 1988.

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

There was no objection.

ADJOURNMENT TO TUESDAY, SEPTEMBER 20, 1988

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Tuesday, September 20, 1988.

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

There was no objection.

FEDERAL EMPLOYEES HEALTH BENEFITS AMENDMENTS ACT OF 1988

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5102) to amend the provisions of title 5, United States Code, relating to the health benefits program for Federal employees and certain other individuals.

The Clerk read the title of the bill.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I will not object, and I rise in strong support of H.R. 5102, the Federal Employees' Health Benefits Act Amendments of 1988. I applaud the gentleman from New York and chairman of the Subcommittee on Compensation and Employee Benefits for moving this bill so quickly. H.R. 5102 incorporates H.R. 4829, my bill to extend health continuation benefits to Federal employees, as well as the gentleman's important provisions to address fraud and abuse by health care providers in the Federal Employee Health Benefits Program.

H.R. 4829, which has over 50 cosponsors, would allow Federal employees and their families to continue to receive health insurance benefits at the group rate for a limited period of time if they leave or lose their jobs. Employees who participate in the Federal Employee Health Benefits Program would have the option of continued group coverage, but would pay both the employer and the employee share of the costs.

The extended health coverage would also be available to surviving spouses, divorced spouses, and dependent children, who do not currently meet the eligibility standards established for continuous coverage under the Federal Employee Health Benefits Program. The former employees, whether they left voluntarily or were subject to a reduction in force, could continue to receive coverage for up to 18 months; the others could continue to receive coverage for up to 3 years.

This legislation provides the option to continue benefits in a manner consistent with the option provided by law to private sector employees under title X of the Consolidated Omnibus Budget Reconciliation Act of 1985 [COBRA]. While COBRA covered all state and local governments and private companies with at least 20 employees, it exempted the Federal Government. The Congressional Budget Office has indicated that the bill is cost neutral.

Because beneficiaries must pay both the employee and employer portion of their plan's premium, most Federal employees who move on to a job outside the Government will terminate their FEHBP coverage as soon as possible. However, this benefit will enable parents who leave jobs to care for children to continue their health coverage in the interim. In addition, many companies have waiting periods before their group health plans begin coverage for new employees. Federal employees should be provided with this important benefit which has been available to employees in the private sector since 1986.

H.R. 5102 also includes very important provisions to address fraud and abuse by health care providers in the Federal Employee Health Benefits Program. The bill would provide that a civil monetary penalty of up to \$10,000 could be levied against any health care provider who has been convicted of fraud or corruption under Federal or State law, or has been convicted for patient neglect or abuse, or other criminal offenses. A fraudulent provider could also be barred from participating in the Federal Employee Health Benefits Program for such criminal offenses. This bill is desperately needed to maintain the integrity of the FEHBP.

Mr. Speaker, this bill is an important, but noncontroversial measure,

and I urge my colleagues to support this bill. I commend the distinguished chairman for his efforts and commitment to the continued improvement of the Federal Employee Health Benefits Program.

Mr. ACKERMAN. Mr. Speaker, will the gentlewoman yield to me?

Mrs. MORELLA. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from New York [Mr. ACKERMAN], the chairman of the subcommittee and the prime sponsor of this bill.

Mr. ACKERMAN. I thank the gentlewoman for yielding and for her excellent statement and for her great leadership in this area and support of this legislation.

Mr. Speaker, this legislation has been cleared with the majority and minority leadership.

H.R. 5102, the Federal Employees Health Benefits Amendments Act of 1988, provides an important step in protecting enrollees in the Federal Employee's Health Benefits Program from unscrupulous health care providers while, at the same time, improving benefits under the program.

Title I of the act identifies a number of actions for which the Director of the Office of Personnel Management may bar certain health care providers from participating in FEHBP. This was designed to create safeguards for FEHBP enrollees so that they will receive health care that meets the highest standards of quality, as well as to ensure that program dollars are not wasted on inadequate, unnecessary, and potentially dangerous medical care. This provision is similar to the exclusion authority which already exists in the Medicare and Medicaid programs.

Title II of the act authorizes the temporary continuation of FEHBP coverage for separated workers, certain unmarried dependent children, and former spouses. This provision was designed to provide temporary protection to certain FEHBP enrollees who lose eligibility to participate in the program. This title is patterned after a bill introduced by Congresswoman MORELLA, and I want to commend her for providing important leadership in this area. This section of the act is similar to the continuation coverage which was afforded to private sector employees in the Consolidated Omnibus Budget Reconciliation Act of 1985.

The Post Office and Civil Service Subcommittee on Compensation and Employee Benefits has worked closely with the Office of Personnel Management in developing this measure. In addition, the Congressional Budget Office has reported that H.R. 5102 will be budget-neutral.

Mr. Speaker, the amendments I will offer are not intended to vitiate the amendments described in the commit-

tee report, but rather correct a printing error in the reported version of the bill.

I urge my colleagues to support H.R. 5102.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5102

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Employees Health Benefits Amendments Act of 1988".

TITLE I—PROVISIONS RELATING TO HEALTH CARE PROVIDERS

SEC. 101. AUTHORITY TO IMPOSE DEBARMENT AND OTHER SANCTIONS.

(a) IN GENERAL.—Title 5, United States Code, is amended by inserting after section 8902 the following:

"§ 8902a. Debarment and other sanctions

"(a)(1) For the purpose of this section—
"(A) the term 'provider of health care services or supplies' or 'provider' means a physician, hospital, or other individual or entity which furnishes health care services or supplies;

"(B) the term 'individual covered under this chapter' or 'covered individual' means an employee, annuitant, family member, or former spouse covered by a health benefits plan described by section 8903 or 8903a; and
"(C) an individual or entity shall be considered to have been 'convicted' of a criminal offense if—

"(i) a judgment of conviction for such offense has been entered against the individual or entity by a Federal, State, or local court;

"(ii) there has been a finding of guilt against the individual or entity by a Federal, State, or local court with respect to such offense;

"(iii) a plea of guilty or nolo contendere by the individual or entity has been accepted by a Federal, State, or local court with respect to such offense; or

"(iv) in the case of an individual, the individual has entered a first offender or other program pursuant to which a judgment of conviction for such offense has been withheld;

without regard to the pendency or outcome of any appeal (other than a judgment of acquittal based on innocence) or request for relief on behalf of the individual or entity.

"(2)(A) Notwithstanding section 8902(j) or any other provision of this chapter, if, under subsection (b) or (c), a provider is barred from participating in the program under this chapter, no payment may be made by a carrier pursuant to any contract under this chapter (either to such provider or by reimbursement) for any service or supply furnished by such provider during the period of the debarment.

"(B) Each contract under this chapter shall contain such provisions as may be necessary to carry out subparagraph (A) and the other provisions of this section.

"(b) The Office of Personnel Management may bar the following providers of health

care services or supplies from participating in the program under this chapter:

"(1) Any provider that has been convicted, under Federal or State law, of a criminal offense relating to fraud, corruption, breach of fiduciary responsibility, or other financial misconduct in connection with the delivery of a health care service or supply.

"(2) Any provider that has been convicted, under Federal or State law, of a criminal offense relating to neglect or abuse of patients in connection with the delivery of a health care service or supply.

"(3) Any provider that has been convicted, under Federal or State law, in connection with the interference with or obstruction of an investigation or prosecution of a criminal offense described in paragraph (1) or (2).

"(4) Any provider that has been convicted, under Federal or State law, of a criminal offense relating to the unlawful manufacture, distribution, prescription, or dispensing of a controlled substance.

"(5) Any provider—

"(A) whose license to provide health care services or supplies has been revoked, suspended, restricted, or not renewed, by a State licensing authority for reasons relating to the provider's professional competence, professional performance, or financial integrity; or

"(B) that surrendered such a license while a formal disciplinary proceeding was pending before such an authority, if the proceeding concerned the provider's professional competence, professional performance, or financial integrity.

"(c) Whenever the Office determines—

"(1) in connection with a claim presented under this chapter, that a provider of health care services or supplies—

"(A) has charged for health care services or supplies that the provider knows or should have known were not provided as claimed; or

"(B) has charged for health care services or supplies in an amount substantially in excess of such provider's customary charges for such services or supplies, or charged for health care services or supplies which are substantially in excess of the needs of the covered individual or which are of a quality that fails to meet professionally recognized standards for such services or supplies;

"(2) that a provider of health care services or supplies has knowingly made, or caused to be made, any false statement or misrepresentation of a material fact which is reflected in a claim presented under this chapter; or

"(3) that a provider of health care services or supplies has knowingly failed to provide any information required by a carrier or by the Office to determine whether a payment or reimbursement is payable under this chapter or the amount of any such payment or reimbursement;

the Office may, in addition to any other penalties that may be prescribed by law, and after consultation with the Attorney General, impose a civil monetary penalty of not more than \$10,000 for any item or service involved. In addition, such a provider shall be subject to an assessment of not more than twice the amount claimed for each such item or service. In addition, the Office may make a determination in the same proceeding to bar such provider from participating in the program under this chapter.

"(d) The Office—

"(1) may not initiate any debarment proceeding against a provider, based on such provider's having been convicted of a criminal offense, later than 6 years after the date on which such provider is so convicted; and

"(2) may not initiate any action relating to a civil penalty, assessment, or debarment under this section, in connection with any claim, later than 6 years after the date the claim is presented, as determined under regulations prescribed by the Office.

"(e) In making a determination relating to the appropriateness of imposing or the period of any debarment under this section, or the appropriateness of imposing or the amount of any civil penalty or assessment under this section, the Office shall take into account—

"(1) the nature of any claims involved and the circumstances under which they were presented;

"(2) the degree of culpability, history of prior offenses or improper conduct of the provider involved; and

"(3) such other matters as justice may require.

"(f)(1) The debarment of a provider under subsection (b) or (c) shall be effective at such time and upon such reasonable notice to such provider, and to carriers and covered individuals, as may be specified in regulations prescribed by the Office.

"(2)(A) Except as provided in subparagraph (B), a debarment shall be effective with respect to any health care services or supplies furnished by a provider on or after the effective date of such provider's debarment.

"(B) A debarment shall not apply with respect to inpatient institutional services furnished to an individual who was admitted to the institution before the date the debarment would otherwise become effective until the passage of 30 days after such date, unless the Office determines that the health or safety of the individual receiving those services warrants that a shorter period, or that no such period, be afforded.

"(3) Any notice referred to in paragraph (1) shall specify the date as of which debarment becomes effective and the minimum period of time for which such debarment is to remain effective.

"(4)(A) A provider barred from participating in the program under this chapter may, after the expiration of the minimum period of debarment referred to in paragraph (3), apply to the Office, in such manner as the Office may by regulation prescribe, for termination of the debarment.

"(B) The Office may—

"(i) terminate the debarment of a provider, pursuant to an application filed by such provider after the end of the minimum debarment period, if the Office determines, based on the conduct of the applicant, that—

"(I) there is no basis under subsection (b) or (c) for continuing the debarment; and

"(II) there are reasonable assurances that the types of actions which formed the basis for the original debarment have not recurred and will not recur; or

"(ii) notwithstanding any provision of subparagraph (A), terminate the debarment of a provider, pursuant to an application filed by such provider before the end of the minimum debarment period, if the Office determines that—

"(I) based on the conduct of the applicant, the requirements of subclauses (I) and (II) of clause (i) have been met; and

"(II) early termination under this clause is warranted based on the fact that the provider is the sole community provider or the sole source of essential specialized services in a community, or other similar circumstances.

"(5) The Office shall—

"(A) promptly notify the appropriate State or local agency or authority having responsibility for the licensing or certification of a provider barred from participation in the program under this chapter of the fact of the debarment, as well as the reasons for such debarment;

"(B) request that appropriate investigations be made and sanctions invoked in accordance with applicable law and policy; and

"(C) request that the State or local agency or authority keep the Office fully and currently informed with respect to any actions taken in response to the request.

"(6) The Office shall, upon written request and payment of a reasonable charge to defray the cost of complying with such request, furnish a current list of any providers barred from participating in the program under this chapter, including the minimum period of time remaining under the terms of each provider's debarment.

"(g)(1) The Office may not make a determination under subsection (b) or (c) adverse to a provider of health care services or supplies until such provider has been given written notice and an opportunity for a hearing on the record. A provider is entitled to be represented by counsel, to present witnesses, and to cross-examine witnesses against the provider in any such hearing.

"(2) Notwithstanding section 8912, any person adversely affected by a final decision under paragraph (1) may obtain review of such decision in the United States Court of Appeals for the Federal Circuit. A written petition requesting that the decision be modified or set aside must be filed within 60 days after the date on which such person is notified of such decision.

"(3) Matters that were raised or that could have been raised in a hearing under paragraph (1) or an appeal under paragraph (2) may not be raised as a defense to a civil action by the United States to collect a penalty or assessment imposed under this section.

"(h) A civil action to recover civil monetary penalties or assessments under subsection (c) shall be brought by the Attorney General in the name of the United States, and may be brought in the United States district court for the district where the claim involved was presented or where the person subject to the penalty resides. Amounts recovered under this section shall be paid to the Office for deposit into the Employees Health Benefits Fund.

"(i) The Office shall prescribe regulations under which, with respect to services or supplies furnished by a debarred provider to a covered individual during the period of such provider's debarment, payment or reimbursement under this chapter may be made, notwithstanding the fact of such debarment, if such individual did not know or could not reasonably be expected to have known of the debarment. In any such instance, the carrier involved shall take appropriate measures to ensure that the individual is informed of the debarment and the minimum period of time remaining under the terms of the debarment."

(b) CHAPTER ANALYSIS.—The analysis for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8902 the following:

"8902a. Debarment and other sanctions."

SEC. 102. APPLICABILITY; PRIOR CONDUCT.

(a) **APPLICABILITY.**—The amendments made by this title shall be effective with respect to any calendar year beginning, and contracts entered into or renewed for any calendar year beginning, after the date of the enactment of this Act.

(b) **PRIOR CONDUCT NOT TO BE CONSIDERED.**—In carrying out section 8902a of title 5, United States Code, as added by this title, no debarment, civil monetary penalty, or assessment may be imposed under such section based on any criminal or other conduct occurring before the beginning of the first calendar year which begins after the date of the enactment of this Act.

TITLE II—PROVISIONS RELATING TO TEMPORARY CONTINUATION OF COVERAGE FOR CERTAIN INDIVIDUALS

SEC. 201. AUTHORITY TO CONTINUE COVERAGE.

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—Chapter 89 of title 5, United States Code, is amended by inserting after section 8905 the following:

"§ 8905a. Continued coverage

"(a) Any individual described in paragraph (1) or (2) of subsection (b) may elect to continue coverage under this chapter in accordance with the provisions of this section.

"(b) This section applies with respect to—
"(1) any employee who—

"(A) is separated from service, whether voluntarily or involuntarily, except that if the separation is involuntary, this section shall not apply if the separation is for gross misconduct (as defined under regulations which the Office of Personnel Management shall prescribe); and

"(B) would not otherwise be eligible for any benefits under this chapter (determined without regard to any temporary extension of coverage and without regard to any benefits available under a nongroup contract); and

"(2) any individual who—

"(A) ceases to meet the requirements for being considered an unmarried dependent child under this chapter;

"(B) on the day before so ceasing to meet the requirements referred to in subparagraph (A), was covered under a health benefits plan under this chapter as a member of the family of an employee or annuitant; and

"(C) would not otherwise be eligible for any benefits under this chapter (determined without regard to any temporary extension of coverage and without regard to any benefits available under a nongroup contract).

"(c)(1) The Office shall prescribe regulations and provide for the inclusion of appropriate terms in contracts with carriers to provide that—

"(A) with respect to an employee who becomes (or will become) eligible for continued coverage under this section as a result of separation from service, the separating agency shall, before the end of the 30-day period beginning on the date as of which coverage (including any temporary extensions of coverage) would otherwise end, notify the individual of such individual's rights under this section; and

"(B) with respect to a child of an employee or annuitant who becomes eligible for continued coverage under this section as a result of ceasing to meet the requirements for being considered a member of the employee's or annuitant's family—

"(i) the employee or annuitant may provide written notice of the child's change in status (complete with the child's name, address, and such other information as the

Office may by regulation require) to the carrier of such employee's or annuitant's plan; and

"(ii) if the carrier receives the notice referred to in clause (i) within 60 days after the date as of which the child involved first ceases to meet the requirements involved, the carrier must, within 14 days after receiving such notice, notify the child of such child's rights under this section.

"(2) In order to obtain continued coverage under this section, an appropriate written election (submitted in such manner as the Office by regulation prescribes) must be made—

"(A) in the case of an individual seeking continued coverage based on a separation from service, before the end of the 60-day period beginning on the later of—

"(i) the effective date of the separation; or

"(ii) the date the separated individual receives the notice required under paragraph (1)(A); or

"(B) in the case of an individual seeking continued coverage based on a change in circumstances making such individual ineligible for coverage as an unmarried dependent child, before the end of the 60-day period beginning on the later of—

"(i) the date as of which such individual first ceases to meet the requirements for being considered an unmarried dependent child; or

"(ii) the date such individual receives notice under paragraph (1)(B)(ii);

except that if a parent fails to provide the notice required under paragraph (1)(B)(i) in timely fashion, the 60-day period under this subparagraph shall be based on the date under clause (i), irrespective of whether or not any notice under paragraph (1)(B)(ii) is provided.

"(d)(1)(A) An individual receiving continued coverage under this section shall be required to pay currently into the Employees Health Benefits Fund, under arrangements satisfactory to the Office, an amount equal to the sum of—

"(i) the employee and agency contributions which would be required in the case of an employee enrolled in the same health benefits plan and level of benefits; and

"(ii) an amount, determined under regulations prescribed by the Office, necessary for administrative expenses, but not to exceed 2 percent of the total amount under subparagraph (A).

"(B) Payments under this section to the Fund shall—

"(i) in the case of an individual whose continued coverage is based on such individual's separation, be made through the agency which last employed such individual; or

"(ii) in the case of an individual whose continued coverage is based on a change in circumstances referred to in subsection (c)(2)(B), be made through—

"(I) the Office, if, at the time coverage would (but for this section) otherwise have been discontinued, the individual was covered as the child of an annuitant; or

"(II) if, at the time referred to in subclause (I), the individual was covered as the child of an employee, the employee's employing agency as of such time.

"(2) If an individual elects to continue coverage under this section before the end of the applicable period under subsection (c)(2), but after such individual's coverage under this chapter (including any temporary extensions of coverage) expires, coverage shall be restored retroactively, with appropriate contributions (determined in accordance with paragraph (1)) and claims (if

any), to the same extent and effect as though no break in coverage had occurred.

"(3)(A) An individual making an election under subsection (c)(2)(B) may, at such individual's option, elect coverage either as an individual or, if appropriate, for self and family.

"(B) For the purpose of this paragraph, members of an individual's family shall be determined in the same way as would apply under this chapter in the case of an enrolled employee.

"(C) Nothing in this paragraph shall be considered to limit an individual making an election under subsection (c)(2)(A) to coverage for self alone.

"(e)(1) Continued coverage under this section may not extend beyond—

"(A) in the case of an individual whose continued coverage is based on separation from service, the date which is 18 months after the effective date of the separation; or

"(B) in the case of an individual whose continued coverage is based on ceasing to meet the requirements for being considered an unmarried dependent child, the date which is 36 months after the date on which the individual first ceases to meet those requirements, subject to paragraph (2).

"(2) In the case of an individual who—

"(A) ceases to meet the requirements for being considered an unmarried dependent child;

"(B) as of the day before so ceasing to meet the requirements referred to in subparagraph (A), was covered as the child of a former employee receiving continued coverage under this section based on the former employee's separation from service; and

"(C) so ceases to meet the requirements referred to in subparagraph (A) before the end of the 18-month period beginning on the date of the former employee's separation from service,

extended coverage under this section may not extend beyond the date which is 36 months after the separation date referred to in subparagraph (C).

"(f) The Office shall prescribe regulations under which continued coverage under this section shall be afforded in the case of an individual seeking to continue coverage following coverage under an employee organization plan described by section 8903(3) or section 8903a of this title.

"(g)(1) The Office shall prescribe regulations under which, in addition to any individual otherwise eligible for continued coverage under this section, and to the extent practicable, continued coverage may also, upon appropriate written application, be afforded under this section—

"(A) to any individual who—

"(i) if subparagraphs (A) and (C) of paragraph (10) of section 8901 were disregarded, would be eligible to be considered a former spouse within the meaning of such paragraph; but

"(ii) would not, but for this subsection, be eligible to be so considered; and

"(B) to any individual whose coverage as a family member would otherwise terminate as a result of a legal separation.

"(2) The terms and conditions for coverage under the regulations shall include—

"(A) consistent with subsection (c), any necessary notification provisions, and provisions under which an election period of at least 60 days' duration is afforded;

"(B) terms and conditions identical to those under subsections (d) and (f), except that contributions to the Employees Health Benefits Fund shall be made through such

agency as the Office by regulation provisions;

"(C) provisions relating to the termination of continued coverage, except that continued coverage under this section may not (subject to paragraph (3)) extend beyond the date which is 36 months after the date on which the qualifying event under this subsection (the date of divorce, annulment, or legal separation, as the case may be) occurs; and

"(D) provisions designed to ensure that any coverage pursuant to this subsection does not adversely affect any eligibility for coverage which the individual involved might otherwise have under this chapter (including as a result of any change in personal circumstances) if this subsection had not been enacted.

"(3) In the case of an individual—

"(A) who becomes eligible for continued coverage under this subsection based on a divorce, annulment, or legal separation from a person who, as of the day before the date of the divorce, annulment, or legal separation (as the case may be) was receiving continued coverage under this section for self and family based on such person's separation from service; and

"(B) whose divorce, annulment, or legal separation (as the case may be) occurs before the end of the 18-month period beginning on the date of the separation from service referred to in subparagraph (A), extended coverage under this section may not extend beyond the date which is 36 months after the date of the separation from service, as referred to in subparagraph (A)."

(2) TABLE OF SECTIONS.—The table of sections for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8905 the following:

"8905a. Continued coverage."

(b) OPTION TO CONVERT TO A NONGROUP CONTRACT AFTER CONTINUED COVERAGE ENDS.—Section 8902(g) of title 5, United States Code, is amended by striking "or former spouse" each place it appears and inserting "former spouse, or person having continued coverage under section 8905a of this title".

(c) CHANGE OF COVERAGE BASED ON CHANGE IN FAMILY STATUS.—Section 8905(e) of title 5, United States Code, is amended by striking "or former spouse" and inserting "former spouse, or person having continued coverage under section 8905a of this title".

(d) OPEN SEASON.—Section 8905(f) of title 5, United States Code, is amended—

(1) by striking "or former spouse" each place it appears and inserting "former spouse, or person having continued coverage under section 8905a of this title"; and

(2) by adding at the end the following:

"(3)(A) In addition to any informational requirements otherwise applicable under this chapter, the regulations shall include provisions to ensure that each employee eligible to enroll in a health benefits plan under this chapter (whether actually enrolled or not) is notified in writing as to the rights afforded under section 8905a of this title.

"(B) Notification under this paragraph shall be provided by employing agencies at an appropriate point in time before each period under paragraph (1) so that employees may be aware of their rights under section 8905a of this title when making enrollment decisions during such period."

SEC. 202. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Sections 8902(j), 8902(k)(1), and 8909(d) of title 5, United States Code, are amended by striking "or former spouse" each place it appears and inserting "former spouse, or person having continued coverage under section 8905a of this title".

(b) Section 8903(1) of title 5, United States Code, is amended—

(1) by striking "or former spouses," and inserting "former spouses, or persons having continued coverage under section 8905a of this title"; and

(2) by striking "or former spouse," and inserting "former spouse, or person having continued coverage under section 8905a of this title".

(c) Section 8905(d) of title 5, United States Code, is amended to read as follows:

"(d) If an employee, annuitant, or other individual eligible to enroll in a health benefits plan under this chapter has a spouse who is also eligible to enroll, either spouse, but not both, may enroll for self and family, or each spouse may enroll as an individual. However, an individual may not be enrolled both as an employee, annuitant, or other individual eligible to enroll and as a member of the family."

SEC. 203. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this title shall apply with respect to—

(1) any calendar year beginning, and contracts entered into or renewed for any calendar year beginning, after the end of the 9-month period beginning on the date of the enactment of this Act; and

(2) any qualifying event occurring on or after the first day of the first calendar year beginning after the end of the 9-month period referred to in paragraph (1).

(b) DEFINITION.—For the purpose of this section, the term "qualifying event" means any of the following events:

(1) A separation from Government service.

(2) A divorce, annulment, or legal separation.

(3) Any change in circumstances which causes an individual to become ineligible to be considered an unmarried dependent child under chapter 89 of such title.

AMENDMENTS OFFERED BY MR. ACKERMAN

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to offer en bloc amendments in lieu of the committee amendments printed in the bill, and further, that such amendments be considered as read and printed in the RECORD.

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

There was no objection.

The text of the amendments is as follows:

Amendments offered by Mr. ACKERMAN: Page 14, strike lines 23 and 24 and insert the following:

"(ation require)—

"(I) to the employee's employing agency; or

"(II) in the case of an annuitant, to the Office; and".

Page 15, strike lines 1 and 2 and insert the following:

"(ii) if the notice referred to in clause (i) is received within 60 days after the date as of".

Page 15, line 4, strike "carrier" and insert "employing agency or the Office (as the case may be)".

Page 16, line 22, strike "subparagraph (A)." and insert "clause (i)."

Page 19, strike lines 10 through 14.

Page 19, line 15, strike "(g)(1)" and insert "(f)(1)".

Page 20, line 12, strike "subsections (d) and (f)," and insert "subsection (d)."

The SPEAKER pro tempore. The question is on the amendment en bloc by the gentleman from New York [Mr. ACKERMAN].

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAKING IN ORDER CALL OF THE PRIVATE CALENDAR ON THURSDAY, SEPTEMBER 22, 1988

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be considered on Thursday, September 22, 1988.

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

There was no objection.

PROVIDING FOR DISPLAY OF NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG IN THE CAPITAL ROTUNDA

Mr. ROSE. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the Senate concurrent resolution (S. Con. Res. 9) to provide for the display of the National League of Families POW/MIA flag in the Capitol rotunda, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

Mr. FRENZEL. Mr. Speaker, reserving the right to object, I yield to the distinguished gentleman from North Carolina for purposes of a description of the bill.

Mr. ROSE. Mr. Speaker, this resolution, Senate Concurrent Resolution 9, is identical to a resolution that was introduced in the House by 66 of our colleagues along with Mr. SOLARZ. The resolution expresses the sentiment of the Congress that this Nation not forget the sacrifices of our country's servicemen who are missing in action or who have suffered as prisoners of war. House Concurrent Resolution 28 introduced, as I said, by the gentleman from New York [Mr. SOLARZ], expresses the House's strong support for this resolution.

The families of these Americans have joined together as the National League of Families of Prisoners of War and those missing in action to

further the awareness of POW/MIA issues.

The resolution authorizes the National League of Families to display a flag in the Capitol rotunda until there is a satisfactory accounting of all Vietnam POW's and MIA's.

Mr. Speaker, the Nation owes these brave and heroic service men and women no less than a continuing awareness of their fate. The Task Force on POW's and MIA's and Representative LAGOMARSINO continue to examine ways to raise the consciousness of the Nation to this issue and they all deserve great credit for their endeavors.

Mr. Speaker, I appreciate the great interest that the House has shown in this. I think the placing of a flag in the Capitol rotunda today will be a very fitting and proper reminder to all Americans that we in the Congress and we as a Nation have not forgotten the POW's and MIA's and will not forget them as long as they remain missing and unaccounted for.

Mr. FRENZEL. Mr. Speaker, further reserving the right to object, the minority agrees with the description and is supportive of the bill.

Further reserving the right to object, I yield to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. I thank the gentleman for yielding.

May I first compliment and commend the leadership on the Democratic side for orchestrating the discharging of the committee of this concurrent resolution, particularly today, because there were those of us who were, earlier in the day, very privileged to participate in a ceremony on the west front of the Capitol in honor of the recognition day that we have so designated by this Congress.

In attendance, of course, were representatives of all the military forces, the Navy Band, the distinguished Members of both House and Senate, both political parties, some of whom have served in wars past, obviously, like the gentleman from Illinois, very conscious of the anguish and agony of those families still wanting to have some accounting for those who have been listed as missing in action or prisoners of war in all our wars and, more particularly, Vietnam, where it has been such a tragic occurrence.

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Mr. Speaker, I certainly support the thrust of this resolution to keep us right here in the Nation's Capital, mindful of the fact that we want to never forget, that we want to continue to persevere in getting as good an accounting as we possibly can of every last one of our soldiers, sailors, marines, and airmen who still are listed as missing in action.

Mr. Speaker, I thank the gentleman very much for yielding.

Mr. FRENZEL. Mr. Speaker, further reserving the right to object, I yield to the distinguished gentleman from New York [Mr. SOLARZ] who I understand has chaired a significant task force on this matter.

Mr. SOLARZ. Mr. Speaker, I thank the gentleman very much for yielding.

As the original sponsor of this legislation in the House, I simply want to express my profound appreciation to those on both sides of the aisle, and particularly my good friend, the gentleman from North Carolina [Mr. ROSE], chairman of the subcommittee, the very distinguished minority leader, and my friend, the gentleman from Minnesota [Mr. FRENZEL] and others who have made it possible to bring this legislation up on a timely fashion this afternoon.

With this resolution, we gather to say to those missing men with one voice "you are not forgotten."

By passing this resolution, the unity on this issue, which includes Democrats and Republicans alike, will be on display every day for all to see, because between Democrats and Republicans there is no difference in patriotism and appreciation of those brave men and women who have served so nobly in our Armed Forces.

The display of this flag also honors the courage and unwavering commitment of those families still seeking word of their loved ones. They remind us daily that for some, the war in Vietnam is not over, that until our men are accounted for, the wounds of that conflict will continue to linger.

I think it is entirely fitting that we should fly the POW/MIA flag which has been developed by the National League of Families in the rotunda of the Capitol. It now flies on major Veterans holidays over the White House, over the State Department, over the Pentagon and in over 24 State capitals. It surely belongs in the rotunda of our own Capitol as well.

It is a symbolic reminder that we have not forgotten those men who are still missing in action over a decade after the end of the war in Indochina, and it will enable us to serve notice to the Vietnamese that so long as we have not received a full accounting of the fate of these men it will be difficult to actually formalize our relationship with them.

Congress, by passing this resolution, will be visibly demonstrating our determination and commitment, as representatives of the American people who time and again have expressed their deep concern on this issue, to resolve once and for all this matter of the highest national priority.

In conclusion, while I am encouraged by the recent United States-Vietnamese agreement to conduct joint surveys and excavations of crash sites

in the Vietnamese countryside, I urge Hanoi to continue to accelerate progress on this issue, so we can finally put the legacy of this war behind us.

So I express my appreciation to those who have brought this resolution before us, and I urge the Members to vote in favor of the resolution when the appropriate time comes.

Mr. FRENZEL. Mr. Speaker, further reserving the right to object, I yield to the distinguished gentleman from California [Mr. LAGOMARSINO], who also did significant work on the same task force.

Mr. LAGOMARSINO. I thank the gentleman from Minnesota for yielding to me.

I want to congratulate him and the gentleman from North Carolina [Mr. ROSE] and also my good friend, the gentleman from New York [Mr. SOLARZ], the gentleman of the Asian Pacific Subcommittee, for his introduction of the House resolution that is the partner of the one we are considering today, if you will, but also for his interest in this issue over the many years that we have served together in the Congress and specifically for his appointment of me as chairman of the MIA/POW task force. I want to congratulate the gentleman from New York [Mr. GILMAN], who has worked very hard, as well as the gentleman from Illinois, the minority leader [Mr. MICHEL].

Mr. Speaker, I rise in strong support of this concurrent resolution which would place the POW/MIA flag of the National League of Families in the Capitol until the fullest possible accounting of American servicemen missing in Southeast Asia is achieved.

This flag will remind those of us who are in the Capitol every day as well as the tens of thousands of citizens from across the Nation and friends from around the world who visit the Capitol annually that we remain steadfast with the families and will continue our efforts to bring these brave American servicemen home. This flag will symbolize that our POW/MIA's are not forgotten.

As Secretary of Defense Carlucci reminded us earlier today on the Capitol steps during the POW/MIA Recognition Day ceremony which many of my colleagues attended, President Reagan has made the POW/MIA issue a top national priority. As chairman of the House POW/MIA task force, I fully support this priority and will continue to strongly support the worthy, positive efforts undertaken to obtain a fullest possible accounting and end the suffering of the ongoing POW/MIA families.

It is most fitting that on today, National POW/MIA Recognition Day, we consider this important resolution. As a cosponsor of the similar House meas-

ure, I urge my colleagues to support the placing of the POW/MIA flag in the Capitol. I very much hope that the flag's tenure in the Capitol will be a very short one.

Mr. FRENZEL. Further reserving the right to object, Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. GILMAN], the author of a very similar resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to rise in support of the Senate resolution which is similar to our House Concurrent Resolution 28 introduced by the gentleman from New York [Mr. SOLARZ], along with Mr. SOLOMON and myself, urging the flag be displayed appropriately over the Capitol.

The POW/MIA flag has been flown throughout our Nation and it certainly is appropriate to fly it over the Capitol, reminding us of our continued resolution of making certain that we have a full and final accounting of the more than 2,400 who are still listed as missing in action and POW's and I want to commend our distinguished leader [Mr. MICHEL] for his fine remarks today at the ceremony on the Capitol steps, along with Senator DOLE and along with Secretary of Defense Carlucci who raised the public's consciousness in this issue in that very beautiful ceremony held this very day, and I hope our entire Nation joins today's recognition of this issue.

We can do no less for those who have given so much for our Nation.

Mr. FRENZEL. Further reserving the right to object, Mr. Speaker, I yield to the distinguished gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. I appreciate my colleague's consideration for yielding to me.

I want to rise to thank our leadership on both sides of the aisle, and anybody who has had anything to do with bringing this resolution to the floor. I do not need a reminder about the friends of mine, at least a dozen, who have been missing in action for over 20 years, one of them 22½ years, and he was the first American to be lost in Laos and he was my best friend in the Air Force, and I am the godfather of his oldest daughter as he is of my oldest daughter. The reminder I have is when I put on a POW/MIA bracelet, but that rotunda I think is probably the most beautiful place in this beautiful Capital City with all of the power and glory that surrounds the White House, and we have had only 40 Presidents. The real capital is the building they put on the top of Jenkins Hill and at the center of that is the great rotunda where all of our great leaders lay in state, and where because of freezing cold weather our President was sworn in for his second term almost 4 years ago, and if it is cold again, where the next President,

Mr. Dukakis or Mr. BUSH, will be sworn in. Tourists, our constituents, people who put us there, when they enter that rotunda, usually you can hear a gasp when they look at all the beautiful paintings in there, the very treasured busts of our great forefathers and heroes, and to see that tragic flag, that black flag with that handsome symbolic face, head bowed because of the tragedy of the issue, not because the spirit of any fighting man that may be alive today is yet broken, the 400 boxes of our heroes' bones in some couple of warehouses somewhere in Hanoi or the outskirts thereof, someday those remains of our heroes will come home. I am losing hope fast, fast, very fast, that we will ever bring home alive an American, and I think it is time to admit it.

Fifteen or sixteen years is a hell of a long time, but I appreciate that this Congress has not forgotten our men and that Mr. SOLARZ and our colleagues on the task force and those on both sides of the aisle will do the memorial that means so much to the families.

I know the gentleman from California [Mr. PANETTA] has a bill to fly flags at every embassy in the world. That may be a bit much, but at least in the Pacific area, I know holidays like Memorial Day and Veterans Day and POW/MIA Recognition Day will fly that flag.

Mr. DREIER of California. Mr. Speaker, I rise today in support of efforts to commemorate the 92,693 American troops still missing in action since World War I. President Reagan has proclaimed September 16, 1988, as "National POW/MIA Recognition Day" in honor of these patriots. On this special day, these members of America's Armed Forces, and their families, will be remembered in services around the country.

Since coming to Congress in 1981, I have been particularly interested in the 2,393 Americans still listed as missing in Southeast Asia. For these families and their loved ones, this is a time of hope and a time of despair. I share their conviction that many of these missing Americans are alive today in Vietnam and in Laos. I also share in their grief over the long years of separation and uncertainty.

Mr. Speaker, I urge all Americans to learn about this important issue and raise their voices in support of efforts to return these brave Americans to their families and country.

Ms. SNOWE. Mr. Speaker, today we honor the Americans still unaccounted for in Southeast Asia. National POW/MIA Recognition Day is a reminder to the world that we, as a Nation, will continue to push for the fullest accounting possible of all those still missing. I am pleased to have been a cosponsor of the House bill calling for this day.

It is imperative that we thoroughly explore all information which may lead to the discovery of surviving Americans or the remains of those who died. In fact, that is the bare minimum we owe them.

While we pause today to pay special tribute to these brave Americans, we must remember

them every day. Just as their families and friends have been keeping the vigil for them across the years, so must the country. It is particularly fitting that the House today approved legislation which calls for the POW/MIA flag to be displayed in the rotunda. This visual reminder will help keep them in all our thoughts.

As the sound of "Taps" echoes across the land today, it signals the end of National POW/MIA Recognition Day, but it also signals the beginning of another day in which we must continue to push for the answers that have eluded us for so long.

Mr. UPTON. Mr. Speaker, today September 16, 1988, is National POW/MIA Recognition Day. On this important occasion, I hope all Americans will take a moment to consider the plight of these brave servicemen and their families. For the loved ones of those 2,400 POW/MIA's in Vietnam and the roughly 8,000 in Korea, the pain and suffering is not over. It is a continued pain because their father, son, husband, or brother is still unaccounted for.

For Vietnam, it has been over 15 years since hundreds of Americans were returned during "Operation Homecoming." Needless to say, the ensuing slow progress since then in returning home our loved ones has been disheartening for all Americans.

Some people have said that the POW/MIA issue is a part of our history that should be forgotten. I strongly disagree.

There are few issues that have as much widespread, bipartisan support as the effort to obtain a full accounting of our POW/MIA's. From the highest levels of the administration and the State Department to members of both political parties in Congress, all of us have a common goal: Freedom for any prisoner who may still be held in Southeast Asia and justice for all the families who have worked so long to resolve the fate of our POW's and MIA's in Vietnam.

The U.S. Government has an obligation to these Americans who, after having served our country during one of the most difficult times in our history, remain missing in Indochina and Korea. We should not, we cannot and we will not forget our MIA/POW's.

Mrs. BYRON. Mr. Speaker, as you may know, today is POW/MIA Recognition Day. I would like to commend my colleague, Mr. SOLARZ for his efforts in introducing House Joint Resolution 453 to establish this day of commemoration, which was signed by the President on September 8, 1988.

I feel strongly that all Americans should pay tribute to those men and women who went to fight for our country and through some cruel twist of fate were taken prisoner or proclaimed missing in action. Currently 2,393 Americans are unaccounted for—lost primarily in Laos, Cambodia, and Vietnam.

We should all support efforts to find those who have not yet returned from Indochina. Over the last several years, we have seen some progress in resolving the POW-MIA issue, but we have to keep trying. Next week a joint excavation, with the U.S. Department of Defense and the Vietnamese Government, will be conducted north of Hanoi.

Hopefully through continued diligence on the part of the Department of Defense Joint Casu-

ality Resolution Center in Hawaii and other parties involved, the United States can continue to recover those Americans lost to their families and homeland while serving our Nation.

Mr. PANETTA. Mr. Speaker, I would like to voice my support for Senate Concurrent Resolution 9, which would allow the display of the National League of Families POW/MIA flag in the Capitol Rotunda until a sufficient accounting of our men is made. Today is POW/MIA Recognition Day. This is the day designated by Congress to honor and remember those American soldiers still missing and unaccounted for in Southeast Asia. On this important day I wish to bring to the attention of my colleagues a similar piece of legislation, H.R. 5226, I have introduced which attempts to remind nation's around the world of our tireless effort to locate and recover our missing soldiers. On August 11, 1988, I introduced legislation providing for the display of the National League of Families POW/MIA flag over each U.S. diplomatic or consular post until a sufficient accounting of our missing men in Indochina is made.

Our country is still suffering from the scars of Vietnam. However, for most this suffering is a memory that we tend to forget about when going about our busy lives. The stark memories of Vietnam are brought back to us at certain times, such as, a visit to the popular Vietnam memorial in Washington, DC, by movies and television shows depicting the Vietnam war, and on POW/MIA Recognition Day. However, for one group of Americans the suffering and pain of Vietnam is not just a faded memory. It is a daily pain that they must endure because their father, son, husband, or brother is missing and unaccounted for in Vietnam, Cambodia, or Laos. Over 2,000 Americans are still listed as missing in action. These families live with a constant stream of questions about the location and welfare of their loved ones.

To its credit, the administration has taken a fairly active position on the POW/MIA issue. During the dedication for the Unknown Soldier from the Vietnam War, President Reagan declared "an end to America's involvement in Vietnam cannot come to an end before we've achieved the fullest accounting of those missing in action" and again rededicated this task as a "highest national priority." Since 1982 the administration has held high level negotiations with the Governments of Vietnam and Laos. As a result of these talks, remains of some Americans the Vietnamese listed as "died in captivity" in South Vietnam have been returned. These are the first remains to be returned since the end of the war. Continued efforts are needed until all of the soldiers are accounted for.

H.R. 5226 and Senate Concurrent Resolution 9 are intended to provide a symbol to the world that we have not forgotten those brave individuals who sacrificed for our country. The flying of the National League of Families POW/MIA flag over federal buildings is not unprecedented. In fact today, POW/MIA Recognition Day, the flag flies over the White House, the Departments of State and Defense, and the Veterans' Administration. Military bases are also encouraged to fly the Na-

tional League of Families POW/MIA flag today and on other appropriate days.

Strong bipartisan support for continued pursuit of the POW-MIA issue has been formed in Congress. To this end, Congress has passed legislation directing the President to secure a full accounting of Americans missing in Southeast Asia. In addition, in order to keep the issue of POW-MIA's current in the minds of the administration and the American people, Congress has passed legislation designating "POW-MIA Recognition Week." I believe that these two measures will add to the past congressional efforts.

While such measures can do little to relieve the pain for American families that have suffered the loss of a loved one, I believe they represent an appropriate expression of our unending commitment to answering the MIA question. These measures which will provide a constant reminder that there are still Americans unaccounted for in Indochina and that our commitment to them remains.

Mr. FRENZEL. Further reserving the right to object, Mr. Speaker, I thank the gentleman from North Carolina [Mr. ROSE] for his work on this Senate concurrent resolution. I hope the Senate concurrent resolution will be speedily instituted.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. SAWYER). Is there objection to the request of the gentleman from North Carolina [Mr. ROSE]?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 9

Whereas America can never forget the sacrifices of our brave servicemen who are still missing in action, nor the heroic suffering of our prisoners of war;

Whereas the families of these Americans, having suffered greatly themselves, have joined together as the National League of Families to further the awareness of POW/MIA issues;

Whereas the official National League of Families POW/MIA flag symbolizes the nationwide recognition that is justly deserved by the missing and unaccounted for servicemen of all armed conflicts; and

Whereas the POW/MIA flag is an effective means of further raising public consciousness on this key American issue: Now, therefore, be it.

Resolved by the Senate (the House of Representatives concurring). That the National League of Families POW/MIA flag may be displayed in the Capitol Rotunda until a satisfactory accounting of all Vietnam POW/MIA's has taken place. The POW/MIA flag so displayed shall be in such size and at such place as the Architect of the Capitol, the Speaker and the Minority Leader of the United States House of Representatives, and the Majority and Minority Leaders of the United States Senate shall designate.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CONGRATULATING ISRAEL AND EGYPT ON THE 10TH ANNIVERSARY OF THE CAMP DAVID ACCORDS

Mr. KOSTMAYER. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the concurrent resolution (H. Con. Res. 364) congratulating Israel and Egypt on the 10th anniversary of the Camp David accords, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not intend to object, but I would like to ask the gentleman to explain the resolution.

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

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

Mr. KOSTMAYER. Mr. Speaker, I thank the gentleman from New York for yielding to me, and let me say at this time, Mr. Speaker, that the resolution before us simply commemorates the 10th anniversary of the Camp David accords.

Mr. Speaker, today I am bringing to the floor a resolution to congratulate Israel and Egypt on the 10th anniversary of the Camp David accords. Ten years ago this Saturday, on September 17, 1978, President Anwar Sadat and Prime Minister Menachem Begin signed the framework for peace known as the Camp David accords.

Over 40 of my colleagues from both sides of the aisle have already joined with me as original cosponsors of this resolution, and the congratulatory message conveyed in the bill is truly bipartisan.

Mr. Speaker, I hope that marking the 10th anniversary of Camp David will remind us that even in the Middle East—where war and strife have been so constant, where harmony has been so illusive, and where concerted efforts to begin negotiations have so often failed—that even in the Middle East peace is possible.

As he left the White House for the Camp David meeting on September 4, 1978, President Carter cautioned against both undue optimism and unnecessary despair.

"The greatest single factor which causes me to be encouraged," he said, "is my sure knowledge that Prime Minister Begin and President Sadat genuinely want peace. They are determined to make progress, and so am I."

Two weeks later, the commitment of President Sadat and Prime Minister Begin produced an accord that surpassed our expectations, and stabilized the Egyptian-Israeli relationship in a way many thought impossible.

At this time of increased tension in the Middle East, it is important to remember that the courage and commitment of leaders like Menachem Begin and Anwar Sadat can overcome deep-seated doubts and even thousands of years of mistrust.

Remembering what has already been accomplished in the face of great odds allows us to have faith in what is still possible, and no questions that there is still a great deal more to do before the people of the Middle East enjoy the true blessings of peace.

Mr. Speaker, Menachem Begin and Anwar Sadat recognized that, "for peace to endure, it must involve all those who have been most deeply affected by the conflict * * * [the Camp David] framework is intended * * * to constitute a basis for peace not only between Egypt and Israel, but also between Israel and each of its other neighbors. * * *"

In keeping with that understanding, this resolution calls upon other Arab States and Palestinians to follow the example of Israel and Egypt, to join in the peace process, to renounce the state of war and acts of violence, and to enter into direct negotiations with Israel to achieve a just and lasting peace.

This resolution honors the accomplishments of Prime Minister Begin and President Sadat, but the greatest honor anyone could bestow upon them would be to continue the work they began with such courage and conviction.

I urge my colleagues to support this resolution so that we as a House can indicate our ongoing support for the Camp David accords, and the search for peace in the Middle East.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I am pleased to rise in support of the resolution now pending, to commemorate the 10th anniversary of the Camp David accords.

The Camp David accords set the stage for the peace which we hope will eventually envelope the entire Middle East Region. Far reaching courageous statesmen such as Anwar Sadat, Menachem Begin and Jimmy Carter knew that bold steps were necessary, and also they understood that only through mutual respect and contact between peoples can long-lasting peace persist. They set up the political and military mechanisms to enable such conditions to come into being.

The people of the Middle East and of the entire world are now enjoying the fruits of the labors of the framers of Camp David. The other parties to the Middle East conflict must come to understand that it is through direct negotiations, not confrontation, that further progress will be made. I hope that this resolution will remind all the leaders of the parties who were not party to the Camp David process to note the progress that has been made, the benefits for the people of the region, and will motivate them to resolve to go down the path of negotiation and away from the path of confrontation.

Ms. OAKAR. Mr. Speaker, will the gentleman yield?

Mr. GILMAN. I am pleased to yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Speaker, I want to compliment the gentleman from Pennsylvania and the ranking member for this resolution. I also want to pay tribute to President Carter. I think he

rolled up his sleeves, went to Camp David, and I think he was a man of great peace; frankly, I think he deserved to have some international recognition for that work. This is his lasting legacy, I think, as President of the United States, the fact that we do have that accord.

Mr. Speaker, I thank the gentleman for yielding.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for her remarks. Of course, it has been a bipartisan effort for several administrations, and we welcome the support of one administration after another.

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. GILMAN. Further reserving the right to object, I am pleased to yield to the gentleman from California.

Mr. DORNAN of California. The Tenth Anniversary, which is precisely tomorrow, was a stunning day in American history. I took the floor of the House to congratulate President Carter then, and 10 years later I would like to join the gentlewoman in saying that it was a stunning diplomatic accomplishment. It certainly is his lasting legacy, and I thought it was a new day in the world history, that if ever there was a difficult task, to bring together these adversaries, to see Mr. Sadat, whose brother had been shot down over the Suez Canal in one of those battles, and he told me later that was the weakest point in his life when he decided never again did he want to send his young men and troops into combat; and of course, Menachem Begin was only begging for one thing and that was recognition of the security that Israel deserved. He gave up an awful lot, the entire Sinai, self-independence on oil, the banks of the Suez Canal itself. He had achieved a stunning military victory when they were almost defeated, and then through the persistence of President Carter, these two adversaries became friends. We had one gunned down in cold blood; the other is in almost reclusive retirement because he is so hurt over Operation Freedom in Galilee. It was a glorious day when we saw that Camp David Accord signed, but the world seems to be ever yet as dangerous now, although with peace breaking out in a few places.

But President Carter taught us all one example. To quote Winston Churchill, from high school or in the darkest days of World War II, he said, "Never, never give in. In all things, never give in, in all things great or small, except in principle," and he did not. And he taught us all the lesson that peace can be achieved over insurmountable odds, and at least Egypt and Israel are still respecting that treaty.

Mr. Speaker, I thank the gentleman for bringing this to our attention.

Mr. GILMAN. Further reserving the right to object, Mr. Speaker, I thank the gentleman for his kind words of support for the resolution and for his continuing efforts in trying to bring about peace in that part of the world.

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

Mr. GILMAN. Further reserving the right to object, I am pleased to yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Speaker, if the gentleman will yield to me before he relinquishes his reservation of objection, I just want to say that I remember rather distinctly the night—I think it was September 18, 1978—when President Carter came to this Chamber to address a Joint Session of the Congress, and the gentleman from New York and the gentlewoman from Ohio, with whom I was elected in 1976, will recall that Prime Minister Begin and President Sadat were both in the gallery that night. It was a very exciting and very dramatic occasion because President Carter and Prime Minister Begin and President Sadat had made a tremendous breakthrough in this centuries-old struggle in the Middle East.

And President Carter gave a dramatic and a very moving speech, and either at the beginning or at the conclusion of the address; I do not recall precisely when he introduced, pointing to the gallery first, Prime Minister Begin and then President Sadat, each of whom received a thundering, standing ovation from the House and Senate, members of the Supreme Court, the diplomatic corps, a packed Chamber. After the speech; I was then in my second term in the House; I walked out on the steps walking back to my office, and limousines were there carrying all the dignitaries away. And the Capitol itself, the most beautiful building in the country in any event, was bathed in television lights, and it was a very exciting and very dramatic time, and I was very proud to be a Member of Congress and very proud to be here to see these distinguished international leaders make this presentation.

Mr. Speaker, I thank the gentleman for yielding.

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Mr. GILMAN. Further reserving the right to object, Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. KOSTMAYER] for reminding us of that very historical event and the beauty of what was encompassed in that.

Mr. FEIGHAN. Mr. Speaker, this resolution commemorates the 10th anniversary of the Camp David accords, congratulates Israel and Egypt for a decade of peace, and calls upon the other parties in the region to join in the peace process.

The Camp David accords, signed by the leaders of Israel and Egypt, paved the way for the Egyptian-Israeli Peace Treaty. It remains a watershed event in the region and a powerful example of the possibility of peaceful, diplomatic settlement of conflict. Moreover, it remains a viable framework for the elusive peace that we all seek in the region.

The resolution recognizes the accomplishments made possible by the accords, the courage and leadership of President Sadat and Prime Minister Begin, and the U.S. role in supporting these two peace partners.

Beyond that, the resolution is a restatement of some important principles that are relevant to the peace process today:

It states that U.N. Security Council resolutions 242 and 338 remain the only internationally recognized and accepted bases for the establishment of peace between Israel and her neighbors.

It supports direct negotiations which have been the most effective approach to resolving the conflict.

And finally, it recognizes the terrible human cost that this conflict has exacted from both sides and asks that all parties follow the example of Egypt and Israel and join the peace process.

Mr. Speaker, I think that this resolution is an appropriate statement by the Congress in congratulating Israel and Egypt for a decade of peace, underscoring the importance of the Camp David accords in paving the way for that peace, and asking all parties in the region to take steps to continue that process.

Mr. FASCELL. Mr. Speaker, I rise in strong support of the resolution. I want to commend the gentleman from Pennsylvania [Mr. KOST-MAYER], the gentleman from Ohio [Mr. FEIGHAN], and Mr. BROOMFIELD, the ranking member, Mr. GILMAN, and all the other members for their leadership on this issue.

Mr. Speaker, September 17, marks the 10th anniversary of the extraordinary summit held at Camp David between President Carter, President of Egypt Anwar Sadat, and then Israeli Prime Minister Menachem Begin, in which the historic Camp David accords establishing the framework for the Israel-Egypt Peace Treaty. That summit demonstrated remarkable leadership and statesmanship on the part of all three leaders, who made essential compromises that enabled two traditional antagonists to put their fundamental differences aside and establish a remarkable peace which has held together in the volatile Middle East to this day.

The resolution before us recalls that remarkable Camp David agreement on its 10th anniversary. The agreement remains the backbone and best hope for any comprehensive settlement in the region, which has so far eluded us. It is my hope that this commemoration of the Camp David accords will lead up to redouble our efforts to bring about a comprehensive peace in the Middle East, a peace which is the ultimate guarantee of Israel's security and that of her Arab neighbors.

I urge support of the resolution.

Mr. BROOMFIELD. Mr. Speaker, I strongly support the resolution before us today and wish to commend the authors of the resolution for their fine work. The signing of the Camp David accords not only provided a land-

mark in diplomatic history, but also demonstrated how a lasting peace can be achieved in that troubled area. As an original cosponsor of this resolution, I support the continuation of the spirit of the Camp David accords.

That great event serves as an example of true leadership. President Sadat's decision to fly to Jerusalem was both courageous and wise. It was courageous because Sadat knew that he would be bitterly opposed by critics in the region and critics at home. It was wise because he knew that he could never build up his own nation if he was forced to expend so much energy trying to tear his neighbor down.

Prime Minister Begin's willingness to return the entire Sinai Peninsula to Egypt demonstrates that peace can best be negotiated with Israel not with a raised fist but with an extended hand. Those who believe that Israel will be brought to its knees through violence within its own borders simply underestimate that nation's ability to stand up to any challenge.

The accords point the way to a just and lasting peace in the area. The lesson is that such a peace will come only when Israel's neighbors are willing to sit down at the bargaining table and negotiate directly with Israel.

No nation can deflect Israel from following a course of diplomacy that puts its own continued existence first and last. To believe they can is to misread the character of Israel's leadership and the consistency of America's commitment to Israel's security.

This anniversary is a good time to stress to Israel's neighbors and other nations around the world just how deep and lasting is America's commitment to Israel's existence and to its prosperity.

That commitment is based on a shared culture and long-standing ties of friendship. Forty years ago, Israel declared its independence. Within minutes, the United States extended its formal diplomatic recognition, and more importantly, its friendship.

Our commitment to Israel is also based on a clear-eyed understanding of Israel's strategic importance in the region. Ronald Reagan said it well in 1979. "Israel's strength," he wrote, "derives from the reality that her affinity with the West is not dependent on the survival of an autocratic or capricious ruler. Israel has the democratic will, national cohesion, technological capacity, and military fiber to stand forth as America's trusted ally."

In the last 8 years those sentiments have been written into policy. New arrangements in the political, military, and economic areas have strengthened the fabric of our relationship. Those who believe that events will serve to unravel that fabric simply do not understand how close our two nations have become.

We believe that a consistent policy of support for Israel is the surest path to peace in the Middle East. And we look for a comprehensive peace, one that ensures the security of all states in the area, that satisfies the legitimate rights of the Palestinian people, and that is achieved only through direct negotiations between Israel and the Arab nations.

The stability of the Middle East is important to world peace because of the unique geographical position of the region at the crossroads of Western and Soviet influence. The

greater the instability and conflict in the area, the more likely the involvement of the superpowers.

The problems in the region cannot be allowed to fester. Increasing violence and escalating military tensions make it all the more important to solve the area's problems sooner rather than later.

The road to peace in the Middle East has been traveled by two of its greatest leaders: Anwar Sadat and Menachem Begin. Those who would follow the example of their courage, flexibility and wisdom can end the cycles of war and suffering that have plagued the region for so many years.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 364

Whereas September 17, 1988, marks the tenth anniversary of the signing of the Camp David Accords between Israel and Egypt;

Whereas those Accords provided a framework for peace between Israel and Egypt that stands as a landmark, ending a generation of war and violence;

Whereas the Accords have proven to be an enduring achievement, furthering the interests of peace and stability in a volatile region of the world;

Whereas the Accords were made possible through the courage of Egyptian President Anwar al-Sadat, who was willing to travel to Jerusalem; through the flexibility of Israeli Prime Minister Menachem Begin, who was willing to propose the return of the entire Sinai Peninsula, an oil-rich area twice the size of Israel; and through the diligence and persistence of President Jimmy Carter, who brought the two men together at Camp David;

Whereas the Camp David Accords are based on United Nations Security Council Resolutions 242 and 338, the only internationally recognized and accepted bases for the establishment of peace between Israel and its Arab neighbors;

Whereas the United States Government has proudly supported the participants of this historic agreement, Israel and Egypt, throughout this decade of peace between them;

Whereas direct bilateral negotiations, such as those which resulted in the Camp David Accords, have been the most effective approach to resolving the Arab-Israeli conflict;

Whereas the other parties to the conflict have been unwilling to enter into direct bilateral negotiations but continue to maintain a state of war against Israel; and

Whereas the perpetuation of the conflict has exacted a terrible cost in human lives and human suffering for both Israelis and Arabs: Now, therefore, be it

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

(1) congratulates Israel and Egypt for a decade of peace based on the Camp David Accords; and

(2) calls upon the Arab states and Palestinians to follow the example of Israel and Egypt, to join in the peace process, to re-

nounce the state of war and acts of violence, and to enter into direct negotiations with Israel to achieve a just and lasting peace.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KOSTMAYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

ALTERNATIVE MOTOR FUELS ACT OF 1988

Mr. SHARP submitted the following conference report and statement on the Senate bill (S. 1518) to amend the Motor Vehicle Information and Cost Savings Act to provide for the appropriate treatment of methanol and ethanol, and for other purposes:

CONFERENCE REPORT (H. REPT. 100-929)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House bill (S. 1518) to amend the Motor Vehicle Information and Cost Savings Act to provide for the appropriate treatment of methanol and ethanol, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alternative Motor Fuels Act of 1988".

SEC. 2. FINDINGS.

The Congress finds and declares that—

(1) the achievement of long-term energy security for the United States is essential to the health of the national economy, the well-being of our citizens, and the maintenance of national security;

(2) the displacement of energy derived from imported oil with alternative fuels will help to achieve energy security and improve air quality;

(3) transportation uses account for more than 60 percent of the oil consumption of the Nation;

(4) the Nation's security, economic, and environmental interests require that the Federal Government should assist clean-burning, nonpetroleum transportation fuels to reach a threshold level of commercial application and consumer acceptability at which they can successfully compete with petroleum-based fuels;

(5) methanol, ethanol, and natural gas are proven transportation fuels that burn more cleanly and efficiently than gasoline and diesel fuel;

(6) the production and use as transportation fuels of ethanol, methanol made from

natural gas or biomass, and compressed natural gas have been estimated in some studies to release less carbon dioxide than comparable quantities of petroleum-based fuel;

(7) the amount of carbon dioxide released with methanol from a coal-to-methanol industry using currently available technologies has been estimated in some studies to be significantly greater than the amount released with a comparable quantity of petroleum-based fuel;

(8) there exists evidence that manmade pollution—the release of carbon dioxide, chlorofluorocarbons, methane, and other trace gases into the atmosphere—may be producing a long term and substantial increase in the average temperature on Earth, a phenomenon known as global warming through the greenhouse effect; and

(9) ongoing pollution and deforestation may be contributing now to an irreversible process producing unacceptable global climate changes; necessary actions must be identified and implemented in time to protect the climate, including the development of technologies to control increased carbon dioxide emissions that result with methanol from a coal-to-methanol industry.

SEC. 3. PURPOSE.

The purpose of this Act is to encourage—

(1) the development and widespread use of methanol, ethanol, and natural gas as transportation fuels by consumers; and

(2) the production of methanol, ethanol, and natural gas powered motor vehicles.

SEC. 4. AMENDMENT OF ENERGY POLICY AND CONSERVATION ACT.

(a) AMENDMENT.—Title III of the Energy Policy and Conservation Act is amended by adding at the end the following new part:

"PART J—ENCOURAGING THE USE OF ALTERNATIVE FUELS

"SEC. 400A. ALTERNATIVE FUEL USE BY LIGHT DUTY FEDERAL VEHICLES.

"(a) DEPARTMENT OF ENERGY PROGRAM.—(1) Beginning in the fiscal year ending September 30, 1990, the Secretary shall ensure, with the cooperation of other appropriate agencies and consistent with other Federal law, that the maximum number practicable of the passenger automobiles and light duty trucks acquired annually for use by the Federal Government shall be alcohol powered vehicles, dual energy vehicles, natural gas powered vehicles, or natural gas dual energy vehicles.

"(2) In any determination of whether the acquisition of a vehicle is practicable under paragraph (1), the initial cost of such vehicle to the United States shall not be considered as a factor unless the initial cost of such vehicle exceeds the initial cost of a comparable gasoline or diesel fueled vehicle by at least 5 percent.

"(3) The Secretary shall, to the extent practicable and consistent with this part, ensure that the number of dual energy vehicles acquired under this subsection is at least as great as the number of alcohol powered vehicles acquired under this subsection, and that the number of natural gas dual energy vehicles acquired under this subsection is at least as great as the number of natural gas powered vehicles acquired under this subsection. To the extent practicable, both vehicles capable of operating on alcohol and vehicles capable of operating on natural gas shall be acquired in carrying out this subsection, and such vehicles shall be supplied by original equipment manufacturers.

"(b) STUDIES.—(1)(A) The Secretary, in cooperation with the Environmental Protection Agency and the National Highway Traffic Safety Administration, shall conduct

a study of the vehicles acquired under subsection (a), which shall at a minimum address—

"(i) the performance of such vehicles, including performance in cold weather and at high altitude;

"(ii) the fuel economy, safety, and emissions of such vehicles; and

"(iii) a comparison of the operation and maintenance costs of such vehicles to the operation and maintenance costs of other passenger automobiles and light duty trucks.

"(B) The Secretary shall provide a report on the results of the study conducted under subparagraph (A) to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, within one year after the first such vehicles are acquired, and annually thereafter.

"(2)(A) The Secretary and the Administrator of the General Services Administration shall conduct a study of the advisability, feasibility, and timing of the disposal of vehicles acquired under subsection (a) and any problems of such disposal. Such study shall take into account existing laws governing the sale of Government vehicles and shall specifically focus on when to sell such vehicles and what price to charge, without compromising studies of the use of such vehicles authorized under this part.

"(B) The Secretary and the Administrator of the General Services Administration shall report the results of the study conducted under subparagraph (A) to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, within 12 months after funds are appropriated for carrying out this section.

"(c) AVAILABILITY TO THE PUBLIC.—To the extent practicable, at locations where vehicles acquired under subsection (a) are supplied with alcohol or natural gas, alcohol or natural gas shall be offered for sale to the public. The head of the Federal agency responsible for such a location shall consider whether such sale is practicable, taking into account, among other factors—

"(1) whether alcohol or natural gas is commercially available for vehicles in the vicinity of such location;

"(2) security and safety considerations;

"(3) whether such sale is in accordance with applicable local, State, and Federal law;

"(4) the ease with which the public can access such location; and

"(5) the cost to the United States of such sale.

"(d) FEDERAL AGENCY USE OF DEMONSTRATION VEHICLES.—(1) Upon the request of the head of any agency of the Federal Government, the Secretary shall ensure that such Federal agency be provided with vehicles acquired under subsection (a) to the maximum extent practicable.

"(2)(A) Funds appropriated under this section for the acquisition of vehicles under subsection (a) shall be applicable only to the portion of the cost of vehicles acquired under subsection (a) which exceeds the cost of comparable gasoline or diesel fueled vehicles.

"(B) The Secretary shall ensure that the cost to any Federal agency receiving a vehicle under paragraph (1) shall not exceed the cost to such agency of a comparable gasoline or diesel fueled vehicle.

"(3) Only one-half of the vehicles acquired under this section by an agency of the Feder-

al Government shall be counted against any limitation under law, Executive order, or executive or agency policy on the number of vehicles which may be acquired by such agency.

"(4) Any Federal agency receiving a vehicle under paragraph (1) shall cooperate with studies undertaken by the Secretary under subsection (b).

"(e) **DETAIL OF PERSONNEL.**—Upon the request of the Secretary, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Department of Energy to assist the Secretary in carrying out the Secretary's duties under this section.

"(f) **EXEMPTIONS.**—(1) Vehicles acquired under this section shall not be counted in any calculation of the average fuel economy of the fleet of passenger automobiles acquired in a fiscal year by the United States.

"(2) The incremental cost of vehicles acquired under this section over the cost of comparable gasoline or diesel fueled vehicles shall not be applied to any calculation with respect to a limitation under law on the maximum cost of individual vehicles which may be acquired by the United States.

"(g) **DEFINITIONS.**—For purposes of this part—

"(1) the term 'acquired' means leased for a period of sixty continuous days or more, or purchased;

"(2) the term 'alcohol' means a mixture containing 85 percent or more by volume methanol, ethanol, or other alcohols, in any combination;

"(3) the term 'alcohol powered vehicle' means a vehicle designed to operate exclusively on alcohol;

"(4) the term 'dual energy vehicle' means a vehicle which is capable of operating on alcohol and on gasoline or diesel fuel;

"(5) the term 'natural gas dual energy vehicle' means a vehicle which is capable of operating on natural gas and on gasoline or diesel fuel; and

"(6) the term 'natural gas powered vehicle' means a vehicle designed to operate exclusively on natural gas.

"(f) **FUNDING.**—(1) For the purposes of this section, there are authorized to be appropriated for the fiscal year ending September 30, 1990, \$5,000,000, for the fiscal year ending September 30, 1991, \$3,000,000, for the fiscal year ending September 30, 1992, \$2,000,000, and for the fiscal year ending September 30, 1993, \$2,000,000.

"(2) The authority of the Secretary to obligate amounts to be expended under this section shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance by appropriation Acts.

"SEC. 400BB. ALTERNATIVE FUELS TRUCK COMMERCIAL APPLICATION PROGRAM.

"(a) **ESTABLISHMENT.**—The Secretary, in cooperation with manufacturers of heavy duty engines and with other Federal agencies, shall establish a commercial application program to study the use of alcohol and natural gas in heavy duty trucks and, if appropriate, other heavy duty applications.

"(b) **FUNDING.**—(1) There are authorized to be appropriated for the period encompassing the fiscal years ending September 30, 1990, September 30, 1991, and September 30, 1992, a total of \$2,000,000 for alcohol powered vehicles and dual energy vehicles, and a total of \$2,000,000 for natural gas powered vehicles and natural gas dual energy vehicles, to carry out the purposes of this section.

"(2) The authority of the Secretary to obligate amounts to be expended under this sec-

tion shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance by appropriation Acts.

"SEC. 400CC. ALTERNATIVE FUELS BUS PROGRAM.

"(a) **TESTING.**—The Secretary, in cooperation with the Administrator of the Environmental Protection Agency and the Administrator of the National Highway Traffic Safety Administration, shall, beginning in the fiscal year ending September 30, 1990, assist State and local government agencies in the testing in urban settings of buses capable of operating on alcohol and buses capable of operating on natural gas for the emissions levels, durability, safety, and fuel economy of such buses, comparing the different types with each other and with diesel powered buses, as such buses will be required to operate under Federal safety and environmental standards applicable to such buses for the model year 1991. To the extent practicable, testing assisted under this section shall apply to both buses capable of operating on alcohol and buses capable of operating on natural gas.

"(b) **FUNDING.**—There are authorized to be appropriated for the period encompassing the fiscal years ending September 30, 1990, September 30, 1991, and September 30, 1992, a total of \$2,000,000 to carry out the purposes of this section.

"(c) **DEFINITION.**—For purposes of this section, the term 'bus' means a vehicle which is designed to transport 30 individuals or more.

"SEC. 400DD. INTERAGENCY COMMISSION ON ALTERNATIVE MOTOR FUELS.

"(a) **ESTABLISHMENT.**—There is established a Commission to be known as the Interagency Commission on Alternative Motor Fuels.

"(b) **MEMBERSHIP.**—The Commission shall be composed of members as follows:

"(1) the Secretary of Energy, or the designee of the Secretary, who shall be the chairperson of the Commission;

"(2) the Secretary of Defense or the designee of such Secretary;

"(3) the Administrator of the Environmental Protection Agency or the designee of such Administrator;

"(4) the Secretary of Transportation or the designee of such Secretary;

"(5) the Postmaster General or the designee of the Postmaster General;

"(6) the Administrator of the General Services Administration or the designee of such Administrator;

"(7) the Administrator of the Occupational Safety and Health Administration or the designee of such Administrator; and

"(8) such other officers and employees of the Federal Government as may be appointed to the Commission by the President.

"(c) **OPERATIONS.**—(1) The Commission shall meet regularly as necessary to carry out the purposes of this section. Meetings shall be at the call of the chairperson of the Commission. The Commission shall meet to consider any report of the Commission before such report is submitted to the Congress.

"(2) The Secretary shall provide the Commission with such staff and office facilities as the Secretary, following consultation with the Commission, considers necessary to permit the Commission to carry out its functions under this section.

"(3) Subject to applicable law, all expenses of the Commission shall be paid from funds available to the Secretary, except that salaries of Commission members shall be paid by their home agencies.

"(d) **FUNCTIONS.**—(1) The Commission shall coordinate Federal agency efforts to develop

and implement a national alternative motor fuels policy.

"(2) The Commission shall ensure the development of a long-term plan for the commercialization of alcohols, natural gas, and other potential alternative motor fuels.

"(3) The Commission shall ensure communication among representatives of all Federal agencies that are involved in alternative motor fuels projects or that have an interest in such projects.

"(4) The Commission shall provide for the exchange of information among persons working with, or interested in working with, the commercialization of alternative motor fuels.

"(e) **UNITED STATES ALTERNATIVE FUELS COUNCIL.**—(1) The chairperson of the Commission shall, consistent with the Federal Advisory Committee Act, establish a United States Alternative Fuels Council to report to the Commission about matters related to alternative motor fuels.

"(2) The Council shall be composed of members as follows:

"(A) one Member of the House of Representatives appointed by the Speaker of the House of Representatives;

"(B) one Member of the House of Representatives appointed by the Minority Leader of the House of Representatives;

"(C) one Member of the Senate appointed by the Majority Leader of the Senate;

"(D) one Member of the Senate appointed by the Minority Leader of the Senate; and

"(E) 16 persons from the private sector or from State or local government who are knowledgeable about alternative motor fuels and their possible uses and the production of alternative motor fuels and vehicles powered by such fuels, to be appointed by the chairperson of the Commission.

"(3) The Council shall meet at the call of the chairperson of the Commission.

"(f) **DETAIL OF FEDERAL PERSONNEL.**—Upon request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this section.

"(g) **REPORTS.**—(1) The Commission shall, not later than September 30 of each of the years 1990 and 1991, submit an interim report to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, setting forth the actions taken by the Commission under this section.

"(2) The Commission shall, not later than September 30, 1992, submit a final report to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, setting forth the actions taken by the Commission under this section.

"(h) **TERMINATION.**—The Commission and the Council shall terminate upon submission of the final report of the Commission under subsection (g)(2).

"(i) **DEFINITIONS.**—For purposes of this section—

"(1) the term 'Commission' means the Interagency Commission on Alternative Motor Fuels established in subsection (a); and

"(2) the term 'Council' means the United States Alternative Fuels Council established under subsection (e)(1).

"SEC. 400EE. STUDIES AND REPORTS.

"(a) **METHANOL STUDY.**—(1) The Secretary shall study methanol plants, including the costs and practicability of such plants, that are—

"(A) capable of utilizing current domestic supplies of unutilized natural gas;

"(B) relocatable; or

"(C) suitable for natural gas to methanol conversion by natural gas distribution companies.

"(2) For purposes of this subsection, the term 'unutilized natural gas' means gas that is available in small remote fields and cannot be economically transported to natural gas pipelines, or gas the quality of which is so poor that extensive and uneconomic pretreatment is required prior to its introduction into the natural gas distribution system.

"(3) The Secretary shall submit a report under this subsection to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, no later than September 30, 1990.

"(b) **INDEPENDENT ENVIRONMENTAL STUDY.**—(1) The Administrator of the Environmental Protection Agency shall submit to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, in December of 1990, and once every two years thereafter, a report which includes—

"(A) a comprehensive analysis of the air quality, global climate change, and other positive and negative environmental impacts, if any, including fuel displacement effects, associated with the production, storage, distribution, and use of all alternative motor vehicle fuels under the Alternative Motor Fuels Act of 1988, as compared to gasoline and diesel fuels; and

"(B) an extended reasonable forecast of the change, if any, in air quality, global climate change, and other environmental effects of producing, storing, distributing, and using alternative motor vehicle fuels, utilizing such reasonable energy security, policy, economic, and other scenarios as may be appropriate.

"(2) In carrying out the study under this subsection, the Administrator of the Environmental Protection Agency shall consult with the Secretaries of Energy and Transportation. Nothing in this paragraph shall be construed to require such Administrator to obtain the approval of the Secretary of Energy or the Secretary of Transportation for any actions taken under this subsection.

"(3) There are authorized to be appropriated to carry out the purposes of this subsection \$500,000.

"(c) **PUBLIC PARTICIPATION.**—Adequate opportunity shall be provided for public comment on the reports required by this section before they are submitted to the Congress, and a summary of such comments shall be attached to such reports."

"(b) **CESSATION OF EFFECT.**—This section, and the amendments made by this section, shall cease to be effective after September 30, 1997.

SEC. 5. USE OF NONSTANDARD FUELS.

No guaranty or warranty with respect to any passenger automobile or light-duty truck acquired by the United States after October 1, 1989, shall be voided or reduced in effect by reason of the operation of such vehicle with any fuel for which a currently effective waiver, which includes a limitation regarding Reid vapor pressure with re-

spect to such fuel, has been issued by the Administrator of the Environmental Protection Agency under section 211(f) of the Clean Air Act (42 U.S.C. 7545(f)).

SEC. 6. AMENDMENT OF THE MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT.

"(a) **FUEL ECONOMY OF ALTERNATIVE FUEL AUTOMOBILES.**—Title V of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001 et seq.) is amended by adding at the end the following new section:

"MANUFACTURING INCENTIVES FOR AUTOMOBILES

"SEC. 513. (a) **ALCOHOL POWERED AUTOMOBILE.**—If a manufacturer manufactures any model type of alcohol powered automobile, the fuel economy measured for that model type shall be based on the fuel content of the alcohol used to operate such automobile. For purposes of this section, a gallon of alcohol used to operate such automobile shall be considered to contain 15 one-hundredths of a gallon of fuel.

"(b) **DUAL ENERGY AUTOMOBILE.**—If a manufacturer manufactures any model type of dual energy automobile, the fuel economy measured for that model type shall be measured by the EPA Administrator by dividing 1.0 by the sum of—

"(1) 0.5 divided by the fuel economy as measured under section 503(d) while operating such model type on gasoline or diesel fuel; and

"(2) 0.5 divided by the fuel economy as measured under subsection (a) of this section while operating such model type on alcohol.

"(c) **NATURAL GAS POWERED AUTOMOBILE.**—If a manufacturer manufactures any model type of natural gas powered automobile, the fuel economy measured for that model type shall be based on the fuel content of the natural gas used to operate such automobile. For purposes of this section, 100 cubic feet of natural gas shall be considered to contain 0.823 gallon equivalent of natural gas, and a gallon equivalent of natural gas shall be considered to have a fuel content of 15 one-hundredths of a gallon of fuel.

"(d) **NATURAL GAS DUAL ENERGY AUTOMOBILE.**—If a manufacturer manufactures any model type of natural gas dual energy automobile, the fuel economy measured for that model type shall be measured by the EPA Administrator by dividing 1.0 by the sum of—

"(1) 0.5 divided by the fuel economy as measured under section 503(d) while operating such model type on gasoline or diesel fuel; and

"(2) 0.5 divided by the fuel economy as measured under subsection (c) of this section while operating such model type on natural gas.

"(e) **FUEL ECONOMY CALCULATION.**—The EPA Administrator shall calculate, subject to the provisions of this section, the manufacturer's average fuel economy under section 503(a) (1) and (2) by including as the denominator of the term for each model type of alcohol powered automobile, dual energy automobile, natural gas powered automobile, or natural gas dual energy automobile, the fuel economy measured pursuant to subsections (a) through (d) of this section.

"(f) **APPLICABILITY.**—

"(1) Except as otherwise provided in this subsection, subsections (b) and (d) shall apply only to automobiles manufactured in model year 1993 through model year 2004. Subsections (a) and (c) shall apply only to automobiles manufactured after model year 1992.

"(2)(A) Not later than September 30, 2000, the Secretary, in consultation with the Secretary of Energy and the EPA Administra-

tor, shall complete and submit to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report containing the results of a study of the success of the policy contained in subsections (b) and (d), along with preliminary conclusions as to whether the application of such subsections should be extended for up to four additional model years. Such study and conclusions shall be prepared taking into consideration—

"(i) the availability to the public of alcohol powered automobiles, natural gas powered automobiles, and alternative fuels;

"(ii) energy conservation and security;

"(iii) environmental considerations; and

"(iv) other relevant factors.

"(B) The Secretary shall—

"(i) promulgate a rule to extend the applicability of subsections (b) and (d) for 4 or fewer consecutive model years immediately after model year 2004; or

"(ii) publish a notice explaining the reasons for not promulgating such rule. Such rule or notice shall be promulgated before January 1, 2002.

Any such promulgated rule shall explain the basis on which any such extension has been granted.

"(g) **MAXIMUM INCREASE.**—

"(1)(A) For each of the model years 1993 through 2004, for each category of automobiles the maximum increase in average fuel economy for a manufacturer attributable to dual energy automobiles and natural gas dual energy automobiles shall be 1.2 miles per gallon.

"(B) If the application of subsections (b) and (d) is extended under subsection (f)(2), for each category of automobiles the maximum increase in average fuel economy for a manufacturer for each of the model years 2005 through 2008 attributable to dual energy automobiles and natural gas dual energy automobiles shall be 0.9 mile per gallon.

"(C) For purposes of applying subparagraph (A) or (B), the EPA Administrator shall compute the increase in a manufacturer's average fuel economy attributable to dual energy automobiles and natural gas dual energy automobiles by subtracting from the manufacturer's average fuel economy calculated under subsection (e) the number equal to what the manufacturer's average fuel economy would be if it were calculated by the formula in section 503(a) (1) and (2) by including as the denominator for each model type of dual energy automobile or natural gas dual energy automobile the fuel economy when such automobiles are operated on gasoline or diesel fuel. If the increase attributable to dual energy automobiles and natural gas dual energy automobiles for any model year described in subparagraph (A) is more than 1.2 miles per gallon, the limitation in subparagraph (A) shall apply, and if the increase attributable to such automobiles for any model year described in subparagraph (B) is more than 0.9 mile per gallon, the limitation in subparagraph (B) shall apply.

"(2)(A) Notwithstanding any other provision of this section, if the Secretary reduces the average fuel economy standard applicable to passenger automobiles for any model year below 27.5 miles per gallon, any increase in average fuel economy for passenger automobiles of more than 0.7 mile per gallon to which a manufacturer of dual energy passenger automobiles or natural gas

dual energy passenger automobiles would otherwise be entitled in that year under this section shall be reduced by an amount equal to the amount of such reduction in the standard, except that such increase shall not be reduced to less than 0.7 mile per gallon.

"(B) In carrying out section 502 (a)(4) and (f), the Secretary shall not consider the fuel economy of alcohol powered automobiles or natural gas powered automobiles, and the Secretary shall consider dual energy automobiles and natural gas dual energy automobiles to be operated exclusively on gasoline or diesel fuel.

"(h) DEFINITIONS.—(1) For purposes of this title—

"(A) the term 'alcohol' means a mixture containing 85 percent or more by volume methanol, ethanol, or other alcohols, in any combination;

"(B) the term 'alcohol powered automobile' means an automobile designed to operate exclusively on alcohol;

"(C) the term 'dual energy automobile' means an automobile—

"(i) which is capable of operating on alcohol and on gasoline or diesel fuel;

"(ii) which provides equal or superior energy efficiency, as calculated for the applicable model year during fuel economy testing for the Federal Government, while operating on alcohol as it does while operating on gasoline or diesel fuel;

"(iii) which, for model years 1993 through 1995, and, if the Administrator of the Environmental Protection Agency determines that an extension of this clause is warranted, for an additional period ending not later than the end of the last model year for which section 513 (b) and (d) applies, provides equal or superior energy efficiency, as calculated for the applicable model year during fuel economy testing for the Federal Government, while operating on a mixture of alcohol and gasoline or diesel fuel containing exactly 50 percent gasoline or diesel fuel as it does while operating on gasoline or diesel fuel; and

"(iv) which, in the case of passenger automobiles, meets or exceeds the minimum driving range established pursuant to paragraph (2);

"(D) the term 'natural gas dual energy automobile' means an automobile—

"(i) which is capable of operating on natural gas and on gasoline or diesel fuel;

"(ii) which provides equal or superior energy efficiency, as calculated for the applicable model year during fuel economy testing for the Federal Government, while operating on natural gas as it does while operating on gasoline or diesel fuel; and

"(iii) which, in the case of passenger automobiles, meets or exceeds the minimum driving range established pursuant to paragraph (2); and

"(E) the term 'natural gas powered automobile' means an automobile designed to operate exclusively on natural gas.

"(2)(A) For purposes of the definitions in paragraph (1) (C) and (D), the Secretary shall, within 18 months after the date of enactment of this section, establish by rule of general applicability for all manufacturers a minimum driving range which must be met by dual energy automobiles when operating on alcohol, and by natural gas dual energy automobiles when operating on natural gas, if such automobiles are to be considered dual energy automobiles or natural gas dual energy automobiles under this section. Subject to the provisions of this paragraph, the rule may be amended from time to time. Any determination of whether dual energy

automobiles or natural gas dual energy automobiles meet the minimum driving range requirement under this paragraph shall be based on the combined EPA city/highway fuel economy as determined for average fuel economy purposes for such automobiles. The rule issued under this subparagraph shall apply only to dual energy automobiles and natural gas dual energy automobiles that are passenger automobiles.

"(B)(i) The general rule established under subparagraph (A) shall allow the Secretary to determine that a specific model type or types may have a lower range than that established by the general rule, and shall allow a manufacturer to petition for a specific model type or types to have a lower range than that established by the general rule.

"(ii) If, with respect to dual energy automobiles, the Secretary establishes under subparagraph (A) 200 miles as the generally applicable minimum driving range under this paragraph, clause (i) shall not apply to dual energy automobiles.

"(C) Under no circumstances shall the general rule established under subparagraph (A) establish a minimum driving range of less than 200 miles for dual energy automobiles, nor shall the Secretary approve under the procedure referred to in subparagraph (B) a minimum driving range of less than 200 miles for dual energy automobiles.

"(D) In establishing the general rule under subparagraph (A), and in taking any action under the procedure referred to in subparagraph (B), the Secretary shall take into account the purposes of the Alternative Motor Fuels Act of 1988, consumer acceptability, economic practicability, technology, environmental impact, safety, driveability, performance, and any other factors the Secretary considers relevant."

(b) DEFINITION OF AUTOMOBILE.—Section 501(1) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001(1)) is amended by inserting ", or by alcohol or natural gas," after "fuel" the first time it appears.

(c) CONFORMING AMENDMENT.—Section 502(e) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2002(e)) is amended by adding at the end the following: "For purposes of this subsection, the Secretary shall not consider the fuel economy of alcohol powered automobiles or natural gas powered automobiles, and the Secretary shall consider dual energy automobiles and natural gas dual energy automobiles to be operated exclusively on gasoline or diesel fuel."

SEC. 7. ELECTRIC VEHICLES.

(a) STUDY.—The Secretary of Transportation, in consultation with the Secretary of Energy, shall conduct a comprehensive study and investigation regarding whether regulations in effect on the date of enactment of this Act should be amended or additional regulations should be promulgated to stimulate the production and introduction of electric vehicles into commerce. The Secretary of Transportation, in consultation with the Administrator of the Environmental Protection Agency, shall include as part of the comprehensive study, information regarding the effect of electric vehicles on air quality. Such study shall also consider the feasibility and desirability of regulations to stimulate the production and introduction of solar powered vehicles into commerce. The Secretary of Transportation shall transmit the results of such study to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and

Commerce of the House of Representatives, not later than one year after the date of enactment of this Act.

(b) REGULATIONS.—If, as a result of the study conducted under subsection (a), the Secretary of Transportation, the Secretary of Energy, or the Administrator of the Environmental Protection Agency determines that regulations under their respective jurisdictions should be amended, or that additional regulations should be promulgated, such Secretary or Administrator shall, if so authorized, commence a rulemaking proceeding for such purpose.

SEC. 8. AUTOMOBILE LABELING.

(a) AMENDMENTS.—(1) Section 506(a) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2006(a)) is amended by adding at the end the following new paragraph:

"(4)(A) In the case of alcohol powered automobiles or natural gas powered automobiles, the fuel economy of such automobiles for purposes of paragraph (1)(A)(i) shall be the fuel economy for such automobiles when operated on alcohol or natural gas, as the case may be, measured under section 513(a) or (c), multiplied by 0.15.

"(B) In the case of dual energy automobiles or natural gas dual energy automobiles, each label required under paragraph (1) shall—

"(i) indicate the fuel economy of such automobile when operated on gasoline or diesel fuel;

"(ii) clearly identify such automobile as a dual energy automobile or natural gas dual energy automobile, as the case may be;

"(iii) clearly identify the fuels on which such automobile may be operated; and

"(iv) contain a statement informing the consumer that the additional information required by subsection (b)(3) is published and distributed by the Department of Energy."

(2) Section 506(b) of such Act (15 U.S.C. 2006(b)) is amended by adding at the end the following new paragraph:

"(3)(A) In the case of dual energy automobiles and natural gas dual energy automobiles, additional information shall be contained in the booklet published under paragraph (1) indicating—

"(i) the energy efficiency and cost of operation of such automobiles when operated on gasoline or diesel fuel as compared to such automobiles when operated on alcohol or natural gas, as the case may be; and

"(ii) the driving range of such automobiles when operated on gasoline or diesel fuel as compared to such automobiles when operated on alcohol or natural gas, as the case may be.

"(B) In the case of dual energy automobiles, the booklet published under paragraph (1) shall also contain—

"(i) information regarding the miles per gallon achieved by such automobiles when operated on alcohol; and

"(ii) a statement of explanation of how the information made available pursuant to this paragraph can be expected to change when such automobile is operated on mixtures of alcohol and gasoline or diesel fuel."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall not apply with respect to any model year, as such term is defined in section 501(12) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001(12)), before model year 1993.

SEC. 9. STUDY ON RESIDENTIAL ENERGY PRICING.

The Secretary of Energy, in consultation with the Secretary of Transportation, shall

study and report to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, not later than December 1, 1989, on whether calculating the average fuel economy of vehicles as provided in this Act and the amendments made by this Act is likely to result in a significant increase in the average price of home heating to residential consumers. Such report shall be updated and submitted to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, not later than December 1, 1994.

And the House agree to the same.
Amend the title to read as follows:

An Act to encourage the development and use of alternative motor fuels.

JOHN D. DINGELL,
PHILIP R. SHARP,
TERRY L. BRACE,
NORMAN F. LENT,
CARLOS J. MOORHEAD,

Managers on the Part of the House.

From the Committee on Commerce, Science, and Transportation:

FRITZ HOLLINGS,
ALBERT GORE, JR.
JOHN D. ROCKEFELLER,
JOHN C. DANFORTH,
JOHN MCCAIN,

From the Committee on Governmental Affairs:

JOHN GLENN,
CARL LEVIN,
WILLIAM V. ROTH, JR.

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1518) to amend the Motor Vehicle Information and Cost Savings Act to provide for the appropriate treatment of methanol and ethanol, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

The objective of both the House and Senate bills is to facilitate the development and use of alternative fuels in the United States for purposes of energy security and air quality improvement, while being mindful of various other economic, safety, energy conservation, and environmental concerns possibly associated with such fuels. The Senate bill sought to achieve that objective by providing manufacturing incentives for cars and trucks through amendments to the fuel economy program under the Motor Vehicle Information and Cost Savings Act.

The House amendment established a new program providing for such incentives without amending the Cost Savings Act and provided a new program of commercial application of alternatives under the Energy Policy and Conservation Act. The Conference agreement combines the incentive approach and the commercial application program approach.

SECTION 1—SHORT TITLE

The short title of this Act may be cited as the "Alternative Motor Fuels Act of 1988."

SECTION 2—FINDINGS

The Conference agreement combines, with modification, the findings of the House and Senate, many of which were quite similar. It also includes several Senate findings that discuss potential global environmental impacts.

SECTION 3—PURPOSE

The Conference agreement adopts a modified version of the House and Senate purposes, stating that the purpose of the new law is to encourage the development and widespread use of methanol, ethanol, and natural gas as transportation fuels by consumers and the production of new motor vehicles powered by these three alternative fuels. The Conferees stress that the legislation gives no preference to any of these fuels.

SECTION 4—AMENDMENTS TO ENERGY POLICY AND CONSERVATION ACT

The House bill amended the Energy Policy and Conservation Act to establish commercial demonstrations of alternative fueled cars, trucks, and buses, to establish an Interagency Commission on Alternative Fuels, and to require certain methanol and environmental studies. The Senate had no similar provision.

The Conference agreement adopts the House proposal with a number of modifications.

The new Section 400AA encourages the demonstration and use of alternative fuels by commercially viable light duty federal vehicles. The section authorizes for this purpose not more than \$12 million starting in fiscal year 1990. The program would be administered by the Secretary of Energy. The Conferees intend that these funds be used to:

Allow auto manufacturers a consumer test of alternative fuel automobiles prior to their general sale to the public; and

Establish the government's leadership and support for the development of vehicles capable of running on alternative fuels.

The program will be carried out in a manner consistent with Federal procurement statutes. The bill supplements those statutes.

In agreeing to this program, the Conferees stress that the objective is to commercialize existing alternative fuel technology and to improve upon that technology. For that reason, while the normal Federal purchase system will be utilized, it is recognized that some experimentation is warranted, just as was done a few years ago by the Department of Transportation and the General Service Administration in the acquisition of air bag equipped vehicles. A DOE Federal Register notice in regard to alternative fuel vehicles suggested that the criteria in regard to such purchases should be extremely restrictive. Those criteria appear unreasonably limited and could jeopardize the success of the program.

Given the purposes of this program, in planning for the disposal of these automo-

biles, the need to retain them long enough to obtain sufficient information about their performance should be a primary consideration.

The Conferees intend to encourage wide domestic participation in the production of various models of light duty vehicles capable of operating on alternative fuels and the development of information on such vehicles. Encouraging wide participation by manufacturers in the program will help them gain experience and refine technology.

Section 400BB authorizes a total of \$4 million starting in fiscal year 1990 to promote the use of alternative fuels in heavy duty truck applications. The Conferees intend the Department of Energy to use these funds to demonstrate the use of alternative fuels in commercially viable truck engines. The Conferees expect that several engine manufacturers will participate in these demonstrations and that the demonstrations will, to the extent practicable, be conducted under actual commercial operating conditions. Moreover, subject to applicable law including that regarding trade secrets, all results from the project are to be transferred to the public domain. This should help assure that all engine manufacturers and commercial vehicle consumers, whether they participate in the demonstrations or not, will benefit. The Conferees intend this application program to include testing and evaluation of alternative fueled vehicles and to be conducted, at least in part, in commercial fleet applications. The Conferees recognize the need for input of commercial vehicle fleets and operators in evaluating the applicability, performance, costs and benefits, durability and safety of alternative fuels and alternative fueled vehicles in commercial fleet applications.

Section 400CC encourages the use of alternative fuels by urban transit buses. The section authorizes for this purpose a total of \$2 million starting in fiscal year 1990. The Department of Energy, in cooperation with the Environmental Protection Agency and the National Highway Traffic Safety Administration, is to use these funds to participate as partners in existing alcohol and natural gas powered bus demonstration programs conducted by state or local government agencies. In addition, the Federal agencies should, to the maximum extent practicable, assure that the results of such programs be recorded in a data base that will allow access to emissions and operating data on alcohol and natural gas powered buses designed to meet 1991 safety and environmental standards. The Conferees intend the data base to be a source for government agencies exploring their options for meeting air quality standards and operating and cost requirements.

Section 400DD established the Interagency Commission on Alternative Motor Fuels. This Commission is to coordinate Federal agency efforts to develop a national alternative motor fuels policy including all federal alternative transportation fuel initiatives. The Conferees intend that, as part of its coordination efforts, the Commission ensure the following issues be studied:

(1) the need for and benefits from the use of alternative motor fuels in the United States;

(2) the economics of significant, near-term alternative motor fuels use, including costs of vehicle production, fuel production, and development of a fuel distribution infrastructure;

(3) environmental consequences of the use of alternative motor fuels;

(4) energy security consequences of the use of alternative motor fuels, including any impact on production and pricing decisions by oil-producing countries;

(5) health and safety consequences of the use of alternative fuels;

(6) benefits to the military from the availability of alternative motor fuels under both peace time and war time conditions;

(7) alternative motor fuels policies in other nations, with special emphasis on the alcohol fuel program in Brazil, and the extent to which those policies may serve as models for a national alternative motor fuels policy in the United States;

(8) existing state and local laws and regulations regarding alternative motor fuels and the extent to which such laws assist or impede the achievement of purposes set forth in this Act;

(9) the feasibility of achieving the purposes set forth in this Act through the action of the private market and the need for governmental action beyond that contained in this Act, including areas where consumer education may be needed; and

(10) the effects of this Act on energy conservation and on the consumption of methanol, ethanol, natural gas, gasoline, and diesel fuel.

The Conferees understand that these are studies that agencies already have authorization to undertake and may have done in part. Therefore this section should not be read to authorize any new studies or funds for such studies. Instead, it directs the Commission to coordinate agencies' efforts to carry out these studies, monitor agencies' progress, and guard against needless duplication.

Section 400DD also creates a United States Alternative Fuels Council to assist the Commission in its coordination efforts. This Council is intended to provide a vital link between the executive branch and others with knowledge about alternative fuels development and use. The Conferees intend that the Council make recommendations to the Commission and others on ways to facilitate the goals of this Act.

Section 400EE requires two studies related to alternative fuels. The Conferees understand that the Secretary of Energy is already authorized to carry out the study in subsection (a) on various types of methanol plants. For this reason, Section 400EE should be read simply to encourage the Secretary to make such a study a priority. The Conferees do not intend the language in subsection (a) to create a new program or authorize new funding for such a program.

The environmental report required by subsection (b) shall analyze and provide a reasonable forecast of possible changes, including improvements, in air quality, global climate change, and other environmental impacts that may occur as a result of this legislation, and shall discuss their importance relative to other causes. The analysis and forecast shall be based on a variety of reasonable scenarios concerning market penetration of the alternative fuels, their likely feedstocks, changes in fuel consumption in the transportation sector, any displacement of fuels in other sections, and changes in technology. The assumptions underlying the alternative scenarios should be clearly stated, should be the subject of sensitivity analysis, and should include: economic growth, energy prices, the country of origin of various feedstocks for ethanol and methanol, various options for minimizing

any negative environmental effects of alternative fuels, and for maximizing any positive effects, including possible fuel efficiency improvements, as alternative fuels technologies mature. In preparing this analysis and forecast, the Environmental Protection Agency shall include an assessment of the economic costs and benefits and shall include a discussion of carbon dioxide impacts from the use of alternative fuels in the transportation sector as compared to the use of other fuels in that sector and identify ways to offset any increases that may result.

In carrying out the requirements of subsection (b), EPA will consult with the Secretaries of Energy and Transportation. However, those agencies will have no veto over EPA actions.

There is provision for public comment before the studies in subsections (a) and (b) are finalized. It is not intended that any public hearings will be necessary or that the agencies will be required to respond to the comments, although the agencies would not be precluded from responding at their discretion.

SECTION 5—USE OF NONSTANDARD FUELS

The Conferees recommend the adoption of the House provision related to the use of nonstandard fuels by federal vehicles, with the effective date delayed until October 1, 1989.

SECTION 6—AMENDMENT TO THE MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT

Both the House and Senate bills establish a Corporate Average Fuel Economy (CAFE) incentive program for alternative fuel vehicles and dual energy vehicles. The Senate bill provided a limitation in the amount of incentive available for dual fuel vehicles and on the duration of the incentive program for such vehicles; the House bill had no similar limitation.

The Conference agreement adopts the Senate approach with modification. It amends the Motor Vehicle Information and Cost Savings Act to provide for a Corporate Average Fuel Economy (CAFE) incentive program applicable to cars and light trucks that run on alcohol or natural gas and to dual energy vehicles that can run on alternative fuels and gasoline or diesel fuel. The program begins with vehicles manufactured in model year 1993.

Like the Senate bill, the Conference agreement sunsets the program for dual energy vehicles and places a cap on the incentive for such vehicles. For dual energy vehicles, the program ends after 12 model years, but the Secretary of Transportation may, after a study and rulemaking, extend the dual energy vehicle program for up to 4 additional years beginning in 2005. The maximum incentive increase for dual energy vehicles for each manufacturer for each year is 1.2 miles per gallon for the first 12 years and 0.9 miles per gallon for each year for which the program is extended. The Conference substitute requires the Secretary to establish by rulemaking a minimum driving range for dual energy passenger cars, so that small fuel tanks, combined with the larger volume-to-energy ratios of alcohol fuels, do not create a disincentive for consumers to use the alternative fuel.

The Conferees wish to make clear the meaning of the reference to "categories" in the provisions of the agreement capping the maximum incentive increase. The agreement establishes a limit on the increase in a manufacturer's average fuel economy that is attributable to dual energy automobiles and natural gas dual energy automobiles.

Under the CAFE law, the EPA Administrator separates each manufacturer's fleet of passenger automobiles into two categories: domestically manufactured and non-domestically manufactured. The EPA Administrator makes a similar separation for each manufacturer's fleet of non-passenger automobiles (e.g. light trucks). The applicable CAFE standard must then be met separately by each category of a manufacturer's fleet of passenger automobiles and each category of the fleet of non-passenger automobiles—for a possible total of four separate categories for each manufacturer. It is the intention of the Conferees that the limitation on the increase in the manufacturer's average fuel economy attributable to alternative fueled vehicles will be applied for passenger automobiles separately to each category of a manufacturer's fleet—domestically manufactured and non-domestically manufactured. Similarly, the limitations will be applied separately for each category of non-passenger automobiles (light trucks). Accordingly, the Conferees intend that the EPA Administrator should calculate the fuel economy increase and apply the limitation separately in each of the four categories in which a manufacturer manufactures vehicles. The four categories are domestically manufactured and non-domestically manufactured passenger automobiles and domestically manufactured and non-domestically manufactured non-passenger automobiles (light trucks).

This legislation is not intended in any way to affect the present provisions of law regarding the establishment or modification of the level of fuel economy standards.

SECTION 7—ELECTRIC VEHICLES

The Conference substitute adopts the Senate provision on electric vehicles with a modification that includes a study of the effect on air quality of such vehicles and that adds the Environmental Protection Agency to the agencies that are to take action based on the results of the study.

SECTION 8—AUTOMOBILE LABELING

The Senate bill amended the Cost of Savings Act to require that the Department of Transportation include on the new car label required by that Act information on the fuel economy of alternative fuel cars. The House had no similar provision.

The Conference agreement adopts the Senate provision with some modifications. Rather than using the artificial miles per gallon rating established in Section 6 to encourage production of alternative fuel cars, the label is to include an actual miles per gallon rating on the label. The Conferees recognize that the higher volume-to-energy ratio of alcohol fuels will result in a relatively low miles per gallon rating, but they expect that potential sellers and purchasers of alternative fuel cars will have sufficient information to make a comparison with gasoline and diesel fuel cars.

In the case of dual fuel cars, those that can be run on both alcohol or compressed natural gas and gasoline or diesel fuel, the Conference agreement requires a label that states the miles per gallon rating of the car when run on gasoline. This will allow consumers to compare the efficiency of these cars with comparable models that run on only gasoline. In addition, the Conference agreement requires that for dual energy vehicles and natural gas dual energy vehicles, information on their fuel efficiency when operating on the alternative fuel, their fuel efficiency when operating on mixtures, and the vehicles' range when operating on

either fuel be included in the annual Department of Energy publication listing comparative vehicle fuel economy. Because of the complexity of this information, the Conferees have not required that it be available on the label.

SECTION 9—STUDY ON RESIDENTIAL ENERGY PRICING

The Senate bill empowered the Secretary of Transportation to discontinue the CAFE incentives for natural gas vehicles in the event that the granting of these incentives is likely to result in a significant increase in the average price of natural gas to consumers. The House had no similar provision.

The Conference agreement provides for a study and report to Congress on whether the granting of CAFE incentives under this Act is likely to result in a significant increase in the average price of home heating to residential consumers.

JOHN D. DINGELL,
PHILIP R. SHARP,
TERRY L. BRUCE,
NORMAN F. LENT,
CARLOS J. MOORHEAD,

Managers on the Part of the Senate.

From the Committee on Commerce, Science, and Transportation:

FRITZ HOLLINGS,
ALBERT GORE, Jr.,
JOHN D. ROCKEFELLER,
JOHN C. DANFORTH,
JOHN MCCAIN,

From the Committee on Governmental Affairs:

JOHN GLENN,
CARL LEVIN,
WILLIAM V. ROTH, Jr.,

Managers on the Part of the House.

NATIONAL VISITING NURSE ASSOCIATIONS WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 576) designating February 19 through 25, 1989, as "National Visiting Nurse Associations Week," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not intend to object, but I yield to the gentleman from Ohio [Mr. OAKAR] for an explanation of the legislation.

Ms. OAKAR. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN], the distinguished minority leader, for yielding to me.

Mr. Speaker, I want to thank the chairman and the major sponsor, and I am one of the cosponsors of this bill.

My colleagues know that a lot of people say, "Why do you do these resolutions in which you commemorate various associations or groups for a special week in the year?"

I think it is important in most cases that we do this. I think that we ought to commend organizations for their public service.

Mr. Speaker, visiting nurse associations are very, very special in my opinion. They are nonprofit providers of home health care. They are very often supported by community residents and organizations such as United Way, and they are usually governed by a local board of volunteer directors, and these volunteers try to assist them in giving the care for those who are especially in need.

Mr. Speaker, the professionals who are employed by the visiting nurses associations are very highly skilled individuals committed to providing the best care possible. We have a shortage of nurses these days, as everyone knows, primarily, I think, because it is such an undervalued profession, and hopefully we will pay them fairly in the near future. But the fact is that very often these visiting nurses go into areas in trying to serve the most vulnerable in their homes. That causes some personal risk at times because they go into perhaps high crime areas where sometimes the poor unfortunately have to live, but they are extraordinarily dedicated. They are especially dedicated to the elderly, to the sick, to the poor, and the kinds of services that they perform in my judgment by giving home health care we ought to, in commemorating the visiting nurses, rededicate ourselves to a policy of long-term care that would include comprehensive home health care so that those people who are discharged from hospitals very often too soon, those people who need the kind of quality care that these nurses give in their own homes, can get reimbursed properly.

Mr. Speaker, we have not been progressive in this country in recognizing in my judgment the value of these types of health providers, so I think this is why we call attention to the visiting nurses associations, and, frankly, nurses in particular, and we say, "Thank you. Thank you for being the profession that spends more hours with patients than any other health provider, and thank you for the kind of service that these nurses do in serving people in their own homes and serving the most vulnerable people in their own homes."

So, Mr. Speaker, I want to compliment all who are responsible and pay special tribute to the visiting nurses associations and nurses in particular.

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

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Speaker, I appreciate the gentleman from New York [Mr. GILMAN] yielding to me.

Mr. Speaker, I join my colleague, Mrs. OAKAR, today in thanking the many Members of this body who are supporting House Joint Resolution

576, establishing February 19-25, 1989, as "National Visiting Nurse Association Week."

This legislation honors the pioneers in home health care, the visiting nurses. For more than 100 years, visiting nurses have provided home health care to everyone, regardless of their ability to pay. Traditionally, VNA's have been the public health delivery system in America.

Although VNA's role in home care has been longstanding, the Federal Government's involvement is relatively recent. When the medicare system was established in 1965, Congress stipulated that only nonprofit, community-based and supported visiting nurse associations could be reimbursement for home care services. Congress modified the law in 1981 to allow any type of organization to provide reimbursable home care, yet today most of the Nation's medicare patient's and the indigent are still cared for by visiting nurse associations.

VNA's remain the primary home health service providers in virtually all major urban and rural areas. Their mission—to care for anyone who needs assistance—has remain unchanged for more than a century. For their faithful commitment and service, VNA's deserve our thanks. That is what we do by passing this resolution.

With more and more Americans living longer, well past their seventies even into their nineties, the need for long-term care is rising. A number of our elderly have physical or mental disabilities that require assistance with everyday life, such as eating, bathing, and moving about. Visiting nurses are enabling many of the disabled elderly—as well as their younger counterparts—to remain at home, where care costs are much lower than in a hospital or nursing home, and where they feel more comfortable and can maintain their dignity.

As a nation, we are faced with the question of how to meet our growing health care needs, especially for those who can least afford, and often most require, medical attention. Earlier in this Congress we debated that issue, first as part of the catastrophic health insurance legislation and, later, in connection with the long-term care bill. We found no easy answers to the problem of providing care, but I am sure that the visiting nurses associations will always be a major part of the solution.

Visiting nurse associations annually provide home care and support services to nearly 1 million Americans, from newborns to the very old.

In addition to health care, VNA's offer hospice care to comfort the dying; occupational, physical and speech therapy to restore the injured; and help to the disabled searching for new ways of coping. They offer per-

sonal hygiene care, and help to those fighting to overcome temporary or permanent impairment. They offer nutritional counseling and meals on wheels to patients who cannot help themselves.

They provide a less expensive, high quality, and often more compassionate and comfortable alternative to institutionalization. By establishing a national visiting nurse association week, we give much deserved recognition to those dedicated nurses, therapists, counselors and volunteers who comprise the visiting nurse association in each community.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Colorado [Mr. HEFLEY] for his supportive remarks.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 576

Whereas Visiting Nurse Associations have served homebound Americans since 1885;

Whereas such Associations annually provide home care and support services to nearly 1,000,000 men, women, children, and infants;

Whereas such Associations serve 504 urban and rural communities in 47 States;

Whereas such Associations adhere to high standards of quality and provide personalized and cost-effective home health care and support regardless of the individual's ability to pay;

Whereas such Associations are voluntary in nature, independently operated, and community-based;

Whereas such Associations ensure a high quality of care through oversight provided by professional advisory committees composed of local physicians and nurses;

Whereas such Associations enable hundreds of thousands of Americans to recover from illness and injury in the comfort and security of their homes;

Whereas such Associations ensure that individuals who are chronically ill or who have physical and mental handicaps receive the therapeutic benefits of care and support services provided in the home;

Whereas in the absence of such Associations, thousands of patients with mental or physical handicaps or with chronically disabling illnesses would have to be institutionalized;

Whereas such Associations provide a wide range of services, including health care, hospice care, personal care, homemaking, occupational therapy, physical therapy, speech therapy, friendly visiting services, social services, nutritional counseling, specialized nursing services, and meals on wheels;

Whereas such Associations offer nursing care by registered nurses, homemaking, therapy, and social services by qualified specialists, and friendly visiting services by volunteers;

Whereas in each community served by such an Association, local volunteers support the Association by serving on the board of directors, by raising funds, by visiting patients in their homes, by assisting patients and nurses at wellness clinics, by delivering meals on wheels to patients, by running er-

rands for patients, by working in the Association's office, and by providing tender loving care;

Whereas the need for home health care for young and old alike continues to grow annually; and

Whereas on February 22, 1989, a national meeting of Visiting Nurse Associations from throughout the United States will be held in Ft. Lauderdale, Florida: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That February 19, through 25, 1989, is designated as "National Visiting Nursing Associations Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VOCATIONAL-TECHNICAL EDUCATION WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 572), designating November 28 through December 2, 1988, as "Vocational-Technical Education Week," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, while I will not object, I yield to the gentleman from Maryland [Mr. MFUME] who is the chief sponsor of House Joint Resolution 572 designating November 28 through December 2, 1988, as Vocational-Technical Education Week.

Mr. MFUME. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN] for yielding, and my thanks also to the gentleman from California [Mr. DYMALLY], the distinguished chairman of the subcommittee.

Mr. Speaker, I am very grateful to the leadership on the subcommittee for discharging this important joint resolution, and I am appreciative to the majority of my colleagues here in the House and in the Senate for co-sponsoring this resolution.

House Joint Resolution 572, will designate the week of November 28 through December 2, 1988, as "Vocational-Technical Education Week." I am glad that this Congress has recognized the significance of vocational and technical education, and I am proud to have sponsored this most worthy resolution.

Mr. Speaker, this legislation will help to bring out the significance of vocational programs to many of our

communities and young adults. Vocational and technical education serves multiple goals—preparing students not only for jobs, but also to encourage these students to further their education, and providing alternative learning experiences that can reduce the dropout rate in our schools.

According to the Department of Labor, 80 percent of the jobs in our country require the kind of skills usually taught in vocational education programs. Already vocational students make up a large portion of the high school population in many of our districts and, I believe that greater attention needs to be brought to the potential that vocational and technical education programs have to offer. House Joint Resolution 572 is a step in that direction. I urge my colleagues to support House Joint Resolution 572.

Mr. Speaker, I am reminded as I think about this resolution, as I think about the ongoing discussion surrounding vocational and technical education and purely academic education, of the Atlanta Exposition of 1886 when two great Americans, Booker T. Washington and W.E.B. DuBois, clearly began the discussion of the two, whether or not they ought to coexist, whether one was better than the other, and it was in that Atlanta Exposition where it was Washington who said to us, "Let us cast our buckets down where we are," and let history record that both men were correct. In this Nation vocational education and purely academic education have coexisted and have gone a long way, I believe, in certainly strengthening the fiber of our Nation by providing individuals who have become productive citizens, and so again I want to thank the gentleman from New York [Mr. GILMAN] for yielding, the gentleman from California [Mr. DYMALLY], who chairs the distinguished subcommittee, and my colleagues in the House for supporting this very important resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Maryland [Mr. MFUME] for his supportive remarks, and, further reserving the right to object, I am pleased to yield to the gentleman from California [Mr. DYMALLY], our distinguished subcommittee chairman.

Mr. DYMALLY. Mr. Speaker, just a brief note.

I am very pleased that Mr. MFUME saw fit to include the word "technical" because, when I was a teacher, long before the gentleman from Maryland [Mr. MFUME] was born of course, we used simply "vocational," and that had certain kinds of stereotypical connotations. We are now in an age of technology now, and we have to recognize that we have to shift from vocational and add technical, and I think it is a very significant addition to change in the whole dialogue and the whole

thrust of technology and education in this field.

Additionally, Mr. Speaker, the gentleman raised a very significant point about the debate between two great leaders. I believe modern educators now are in agreement that both were correct, that we have to mix both the DuBois philosophy and the Washington philosophy, so I congratulate the gentleman from Maryland [Mr. MFUMU] for bringing this very important resolution to the Members of the House.

□ 1445

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 572

Whereas vocational education prepares the Nation's work force by providing students with basic academic and occupational skills;

Whereas vocational education stresses the importance of positive work attitudes and values;

Whereas vocational education builds the leadership skills of students by encouraging them to participate in student organizations;

Whereas vocational education stimulates the growth and vitality of the Nation's businesses and industries by preparing workers for the majority of occupations forecasted to experience the largest and fastest growth in the next decade;

Whereas vocational education encourages entrepreneurship among students through units of study and courses designed to prepare them to start and manage their own businesses;

Whereas a strong vocational education program planned and carried out by trained vocational educators is vital to the future economic development of the Nation and to the well-being of its citizens;

Whereas the Future Business Leaders of America, the Future Homemakers of America and Home Economics Related Occupations, the Future Farmers of America, the Distributive Education Clubs of America, the Vocational Industrial Clubs of America, the American Industrial Arts Student Association, the Health Occupation Students of America, the National Association of State Councils on Vocational Education, and the American Vocational Association have joined efforts to give added definition to vocational education;

Whereas the American Vocational Association, the major professional association for the field of vocational education, will convene its annual convention in St. Louis, Missouri, on December 2, 1988; and

Whereas the planned theme for Vocational-Technical Education Week is "Vocational Education: Building Tomorrow's Leaders": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That November 28 through December 2, 1988, is designated as "Vocational-Technical Education Week", and the President is authorized and requested to issue a proclamation calling upon the

people of the United States to observe such period with appropriate programs, ceremonies, and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CHESTER F. CARLSON RECOGNITION DAY

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 629) designating October 22, 1988, as "National Chester F. Carlson Recognition Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Reserving the right to object, Mr. Speaker, I yield to the gentleman from New York [Mr. HORTON], who is the chief sponsor of House Joint Resolution 629, designating October 22, 1988, as "National Chester F. Carlson Recognition Day."

Mr. HORTON. Mr. Speaker, I rise in support of House Joint Resolution 629, which commemorates Chester Carlson on the 50th anniversary of his invention of xerography. The term xerography is Greek for dry writing. This ingenious process has revolutionized the office environment and communications.

As a matter of fact Xerox is now commonly used to described the process, but it is also used by people in the office when they say, "Get me a couple xeroxes of this paper."

It has been certainly a revolutionary force in the ability of people to communicate.

Chester Carlson worked for an electronics firm, noticed that there never seemed to be enough copies of patent specifications and no easy way of getting more. In his spare time he went about finding a practical method of making photostatic copies.

On October 22 of 1938, he discovered the process of xerograph, using the little known field of photo-conductivity.

This was just the beginning. It took him a number of years before he could find a company that would be willing to risk using his invention.

I was in the city of Rochester at the time. Of course, I was not in Congress at that time. But it was about 10 years after that. There was a company, a very highly respected company in Rochester, by the name of the Haloid Co. The CEO was Joe Wilson, and one of his attorneys was Sol Lenowitz, a good friend of mine who practiced law in the same area where I did.

As the result of Mr. Wilson and Mr. Carlson meeting, the Xerox Co., which was then Haloid, took up the invention of Mr. Carlson and ultimately as a result of making copiers, the company began to grow and many millionaires resulted from that change from Haloid and then later to the Xerox Corp.

Mr. Wilson, who is now deceased, was a great advocate, as was Sol Lenowitz, of this process, and as a result it became an instant success story throughout not only the Rochester and upstate New York area, but throughout the United States and throughout the world. Today it is a multinational company, highly recognized throughout the world. One of my very good friends and a Rochesterian, is the CEO, David Kerns. And that company today is a very successful company.

Mr. Carlson a few years back died, but before he died, he participated in many charitable efforts and gave over a hundred million dollars to charities, many of them in the Rochester area.

On October 22, this will be the 50th anniversary of the day that he invented this process. The Postmaster General just recently announced, and I was there along with the gentleman from New York, Mrs. LOUISE SLAUGHTER, who represents the 30th District in New York, which is the district adjoining mine, which is the 29th. We were there with the Postmaster, Anthony Frank, when he announced that there will be a stamp commemorating Mr. Carlson and it will be issued in Rochester on October 21, which is a Friday, because Saturday is on the 22d. There will be a big dinner. There will be great festivities in Rochester on October 21 and on October 22 celebrating this very august event.

I want to take this opportunity to thank the gentleman from California, Mr. DYMALLY, for his leadership in bringing to the floor this resolution to commemorate Chester Carlson; also to thank my friend, the gentleman from New York, Mr. BEN GILMAN, for his work on the committee and for bringing this to the floor today, and particularly to thank the gentleman from New York, Mrs. SLAUGHTER, from upstate New York, the 30th District, the one adjoining mine, for her leadership in this particular resolution.

So Mr. Speaker, I bring this to the attention of my colleagues and urge that they recognize in their districts National Chester F. Carlson Recognition Day" on October 22, 1988. It certainly revolutionized the world, xerography and the xerox process.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from New York for his words of support for the resolution.

Mr. Speaker, further reserving the right to object, I am pleased to yield to the gentleman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Mr. Speaker, I thank the gentleman for yielding, and I want to express my thanks to the gentleman from California [Mr. DYMALLY] for his help in bringing this resolution to the floor.

Mr. Speaker, I am pleased to have been able to introduce this legislation with my distinguished colleague, the gentleman from New York [Mr. HORTON].

On October 22, those of us in Rochester, NY, will honor Chester Carlson, who 50 years ago invented the process of xerography, a process which has changed the lives of many and the way we do business throughout the world.

It was in the kitchen of his Queens apartment, that his unknown patent attorney named Chester Carlson found a solution to a problem he had been considering for several years. His process for developing clean, dry, and a relatively cheap method of copying was an unbelievable invention, his process also made dramatic breakthroughs in physics and engineering.

The grandson of Swedish immigrants, Chester Carlson became known not only for his genius but also for his philanthropy. Most of the multimillion-dollar fortune he accumulated because of his invention has been donated toward the achievement of world peace and to support the United Nations, the civil rights movement, and many colleges and universities.

Chester Carlson rose from obscurity by perceiving a need and possessing the innovative capacity to create the product which filled it. Today millions of people of all ages benefit from the genius of his invention. I am very pleased that we are able to honor Chester Carlson on the 50th anniversary of his invention of xerography.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for her supportive remarks, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 629

Whereas Chester F. Carlson invented xerography, a dry process for duplicating that involves no chemical reactions, on October 22, 1938;

Whereas the invention of xerography represented a dramatic breakthrough in the duplicating industry and the fields of photography, engineering, and physics;

Whereas the development of the new technology of xerography was publicly announced in Rochester, New York, on the 10th anniversary of the invention of xerography by Chester F. Carlson, and the 1st office copier utilizing the process of xerography was offered for sale 2 years later;

Whereas the research and development of xerography has resulted in a multimillion dollar industry that produces billions of copies each year in offices around the world;

Whereas xerography has become an indispensable tool for the dissemination of information and communication, and has increased efficiency and productivity in millions of offices;

Whereas Chester F. Carlson was a 2d generation American who overcame poverty to obtain a degree in physics from the California Institute of Technology and a law degree while conducting experiments with electrophotography in the hope of solving the problem of creating an inexpensive method of making high quality duplicates of documents;

Whereas Chester F. Carlson is renowned not only for his genius as an inventor but also for his philanthropy, donating most of his fortune from royalties for the achievement of world peace and the support of the United Nations, the civil rights movement, and many colleges and universities; and

Whereas October 22, 1988, is the 50th anniversary of the invention of xerography by Chester F. Carlson: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 22, 1988, is designated as "National Chester F. Carlson Recognition Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIGIOUS FREEDOM WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 518) designating the week of September 25, 1988, as "Religious Freedom Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Reserving the right to object, Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY], the chief sponsor of House Joint Resolution 518, designating the week of September 25, 1988, as "Religious Freedom Week."

Mrs. BENTLEY. Mr. Speaker, I want to thank the gentleman from New York for yielding, and I particularly want to thank the Committee on Post Office and Civil Service for discharging this resolution at this time, and particularly to express my appreciation to the gentleman from California [Mr. DYMALLY] for joining as a dual sponsor of this precious resolution, and in assisting to obtain the 226 other sponsors in the House and 68 in the other body.

Along the way toward discharge of this resolution, I was asked several times about my religious involvement.

Why I would be so interested in having this observance acknowledged by the Congress of the United States. And I had to think about why it was so particularly important that we reaffirm our belief in freedom of religion.

I credit a great deal of my interest in looking backward into our history—as I have been doing over this last couple of years—with the celebration of the bicentennial of the Constitution. Like all Americans, I learned all about the Constitution and the Bill of Rights in school. And like many Americans, it was awhile ago. And like most Americans, before I came to Congress, I had no call upon the Constitution in my day-to-day life—though every freedom I enjoyed, every day, rested on its frame.

Of an inquiring mind—remember I was trained as a reporter—when we began to look forward to the bicentennial, I began to refresh my memory as to the details and the facts. And the most astonishing thing—even though I knew it, but it still astounds me—is that the Bill of Rights was added to the Constitution 2 years later. And only because the States in the ratification process were unhappy that individual freedoms were not clearly defined in the Constitution they had to vote on.

And the first amendment guaranteed the freedom of religion. A year before the Bill of Rights was introduced, the new President of the United States, George Washington, had sent a letter to Touro Synagogue, in Newport, RI, asserting "to bigotry no sanction, to persecution no assistance."

Those words, "the promise of Touro," must have moved that congregation to exclaim among themselves, "The President says," "Mr. Washington is promising. * * *". There would have been a stirring as though a freshening wind of freedom was blowing across the new Nation—bringing hope, not only to Touro Synagogue, but to all Americans that there would be no tyranny of a state religion.

□ 1500

It is difficult for us as Americans today to realize how much President Washington's statement must have meant at that time. Few of our history books after the period of Puritan landings in Massachusetts feature the impact that religious persecutions in Europe had to do with the flood of immigration to this country before 1800, and yet many of our colonies were founded by settlers who came to the New World seeking religious freedom.

Rhode Island was founded by Roger Williams, a separatist from the harsh Puritan regime in Massachusetts. His settlement attracted not only the Touro Congregation, who had followed the route of the Puritans

through Holland to America, but Baptists, Quakers, and Catholics were also attracted by Williams' promise of freedom of worship. William Penn, the Quaker, founded Pennsylvania and attracted many religious separatists.

Our own State of Maryland was founded by Catholics, but by the late 1700's Catholics were not allowed to hold public worship services. The cornerstone of St. Ignatius Catholic Church in Bel Air in my district was laid in 1791 at the time the First Congress voted for the Bill of Rights. The church was completed in 1792 after the States had ratified the 10 amendments.

The new Americans, among them our own Marylanders, had suffered persecutions or were the children of those who had, and I identify with them. My own religion, eastern Orthodox, is a minority religion in this country. My ancestors in Serbia suffered persecution at the hands of the Ottomans for hundreds of tragic years, and I grew up hearing these stories from my immigrant mother.

Mr. Speaker, yes, we should reaffirm this belief. We cannot be reminded too often of the promise of Touro, "To bigotry no sanction, to persecution no assistance." It must not be a promise of 200 years; it must be a promise for all time.

Mr. Speaker, again, I wish to express my appreciation to the gentleman from California [Mr. DYMALLY] and his committee for discharging this resolution so that we can move it along for a signature by the President before September 25.

Mr. GILMAN. Mr. Speaker, the poignant remarks of the gentlewoman from Maryland are appreciated.

Further reserving the right to object, I yield to the distinguished subcommittee chairman, the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I am pleased to be a participant in the effort to designate the week of September 25, 1988, as "Religious Freedom Week," by adopting House Joint Resolution 518.

More often than not, citizens of this great Nation forget that the right to worship freely, or not to worship at all, is one of the cornerstones of this country's foundation.

Despite incidents which have occurred throughout our history challenging the soundness of this principle, the courts have stood firm on protecting this inalienable right.

House Joint Resolution 518 reminds us and the entire country that we cannot condemn anyone for choosing to worship one way or another, or for choosing not to worship at all.

Certainly, invaluable contributions have been made by religious organizations to the development and stability of this country, particularly in setting our values and ethical beliefs.

House Joint Resolution 518, however recognizes that these beliefs need not be imposed on everyone; it is simply a matter of choice.

That, in essence, is the beauty of this freedom.

Our Government would not be the model of democratic societies had it not been for the guarantees of certain freedoms. House Joint Resolution 518 commemorates one of these freedoms.

Mr. Speaker, I urge all of my colleagues to join me in designating this week to reaffirm our commitment to the tolerance of all faiths and religious liberty for all.

Mr. Speaker, I thank the gentlewoman from Maryland [Mrs. BENTLEY] for bringing this resolution to the floor.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I rise in strong support of the legislation now pending before us, and I would like to commend the gentlewoman from Maryland, Congresswoman BENTLEY, for introducing House Joint Resolution 518, which designates the week of September 25, 1988, as "Religious Freedom Week." As a cosponsor of the bill, I urge its adoption.

This commemorative legislation seeks to highlight the 200th anniversary of the proposal of our great Bill of Rights. This Nation was founded on principles of religious and personal freedoms. No document embodies those principles more effectively than the Bill of Rights, from which each American derives his or her personal and religious liberties. We are so proud that our Nation is a diverse and rich assortment of cultures, nationalities and religions, each respecting the others right to worship. The United States is a great Nation because of such a melting pot and it is due to our Bill of Rights that all of this is possible.

House Joint Resolution 518 not only pays homage to a document, the principles of which we abide by on a daily basis, but also serves to remind us of those around the world who are denied the religious freedom which we sometimes take for granted. History has shown how many have lost their lives because of religious intolerance. We should therefore, cherish even more so those rights and freedoms that our founding fathers drafted for us more than two centuries ago. Accordingly, Mr. Speaker, I urge my colleagues to adopt House Joint Resolution 518, establishing September 25 through October 1 of this year as "Religious Freedom Week."

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 518

Whereas, the principle of religious liberty was an essential part of the founding of our Nation, and must be safeguarded with eternal vigilance by all men and women of good will;

Whereas, religious liberty has been endangered throughout history by bigotry and indifference;

Whereas, the first amendment to the Constitution of the United States guarantees the inalienable rights of individuals to worship freely or not be religious, as they choose, without interference from governmental or other agencies;

Whereas, throughout our Nation's history, religion has contributed to the welfare of believers and of society generally, and has been a force for maintaining high standards for morality, ethics and justice.

Whereas, religion is most free when it is observed voluntarily at private initiative, uncontaminated by Government interference and unconstrained by majority preference; and

Whereas, religious liberty can be protected only through the efforts of all persons of good will in a united commitment; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of September 25, 1988, is hereby declared to be "Religious Freedom Week", wherein members of all faiths or of none, may join together in support of religious tolerance and religious liberty for all.

The SPEAKER pro tempore. The question is on the engrossment of the joint resolution.

The joint resolution was ordered to be engrossed.

AMENDMENTS TO THE PREAMBLE OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer amendments to the preamble.

The Clerk read as follows:

Amendments to the preamble offered by Mr. DYMALLY: Pages 1 and 2, in the 1st, 2d, 3d, 5th, and 6th clauses of the preamble, strike the comma after "Whereas".

Page 1, after the 3d clause of the preamble, insert the following:

Whereas the first amendment to the Constitution ensures religious freedom to all of the people of the United States;

Whereas the bicentennial of the ratification of the Constitution occurs in 1988;

Whereas, at Touro Synagogue in 1790, President George Washington issued his famous letter declaring "to bigotry no sanction, to persecution no assistance";

Whereas the Touro Synagogue letter advocating the doctrine of mutual respect and understanding was issued more than a year before the adoption of the Bill of Rights;

Whereas the letter of President Washington and the Touro Synagogue have become symbols of the commitment of the United States to religious freedom;

The SPEAKER pro tempore. The question is on the amendments to the preamble offered by the gentleman from California [Mr. DYMALLY].

The amendments to the preamble were agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL DAY OF RECOGNITION FOR MOHANDAS K. GANDHI

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 169) designating October 2, 1988, as a national day of recognition for Mohandas K. Gandhi, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, it is an honor for me to rise in support of House Joint Resolution 330, legislation designating October 2, 1988, as "Mohandas K. Gandhi Day."

Mohandas Gandhi was an inspiration to us all. He stood for peace, nonviolence and political action within a strong moral context.

Accordingly, I urge my colleagues to support the resolution.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I yield to the distinguished gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I thank my friend, the gentleman from New York [Mr. GILMAN], for yielding.

Mr. Speaker, I simply want to note that Mohandas Gandhi had a great deal of influence on the whole civil rights movement in the United States. In fact, the Martin Luther King Center in Atlanta, GA, continues to recognize his work and his philosophy, and I note that under the leadership of the gentlewoman from Ohio [Ms. OAKAR] this House will soon debate a resolution to designate a memorial to Mr. Gandhi.

Mrs. MORELLA. Mr. Speaker, it is an honor for me to testify in favor of Senate Joint Resolution 169 and House Joint Resolution 330, which designates October 2, 1988 as Mohandas K. Gandhi Day.

Mahatma Gandhi, the father of India and a major inspiration in the 20th century, sought peaceful self-determination for nations and civil rights for all people.

Mahatma Gandhi is not unknown to us in this Nation; recently, we have had a revived interest in this most revered of world leaders because of media attention to Indian history. However, many of our citizens are not aware of the Mahatma's intellectual and philosophical interaction with this country.

While Mohandas Gandhi was imprisoned in South Africa, early in this century, he had the opportunity to study the works of Ralph Waldo Emerson and Henry David Thoreau. These American writers were the basis for his philosophy of nonviolence. Martin Luther King, Jr., was inspired by the concept of Satyagraha, civil disobedience and a quiet pursuit of truth. Mahatma Gandhi also developed the protest march which was used by civil rights leaders in this country.

Albert Einstein once wrote of Gandhi, "Generations to come, it may be, will scarce believe that such a one as this ever in flesh and blood walked upon this Earth." This indeed was an individual who believed in the dignity of humankind. Religion, class, race, educational qualifications made no difference to Gandhi. Though Sikhs alike looked to him for guidance. It was Viscount Louis Mountbatten who said, "Mahatma Gandhi will go down in history on a par with Buddha and Jesus Christ." About religion, Gandhi said, "for me, religion is one in its essence, but it has many branches and if I, in the Hindu branch fail in my duty to the parent trunk, I am an unworthy follower of that one invisible and visible religion."

Mahatma Gandhi was instrumental in spearheading independence for the world's largest democracy, though he himself held no political office, nor sought it. His strategy of nonviolence and civil disobedience incorporated the art of compromise but he was uncompromising in his stance for an undivided India; he prayed for Indian unity and despaired because there were those who did not respond to his anguished pleas for peace and brotherhood. His cries for unification, peace, and brotherhood are still current.

Mahatma Gandhi once said, "I do not want my house to be walled on all sides and my windows to be stuffed. I want the cultures of all lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any."

By designating Mohandas K. Gandhi Day on this remarkable man's 129th birth anniversary will bring to the fore the standards and personal morality of this truly great world citizen. It will also emphasize the commonality and bond between the two greatest democracies in the world.

I commend our colleague, the distinguished gentleman from New York [Mr. SOLARZ] and the Senator from New York for sponsoring this important commemorative. I am proud to be a cosponsor of this resolution and urge its quick passage.

Mr. SOLARZ. Mr. Speaker, I appreciate the opportunity to speak on behalf of House Joint Resolution 330, which I introduced to designate October 2, 1988, as a day to honor Mahatma Gandhi and his commitment to nonviolence. I would also like to thank my good friend and colleague from California, Mr. DYMALLY, for moving this bill to the floor in such an expeditious fashion.

In today's world, too often beset by global tensions, the arms race, tragic outbursts of racial and ethnic violence which defy resolution, and multiple violations of human rights, the life and teachings of Mohandas "Mahatma" Gandhi serve as a shining contrast. They show that one man, dedicated to advancing the cause of human dignity and justice, could use moral and ethical principles dedicated to nonviolence to achieve independence for what is now the world's largest democracy. Such an achievement by an individual, remarkable by any standards, deserve recognition from this legislative body and the American people as a whole, which is why it is appropriate for us to be considering this legislation today.

Mohandas Gandhi was born in 1869 in Probandar, India, and received a legal education

in London. He went to South Africa in 1883, where he became deeply involved in the struggle for justice for Indians in that country. His advocacy on behalf of those so unfairly discriminated against led him to be imprisoned in South Africa. There, in jail, he discovered the works of two great Americans, Henry David Thoreau and Ralph Waldo Emerson, and was deeply influenced by their writings, particularly Thoreau's "On Civil Disobedience." It was a turning point in his life—from that time on, he was firmly committed to the principles on nonviolence, and believed that the best methods to advance the cause of justice and human rights were truth and compassion.

Gandhi believed that hatred could have no role in civilized societies. He wrote, "It is the law of love that rules mankind. Had violence; that is, hate, ruled us, we should have become extinct long ago. And yet, the tragedy of it is that the so-called civilized men and nations conduct themselves as if the basis of society was violence."

In 1915, he left South Africa and returned to India, where he dedicated the remaining 33 years of his life to human rights and the cause of Indian independence. To achieve self-rule for India, Gandhi developed and lived by a political philosophy based on nonviolence, respect for human dignity, and the practice of personal integrity and charity toward all.

The impact of his life and teachings on modern history cannot be underestimated. Much as Gandhi was inspired by Thoreau and Emerson, so too was Martin Luther King, Jr., motivated by the beliefs and actions of Gandhi. King's leadership of this country's civil rights movement incorporated and expanded on much of Gandhi's message of nonviolence, peace among nations, and brotherhood of all peoples. Tragically, both men, who had so much to offer mankind, both died in the same manner, at the hands of a crazed assassin.

However, through this bill and the efforts of the Gandhi Foundation and other organizations committed to the philosophy of nonviolence, Mahatma Gandhi's legacy of compassion and nonviolence will continue to live on. On October 2, the national day of recognition for Gandhi that this bill seeks to establish, the Gandhi Foundation will be announcing its intention to provide, free of charge to all schools with pupils in grades kindergarten through 12th, a 1 day curricula on nonviolence.

The goals of this program will be to convey to our youth the idea that the principles of peaceful conflict resolution are a more socially desirable and effective type of behavior in dealing with day-to-day disputes. Through such teaching, one hopes the principles of nonviolence which formed the core of Mahatma Gandhi's existence will become more relevant to the lives of children who are the future of this country.

Mr. GILMAN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 169

Whereas Mohandas K. Gandhi sought to apply the values of truth and love, which are regarded as most precious moral values in personal life, in the difficult domain of political and social action;

Whereas Gandhi remained a relentless champion of human rights and human dignity for all people, including women and minorities, throughout his lifetime;

Whereas Gandhi was one of the leading figures in the effort to win freedom for his people in India and thereby helped sow the seeds of freedom and liberation in Asia and Africa;

Whereas Gandhi's unmovable faith in the power of nonviolent struggle was a powerful inspiration for Dr. Martin Luther King and the civil rights movement in the United States;

Whereas Gandhi identified himself totally with the oppressed and sought to change their lives through the moral persuasion of the oppressor;

Whereas Gandhi proclaimed that all humans are equal and that life is sacred, and treated that belief with an inviolable trust, thus echoing Abraham Lincoln;

Whereas Gandhi used truth and the moral force it carried to guide both his personal and public life;

Whereas Gandhi drew inspiration from Ralph Waldo Emerson and Henry David Thoreau, two of America's great thinkers, in formulating his philosophy of civil disobedience, and proclaimed that the right to participate in civil disobedience was an inherent right of all citizens;

Whereas Gandhi believed that the true democrat is one who by purely nonviolent means defends his liberty and therefore, the liberty of his country, and ultimately that of the whole of mankind;

Whereas Gandhi believed that the arms race placed an unbearable burden on all of humanity;

Whereas Gandhi staunchly supported the claim that no society can possibly be built on the denial of individual freedom;

Whereas Gandhi believed that a society that allows double standards for its citizens and its leaders is self-destructive, that political and personal morality must coincide and extend to human beings in all walks of life, and that the purification of politics requires that men and women of courage and integrity remove all taint of double standards; and

Whereas Gandhi was one of those truly rare individuals who combined so admirably in word and deed the highest moral aspirations of mankind: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 2, 1988, is designated as a national day of recognition for Mohandas K. Gandhi, and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL HISTORICALLY BLACK COLLEGES WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration

of the Senate joint resolution (S.J. Res. 290) to designate the period commencing September 25, 1988, and ending on October 1, 1988, as "National Historically Black Colleges Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I yield to the distinguished chairman of our subcommittee, the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I simply want to bring to the attention of the Members to the fact that approximately 2 years ago this House, this Congress and, indeed, the President and this Nation recognized the role of the historically black colleges by designating funds for their operation and existence, particularly focusing on the small private colleges.

Right now, at this moment, Mr. Speaker, in the other body a seminar is being conducted on the role of the historically black colleges in science, space, and technology. I think it is appropriate for us to recognize the role of the historically black colleges and universities.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I want to commend the gentleman from South Carolina [Mr. SPENCE], who recently rejoined us in this body after an extended period of illness for his recognition of the 107 historically black colleges and universities throughout the country and for the kind of quality education that is so essential to our populace and the kind of quality education that they provide to our black community.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 290

Whereas there are 107 Historically Black Colleges and Universities in the United States;

Whereas such colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas such institutions have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of the Historically Black Colleges are deserving of national recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing September 25, 1988, and ending on October 1, 1988, is designated as "National Historically Black Colleges Week" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States and interested groups to observe such week with appropriate ceremonies, activities, and programs, thereby demonstrating support for Historically Black Colleges and Universities in the United States.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACTORS' FUND OF AMERICA APPRECIATION MONTH

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 650) designating April 1989 as "Actors' Fund of America Appreciation Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I would like to commend the gentleman from California [Mr. COELHO], who is the chief sponsor of House Joint Resolution 650, for designating April 1989 as "Actors' Fund of America Appreciation Month."

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 650

Whereas the Actors' Fund of America has given over 100 years of dedicated service to the entire entertainment world;

Whereas the Fund's services are not restricted to actors but are available to any bona fide professional in the entertainment community who works in any capacity in the area of ballet, opera, circus, variety, motion pictures, radio, television, and the legitimate stage;

Whereas the Actors' Fund provides its members with a wide variety of services and benefits, including financial assistance, educational and career guidance, blood banks, funeral and burial assistance, psychological counseling, home nursing care, and the use of the renowned Actors' Fund Home, a retirement residence in Englewood, New Jersey;

Whereas the Fund's new extended facility provides members with the finest possible nursing care;

Whereas the efforts of the officers and board members of the Actors' Fund have

been aided by the cooperation and financial support of members of the entertainment community, who support the Fund with bequests, donations, and endowments, and by giving special performances for the benefit of the Fund; and

Whereas since 1882 the Actors' Fund of America has been actively and productively concerned with the dignity and well-being of all members of the entertainment community: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 1989 is designated as "Actors' Fund of America Appreciation Month", and the President is authorized and requested to issue a proclamation saluting the accomplishments of the Fund and calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DRUG FREE AMERICA WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 329) to designate October 24 through October 30, 1988, as "Drug Free America Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object I rise in support of House Joint Resolution 582 which would designate the week of October 24, 1988, national "Drug Free America Week." I strongly commend the gentleman from Alaska [Mr. Young] for his work in bringing this measure to the floor of the House. I am proud to be a cosponsor of this legislation symbolizing our Nation's commitment to combating illicit drugs.

The importance of designating a "Drug Free America Week" is that it focuses attention on the destructive nature of drugs. Schools and communities across the country can organize special forums and activities during this week to get this life-saving message out.

There is probably no more important aspect of the war against drugs than the struggle for the hearts and minds of the next generation of Americans. They must learn the dangers of drugs and they must understand that saying "no" to drugs means saying "yes" to hope.

I urge my colleagues on both sides of the aisle to give their full support for this essential measure. Let the call go out from across our Nation that we are going to put the corner drug pushers and billionaire drug kingpins out of

business by rejecting their poisonous products and by saying "yes" to a drug free America.

Mr. Speaker, I yield to the distinguished gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join my friend, the gentleman from New York [Mr. GILMAN], in congratulating the gentleman from Alaska [Mr. Young] for bringing to our attention this House resolution, but I also want to bring to the Member's attention that no one in this House has been as unrelenting in his fight against drug abuse than my friend, the gentleman from New York [Mr. GILMAN].

All over the world, he has pursued the drug pushers and the drug sellers, and in this House he has carved for himself a position as a leader in the fight against drug abuse, not only in America but across the world. I want to just take this opportunity as we come to the close of the omnibus drug bill debate and to the close of the session next month to congratulate him for his work and to encourage him to continue to focus attention on this abuse in America.

□ 1515

I congratulate the gentleman for his work in this area.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for his kind words of support and want to commend him too for being shoulder-to-shoulder with us in this long, never-ending battle of pursuing the drug pushers and the drug trafficker.

Mr. RITTER. Mr. Speaker, today we'll be passing the bill proclaiming the week of October 24, "Drug Free America Week." Well, something been happen in the Lehigh Valley which fits right in with that.

Mr. Speaker, "Be Smart! Don't Start" is the slogan of the antidrug abuse campaign of the Optimist Club of Western Lehigh in my district. This slogan is now a National Trademark (Reg. No. 1,502,578) as confirmed to me on August 30, 1988, by the U.S. Patent and Trademark Office. Therefore, it is indeed appropriate, as we debate today, H.R. 5210, the Omnibus Drug Abuse Act of 1988, for me to point with pride to the outstanding work of the Western Lehigh Optimists in their battle against this national disease I commend four of their members, Don Pearl, Ed Koepke, George Sampson, and Joe Lake for their leadership and dedicated efforts to spread the word.

Since my first meeting with this group back in 1986, a lot has happened. This slogan was on the first bumper stickers produced by the Western Lehigh Optimists and I had the pleasure of presenting one of their first run to the First Lady, Nancy

Reagan. Now, over 70,000 of these are on cars in my district, noticed by everyone. Their T-shirts, one of which I have here along with the bumper sticker, are also very popular. We're going to try and get a T-shirt and a bumper sticker to each Member.

I am pleased to report that as a result of a meeting I had in my office yesterday with Dr. Ian Macdonald, Drug Policy Adviser to President Reagan, Bruce Feldman, Pennsylvania Governor Casey's Drug Policy Adviser and the Western Lehigh Optimists, Dr. Macdonald advised the group that he would make every effort to utilize "Be Smart! Don't Start" in a national campaign. Bruce Feldman announced that Governor Casey would place the bumper stickers on all appropriate State vehicles—what a fine opportunity to carry this message statewide. I am very proud that the Western Lehigh Optimists have generated this enthusiasm at the local, State, and now national level. I urge all of my colleagues to take this message back to their own congressional district—"Be Smart! Don't Start."

Mr. GILMAN. Mr. Speaker, I withdrew my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 329

Whereas illicit drug and alcohol abuse has reached epidemic proportions and is of major concern to all Americans;

Whereas illegal drug and alcohol use is a major public health threat and is one of the largest causes of preventable disease, disability, and death in the United States today;

Whereas drug and alcohol abuse cost American society nearly \$100,000,000,000 a year in lost productivity;

Whereas illegal drug use does not discriminate on the basis of age, gender, or socioeconomic status as evidenced by the following statistics:

(1) twenty-three million Americans age twelve and over currently use illicit drugs,

(2) a nationwide Weekly Reader survey revealed that of the sixty-eight thousand fourth graders polled, 34 per centum reported peer pressure to try wine coolers, 41 per centum to smoke, and 24 per centum to use crack or cocaine,

(3) the fifteen-to-twenty-four-year-old age group is dying at a faster rate than any other age group because of accidents, homicides, and suicides, much of which is related to drug and alcohol abuse;

Whereas the problem is not insurmountable. Americans have begun to lay the foundation; however, we must continue to build on the important strides we have made in our efforts to prevent illegal drug and alcohol use. The most recent national polls reveal that progress has been made—

(1) since 1979, there has been a steady decline in the use of marijuana on a daily basis among high school seniors, and in 1987

marijuana use among this group was at its lowest level in eleven years,

(2) in 1987 there was a significant drop in the use of cocaine, and the number of high school seniors associating great risk with trying cocaine once or twice rose from 34 per centum in 1986 to 48 per centum in 1987, and

(3) illicit use of stimulants and sedatives continues to decline among high school seniors, college students, and young adults in general;

Whereas the American people indicate that drug abuse is one of the most serious domestic problems facing this Nation according to public opinion polls and have begun to take steps to fight it;

Whereas the National Federation of Parents for Drug-Free Youth has declared October 23 through October 30, 1988, as "National Red Ribbon Week"—a comprehensive public education and fundraising drive, involving thousands of parent groups across the country;

Whereas other outstanding groups such as the American Council for Drug Education, the Just Say No Foundation, the National Parents Resource Institute for Drug Education, TARGET, the National Crime Prevention Council, the Elks, and others have demonstrated leadership, creativity, and determination in achieving a drug-free America;

Whereas we must get the message across that any use of an illegal drug is unacceptable—that there is no safe use of these drugs—and that illegal drug use will not be tolerated;

Whereas drug and alcohol abuse undermines our economy, threatens our national security, affects productivity, and ruins and destroys lives: Now, therefore, be it

Resolved, That the week of October 24 through October 30, 1988, be designated as "Drug Free America Week". The Senate of the United States recognizes and commends the hard work and dedication of concerned parents, educators, business leaders, private sector organizations, and government leaders and urges them to continue their tenacious efforts. The Senate urges these groups to sponsor town meetings, conferences, and fundraising activities that support community drug and alcohol education and to observe "Drug Free America Week" with other appropriate activities, events, and educational campaigns; and be it further

Resolved, That every American is encouraged to wear red during the "Drug Free America Week" to symbolize their commitment to a healthy, drug-free lifestyle.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL JOB SKILLS WEEK

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 333) to designate the week of October 9, 1988, through October 15, 1988, as "National Job Skills Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I would like to note that the gentleman from California [Mr. MARTINEZ] is the chief sponsor of House Joint Resolution 585, designating the week of October 9, 1988, through October 15, 1988, as "National Job Skills Week," and we commend him for his legislation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 333

Whereas the ability to maintain an internationally competitive and productive economy and a high standard of living depends on the development and utilization of new technologies;

Whereas these technologies require skills that are currently lacking in the national workforce;

Whereas experts in both the public and private sectors predict that a shortage of skilled entry-level workers will exist through the remainder of this century;

Whereas young people in the United States are experiencing higher than normal unemployment rates because many of them lack the skills necessary to perform the entry-level jobs that are currently available;

Whereas these young people will continue to experience higher than normal unemployment rates unless they develop the skills necessary to perform the entry-level jobs that become available;

Whereas American workers facing dislocation due to plant closures and industrial relocation need special training and education to prepare for new jobs and new opportunities; and

Whereas a National Job Skills Week can serve to focus attention on present and future workforce needs, to encourage public and private cooperation in job training and educational efforts, and to highlight the technological changes underway in the workplace: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 9, 1988, through October 15, 1988, is designated as "National Job Skills Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORLD FOOD DAY

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 336) designating October 16, 1988,

as "World Food Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I rise in support of House Joint Resolution 563 which would designate October 16, 1988 as "World Food Day."

Since 1979, the National Committee for World Food Day, under the leadership of its chairwoman, Patricia Young, has undertaken hundreds of projects and programs related to the world's hunger problem. Without World Food Day and the organizations involved with its celebration, the groundswell needed that made all the media events possible concerning hunger would never have existed.

Yet, despite the impressive outpouring of support, the problem of world hunger persists. According to recent reports 3 million people are at risk of starving in Angola. UNICEF informs us that every 24 hours, 42,000 children under the age of 5 die as a result of hunger and related diseases.

These grim statistics underscore the critical need for a continued commitment of private and Government funds to ending hunger. But emergency relief aid is not enough. A concerted effort must be made to improve the deteriorating conditions that result in tragedy after tragedy—the same conditions that allow famine and starvation to persist and remain a reality in a world with more than enough resources to feed its population. It is time for us, for our Nation and the world of nations to work to prevent disasters from occurring—to solve the problems.

World Food Day has been an effective way to raise global consciousness concerning this issue.

Accordingly, I urge my colleagues to support the resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 336

Whereas hunger and malnutrition remain daily facts of life for hundreds of millions of people throughout the world;

Whereas the children of the world suffer the most serious effects of hunger and malnutrition, with millions of children dying each year from hunger-related illness and disease, and many others suffering permanent physical or mental impairment because of vitamin or protein deficiencies;

Whereas the United States and the people of the United States have a long tradition of demonstrating humanitarian concern for the hungry and malnourished people of the

world, recently manifested by the American response to African famine;

Whereas efforts to resolve the world hunger problem are critical to the maintenance of world peace, and, therefore, to the security of the United States;

Whereas the Congress is particularly concerned with the continuing food problems of Africa and is supportive of the efforts being made there to reform and rationalize agricultural policies to better meet the food needs of their peoples;

Whereas the United States, as the largest producer and trader of food in the world, has a key role to play in assisting countries and people to improve their ability to feed themselves;

Whereas although progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain groups, notably Native Americans, migrant workers, the elderly, and children, remain vulnerable to malnutrition and related diseases;

Whereas the Congress is acutely aware of the paradox of enormous surplus production capacity in the United States despite the desperate need for food by people throughout the world;

Whereas the United States and other countries should develop and continually evaluate national policies concerning food, farmland, and nutrition to achieve the well-being and protection of all people and particularly those most vulnerable to malnutrition and related diseases;

Whereas improved agricultural policies, including farmer incentives, are necessary in many developing countries to increase food production and economic growth;

Whereas private enterprise and the primacy of the independent family farmer have been basic to the development of an agricultural economy in the United States and have made the United States capable of meeting the food needs of most of the people of the United States;

Whereas increasing farm foreclosures threaten to destroy the independent family farmer and weaken the agricultural economy in the United States;

Whereas conservation of natural resources is necessary for the United States to remain the largest producer of food in the world and to continue to aid hungry and malnourished people of the world;

Whereas participation by private voluntary organizations and businesses, working with national governments and the international community, is essential in the search for ways to increase food production in developing countries and improve food distribution to hungry and malnourished people;

Whereas the member nations of the Food and Agriculture Organization of the United Nations unanimously designated October 16 of each year as World Food Day because of the need to increase public awareness of world hunger problems;

Whereas past observances of World Food Day have been supported by proclamations by the Congress, the President, the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, and by programs of the Department of Agriculture, other Federal departments and agencies, and the governments and peoples of more than 140 other nations;

Whereas more than 400 private voluntary organizations and thousands of community leaders are participating in the planning of World Food Day observances in 1988, and a growing number of these organizations and

leaders are using such day as a focal point for year-round programs; and

Whereas the people of the United States can express their concern for the plight of hungry and malnourished people throughout the world by fasting and by donating food and money for them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 16, 1988, is designated as "World Food Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe that day with appropriate ceremonies and activities, including worship services, fasting, educational endeavors, and the establishment of year-round food and health programs and policies.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the several joint resolutions just passed.

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

There was no objection.

KEEPING THE BASE CLOSING PROVISION

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

Mr. BEREUTER. Mr. Speaker, because of the different methods by which the House and Senate passed the military base closing provision, and perhaps because of a lack of will to act by some congressional conferees, we are in danger of losing it. It is imperative that any Defense Department authorization bill passed by the Congress this year include the base closing provision. The passage of those base closing provisions will result in savings of between \$2 and \$5 billion per year. Just as importantly, this measure allows us to make decisions about closing unneeded military installations based on national defense priorities rather than political and local economic considerations.

If we do not pass the base closing provision now, this unique moment in time for taking this necessary action will be lost. This unique opportunity is based on the special characteristics of this political year—the fact that we are about to elect a new President and that two different Secretaries of Defense will be charged with accepting the entire list of recommended base closures and then with implementation of that decision. Further Congress' meddling will be avoided.

No U.S. military installations have been closed in over 10 years. In reality many have been kept in operation simply for parochial political reasons or as economic development generators for localities and States.

As everyone knows, the Federal budget deficits are running at about \$150 billion per year. With Defense spending at about \$300 billion per year, it is an obvious target for reduction. The \$2 to \$5 billion per year savings made possible by the base closing measure represents a rational and highly desirable cost reduction that does not have a negative effect on our defense posture.

As the body responsible for the national purse, we would fail with our efforts to support our constituents and the national interest if we do not enact the base closing provisions passed this year by both Houses.

Now, frankly, we know that some of the House conferees don't like the directives they have received from the House on this subject. If they drag their feet in implementing the will of the House they should be required to account to their constituents and their colleagues for that failure. It is this Member's fervent hope that the leadership of this House and the other body will demand that they complete the conference on this legislation and complete it in a fashion that does not thwart the will of the majority of their congressional colleagues, but acts instead in the fashion that the public interest demands.

IMPORTANCE OF THE PLEDGE OF ALLEGIANCE

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

Mr. DORNAN of California. Mr. Speaker, this wraps up another week. The so-called historic 100th Congress is rapidly coming to a close. Because of religious holidays next week, religious holidays, thank God, and that is a prayer, not an expletive—the ACLU probably hates it when we break around here for religious holidays. That is the American Civil Liberties Union. That is tough. They are in a minority. We break for religious holidays here, and then Thursday and Friday a full day, a week of 5 days so that means 7 days left in September. We are shooting to get out on Friday of the week of October 3. It never will happen. We will be in the next week after that, so that is 10 days next month, 7 days this month, and in 17 days we are history.

So I want to take every opportunity I can to talk about why the Pledge of Allegiance is important in the current Presidential race, and to take personal note of the progress through the life

of the first female President of the United States. That is my granddaughter, Erin Mary Griffin, who will be 1 year old tomorrow.

Those who follow the proceedings with our speaker here, will recall that last year she was born on the 200th anniversary of the Constitution, which set up our great Senate, this great people's House, the House of Representatives, the Presidency, and the Supreme Court.

Erin, of course, walked early, at about 10 months. She is running all around the house now.

I have not picked out a law school for her. Her parents have just caved in. They are going to let me guide her right to the White House.

That is why this current race is so important, because we are establishing something in this race.

I did a little research, and I am going to read something I admit I might not have recognized at first blush. I wonder if my colleagues would recognize this or the 450,000 people who follow the proceedings of this great Congress through national technical means or reading the Journal that is supplied to all of our public libraries.

What is this that I am about to read?

Then conquer we must, when our cause it is just.

And this be our motto, in God is our trust.
And the Star Spangled Banner in triumph
shall wave

O'er the land of the free and the home of
the brave.

That is our great Francis Scott Key's fourth and final stanza of our beautiful national anthem about our "Star Spangled Banner."

On one of the anniversaries of that night of September 13 and 14 I drove just less than an hour up the road here to Baltimore. Before you even get into the city, you turn off to Fort McHenry, and you can stand on the battlements, and picture Francis Scott Key, a prisoner on a British ship out there on the Chesapeake watching the shelling and the rockets red glare, and the gigantic flag that we can see right down Constitution and it sits just inside the wall of the American History Museum, the very flag that flew over Fort McHenry in that War of 1812, 2 years into that war, 1814 on September 13 and 14. What a tremendous national anthem we have.

Do you know that the American Civil Liberties Union, of which Mr. Dukakis brags that he is "a card-carrying member," and that is not a little, cute phrase, that is his own words, they want these words "In God we trust," out of the "Star Spangled Banner," with no respect for the author. They want those words "In God we Trust" off that wall. The ACLU wants that off this wall here and in the Senate. They want "In God we trust" off these coins in my pocket. They want it off that dollar bill right

next to George Washington's face. They do not want it next to Franklin Roosevelt on the dime. They do not want it next to Abraham Lincoln on the penny. They do not want it next to George Washington on the quarter.

They do not want God in American life. They want Jewish, Judeo-Christian symbolism on the walls of city halls, and they want those cribs and those Hanukkah celebrations off the lawns of every little city hall and every town across America.

That is why I do not like the ACLU, and if Mr. Dukakis is going to run from that, as the Governor of 1 of our 13 original colonies, then fine, but he should suffer the consequences. He should stand up tall, as Sam Donaldson said on ABC's excellent "David Brinkley Show" this week. Sam Donaldson said that I am out there on a limb as a liberal, and I am proud of it, and that is good from someone who started the Republican Club in Pennsylvania as a youth, and he does not like twisting out there in the wind as an avowed liberal. He wants Dukakis to stand up and be a proud liberal as he always has been in his life instead of running a stealth campaign.

The Pledge of Allegiance that we now say every morning in this Chamber, and we will for the next 13 to 17 days, depending on when we adjourn, is important to every Member on both sides of the aisle because we are not just pledging to a piece of material. We are pledging to a nation and what it symbolizes and what it stands for. And I wish we would stop that break in between "one Nation under God." That is one phrase, no break, "one Nation under God." And the last line that some liberals object to is an ideal.

This is not a perfect country. No country has ever been perfect. There has only been one perfect person or institution on the face of the Earth, and that would be Jesus Christ. We are a proud Nation, but we aspire to justice and liberty for all, and that is why I am proud to say the pledge, and so will my granddaughter when she becomes President of the United States be proud to say the pledge right after she is sworn in out here on the front steps of the Capitol.

□ 1530

DISCUSSION OF VIDEO TAPE "JUSTICE ON FURLOUGH"

The SPEAKER pro tempore (Mr. SAWYER). Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 5 minutes.

Mr. GINGRICH. Mr. Speaker, for several days I have been talking about the video tape "Justice on Furlough" and talking about the fact that every Member should look at the human cost of Governor Dukakis' furlough program.

I was shocked just a few minutes ago to be told that Sheriff Randall Johnson of Fayette County, GA, has just arrested a criminal from Massachusetts who is apparently out of the Massachusetts prison system, a man who is identified as Joseph Donald Scesny, 20 years old. He was arrested in Fayette County, GA, in my district, for rape, attempted rape, and burglary. He is wanted in Clayton County, also in my district, for attempted rape. He is wanted in Fulton County, part of which is in my district, for rape which occurred in a church. He claims that he is a burglar who is out of the Massachusetts criminal justice system on parole. Apparently when Sheriff Randall Johnson attempted to confirm with the Massachusetts Corrections Department under the rules of the Massachusetts Corrections Department, just as they did with Willy Horton, they would not confirm for Sheriff Johnson whether Joseph Donald Scesny is in fact, somebody, a criminal from Massachusetts who, as I said, is wanted in three counties in my State of Georgia. In all three counties, he is wanted on rape and in addition he is wanted in one of the counties for attempted rape and burglary.

Let me suggest that every Member of Congress should recognize that in the age of interstate highways and in the age of airliners that people like Joseph Donald Scesny can leave Governor Dukakis' prison system and go out and can endanger citizens everywhere. It is an amazing coincidence that after 3 days of telling my colleagues that they should get a copy of the video tape "Justice on Furlough," they should watch the 25 minutes of interviews of the victims' families, of the couple—the Barnes couple from Maryland who were tortured and raped by one of the murderers released on furlough by Governor Dukakis; they should see the interview with the Maryland Judge who refused to send that criminal, Willie Horton, back to Massachusetts on the ground that Governor Dukakis' State government would simply release him again for weekend furloughs. That "Justice on Furlough" is helpful; it is an amazing coincidence that we learned today that in Fayette County, GA, that one of the criminals from Massachusetts, from Governor Dukakis' prison system has now been captured in Georgia and is being held for crimes he apparently committed in Georgia, while out—whether out on parole, out on furlough, we are not sure because the Massachusetts system will not tell us, but that he is from Governor Dukakis' system.

That is why I think every Member of the Congress should call the phone number that I have given before but I am going to give it again, they should call and order a copy of "Justice on

Furlough" so that they can see for themselves on this video tape the kind of human pain and the kind of human anguish that Governor Dukakis' very liberal, ACLU-kind of leftwing position which is procriminal, it is proprisoner, it is antivictim, it is antinnocent citizens, if they want to call the number area code 618, 465-1166 and order a copy of "Justice on Furlough," and then next week when we come back in session I think we can look at Congressman DAN LUNGREN's bill, the bill that Congressman DAN LUNGREN has introduced which would cut off any Federal aid for a State prison system that had the kind of furlough program for murderers who were committed to lifetime sentences without parole. So if you want to call the number, which I will give one last time, and you want to get a copy of "Justice on Furlough," I think every Member ought to look at it. In addition, I hope that the Democrats will allow us to put this video tape on the House television system so that all of our staffs can have a chance to look at this tape and to see that kind of very human testimony to the human cost of Governor Dukakis' ACLU positions.

The area code is 618, 465-1166.

I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Does the gentleman mean that during the next 53 days of this Presidential race there are furloughed people—I never stopped to think of such an obvious fact—there are furloughed people from Massachusetts all over the country that may be committing crimes and being apprehended? This is like a time capsule that is being exploded—I mean, a time pill exploding in his face.

Mr. GINGRICH. I would say to my friend from California, I warned about it and talked about it and cited the case in Maryland.

CLARIFICATION OF DEFINITIONS OF "LIBERAL," "CONSERVATIVE," ET CETERA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, I had not intended to speak on this subject matter. I did advise, through a signal, my two distinguished colleagues from Georgia and California respectively, to hold on a little because I happened to sit here while certain remarks were made.

Now as much as I have made use of this privilege, and I think it began the first week I came to the Congress about 26½ years ago, I never felt that it was proper to use the forum of this special privilege as a political stump. So I think the record will show that I never did. I do not want to address those remarks, but I did inasmuch as I

happen to be proud when I am called a "liberal." Now I have come up from a county that was probably the most rock ribbed—and I do not like to use the word "conservative," because I do not think that is an accurate description—it was what I would consider reactionary. I think there is a difference between what I, with a great deal of sense of honor and respect, call a conservative and a reactionary or a Tory, if you please. The reason I am proud to be a liberal is that I came up under circumstances that at that time meant a breakthrough, as they called it at the time.

But it was not a breakthrough based on what a glib interpretation had it years later as a joinder of ethnic and racial minorities in order to win. As a matter of fact, the first race on a countrywide level in 1956, the poll tax, as a prerequisite for voting, the payment of a poll tax was enforced in Texas and we had about one-fourth the number of people as qualified electors then as what we have now in the county. And of that number, then, of those registered to vote, not even 10 percent were the ethnic minority Mexican Americans and the black which is really a minority, never has been more than 7½ percent in our county. And I was immediately attacked by my opponents as being a liberal identified with unions. And I was falsely accused of having been a union organizer. I was accused of being a liberal, which was tantamount, at that time, as being a Communist or a Red. These were words and phrases used interchangeably. That is the reason I am rising today.

I yield to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. I thank the gentleman, because before leaving the floor, I respect a great deal the gentleman's years of service here. I just want to offer the observation, just as the gentleman said correctly, I think for both Congressman DORNAN and myself that there is a real difference between the kind of reactionary who is often for segregation, who is often for oppressing people, who represented a very different kind of world than either of us come out of as conservatives. I also think there is a difference, if I may, between the sort of Franklin Roosevelt/Harry Truman/New Deal liberal who really cared about poor people and really was concerned about making sure that there was economic justice, and what we see emerging. I would like to get the gentleman's reaction to it in just a minute. Between that and the rise of the American Civil Liberties Union sort of leftwinger who is, for example, is willing to let murderers out on a weekend because there is a bias in favor of always finding one more excuse for the criminal. I think there is a difference between the classic Franklin Roosevelt/Harry Truman

kind of liberal, which is a great American tradition and which frankly Ronald Reagan came out of. You know, Ronald Reagan campaigned for Harry Truman. People tend to forget that he made commercials for Hubert Humphrey in 1948. That was an economic justice battle cry which I know on the Housing Committee the gentleman from Texas still carries forward. But I think it was different in values from some of the values we see now, with some of the more leftwing kind of views that do not relate so much to economics but on things like drugs and on crime are very different from average Americans.

I would love to hear the gentleman's comments.

Mr. GONZALEZ. I would be delighted to because I see here also what appears to be a conflict in the gentleman's interpretation and labeling an organization such as the American Civil Liberties Union with a broad-stroke, blanket-brush type of attack in which it is pictured as a defender of heinous criminals and the like. I think this is where I wanted to make my point of observation, not by way of criticism, because I respect every one of my colleagues' views and always attribute to them nothing but equal and noble motives, as I think I would like to be accused of having.

But I do think there is a dichotomy there in this distinguished gentleman, because he is distinguished—he is a professor-level educator in college—but I cannot quite accept the inability of my friend to accept responsibility for a generalization.

As the gentleman knows, generalizations can be very dangerous things because human existence is of such a nature that there is not one of us but what we cannot generalize without little footnotes and exceptions.

What I am saying is that I think it is unjust, for instance, to blame Governor Dukakis, for instance, or any Governor—for instance, we have in Texas a Republican Governor and Texas has been beset with an abnormal prison population and has been under a Federal court order to do something about clearing out that population. So the Governor has been pushing for the release, preferably on a county jail level, prisoners that some are considered very dangerous. But I would never think of blaming Bill Clements for being very liberal in his release of hardened criminals.

I yield to the gentleman from California.

Mr. DORNAN of California. I appreciate the gentleman in the well yielding to me. He is one of the most forthright Members in this Chamber and one of the rare Members who is never enslaved to a written text. The gentleman wears his thoughts openly and he

expresses himself quite often with some eloquence.

Mr. GONZALEZ. Let me interrupt the gentleman to say that coming from him, a paragon of virtue in the way of eloquence, that is really a compliment that I deeply appreciate.

Mr. DORNAN of California. Well, I have many times sat here waiting to do one of my special orders and taken great note, with some interest, that the gentleman, like myself, sometimes finds a fascinating tangent to spend a few moments on, but always ties up his theme, ties up the loose ends and makes his point forcefully at the end.

Let me say what I think the gentleman refers to when he says he is a liberal and I have to accept his analysis apart from his district as being reactionary: These two words that have become more important in some of our House battles than the beautiful words "democracy" as used by the gentleman's party, the Democratic party or the word "Republic," as used by my Republican party; the root word of "conservatism" is to conserve, somebody who is generally laid back, who says, "Let's not throw away tradition here," the kind of person who would have signed a bill quickly to establish Yellowstone National Park, even if some timber people had to lose jobs and move out. That is over 110 years ago—112 years ago. It is the kind of a person who says, "We have established something good here. The country is based on some principles. Let us go slowly." I do not think my personality ever fitted that. My mind is as a young person. I have read Jules Verne, I have read H.G. Wells, I was in the future, I asked to be an astronaut once, I flew jet fighters. So "conservative" does not fit me. Now the word "liberal" as the gentleman interprets it is liberty, to expand liberty. The ACLU started out protecting individual liberty. But let me give you a fascist cause where they lost me.

The gentleman has probably heard me say last week that I was in Poland just 2 weeks ago visiting all six, not concentration camps, but extermination camps: Sobibor, Belzec, Auschwitz, Chelmno, and Treblinka. These were camps designed to slaughter human beings by the hundreds of thousands until they reached millions. And many survivors of that holocaust, that horror, lived in Skokie, IL. The ACLU, dancing on the head of a pin, went to court to give the Nazis a right to march through the neighborhoods of people who had seen the practice and fury of hell. And I thought "what point are they trying to prove now?" And it is that analysis, whether defending murderers, torturers who kill children in front of their parents and then rape and torture the parents to death.

□ 1545

To defend people like that and Nazis who are trying to march through a Jewish neighborhood of survivors from Treblinka. Auschwitz, and Birkenau, they have gotten so lost in their concept of maximizing individual liberty that I repeat what I said on the floor yesterday—and I would like the gentleman's observation—that this Nation in many of its major cities, and even its hamlets and villages, wallows in pornography and child pornography, and I lay that horror at the feet of the American Civil Liberty Union. It has nothing to do with liberty to hide pornographers, the slime of the Earth and rapists and murderers and Nazis behind the beautiful first amendment and the American flag.

That is why I am uptight at the ACLU, and Dukakis is a liberal he should be proud of the "L" word, and if he has a problem with the "L" word, he should spell it out and talk about what he can be proud of.

You are looking at a conservative who marched in this city with Martin Luther King, August 28, 1963, I was there as a conservative in my Air Force's uniform which got me criticism from the Air Force Reserve. They thought I was politicizing the uniform. I know I was, but the cause was so monumental. The Kennedy brothers were hiding in the White House. They did not see Martin Luther King.

A few days after this celebrated anniversary there was the horror of the little girls that were blown up in an Alabama church, in the basement of a church at Sunday school within days of the Martin Luther King march. I went down to Alabama and walked the precinct and told the people I was a conservative Republican like Abraham Lincoln who freed the slaves, not like Franklin Roosevelt. He was nice, but think about being in both parties.

Here I am, years later, still angry at some liberals, proud of other liberals, but the glory flags of civil liberties have long been lost when we cover up the AIDS epidemic in the name of individual lives and permissiveness, and when we constantly keep pushing Nazis and Ku Klux Klanners out in front of the public and saying they have a right to spew their hatred in front of everybody.

So that is why I am angry at the ACLU and why I am angry at Dukakis.

Mr. GONZALEZ. Well, I thank the gentleman for his summing up and his identification with great causes for the full respect of our Constitution for all Americans. But I would like to remind the gentleman, I am not a member of the ACLU—not because I feel I am superior or anything, but when I had a chance I did not have the fee. You do have to pay a dues.

Mr. DORNAN of California. Have to be a card-carrying member.

Mr. GONZALEZ. But I saw in yesterday's newspaper where the new Attorney General, newly appointed Attorney General, former Governor of Pennsylvania, Mr. Thornburgh, has been a member of the ACLU, and I also remember those grim days of the 1950's which the gentleman recalls in the South, where the ACLU was in the forefront of that fight for civil liberties.

We have to recognize that we still, even with the gentleman's accounting of the specific acts that he objects violently to, and certainly every one of us has doubts about how can you go out and defend a heinous criminal, how can you defend a Ku Klux Klanner, how can you defend a Nazi parading, but remember that we had elections in 1980 in which candidates running as the Nazi Party got nominated in Michigan and in Carolina.

So I think we have to then realize that we have to consider these things in a context of America's unique socio-judicial heritage and that I have nothing, actually, but praise for the gentleman's convictions in these matters, because I am sure they emanate from not only moral but religious fervor, but no matter how fervent, there are certain circumscribed limitations in our heritage as far as either lawmaking or interpretation.

It is not the ACLU that should be blamed, if the blame is going to be apportioned the ACLU must, because they provide the legal talent, keep within the bounds of judicial decisions and the Supreme Court of the United States has decided very fine points of interpretation as to constitutionality. Some of these activities that we tend to denounce are considered.

Mr. DORNAN of California. Mr. Speaker, if the gentleman will yield. I feel guilty because my 5-minute special order has caused you to sacrifice some minutes from your 1 hour special.

Mr. GONZALEZ. I did not want to interject myself in your limited time.

Mr. DORNAN of California. If you recall, we went through a whole day without anybody mentioning that today is the 201st anniversary of our first Constitution. The 10 first amendments, actually 12, and we dropped the first 2 later. It was Thomas Jefferson's suggestion, who was far across the Atlantic when it was a sizable transportation problem. He was the Ambassador to France and wrote back and said it was not good enough for the Constitution, but to get it in writing what the Government cannot do to us, and those 12 amendments, after dropping 1 and 2, turned into the first 10 amendments or our Bill of Rights.

I probably would not have remembered tomorrow if it were not now the birthday of the sixth of my grandchildren, the first woman President of the

United States to be, but I will hurry back to my room and as I pack to campaign in the great Commonwealth of Massachusetts for GEORGE BUSH, because they like to see this displaced New York Irish American Catholic, whose parents dragged me off to the Golden State—they like to see me in the pubs up there. I like to go into our great colleague BRIAN DONNELLY's favorite pub up there in Dorchester and talk to the Guardsmen in uniform. I will pack to go up to Massachusetts, but have your special order on the television, and do not say anything by way of a prologue, and in 6 minutes you can cut loose and I will listen to what you have to say.

Mr. GONZALEZ. I appreciate that, but I want to point out to the gentleman as he hurries back soon after the birth of his grandchild.

Mr. DORNAN of California. The sixth of seven grandchildren. She will be a year old tomorrow.

Mr. GONZALEZ. This gentleman here has 19 grandchildren, so you have catching up to do.

Mr. DORNAN of California. I will match your 19 with HOWARD NIELSON's 24, but I have not talked to him for several days, so I do not know how many grandchildren he has now.

You, sir, are fecund prolific. I love your part of the country because that is where I went to Air Force basic training, and they taught me to be an officer and a gentleman and sent me off to fly. I loved Kelly, I loved Lackland, and I love San Antonio and that great river. God bless you. See you Thursday.

Mr. GONZALEZ. Have a safe trip.

MY ADVICE TO THE PRIVILEGED ORDERS

Mr. Speaker, I rise again in continuation of what I call "Advice to the Special Orders, Privileged Orders." Significantly I borrowed that phrase from the great American patriot, Joel Barlow, who was one the Chaplains, if not the chaplain for George Washington's army during the Revolutionary War, but also a great pamphleteer and a great poet and wrote equally great epic poems. As I have mentioned before on prior occasions such as the "Columbiad," in which he foresaw what turned out to be our Civil War. But in his advice to the privileged orders of Europe, which is the way he entitled his essays, he was in many respects and in my judgment, not only the equal in many respects perhaps of a more sensitive and imaginative nature than even Tom Paine himself. These were great voices at a time when it was not easy. Both were imprisoned. Paine was imprisoned in England and France as well for their advice to the privileged orders. The times are not dissimilar. There is a lot of similarity to our times.

We are on the threshold of great revolutionary events. We now are witnessing the contraction of the globe,

contracted and strongly bound by electronic bonds of instant communication and interdealings in commerce and finance of huge volume and magnitude, all in a matter of split seconds that have and will continue to portend great, great, and if we let it be, ominous indications for the future. Certainly the handwriting is on the wall and has been as I said then, since 1966, clearer on the wall than the handwriting at Belshazzar's palace festival when that handwriting, that invisible hand wrote on the wall and it was, "Mena, mena, tekell," and simply put, what it meant was the deal was up, the game was up, and this is handwriting that has been on the wall, and we are complacent, with enjoyment of the highest tide of prosperity recorded in many—not only the 20th century, and as pervasive in nature a state of well-being.

In that period of time that we call the post-war times, although I do not like to refer to it that way because we have had no termination of World War II, because there is no peace treaty. We have over 320,000 of our military in West Germany alone, and throughout the world we have a total of about 550,000 of our military throughout the world. That is over half a million. When we have our discussions or debates on the defense appropriations or the defense budget or authorizations, which are now a little over, or about \$315 billion that we tax the American people for in the name of defense, very little if any attention is paid—in fact, I don't say this out of braggadocio but almost say it kind of sadly, and almost apologetically, that other than my voice and for the last 2 years, mine was a sole voice. I was asking since 1974, about what is the proportion of this budget that we are allocating for the so-called defense of Europe. At first I was quite ridiculed, and in fact, angered a couple of the chair and subcommittee chairmen of appropriations. Their answer was the same over the course of years—they did not know exactly. It was scattered throughout the budget from every department, from resource and development to every other byline in a defense budget. When I would answer by saying that I had analyzed the budget and I had figured that it was no less than 55 to 60 percent for what we call "the defense of Europe," and the reply was, after I asked if I was in a ballpark range, they would say I was in the ballpark.

To this day, you still have no positive answer as to the proportion, even though as of this year's discussion on the budget and on an amendment which calls for a gradual assumption of responsibility on the part of our "allies," this had not been mentioned, but in the course of such a discussion this year I did hear somebody mention that it was in the range of 55 percent.

Mr. Speaker, my own analysis reveals that it is closer to 65 percent. Why would I ask that question as far back as 1974? Well, the reason is that in listening to all the discussions, in reading what the committee members said in the committee reports to accompany the bills, and in reading the budget recommendations of the President, it was obvious that their mindset, their perception of the world insofar as Europe was concerned, was a perception of a 1947 Europe, certainly not one later than 1950.

I am old enough that I can recall the issues of that day—the environment and the atmosphere. I remember the smells and the sounds of that day, and yet some cannot quite evoke that day. But I remember that the big issue in 1949 and 1950 was this: Are we going to allow the German finger on the trigger, meaning the bomb? The question was the rearming of Germany.

□ 1600

But that was a question that succeeded the diplomatic impasse and the breakdown among the victorious powers as to what would be done with the conquered countries and lands. And, if we read the history then as written by the diplomats who were involved, we learn of the exclusion by the European and the American diplomats of the Russian in any discussion having to do with a division and responsibility for that division of the occupying countries. As a result Berlin was divided up and had a quadripartite government. The United States ended up with the bulk of the land mass in what has been considered the avenue that an invading army from the East would follow. But England (Great Britain), ended up with the Ruhr. Well, this was a steel-producing and is a steel-producing area, and the British were very practical, as they always have been and continue to be, and they felt that it was absolutely necessary to have control of that so that the British steel production would not be in jeopardy.

The French occupied their old haunts, Alsace-Lorraine and the like, but we ended up with about 320,000 troops that we now call defense, but which in reality is a designation we change from occupation and which in real words is what we are. The French have somewhere around 10,000. The British have about 7,700.

But also in the meanwhile we had the emergence of the resurrected Europe which finally by the Treaty of Rome, 30 years ago this year, and I did not see anybody marking that observation of that date, but we should because that is what gave rise to the so-called European Community and a targeted goal for a United Europe or U.S.E. [United States of Europe], and everything that went into conjunction

with that, the formation of the European Parliament. I never hear anybody talking about the European Parliament, much less its deliberations, or findings or conclusions. It is headquartered in Luxembourg, but who knows about it? The board of governors and the like are actually headquartered in Brussels, in Belgium, but we had NATO which was put into place around the 1950 period of time.

The big issue was, are we going to rearm? The Russians responded immediately, and that was the root cause of what has turned out to be the cold war. Looking at it from the standpoint of the world polity and at the experience of, say, the Soviet Government and its people, here was a nation that had been invaded, and in the course of that invasion and also facing hostility for many years on its eastern borders suffering the loss of more than 20 million of its citizens in that invasion. Well, the only way I could imagine that was if we could imagine the unimaginable, and that would be that a country like Guatemala would invade the United States and would destroy every citizen of Texas, Louisiana, Oklahoma, New Mexico, and Arkansas. How would we feel after that? And if after, with the help of some across the seas ally, this ally says, "You know we don't like the way you govern yourselves, and we're thinking of rearming that one-half of Guatemala that we split after we rolled back the invasion"; what would be our reaction?

I often wonder about that and also about our inability to grasp the history, the social economic history, of that middle Europe and later much less that of the Far East. And today, not even that, south of the border in which I have spoken out quite a bit and with great concern.

Today my advice, and I consider ourselves part of the privileged order. The only difference in the appellation of my style of address is that it is my advice to the privileged orders of America, and I consider my colleagues as being fellow privileged members of our society economically. Wage-wise we are in the upper 10 to 12 percent, but we also enjoy the highest privilege that anybody in any country, in any democracy particularly, could possibly enjoy, and that is the expression of full faith and confidence on the part of that sacred segment known as a congressional district in our country that says, "We want you to be our voice and represent us in the deliberations of our national parliament."

I cannot think of a higher honor in any land, but what does that entail? It certainly entails that we would then be entrusted with a dual role, one of responding and being responsive to those needs arising from this particular segment of our districts, but also in the light of having now been in full joinder of a national parliament shar-

ing the national responsibility with our colleagues for an overall national policy.

So here, while some of us have spoken out since the sixties, the middle sixties, the seventies, the so-called 1968 crisis where the Deputy Secretary of the Treasury, Robert Roosa, promoted what was known as the Roosa dollar and the two-tier gold exchange system. The removal from the gold exchange standard or the devaluation of the dollar by President Nixon on August 15, 1971. And some of us then realized that what we had been saying since the middle sixties was beginning to be a terrible reality, and that was that the United States for the first time, especially since 1945, was confronted with a major task of reshaping its relationships, some of them which had been formed in 1946 and 1947. The Bretton Woods arrangement, insofar as international financial exchanges and the evaluation of national currencies was concerned, was at stake. There were those who did not call. In fact, there was no American newspaper that described President Nixon's action as a devaluation of the dollar. But every European country did.

These are all experienced countries. They have been through all of that, and they call a thing for what it is. We prefer to say that the United States, facing an international trade crisis, would prefer to impose a 10-percent surtax on imports and almost had to do away with it the moment it was announced by the sheer weight of reality of the enormity of that task, and possibility and scope of the idea, but above all taking us off the gold exchange standard.

That does not mean because the gold standard was one thing that collapsed back in the twenties, but the gold exchange was something else, and that is such an esoteric, as some people would like for us to believe, that it is something mysterious, magic, that only the high priests of finance can understand.

Well, that is nonsense. The simple fact is that we were beginning to face real tests of our ability to forge policy in the light of an emerging Europe and an emerging Japan. Since then we have had a lot of anguish. We have seen our country just in the last 3½ years emerge as a debtor nation for the first time since 1914.

We went into two world wars as the only creditor nation. It was our credit that the allies really wanted, got, and saved the day. But after each war, after World War I, I remember I was a student in school, and I remember the great moratorium and the payment of war debts, the horrendous and, by its very own injustice, the obvious breakdown in the peace treaty arrangement of 1918 in which Germany was bled to death and which unbelievably and

never, never foreseeing, though, anybody wisely looking over from a perspective and detachment of objective reading of mankind's history would have said, "You're going to have to expect this."

And later we had millions dying in the convulsive war known as World War II. And we had all of those arrangements that were so critical in the twenties and then in the thirties and the Depression, all of which collapsed.

We are going through pretty much, as I have brought out on several occasions since 1979; I have been saying that everything was back in place, that all the factors were back in that equation that were present. It is a different equation. It has different factors. It has different constants. It even has different countries. But it is basically the same thing as after World War I.

I remember when some of the so-called conservatives were saying the French and the British have not paid their war debts. They have not even paid their interest. What are we going to do about it? And the British and the French were saying, "You can't squeeze blood out of a turnip. The Germans are not paying us our reparations, so, therefore, we can't pay you your debts. And besides, who are you to complain? We were all brothers and comrades in combat, and we won the war. So it is very, very cruel of you now to compel us."

So they were more or less overlooked. Well, it was not taken into account until the market crash in 1929 in October was that the international private debt was far greater than the public debt between the countries. But in Germany, forced in abject defeat and then imposed and impaled on a cross of absolute inability to pay there was economic chaos. There was the Weimar Republic. There was the mark or the German exchange where they could not print enough because it would take, for instance, several thousand of those marks to even be the equivalent of an American quarter.

□ 1615

Then I remember seeing these pictures in Collier's magazine, which no longer exists, in the Liberty magazine, which no longer exists, and these articles from Germany and in some news magazines and pictures of emaciated German mothers with little children waiting in line for milk handouts. That was the caption, "German mothers waiting for milk."

Another one, a series of men leaning their heads on an iron rail in some railroad station, saying, "German homeless men sleeping in a railway station."

Should we then wonder that a man came and promised to get them out of that? Certainly if we have not learned

that, we ought to be learning about it in South America and in Central America and in Mexico, that when people are suffering oppression and social injustice, if the devil himself with pitchfork and horns on his head and tail comes and says, "I will save you," they are going to follow him. So if that devil is in the form of communism or a communist or a Marxist-Leninist, which I would say 99 percent of those peasants do not even know the difference between that and a type-writer, then we are following a mirage when we ascribe, if I may make reference to what was discussed with my colleagues, where a specific organization is given credit for great things, maybe not desirable things, but great accomplishments, we have been giving credit to communists that they are surprised they are being given credit for, because they know in their hearts and in their minds that the only way they have identified with them is because of the absence of interest of anybody else to come in there and right the wrongs, correct the social injustices.

Just as in any place in the world, whether Europe, Asia, or Latin America, we can never bomb an idea or such a thing as communism out of existence. The only way is by social justice. If we are then perceived as being arrayed on the side of those despoiling, oppressing and tyrannizing the people, we will not succeed anymore than George the Third succeeded. Had it not been for our help received from the French and even the Spanish in Louisiana along the Mississippi who fought against the British for their own reasons, but it enabled the American revolution to triumph. If the French fleet had not tied up the British out here in the Chesapeake, I doubt seriously that we would have had as victorious a result as our great George Washington did.

We must never forget that in the meanwhile we have the task of providing the leadership in a different context, maybe more difficult because it is very, very complicated today, far more complicated in a way.

I am giving an example of how we have endangered our economic well-being, which means our freedom, and tracing as I have in the past, so that when we look at what is the leadership offering, it is easier to say the Russians have got to be vanquished in so far as our contest in armaments is concerned.

But if we do that in our inordinate hatred for that which is symbolized by the so-called Communist way, then we become slaves to their decisions. We then are not acting, we are reacting.

Instead, as we found out recently with the trip of Secretary Shultz down to South America, he was greatly disappointed. For the first time since the trip by Vice President Nixon to Ven-

ezuela, we had acts of violence directed against our Secretary of State. A bomb was placed in a car in the proximity of Mrs. Shultz. That had not happened recently.

He tried to get some clucking sounds of sympathy from everyone of the other Central American countries surrounding Nicaragua and South American countries on the upper part of the cone and he could not get it. When he went to Ecuador, he felt insulted because there at the great inauguration of a new President of Ecuador, he sees this mural in which the United States is equated with the sinister Nazi-like CIA.

That surely ought to prove to us the bankruptcy of what has been done in our name, mostly since the advent of this administration.

Frankly, I have been one of the most sustained and probably one of the initial critics, but the reason was not political. I never would want to be President or Vice President. I would not wish that office on my worst enemy.

I have worked with six different Presidents since I have been honored to have been elected to the U.S. House of Representatives. No matter from what party he may be, if I can, I am going to cooperate in every way I know how, but if I do not agree, if I feel that the very delicate balancing of powers, and remember that the U.S. House of Representatives and the Senate and the Congress as a whole is equal, separate and independent. The President is not superior. The President is not inferior. He is equal, separate and independent, but he is in article 2, not article 1 of the Constitution.

Our Judiciary, as I was trying to poorly explain, is also a separate, equal, and independent sector of our Government.

So I will be the first, because I am very jealous of the prerogatives and the privileges in the U.S. Constitution that are ours, where we are protected from arrest for anything said in the course of debate of the proceedings of the Congress, or to freely come and go from a session of the Congress, except for such things as betrayal of the Nation or high crimes or other things, such as treason and felonious breach of the peace.

But who else has that privilege in the Constitution? The reason goes back, and it is steeped in our Parliamentary history, where in England the King would attempt to put down dissident members of Parliament by having them arrested. We go back and hark to those things.

I think the things we have a realize is that here on the eve on celebrating the Constitution of the United States, that we should ponder long at the awesome responsibility given us in our time and our generation to reaffirm the basic principles.

I have gotten up on this floor and have stated that our President has violated those principles. I introduced a resolution of impeachment on March 5 of last year. I had stipulated the reasons. I got up on this floor hour after hour and gave the background and the reason.

I requested hearings before the proper subcommittee, but I was impelled only because I felt it was terrible that we had reached the point where a President could without any kind of consultation with the Congress and with no established military precedence, order the bombing in an attempt to kill a foreign leader, unpopular, hateful character, I agree, but yet since when? Not even the Russian Secretary General has that power.

This is another thing we must realize. When our President sits at what is called a summit and he makes agreements, some of them I am sure subject to the approval of Congress, some not, he is sitting with a counterpart that cannot commit unless he has the Politburo approving.

So wherein is the greater sin? Wherein is the lesser democracy?

We have to ponder these things, because we are going to be asked not less, but more as we go into the end of this year and in 1989 to be willing and have the stamina and have the guts to reaffirm the basic principles involved that we so glibly have taken for granted. We have been the inheritors of privileges. I am very sensitive to that.

I feel that I want to do nothing wrong in exercising these trusts, because on May 1, I completed 35 of public trust in an elective office, beginning with 3 years on the city council, the local legislative body of my city, and 5 years in the great State Senate of Texas. I feel that nothing I do or say will in any way diminish one iota this great heritage that I received to those who will follow me. But rather, what can I do that will enhance and enlarge that ambit of democratic participatory freedom and the chance to serve, no matter what our social and economic position may be.

But it is not that way today. Today we have House races that entail million dollar budgets. In Texas several years ago it took more than a quarter of a million dollars to lose a House race. So I realize my privilege. I would not be able to raise 10 percent of that amount, and yet the people when called upon have been there.

So I say that we have got to recognize that. I see as one of the biggest things that we have to prepare for is the emergency of a single market or single community in 1992, the target date for the completion of a united states of Europe. Already in place, as I have been saying since 1979, is a European Currency Unit, the ECU, and the European Monetary System, the EMS.

What does that mean? It means everything, because the dollar up to now has been the international unit of accounting. It has been the international monetary unit for international transactions, but it is inevitably going to be replaced, because it is now so erratic and unstable.

In the meanwhile, since the credit crunch of 1966, I have been speaking out about the catastrophic consequences of having no control of interest rates, interest rates all through mankind's known history, even 7,000 years before Christ, have been the mechanism by virtue of which wealth is transferred within a society. With the instability, with the extortionate rates of interest that we small businessmen and average Americans have had to pay, and the reason for that has been because of the forces external to our shores over which we no longer have controlling influence are determining that.

□ 1630

The so-called prosperity that we have enjoyed really translates to the prosperity of those of us who happen to be affluent, who have a safe, comfortable home, who have nice clothes to wear, who do not have to worry about a meal, but that can change. That does not morally dispense us from the obligation of trying to help that one-third, particularly in those areas such as our fellow black citizens where the unemployment rate is abnormally high, where the median income is way below and where we have had in 1 year a 2-percent increase in the poverty rate, and there are others.

Even as much as we are concerned about the racial and ethnic minorities, I always remind my colleagues that the so-called dominant group, what we do not consider as the ethnic or racial, has four times more people and, therefore, has four times more poor. We are all in the same boat, and what has happened, as I have said since 1966 and 1979 and all through these years is that we have in effect, maybe not intentionally, maybe so to a certain extent, been sold out. We have been sold down the river. There is no way that a society structure such as ours can continue with what is known as our standard of living with the extortionate or the instability in interest rates. This is the reason that there is such a portent now. Out of this nettle, danger, if we have the wit, we can pluck the flower of success and peace, if we are wise enough to know how to deal with this emerging Europe.

President Eisenhower, in all of his 10 volumes of collected speeches and addresses in the 1950's and 1960's, never once mentioned the European Common Market. So that one of the first votes I had when I was sworn in under President Kennedy was the

Kennedy round of GATT, or the General Agreement on Trade and Tariffs. I was the only Texan in the delegation who was 1,000 percent New Frontiersman, and that is how they described me back home, and yet I saw a paragraph in that bill that said, "However, we shall provide for the formation of a commission to study whatever detrimental impact results to industry in America as a result of this General Agreement on Trade and Tariffs."

I could not get a decent answer, so I said that I was going to vote no. One of Mr. Kennedy's liaison men got ahold of me, and he said, "What do you want answered?" He brought Walter Heller himself, the chief economist, and Walter Heller tried to explain. I said, "Mr. Heller, you say this is good. You say this is good for American industry. You say this is going to foment trade for America. Why then do you expect detrimental impact?" He could not answer it. I voted "no," mind you, and Kennedy was the greatest personal friend I ever had in Presidents, and that is the way I have been ever since.

Today, when I say, "Wait awhile," everybody is mad at the Japanese, but the fact is that the British have more than twice the investment in the United States than the Japanese have.

In fact, the Japanese had about one-half billion less from last year, the year before, 1986 to 1987. The British, for example, went from \$8.6 billion in 1986 to \$11.5 billion.

The thing is so intricate, because these tremendous transnational, multinational financial and manufacturing and industrial giants do not have allegiance to any particular flag, and, yes, we have this tremendous investment that has been the thing that has saved the Reagan administration from catastrophe but which is playing out.

What are we going to do? Last year alone when the private foreign investors would not buy our paper, our notes, the central banks had to come in and pour an infusion, and they bought about everything but \$20 billion of our U.S. international deficit. This is why I say no longer does the Federal Reserve Board that has flouted Congresses and Presidents for all of these years, accountable to nobody, no longer can control that, because now it is in the hands of these external forces over which we no longer have control.

If they pull out, then we have to raise interest rates as they were raised last year, and this year, in order to keep that infusion of foreign investment here, because they are not going to invest unless they have that higher yield.

What does that do to us?

COMMUNICATION FROM THE HONORABLE RONALD V. DELLUMS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable RONALD V. DELLUMS, Member of Congress:

HOUSE OF REPRESENTATIVES,

Washington, DC, September 14, 1988.

Hon. JIM WRIGHT,
Speaker of the House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I am writing to inform you, pursuant to Rule L of the Rules of the House of Representatives, that one of my employees has been served with a subpoena *duces tecum* issued by the Superior Court of the State of California, County of Alameda.

After consultation with the General Counsel to the Clerk, I will make the determinations required by the Rules of the House.

Sincerely,

RONALD V. DELLUMS,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ALEXANDER (at the request of Mr. FOLEY), for today, on account of personal business.

Mrs. SAIKI (at the request of Mr. MICHEL), for today, on account of official business.

Mr. BLILEY (at the request of Mr. MICHEL), for today, on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. GINGRICH, for 5 minutes, today.

Mr. BEREUTER, for 5 minutes, today.

Mr. DORNAN of California, for 5 minutes, today.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes each day, on September 22 and 23.

EXTENSION OF REMARKS

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

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

Mr. TAUKE in two instances.

Mr. McDADE.

Mr. DONALD E. "BUZ" LUKENS.

Mr. PORTER.

Mr. ROWLAND of Connecticut.
Mr. DIOGUARDI.
Mr. OXLEY.
Mr. FAWELL.
Mr. LENT.
Mr. BROOMFIELD.

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

Mr. KANJORSKI.
Mr. GARCIA.
Mr. WYDEN.
Mr. ROE in two instances.
Mr. LEHMAN of California.
Mr. LEVIN of Michigan.
Mr. DWYER of New Jersey.
Mr. HOYER.
Mr. ACKERMAN.
Mr. DONNELLY.
Mr. LAFALCE.
Mr. LANTOS.
Mr. TORRICELLI.
Mr. HUTTO.
Mr. AU COIN.
Mr. DORGAN of North Dakota in two instances.
Mr. RICHARDSON.
Mr. RAHALL.
Mr. WALGREN.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1776. An act to modernize United States circulating coin designs, of which one reverse will have a theme of the Bicentennial of the Constitution; to the Committee on Banking, Finance and Urban Affairs.

S. 2283. An act to require the Secretary of the Treasury to mint and issue five-dollar coins in commemoration of the 100th anniversary of the statehoods of Idaho, Montana, North Dakota, South Dakota, Washington, and Wyoming; to the Committee on Banking, Finance and Urban Affairs.

S. 2382. An act to delay the implementation of a certain rule affecting the provision of health services by the Indian Health Service; to the Committee on Interior and Insular Affairs; Committee on Energy and Commerce.

ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2342. An act to authorize appropriations for the Coast Guard for fiscal year 1988, and for other purposes.

ADJOURNMENT TO TUESDAY, SEPTEMBER 20, 1988

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 20, 1988, at 12 noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of various House committees and delegations traveling under authorizations from the Speaker concerning the foreign currencies and U.S. dollars utilized by them during the first and second quarters of calendar year 1988 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Representative Charles Hayes	6/12	6/6	Switzerland	902.15	630.00		4,429.00				5,059.00
						130.25	³ 89.36			89.36	
Carole Stringer	6/10	6/18	Switzerland	2,105.05	1,470.00		2,293.00				3,763.00
						130.25	³ 89.36			89.36	
Dorothy Strunk	6/10	6/17	Switzerland	1,803.35	1,260.00		2,293.00				3,553.00
						130.25	³ 89.36			89.36	
Committee total					3,360.00		9,283.08				12,643.08

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Local transportation.

AUGUSTUS F. HAWKINS, Chairman, July 31, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency
Visit to Thailand, Vietnam, China, and Philippines, April 2-9, 1988:											
Hon. G. V. Montgomery	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,415.00				4,415.00
Hon. William L. Dickinson	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,416.00				4,415.00
Hon. Robert E. Badham	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,030.00				4,030.00
Hon. Ben Blaz	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							3,004.00				3,004.00
Mr. William T. Flesham, Jr	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Military transportation							4,415.00				4,415.00
Mr. Peter M. Steffes	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,415.00				4,415.00
Ms. Rita D. Argenta	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,415.00				4,415.00
Mr. Stephen K. Conner	4/2	4/3	Thailand		147.00						147.00
	4/3	4/4	Vietnam		125.00						125.00
	4/4	4/9	China		769.00						769.00
	4/9	4/9	Philippines								
Military transportation							4,415.00				4,415.00
Delegation expenses	4/2	4/3	Thailand		99.60				1,447.69		1,547.29
Visit to France, Turkey, and Germany, April 1-9, 1988:											
Hon. Patricia Schroeder	4/1	4/3	France		496.00						496.00
	4/3	4/5	Turkey		312.00						312.00
	4/5	4/7	Germany		290.00						290.00
	4/7	4/9	France		496.00						496.00
Military transportation							6,090.70				6,090.70
Commercial transportation							3,903.00				3,903.00
Ms. Deborah R. Lee	4/1	4/3	France		496.00						496.00
	4/3	4/5	Turkey		312.00						312.00
	4/5	4/7	Germany		290.00						290.00
	4/7	4/9	France		496.00						496.00
Military transportation							6,090.70				6,090.70
Commercial transportation							3,903.00				3,903.00
Ms. Pam Solo	4/1	4/3	France		496.00						496.00
	4/3	4/5	Turkey		312.00						312.00
	4/5	4/7	Germany		290.00						290.00
	4/7	4/9	France		496.00						496.00
Military transportation							6,090.70				6,090.70
Commercial transportation							3,693.60				3,693.60
Visit to Saudi Arabia and Italy, May 20-22, 1988:											
Hon. Beverly B. Byron	5/20	5/22	Saudi Arabia		315.00						315.00
	5/22	5/23	(sea)								
	5/23	5/24	Italy		27.00						27.00
Military transportation							2,899.60				2,899.60
Ms. Karen S. Heath	5/20	5/22	Saudi Arabia		315.00						315.00
	5/22	5/23	(sea)								
	5/23	5/24	Italy		27.00						27.00
Military transportation							2,899.60				2,899.60
Visit to Republic of Korea, May 28-June 1, 1988:											
Hon. Thomas M. Foglietta	5/28	6/1	Republic of Korea		776.00						776.00
Commercial transportation							3,606.00				3,606.00
Visit to Bermuda, May 31-June 1, 1988:											
Hon. Les Aspin	5/31	6/1	Bermuda		424.00						424.00
Commercial transportation							277.00				277.00
Visit to Panama, June 5-7, 1988:											
Hon. Dave McCurdy	6/5	6/7	Panama		312.00						312.00
Committee total				15,306.00		73,077.50		1,447.69		89,831.19	

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LES ASPIN, Chairman, Aug. 10, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Wm. M. Kitzmiller	4/26	5/2	Bermuda		1,750.00						1,750.00
Commercial air fare							336.00				336.00
Gerry Sikorski, M.C.	4/4	4/6	England		486.00						486.00
	4/6	4/9	Poland		522.00						522.00
	4/9	4/9	Germany		194.00						194.00
Codel exp. (England)									374.70		374.70
Codel exp. (Germany)									64.51		64.51
Commercial air fare London/Gdansk							93.19				93.19
Military air fare							8,220.10				8,220.10
Wm. M. Kitzmiller	5/21	6/2	Japan		2,900.00						2,900.00
Commercial air fare							2,537.28				2,537.28
Committee total				5,852.00		11,186.57		439.21		17,477.78	

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN D. DINGELL, Chairman, Aug. 15, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Patsy S. Fleming.....	6/10	6/19	Sweden.....	12,192.70	2,033.98		1,563.00				3,596.98
Chris Cooper.....	6/20	6/24	Venezuela.....	5.873	180.00		806.00				986.00
Committee total.....					2,213.98		2,369.00				4,582.98

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JACK BROOKS, Chairman, Aug. 1, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
E. Clay Shaw, Jr., MC.....	4/4	4/6	England.....		486.00				374.70		860.70
	4/6	4/9	Poland.....		522.00		93.19				615.19
	4/9	4/10	Germany.....		194.00		43.15		21.36		258.51
Military transportation.....							8,220.10				8,220.10
Peter W. Rodino, Jr., MC.....	4/5	4/12	Italy.....		1,463.00		1,959.95		375.06		3,798.01
Commercial transportation.....							4,111.00				4,111.00
Arthur P. Endres, Jr., staff.....	4/5	4/12	Italy.....		1,463.00		1,959.95		375.06		3,798.01
Commercial transportation.....							4,349.00				4,349.00
Arthur P. Endres, Jr., staff.....	5/25	5/28	Switzerland.....		840.00						840.00
Commercial transportation.....							3,907.00				3,907.00
Peter Regis, staff.....	5/25	5/31	Switzerland.....		1,470.00						1,470.00
Commercial transportation.....							3,907.00				3,907.00
Committee total.....					6,438.00		28,550.34		1,146.18		36,134.52

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER W. RODINO, JR., Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
James McCallum.....	6/11	6/19	Iceland.....		1,488.00		^a 1,043.00				2,548.75
						780	⁴ 17.75				4,807.00
Thomas O. Melius.....	5/28	6/3	New Zealand.....		1,250.00		^a 3,557.00				4,807.00
Jeffrey R. Pike.....	6/11	6/17	Iceland.....		1,302.00		^a 989.00				2,313.30
						975	⁴ 22.30				2,467.00
Gerald Seifert.....	5/31	6/4	Germany.....	860	500.00		^a 1,967.00				4,731.00
Lori Williams.....	5/29	6/12	New Zealand.....		1,250.00		^a 3,481.00				16,867.05
Committee total.....					5,790.00		11,077.05				

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.^a Commercial airfare.⁴ Ground transportation.

WALTER B. JONES, Chairman, Aug. 1, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
George Miller.....	4/1	4/3	Turkey.....		462.00						462.00
	4/4	4/6	West Germany.....	876.15	531.00					876.15	531.00
	4/7	4/10	Italy.....	1,093.95	884.00		114.91			1,093.95	998.91
	4/11	4/11	Switzerland.....	289.59	210.00					289.59	210.00
Military transportation.....							7,114.44				7,114.44
Committee total.....					2,087.00		7,229.35				9,316.35

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

GEORGE MILLER, Chairman, July 29, 1988.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. KWEISI MFUME, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 4 AND APR. 10, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kweisi Mfume	4/4	4/5	London		486.00		* 3,480.40		* 374.70		4,341.10
	4/5	4/9	Poland		522.00						522.00
			Warsaw 4/6				* 306.36				306.36
			Gdansk 4/8				93.20				93.20
	4/9	4/10	Krakow 4/9		194.00		* 157.42		* 64.51		415.93
			Munich				4,275.92				4,275.92
			United States								
Committee total					1,202.00		8,313.30		439.21		9,954.51

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military.⁴ Information not previously available.⁵ Incorrectly recorded on previous report. Should have been 10 and 11 respectively.

KWEISI MFUME, June 23, 1988.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. TAMMY HAWLEY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 29 AND JUNE 4, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Tammy Hawley	5/30	6/3	Cote D'Ivoire	(*)	812.00		2,487.88				3,299.88
Committee total					812.00		2,487.88				3,299.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Incorrect figure in initial report.

TAMMY D. HAWLEY, July 13, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. ELVIE H. PRIDDLE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 3 AND JAN. 9, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Elvie H. Priddle	1/4	1/6	Brazil		308.00						308.00
	1/6	1/8	Argentina		405.00						405.00
	1/8	1/9	Chile		139.00		24.86		77.48		241.34
Military transportation							3,606.87				3,606.87
Committee total					852.00		3,631.73		77.48		4,561.21

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ELVIE H. PRIDDLE, Feb. 8, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DR. JAMES D. FORD, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 9 AND JAN. 21, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
James D. Ford	1/9	1/13	West Germany		872.00						872.00
	1/13	1/17	Soviet Union		708.00						708.00
	1/17	1/20	Czechoslovakia		442.00						442.00
Commercial transportation BWI to Frankfurt, West Germany and return Prague, CZ, to Frankfurt, West Germany.							656.64				656.64
Military transportation Frankfurt, West Germany to Moscow and Moscow to Prague, CZ.							656.00				656.00
Committee total					2,022.00		1,312.64				3,334.64

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES D. FORD, Mar. 17, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ROBERT GIBSON, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 11 AND JAN. 23, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Robert Gibson	1/12	1/13	Italy		290.00		15.00		5.00		310.00
	1/14	1/21	Angola		820.00				55.00		875.00
	1/21	1/23	Brazil		270.00		10.00		35.00		315.00
Committee total					1,380.00		25.00		95.00		1,500.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT GIBSON, Feb. 16, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. JANICE JOYNER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 13 AND JAN. 26, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Janice Joyner	1/13	1/14	French Guiana	48,260	158.00					482.60	158.00
	1/14	1/18	Brazil	50,296.40	616.00					50,296.40	616.00
	1/19	1/20	Argentina	2,126.25	405.00					2,126.25	405.00
	1/20	1/23	Chile	99,002	382.25					99,002	382.25
	1/23	1/26	Ecuador		375.00						375.00
Committee total					1,936.25						1,936.25

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JANICE JOYNER, June 15, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO COSTA RICA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 14 AND JAN. 16, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. David E. Bonior	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Hon. Lee H. Hamilton	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Hon. Matthew F. McHugh	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Hon. Thomas R. Carper	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Hon. Jim Cooper	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Wilson Morris	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Kathleen Gile	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Vic Johnson	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Richard Pena	1/14	1/16	Costa Rica		264.00						264.00
Military transportation							2,806.97				2,806.97
Committee total					2,376.000		25,262.73				27,638.73

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAVID E. BONIOR, Feb. 16, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KOREA, THAILAND, BURMA, SINGAPORE, AND INDONESIA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 14 AND JAN. 25, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Jonathan Spear	1/15	1/18	Korea		498.00						498.00
	1/18	1/20	Thailand		294.00		9.82		71.88		375.70
	1/20	1/20	Burma				3.29		1.85		5.14
	1/20	1/23	Singapore		432.00		107.48		86.63		626.11
	1/23	1/23	Indonesia				7.75		33.03		40.78
Military transportation	1/14	1/25				17,333.99					17,333.99
Ben Proctor	1/15	1/18	Korea		498.00						498.00
	1/18	1/20	Thailand		294.00		9.82		71.88		375.70
	1/20	1/20	Burma				3.29		1.85		5.14
	1/20	1/23	Singapore		432.00		107.48		86.63		626.11
	1/23	1/23	Indonesia				7.75		33.03		40.78
Military transportation	1/14	1/25				17,333.99					17,333.99
Pat Bradley	1/15	1/18	Korea		498.00						498.00
	1/18	1/20	Thailand		294.00		9.82		71.88		375.70
	1/20	1/20	Burma				3.29		1.85		5.14
	1/20	1/23	Singapore		432.00		107.48		86.63		626.11
	1/23	1/23	Indonesia				7.75		33.03		40.78
Military transportation	1/14	1/25				17,333.99					17,333.99

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KOREA, THAILAND, BURMA, SINGAPORE, AND INDONESIA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 14 AND JAN. 25, 1988—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Committee total.....					3,672.00		52,386.99		580.17		56,639.16

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JONATHAN B. SPEAR, Apr. 18, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND AND NORTHERN IRELAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 16 AND JAN. 25, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Brian J. Donnelly.....	1/16	1/25	Ireland, Northern Ireland.....		1,677.02		5,762.45		30.99		7,470.46
Pat Williams.....	1/16	1/21	Ireland, Northern Ireland.....		763.96		6,008.45		30.99		6,803.41
Kevin F. Peterson.....	1/16	1/25	Ireland, Northern Ireland.....		1,677.02		5,441.46		30.99		7,149.47
Committee total.....					4,118.00		17,212.36		92.99		21,423.35

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BRIAN J. DONNELLY.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BERMUDA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 5 AND FEB. 7, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Charles Rose.....	2/5	2/7	Bermuda.....		366.00		279.00				645.00
Peter Abbruzzese.....	2/5	2/7	Bermuda.....		366.00		258.00				624.00
Josephine Weber.....	2/5	2/7	Bermuda.....		366.00		258.00				624.00
Committee total.....					1,098.00		795.00				1,893.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLIE ROSE, Mar. 8, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY, MOROCCO, AND PORTUGAL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 9 AND FEB. 16, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Tony Coelho.....	2/9	2/11	Italy.....		206.00				430.79		636.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. John Dingell.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Marvin Leath.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Jerry Lewis.....	2/9	2/11	Italy.....		206.00				258.79		636.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Bill Lowery.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Steny Hoyer.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Barbara Boxer.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. John Bryant.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98
Hon. Albert Bustamante.....	2/9	2/11	Italy.....		206.00				258.79		464.79
	2/11	2/13	Morocco.....		250.00				393.34		643.34
	2/13	2/16	Portugal.....		495.00				1,121.75		1,616.75
							* 8,087.98				8,087.98

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY, MOROCCO, AND PORTUGAL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 9 AND FEB. 16, 1988—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Bart Gordon	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
Hon. John Lewis	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
John Mack	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
Keith Jewell	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
Bobby Koch	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
Tom Nides	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		445.00				1,121.75		1,568.75
							³ 8,087.98				8,087.98
Christine Clary	2/9	2/11	Italy		206.00				258.79		464.79
	2/11	2/13	Morocco		250.00				393.34		643.34
	2/13	2/16	Portugal		495.00				1,121.75		1,616.75
							³ 8,087.98				8,087.98
Committee total					15,166		129,407.68		28,554.08		173,127.76

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ U.S. Air Force plane cost derived as follows: Per individual. Total cost of plane/total number in group multiplied by the number in group multiplied by the number of people in the Codel Coelho.

TONY COELHO, Aug. 1, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM AND FRANCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 10 AND FEB. 17, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Doug Bereuter	2/10	2/11	Belgium		197.00		2,098.00				2,295.00
Hon. Robert Garcia	2/11	2/13	Belgium		394.00						
	2/13	2/16	France		744.00						
Military transportation							11,791.92				12,929.92
Hon. Tom Lewis	2/11	2/13	Belgium		394.00						
	2/13	2/17	France		992.00						
Commercial transportation							1,940.00				
Military transportation							5,800.66				9,126.66
Hon. Robert Badham	2/11	2/13	Belgium		394.00						
	2/13	2/16	France		744.00						
Commercial transportation							1,790.00				
Military transportation							5,991.26				8,919.26
Hon. Ronald Dellums	2/11	2/13	Belgium		394.00						
	2/13	2/16	France		744.00						
Military transportation							11,791.92				12,929.92
Hon. Bill Richardson	2/10	2/13	Belgium		591.00						
	2/13	2/16	France		744.00						
Commercial transportation							1,793.00				
Military transportation							5,991.26				9,119.26
Peter Abbruzzese	2/10	2/13	Belgium		394.00						
	2/13	2/16	France		744.00						
Commercial transportation							3,654.00				
Military transportation							397.76				5,189.76
Arch Roberts	2/10	2/13	Belgium		591.00						
	2/13	2/17	France		992.00						
Commercial transportation							3,906.91				
Military transportation							397.76				5,887.67
Josephine Weber	2/11	2/13	Belgium		394.00						
	2/13	2/17	France		992.00						
Commercial transportation							3,654.00				
Military transportation							397.76				5,437.76
Ron Lasch	2/10	2/13	Belgium		591.00						
	2/13	2/17	France		992.00						
Commercial transportation							3,654.00				
Military transportation							397.76				5,634.76
Heidi Pender	2/11	2/13	Belgium		394.00						
	2/13	2/16	France		744.00						
Commercial transportation							3,654.00				
Military transportation							397.76				5,189.76
William Danvers	2/11	2/13	Belgium		394.00						
	2/13	2/17	France		992.00						
Commercial transportation							562.99				1,948.99
Administrative, control room and local transportation expenses									3,868.04		3,868.04
Committee total					14,546.00		70,062.42		3,868.04		88,476.76

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT GARCIA.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORTH ATLANTIC ASSEMBLY TO SPAIN, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 18 AND MAR. 20, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Dante B. Fascell	3/18	3/20	Spain		382.00		8,104.36				8,486.36
Hon. Jack Brooks	3/18	3/20	Spain		382.00		8,104.36				8,486.36
Hon. Charlie Rose	3/18	3/20	Spain		382.00		8,104.36				8,486.36
Peter Abbruzzese	3/18	3/20	Spain		382.00		8,104.36				8,486.36
Arch Roberts	3/18	3/20	Spain		382.00		8,104.36				8,486.36
Committee total					1,910.00		40,521.80				42,431.80

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DANTE B. FASCELL, Apr. 13, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. WILLIAM P. BINZEL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 18 AND MAR. 24, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
William P. Binzel	3/18	3/24	Venezuela	18,437.50	625.00		812.00				1,437.00
Committee total					625.00		812.00				1,437.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM P. BINZEL, Apr. 18, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. BARRY M. HAGER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 19 AND MAR. 24, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Barry M. Hager	3/19	3/24	Venezuela	22,125	750.00		813.00			22,125	1,563.00
Committee total					750.00		813.00				1,563.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BARRY M. HAGER, Apr. 20, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. KWEISI MFUME, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 4 AND APR. 10, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kweisi Mfume	4/4	4/5	London		486.00		3,480.40				3,966.40
	4/5	4/9	Poland		522.00						522.00
			Warsaw 4/6				³ 3,063.60				3,063.60
			Gdansk 4/8			37.00	⁴ 93.20				93.20
			Krakow 4/9				³ 1,731.60				1,731.60
			Munich, Germany 4/9-4/10		194.00		⁴ 4,275.92				4,275.92
			United States								
Committee total					1,202.00		12,644.72				13,846.72

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military.⁴ Commercial.

KWEISI MFUME, May 10, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO WEST GERMANY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 8 AND APR. 19, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Lt. Charles L. Shelton	4/8	4/19	West Germany		1,300.00		1,166.38				2,466.38
Sgt. Thomas J. Williams, Jr.	4/8	4/19	West Germany		1,300.00		1,166.38				2,466.38
Committee total					2,600.00		2,332.76				4,932.76

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLES L. SHELTON, May 11, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NORTH ATLANTIC ASSEMBLY IN MADERIA, PORTUGAL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 27 AND JUNE 1, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Charles Rose	5/27	6/1	Portugal		648.00		2,605.04				3,252.04
Hon. Robert Garcia	5/27	5/28	Portugal		243.00		988.00				1,231.00
Hon. Sherwood Boehlert	5/27	5/30	Portugal		486.00		2,206.00				2,681.00
Peter Abbruzzese	5/27	5/30	Portugal		414.00		2,267.00				2,681.00
R. Spencer Oliver	5/28	5/30	Portugal		324.00		2,471.00				2,795.00
Arch W. Roberts	5/26	5/30	Portugal		624.35		2,288.00				2,912.35
Josephine Weber	5/26	5/31	Portugal		782.00		2,358.00				3,140.00
Ronald Lasch	5/26	5/31	Portugal		810.00		2,358.00				3,168.00
William Ingloe	5/26	5/30	Portugal		595.00		2,288.00				2,883.00
Nancy Mims	5/26	5/31	Portugal		785.00		2,358.00				3,143.00
Committee total					5,711.35		22,187.04				27,898.39

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLIE ROSE, June 23, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. WILLIAM P. BINZEL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 29 AND JUNE 3, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
William P. Binzel	5/30	6/3	Ivory Coast	234,262	812.00		2,487.88				3,299.88
Committee total					812.00		2,487.88				3,299.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM P. BINZEL, June 29, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. TAMMY HAWLEY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 29 AND JUNE 4, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Tammy Hawley	5/30	6/3	Abidjan, Cote d'Ivoire		612.00		2,487.88				3,099.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TAMMY D. HAWLEY, July 5, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. DONNA K. ALEXANDER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 30 AND JUNE 4, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Donna K. Alexander	5/30	6/4	Ivory Coast	234,262	812.00		2,487.88				3,299.88
Committee total					812.00		2,487.88				3,299.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DONNA K. ALEXANDER, Sept. 2, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. LORI VALENCIA GREENE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 30 AND JUNE 3, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Lori Valencia Greene	5/30	6/3	Ivory Coast		812.00		2,487.88				3,299.00
Committee total					812.00		2,487.88				3,299.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LORI VALENCIA GREENE, July 8, 1988.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. J. WILLIAM GOOLD, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 13 AND JUNE 18, 1988

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
J. William Goold	6/13	6/18	Switzerland	1,503.60	1,050.00	2,555.63	1,784.66	28.90	20.18	4,088.13	2,854.84
Committee total					1,050.00		1,784.66		20.18		2,854.84

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

J. WILLIAM GOOLD, June 28, 1988.

EXECUTIVE COMMUNICATIONS, ETC.

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

4335. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 03-88, concerning a proposed memorandum of understanding with the Government of the United Kingdom concerning a joint project for surface ship torpedo defense, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

4336. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed letter(s) of offer and acceptance (LOA) to Spain for defense articles and services estimated to cost \$30 million (Transmittal No. 88-58), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

4337. A letter from the Director, Defense Security Assistance Agency, transmitting a report that on September 13, 1988, a guerrilla force attacked the cuartel of the 4th Brigade Headquarters at El Paraiso in Chalatenango Province in El Salvador, pursuant to 22 U.S.C. 2761(c)(2); to the Committee on Foreign Affairs.

4338. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(b); to the Committee on Foreign Affairs.

4339. A letter from the President, U.S. Capitol Historical Society, transmitting the annual report of the Society for the year ending January 31, 1988, pursuant to 36 U.S.C. 1217; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4907. A bill to amend the Public Health Service Act to revise and extend the authority of the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, including revising and extending the program of block grants for the provisions of services with respect to mental health and substance abuse; with an amendment (Rept. 100-927). Referred to the

Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee of conference. Conference report on H.R. 1467 (Rept. 100-928). Ordered to be printed.

Mr. DINGELL: Committee of conference. Conference report on S. 1518 (Rept. 100-929). Ordered to be printed.

Mr. UDALL: Committee on Interior and Insular Affairs S. 1927, to provide for the consideration by the Secretary of the Interior of a desert land entry in the vicinity of Dinosaur National Monument, and for other purposes; with an amendment (Rept. 100-930). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 5232. A bill to grant the consent of the Congress to the Southwestern Low-Level Radioactive Waste Disposal Compact (Rept. 100-931, Pt. 1). Ordered to be printed.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2642. A bill to facilitate and implement the settlement of Colorado Ute Indian reserved water rights claims in southwest Colorado, and for other purposes; with an amendment (Rept. 100-932). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. S. 1165, to authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pine-lands National Reserve, in the State of New Jersey; with an amendment (Rept. 100-933). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4362. A bill to amend section 3 of the Act of June 14, 1926, as amended (43 U.S.C. 869-2), to authorize the issuance of patents with a limited reverter provision of lands devoted to solid waste disposal, and for other purposes; with an amendment (Rep. 100-934). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 4535. A bill to designate the outpatient clinic of the Veterans' Administration to be located on New Jersey State Route 70 in Brick Township, NJ, as the "James J. Howard Veterans' Outpatient Clinic" (Rept. 100-935). Referred to the House Calendar.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 4948. A bill to direct the American Battle Monuments Commission to restore, operate, and maintain the Pacific War Memorial and other historical and memorial sites on Corregidor in the Republic of the Philippines; with amendments (Rept. 100-936). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 4469. A bill to partition certain reservation lands between the Hoopa Valley Tribe and the Yurok Indians, to clarify the use of tribal timber proceeds, and for other purposes; with an amendment (Rept. 100-938). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 5114. A bill to amend title 38, United States Code, to improve programs for the recruitment and retention of health-care personnel of the Veterans' Administration, to extend certain expiring programs of the Veterans' Administration, and for other purposes; with an amendment. Referred to the Committee on Ways and Means for a period ending not later than September 28, 1988, for consideration of such provisions of section 309 of the amendment as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X (Rept. 100-937, Pt. 1). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committee on Agriculture discharged from further consideration of H.R. 4123; H.R. 4123 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ACKERMAN (for himself, Mr. MYERS of Indiana, Ms. OAKAR, Mr. LELAND, Mrs. MORELLA, and Mr. PASHAYAN):

H.R. 5319. A bill relating to compensation for members of the U.S. Park Police and members of the U.S. Secret Service Uniformed Division; to the Committee on Post Office and Civil Service.

By Mr. WAXMAN (for himself, Mr. WALGREN, and Mr. MARKEY):

H.R. 5320. A bill to amend title XVIII of the Social Security Act to provide for coverage of long-term community care and long-term nursing facility care under the Medicare Program, to amend title XIX of such act to provide assistance to low-income individuals under the Medicaid Program, and to amend the Public Health Service Act to provide community care to low-income individuals; jointly to the Committees on Ways and Means and Energy and Commerce.

By Mr. ANDERSON (for himself, Mr. HAMMERSCHMIDT, Mr. SHUSTER, Mr. HOYER, and Mrs. BENTLEY):

H.R. 5321. A bill to amend the Motor Carrier Safety Act of 1984 to eliminate application of the commercial zone exemption to commercial motor vehicle safety regulations, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. DIOGUARDI:

H.R. 5322. A bill to amend the Judicial Survivors' Annuity Act to eliminate the requirement that a Federal Justice or judge, who is assassinated, must serve a specific period of time before his or her survivors become eligible for benefits under the act; to the Committee on the Judiciary.

By Mr. FAZIO:

H.R. 5323. A bill to authorize the Rumsey Indian Rancheria to convey certain parcel of land; to the Committee on Interior and Insular Affairs.

By Mr. GEJDENSON (for himself, Mr. MORRISON of Connecticut, Mr. SHAYS, Mr. DIOGUARDI, and Mr. MRAZEK):

H.R. 5324. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize seizures and forfeitures of vessels used to violate title I of such act; to the Committee on Merchant Marine and Fisheries.

By Mr. JONES of Tennessee (for himself, Mr. DE LA GARZA, Mr. MADIGAN, Mr. COLEMAN of Missouri, Mr. BROWN of California, Mr. CAMPBELL, Mr. COELHO, Mr. COMBEST, Mr. EMERSON, Mr. ENGLISH, Mr. ESPY, Mr. GLICKMAN, Mr. GRANDY, Mr. GUNDERSON, Mr. HARRIS, Mr. HATCHER, Mr. HERGER, Mr. HOLLOWAY, Mr. HOPKINS, Mr. HUCKABY, Mr. JEFFORDS, Mr. JOHNSON of South Dakota, Mr. JONES of North Carolina, Mr. JONTZ, Mr. LANCASTER, Mr. LEWIS of Florida, Mr. MORRISON of Washington, Mr. NAGLE, Mr. OLIN, Mr. PANETTA, Mr. PENNY, Mr. ROBERTS, Mr. ROSE, Mr. SCHUETTE, Mr. ROBERT F. SMITH, Mr. STAGGERS, Mr. STALLINGS, Mr. STANGELAND, Mr. STENHOLM, Mr. TALLON, and Mr. VOLKMER):

H.R. 5325. A bill to establish a commission to review and make recommendations for the improvement of the Federal Crop Insurance Program; to the Committee on Agriculture.

By Mr. MILLER of Ohio:

H.R. 5326. A bill to amend title 23, United States Code, to reduce the amount of Federal highway funds to any State which does not have a program of random testing for drug abuse of individuals to whom a driver's license is issued or renewed during the 1-year period following the date of issuance or renewal, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. RICHARDSON:

H.R. 5327. A bill to authorize continued storage of water at Abiquiu Dam in New Mexico; to the Committee on Public Works and Transportation.

By Miss SCHNEIDER:

H.R. 5328. A bill to establish a program of demonstration grants to local educational agencies to promote the implementation of plans to reduce class size; to the Committee on Education and Labor.

By Mr. SCHUMER (for himself, Mr. RODINO, Mr. MORRISON of Connecticut, Mr. HUGHES, Mr. GUARINI, Mr. GALLO, Mrs. ROUKEMA, Mr. FLORIO, Mr. GREEN, Mr. McGRATH, Mr. BOEHLERT, Mr. MARTIN of New York, Mr. MANTON, Mr. GILMAN, and Mr. ROE):

H.R. 5329. A bill to amend the Immigration and Nationality Act to provide for special immigrant status for certain H-1 nonimmigrant nurses and to establish conditions for the admission, during the 5-year period beginning on April 1, 1989, of nurses as temporary workers; to the Committee on the Judiciary.

By Mr. WALGREN:

H.R. 5330. A bill to amend the Internal Revenue Code of 1986 to provide a mechanism for taxpayers to designate any portion of any overpayment of income tax, and to contribute other amounts, for payment to the National Organ Transplant Trust Fund, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SWINDALL:

H.J. Res. 657. Joint resolution to ensure financial and management reform in the United Nations; to the Committee on Foreign Affairs.

By Mr. INHOFE:

H.J. Res. 658. Joint resolution designating the week of January 15-21, 1989, as "National Jaycee Week"; to the Committee on Post Office and Civil Service.

By Mr. LEWIS of Florida (for himself, Mr. HUTTO, Mr. GRANT, Mr. BENNETT, Mr. MACKEY, Mr. GIBBONS, Mr. YOUNG of Florida, Mr. NELSON of Florida, Mr. MACK, Mr. MICA, Mr. SHAW, Mr. SMITH of Florida, Mr. LEHMAN of Florida, Mr. FASCELL, Mr. CALLAHAN, Mr. LIVINGSTON, Mrs. BOGGS, Mr. TAUZIN, Mr. BAKER, Mr. ROSE, Mr. RAVENEL, Mr. ARCHER, Mr. FIELDS, and Mr. ANDREWS):

H. Con. Res. 366. Concurrent resolution expressing the sense of the Congress that the Air Force should continue to utilize the weather reconnaissance aircraft, WC-130, in coordination with National Oceanic and Atmospheric Administration operated satellite technologies, for tracking hurricanes and collecting research data to enable scientists to predict and understand hurricane behavior; jointly, to the Committees on Armed Services and Science, Space and Technology.

By Mr. DORNAN of California:

H. Res. 539. Resolution amending the Rules of the House to require that any House employee who has a security clearance receive semiannual security briefings; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DIOGUARDI introduced a bill (H.R. 5331) for the relief of Joan Daronco; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 338: Mr. MARLENEE.
H.R. 633: Mr. COBLE.
H.R. 817: Mr. HUNTER.
H.R. 2848: Mr. ROBINSON.
H.R. 2925: Mr. CARPER.
H.R. 3978: Mr. MINETA.
H.R. 4141: Mr. SAXTON, Mr. BOUCHER, Mr. HYDE, and Mr. WORTLEY.
H.R. 4302: Mr. DANNEMEYER, Mr. HOUGHTON, Mr. HYDE, Mr. MADIGAN, Mrs. SAIKI, Mr. WALKER, Mr. HANSEN, Mr. McCRERY, Mr. SLAUGHTER of Virginia, Mr. SMITH of Texas, Mr. LOTT, Mr. CRAIG, Mr. KEMP, Mr. YOUNG of Florida, Mr. BROWN of Colorado, Mr. DENNY SMITH, and Mr. BLAZ.
H.R. 4454: Mrs. MEYERS of Kansas.
H.R. 4479: Mr. CHAPMAN, Mr. ECKART, Mr. NEAL, and Mrs. SCHROEDER.
H.R. 4535: Mr. LEATH of Texas, Mr. HEFNER, Mr. JENKINS, and Mr. RICHARDSON.
H.R. 4552: Ms. PELOSI.
H.R. 4570: Ms. PELOSI.
H.R. 4576: Mr. SMITH of Texas.
H.R. 4632: Mr. DEFazio, Mr. McCRERY, and Mr. WYDEN.
H.R. 4649: Mr. MATSUI.
H.R. 4657: Mr. MOORHEAD.
H.R. 4680: Mr. DEFazio, Ms. PELOSI, Mr. SLATTERY, Mr. TORRES, Mr. JEFFORDS, and Mr. OBERSTAR.
H.R. 4829: Ms. KAPTUR.
H.R. 4948: Mr. LEATH of Texas, Mr. HEFNER, Mr. JENKINS, and Mr. RICHARDSON.
H.R. 4990: Mr. RAHALL.
H.R. 4992: Mr. IRELAND, Mr. HAWKINS, Mr. BOULTER, Mr. COELHO, Mrs. MARTIN of Illinois, Mr. WORTLEY, Mr. DE LA GARZA, Mr. CROCKETT, Mr. STARK, Mr. DYSON, Mr. OXLEY, Ms. SLAUGHTER of New York, Mrs. LLOYD, Mr. LEHMAN of Florida, Mr. BERMAN, Mr. RAHALL, Mr. LIPINSKI, Mr. JEFFORDS, Mr. RODINO, and Mr. SMITH of Florida.
H.R. 5000: Mr. FISH, Mr. TRAFICANT, and Mr. ACKERMAN.
H.R. 5042: Mr. HEFNER and Mr. QUILLLEN.
H.R. 5056: Mrs. SMITH of Nebraska.
H.R. 5061: Mr. FRANK, Mr. KONNYU, Mr. HOUGHTON, Mr. STARK, Mr. HILER, Mr. SPENCE, Mr. WHITTAKER, Mr. NIELSON of Utah, and Mr. SAWYER.
H.R. 5068: Mr. GONZALEZ.
H.R. 5081: Mr. MRAZEK.
H.R. 5106: Mr. BORSKI, Mr. WOLPE, Mr. MURPHY, and Mr. GEJDENSON.
H.R. 5114: Mr. LEATH of Texas, Mr. HEFNER, Mr. JENKINS, and Mr. RICHARDSON.
H.R. 5159: Mrs. LLOYD and Mr. HUBBARD.
H.R. 5167: Mrs. MEYERS of Kansas, Mr. HYDE, and Mr. MACK.
H.R. 5186: Mr. NIELSON of Utah.
H.R. 5199: Mr. LAGOMARSINO, Mr. MINETA, and Mr. SHUMWAY.
H.R. 5229: Mr. ECKART and Mr. MURPHY.
H.R. 5249: Mr. SCHUETTE, Mr. BROOMFIELD, and Mr. HERTEL.
H.R. 5276: Mr. BILBRAY.
H.R. 5299: Mr. EDWARDS of California, Mr. MARTINEZ, Mr. MATSUI, Mr. MINETA, Mr. ROYBAL, and Mr. TORRES.
H.R. 5303: Mr. ROE, Mr. LIGHTFOOT.
H.J. Res. 380: Mr. BUECHNER, Mr. STENHOLM, and Mr. LELAND.
H.J. Res. 446: Mr. BROOKS, Mr. DYMALLY, Mr. VENTO, Mr. NIELSON of Utah, Mr. BOULTER, Mrs. COLLINS, Mr. APPLEGATE, Mr. EDWARDS of California, Mr. RHODES, Mrs. VUCANOVICH, Mr. LATTI, Mr. LELAND, Mr. LIGHTFOOT, Mr. STENHOLM, Mr. DORGAN of

North Dakota, Mr. PANETTA, Mr. HALL of Ohio, Mr. IRELAND, Mr. ANTHONY, Mr. BOLAND, Mr. JONES of Tennessee, Mr. TORRES, Mr. CRANE, Mr. SMITH of New Hampshire, Mr. CRAIG, Mr. GORDON, Mr. QUILLEN, Mr. RUSSO, Mr. CHANDLER, Mr. HYDE, Mr. CARDIN, Mr. BALLENGER, Mr. DAVIS of Illinois, Mr. SMITH of Texas, Mr. HAMILTON, Mr. WYLIE, Mr. INHOFE, Mr. CARR, Mr. EVANS, Mr. NELSON of Florida, Mr. HASTERT, Mr. CHENEY, Mr. UPTON, Mr. SYNAR, Mr. BURTON of Indiana, Mr. DeFAZIO, Mr. MATSUI, Mr. DeWINE, Mr. OXLEY, Mr. WHEAT, Mr. HARRIS, Mr. MARKEY, Mr. CONTE, Mr. LIVINGSTON, and Mr. KASICH.

H.J. Res. 454: Mr. LAGOMARSINO, Mr. CHENEY, Mr. UPTON, Mr. CARPER, Mr. BERMAN, Mr. RITTER, Mr. BROOMFIELD, Mr. RAHAL, Mr. JEFFORDS, and Mr. PORTER.

H.J. Res. 537: Mr. DAVIS of Michigan, Ms. PELOSI, Mr. BOEHLERT, Mr. COUGHLIN, Mr. FISH, Mr. EDWARDS of Oklahoma, Mrs. MEYERS of Kansas, Mr. HOUGHTON, Mr. RIDGE, Mr. GRANDY, Mr. DAVIS of Illinois, Mrs. MARTIN of Illinois, Mr. MILLER of Washington, Mr. CRANE, Mr. SOLOMON, Mr. PANETTA, Ms. SNOWE, Mr. EVANS, and Mr. HUNTER.

H.J. Res. 563: Mr. DE LA GARZA, Mr. APPLEGATE, Mr. ATKINS, Mr. CLARKE, Mr. HAYES of Illinois, Mr. LIPINSKI, Mrs. COLLINS, Mr. SMITH of Florida, Mr. ROWLAND of Connecticut, Mrs. BENTLEY, Mr. SIKORSKI, Mr. SOLOMON, Mr. VENTO, Mr. ROE, Mr. HORTON, Mr. SHAYS, Ms. KAPTUR, Mr. CROCKETT, Mr. HATCHER, Mr. LEWIS of California, Mr. FLAKE, Mr. KOSTMAYER, Mr. BROWN of California, Mr. BUSTAMANTE, Mr. CARR, Mr. GONZALEZ, Mr. NEAL, Mr. FROST, Mrs. PATTERSON, Mr. BRENNAN, Mr. STARK, Mr. BONKER, Mr. YATRON, Mr. TRAFICANT, Mr. SAVAGE, Mr. HUGHES, Mr. LANCASTER, Mr. McGRATH, Mr. McCLOSKEY, Mr. MAZZOLI, Mr. CLAY, Mr. McCOLLUM, Mr. QUILLEN, Mr. MANTON, Mr. LEHMAN of Florida, Mr. TORRICELLI, Mr. SOLARZ, Mr. DYMALLY, Mr. SAXTON, Mr. BEVILL, Mr. HENRY, Mr. MOODY, Mr. WORTLEY, Mr. BEREUTER, Mr. BLAZ, Mr. FUSTER, Mr. VALENTINE, Mr. LEVIN of Michigan, Mr. JEFFORDS, Mr. JACOBS, Mr. HAMILTON, Mr. SYNAR, Mr. LOWRY of Washington, Mr.

ESPY, Mr. AUCCOIN, Mr. GRAY of Illinois, Mr. TRAXLER, Mr. HEFNER, Mr. OWENS of New York, Mr. BERMAN, Mr. WALGREN, Mr. DAUB, Mr. DE LUGO, Mr. GUARINI, Mr. FAZIO, Mr. WOLF, Mr. ACKERMAN, Mr. McEWEN, Mr. UDALL, Mrs. LLOYD, Mr. KLECZKA, Mr. RAVENEL, Mr. TALLON, Mr. SKELTON, Mr. SPRATT, Mr. WATKINS, Mr. SPENCE, Mr. GARCIA, Mr. MOORHEAD, Mr. DORGAN of North Dakota, Mr. LANTOS, Mr. WHITTAKER, Mr. SAWYER, Mr. SMITH of Iowa, Mr. JONES of North Carolina, Mr. SCHEUER, Mrs. MORELLA, Mr. ROYBAL, Mr. DONNELLY, Mr. SHAW, Mr. GEPHARDT, Mr. HALL of Ohio, Mr. FAUNTROY, Mr. CONYERS, Mr. LAGOMARSINO, Mr. ANDERSON, Mr. KOLBE, Mr. TAUZIN, Mr. DeWINE, Mr. RUSSO, Mr. MURPHY, Mr. WILSON, Mr. MARTIN of New York, Mr. FOLEY, Mr. VOLKMER, Mr. GRAY of Pennsylvania, Mr. DORNAN of California, Mr. SMITH of New Jersey, Mr. MOLINARI, Mr. DeFAZIO, Mr. STOKES, Mr. KEMP, Mr. KENNEDY, Ms. OAKAR, Mr. ERDREICH, Mr. STUDDS, Mr. HOCHBRUECKNER, Mr. DiOGUARDI, Mrs. BOXER, Mr. PANETTA, and Mr. EVANS.

H.J. Res. 570: Mr. BRUCE, Mr. COURTER, Mr. EARLY, Mr. GALLO, Mr. JONTZ, Mr. MILLER of California, Mr. PEPPER, Mr. ROYBAL, Mr. SCHAEFER, Mr. SIKORSKI, Mr. STARK, Mr. TAUZIN, Mr. WAXMAN, and Mr. WYDEN.

H.J. Res. 572: Mr. CHANDLER.

H.J. Res. 584: Mr. LaFALCE.

H.J. Res. 591: Mr. COLEMAN of Texas, Mr. LaFALCE, and Mr. CONTE.

H.J. Res. 599: Mr. HUNTER, Mr. GUNDERSON, Mr. FAUNTROY, Mr. MICHEL, Mr. QUILLEN, Mr. DENNY SMITH, Mr. STALLINGS, Mr. VANDER JAGT, and Mr. WYDEN.

H.J. Res. 604: Mr. DeWINE.

H.J. Res. 613: Mr. KENNEDY, Mr. LANCASTER, Mr. McMILLEN of Maryland, Mr. BILEY, Mr. FROST, Mr. BOULTER, Mr. BRYANT, Mr. DeFAZIO, Mr. FISH, Mr. NEAL, Mr. DAVIS of Michigan, Mr. KANJORSKI, Mr. UDALL, Mr. LANTOS, Mr. KOSTMAYER, and Mr. ACKERMAN.

H.J. Res. 616: Mr. McMILLEN of Maryland, Mr. BILEY, Mr. STRATTON, Mr. FUSTER, Mr. QUILLEN, Mr. LELAND, Mr. CARPER, Mr. DARDEN, Mr. SABO, Mr. COYNE, Mr. TRAXLER,

Mr. RODINO, Mr. SAWYER, Mr. BONIOR of MICHIGAN, Mr. CHAPMAN, Mr. DE LUGO, Mr. LEVINE of California, Mr. YATES, Mr. LIPINSKI, Mr. SOLARZ, Mr. MARTINEZ, Mr. DELUMS, and Mr. WEISS.

H.J. Res. 636: Mr. BROWN of Colorado, Mr. CAMPBELL, Mrs. COLLINS, Mr. FAZIO, Mr. JONTZ, Mr. LELAND, Mr. LIPINSKI, Mr. MRAZEK, Mr. RODINO, Mr. ROE, Mr. YOUNG of Alaska, and Mrs. BENTLEY.

H.J. Res. 649: Mr. KOSTMAYER, Mr. MACK, Mrs. BYRON, Mr. TRAXLER, Mr. DENNY SMITH, Mr. GONZALEZ, Mr. MOODY, Mr. BERMAN, Mr. HARRIS, Mr. NOWAK, Mr. SAXTON, Mr. ECKART, Mr. HORTON, Mr. ROTH, Mr. MILLER of Washington, Mr. CLARKE, Mr. RUSSO, Mr. DONALD E. LUKENS, Mr. MARTIN of New York, Mr. LAGOMARSINO, Mr. MRAZEK, Mr. DOWDY of Mississippi, Mr. BOUCHER, Mr. SCHUETTE, Mr. STENHOLM, Mr. RODINO, Mr. DAVIS of Illinois, and Mr. McGRATH.

H.J. Res. 650: Mr. LELAND, Mr. LEVIN of Michigan, and Mr. LEVINE of California.

H. Con. Res. 28: Mrs. BOXER.

H. Con. Res. 362: Mr. RICHARDSON, Mr. SOLOMON, Mr. SKELTON, Mr. PASHAYAN, Mr. BOEHLERT, Mr. BAKER, Mr. HORTON, and Mr. HYDE.

H. Con. Res. 364: Mr. McGRATH.

H. Res. 501: Mrs. MEYERS of Kansas, Mr. ROWLAND of Connecticut, Mr. COMBEST, Mr. BALLENGER, Mr. SMITH of New Hampshire, Mr. LIGHTFOOT, Mr. DENNY SMITH, Mr. McCANDLESS, Mr. APPLEGATE, Mr. HERGER, Mr. HASTERT, Mr. HUNTER, Mr. MARLENEE, Mr. GALLO, Mr. DORNAN of California, Mr. CRAIG, Mr. GRADISON, Mr. QUILLEN, Mr. PENNY, Mr. YOUNG of Florida, Mr. PERKINS, Mrs. MARTIN of Illinois, Mr. MARTIN of New York, Mr. SUNDQUIST, Mr. SHAW, Mr. SCHAEFER, Mr. SWINDALL, Mr. BILIRAKIS, Mr. HEFLEY, Mr. LUNGREN, Mr. WORTLEY, Mr. RHODES, Mr. LIPINSKI, Mr. GALLEGLY, Mr. WHITTAKER, Mr. HORTON, Mr. MOORHEAD, Mr. CONTE, Mr. SCHULZE, Mr. LEWIS of Florida, Mr. SHAYS, Mr. OLIN, Mr. DAVIS of Illinois, Mr. FAWELL, Mr. MAZZOLI, and Mr. STANGELAND.