

United Nations control with a national budget largely financed by the international community and especially the American taxpayers. We are far from a Haiti that is once again a Haitian responsibility.

American taxpayers may wonder why this matters to them. It is an important country, a country that is struggling with democracy. It is nearby to us. We want them to succeed. It is also important because it is costing us somewhere between \$1, \$2 to \$3 million every day to support our activities there.

AFFIRMATIVE ACTION

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Mexico [Mr. RICHARDSON] is recognized during morning business for 5 minutes.

Mr. RICHARDSON. Mr. Speaker, the Supreme Court is wrong on affirmative action and has now created another national wedge issue, alongside crime, welfare, and immigration. With this ruling, the Court has undercut and may kill many affirmative action programs. The Court read the polls and raised its finger to test the political wind and found a sudden chill on doing the right thing—ensuring that minorities have a seat at the table and access to economic opportunity.

I have supported affirmative action since its inception years ago. I believe it is still necessary, and I am deeply concerned that we may abandon it out of misplaced frustration and political expediency.

Let us take a look at our work force to determine whether equality and fairness have overcome past discrimination. In the private sector, only 10 percent of all managers are minorities, and only 30 percent are women. In government offices, management positions follow the same trend: 9 percent are minorities, 87 percent are men, and only 13 percent are women.

These numbers do not come close to reflecting our population. In fact, women and people of color currently account for 53 percent of the labor force, yet they represent less than one-third of our management positions. Can we honestly say that these figures exhibit equality and fairness in hiring, education, and promotion practices?

Let us look at wages—the true test of what we choose to value. In 1992, African-American men earned only 72 cents for every dollar earned by white men. As a group, women earned only 75 cents for every dollar earned by men, and minority women fell below that to just 65 percent of salaries earned by men. And these figures do not compare apples to oranges—they compare salaries in the same occupations.

These disparities exist among those with college degrees as well as those who are high school graduates: college-educated women earn 29 percent less than college-educated men, and make

just \$2,000 more per year than white men with high school diplomas.

Hispanic women with college degrees actually earn less than white males with only high school diplomas, and earn less than 65 percent of what college-educated white males earn.

In my State of New Mexico, a professional woman can expect to make \$12,000 less per year than a professional male, in sales, men earn more than twice the salaries of their female counterparts and 30 percent more in certain clerical positions.

What can we conclude from these facts? I think it is plain to see that the effects of past discrimination persist, and that the practice of discrimination continues. Affirmative action is still necessary.

There are many misconceptions about what affirmative action is. First of all, affirmative action applies only to qualified applicants. We have all heard the disturbing cases where positions are given to a woman or minority who lacks all experience and education required for a slot, while scores of capable white males are turned away. These cases are rare, and they are not legal.

Legal affirmative action plans must set goals, not quotas, they must provide reasonable timetables for reaching those goals, and they cannot trample the rights of others. These are rational, constrained guidelines that lawful affirmative plans must meet.

Another misconception about affirmative action is that it is bad for business and the economy. In fact, the opposite is true. Most employers surveyed indicate that productivity has not suffered, and in many cases improved, where affirmative action plans were used.

Many business leaders who trade in international markets believe that affirmative action is necessary for them to complete domestically and internationally. It gives them a work force that reflects the diversity of their customers and the markets they serve.

Finally, many have the misperception that affirmative action is a partisan issue developed by a small group of liberals. This is not true—affirmative action has always enjoyed bipartisan support. It has been sustained and strengthened by eight successive Presidents, and the Reagan administration successfully worked with bipartisan support to defeat the efforts of a few to dismantle our policy on affirmative action.

Bipartisan action will again be necessary to preserve the progress we have made, and to ensure a successful future for women and people of color.

I understand that affirmative action was never intended to be permanent. But our goals set some 30 years ago for a color-blind, gender-blind work force have not been met. The disadvantaged must have access to earning power in order to create the sort of economy we all desire. Let us work together to preserve affirmative action and make that happen.

AMTRAK

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning business for 5 minutes.

Mr. HEFLEY. Mr. Speaker, Congress is a master at creating Federal programs based on good intentions rather than sound economic sense and for which the tax becomes their lifeline for survival.

Amtrak—the idea—was a good one. Amtrak was created in 1970 with a one-time grant of \$40 million. It was a 2-year, Government-assisted program that would become an independent and self-sufficient operation.

The reality, however, tells a different story. Amtrak has cost taxpayers over \$15 billion since 1970. Although Amtrak carries only 0.3 percent of all intercity travelers, it is the most highly subsidized form of intercity transportation. GAO figures indicate Amtrak could need as much as \$10 billion over the next 5 years to maintain its current level of service.

Since 1990 the Amtrak situation has gotten even worse. Between 1989 and 1993 Amtrak lost an average of \$706 million per year, and it's not going to get any better.

Revenues have fallen well short of estimates for the last 4 years. In 1994, Amtrak forecast revenues of \$1.1 billion, while actual revenues were only \$880 million, a difference of over \$200 million.

Since 1990, passenger revenues have fallen by 14 percent in real terms. The gap between revenues and expenses continue to grow.

Why have the 1990's been so bad for Amtrak?

Deterioration of tracks and trains—23 percent of Amtrak's cars are over 40 years old, and 70 percent of the cars are almost 20 years old. With shoddy track and old cars, Amtrak is not a comfortable way to travel. Increased accidents are causing people to question the safety of Amtrak, and rightfully so.

Amtrak's labor structure is costing them a fortune. Their labor structure makes it darn near impossible for Amtrak to make a profit. Amtrak is required, by law, to have a 6-year severance package for displaced employees.

This benefit gives them 6 years of pay equal to the rate they received while working. This constitutes a liability of over \$2 billion.

In the cuts announced in December, Amtrak will be required to pay hundreds of millions of dollars to pay labor protections nobody else gets. Amtrak is renegotiating their contract with labor this year. Amtrak's wages paid could increase by about \$200 million over a 5-year period.

Increased competition with other modes of transportation. Most intercity trips are made by private vehicle. Cars account for about 80 percent of total passenger miles. Falling gasoline prices encourage people to drive.

Since 1990, the real price of unleaded gasoline has dropped by 10 percent. With the increased fuel efficiency of today's cars, driving continues to be an inexpensive way to travel. Airline tickets and bus fare prices are falling as well.

Increased dissatisfaction among Amtrak passengers. Volume of complaints has risen from 30,000 in 1989 to 70,000 in 1994. It is not totally uncommon for an Amtrak train to break down, and the passengers must walk to the nearest stop to catch the next train. It's no wonder people don't want to ride Amtrak.

What's the answer? I've proposed legislation to privatize Amtrak by phasing out its taxpayer subsidies over a 4-year period and relieving it of its burdensome labor regulations and route requirements. My legislation would enable Amtrak's management to make decisions as in any private corporation.

Slowly phases out subsidy. This year Amtrak will receive \$972 million from the Federal Government. H.R. 259 will reduce the taxpayer subsidy to Amtrak by 25 percent each year for 4 years. This will phase out the Federal subsidies.

Immediately eliminates congressional micromanagement. Amtrak is told by Congress how to operate and where to operate. H.R. 259 eliminates this meddling and allows Amtrak to focus its resources on its most promising routes, not the ones that Congress tells them to focus on.

Immediately reduces excessive severance packages. Amends the Rail Labor Protection Act to reduce the current 6 year severance package to 6 months. By freeing Amtrak from these excessive costs, they will be able to make the tough business decisions other managers are free to make.

We face a critical decision this year. We can continue to increase our annual subsidies while ignoring Amtrak's fundamental problems, or we can enact necessary reforms to save Amtrak.

THE CONTINUING CRISIS IN BOSNIA

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. HOYER] is recognized during morning business for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise today to once again focus my colleagues' attention on the continuing crisis in Bosnia.

Last week this House voted overwhelmingly to unilaterally lift the arms embargo against Bosnia and allow the Bosnian people to pursue their fundamental right to defend themselves.

A front page article in Sunday's New York Times crystallizes for us—indeed, if at this time we need any further clarification—the compelling reasons for lifting the embargo. The article can only lead one to conclude that the embargo is wrong and that it will never

contribute to the cessation of hostilities, only the continued perpetration of aggression and genocide.

The article quotes statements, from both American and European officials with access to intelligence reports, which confirm that the Federal Yugoslav Army is not only paying the salaries of many Bosnian-Serb officers, but is also supplying their forces with fuel, spare parts, training, and ammunition.

There are credible reports that the cross-border traffic is increasing as the combat resumes in Bosnia after a winter ceasefire.

Moreover, several American analysts, according to the New York Times article, have stated that the Yugoslav Army provided the parts and technicians for maintaining the Bosnian-Serb air defenses that shot down an F-16 jet fighter on a NATO monitoring mission. Even if this were not so, the fact remains that the Bosnian-Serb air defense system continues to be electronically linked to the Yugoslav Army's computers and radar.

American officials say they have evidence of regular conversations and consultations between the Yugoslav Army's general staff in Belgrade and the officers directing operations in Bosnia and that Bosnian-Serbs wounded in battle are flown by helicopter to Yugoslav military hospitals. This would certainly make sense in view of the fact that General Ratko Mladic, the commander of the Bosnian-Serb forces, was a career officer in the Yugoslav Army and was selected to lead the Bosnian Serbs by Mr. Milosevic shortly before the conflict began. In addition the recently appointed commander of Serbian forces in Croatia, Lt. Gen. Mile Mrksic until a few weeks ago was serving on the general staff of the Yugoslav Army in Belgrade.

Mr. Speaker, let me remind my colleagues that last year Serbian leader Slobodan Milosevic pledged to close the border between Bosnia and Serbia in exchange for an easing of economic sanctions against the former Yugoslavia. Despite reports to the contrary, he continues to insist that only nonlethal aid is being provided by Serbia to the Bosnian-Serb militants.

Meanwhile, the West, headed by the contact group, and most recently by United States negotiator Robert Frasure, continues to negotiate with Mr. Milosevic toward the complete lifting of sanctions against the former Yugoslavia in exchange for Milosevic's recognition of Bosnia and Herzegovina. Milosevic continues to rebuff these overtures unless he can guarantee that once lifted, the sanctions cannot be reimposed under any circumstances.

I ask my colleagues, should the West lift economic sanctions against a government that is sustaining the Bosnian-Serbs war effort, even as it pledges to do the opposite?

Mr. Speaker, I contend that it is preposterous that the international community has even reached such a juncture. Last year the contact group—the

United States, Britain, France, Germany, and Russia—offered its final, take-it-or-leave-it peace plan with severe consequences for those who refused. The contact group assured Bosnia that if the Serbs plan, international sanctions against Serbia, would be tightened, more efforts would be made to afford greater protection of safe areas by the United Nations, and ultimately, the arms embargo would be lifted. The Government of Bosnia accepted, on time and without condition. The Bosnian Serbs, as we all know, effectively rejected the plan and continued to posture for more concessions which the international community has provided.

The international community's arms embargo against the former Yugoslavia has been a de facto embargo only against Bosnia. The Serbian aggressors, from the beginning, have had all the firepower and material they needed from the Yugoslav Army.

Mr. Speaker, we must redouble our efforts to ensure that the people of Bosnia have, at a minimum, the right to defend themselves. Building on the momentum of last week's vote, I urge swift consideration of H.R. 1172, legislation I have cosponsored with Mr. SMITH, which would lift the arms embargo against Bosnia.

The Serbian aggressors are perpetrating genocide while the international community watches, indeed does more than watch. It facilitates the genocide by imposing and enforcing an arms embargo against the victims of the war—denying them their fundamental right recognized under international law—the right of self-defense. Not only do we refuse to assist, but we actively deny to the Bosnians the means by which they can defend themselves. I have no doubt that history will judge our European allies and ourselves critically.

THE ADARAND DECISION

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. CANADY] is recognized during morning business for 5 minutes.

Mr. CANADY of Florida. Mr. Speaker, the Supreme Court yesterday struck an important blow in defense of the fundamental moral and constitutional principle of nondiscrimination. In *Adarand Constructors versus Peña*, the Court held that racial classifications by any level of government are constitutionally suspect and will be permitted only in the most extraordinary circumstances.

The Court has thus stated unequivocally that the Constitution permits governmental racial classifications—including ones enacted by Congress—only when they are narrowly tailored to further a compelling government interest.

In so holding, the Court has provided an important and timely impetus to