

H.R. 2405. An act to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes; to the Committee on Commerce, Science, and Transportation.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1506. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, the report entitled, "Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers"; to the Committee on Finance.

EC-1507. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, notice of a Presidential determination relative to Serbia and Montenegro; to the Committee on Foreign Relations.

EC-1508. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, notice of a Presidential determination relative to Mongolia; to the Committee on Foreign Relations.

EC-1509. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, notice of a Presidential determination relative to Rwanda and Burundi under the Migration and Refugee Assistance Act of 1962; to the Committee on Foreign Relations.

EC-1510. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, notice of certification for fiscal year 1996 relative to the United Nations; to the Committee on Foreign Relations.

EC-1511. A communication from the Assistant Legal Affairs Adviser for Treaty Affairs, the Department of State, transmitting, pursuant to law, the text of the international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-1512. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the management report for the period October 1, 1994 to March 31, 1995; to the Committee on Governmental Affairs.

EC-1513. A communication from the Chief Financial Officer, the Assistant Secretary for Administration, the Department of Commerce, transmitting, pursuant to law, the annual report under the Freedom of Information Act for calendar year 1994, to the Committee on the Judiciary.

EC-1514. A communication from the Chief of the Retirement Branch Directorate of Force Management and Personnel, the Department of Air Force, transmitting, the annual report for the Air Force Nonappropriated Fund Retirement Plan; to the Committee on Governmental Affairs.

EC-1515. A communication from the Comptroller General, transmitting, pursuant to law, reports and testimony for the month of August 1995; to the Committee on Governmental Affairs.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-344. A resolution adopted by the Governing Board of the Northeast Ohio Areawide

Coordinating Agency relative to the Environmental Protection Agency; to the Committee on Appropriations.

POM-345. A joint resolution adopted by the Legislature of the State of California; to the Committee on Appropriations:

#### "JOINT RESOLUTION NO. 29

"Whereas, the Congress of the United States is expected to consider funding for additional Air Force B-2 Stealth Bombers beyond the 20 currently authorized; and

"Whereas, international challenges persist, and the availability of stealth bomber technology will enable the Air Force to respond quickly and decisively; and

"Whereas, the United States' ability to respond effectively would be greatly undermined if the Air Force's current fleet of bombers is allowed to become obsolescent; and

"Whereas, according to the 1995 defense appropriations bill, 'Independent studies have concluded that the 20 B-2 aircraft currently on order are simply not enough to provide a militarily-significant and cost-effective long-range conventional bomber force . . .'; and

"Whereas, the B-2 is the only aircraft currently in production that incorporates advanced stealth technology, developed in California, that unlike the current fleet of bombers, gives the United States superiority over any adversary in the world; and

"Whereas, the B-2 program employs 9,000 people in California at Northrop Grumman Corporation, the prime contractor, and more than 2,000 suppliers throughout the state, and helps support thousands of additional jobs at local businesses: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the B-2 Stealth Bomber is acknowledged as a key element of the military strategy for the defense of the United States; and be it further

*Resolved,* That the Legislature of the State of California respectfully urges the President and the Congress of the United States to provide the necessary funding in the 1996 fiscal year for additional production of the Air Force B-2 Stealth Bomber, an important national resource; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-346. A joint resolution adopted by the Legislature of the State of California; to the Committee on Armed Services.

#### "JOINT RESOLUTION NO. 40

"Whereas, the most recent base closure and realignment recommendations forwarded to the President by the federally-appointed Defense Base Realignment and Closure Commission now include an additional 20 California defense facilities; and

"Whereas, Presidents Franklin D. Roosevelt, John F. Kennedy, and Ronald Reagan led the charge in rebuilding American's defenses in the 20th Century and in practicing a policy of 'peace through strength'; and

"Whereas, the fruits of this policy were realized with the collapse of the Soviet empire, America's victory in the Cold War, and the military's stunning victory in the Persian Gulf War; and

"Whereas, Americans have a profound respect for the men and women of the United States military who faithfully serve the country; and

"Whereas, we believe that, if the men and women of the military are sent into harm's way, they must be equipped with whatever is necessary to ensure their safety and to get the job done; and

"Whereas, the world remains a dangerous place, with military involvements recently in Iraq, Haiti, and now Bosnia, and the maintenance of our defense should be a top priority; and

"Whereas, downsizing and streamlining military operations are important goals—but only as long as the security of the United States is not compromised; and

"Whereas, the bases in California, especially McClellan Air Force Base and the Long Beach Naval Shipyard, are vital national assets on the Pacific Rim; and

"Whereas, it was recently learned that technology from McClellan Air Force Base was used in the rescue of downed Air Force pilot Scott O'Grady in Bosnia; and

"Whereas, the radio beacon and transmitter, as well as the E3A AWACS aircraft equipment and radio communication system used by O'Grady and his rescuers, were repaired and serviced at McClellan Air Force Base; and

"Whereas, California has been forced to endure up to 50 percent of all national economic impact from base closures; and

"Whereas, the closure of these California facilities would represent direct and indirect job losses of up to 46,000 jobs, and since the California economy is highly reliant upon the high technology associated with national defense expenditures, these closures will only exacerbate that devastation; and

"Whereas, the California economy, already suffering from the strain of previous base closures, would be further injured by these additional closures, which would represent the loss of an estimated additional \$10,200,000,000 in annual income: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California memorializes the President of the United States and the United States Congress to reject the entire base-closure list to be submitted on or before July 1, 1995, by the Defense Base Closure and Realignment Commission; and be it further

*Resolved,* That the President, in consultation with the Congress, is urged to develop a more balanced policy with regard to the security needs of the United States; and be it further

*Resolved,* That a more balanced national security policy should take into consideration the strong military strategic concerns of the United States Defense Department and the Joint Chiefs of Staff; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-347. A resolution adopted by the Chamber of Commerce of the City of San Angelo, Texas relative to trust fund accounts; referred jointly, pursuant to the order of August 4, 1977, to the Committee on the Budget, and to the Committee on Governmental Affairs.

POM-348. A resolution adopted by the Board of Commissioners of Caswell County, North Carolina relative to tobacco; to the Committee on Labor and Human Resources.

POM-349. A resolution adopted by the Military Chaplains Association of the United States of America relative to the Impact Aid Program; to the Committee on Labor and Human Resources.

POM-350. A joint resolution adopted by the Legislature of the State of California; to the Committee on Labor and Human Resources:

#### "JOINT RESOLUTION NO. 25

"Whereas, the Congress of the United States, acknowledging the fiscal burden

placed on local educational agencies by the loss of revenue from traditional funding sources such as property, sales and income taxes resulting from a federal presence, in 1950 enacted Public Law 81-815/874 authorizing the Impact Aid program that was reauthorized in 1994 as Section 8003 of Title VIII of Public Law 103-382 (20 U.S.C. Sec. 236 and following); and

"Whereas, Federal impact aid is funding provided to a local school district in lieu of taxes not paid by the federal government and certain federal employees and to compensate for revenues the local community would collect if the land did not belong to the federal government; and

"Whereas, unlike other federally funded education programs, Federal impact aid is not a program designed to respond to a social need or provide supplemental state and local funding but is a program designed to help cover basic education costs; and

"Whereas, Federal impact aid is a program that imposes no federal requirements directing states or schools to develop performance standards or learning objectives; and

"Whereas, Federal impact aid is funding that goes directly to the local agency for the general support of the education program for all students as determined by the local educational agency without burdensome bureaucratic costs; and

"Whereas, there are 229 California school districts serving approximately 2,200,000 students located throughout the state from Del Norte County in the north, to San Diego County in the south, that educate 180,000 federally connected children who depend on the federal fair share financial contribution to the local educational system; and

"Whereas, withdrawal of federal impact aid funding would adversely impact the educational program of every school district that depends on federal impact aid to provide the federal government's share of support for the education of the federally connected child and force districts to curtail services to all children; and

"Whereas, the withdrawal of federal impact aid funding would result in state and local taxpayers subsidizing the education of the federally connected child; and

"Whereas, California and its citizens are struggling to overcome a severe economic crisis; and

"Whereas, the federal government's financial support for California's federally connected child and federal presence has declined below the 1981 level of funding although the numbers of children in the educational system has been increasing; Now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California proclaims its support for the maintenance and full funding of federal impact aid to local school districts; and be it further

*Resolved,* That the Legislature respectfully memorializes the President and Congress of the United States to uphold the responsibility of the federal government to provide funding to local school districts impacted by a federal presence; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-351. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Labor and Human Resources:

#### "SENATE CONCURRENT RESOLUTION NO. 15

"Whereas, eighty-two national toll-free telephone hotlines provide assistance to victims of crime and disease but there is no such hotline for victims of domestic violence, who may not know whom to call or how to find a shelter; and

"Whereas, a national hotline for battered women was in operation from September, 1988, until June, 1992, receiving approximately 10,000 calls a month in its last months of operation; and

"Whereas, after the hotline closed for lack of funding, national women's organizations and statewide family violence coalitions reached a consensus that the Texas Council on Family Violence should lead a project to reestablish the hotline; and

"Whereas, the Texas Council on Family Violence has developed a plan to reestablish the national hotline after first establishing a pilot project in Texas; and the Texas Council on Family Violence has received more than \$200,000 for the implementation of the Texas Pilot Hotline and has hired a hotline specialist who has worked on a detailed plan for the project; and

"Whereas, the Texas Council on Family Violence has developed a budget summary regarding the costs of the National Domestic Violence Hotline as well as the Texas pilot project; and

"Whereas, since 1978, the Texas Council on Family Violence has worked closely with the Texas Legislative, Texas state agencies, and Texas elected officials and has consistently demonstrated their organizational capacity and the requisite expertise to run a domestic violence hotline and has secured a portion of the funding to implement and maintain a statewide hotline for domestic violence victims and is poised to receive grant funding from the federal government to set up the nationwide 1-800 hotline for victims of domestic violence; and

"Whereas, section 316 of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.), as added by Section 40211, Violent Crime Control and Law Enforcement Act of 1994 (Pub. L. No. 103-322), signed into law by President Clinton on September 13, 1994, provides funds for a National Domestic Violence Hotline Grant to fund a 1-800 hotline for victims of domestic violence; and the Texas Council on Family Violence has worked for two years to obtain private and public money to establish such a hotline: Now, therefore, be it

*Resolved,* That the 74th Legislative of the State of Texas hereby petition the Secretary of Health and Human Services to award to the Texas Council on Family Violence the National Domestic Violence Hotline Grant to set up a national hotline for victims of domestic violence; and, be it further

*Resolved,* That the Texas Secretary of State forward official copies of this resolution to the President of the United States, the president of the senate and speaker of the house of representatives of the United States Congress, all members of the Texas delegation to the congress, and to the Secretary of Health and Human Services with the request that this resolution be entered in the Congressional Record as a petition to the Secretary of Health and Human Services."

POM-352. A resolution adopted by the Military Chaplains Association of the United States of America relative to the Department of Veterans' Affairs Chaplain Service; to the Committee on Veterans' Affairs.

POM-353. A resolution adopted by the Council of City of Honolulu, Hawaii relative to the proposed 'Filipino Veterans Equity Act of 1995'; to the Committee on Veterans' Affairs.

POM-354. A joint resolution adopted by the Legislature of the State of Alabama; to the Committee on Veterans' Affairs.

#### "HOUSE JOINT RESOLUTION NO. 271

"Whereas, Alabama's atomic veterans showed steadfast dedication and undisputed loyalty to their country and made intolerable sacrifices in service to America; and

"Whereas, these atomic veterans gave their all during the terribly hot atomic age to keep our country strong and free; and

"Whereas, these atomic veterans were unknowingly placed in the line of fire, after being assured that they faced no harm, and were subjected to an ungodly bombardment of ionizing radiation; and

"Whereas, the radiation to which they were exposed is now and will continue to eat away at their bodies every second of every day for the rest of their lives with no hope of cessation or cure; and

"Whereas, because their wounds were not of the conventional type, and were not caused by the enemy but by the United States Government, the atomic veterans did not receive service-connected medical disability benefits and did not receive a medal such as the Purple Heart; and

"Whereas, many atomic veterans have already died and others will die a horrible and painful death: Now therefore be it

*Resolved by the Legislature of Alabama, both Houses thereof concurring,* That atomic veterans be recognized by the federal government, and that the United States Senators and Representatives from Alabama support legislation granting service-connected medical and disability benefits to all atomic veterans who were exposed to ionizing radiation and legislation issuing a medal to atomic veterans to express the gratitude of the people and government of the United States for the dedication and sacrifices of these veterans, be it further

*Resolved,* That copies of this resolution be sent by the Clerk of the House of Representatives to the President of the United States, the Vice President of the United States, the Speaker of the U.S. House of Representatives, the Secretary of Defense, the Secretary of Veterans Affairs, the Chairpersons of the Senate and the House of Representatives' Veterans Affairs Committees, and each member of Alabama's Congressional Delegation."

POM-355. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs.

#### "SENATE JOINT RESOLUTION NO. 14

"Whereas, the Philippine Islands became a United States possession in 1898 when they were ceded from Spain following the Spanish-American War and remained a possession of the United States until 1946; and

"Whereas, in 1934, Congress passed Public Law 73-127, the Philippine Independence Act, that set a 10-year timetable for the eventual independence of the Philippines and in the interim established a Commonwealth of the Philippines with certain powers over its internal affairs; and

"Whereas, the granting of full independence ultimately was delayed for two years until 1946 because of the Japanese occupation of the islands from 1942 to 1945; and

"Whereas, during the interval between 1934 and the final independence in 1946, the United States retained certain sovereign powers over the Philippines, including the right, upon order of the President of the United States, to call into the service of the United States Armed Forces all military forces organized by the Commonwealth government; and

"Whereas, President Roosevelt invoked this authority by executive order of July 26, 1941, bringing the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the

command of Lt. General Douglas MacArthur; and

"Whereas, there are four groups of Filipino nationals who are entitled to all or some of the benefits to which United States veterans are entitled. These are:

"(1) Filipinos who served in the regular components of the United States Armed Forces.

"(2) Regular Philippine Scouts, called 'Old Scouts,' who enlisted in Filipino-manned units of the United States Army prior to October 6, 1945.

"(3) Special Philippine Scouts, called 'New Scouts,' who enlisted in the United States Armed Forces between October 6, 1945, and June 30, 1947, primarily to perform occupational duty in the Pacific following World War II.

"(4) Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the United States Armed Forces. This group includes organized guerrilla resistance units that were recognized by the United States Army; and

"Whereas, the first two groups, Filipinos who served in the regular components of the United States Army and Old Scouts, are considered United States veterans and are generally entitled to the full range of United States veterans' benefits; and

"Whereas, the other two groups, New Scouts and members of the Commonwealth Army, are eligible for certain benefits, and some of these are paid at lower than full rates. United States veterans' medical benefits for the four groups of Filipino veterans vary depending upon whether the person resides in the United States or the Philippines; and

"Whereas, the Old Scouts were created in 1901 pursuant to the Act of February 2, 1901, that authorized the President of the United States 'to enlist natives [of the Philippines] . . . for service in the Army, to be organized as scouts . . . or as troops or companies, as authorized by this Act, for the regular Army'; and

"Whereas, prior to World War II, these troops assisted in the maintenance of domestic order in the Philippines and served as a combat ready force to defend the islands against foreign invasion; and

"Whereas, during the war, they participated in the defense of and retaking of the islands from Japanese occupation. The eligibility of Old Scouts for benefits based on military service in the United States Armed Forces, including veterans' benefits, has long been established; and

"Whereas, the federal Department of Veterans Affairs operates a comprehensive program of veterans' benefits in the Republic of the Philippines, including the operation of a federal Department of Veterans Affairs office in Manila; and

"Whereas, the federal Department of Veterans Affairs does not operate a program of this type in any other country; and

"Whereas, the program in the Philippines evolved because the Philippines were a United States possession during the period 1898-1946, and many Filipinos have served in the United States Armed Forces, and because the preindependence Commonwealth Army of the Philippines was called into the service of the United States Armed Forces during World War II (1941-1945); and

"Whereas, many Filipino veterans, however, have been discriminated against by the classification of their service as not being service rendered in the United States Armed Forces for purposes of benefits from the federal Department of Veterans' Affairs; and

"Whereas, Filipinos gallantly served at Bataan and Corregidor, giving their toil, blood, and lives so as to provide the United States valuable time to rearm materiel and men to

launch the counter-offensive in the Pacific war; and

"Whereas, all other nationals, even foreigners, who served in the United States Armed Forces have been recognized and granted full rights and benefits, but the Filipinos who actually were American nationals at that time were and are still denied recognition and singled out for exclusion, and this treatment is unfair and discriminatory; and

"Whereas, on March 6, 1995, House Resolution 1136 was introduced in the United States House of Representatives, and on January 4, 1995, Senate bill 55 was introduced in the United States Senate, to deem service in the organized military forces of the government of the Commonwealth of the Philippines and the Philippine Scouts during World War II to be active service for the purpose of benefits under programs administered by the Secretary of Veterans Affairs; and

"Whereas, on January 4, 1995, Senate bill 72 was introduced in the United States Senate, to direct the Secretary of the Army to issue a certificate of service to Filipino nationals whom the Secretary determines have performed any military service in the Philippine Islands during World War II that qualifies the person or a survivor to receive any military, veterans', or other benefits under federal laws; and

"Whereas, the proposed legislation would bring relief to the estimated remaining 60,000 to 80,000 Filipino veterans (out of the initial 175,000 to 200,000 troops) who risked their lives during World War II, surviving the occupation of the Philippine Islands and the infamous Bataan Death March, and who, now in their mid-60's to mid-90's, have been battling for years to obtain the benefits of other veterans of that war: Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to act favorably on legislation pertaining to granting full veterans' benefits to Filipino veterans of the United States Armed Forces; and be it further

*"Resolved,* That the Secretary of the Senate transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-356. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs.

#### "SENATE JOINT RESOLUTION NO. 19

"Whereas, the American Legion estimates that more than 20,000 Persian Gulf War veterans are suffering from 'Gulf War illness' that is an affliction involving various undiagnosed, chronic ailments with symptoms that include fatigue, skin problems, headaches, muscle pain, joint pain, neurological symptoms, neuropsychological symptoms, respiratory system symptoms, sleep disturbances, gastrointestinal symptoms, cardiovascular symptoms, abnormal weight loss, and menstrual disorders; and

"Whereas, there is evidence that Persian Gulf War participants were exposed to chemical and biological warfare agents, chemical and biological warfare pretreatment drugs, and other hazardous materials and substances that are being linked to the symptoms of 'Gulf War illness'; and

"Whereas, there is also evidence that spouses and other family members of Persian Gulf War veterans are experiencing health problems related to 'Gulf War illness'; and

"Whereas, in November 1994 Congress enacted the Persian Gulf War Veterans' Act au-

thorizing the Department of Veterans Affairs to compensate any Persian Gulf War veteran suffering from a chronic disability resulting from an undiagnosed illness or combination of undiagnosed illnesses that became manifest either during active duty in the Southwest Asia theater of operations or within a certain period following service in that area during the Persian Gulf War; and

"Whereas, despite mounting evidence that illnesses suffered by many Persian Gulf War veterans are service connected, many of the medical complaints of these veterans have yet to be diagnosed as service connected; Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take action to, as soon as possible, identify and locate those veterans of the Persian Gulf War that may be suffering from 'Gulf War illness,' and make adequate federal funds available for research on 'Gulf War illness' and for full medical treatment for all of those veterans suffering from 'Gulf War illness,' particularly those veterans who have chronic disabilities resulting from military service during the Persian Gulf War; and be it further

*"Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of Veterans Affairs."

POM-357. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Veterans' Affairs.

#### "JOINT RESOLUTION

"Whereas, September 1995 marks the 50th anniversary of the end of World War II, the greatest armed conflict the world has ever known, in which the victory of the Allied united nations made possible the promise of peace, dignity and freedom for all peoples; and

"Whereas, in that conflict some 250,000 Americans served in the United States Merchant Marine, which carried goods, grain, armaments, food, personnel and materiel to Allied forces in both the Pacific and the Atlantic theaters, in the great ocean convoys President Roosevelt called the 'American bridge of ships'; and

"Whereas, in that conflict 6,835 United States merchant mariners and over 1,800 United States Navy personnel on merchant ships gave their lives for their country, the highest casualty rate of any United States service in World War II; and

"Whereas, in that conflict over 600 United States merchant mariners were incarcerated in Axis POW camps, suffering a casualty rate of over 10%; and

"Whereas, in that conflict Maine built and launched almost 270 Liberty ships at the Todd-Bath East and West Yards in South Poland, Maine and sent thousands of officers and enlisted personnel into the United States Merchant Marine, continuing the proud Maine tradition of 'those that go down to the sea in ships': Now, therefore, be it

*"Resolved,* That we, your Memorialists, respectfully recommend and urge the Congress of the United States to provide that certain service of members of the United States Merchant Marine during World War II constitutes active military service as proposed in bipartisan bills S-254 and H-44, now before the 104th Congress, as just and due recognition of the United States merchant mariners' selflessness, sacrifice and service to their country and the Allied cause; and be it further

"Resolved, That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation."

#### REPORTS OF COMMITTEES

The following report of committee was submitted:

By Mr. HATCH from the Committee on the Judiciary:

Report to accompany the joint resolution (S.J. Res. 21) proposing a constitutional amendment to limit congressional terms (Rpt. 104-158).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. KASSEBAUM (for herself, Mr. KENNEDY, and Mr. FRIST):

S. 1324. A bill to amend the Public Health Service Act to revise and extend the solid-organ procurement and transplantation programs, and the bone marrow donor program, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MCCAIN (for himself and Mr. KYL):

S. 1325. A bill to amend title XI of the Social Security Act to provide an incentive for the reporting of inaccurate medicare claims for payment, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1326. A bill respecting the relationship between workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act; to the Committee on Labor and Human Resources.

By Mr. MCCAIN (for himself and Mr. KYL):

S. 1327. A bill to provide for the transfer of certain lands to the Salt River Pima-Maricopa Indian Community and the city of Scottsdale, Arizona, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DOLE (for Mr. HATCH (for himself, Mr. BIDEN, Mr. GRASSLEY, Mr. HEFLIN, Mr. SPECTER, Mr. SIMON, Mr. DEWINE, Mrs. FEINSTEIN, and Mr. ABRAHAM)):

S. 1328. A bill to amend the commencement dates of certain temporary Federal judgeships; read the first time.

By Mr. DOLE:

S. 1329. A bill to amend title 38, United States Code, to provide for educational assistance to veterans, and for other purposes; to the Committee on Armed Services.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. KASSEBAUM (for herself, Mr. KENNEDY, and Mr. FRIST):

S. 1324. A bill to amend the Public Health Service Act to revise and extend the solid-organ procurement and transplantation programs, and the bone marrow donor program, and for

other purposes; to the Committee on Labor and Human Resources.

#### THE ORGAN AND BONE MARROW TRANSPLANT PROGRAM REAUTHORIZATION ACT OF 1995

Mrs. KASSEBAUM. Mr. President, on behalf of Senator KENNEDY, Senator FRIST, and myself, I introduce legislation which will further improve the quality and equity of solid organ and marrow transplantation.

We can all be proud of the solid foundation that private initiatives, supported by Federal funding, have created. However, now that this infrastructure is in place, I believe that it is time for Congress to reexamine the Federal role in the oversight and the financing of solid organ and bone marrow transplantation.

The partnership between the Government, the solid-organ transplant community, and the public has worked well. However, the recent experience with the heart transplant program in my own State of Kansas, or the public distrust voiced when Mickey Mantle received his liver transplant, reminds us that improvements need to be made.

In 1994, more than 18,000 solid organ transplants were performed. Yet, more than 41,000 other Americans still await an organ for transplantation. This disparity between the supply and the demand for organs to transplant confirms that continued Federal oversight is necessary to provide the public with a sense of fairness and trust. Even though Federal oversight is still required, we must consider alternatives to fund the vital functions of the organ transplant network.

The legislation we are introducing today stresses equity for all beneficiaries and proposes a balanced approach. Governmental oversight is maintained but clarified. The Organ Transplant Network remains responsible for the development of transplant policies, and the program remains grounded in the expertise of the transplant community.

The importance of transplant candidates, patients, and their families as the real consumers of transplant services is reconfirmed, and this legislation increases their voice in the process. In addition, the phase-in of a new "data management fee" will guarantee that future transplant services will continue uninterrupted.

Mr. President, the shortage of organs for transplantation is a problem which we, as a nation, have not yet solved. Recent medical studies have shown a continued reluctance by the American public to consent to organ donation when faced with the impending death of a family member. New and innovative approaches must be developed to increase the public's acceptance of organ donation. This legislation authorizes funding—obtained through a partnership among the government, the Nation's transplant centers, and the organ procurement organizations—to address the continued shortage of organs for transplantation. A single piece of legislation cannot be expected

to correct the problem of insufficient organs for transplantation, but we believe that this proposal moves the transplant program in the right direction.

Unrelated-donor bone marrow transplantation poses a different challenge. The National Bone Marrow Donor Registry was developed to facilitate and to maximize the number of bone marrow transplants for patients who do not have a matched relative. The success of this program to recruit potential marrow donors has been admirable, but as noted in the recent past by the General Accounting Office, the number of resulting transplants has been quite modest.

Increasing the number of unrelated-donor bone marrow transplantations will likely require more than just expanding the potential marrow donor pool. Improvements in technology and scientific understanding of transplantation will need to be made. Because of these biologic limitations, I question continued Federal funding and the merits of a government-funded national bone marrow registry.

Therefore, Mr. President, this legislation reauthorizes the National Bone Marrow Donor Registry, it reconfirms the goal to increase unrelated-donor bone marrow transplants, and it provides advocacy services for patients and donors. This legislation also requests the Institute of Medicine to evaluate the future role of a government-funded marrow transplant program as a means to maximize the number of unrelated-donor bone marrow transplants.

I recognize that the present Federal budget constraints and the proposed reevaluation of the Federal role in transplantation have caused some concern. However, I believe this situation provides both the transplant communities and the Congress with a unique opportunity. This legislation is a carefully crafted plan for the future. It strives for equity for all beneficiaries, an appropriate degree of Government oversight, an evaluation of the future governmental role, an appropriate level of fiscal responsibility, and the development of a system to respond to the present and future transplantation needs.

As discussion of these issues develops, I would welcome any suggestions my colleagues or others may have for improving this legislation.

Mr. President, I ask unanimous consent that the text of the bill and a summary be printed in the RECORD.

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

S. 1324

*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 "Organ and Bone Marrow Transplant Program Reauthorization Act of 1995".