their youngsters, the opinion-molders of tomorrow. And we also helped establish journalism resource centers to work with college-age students and professionals—and, yes, wannabees off the street. At the same time, we did not neglect business workshops, to help the new independent newspapers and broadcast stations survive in the competitive marketplaces of ideas and economics.

We've tried to put some numbers together (including our work over the last two years in Russia).

By our reckoning:

We conducted 29 workshops for about 1,300 broadcasters.

We arranged 14 special broadcast survey and consultation trips.

We conducted 13 business workshops for some 650 newspaper executives.

We held 22 journalism and business workshops, jointly held for about 1,000 broadcast and newspaper participants.

We established 14 university radio and television training facilities or stations.

We helped start 16 university student publications.

We worked with 19 Central and Eastern European universities.

And those figures do not include the participants at the great many workshops and training courses held at the six journalism resources centers supported by the Fund, or the training equipment supplied by the Fund to those centers, or the participation by Fund representatives as speakers or discussion leaders in numerous media conferences arranged by others in the U.S. and Europe.

Our donations of technical equipment is equally impressive. In fact, the Media Fund is leaving behind a substantial presence—giant printing presses, computer units, radio stations, television companies, journalism centers and university courses, none of which existed five years ago.

But beyond a check list is something more important. Our hundred or so American volunteer professionals made a lasting impression whenever they ventured—from Vladivostok in the east to Prague in the west, from Tallinn in the north to Tirana in the south, with Warsaw and Bratislva and Bucharest and other cities in between. And our own small staff, of course, made all this possible—a vigorous start to a job yet to be completed. We are leaving the scene early only because our primary source of funding no longer allows us the freedom and flexibility to carry out the mission for which we were created.

The labor of these five years is our legacy from those of us who have lived in a land with a free press to those journalist sin other lands who wish to enshrine democracy in the future.

THE 30TH ANNIVERSARY OF JUDGE COFFIN'S APPOINTMENT TO THE FEDERAL COURT OF APPEALS

Mr. COHEN Mr. President, 30 years ago, President Johnson wisely acceded to Senator Edmund Muskie, urging that Frank Coffin be nominated to fill a vacancy on the U.S. Court of Appeals for the First Circuit. Soon afterwards the President sent Senator Muskie a photograph of the two of them inscribed ''Dear Ed, Come let us reason together—L.B.J.'' This is the very message that Judge Coffin has been delivering to colleagues on the bench, advocates at the bar, and scholars across the country—''come, let us reason together.'' And for three decades now, jurists, lawyers, and academics have responded to this invitation to engage in a dialog about the law with the learned barrister from Lewiston.

Judge Coffin came to the law in a more simple time, before the age of mega-firms, multimillion-dollar verdicts, and television cameras in the courtroom. He hung out his shingle in Lewiston and practiced law the way many lawyers probably wish they could today, in a one-man firm servicing the day-to-day legal needs of his individual clients. His relationship with a fellow Bates College graduate, Ed Muskie, brought him into politics, and then, after almost a decade of service in Congress and the executive branch, he joined the bench.

From his vantage point on the first circuit, he has witnessed a revolution in the law, from the activist period of the Warren and Burger courts, to the new formalism of today's majority. Yet he has remained a pragmatist, examining the nuances of each set of facts, identifying the competing interests at stake, and then drafting an option that candidly expresses the reasons for the court's ultimate judgment. Judge Coffin's concern has been with legal craftsmanship, not trendy theorizing. The careful balancing of competing interests ''is not jurisprudential theory,'' he has written, ''but, done well, it is a disciplined process, a process with demanding standards of specificity, sensitivity, and candor.''

He is a product of the age of civility. Advocates who have appeared before the court, often in the harshest of disputes, aptly characterize him as ''a real gentleman, kind and decent, smart as a whip, formal and polite, a great judge.'' ''He has the kind of demeanor,'' one attorney wrote, ''where everyone comes out of court feeling good, even the eventual losers.''

He has dedicated the lion's share of his career to public life and believes strongly in the virtues of public service. ''I do worry about young people today,'' he has said, ''going into the most lucrative professions where they earn immense amounts of money rather than working in public service, which needs good people more than ever.''

For 30 years, the people of Maine, litigants before the first circuit, and the legal profession in general have benefited from the service of a good person—Frank Coffin. Lawyer, politician, jurist, scholar, he continues to contribute to the quality of our national dialog.

U.S. INTERNATIONAL AVIATION POLICY

Mr. PRESSLER. Mr. President, I rise today to discuss a very important development in U.S. international aviation policy that occurred over the past year. I do not refer to any particular bilateral aviation agreement, although the number of new international air service opportunities created in 1995 was impressive and unprecedented. Instead, I wish to highlight the critical lesson we learned during the year and, hopefully, will continue to apply.

Simply put, the best way for the United States to secure the strongest possible international aviation agreements is for our negotiators to make decisions based on economic analysis with the goal of maximizing benefits for the U.S. economy. In other words, international aviation decisions should turn on what is best for our country, not which carriers can generate the most political support. In 1995, Transportation Secretary Peña did an excellent job in this regard and the results speak for themselves. U.S. passenger and cargo carriers are capitalizing on a plethora of new international opportunities, while the increased competition brings consumers lower air fares, reduced shipping costs, and greater choices.

This new focus on economic analysis, which I have advocated and enthusiastically support, is beneficial in several other regards. First, it has the practical effect of elevating U.S. international aviation policy to the status of a national trade issue. Second, it clearly defines the criteria the United States applies in assessing international aviation agreements and, by doing so, gives foreign nations a clearer understanding of what will and will not be acceptable to our negotiators. Finally, it prevents foreign nations from exploiting parochial disagreements between our carriers.

Looking ahead to 1996, it is imperative that sound economic analysis continues to be the guiding principle in our international aviation negotiations. We face a number of significant challenges, most notably aviation policy with Japan and the United Kingdom. Also, we have a golden opportunity to obtain an open skies agreement with Germany which would be a catalyst for further liberalization of air service opportunities throughout Europe. Next year is shaping up to be a very important year for U.S. international aviation policy.

Mr. President, let me emphasize that I believe the best bilateral aviation agreement for all parties involved is one which is open and permits market forces to determine what air service is provided in particular markets. Open skies agreements ensure consumers pay a competitive air fare, maximize consumer choice, and promote greater efficiencies for all carriers. Having made that important point, let me briefly turn to our relations with our three most important aviation trading partners overseas: Japan, the United Kingdom, and Germany.

As I have said in this body before, the major impediment to liberalizing aviation relations with the Government of Japan is the high operating costs of Japanese carriers. Due in large part to Japan's tightly regulated airline industry, Japanese carriers have operating costs significantly higher than United

States competitors. Until the Government of Japan permits its carriers to become more competitive, there will be enormous pressure within Japan to continue to protect the Japanese air service market.

The Government of Japan, along with other Asia-Pacific Economic Cooperation [APEC] members including the United States, recently committed to work toward the goal of free and open trade between all member nations. The so-called Bogor Declaration has the potential to have a major impact on United States-Japan aviation relations. Time will tell.

One thing, however, is certain in United States-Japan aviation relations. The continued refusal of the Government of Japan to abide by the terms of United States-Japan bilateral aviation agreement concerning beyond rights guaranteed to several of our carriers will undoubtedly complicate aviation relations between our two countries.

Currently, the Government of Japan is refusing to honor United Airlines' right to provide service between Osaka and Seoul, Korea. Also, Federal Express Corporation is being wrongfully denied the right to provide service between Japan and China. In August, this body unanimously passed a resolution I sponsored calling on the Government of Japan to respect the beyond rights of our so-called 1952 carriers. Apparently that message has not yet been heard.

Why have beyond rights become such a point of contention between the United States and Japan? From a long-term perspective, I suspect it has something to do with the fact that passenger and cargo service opportunities in the Asia-Pacific market beyond Japan are booming. For example, the International Air Transport Association [IATA] estimates by the year 2010 there will be around 288 million international passengers traveling within the intra-Asian air service market alone. Beyond rights from Japan are absolutely essential if U.S. carriers are to fully participate in the booming Asia-Pacific market.

Turning to aviation relations with the United Kingdom, I continue to be very concerned about the extremely restrictive United States-United Kingdom bilateral aviation agreement. Of all our international aviation agreements, I believe the most restrictive agreement—and therefore our most anticonsumer bilateral—is the so-called Bermuda II agreement with the United Kingdom. Ironically, in areas other than aviation, our trade relations with the British are generally based on free market principles.

How lopsided is the United States-United Kingdom bilateral aviation agreement? For starters, recent statistics indicate approximately 58 percent of the passenger traffic between the United States and the United Kingdom is carried on British carriers. Due to capacity controls and other restrictions, our carriers are forced to settle for 42 percent of that traffic.

Moreover, according to a recent report prepared by the Commission of European Communities [EC], between 1984 and 1994 British carriers improved their market share vis-a-vis United States carriers by 21 percent. During the same period, a majority of carriers from other European Community countries lost market share. These statistics are particularly remarkable when one considers the fact that operating costs of European carriers generally are higher than those of U.S. carriers. Clearly, market factors are not controlling the distribution of air service opportunities between the United States and Britain.

Mr. President, the principal problem in United States-United Kingdom international aviation relations continues to be access for our passenger carriers to London's Heathrow Airport. Access to Heathrow is particularly important since it is arguably the most important gateway airport in the world. It offers connecting service opportunities worldwide. In fact, approximately one-third of all passengers traveling to Heathrow connect to flights elsewhere.

So why is access to Heathrow such a sticking point? The British argue the sole explanation is airport congestion. This may be part of the problem but, as I explained to this body several months ago, the British could create significant new take-off and landing opportunities at Heathrow simply by switching their runway operations to a more efficient operating mode. Perhaps another factor is yields on flights to Heathrow are generally 15 percent higher than those to London Gatwick Airport. Heathrow is the hub of British Airways, the most profitable airline in the world.

Since October, phase 2 negotiations with the British have been suspended. I believe, however, we owe it to consumers on both sides of the Atlantic to continue to press for further liberalization of the United States-United Kingdom bilateral aviation agreement. In that regard, I recently wrote Sir Colin Marshall, the chairman of British Airways, in response to his call for a ''bigger, bolder and braver approach'' to liberalizing air service opportunities between our two countries. I hope his enthusiasm is shared by the British Government.

I ask unanimous consent that a copy of my correspondence to Sir Colin Marshall to which I have referred be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. PRESSLER. Mr. President, in contrast to the reluctance of the British to liberalize air service opportunities between our countries, a very important opportunity has presented itself in Germany. Based on a recent meeting with German Transport Minister Matthias Wissmann, I believe the German Government is enthusiastic about promptly securing an open skies agreement with the United States. For this reason, I recently wrote Secretary Peña and Secretary Christopher urging them to intensify our negotiating efforts with Germany. I ask unanimous consent that a copy of that correspondence be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. PRESSLER. What would an open skies agreement with Germany mean for United States carriers? Such an agreement would produce significant direct and indirect benefits for our carriers. Let me explain.

In terms of direct benefits, an open skies agreement with Germany would immediately produce new air service opportunities for our carriers between the United States and Germany. Equally important, German airports would provide well-situated gateway opportunities for our carriers to serve points beyond Germany such as the Middle East and the booming Asia-Pacific market. In that regard, the Germans recently have expanded airport capacity in Frankfurt and Munich, and a new international airport is planned in Berlin-Brandenburg.

The potential of Germany as a gateway to the Asia-Pacific market is particularly intriguing. IATA estimates that by the year 2010, 10 percent of all international passengers traveling to the Asia-Pacific region annually will originate in Europe. Significantly, that is the same percentage of Asia-Pacific passengers IATA estimates will originate in North America.

With respect to indirect benefits, an open skies agreement with Germany would be an important catalyst for further liberalization of air service opportunities throughout Europe. To put this point in perspective, an open skies agreement with Germany—in combination with liberalized air service agreements we already secured with the Netherlands in 1992 and with nine other European countries earlier this year—would mean nearly half of all passengers traveling between the United States and Europe would be flying to or from European countries with open skies regimes.

Under such a scenario, tremendous competitive pressure would be brought to bear on European countries with whom we do not have liberalized aviation relations. The recent European Commission report on EC/U.S. aviation relations supports my assessment of the competitive impact of an open skies agreement with Germany. In its report, the EC astutely concluded that as a result of our successful initiatives to secure open skies agreements with some European countries, other European countries which resist liberalization ''will either have to follow the open skies policy, or risk being left behind in the competition and in market share.''

Mr. President, I believe the competitive impact of an open skies agreement with Germany would be particularly acute in the United Kingdom and France. As a result, such an agreement would have the significant collateral benefit of strengthening our hand in negotiations with both the British and the French. Let there be no mistake, both British and French airports are today competing with other European airports for international travelers and statistics clearly show the trend favors countries with an open skies policy.

For instance, between 1992 and 1994, total passenger traffic between the United States and the Netherlands grew an astounding 56 percent. During the same period, total passenger traffic between the United States and the United Kingdom grew just 7.5 percent. What does this illustrate? It demonstrates that Amsterdam's Schiphol Airport is drawing passenger traffic originating in the United States away from United Kingdom airports, particularly Heathrow. The significance of this point is not fully appreciated until it is understood that currently passengers connecting onto British carriers at Heathrow alone account for more than 1 billion pounds a year in export earnings for the United Kingdom.

Since this is such a critical point, let me share another example of market forces driving passengers to European countries that have an open skies agreement with the United States. Between 1992 and 1994, the number of passengers traveling from Germany to the United States was more or less stable. During that same period, the number of German passengers choosing to travel to the United States via Amsterdam's Schiphol Airport increased approximately 80 percent.

The potential direct and indirect benefits of an open skies agreement with Germany are tremendous. As I have said, I believe Secretary Peña and Secretary Christopher should aggressively pursue this opportunity.

Mr. President, let me conclude by saying that the international aviation challenges we face in 1996 make it imperative that our negotiators continue to make decisions based on economic analysis with the goal of maximizing benefits for the United States economy. This was a successful formula in our 1995 international aviation negotiations. In 1996, it is critical we build on the lesson we learned over the past year.

EXHIBIT 1

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,

Washington, DC, November 21, 1995.

Sir. COLIN MARSHALL,

Chairman, British Airways, Berkeley Square House, 6th Floor, London, England.

DEAR SIR COLIN: With great interest I read your speech on United States/United Kingdom aviation relations delivered to the Wings Club in New York last week. Your call for a ''bigger, bolder and braver approach'' to liberalizing air service opportunities between our countries peaked the interest of many on this side of the Atlantic.

I agree with you that no two nations are better suited to have a fully liberalized transatlantic air service market than the United States and the United Kingdom. To the extent nations worldwide have embraced the Bermuda I and Bermuda II agreements as a model for restricting air service opportunities in their markets, such an initiative would undoubtedly serve as a shining example for open aviation markets globally. As you correctly observed, consumers benefit most when markets are open and competition is robust.

I hope we can continue the dialogue we started in London in July on how this vision can come to pass. In the meantime, please contact me or Michael Korens of my staff if I can be of assistance.

Sincerely,

LARRY PRESSLER,
Chairman.

EXHIBIT 2

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,

Washington, DC, December 1, 1995.

Hon. FEDERICO PEÑA,

Secretary, Department of Transportation, 400 Seventh Street, SW, Washington, DC.

DEAR SECRETARY PEÑA: As Chairman of the Senate Committee on Commerce, Science, and Transportation, I am writing to urge you to intensify your efforts to obtain an open skies aviation agreement with the Federal Republic of Germany. I am aware that some progress has been made in this regard. I believe, however, the importance of this initiative calls for renewed vigor on the part of both the Department of Transportation and the Department of State.

In addition to immediately creating additional new opportunities for our carriers in Germany, such an agreement would be enormously beneficial to our national interest in liberalizing air service markets throughout Europe. Simply put, an open skies agreement with Germany would bring considerable competitive pressure to bear on all European countries which currently restrict air service opportunities to our carriers.

For instance, I believe an open skies agreement with Germany would contribute significantly to our efforts to liberalize our air service relationship with the United Kingdom. Moreover, such an agreement would provide invaluable leverage in securing a bilateral aviation agreement with France.

Mr. Secretary, I am aware that you share my vision of an open skies agreement with Germany. As your efforts in that regard intensify, please contact me if I can be of assistance.

Sincerely,

LARRY PRESSLER,
Chairman.

NOTICE OF ADOPTION OF PROCEDURAL RULES

Mr. THURMOND. Mr. President, pursuant to Section 303 of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1384(b)), a Notice of Adoption of Procedural Rules, together with a copy of the adopted rules, was submitted by the Office of Compliance, U.S. Congress. These rules, first published in the RECORD of November 14, 1995, govern the procedures for consideration and resolution of alleged violation of the laws made applicable under Part A of Title II of the Congressional Accountability Act. (P.L. 104–1).

The Congressional Accountability Act specifies that the Notice and rules be printed in the Congressional RECORD, therefore I ask unanimous consent that the notice and adopted rules be printed in the RECORD.

Furthermore, the Office of Compliance has available, for review, a ''red-lined'' copy of the proposed rules which were published in the Congressional RECORD on November 14, 1995. This ''red-lined'' copy, along with the final rules, will enable interested parties to note the changes that were made.

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

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: PROCEDURAL RULES

NOTICE OF ADOPTION OF PROCEDURAL RULES

Summary: Section 303 of the Congressional Accountability Act directs the Executive Director of the Office of Compliance to adopt rules governing the procedures of the office. After considering comments to the Notice of Proposed Rulemaking published November 14, 1995 in the Congressional Record, the Executive Director has adopted and is publishing rules to govern the procedures for consideration and resolution of alleged violations of the laws made applicable under Part A of Title II of the Congressional Accountability Act (P.L. 104–1). Pursuant to Section 303(a) the rules have been approved by the Board of Directors, Office of Compliance.

For Further Information Contact: Executive Director, Office of Compliance, Room LA–200, 110 Second Street, S.E., Washington, DC 20540–1999. Telephone (202) 252–3100.

Background and summary

The Congressional Accountability Act of 1995 (''CAA''), PL 104–1, was enacted into law on January 23, 1995. 2 U.S.C. §1301 et. seq. In general, the CAA applies the rights and protections of eleven federal labor and employment law statutes to covered employees and employing offices within the legislative branch. Section 301 of the CAA establishes the Office of Compliance as an independent office within that branch. Section 303 of the CAA directs that the Executive Director, the chief operating officer of the Office of Compliance, shall, subject to the approval of the Board, adopt rules governing the procedures for the Office of Compliance, including the procedures of Hearing Officers. The rules that follow establish the procedures by which the Office of Compliance will provide for the consideration and resolution of alleged violations of the laws made applicable under Part A of Title II of the CAA. The rules include procedures for counseling, mediation, and for electing between filing a complaint with the Office of Compliance and filing a civil action in a district court of the United States. The rules also address the procedures for the conduct of hearings held as a result of the filing of a complaint and for appeals to the Board of Directors of the Office of Compliance from Hearing Officer decisions, as well as other matters of general applicability to the dispute resolution process and to the operations of the Office of Compliance.

To obtain input from interested persons on the content of these rules the Executive Director published for comment a Notice of Proposed Rulemaking in the Congressional Record on November 14, 1995 (141 Cong. R. S17012 (daily ed., November 14, 1995) (''NPR'')), inviting comments regarding the proposed rules. Seven comments were received in response to the proposed rules.