

Secretary of Veterans' Affairs submitted this legislation to the President of the Senate by letter dated October 18, 1995.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, together with the transmittal letter and the enclosed analysis of the draft legislation.

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

S. 1753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. Subsection 7432 (b)(2) is amended:

(a) by inserting "A" after "(2)" before "The", and

(b) adding a new subsection to read as follows:

"(B) The Secretary may, in the case of physician or dentist who enters a residency training program, suspend the special pay agreement. When the physician or dentist completes, withdraws from or is no longer a participant in the program, the special pay agreement shall be reinstated. During such suspension the physician or dentist shall not be subject to the refund requirement of paragraph 1.

SECRETARY OF VETERANS AFFAIRS,
Washington, October 18, 1995.

Hon. AL GORE,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill "To amend title 38, United States Code, to expand the authority of the Secretary of Veterans Affairs to suspend special pay agreements for physicians and dentists who enter residency training programs." We request that it be referred to the appropriate committee for prompt consideration and enactment.

Under current law, in order to recruit and retain highly qualified physicians and dentists in the Veterans Health Administration, the Secretary is authorized to provide them special pay. This special pay is provided under an agreement that stipulates a period of service in return for receipt of special pay and, in the event of a breach, the amount of special pay paid to the recipient under the agreement must be refunded. The special pay is in addition to any other pay and allowances the recipient of the special pay is entitled to receive.

However, a physician or dentist entering a residency training program must convert to a special appointment category that is excluded from receipt of special pay. Therefore, accepting a residency training position or entering a non-VA sponsored residency program prior to the expiration of the terms of

the special pay agreement constitutes a breach of the agreement triggering an obligation to repay the special pay received in that year.

This proposal would amend subsection 7432(b)(2) of title 38, United States Code to authorize VA to suspend the special pay agreement of a physician or dentist who enters a residency training program, VA sponsored or not. When the physician or dentist completes, withdraws from or is no longer a participant in the program, the special pay agreement shall be reinstated. During such suspension the physician or dentist shall not be subject to the refund requirement of paragraph 1.

The refund requirement penalty fixed in law for those choosing to enter residency training programs is punitive and counterproductive to VA's medical mission to provide veterans the services of highly qualified and trained health care professionals. In keeping with VA's mission, this proposal would remove the imposition of adverse financial consequences for those wishing to enter residency training programs and would allow them to pursue educational opportunities designed to increase and develop their professional knowledge and skills.

The Office of Management and Budget has advised that there is no objection to the submission of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

JESSE BROWN.

ANALYSIS OF DRAFT BILL

This draft bill would amend subsection 7432(b)(2) of title 38, United States Code by adding a new subsection "B" that would expand the authority of the Secretary of Veterans Affairs to suspend a special pay agreement for physicians and dentists who enter residency training programs. When they complete, withdraw from or are no longer participants in the program, the special pay agreement shall be reinstated. During such suspension the physician or dentist shall not be subject to the refund requirement of paragraph 1.

Under existing law, a physician or dentist who enters a residency training program is converted to a special appointment category that is excluded from receipt of special pay. Entering a residency training position constitutes a breach of the agreement and triggers the obligation to repay the special pay the recipient received in that year.

The amendment would temporarily suspend the special pay agreement during residency training and allow the return of the physician or dentist to VA employment without incurring a special pay refund obligation. If the physician or dentist does not return, then a repayment obligation would arise.●

ADDITIONAL COSPONSORS

S. 722

At the request of Mr. DOMENICI, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to restructure and replace the income tax system of the United States to meet national priorities, and for other purposes.

S. 1150

At the request of Mr. SANTORUM, the names of the Senator from Virginia [Mr. WARNER], the Senator from Rhode Island [Mr. PELL], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 1150, a

bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the Marshall plan and George Catlett Marshall.

S. 1400

At the request of Mrs. KASSEBAUM, the names of the Senator from Wyoming [Mr. SIMPSON] and the Senator from Nebraska [Mr. EXON] were added as cosponsors of S. 1400, a bill to require the Secretary of Labor to issue guidance as to the application of the Employee Retirement Income Security Act of 1974 to insurance company general accounts.

S. 1493

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1493, a bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota [Mr. GRAMS] was withdrawn as a cosponsor of S. 1493, supra.

S. 1623

At the request of Mr. WARNER, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1623, a bill to establish a National Tourism Board and a National Tourism Organization, and for other purposes.

S. 1647

At the request of Mr. PRESSLER, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1647, a bill to amend the Federal Land Policy and Management Act of 1976 to provide that forest management activities shall be subject to initial judicial review only in the United States district court for the district in which the affected land is located, and for other purposes.

S. 1661

At the request of Mr. PRESSLER, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1661, a bill to specify that States may waive certain requirements relating to commercial motor vehicle operators under chapter 313 of title 49, United States Code, with respect to the operators of certain farm vehicles, and for other purposes.

S. 1724

At the request of Mr. THOMAS, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Washington [Mr. GORTON] were added as cosponsors of S. 1724, a bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes.

S. 1729

At the request of Mrs. HUTCHISON, the names of the Senator from Maine [Ms. SNOWE], the Senator from South Carolina [Mr. THURMOND], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1729, a bill to amend

title 18, United States Code, with respect to stalking.

S. 1737

At the request of Mr. BUMPERS, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1737, a bill to protect Yellowstone National Park, the Clarks Fork of the Yellowstone National Wild and Scenic River, and the Absaroka-Beartooth Wilderness Area, and for other purposes.

SENATE RESOLUTION 226

At the request of Mr. DOMENICI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 226, a resolution to proclaim the week of October 13 through October 19, 1996, as "National Character Counts Week."

NOTICES OF HEARINGS

SPECIAL COMMITTEE ON AGING

Mr. COHEN. Mr. President, I wish to announce that the Special Committee on Aging will hold a forum on Tuesday, May 14, 1996, at 10 a.m., in room 106 of the Dirksen Senate Office Building. The forum will discuss the shortage of geriatricians in the Nation's health care system.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Subcommittee on Oversight and Investigations of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 14, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive testimony on the management and costs of class action lawsuits at Department of Energy facilities.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, May 15, 1996, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this meeting is to consider pending calendar business.

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, May 16, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 621, a bill to amend the National Trails System Act to designate the Great Western Trail for potential addition to

the National Trails System; H.R. 531, a bill to designate the Great Western Scenic Trail as a study trail under the National Trails System Act, S. 1049, a bill to amend the National Trails System Act to designate the route from Selma to Montgomery as a National Historic Trail, S. 1706, a bill to increase the amount authorized to be appropriated for assistance for highway relocation with respect to the Chicamauga and Chattahoochee National Military Park in Georgia; S. 1725, a bill to amend the National Trails System Act to create a third category of long-distance trails to be known as national discovery trails and to authorize the American Discovery Trail as the first national discovery trail.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the oversight field hearing regarding the Tongass Land Management Plan and the Administration of Timber Sale Contracts scheduled for Tuesday, May 28 in Ketchikan, AK, will begin at 1 p.m. instead of 10:30 a.m., as previously announced.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will hold a full committee hearing to consider the possible need for changes to the Commodity Exchange Act. The hearing will be held on Wednesday, June 5, 1996, at 9:30 a.m., in SR-332.

ADDITIONAL STATEMENTS

INDIANA WINNERS OF THE 1995-96 EIGHTH GRADE YOUTH ESSAY CONTEST

• Mr. LUGAR. Mr. President, I rise today to congratulate a group of young Indiana students who have shown great educative achievement. I would like to bring to the attention of my colleagues the winners of the 1995-96 Eighth Grade Youth Essay Contest, which I sponsor in association with the Indiana Farm Bureau and Bank One of Indianapolis. These students have displayed strong writing abilities and have proven themselves to be outstanding young Hoosier scholars. I submit their names for the CONGRESSIONAL RECORD because they demonstrate the capabilities of today's students and are fine representatives of our Nation.

This year, Hoosier students wrote on the theme, "Farming for the Future." Students were encouraged to consider and creatively express what future they envision for Indiana agriculture. I submit for the RECORD the winning essays of Kimberly Bogue of Howard County and Brent M. Frey of Carroll County. As State winners of the Youth Essay Contest, these two outstanding students were recognized on Friday,

May 10, 1996, during a visit to our Nation's Capital.

The essays follow:

FARMING FOR THE FUTURE

(By Kimberly Bogue, Howard County)

I woke up to the sound of the robotic maid at my door. When I let her in, she gave me my breakfast. After I ate, I got dressed and went outside. I sat in my tree condo and just started thinking how different the farm is now from what it has been over the last fifty years. . .

Then, they had families working on their own farms. Next, 25 years ago, they had corporations. That was a failure. They had big factories and people worked at minimum wages. Now, we are back to family farms. I know Dad likes it better.

Ever since Purdue pioneered the genetic engineering of seed, plants have been growing a lot better. Now they are more resistant to diseases and stress factors. The new oil plant is a big accomplishment. Now we don't have to buy oil from other countries. Instead, we can grow it in Indiana. This new plant is one of our main crops, along with corn and soybeans.

Fifty years ago, there were rolling hills in the country. Now the towns are expanding into each other. The houses are packed tight, along with mega-malls and office buildings. There are fewer farms, but more products per acre are produced than were fifty years ago.

Recently, we bought the perfect cow. It was an exact replica of a cow from my grandparents' day, but this one was cloned. Now, cloning is common since Purdue discovered the safe way to clone animals. . .

Just then, I saw a fire in the field. A neighbor's EHM (electronic harvest machine) was burning. Suddenly, there were neighbors all around helping. I'm glad that's something that hasn't changed. When a neighbor is in trouble, we still all go together and do what we can to help. I hope it will always be that way.

FARMING FOR THE FUTURE

(By Brent M. Frey, Carroll County)

The year is 2045. Imagine going to work at your 50 acre self-contained climate controlled field of corn. You set the temperature at a warm 70 degrees, perfect for your newest variety of genetically engineered high oil corn. This corn oil will be used for gasoline and biodegradable plastics. Tomorrow's weather will be programmed to be a humid 78 degrees with an inch of light rainfall.

As the 90 day perfect growing season is coming to an end we are getting ready to begin harvesting, with our computer controlled hovering combine. It reduces compaction by floating above the corn and using a suction device to pull the corn up into the combine. The corn is sent straight to the elevator where it is processed into plastic and shipped out the same day. Next, you replant your field with high-protein soybeans to be used for human and animal consumption.

Later that day you go to your off-site farrowing hog building to do chores. You walk in and at the press of a button the sows are fed. You do this in all 150 farrowing barns. This is not uncommon because the smallest hog operation around has more than one 175,000 sows. Today you are selling pigs. You drive the pigs straight out of the finishing building into your own personal consumer packing plant. The pigs are killed and packaged within one hour of arrival reducing the risk of contamination.

Fifty years ago in 1995 we never would have imagined the technological advances we have made.

1995-96 DISTRICT WINNERS

District 1: Lyndsey Hazen, Bill Bohling.