

By Mr. NICKLES:

S. 1116. A bill to amend the Internal Revenue Code of 1986 to exclude income from the transportation of oil and gas by pipeline from subpart F income; to the Committee on Finance.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. ROBB, and Mr. JEFFORDS):

S. 1117. A bill to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mrs. FEINSTEIN, Mr. CHAFEE, Mr. GREGG, Mr. SANTORUM, and Mr. MOYNIHAN):

S. 1118. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans to provide for the gradual elimination of the program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BREAU:

S. 1119. A bill to amend the Act of August 9, 1950, to continue funding of the Coastal Wetlands Planning, Protection and Restoration Act; to the Committee on Environment and Public Works.

By Mr. TORRICELLI (for himself, Mr. REED, Mr. LAUTENBERG, Mr. BRYAN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. DODD, Mr. ROCKEFELLER, Mr. BIDEN, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, and Mr. KERRY):

S. 1120. A bill to ensure that children enrolled in medicaid and other Federal means-tested programs at highest risk for lead poisoning are identified and treated, and for other purposes; to the committee on Finance.

Mr. LEAHY:

S. 1121. A bill to amend the Clayton Act to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 1122. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. ABRAHAM, Ms. SNOWE, Mr. JEFFORDS, and Mr. COVERDELL):

S. 1123. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of imported food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAU, Mr. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, and Mr. EDWARDS):

S.J. Res. 25. A joint resolution expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*; to the Committee on Armed Services.

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAU, Mr. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, Mr. EDWARDS, Mrs. BOXER, and Mr. INOUE):

S.J. Res. 26. A joint resolution expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Con. Res. 34. A concurrent resolution relating to the observance of "In Memory" Day; to the Committee on the Judiciary.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ASHCROFT:

S. 1113. A bill to amend title XXIV of the Revised Statutes, relating to civil rights, to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and the distribution of the assistance, to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals, and for other purposes; to the Committee on Governmental Affairs.

### CHARITABLE CHOICE EXPANSION ACT OF 1999

Mr. ASHCROFT. Mr. President, America's best ideas for helping the poor have come from grassroots communities and private organizations of people who know and care about their neighbors. These groups see people and their life experiences, not theories or statistics. We have known for years that government solutions have failed miserably in moving people from dependency and despair to responsibility and independence. For years America's churches and charities have been leading the way in helping the poor achieve dignity and self-sufficiency. This is why I have been advocating that government should find ways to help these organizations unleash the cultural remedy our society so desperately needs.

Therefore, it was with great interest that I heard about Vice President GORE's statements Monday in Atlanta expressing his support for Charitable Choice. The Vice President's interest in Charitable Choice is welcome news. Governor Bush is in the forefront of Charitable Choice solutions. Truly, where once there was contention and debate, there now is swelling bipartisan agreement on the promise of Charitable Choice.

Congress has been in the forefront of encouraging the type of faith-based solutions that the Vice President was promoting yesterday in Atlanta. The 1996 welfare reform law contains the Charitable Choice provision I authored, which encourages states to partner with faith-based organizations to serve welfare recipients with federal dollars.

Last fall, we expanded Charitable Choice to cover services provided under the Community Services Block Grant program, which provides funds to local agencies to alleviate poverty in their

communities. And just last week, the Senate approved a juvenile justice bill containing Charitable Choice for services provided to at-risk juveniles, such as counseling for troubled youth.

The Charitable Choice provision in the 1996 welfare reform law was one way to achieve the goal of inviting the greater participation of charitable and faith-based organizations in providing services to the poor. The provision allows charitable and faith-based organizations to compete for contracts and voucher programs on an equal basis with all other non-governmental providers when the state or local government chooses to use private sector providers for delivering welfare services to the poor under the Temporary Assistance for Needy Families (TANF) program.

In the past three years, we have begun to hear about how Charitable Choice is opening doors for the government and communities of faith to work together to help our nation's poor and needy gain hope and self-sufficiency. For example, shortly after passage of the federal welfare law, Governor George Bush of Texas signed an executive order directing "all pertinent executive branch agencies to take all necessary steps to implement the 'charitable choice' provision of the federal welfare law." Cookman United Methodist Church, a 100 member parish in Philadelphia, received a state contract to run its "Transitional Journey Ministry," which provides life and job skills to welfare mothers and places them into jobs with benefits. In less than a year, the church placed 22 welfare recipients into jobs. Payne Memorial Outreach Center, an affiliate of a Baltimore church, has helped over 450 welfare recipients find jobs under a state contract.

In light of these success stories around the nation, more and more states and counties are beginning to see what a critical role the faith-based community can play in helping people move off of welfare. They are eager to put the Charitable Choice concept into action in their communities.

We have always known that Charitable Choice is truly bipartisan in nature, and has the support of over 35 organizations that span a wide political and social spectrum. Members from both sides of the aisle here in the Senate have voted in support of this provision. And now, with the Vice President's support for Charitable Choice, I am reintroducing legislation that I introduced in the 105th Congress, the "Charitable Choice Expansion Act," which would expand the Charitable Choice concept across all federally funded social service programs.

The substance of the Charitable Choice Expansion Act is virtually identical to that of the original Charitable Choice provision of the welfare reform law. The only real difference between the two provisions is that the new bill covers many more federal programs than the original provision.

While the original Charitable Choice provision applies mainly to the new welfare reform block grant program, the Charitable Choice Expansion Act applies to all federal government programs in which the government is authorized to use nongovernmental organizations to provide federally funded services to beneficiaries. Some of the programs that would be covered under this legislation include housing, substance abuse prevention and treatment, seniors services, the Social Services Block Grant, abstinence education and child welfare services.

With this recent expression of bipartisan support for Charitable Choice from the Vice President, now is the time for Congress to move quickly to pass the Charitable Choice Expansion Act, so that we can empower the organizations that are best equipped to instill hope and transform lives to expand their good work across the nation.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1113

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

**SECTION 1. PROVISION OF ASSISTANCE UNDER GOVERNMENT PROGRAMS BY RELIGIOUS ORGANIZATIONS.**

Title XXIV of the Revised Statutes is amended by inserting after section 1990 (42 U.S.C. 1994) the following:

**"SEC. 1994A. CHARITABLE CHOICE.**

"(a) **SHORT TITLE.**—This section may be cited as the 'Charitable Choice Expansion Act of 1999'.

"(b) **PURPOSE.**—The purposes of this section are—

"(1) to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and distribution of the assistance, under government programs described in subsection (c); and

"(2) to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals.

"(c) **RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.**—For any program carried out by the Federal Government, or by a State or local government with Federal funds, in which the Federal, State, or local government is authorized to use nongovernmental organizations, through contracts, grants, certificates, vouchers, or other forms of disbursement, to provide assistance to beneficiaries under the program, the government shall consider, in the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under such program shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such program, on the basis that the organization has a religious character.

"(d) **EXCLUSIONS.**—As used in subsection (c), the term 'program' does not include activities carried out under—

"(1) Federal programs providing education to children eligible to attend elementary schools or secondary schools, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801) (except for activities to assist students in obtaining the recognized equivalents of secondary school diplomas);

"(2) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

"(3) the Head Start Act (42 U.S.C. 9831 et seq.); or

"(4) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.).

"(e) **RELIGIOUS CHARACTER AND INDEPENDENCE.**—

"(1) **IN GENERAL.**—A religious organization that provides assistance under a program described in subsection (c) shall retain its independence from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

"(2) **ADDITIONAL SAFEGUARDS.**—Neither the Federal Government nor a State or local government shall require a religious organization—

"(A) to alter its form of internal governance; or

"(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (c).

"(f) **EMPLOYMENT PRACTICES.**—

"(1) **TENETS AND TEACHINGS.**—A religious organization that provides assistance under a program described in subsection (c) may require that its employees providing assistance under such program adhere to the religious tenets and teachings of such organization, and such organization may require that those employees adhere to rules forbidding the use of drugs or alcohol.

"(2) **TITLE VII EXEMPTION.**—The exemption of a religious organization provided under section 702 or 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1, 2000e-2(e)(2)) regarding employment practices shall not be affected by the religious organization's provision of assistance under, or receipt of funds from, a program described in subsection (c).

"(g) **RIGHTS OF BENEFICIARIES OF ASSISTANCE.**—

"(1) **IN GENERAL.**—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (c), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—

"(A) is from an alternative organization that is accessible to the individual; and

"(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.

"(2) **NOTICE.**—The appropriate Federal, State, or local governmental entity shall ensure that notice is provided to individuals described in paragraph (3) of the rights of such individuals under this section.

"(3) **INDIVIDUAL DESCRIBED.**—An individual described in this paragraph is an individual who receives or applies for assistance under a program described in subsection (c).

"(h) **NONDISCRIMINATION AGAINST BENEFICIARIES.**—

"(1) **GRANTS AND CONTRACTS.**—A religious organization providing assistance through a grant or contract under a program described in subsection (c) shall not discriminate, in carrying out the program, against an indi-

vidual described in subsection (g)(3) on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

"(2) **INDIRECT FORMS OF DISBURSEMENT.**—A religious organization providing assistance through a voucher certificate, or other form of indirect disbursement under a program described in subsection (c) shall not deny an individual described in subsection (g)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.

"(i) **FISCAL ACCOUNTABILITY.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (c) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

"(2) **LIMITED AUDIT.**—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

"(j) **COMPLIANCE.**—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action pursuant to section 1979 against the official or government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for appropriate relief in an appropriate Federal district court against the official or government agency that has allegedly committed such violation.

"(k) **LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.**—No funds provided through a grant or contract to a religious organization to provide assistance under any program described in subsection (c) shall be expended for sectarian worship, instruction, or proselytization.

"(l) **EFFECT ON STATE AND LOCAL FUNDS.**—If a State or local government contributes State or local funds to carry out a program described in subsection (c), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

"(m) **TREATMENT OF INTERMEDIATE CONTRACTORS.**—If a nongovernmental organization (referred to in this subsection as an 'intermediate organization'), acting under a contract or other agreement with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (c), the intermediate organization shall have the same duties under this section as the government but shall retain all other rights of a nongovernmental organization under this section."

By Mr. ENZI:

S. 1114. A bill to amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners; to the Committee on Health, Education, Labor, and Pensions.

THE SMALL MINE ADVOCACY REVIEW PANEL ACT

Mr. ENZI. Mr. President, I rise to introduce the Small Mine Advocacy Review Panel Act, or "Small Mine," Act of 1999.

Achieving mine safety starts with cooperation. Cooperation is at the heart of the safest workplaces, where employers and employees strive to establish open lines of communication on safety, to provide and wear the right protective equipment, and to give and follow effective training. But cooperation can't stop there. To have safe work sites, there must also be an understanding of what safety rules mean, how they are to be implemented, and what results should be expected. This is the cooperation that should exist between operators and the Mine Safety and Health Administration, or MSHA, and it cannot be ignored or undervalued.

The bill I am introducing today inserts a new level of cooperation into MSHA's rulemaking. Called the Small Mine Advocacy Review Panel Act, or "Small Mine" Act, this bill would mandate that MSHA and panels of small operators discuss newly proposed rules and their potential impact early in the regulatory process. This practice is currently employed by OSHA and EPA and has been of great benefit both for the smaller employers and the agency because it forces both parties to comment and respond in an open forum. I have always believed that the simple act of talking about safety actually leads to safety, and I embrace any approach that forces those who write the rules and those who must comply with them to sit down together and find solutions.

The Subcommittee on Employment, Safety and Training has a strong interest in MSHA's rulemaking procedure as it relates to small operators. In addition, I am well aware that the Senate Committee on Governmental Affairs shares this interest as it relates to the Administrative Procedure Act and the Regulatory Flexibility Act. In light of this, as this bill is centered on MSHA's responsiveness to smaller operators on matters of safety and health, Chairman THOMPSON has agreed to allow this bill to be referred to the Health, Education, Labor and Pensions Committee.

MSHA has had great success when its rulemakings have been cooperative with operators and miners. MSHA's draft Part 46 Training rule was developed in collaboration with over fifteen industry representatives, the Teamsters, the Boilermakers, and the Laborers Health & Safety Fund of North America. By working together, the coalition came up with a draft that everyone agreed on and that was completed by MSHA's internal deadline. A true rulemaking success story.

But other MSHA rules, such as MSHA's proposed Noise Rule, have abandoned cooperative partnerships with smaller operators and instead embraced the old "big brother" style of regulation. It is in such rulemakings

that the Small Miner bill would make a world of difference. The Noise Rule would have so severe an impact on smaller mine operators that it is seriously questionable whether those who wrote this rule have ever actually been to a small mine. The bottom line is that this rule prohibits small operators from supplying miners with personal protective equipment, such as ear plugs, until after they have tried to lower the noise level by buying new and "quieter" machines at incredible cost, tinkering with old machines, rotating employees around to different stations, and implementing all other "feasible" engineering and administrative controls. All this despite the fact that many routinely-used machines can never be made to run as quietly as MSHA mandates no matter how much money is spent, and that miners will have to be rotated outside their areas of training and expertise.

This proposed rule is in strict opposition to both MSHA's and OSHA's current rules which allow miners to wear ear plugs in the first instance. It also totally abandons logic. It's like proposing a rule outlawing employees from using steel-toed shoes and instead regulating that nothing may ever fall on a worker's foot. It just doesn't make any sense.

By discussing this rule with small operators early in the rulemaking process, cooperative approaches could have been flushed out and solutions achieved which satisfy both MSHA's regulatory objectives and minimize the burden on small operators. As evidenced by this proposed rule, it is clearly insufficient to have a one time "comment period" or even hold public hearings, because the small operator's perspective is so noticeably absent from the rulemaking process. It is not enough to claim that safety is paramount while simultaneously operating in a vacuum to pump out regulations that no one can understand or implement. Compliance must be based on an effective working relationship where the goals set by the regulators are understood and achievable by the industry being regulated. If operators are responsible for complying with MSHA's regulations, then there is no excuse for failing to include them in the process from Day One. By passing the "Small Mine" bill, operators and MSHA would be responsible for working together to craft rules that will actually improve safety.

Mr. President. I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1114

*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 "Small Mine Advocacy Review Panel Act".

#### SEC. 2. PURPOSE.

The purpose of this Act is to establish a more cooperative and effective method for

rulemaking with respect to mandatory health or safety standards that takes into account the special needs and concerns of small mine operators.

#### SEC. 3. AMENDMENT TO FEDERAL MINE SAFETY AND HEALTH ACT OF 1977.

(a) IN GENERAL.—Section 101(a)(2) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811(a)(2)) is amended by inserting before the last sentence the following: "The procedures for gathering comments from small entities as described in section 609 of title 5, United States Code, shall apply under this section and small mine operators shall be considered to be small entities for purposes of such section. For purposes of the preceding sentence, the term 'small mine operator' has the meaning given the term 'small business concern' under section 3 of the Small Business Act (including any rules promulgated by the Small Business Administration) as such term relates to a mining operation."

(b) CONFORMING AMENDMENT.—Section 609(d) of title 5, United States Code, is amended by striking "Agency and" and inserting "Agency, the Mine Safety and Health Administration and".

By Mr. SPECTER:

S. 1115. A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area; to the Committee on Veterans' Affairs.

NATIONAL CEMETERY IN WESTERN PENNSYLVANIA

Mr. SPECTER. Mr. President, today I introduce legislation which will direct the Secretary of Veterans Affairs (VA) to establish a national cemetery in the Pittsburgh area of Western Pennsylvania.

As chairman of the Committee on Veterans' affairs, I make it my responsibility to see that our nation's veterans are cared for after serving honorably in the Armed Forces. Part of this care involves honoring the memory of their service upon death. Our nation's veterans are an aging population. At present, 46% of the area's veterans population is over age 65. The General Accounting Office (GAO) has estimated that by the year 2008, the number of veterans' deaths will peak and remain at a high level for years afterward. To anticipate the increased demand for burial space and to accommodate family and friends wanting nearby cemeteries at which to honor and remember their loved ones, the Congress and VA must act now.

The legislation that I introduce today will alleviate the long overdue wait for a national cemetery which the veterans in the western Pennsylvania area have had to endure. Such a cemetery is necessary due to the over 750,000 veterans who reside in the area, including veterans in parts of the neighboring states of Ohio, Maryland, and West Virginia. I should also point out that Pennsylvania, a state with the fifth highest veteran population in the country, has only one national cemetery within its borders open for new burials. This cemetery, at Indiantown Gap, serves veterans in the eastern portion of the Commonwealth and is more than 225 miles from Pittsburgh.

In 1987, VA ranked the Pittsburgh-area among the top ten population centers most in need of a national cemetery. In 1991, VA began the process of cemetery site-selection and Congress appropriated \$250,000 for an Environmental Impact Statement. Four potential sites were identified in the Pittsburgh area. Despite this headway, construction on a national cemetery never commenced.

The high veteran population of this region has waited far too long to see the creation of this national cemetery. Our nation's veterans, having given so much for us, deserve a proper burial site in the proximity of their homes. Veterans elsewhere around this country take for granted the availability of a nearby national cemetery. If passed, this legislation will ensure that what began over a decade ago will now become reality.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1115

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

**SECTION 1. ESTABLISHMENT.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in the Pittsburgh, Pennsylvania, area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with appropriate officials of the State of Pennsylvania and local officials of the Pittsburgh, Pennsylvania, area.

(c) REPORT.—As soon as practicable after the date of the enactment of this act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for the establishment of the cemetery and an estimate of the costs associated with the establishment of the cemetery.

By Mr. NICKLES:

S. 1116. A bill to amend the Internal Revenue Code of 1986 to exclude income from the transportation of oil and gas by pipeline from subpart F income; to the Committee on Finance.

**THE FOREIGN PIPELINE TRANSPORTATION INCOME ACT**

Mr. NICKLES. Mr. President, I rise today to introduce legislation which will right a wrong that has been in the tax code for too long. This legislation will clarify the U.S. tax treatment of foreign pipeline transportation income. This legislation is needed because current tax law causes active foreign pipeline transportation income to be unintentionally trapped within the anti-abuse tax rules of Subpart F. These anti-abuse rules were originally established to prevent companies from avoiding payment of U.S. tax on easily movable and passive income. Pipeline

transportation income, however, is neither passive nor easily movable. Pipes are located where the natural resources and energy needs are—they cannot be placed just anywhere. Further, one a pipe is in the ground, it is tough to move.

Referring to the legislative history, we find that Congress did not intend these anti-abuse rules to target foreign pipeline transportation income. Rather, these rules were intended to reach the significant revenues derived by highly profitable oil related activities that were sourced to a low-tax country as opposed to the country in which the oil or gas was extracted or ultimately consumed. Furthermore, it is important to note that when these anti-abuse rules were being considered and then put into place, pipeline companies were not engaged in international development activities, rather they were focused solely on domestic infrastructure development.

Today, pipeline companies are continuing to actively pursue all development opportunities domestically, yet they are somewhat limited. The real growth for U.S. pipeline companies, however, is in the international arena. These new opportunities have arisen from fairly recent efforts by foreign countries to privatize their energy sectors.

Enabling U.S. pipeline companies to engage in energy infrastructure projects abroad will result in tremendous benefits back home. For example, more U.S. employees will be needed to craft and close deals, to build the plants and pipelines, and to operate the facilities. New investment overseas also will bring new demands for U.S. equipment. Yet before any of these benefits can be realized, U.S. companies must be able to defeat their foreign competitors and win projects. Unfortunately, current U.S. tax laws significantly hinder the ability of U.S. companies to win such projects.

We must act now if we are to ensure that U.S. companies remain competitive players in the international marketplace. There are incremental, low cost, reforms that we can and must make. My legislation—to clarify that U.S. tax treatment of foreign pipeline transportation income—is one such low-cost reform.

I urge my colleagues to join me in this effort to bring current U.S. tax law in line with good tax policy. It is up to us to do all we can to keep America competitive in the global economy.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. ROBB, and Mr. JEFFORDS):

S. 1117. A bill to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes; to the Committee on Energy and Natural Resources.

**CORINTH BATTLEFIELD PRESERVATION ACT OF 1999**

Mr. LOTT. Mr. President, 137 years ago today, Major General Henry W. Halleck and his 120,000 man strong Union Army commenced the siege of Corinth, Mississippi. The ensuing six month battle between General Halleck's federal troops and General P. G. T. Beauregard's 53,000 Confederate defenders marked a turning point in the war between the states. It was a fierce engagement over a mere 16 square feet parcel. This small piece of real estate was of critical strategic importance to both the North and the South.

It was in Corinth, Mississippi that the Memphis and Charleston and Mobile and Ohio Railroads crossed paths. This vital east-west and north-south railroad junction served as a passageway for troops and supplies moving from Illinois to Alabama and from Tennessee to points further east such as South Carolina and Virginia.

Ed Bearss, Chief Historian Emeritus of the National Park Service, stated that "during the Spring of 1862, Corinth was the most important city in the Confederacy and almost the length of the War . . . because of the railroads." In fact, because of its status as a vital rail hub, the town was occupied by either Confederate or Union forces from 1861 to 1865. It also served as a springboard for the careers of over 200 leading Confederate and Federal generals who were stationed in Corinth at one time or another. A figure matched by few other locations.

Corinth is a city that exemplifies the trials and tribulations experienced by soldiers and civilians throughout the Civil War. A town whose railways lied at the center of a grand military chess match. An area, like many others north and south of the Mason-Dixon line, racked by the ravages of war.

Even with its new status as a National Historic Landmark, Corinth is still considered a "Civil War Landmark At Risk." The Civil War Sites Advisory Commission, chartered by Congress to assess threats to America's premier historic sites, identified Corinth as a priority one battlefield in critical need of coordinated nationwide action by the year 2000. Local, state, and national preservation groups agree. And, so do I.

Mr. President, today, I am proud and honored to introduce the Corinth Battlefield Preservation Act of 1999. This much needed legislation would provide further protection for one of America's most important Civil War sites by establishing Corinth as a unit of the Shiloh National Military Park.

The 106th Congress needs to add the Corinth Battlefield and its surrounding sites to the National Park System given the area's pivotal role in American history. It is also appropriate for Congress to establish Corinth as a unit of the Shiloh National Military Park as these two sites were indelibly linked during the Civil War. The 1862 battle of

Shiloh was actually the first strike in the Union force's overall Corinth Campaign. It was in April 1862, that federal and southern forces competing for control over Corinth first struggled in the Battle of Shiloh/Pittsburg Landing. The battle for Corinth also had international implications. As a result of the Union's victory, the British government chose not to officially recognize the Confederacy.

The conflict in and around Corinth eventually included the Battles of Iuka, Tupelo, and Brices' Crossroads, as well as engagements in Booneville, Rienzi, Ripley, and numerous skirmishes in southwest Tennessee and northeast Alabama.

In 1862, Union General Halleck said "Richmond and Corinth . . . are the greatest strategic points of the war, and our success at these points should be insured at all hazards." Halleck's subordinate, General Ulysses S. Grant, regarded Corinth as "the great strategic position in the west between the Tennessee and Mississippi Rivers and between Nashville and Vicksburg." In arguing for the defense of Corinth, Confederate General Beauregard stated to General Samuel Cooper, Adjutant and Inspector General of the Confederate States Army that, "if defeated here [in Corinth,] we lose the Mississippi Valley and probably our cause, whereas we could even afford to lose for a while Charleston and Savannah for the purpose of defeating Buell's army, which would not only insure us the valley of the Mississippi, but our independence." Corinth's strategic importance to both armies led to some of the bloodiest battles in the Western Theater. Tens of thousands of soldiers were killed or wounded in this bitter offensive.

It was also here that thousands of war refugees, mostly African-Americans from Mississippi, Tennessee, and Alabama, sought shelter with the Union Army in Corinth. After President Lincoln's Emancipation Proclamation, the federal army created a model "Contraband Camp." By the Spring of 1863, the camp housed around 4,000 freedmen. Almost half of these freedmen joined the "First Alabama Infantry of African Descent" which later became the "55th Colored Infantry."

Corinth is also one of the few existing Civil War sites that boasts extraordinary earthworks and fortifications—many of which remain in pristine condition. A National Park Service studying authority stated that, "today the surviving [Corinth] earthworks are one of the largest and best preserved groups of field fortifications, dating to 1862 in the United States." Unfortunately, many of these historic resources, undisturbed for over 130 years, are now threatened. For example, a 500-yard section of earthworks was specifically sold for development. These earthworks are important to our national heritage because they helped shape the face of war from the 1860's to today. In fact, trench warfare evolved

from the battle for Corinth. These earthworks and fortifications are symbolic reminders of the epic struggle that ensued between friends and neighbors and the Civil War's lasting impact on modern warfare.

Although, the Battle of Shiloh has been etched into American history as part of the Shiloh National Military Park, a number of important historic sites and resources relating to the pre-battle and the rest of the Corinth Campaign have not been adequately protected or interpreted. Establishing the Shiloh Nationally Military Park as the nation's second Military Park back in 1894 was a good start. Now it is time for the 106th Congress to complete the preservation effort. Congress needs to give a lasting presence to the Corinth Battlefield, a key component of the historic Shiloh-Corinth Corridor.

Corinth remains a central transportation gateway. It serves as a junction intersecting Highways 72, running east and west, and Highway 45, which runs north and south. It is also a mecca for dedicated history buffs given the town's close proximity to Shiloh and other Civil War sites and its connection to the Corinth Campaign.

I am sure that my colleagues will agree that the sixteen Corinth Civil War sites designated as National Historic Landmarks are far too important to be relegated solely to review in history books or by professional historians. Americans need to see it.

The 106th Congress can and must highlight the importance of the Siege and Battle of Corinth for the millions of adults and children, both American and foreign, interested in learning about an essential facet of Americana.

For over one hundred years, the United States Congress has advanced the notion that our national interest is best served by preserving America's historic treasures. Not only by ensuring the proper interpretation of important historic events, but also the places—the properties where pivotal military milestones occurred.

As Ed Bearss proclaimed, "the Battle of Corinth was the bloodiest battle in the State of Mississippi. Troops were brought from New Orleans, Mobile, Texas and Arkansas because Corinth was such an important place. With the fall of Corinth, Perryville, Kentucky, and Antietam, Maryland the Confederacy was lost." We owe it to our ancestors and to future generations to protect Corinth and the wealth of Civil War history that exudes from this small town.

Mr. President, the measure offered today is vital to the successful interpretation and preservation of Corinth. It builds upon previous efforts and gives Corinth its proper status as one of America's most significant Civil War sites.

Mr. President, I ask my colleagues to join with me in support of the Corinth Battlefield Preservation Act of 1999. A bipartisan measure which is widely supported by local, state, regional, na-

tional, and international preservation organizations.

Along with the strong local support shown by the residents and local officials of Corinth and Alcorn County as well as assistance from several Civil War preservation groups, I would also like to take a moment to thank Rosemary Williams of Corinth, Woody Harrel, Superintendent of the Shiloh Military Park, and Anne Thompson, Manager of the Interim Corinth Civil War Interpretive Center. They were instrumental in assisting with the preparation of this important historic preservation legislation.

Mr. President, I also want to thank my colleagues, Senator COCHRAN, Senator ROBB, and Senator JEFFORDS, for their formal support of this pro-parks, pro-history measure.

I hope that the rest of my colleagues will join with us in taking this necessary step to protect our heritage so that our children and grandchildren can gain an understanding of the struggles of this great nation. Struggles that have helped shaped our American democracy and transformed our diverse states and peoples into a cohesive and prosperous union better prepared to meet the challenges and opportunities of the next millennium. Corinth has a story to tell Americans today and in the future. Corinth merits inclusion in the Shiloh National Military Park.

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

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

S. 1117

*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 "Corinth Battlefield Preservation Act of 1999".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in 1996, Congress authorized the establishment and construction of a center—

(A) to facilitate the interpretation of the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth, Mississippi; and

(B) to enhance public understanding of the significance of the Corinth campaign and the Civil War relative to the western theater of operations, in cooperation with—

- (i) State or local governmental entities;
- (ii) private organizations; and
- (iii) individuals;

(2) the Corinth Battlefield was ranked as a priority 1 battlefield having critical need for coordinated nationwide action by the year 2000 by the Civil War Sites Advisory Commission in its report on Civil War Battlefields of the United States;

(3) there is a national interest in protecting and preserving sites of historic significance associated with the Civil War; and

(4) the States of Mississippi and Tennessee and their respective local units of government—

(A) have the authority to prevent or minimize adverse uses of these historic resources; and

(B) can play a significant role in the protection of the historic resources related to

the Civil War battles fought in the area in and around the city of Corinth.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to establish the Corinth Unit of the Shiloh National Military Park—

(A) in the city of Corinth, Mississippi; and  
(B) in the State of Tennessee;

(2) to direct the Secretary of the Interior to manage, protect, and interpret the resources associated with the Civil War Siege and Battle of Corinth that occurred in and around the city of Corinth, in cooperation with—

(A) the State of Mississippi;  
(B) the State of Tennessee;  
(C) the city of Corinth, Mississippi;  
(D) other public entities; and  
(E) the private sector; and

(3) to authorize a special resource study to identify other Civil War sites area in and around the city of Corinth that—

(A) are consistent with the themes of the Siege and Battle of Corinth;

(B) meet the criteria for designation as a unit of the National Park System; and

(C) are considered appropriate for inclusion in the Unit.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **MAP.**—The term “Map” means the map entitled “Corinth Unit”, numbered 304/80,007, and dated October 1998.

(2) **PART.**—The term “Park” means the Shiloh National Military Park.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **UNIT.**—The term “Unit” means the Corinth Unit of Shiloh National Military Park established under section 4.

### SEC. 4. ESTABLISHMENT OF UNIT.

(a) **IN GENERAL.**—There is established in the States of Mississippi and Tennessee the Corinth Unit of the Shiloh National Military Park.

(b) **COMPOSITION OF UNIT.**—The Unit shall be comprised of—

(1) the tract consisting of approximately 20 acres generally depicted as “Park Boundary” on the Map, and containing—

(A) the Battery Robinett; and  
(B) the site of the interpretive center authorized under section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f-5); and

(2) any additional land that the Secretary determines to be suitable for inclusion in the Unit that—

(A) is under the ownership of a public entity or nonprofit organization; and  
(B) has been identified by the Siege and Battle of Corinth National Historic Landmark Study, dated January 8, 1991.

(c) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.

### SEC. 5. LAND ACQUISITION.

(a) **IN GENERAL.**—The Secretary may acquire land and interests in land within the boundary of the Park as depicted on the Map, by—

(1) donation;  
(2) purchase with donated or appropriated funds; or  
(3) exchange.

(b) **EXCEPTION.**—Land may be acquired only by donation from—

(1) The State of Mississippi (including a political subdivision of the State);  
(2) the State of Tennessee (including a political subdivision of the State); or  
(3) the organization known as “Friends of the Siege and Battle of Corinth”.

### SEC. 6. PARK MANAGEMENT AND ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall administer the Unit in accordance with this

Act and the laws generally applicable to units of the National Park System, including—

(1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) **DUTIES.**—In accordance with section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f-5), the Secretary shall—

(1) commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth within the larger context of the Civil War and American history, including the significance of the Civil War Siege and Battle of Corinth in 1862 in relation to other operations in the western theater of the Civil War; and

(2) identify and preserve surviving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes that include—

(A) the role of railroads in the Civil War;  
(B) the story of the Corinth contraband camp; and  
(C) the development of field fortifications as a tactic of war.

(c) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—To carry this Act, the Secretary may enter into cooperative agreements with entities in the public and private sectors, including—

(A) colleges and universities;  
(B) historical societies;  
(C) State and local agencies; and  
(D) nonprofit organizations.

(2) **TECHNICAL ASSISTANCE.**—To develop cooperative land use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural, and scenic resources of the Unit, the Secretary may provide technical assistance, to the extent that a recipient of technical assistance is engaged in the protection, interpretation, or commemoration of historically significant Civil War resources in the area in and around the city of Corinth, to—

(A) the State of Mississippi (including a political subdivision of the State);  
(B) the State of Tennessee (including a political subdivision of the State);  
(C) a governmental entity;  
(D) a nonprofit organization; and  
(E) a private property owner.

(d) **RESOURCES OUTSIDE THE UNIT.**—Nothing in subsection (c)(2) authorizes the Secretary to own or manage any resource outside the Unit.

### SEC. 7. AUTHORIZATION OF SPECIAL RESOURCE STUDY.

(a) **IN GENERAL.**—To determine whether certain additional properties are appropriate for inclusion in the Unit, the Secretary shall conduct a special resource study of land in and around the city of Corinth, Mississippi, and nearby areas in the State of Tennessee that—

(1) have a relationship to the Civil War Siege and Battle of Corinth in 1862; and  
(2) are under the ownership of—  
(A) the State of Mississippi (including a political subdivision of the State);  
(B) the State of Tennessee (including a political subdivision of the State);  
(C) a nonprofit organization; or  
(D) a private person.

(b) **CONTENTS OF STUDY.**—The study shall—

(1) identify the full range of resources and historic themes associated with the Civil

War Siege and Battle of Corinth in 1862, including the relationship of the campaign to other operations in the western theater of the Civil War that occurred in—

(A) the area in and around the city of Corinth; and

(B) the State of Tennessee;  
(2) identify alternatives for preserving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes involving—

(A) the role of the railroad in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war;

(3) identify potential partners that might support efforts by the Secretary to carry out this Act, including—

(A) State entities and their political subdivisions;  
(B) historical societies and commissions;  
(C) civic groups; and  
(D) nonprofit organizations;  
(4) identify alternatives to avoid land use conflicts; and

(5) include cost estimates for any necessary activity associated with the alternatives identified under this subsection, including—

(A) acquisition;  
(B) development;  
(C) interpretation;  
(D) operation; and  
(E) maintenance.

(c) **REPORT.**—Not later than 1 year and 180 days after the date on which funds are made available to carry out this section, the Secretary shall submit a report describing the findings of the study under subsection (a) to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

### SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including \$3,000,000 for the construction of an interpretive center under section 602(d) of title VI of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f-59d).

By Mr. SCHUMER (for himself,  
Mrs. FEINSTEIN, Mr. CHAFEE,  
Mr. GREGG, Mr. SANTORUM, and  
Mr. MOYNIHAN):

S. 1118. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans to provide for the gradual elimination of the program; to the Committee on Agriculture, Nutrition, and Forestry.

### SUGAR PROGRAM PHASE OUT LEGISLATION

Mr. SCHUMER. Mr. President, today I join with my colleagues Senators FEINSTEIN, CHAFEE, GREGG, and SANTORUM to introduce legislation that phases out the federal sugar program. Remember that old story, if you believe this, I've got some swampland to sell you in Florida? Boy, I wish I bought some of that swampland and became a sugar grower.

It is a can't miss, can't lose proposition where all of the risk is absorbed by the federal government and all of the reward goes to the sugar barons. It is one of the last vestiges of a centralized, subsidized U.S. farm sector which has mostly gone by the wayside.



Ten years after the collapse of the Berlin Wall, Odessa on the Okeechobee with its generous price supports somehow still survives. This is a special interest program that benefits a handful of sugar barons at the expense of every man, woman and child in America.

Several years ago, the GAO estimated that consumers paid \$1.4 billion more at the cash register because of the sugar price support. Today, because the world price for sugar is lower and the price paid in the U.S. is higher, the cost to consumers could be twice as high.

And let's not forget. It has already cost America thousands of refinery jobs. And it has already cost the Everglades hundreds of acres of pristine wilderness. In Brooklyn and in Yonkers, we have lost one-third of our refinery jobs in the last decade. Why? Because the sugar program is such a bitter deal, refiners cannot get enough raw cane sugar to remain open.

Four years ago, when we came within five votes in the House of terminating the sugar program, the world market price for sugar was about ten cents and the U.S. price about 20 cents. Today the world price is less than a nickel and the U.S. price is almost a quarter. In other words, the gulf between the free market and the sugar program is getting wider.

Under any reasonable and rational measure the sugar program should be repealed. If the issue is jobs, the environment or the consumer—then we have no choice but to repeal. At all ends of the political spectrum the answer is the same—it's time to repeal the sugar program.

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

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

S. 1118

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

**SECTION 1. RECOURSE LOANS FOR PROCESSORS OF SUGARCANE AND SUGAR BEETS AND REDUCTION IN LOAN RATES.**

**(a) GRADUAL REDUCTION IN LOAN RATES.—**

(1) SUGARCANE PROCESSOR LOANS.—Section 156(a) of the Agricultural Market Transition Act (7 U.S.C. 7272(a)) is amended by striking "equal to 18 cents per pound for raw cane sugar;" and inserting the following: ", per pound for raw cane sugar, equal to the following:

"(1) In the case of raw cane sugar processed from the 1996, 1997, or 1998 crop, \$0.18.

"(2) In the case of raw cane sugar processed from the 1999 crop, \$0.17.

"(3) In the case of raw cane sugar processed from the 2000 crop, \$0.16.

"(4) In the case of raw cane sugar processed from the 2001 crop, \$0.15.

"(5) In the case of raw cane sugar processed from the 2002 crop, \$0.14."

(2) SUGAR BEET PROCESSOR LOANS.—Section 156(b) of the Agricultural Market Transition Act (7 U.S.C. 7272(b)) is amended by striking "equal to 22.9 cents per pound for refined beet sugar;" and inserting the following: ", per pound of refined beet sugar, that reflects—

"(1) an amount that bears the same relation to the loan rate in effect under subsection (a) for a crop as the weighted average of producer returns for sugar beets bears to the weighted average of producer returns for sugarcane, expressed on a cents per pound basis for refined beet sugar and raw cane sugar, for the most recent 5-year period for which data are available; and

"(2) an amount that covers sugar beet processor fixed marketing expenses."

(b) CONVERSION TO RECOURSE LOANS.—Section 156(e) of the Agricultural Market Transition Act (7 U.S.C. 7272(e)) is amended—

(1) in paragraph (1), by inserting "only" after "this section"; and

(2) by striking paragraphs (2) and (3) and inserting the following:

"(2) NATIONAL LOAN RATES.—Recourse loans under this section shall be made available at all locations nationally at the rates specified in this section, without adjustment to provide regional differentials."

(c) CONVERSION TO PRIVATE SECTOR FINANCING.—Section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272) is amended—

(1) by redesignating subsection (i) as subsection (j);

(2) by inserting after subsection (h) the following:

"(i) CONVERSION TO PRIVATE SECTOR FINANCING.—Notwithstanding any other provision of law—

"(1) no processor of any of the 2003 or subsequent crops of sugarcane or sugar beets shall be eligible for a loan under this section with respect to the crops; and

"(2) the Secretary may not make price support available, whether in the form of loans, payments, purchases, or other operations, for any of the 2003 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary."; and

(3) in subsection (j) (as redesignated by paragraph (1)) by striking "subsection (f)" and inserting "subsections (f) and (i)".

(d) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) TERMINATION.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking "sugar cane for sugar, sugar beets for sugar,".

(e) OTHER CONFORMING AMENDMENTS.—

(1) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—

(A) DESIGNATED NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking "milk, sugar beets, and sugarcane" and inserting ", and milk".

(B) OTHER NONBASIC AGRICULTURAL COMMODITIES.—Section 301 of the Agricultural Act of 1949 (7 U.S.C. 1447) is amended by inserting "(other than sugarcane and sugar beets)" after "title II".

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting "(except for the 2003 and subsequent crops of sugarcane and sugar beets)" after "agricultural commodities".

(3) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph by inserting "(other than sugarcane and sugar beets)" after "commodity" the last place it appears.

(f) ASSURANCE OF ADEQUATE SUPPLIES OF SUGAR.—Section 902 of the Food Security Act of 1985 (7 U.S.C. 1446g note; Public Law 99-198) is amended by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—Beginning with the quota year for sugar imports that begins

after the 1998/1999 quota year, the President shall use all authorities available to the President as may be necessary to enable the Secretary of Agriculture to ensure that adequate supplies of raw cane sugar are made available to the United States market at prices that are not greater than the higher of—

"(1) the world sugar price (adjusted to a delivered basis); or

"(2) the raw cane sugar loan rate in effect under section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), plus interest."

Mrs. FEINSTEIN. Mr. President, I rise in support of legislation sponsored by Senator SCHUMER to phase out the antiquated sugar subsidy. The sugar program is nothing than a system of import restrictions, subsidized loans, and price supports that benefit a limited number of sugar growers.

I find it incredible that the federal government continues to support a subsidy program that is driving the domestic refinery industry out of existence and costing thousands of good jobs. The US Department of Agriculture restricts the amount of sugar available to domestic refineries. Without sugar, a sugar refinery cannot operate and that is the result of this misguided program.

It is clear that the U.S. sugar policy has served to strangle this country's sugar refining industry. By limiting the amount of raw cane sugar available for production, there has been a 40 percent decline in jobs in the sugar-cane refining industry. Since 1982, nine out of twenty one cane sugar refineries in the U.S. have been forced out of business. Those that have remained open are struggling to survive under onerous import restrictions.

I first became involved with this issue in 1994 when David Koncelik, the President and CEO of the California and Hawaiian Sugar Company, informed me that his refinery was forced to temporarily cease operations because it had no sugar.

This 93 year old refinery is the Nation's largest refinery and the only such facility on the West Coast. C&H refines about 15 percent of the total cane sugar consumed in the U.S.

C&H is capable of producing and selling 700,000 tons of refined sugar annually. Therefore, the company requires in excess of 700,000 tons of raw cane sugar to meet its sales demand.

Hawaii is C&H's sole source for its domestic raw cane sugar needs, but Hawaii's cane sugar industry has been in decline for over 10 years. This has meant that C&H is forced to cover over half its annual consumption through imports from other countries.

The highly restrictive sugar import system forces C&H to pay an inflated price for raw sugar from both domestic and foreign suppliers. Even more devastating, however, the quota system limits the amount of sugar available to the refinery. Simply put, C&H has been unable to get enough sugar to refine and it has been forced to close its doors on several occasions.

The reduced production capacity has resulted in a severe downsizing of the workforce. As recently as 1987, C&H employed over 1,400 people. These are not minimum wage jobs we are talking about: the average employee in the cane refining industry earns nearly \$43,000 a year. In 1995, C&H had to eliminate 30 percent of its workforce just to remain viable under the quota system mandated by the sugar program.

C&H now employees just over 500 people. These jobs and many others around the nation are at risk if reforms are not made to the sugar program.

The overly restrictive manner that the USDA administers the sugar program has a number of other flaws. The sugar program's existing quota system was put in place in 1982, using trading patterns dating as far back as 1975. The system has remained largely unchanged over the past 17 years despite major alterations in the international sugar market. As a result, the current import quota system assigns export rights to countries that don't grow enough sugar to export or, in some cases, are net importers themselves.

For example, the Philippines are granted one of the largest export privileges under the sugar import quota system. It, however, does not even grow enough sugar to meet its own domestic needs. What this means is that the Philippines sell their homegrown sugar crop to the United States at about 22 cents a pound. It then buys raw sugar on the world market at around 5 cents a pound. This is ridiculous. We are in effect giving money to foreign countries and forcing domestic consumers to pay the price.

Beginning in September of 1994, I have asked the Administration on eight separate occasions to reform the sugar program. Simply increasing the amount of sugar available through the import program would provide immediate relief to C&H and the other domestic refineries. To date, no such permanent reform of the program has been made.

In addition to choking off the refineries' access to sugar, the US sugar policy also has an adverse impact on US consumers. The General Accounting Office has found that the program costs sugar users an average of \$1.4 billion annually. That equates to \$3.8 million a day in hidden sugar taxes.

The report found that "Although the sugar program is considered a no-net-cost program because the government does not make payments directly to producers, it places the cost of the price supports on sweetener users—consumers and manufacturers of sweetener-containing products—who pay higher sugar and sweetener prices."

What this means is that unlike traditional subsidy programs, the funds do not come directly from the Treasury. Instead, the sugar program places the cost consumers by restricting the supply of available sugar which causes higher domestic market prices.

The legislation we are introducing will eliminate the sugar subsidy program by 2002. This is a simple, straight-forward, and fair way to end a program that has not worked for U.S. consumers or workers.

Congress has had opportunities in the past to kill this program and we have not taken them. As a result, workers have lost jobs and consumers have lost money. I am pleased to join my colleagues in saying that enough is enough. It is time to end the sugar subsidy program once and for all.

By Mr. TORRICELLI (for himself, Mr. REED, Mr. LAUTENBERG, Mr. BRYAN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. DODD, Mr. ROCKEFELLER, Mr. BIDEN, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, and Mr. KERRY):

S. 1120. A bill to ensure that children enrolled in medicaid and other Federal means-tested programs at highest risk for lead poisoning are identified and treated, and for other purposes; to the Committee on Finance.

#### CHILDREN'S LEAD SAFE ACT

• Mr. TORRICELLI. Mr. President, today I rise with Senator REED to introduce legislation that will ensure that children enrolled in federal health care programs receive screening and appropriate care for lead poisoning. Our bill, the "Children's Lead SAFE Act of 1999" would go a long way to eliminate childhood lead poisoning.

We know lead exposure is one of the most dangerous health hazards for young children because their nervous systems are still developing. Lead poisoning in children causes damage to the brain and nervous systems, which leads to IQ loss, impaired physical development and behavioral problems. High levels of exposure can cause comas, convulsions, and even death.

Despite our success over the past twenty years to reduce lead poisoning in the U.S., it continues to be the number one environmental health threat to children, with nearly one million preschoolers affected. Poor and minority children are most at-risk because of diet and exposure to environmental hazards such as old housing. These children frequently live in older housing which contains cracked or chipped lead paint, where children primarily contract lead poisoning by ingesting paint chips or lead dust.

Mr. President, 75 percent of At-Risk children are enrolled in federal health care programs. Kids in these programs are five times more likely to have high blood levels. In 1992, Congress instructed Health Care Financing Admin. (HCFA) to require States to lead screen Medicaid children under the age of two. Despite this, the GAO report shows that mandatory screening isn't happening. Two-thirds of Medicaid children have never been screened (as required). And only 20 percent of all children in federal programs have been screened.

In fact, only half the States have screening policies consistent with fed-

eral law. In my own state of New Jersey, the GAO report showed that only 39 percent of Medicaid children have been screened. Despite federal requirements, for whatever reason—insufficient outreach, lax government oversight or parental ignorance, too many kids are not getting screened.

The Children's Lead SAFE Act would address this problem by establishing clear and consistent standards for screening and treatment and by involving all relevant federal health programs in this battle. Our legislation is modeled on the recommendations made by the GAO.

It requires all federal programs serving at-risk kids to be involved in screening. It requires State Medicaid contracts to explicitly require providers (HMO's) to follow federal rules for screening and treatment. It expands Medicaid coverage to include treatment services and environmental investigations to determine the source of the poisoning. WIC centers (with 12 percent of the at-risk population) will be required to assess whether a child has been screened and if they have not to provide the necessary referral and follow-up to ensure that screening occurs. Head Start facilities would similarly have the responsibility for ensuring that their children are screened.

In addition, our legislation would improve data so we can identify problems and use that information to educate providers about the extent of the problem. CDC would develop information-sharing guidelines for State and local health departments, the labs that perform the test and federal programs. It would also require each State to report on the percent of the Medicaid population they are screening.

Finally, our legislation would make sure agencies have sufficient resources to do screening by reimbursing WIC and Head Start for costs they incur in screening. The legislation would also create a bonus program whereby a state will receive a per child bonus for every child it screens above 65 percent of its Medicaid population.

Mr. President, the health and safety of our children would be greatly enhanced with the passage of this important legislation. Childhood lead poisoning is easily preventable, and there is no excuse for not properly screening and providing care to our kids. Our bill would accomplish this and ensure adequate care. I ask my colleagues to join me in recognizing this problem and supporting its solution. •

Mr. REED. Mr. President, I rise today to introduce legislation with Senator TORRICELLI that would ensure that children enrolled in federal health care programs receive screening and appropriate follow-up care for lead poisoning. Our bill, the "Children's Lead SAFE Act of 1999" is an effort to eliminate a disease that continues to wreak irreversible damage upon our nation's children.

Despite our success over the past twenty years to reduce lead poisoning



in the U.S., it continues to be the number one environmental health threat to children, with nearly one million preschoolers affected. This problem is particularly severe among African American children who are at five times higher risk than white children and low-income children are at eight times higher risk than children from well-to-do families.

Minorities and low-income children are disproportionately affected by lead poisoning because they frequently live in older housing which contains cracked or chipped lead paint, where children primarily contract lead poisoning by ingesting paint chips or lead dust.

If undetected, lead poisoning can cause brain and nervous system damage, behavior and learning problems and possibly death.

Research shows that children with elevated blood-lead levels are seven times more likely to drop out of high school and six times more likely to have reading disabilities. It costs an average of \$10,000 more a year to educate a lead-poisoned child. We will continue to pay for our failure to eradicate this preventable tragedy through costs to our education and health care system, and losses in lifetime earnings, unless we act now to protect our children.

As I mentioned, this disease is entirely preventable, making its prevalence among children all the more frustrating. We do have solutions—parents who are aware, housing that is safe, and effective screening and treatment for children who are at risk—to name a few.

Unfortunately, our current system is not adequately protecting our children. In January 1999, the General Accounting Office reported that children in federally funded health care programs such as Medicaid, Women Infant and Child (WIC) and the Health Centers program, are five times more likely to have elevated blood lead levels. The report also found that despite longstanding federal requirements, two-thirds of the children in these programs—more than 400,000—have never been screen and, consequently, remain untreated.

Early detection of lead poisoning is critical to ensure that a child is removed from the source of exposure and to determine whether other children, such as siblings or friends, have also been exposed. Screening is also important to determine whether a child's lead poisoning is so severe as to require medical management to mitigate the long-term health and developmental effects of lead.

Mr. President, our comprehensive legislation is designed to make sure no child falls through the cracks, by establishing clear and consistent standards for screening and treatment and by holding accountable those who are responsible for carrying out the requirements. The legislation supports improved management information

systems to provide state- and community-level information about the extent to which children have elevated blood lead levels. It also expands and coordinates lead screening and treatment activities through other federal programs serving at-risk children such as WIC, Early Head Start, and the Maternal and Child Health Block Grant programs. Finally, the bill ties incentives for screening to additional federal funding for cleaning up lead-contaminated houses.

Mr. President, we propose this legislation in an effort to rid children of the detrimental effects of lead poisoning. Every child has a right to screening and follow-up care. This bill will significantly increase the number of poisoned children who are screened and treated and help communities, parents, and physicians to take advantage of every opportunity that they have to detect and treat lead poisoning before its irreversible effects set in.

I ask by unanimous consent that the text of this bill be printed in the RECORD.

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

The bill was not available for printing. It will appear in a future issue of the RECORD.

By Mr. LEAHY:

S 1121. A bill to amend the Clayton Act to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition; to the Committee on the Judiciary.

ANTITRUST IMPROVEMENTS ACT OF 1999

Mr. LEAHY. Mr. President, we are living in a time of mega-mergers, and they are coming from all directions. Chrysler and Daimler-Benz automobile companies finalized their merger last year. In the computer world, AOL completed its purchase of Netscape just a few months ago. And in the largest corporate merger ever, Exxon Corporation announced its plan to acquire Mobil at a price tag of over \$75 billion, thus creating the world's biggest private oil company, Exxon Mobil Corporation.

While these mega-mergers have cut a swath across a number of industries, the consolidations that continue to raise the most questions in my mind are those that involve incumbent monopolies. For example, the mergers among Regional Bell Operating Companies, which continue to have a virtual stranglehold on the local telephone loop, pose a great threat to healthy competition in the telecommunications industry.

Indeed, incumbent telephone companies still control more than 99% of the local residential telephone markets.

As I said last Congress, and it is still the case today, at my farm in Middlesex and at my home here in Virginia, I have only one choice for dial-tone and local telephone service. That "choice" is the Bell operating company or no service at all.

The Telecommunications Act of 1996 passed with the promise of bringing competition to benefit American consumers. However, this promise has yet to materialize.

Since passage of the Telecommunications Act, Southwestern Bell has merged with PacTel into SBC Corporation, Bell Atlantic has merged into NYNEX, and AT&T has acquired IBM's Global Network, just to name a few. Just last week it was reported that U.S. West reached an agreement to merge with the telecommunications company Global Crossing.

The U.S. Justice Department didn't spend years dividing up Ma Bell just to see it grow back together again under the guise of the 1996 Telecommunications Act.

I am very concerned that the concentration of ownership in the telecommunications industry is proceeding faster than the growth of competition. Old monopolies are simply regrouping and getting bigger and bigger.

Before all the pieces of Ma Bell are put together again, Congress should revisit the Telecommunications Act. To ensure competition between Bell Operating Companies and long distance and other companies, as contemplated by passage of this law, we need clearer guidelines and better incentives. Specifically, we should ensure that Bell Operating Companies do not gain more concentrated control over huge percentages of the telephone access lines of this country through mergers, but only through robust competition.

Today I am reintroducing antitrust legislation that will bar future mergers between Bell Operating Companies or GTE, unless the federal requirements for opening the local loop to competition have been satisfied in at least half of the access lines in each State.

The bill provides that a "large local telephone company" may not merge with another large local telephone company unless the Attorney General finds that the merger will promote competition for telephone exchange services and exchange access services. Also, before a merger can take place, the Federal Communications Commission must find that each large local telephone company has for at least one-half of the access lines in each State served by such carrier, of which as least one-half are residential access lines, fully implemented the requirements of sections 251 and 252 of the Communications Act of 1934.

The bill requires that each large local telephone company that wishes to merge with another must file an application with the Attorney General and the FCC. A review of these applications will be subject to the same time limits set under the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

The bill also provides that nothing in this Act shall be construed to modify, impair, or supersede the applicability of the antitrust laws of the United States, or any authority of the Federal Communications Commission, or any

authority of the States with respect to mergers and acquisitions of large local telephone companies.

The bill is effective on enactment and has no retroactive effect. It is enforceable by the Attorney General in federal district courts.

This bill has the potential to make the 1996 Telecommunications Act finally live up to some of its promises.

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

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

S. 1121

*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 "Antitrust Improvements Act of 1999".

#### SEC. 2. PURPOSE.

The purpose of this Act is to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition in the telecommunications industry in any case in which certain Federal requirements that would enhance competition are not met.

#### SEC. 3. RESTRAINT OF TRADE.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by redesignating section 27 (as designated by section 2 of Public Law 96-493) as section 29; and

(2) by inserting after section 27 (as added by the Curt Flood Act of 1998 (Public Law 105-297)) the following new section:

"SEC. 28. (a) In this section, the term 'large local telephone company' means a local telephone company that, as of the date of a proposed merger or acquisition covered by this section, serves more than 5 percent of the telephone access lines in the United States.

"(b) Notwithstanding any other provision of law, a large local telephone company, including any affiliate of such a company, shall not merge with or acquire a controlling interest in another large local telephone company unless—

"(1) the Attorney General finds that the proposed merger or acquisition will promote competition for telephone exchange services and exchange access services; and

"(2) The Federal Communication Commission finds that each large local telephone company that is a party to the proposed merger or acquisition, with respect to at least ½ of the access lines in each State served by that company, of which at least ½ are residential access lines, has fully implemented the requirements of sections 251 and 252 of the Communications Act of 1934 (47 U.S.C. 251, 252), including the regulations of the Commission and of the States that implemented those requirements.

"(c) Not later than 10 days after the Attorney General makes a finding described in subsection (b)(1), the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the finding, including an analysis of the effect of the merger or acquisition on competition in the United States telecommunications industry.

"(d) (1) Each large local telephone company or affiliate of a large local telephone company proposing the merge with or acquire a controlling interest in another large local telephone company shall file an application under this section with respect to the merger

or acquisition with both the Attorney General and the Federal Communication Commission on the same day.

"(2) The Attorney General and the Federal Communication Commission shall issue a decision regarding the application within the time period applicable to review of mergers under section 7A.

"(e) (1) The district courts of the United States are vested with jurisdiction to prevent and restrain any mergers or acquisitions described in subsection (d) that are inconsistent with a finding under paragraph (1) or (2) of subsection (b).

"(2) The Attorney General may institute proceedings in any district court of the United States in the district in which the defendant resides or is found or has an agent and that court shall order such injunctive, and other relief, as may be appropriate if—

"(A) the Attorney General makes a finding that a proposed merger or acquisition covered by an application under subsection (d) does not meet the condition specified in subsection (b)(1); or

"(B) The Federal Communications Commission makes a finding that 1 or more of the parties to the proposed merger or acquisition do not meet the requirements specified in subsection (b)(2)."

#### SEC. 4 PRESERVATION OF EXISTING AUTHORITIES.

(1) IN GENERAL.—Nothing in this Act or the amendment made by section 3(2) shall be construed to modify, impair, or supersede the applicability of the antitrust laws, or any authority of the Federal Communication Commission under the Communication Act of 1934 (47 U.S.C. 151 et. seq.), with respect to mergers, acquisitions, and affiliations of large local exchange carriers.

(b) ANTITRUST LAWS DEFINED.—In this section, the term "antitrust laws" has the meaning given that term in the first section of the Clayton Act (15 U.S.C. 12).

#### SEC. 5. APPLICABILITY.

This Act and the amendment made by section 3(2) shall apply to a merger or acquisition of a controlling interest of a large local telephone company (as that term is defined in section 27 of the Clayton Act, as added by such section 3(2)), occurring on or after the date of the enactment of this Act.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. ABRAHAM, Ms. SNOWE, Mr. JEFFORDS, and Mr. COVERDELL):

S. 1123. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of imported food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### IMPORTED FOOD SAFETY IMPROVEMENT ACT

• Ms. COLLINS. Mr. President, food safety is a serious and growing public health concern. According to the General Accounting Office (GAO), as many as 81 million cases of foodborne illness and 9,000 related deaths occur in the U.S. every year. Most at risk are the very old, the very young, and the very ill. While these statistics refer to all cases of foodborne illness, recent outbreaks demonstrate that tainted imported foods have increased the incidence of illness and have exposed American consumers to new pathogens.

The volume of imported foods continues to grow, yet our current food import system is riddled with holes which allow unsafe food to penetrate our borders. Contaminated food im-

ports have caused illnesses rarely seen in the United States and can be extremely difficult, if not impossible, for consumers to detect.

I first became interested in this issue when I learned that fruit from Mexico and Guatemala was associated with three multi-state outbreaks of foodborne illnesses—one of hepatitis A and two of Cyclospora infection—that sickened thousands of Americans. These outbreaks included victims in my home State of Maine.

In my State's grocery stores, as in any typical American grocery store, the fresh fruit and vegetables that are available during the winter months come from many other countries. In many ways, imported food is a blessing for American consumers. Fruit and vegetables that would normally be unavailable in our local grocery stores during the winter months are now available all year long, making it easier and more enjoyable to eat the five servings of fruit and vegetables a day the National Cancer Institute recommends. But, it's only a blessing if the food is safe. Even one serving of tainted food can cause sickness and even death.

The Food and Drug Administration (FDA) reports that the increasing importation of produce is a trend that is expected to continue. In 1996, the U.S. imported \$7.2 billion worth of fruit and vegetables from at least 90 different countries, a dramatic increase from the 1990 level of \$4.8 billion. Total food imports have increased from 1.1 million shipments in 1992 to 2.7 million in 1997. And, of all the fish and shellfish consumed in the U.S., more than half is imported.

Yet, the FDA annually inspects less than 2 percent of the 2.7 million shipments of food that arrive in the U.S. And of the small number of shipments that are inspected, only about a third are tested for some of the most significant pathogens. What's more, even when the FDA does catch contaminated food, the system often fails to dispose of it adequately. Indeed, according to one survey conducted by the Customs Service in 1997, as many as 70 percent of the imported food shipments the FDA ordered re-exported or destroyed may have ended up in U.S. commerce any way. Unscrupulous food importers can easily circumvent the inspection system.

Mr. President, to respond to these problems, I am introducing the Imported Food Safety Improvement Act, with Senator FRIST, Senator ABRAHAM, Senator COVERDELL, Senator JEFFORDS, and Senator SNOWE as original cosponsors.

Our legislation is an effort designed to strengthen the existing food import system to help ensure that unsafe food does not enter the United States. Our goal is to reduce the incidence of foodborne illnesses and to ensure that American families can enjoy a variety of foods year-round without the risk of illness when they sit down to the dinner table.

This legislation is the product of an extensive investigation by the Permanent Subcommittee on Investigations, which I chair. During the 105th Congress, the Subcommittee undertook a 16-month, in-depth investigation into the safety of food imports. During five days of Subcommittee hearings, we heard testimony from 29 witnesses, including scientists, industry and consumer representatives, government officials, the General Accounting Office, and two persons with first-hand knowledge of the seamier side of the imported food industry, a convicted Customs broker and a convicted former FDA inspector. As a result of the compelling testimony that we heard, I have worked with my colleagues in drafting the legislation we introduce today—the Imported Food Safety Improvement Act—to address a broad array of problems uncovered during the Subcommittee's investigation.

My Subcommittee's investigation has revealed much about the food we import into this country and the government's flawed food safety net. Let me briefly recount some of our findings which make it clear why this legislation is so urgently needed:

In the words of the GAO, "federal efforts to ensure the safety of imported food are inconsistent and unreliable." Federal agencies have not effectively targeted their resources on imported foods posing the greatest risks;

Weaknesses in FDA import controls, specifically the ability of importers to control the food shipments from the port to the point of distribution, makes the system vulnerable to fraud and deception;

The bonds required to be posted by importers who violate food safety laws are so low that they are considered by some unscrupulous importers at the cost of doing business;

Maintaining the food safety net for imported food is an increasingly complex task, made more complicated by previously unknown foodborne pathogens, like *Cyclospora*, that are difficult to detect;

Because some imported food can be contaminated by organisms that cannot be detected by visual inspection or laboratory tests, placing additional federal inspectors at ports-of-entry alone will not protect Americans from unsafe food imports; and

Since contamination of imported food can occur at many different places from the farm to the table, the ability to trace-back outbreaks of foodborne illnesses to the source of contamination is a complex process that requires a more coordinated effort among the federal, state, and local agencies as well as improved education for health care providers so that they can better recognize and treat foodborne illnesses.

The testimony that I heard during my Subcommittee's hearings was troubling. The United States Customs Service told us of one particularly egregious situation that I would like to share. It involves contaminated fish

and illustrates the challenges facing federal regulators who are charged with ensuring the safety of our nation's food supply.

In 1996, federal inspectors along our border with Mexico opened a shipment of seafood destined for sales to restaurants in Los Angeles. The shipment was dangerously tainted with life-threatening contaminants, including botulism, *Salmonella*, and just plain filth. Much to the surprise of the inspectors, this shipment of frozen fish had been inspected before by federal authorities. Alarming, in fact, it had arrived at our border two years before, and had been rejected by the FDA as unfit for consumption. Its importers then held this rotten shipment for two years before attempting to bring it into the country again, by a different route.

The inspectors only narrowly prevented this poisoned fish from reaching American plates. And what happened to the importer who tried to sell this deadly food to American consumers? In effect, nothing. He was placed on probation and asked to perform 50 hours of community service.

I suppose we should be thankful that the perpetrators were caught and held responsible. After all, the unsafe food might have escaped detection and reached our tables. But it worries me that the importer essentially received a slap on the wrist. I believe that forfeiting the small amount of money currently required for the Customs bond, which importers now consider no more than a "cost of doing business," does little to deter unscrupulous importers from trying to slip tainted fish that is two years old past overworked Customs agents.

All too often, unscrupulous importers are never discovered. The General Accounting Office testified about a special operation known as Operation Bad Apple, conducted by Customs at the Port of San Francisco in 1997, identified 23 weaknesses in the controls over FDA-regulated imported food. For example, under current law, importers retain custody of their shipments from the time they arrive at the border. The importers must also put up a bond and agree to "redeliver" the shipment to Customs, for reexport or destruction, if ordered to do so or forfeit the bond. However, Operation Bad Apple revealed a very disturbing fact. Of the shipments found to violate U.S. standards, thereby requiring redelivery to Customs for destruction or re-export, a full 40 percent were never returned. The Customs Service believes an additional 30 percent of shipments that the FDA required to be returned contained good products that the importers had substituted for the original bad products. Customs further believes that the violative products were on their way to the marketplace. This means that a total of 70 percent of products ordered returned, because they were unsafe, presumably entered into U.S. commerce.

Weak import controls make our system all too easy to circumvent. After all, FDA only physically inspects about 17 of every 1,000 food shipments and, of the food inspected, only about a third is actually tested. That is why we have worked with the FDA, the Customs Service, and the Centers for Disease Control (CDC) to ensure that our legislation addresses many of the issues explored over the course of the Subcommittee's investigation and hearings. Let me describe what this bill is designed to accomplish.

Our legislation will fill the existing gaps in the food import system and provide the FDA with certain stronger authority to protect American consumers against tainted food imports. First and foremost, this bill gives the FDA the authority to stop such food from entering our country. This authority allows the FDA to deny the entry of imported food that has caused repeated outbreaks of foodborne illnesses, presents a reasonable probability of causing serious adverse health consequences, and is likely without systemic changes to cause disease again.

Second, this legislation includes the authority for the FDA to require secure storage of shipments offered by repeat offenders prior to their release into commerce, to prohibit the practice of "port-shopping," and to mark boxes containing violative foods as "U.S.—Refused Entry." This latter authority, which would allow the FDA to clearly mark boxes containing contaminated foods, is currently used with success by the U.S. Department of Agriculture, and has been requested specifically by the FDA. Our bill also will require the destruction of certain imported foods that cannot be adequately reconditioned to ensure safety. Third, the legislation directs the FDA to develop criteria for use by private laboratories used to collect and analyze samples of food offered for import. This will ensure the integrity of the testing process.

Fourth, the bill will give "teeth" to the current food import system by establishing two strong deterrents—the threats of high bonds and of debarment—for unscrupulous importers who repeatedly violate U.S. law. No longer will the industry's "bad actors" be able to profit from endangering the health of American consumers.

Finally, our bill will authorize the CDC to award grants to state and local public health agencies to strengthen the public health infrastructure by updating essential items such as laboratory and electronic-reporting equipment. Grants will also be available for universities to develop new and improved tests to detect pathogens and for professional schools and professional societies to develop programs to increase the awareness of foodborne illness among healthcare providers and the public.

We believe the measures provided for in this legislation will help to curtail

the risks that unsafe food imports currently pose to our citizens, particularly our elderly, our children and our sick. I appreciate the advice and input we have received from scientists, industry and consumer groups, and the FDA, the CDC and the U.S. Customs Service in drafting this legislation.

We are truly fortunate that the American food supply is one of the safest in the world. But, our system for safeguarding our people from tainted food imports is flawed and poses needless risks of serious foodborne illnesses. I believe it is the responsibility of Congress to provide our federal agencies with the direction, authority, and resources necessary to keep unsafe food out of the United States and off American dinner tables.●

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAUX, Mr. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, and Mr. EDWARDS).

S.J. Res. S. 25. A joint resolution expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*; to the Committee on Armed Services.

Mr. SMITH of New Hampshire. Mr. President, I rise today to share with my colleagues a brief story from the closing days of World War II, the war in the Pacific.

It is a harrowing story, with many elements. Bad timing, bad weather. Heroism and fortitude. Negligence and shame. Bad luck. Above all, it is the story of some very special men whose will to survive shines like a beacon decades later.

I should point out that it is because of the efforts of a 13 year old boy in Florida that I introduce this bill today. Hunter Scott, working for nearly two years on what started as a history project, compiled a mountain of clippings, letters, and interviews that ultimately led Congressman JOE SCARBOROUGH to introduce this bill in the House, and for me to do so in the Senate. Hunter, on behalf of the survivors of the U.S.S. *Indianapolis*, the family of Captain McVay, and your country, I thank you for your courageous efforts.

Mr. President, we have the opportunity to redeem the reputation of a wronged man, and salute the indomitable will of a courageous crew. I had the distinct honor and privilege of hosting two distinguished members of that courageous crew just this morning; Richard Paroubek, of Williamsburg, VA, who was a Yeoman 1st Class, and Woodie James of Salt Lake City, UT, who was a Coxswain. The bill I introduce today will honor these two men, and their fellow shipmates of the U.S.S. *Indianapolis*, and redeem their Captain, Charles McVay.

A 1920 graduate of the U.S. Naval Academy, Charles Butler McVay III was a career naval officer with an exemplary record, including participation in the landings in North Africa and award of the Silver Star for courage under fire earned during the Solomon Islands campaign. Before taking command of the *Indianapolis* in November 1944, Captain McVay was chairman of the Joint Intelligence Committee of the Combined Chiefs of Staff in Washington, the Allies' highest intelligence unit.

Captain McVay led the ship through the invasion of Iwo Jima, then the bombardment of Okinawa in the spring of 1945 during which *Indianapolis'* anti-aircraft guns shot down seven enemy planes before the ship was severely damaged. McVay returned the ship safely to Mare Island in California for repairs.

In 1945, the *Indianapolis* delivered the world's first operational atomic bomb to the island of Tinian, which would later be dropped on Hiroshima by the *Enola Gay* on August 6. After delivering its fateful cargo, the *Indianapolis* then reported to the naval station at Guam for further orders. She was ordered to join the battleship U.S.S. *Idaho* in the Philippines to prepare for the invasion of Japan.

It was at Guam that the series of events ultimately leading to the sinking of the *Indianapolis* began to unfold. Hostilities in this part of the Pacific had long since ceased. The Japanese surface fleet was no longer considered a likely threat, and attention instead had turned 1,000 miles to the north where preparations were underway for the invasion of the Japanese mainland. These conditions led to a relaxed state of alert on the part of those who decided to send the *Indianapolis* across the Philippine Sea unescorted, and consequently, Captain McVay's orders to "zigzag at his discretion." Zigzagging is a naval maneuver used to avoid torpedo attack, generally considered most effective once the torpedoes have been launched.

The *Indianapolis*, unescorted, departed Guam for the Philippines on July 28. Just after midnight on 30 July 1945, midway between Guam and the Leyte Gulf, she was hit by two torpedoes fired by the "I-58," a Japanese submarine. The first blew away the bow, the second struck near mid-ship on the starboard side adjacent to a fuel tank and a powder magazine. The resulting explosion split the ship in two.

Of the 1,196 men aboard, about 900 escaped the sinking ship and made it into the water in the twelve minutes before she sank. Few life rafts were released. Shark attacks began at sunrise on the first day, and continued until the men were physically removed from the water, almost five days later.

Shortly after 11:00 A.M. of the fourth day, the survivors were accidentally discovered by an American bomber on routine antisubmarine patrol. A patrolling seaplane was dispatched to lend

assistance and report. En route to the scene the pilot overflew the destroyer U.S.S. *Cecil Doyle* (DD-368), and alerted her captain to the emergency. The captain of the *Doyle*, on his own authority, decided to divert to the scene.

Arriving hours ahead of the *Doyle*, the seaplane's crew began dropping rubber rafts and supplies. While doing so, they observed men being attacked by sharks. Disregarding standing orders not to land at sea, the plane landed and began taxiing to pick up the stragglers and lone swimmers who were at greatest risk of shark attack.

As darkness fell, the crew of the seaplane waited for help to arrive, all the while continuing to seek out and pull nearly dead men from the water. When the plane's fuselage was full, survivors were tied to the wing with parachute cord. The plane's crew rescued 56 men that day.

The *Cecil Doyle* was the first vessel on the scene, and began taking survivors aboard. Disregarding the safety of his own vessel, the *Doyle's* captain pointed his largest searchlight into the night sky to serve as a beacon for other rescue vessels. This beacon was the first indication to the survivors that their prayers had been answered. Help had at last arrived.

Of the 900 who made it into the water only 317 remained alive. After almost five days of constant shark attacks, starvation, terrible thirst, and suffering from exposure and their wounds, the men of the *Indianapolis* were at last rescued from the sea.

Curiously, the Navy withheld the news of the sunken ship from the American people for two weeks, until the day the Japanese surrendered on August 15, 1945, thus insuring minimum press coverage for the story of the *Indianapolis'* loss.

Also suspicious, conceding that they were "starting the proceedings without having available all the necessary data," less than two weeks after the sinking of the *Indianapolis*, before the sinking of the ship had even been announced to the public, the Navy opened an official board of inquiry to investigate Captain McVay and his actions. The board recommended a general court-martial for McVay.

Admiral Nimitz, Commander in Chief of Pacific Command, did not agree—he wrote the Navy's Judge Advocate General that at worst McVay was guilty of an error in judgment, but not gross negligence worthy of court-martial. Nimitz recommended a letter of reprimand.

Overriding both Nimitz and Admiral Raymond Spruance who commanded the Fifth Fleet, Secretary of the Navy James Forrestal and Admiral Ernest King, Chief of Naval Operations, directed that court-martial proceedings against Captain McVay proceed.

Captain McVay was notified of the pending court-martial, but not told what specific charges would be brought against him. The reason was simple. The Navy had not yet decided what to

charge him with. Four days before the trial began they did decide on two charges: the first, failing to issue orders to abandon ship in a timely fashion; and the second, hazarding his vessel by failing to zigzag during good visibility.

It's difficult to understand why the Navy brought the first charge against McVay. Explosions from the torpedo attacks had knocked out the ship's communications system, making it impossible to give an abandon ship order to the crew except by word of mouth, which McVay had done. He was ultimately found not guilty on this count.

That left the second charge of failing to zigzag. Perhaps the most egregious aspect however, was in the phrasing of the charge itself. The phrase was "during good visibility." According to all accounts of the survivors, including written accounts only recently declassified and not made available to McVay's defense at the trial, the visibility that night was severely limited with heavy cloud cover. This is pertinent for two reasons. First, no Navy directives in force at that time or since recommended, much less ordered, zigzagging at night in poor visibility. Secondly, as Admiral Nimitz pointed out, the rule requiring zigzagging would not have applied in any event, since McVay's orders gave him discretion on that matter and thus took precedence over all other orders. Thus, when he stopped zigzagging, he was simply exercising his command authority in accordance with Navy directives. Unbelievably, this point was never made by McVay's defense counsel during the subsequent court-martial.

Captain McVay was ultimately found guilty on the charge of failing to zigzag, and was discharged from the Navy with a ruined career. In 1946, at the specific request of Admiral Nimitz who had become Chief of Naval Operations, Secretary Forrestal, in a partial admission of injustice, remitted McVay's sentence and restored him to duty. But, Captain McVay's court-martial, and personal culpability for the sinking of the *Indianapolis* continued to stain his Navy records. The stigma of his conviction remained with him always, and he ultimately took his own life in 1968. To this day Captain McVay is recorded in history as negligent in the deaths of 870 sailors.

We need to restore the reputation of this honorable officer. In the decades since World War II, the crew of the *Indianapolis* has worked tirelessly in defending their Captain, and trying to ensure that his memory is properly honored. It is at the specific request of the survivors of the *U.S.S. Indianapolis* that I introduce this resolution.

Since McVay's court-martial, a number of factors, including once classified documents not made available to McVay's defense, have surfaced raising significant questions about the justice of the conviction.

Although naval authorities at Guam knew that on July 24, four days before

the *Indianapolis* departed for Leyte, the destroyer escort U.S.S. *Underhill* had been sunk by a Japanese submarine within range of the *Indianapolis'* path, McVay was not told.

Although a code-breaking system called ULTRA had alerted naval intelligence that a Japanese submarine (the I-58, which ultimately sank the *Indianapolis*) was operating in his path, McVay was not told. Classified as top secret until the early 1990s, this intelligence—and the fact it was withheld from McVay before he sailed from Guam—was suppressed during his court-martial.

Although the routing officer at Guam was aware of the ULTRA intelligence report, he said a destroyer escort for the *Indianapolis* was "not necessary" and, unbelievably, testified at McVay's court-martial that the risk of submarine attack along the *Indianapolis'* route "was very slight".

Although McVay was told of "submarine sightings" along his path, he was told none had been confirmed. Such sightings were commonplace throughout the war and were generally ignored by Navy commanders unless confirmed. Thus, the *Indianapolis* set sail for Leyte on July 26, 1945, sent into harm's way with its captain unaware of dangers which shore-based naval personnel knew were in his path.

The U.S.S. *Indianapolis* was not equipped with submarine detection equipment, and therefore Captain McVay requested a destroyer escort. Although no capital ship without submarine detection devices had sailed between Guam and the Philippines without a destroyer escort throughout all of World War II, McVay's request for such an escort was denied.

The Navy failed to notice when the ship did not show up in port in the Philippines. U.S. authorities intercepted a message from the I-58 to its headquarters in Japan informing them that it had sunk the U.S.S. *Indianapolis*. This message was ignored and the Navy did not initiate a search. The *Indianapolis* transmitted three distress calls before it sank, and one was received at the naval base in the Philippines. Again, no search was initiated and no effort was made to locate any survivors. It was not until four days after the ship had sunk, when a bomber inadvertently spotted sailors being eaten by sharks in the water below, that a search party was dispatched.

Although 700 navy ships were lost in combat in World War II, McVay was the only captain to be court-martialed as the result of a sunken ship.

Captain McVay was denied both his first choice of defense counsel and a delay to develop his defense. His counsel, a line officer with no trial experience, had only four days to prepare his case.

Incredibly, the Navy brought Mochituru Hashimoto, the commander of the Japanese I-58 submarine that sunk the *Indianapolis* to testify at the court-martial. Hashimoto testified

that just after midnight the clouds cleared long enough to see and fire upon the *Indianapolis*. He also implied in pretrial statements that zigzagging would not have saved the *Indianapolis* because of his clear view, but this point was not raised by McVay's defense during the trial itself.

Another witness in the trial, veteran Navy submariner Glynn Donaho, a four-time Navy Cross winner was asked by McVay's defense counsel whether "it would have been more or less difficult for you to attain the proper firing position" if the *Indianapolis* had been zigzagging under the conditions which existed that night. His answer was, "No, not as long as I could see the target." This testimony was either deliberately ignored by, or passed over the heads of, the court-martial board, and it was not pursued further by McVay's defense.

Many of the survivors of the *Indianapolis* believe that a decision to convict McVay was made before his court-martial began. They are convinced McVay was made a scapegoat to hide the mistakes of others. McVay was court-martialed and convicted of "hazarding his ship by failing to zigzag" despite overwhelming evidence that the Navy itself had placed the ship in harm's way, despite testimony from the Japanese submarine commander that zigzagging would have made no difference, despite the fact that although 700 Navy ships were lost in combat in World War II McVay was the only captain to be court-martialed, and despite the fact the Navy did not notice when the *Indianapolis* failed to arrive on schedule, thus costing hundreds of lives unnecessarily and creating the greatest sea disaster in the history of the United States Navy.

The resolution I am introducing corrects a 54 year old injustice, restores the honorable name of a decorated Navy combat veteran, and honors the wishes of his loyal and faithful crew. It will also honor the crew of the *Indianapolis* for their courage in surviving this awful tragedy.

I urge my colleagues to support this resolution and I am proud to offer it on behalf of Captain McVay and the wonderful and honorable men of the U.S.S. *Indianapolis*, two of whom are sitting with us in the gallery today, Mr. President.

Mr. DURBIN. Will the Senator yield for a question?

Mr. SMITH of New Hampshire. I will certainly yield to the Senator from Illinois.

Mr. DURBIN. I would like to first commend the Senator from New Hampshire. I was visited in my office by a gentleman named Michael Kuryla, Jr., of Poplar Grove, IL, one of the survivors of the U.S.S. *Indianapolis*. He recounted to me in detail what happened when that ship went down. As he talked about being in the ocean for days, not knowing whether they would be rescued, watching his shipmates who were literally dying around him

and being devoured by sharks, wondering if they would ever be rescued, tears came to his eyes. More than 50 years after, tears came to his eyes. He said it wasn't fair, what they did to Captain McVay; to court-martial him was wrong. He asked me for my help, if I would join the Senator from New Hampshire on this resolution, and I am happy to do so.

I think justice cries out that we agree to this resolution; that Captain McVay, who was singled out, out of all the captains of the fleet, to be court-martialed under these circumstances is just unfair. The men who served under him, those whose lives were under his care and those who survived this worst sea disaster in U.S. naval history—they have come forward. They have asked us to make sure that history properly records the contribution Captain McVay made to his country.

I am happy to join in this resolution. I hope other Members of the Senate, hearing this debate and reading this resolution, will cosponsor it as well and that we can close the right way this chapter in American naval history.

Mr. SMITH of New Hampshire. I thank the Senator from Illinois.

I ask unanimous consent that the roster of the final crew of the U.S.S. *Indianapolis* be printed in the RECORD.

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

THE FINAL CREW OF THE U.S.S.  
"INDIANAPOLIS" (CA-35)

CREW AND OFFICERS

ABBOTT, George S., S1. ACOSTA, Charles M., MM3. ADAMS, Leo H., S1\*. ADAMS, Pat L., S2. ADORANTE, Dante W., S2. AKINES, William R., S2\*. ALBRIGHT, Charles E., Jr., Cox. ALLARD, Vincent J., QM3\*. ALLEN, Paul F., S1. ALLMARAS, Harold D., F2. ALTSCHULER, Allan H., S2\*. ALVEY, Edward W., Jr., AerM2. AMICK, Homer I., S2. ANDERSEN, Lawrence J., SK2. ANDERSON, Erick T., S2\*. ANDERSON, Leonard O., MM3. ANDERSON, Sam G., S2. ANDERSON, Vincent U., BMI. ANDERSON, Richard L., F2. ANDREWS, William R., S2\*. ANNIS, James B. Jr., CEMA. ANTHONY, Harold R., PHM3. ANTONIE, Charles J., F2. ANUNTI, John M., M2\*. ARMENTA, Lorenzo, SC2. ARMISTEAD, John H., S2\*. ARNOLD, Carl L., MM3. ASHFORD, Chester W., WT2. ASHFORD, John T. Jr., RT3\*. ATKINSON, J.P., COX. AULL, Joseph H., S2. AULT, William F., S2\*. AYOTTE, Lester J., S2. BACKUS, Thomas H., LT. (jg). BAKER, Daniel A., S2. BAKER, Frederick H., S2. BAKER, William M. Jr., EMI. BALDRIDGE, Clovis R., EM2\*. BALL, Emmet E., S2. BALLARD, Courtney J., SSM3. BARENTHIN, Leonard W., S2. BARKER, Robert C. Jr., RT1. BARKSDALE, Thomas L., FC3. BARNES, Paul C., F2. BARNES, Willard M., MM1. BARRA, Raymond J., CGMA. BARRETT, James B., S2. BARRY, Charles., LT. (jg). BARTO, Lloyd P., S1\*. BARTON, George S., Y3. BATEMAN, Bernard B., F2\*. BATENHORST, Wilfred J., MM3. BATSON, Eugene C., S2. BATTEN, Robert E., S1. BATTIS, Edward D., STM1. BEANE, James A., F2\*. BEATY, Donald L., S1\*. BECKER, Myron M., WT2. BEDDINGTON, Charles E., S1. BEDSTED, Leo A., F1. BEISTER, Richard J., WT3. BELCHER, James R., S1\*. BELL, Maurice G., S1\*. BENNETT, Dean R.,

HA1. BENNETT, Ernest F., B3. BENNETT, Toney W., ST3. BENNING, Harry, S1. BEN-TON, Clarence U., CF3\*. BERNACIL, Concepcion P., FC3\*. BERRY, Joseph, Jr., STM1. BERRY, William H., ST3. BEUKEMA, Kenneth J., S2. BEUSCHLEIN, Joseph C., S2. BIDDISON, Charles L., S1.

BILLINGS, Robert B., ENS. BILLINOSLEY, Robert F., GM3\*. BILZ, Robert E., S2. BISHOP, Arthur, Jr., S2. BITONTI, Louis P., S1\*. BLACKWELL, Fermon M., SSML3. BLANTHORN, Bryan, S1\*. BLUM, Donald J., ENS. BOEGE, Raymond R., S2. BOGAN, Jack R., RM1. BOLLINGER, Richard H., S1. BOOTH, Sherman C., S1\*. BORTON, Herheit E., SC2. BOSS, Norbert G., S2. BOTT, Wilbur M., S2. BOWLES, Eldridge W., S1. BOWMAN, Charles E., CTC. BOYD, Troy H., GM3. BRADLEY, William H., S2. BRAKE, John Jr., S2. BRANDT, Russell L., F2\*. BRAUN, Neal F., S2. BRAY, Harold J. Jr., S2\*. BRICE, R.V., S2. BRIDGE, Wayne A., S2. BRIGHT, Chester L., S2. BRILEY, Harold V., MAM3. BROOKS, Ulysess R., CWTA. BROPHY, Thomas D'Arcy Jr., ENS. BROWN, Edward A., WT3. BROWN, Edward J., S1\*. BRUCE, Russell W., S2. BRULE, Maurice J., S2. BRUNDIGE, Robert H., S1\*. BRUNEAU, Charles A., GM3. BUCKETT, Victor R., Y2\*. BUDISH, David, S2. BULLARD, John K., S1\*. BUNAI, Robert P., SM1\*. BUNN, Horace G., S2. BURDORF, Wilbert J., COX\*. BURKHARTSMEIER, Anton T., S1. BURKHOLTZ, Frank Jr., EM3. BURLESON, Martin L., S1. BURRS, John W., S1. BURT, William George A., QM3. BURTON, Curtis H., S1\*. BUSHONG, John R., GM3. CADWALLADER, John J., RT3. CAIN, Alfred B., RT3. CAIRO, William G., BUG1. CALL, James E., RM3. CAMERON, John W., GM2. CAMP, Garrison, STM2. CAMPANA, Paul, RDM3. CAMPBELL, Hamer E. Jr., GM3\*. CAMPBELL, Louis D., AOM3\*. CAMPBELL, Wayland D., SF3. CANDALINO, Paul L., LT. (jg). CANTRELL, Billy G., F2. CARNELL, Lois W., S2. CARPENTER, Willard A., SM3. CARR, Harry L., S2. CARROLL, Gregory K., S1. CARROLL, Rachel W., COX. CARSON, Clifford, F1. CARSTENSEN, Richard, S2. CARTER, Grover C., S1\*. CARTER, Lindsey L., S2\*. CARTER, Lloyd G., COX\*. CARVER, Grover C., S1\*. CASSIDY, John C., S1\*. CASTALDO, Patrick P., GM2. CASTIAUX, Ray V., S2. CASTO, William H., S1. CAVIL, Robert R., MM2. CAVITT, Clinton C., WT3. CELAYA, Adolfo V., F2\*. CENTAZZO, Frank J., SM3\*. CHAMNESS, John D., S2\*. CHANDLER, Lloyd N., S2. CHART, Joseph, EM3. CHRISTIAN, Lewis E. Jr., WO. CLARK, Eugene, CK3. CLARK, Orsen N., S2\*. CLEMENTS, Harold P., S2. CLINTON, George W., S1\*. CLINTON, Leland J., LT. (jg). COBB, William L., MOMM3. COLE, Walter H., CRMA. COLEMAN, Cedric F., LCFR. COLEMAN, Robert E., F2\*. COLLIER, Charles R., RM2\*. COLLINS, James, STM1. COLVIN, Frankie L., SSMT2. CONDON, Barna T., RDM1. CONNELLY, David F., ENS. CONRAD, James P., EM3. CONSER, Donald L., SC2. CONSIGLIO, Joseph W., FC2. CONWAY, Thomas M., Rev., LT. COOK, Floyd E., SF3. COOPER, Dale Jr., F2. COPELAND, Willard J., S2. COSTNER, Homer J., COX\*. COUNTRYMAN, Robert E., S2. COWEN, Donald R., FC3\*. COX, Alfred E., GM3. COX, Loel Dene, S2\*. CRABB, Donald C., RM2. CRANE, Granville S. Jr., MM2\*. CREWS, Hugh C., LT. (jg). CRITES, Orval D., WT1. CROUCH, Edwin M., CAPT. (Passenger). CRUM, Charles J., S2. CRUZ, Jose S., CCKA. CURTIS, Erwin E., CTCF. DAGENBART, Charles R. Jr., PHM2. DALE, Elwood R., F1. DANIEL, Harold W., CBMA\*. DANIELLO, Anthony G., S1. DAVIS, James C., RM3. DAVIS, Kenneth G., F1. DAVIS, Stanley G., LT. (jg). DAVIS, Thomas E., SM2. DAY, Richard R. Jr., S2. DEAN, John T. Jr., S2. DeBERNARDI, Louie, BMI\*.

DeFOOR, Walton, RDM3. DEMARS, Edgar J., CBMA. DEMENT, Dayle P., S1. DENNY, Lloyd, Jr., S2. DEWING, Ralph O., FC3\*. DIMOND, John N., S2. DIZELSKE, William B., MM2\*. DOLLINS, Paul, RM2. DONALD, Lyle H., EMI. DONEY, William Junior, F2. DONNER, Clarence W., RT3\*. DORMAN, William B., S1. DORNETTO, Frank P., WT1. DOSS, James M., S2. DOUCETTE, Ronald O., S2. DOUGLAS, Gene D., F2\*. DOVE, Basil R., SKD2. DOWDY, Lowell S., CWO. DRANE, James A., GM2. DRAYTON, William H., EM2\*. DRISCOLL, David L., LT. (jg). DRONET, Joseph E.J., S2\*. DRUMMOND, James J., F2. DRURY, Richard E., S2. DRYDEN, William H., MM1\*. DUFRANE, Delbert E., S1. DUNBAR, Jess L., F2. DURAND, Ralph J., Jr., S2. DYCUS, Donald, S2. EAKINS, Morris B., F2. EAMES, Paul H. Jr., ENS. EASTMAN, Chester S., S2. ECK, Harold A., S2\*. EDDINGER, John W., S1. EDDY, Richard L., RM3. EDWARDS, Alwyn C., F2. EDWARDS, Roland J., BMI. E'GOLF, Harold W., S2. ELLIOTT, Kenneth A., S1. ELLIOTT, Harry W., S2. EMERY, William F., S1\*. EMSLEY, William J., S1. ENGELSMAN, Ralph, S2\*. EPPERSON, Ewell, S2\*.

EPPERSON, George L., S1. ERICKSON, Theodore M., S2\*. ERNST, Robert C., F2. ERWIN, Louis H., COX\*. ETHIER, Eugene E., EM3\*. EUBANKS, James H., S1. EVANS, Arthur J., PHM2. EVANS, Claudius, GM3\*. EVERETT, Charles N., EM2. EVERS, Lawrence L., CMMA. EYET, Donald A., S1. FANTASIA, Frank A., F2. FARBER, Sheldon L., S2. FARLEY, James W., S1. FARMER, Archie C., Cox\*. FARRIS, Eugene F., S1\*. FAST HORSE, Vincent, S2. FEAKES, Fred A., AOM1\*. FEDORSKI, Nicholas W., S1\*. FEENEY, Paul R., S2. FELTS, Donald J., BMI\*. FERGUSON, Albert E., CMMA\*. FERGUSON, Russel M., RT3. FIGGINS, Harley D., WT2. FIRESTONE, Kenneth F., FC2. FIRMIN, John A. H., S2. FITTING, Johnny W., GM1\*. FLATAN, Harold J., WT2\*. FELISCHAUER, Donald W., S1. FLESHMAN, Vern L., S2. FLYNN, James M., Jr., S1. FLYNN, Joseph A., CDR. FOELL, Cecil D., ENS. FORTIN, Verlin L., WT3\*. FOSTER, Verne E., F2\*. FOX, William H. Jr., F2\*. FRANCOIS, Norbert E., F1\*. FRANK, Rudolph A., S2. FRANKLIN, Jack R., RDM3. FREEZE, Howard B., LT. (jg). FRENCH, Douglas O., FC3. FRENCH, Jimmy Junior, QM3. FRITZ, Leonard A., MM3.

FRONTINO, Vincent F., MOMM3. FRORATH, Donald H., S2. FUCHS, Herman F., CWO. FULLER, Arnold A., F2. FULTON, William C., CRMA. FUNKHOUSER, Robert M., ART2\*. GABRILLO, Juan, S2\*. GAITHER, Forest M., FC2. GALANTE, Angelo., S2\*. GALBRAITH, Norman S., MM2\*. GARDNER, Roscoe W., F2\*. GARDNER, Russel T., F2. GARNER, Glenn R., MM2. GAUSE, Robert P., QM1\*. GAUSE, Rubin C., Jr., ENS. GEMZA, Rudolph A., FC3\*. GEORGE, Gabriel V., MM3\*. GERNGROSS, Frederick J., Jr., ENS. GETTLEMAN, Robert A., S2\*. GIBSON, Buck W., GM3\*. GIBSON, Curtis W., S2. GIBSON, Ganola F., MM3. GILBERT, Warner, Jr., S1. GILCREASE, James, S2\*. GILL, Paul E., WT2. GILMORE, Wilbur A., S2. GISMONDI, Michael V., S1. GLADD, Millard, Jr., MM2\*. GLAUB, Francis A., GM2. GLENN, Jay R., AMM3\*. GLOVKA, Erwin S., S2. GODFREY, Marlo R., RM3. GOECKEL, Ernest S., LT. (jg). GOFF, Thomas G., SF3\*. GOLDEN, Curry., STM1. GOLDEN, James L., S1. GONZALES, Ray A., S2. GOOCH, William L., F2\*. GOOD, Robert K., MM3. GOODWIN, Oliver A., CRTA. GORE, Leonard F., S2. GORECKI, Joseph W., SK3. GOTTMAN, Paul J., S2.

GOVE, Carroll L., S2. GRAY, Willis L., S1\*. GREATHOUSE, Bud R., S1. GREEN, Robert U., S2.

GREEN, Tolbert, Jr., S1\*. GREENE, Samuel G., S1. GREENLEE, Charles I., S2\*.



GREER, Bob E., S2. GREGORY, Garland G., F1. GREIF, Matthias D., WT3. GRIES, Richard C., F2. GRIEST, Frank D., GM3. GRIF-FIN, Jackie D., S1. GRIFFITH, Robert S., S1\*. GRIFFITHS, Leonard S., S2. GRIGGS, Donald R., F1. GRIMES, David E., S2. GRIMES, James F., S2. GROCE, Floyd V., RDM2. GROCH, John T., MM3. GUENTHER, Morgan E., EM3. GUERRERO, John G., S1. GUILLOT, Murphy U., F1. GUYE, Ralph L., Jr., QM3. GUYON, Harold L., F1. HABERMAN, Bernard, S2. HADUCH, John M., S1. HALE, Robert B., LT. HALE, William F., S2. HALL, Pressie, F1. HALLORAN, Edward G., MM3. HAM, Saul A., S1. HAMBO, William P., PHM3. HAMMEN, Robert, PHOM3. HAMRICK, James J., S2. HANCOCK, William A., GM3. HANKINSON, Clarence W., F2. HANSEN, Henry, S2. HANSON, Harley C., WO.\* HARLAND, George A., S2. HARP, Charlie H., S1. HARPER, Vasco, STM1. HARRIS, James D., F2. HARRIS, Willard E., F2. HARRISON, Cecil M., CWO.\* HARRISON, Frederick E., S2. HARRISON, James M., S1. HART, Fred Jr., RT2\*. HARTRICK, Willis B., MM1. HATFIELD, Willie N., S2\*.

HAUBRICH, Cloud D., S2. HAUSER, Jack I., SK2. HAVENER, Harlan C., F2\*. HAVINS, Otha A., Y3\*. HAYES, Charles D., LCDR. HAYLES, Fleix, CK3. HAYNES, Lewis L., MC., LCDR.\* HANYES, Robert A., LT. HAYNES, William A., S1. HEERDT, Raymond E., F2. HEGGIE, William A., RDM3. HEINZ, Richard A., HA1. HELLER, John, S2\*. HELLER, Robert J. Jr., S2. HELSCHER, Ralph J., S1. HELT, Jack E., F2. HENDERSON, Ralph L., S1. HENDRON, James R. Jr., F2. HENRY, Earl O., DC, LCDR. HENSCH, Erwin F., LT.\* HENLSEY, Clifford, SSMB2. HERBERT, Jack E., BM1. HERNDON, Duane, S2. HERSHBARGER, Clarence L., S1\*. HERSTINE, James F., ENS. HICKEY, Harry T., RM3. HICKS, Clarence, S1. HIEBERT, Lloyd H., GM1. HILL, Clarence M., CWTB. HILL, Joe W., STM1. HILL, Nelson P. Jr., LT. HILL, Richard N., ENS. HIND, Lyle L., S2\*. HINES, Lionel G., WT1. HINKEN, John R., Jr., F2\*. HOBBS, Melvin D., S1. HODGE, Howard H., RM2.

HODGINS, Lester B., S2. HODSHIRE, John W., S2. HOERES, George J., S2. HOLDEN, Punciano A., ST1. HOLLINGSWORTH, Jimmie L., STM2. HOLLOWAY, Andrew J., S2. HOLLOWAY, Ralph H., COX. HOODERWERF, John Jr., F1. HOOPES, Gordon H., S2\*. HOPPER, Prentice W., S1. HOPPER, Roy L., AMM1. HORNER, Durward R., WO.\* HERR, Wesley A., F2. HERRIGAN, John G., F1. HORVATH, George J., F1\*. HOSKINS, William O., Y3\*. HOUCK, Richard E., EM3\*. HOUSTON, Robert G., F1. HOUSTON, William H., PHM2. HOV, Donald A., S1. HOWISON, John D., ENS.\* HUBELI, Joseph F., S2\*. HUEBNER, Harry J. S1. HUGHES, Lawrence E., F2. HUGHES, Robert A., FC3. HUGHES, William E., SSML2. HUMPHREY, Maynard L., S2. HUNTER, Arthur R. Jr., QM1. HUNTLEY, Virgil C., CWO. HUPKA, Clarence E., BKR1\*. HURLEY, Woodrow, GM2\*. HURST, Robert H., LT. HURT, James E., S2. HUTCHISON, Merle B., S2. IGOU, Floyd, Jr., RM2. IZOR, Walter E., F1. JACKSON, Henry, STML. JACQUEMOT, Joseph A., S2\*. JADLOSKI, George K., S2. JAKUBISIN, Joseph S., S2. JAMES, Woodie E., COX\*. JANNEY, Johns Hopkins, CDR. JARVIS, James K., AM3\*.

JEFFERS, Wallace M., COX. JENNEY, Charles I., LT. JENSEN, Chris A., S2. JENSEN, Eugene W., S2\*. JEWELL, Floyd R., SK1. JOHNSON, Bernard J., S2. JOHNSON, Elwood W., S2. JOHNSON, George G., S2. JOHNSON, Harold B., S1. JOHNSON, Sidney B., S1. JOHNSON, Walter M. Jr., S1. JOHNSON, William A., S1\*. JOHNSTON, Earl R., BM2. JOHNSTON, Lewis E., S1. JOHNSTON, Ray F., MM1. JOHNSTON, Scott A., F2. JONES, Clinton L., COX\*. JONES, George E.,

S2. JONES, Jim, S2. JONES, Kenneth M., F1. MoMM. JONES, Sidney, S1\*. JONES, Stanley F., S2. JORDAN, Henry, STM2. JORDON, Thomas H., S2. JOSEY, Clifford O., S2. JUMP, David A., ENS. JURGENSMAYER, Alfred J., S2. JURKIEWICZ, Raymond S., S1\*. JUSTICE, Robert E., S2\*. KARPEL, Dan L., BM1. KARTER, Leo C. Jr., S2. KASTEN, Stanley O., HA1. KAWA, Raymond P., SK3. KAY, Gust C., S1\*. KAZMIERSKI, Walter, S1\*. KEENEY, Robert A., ENS. KEES, Shalous E., EM2\*. KEITH, Everette E., EM2. KELLY, Albert R., S2. KEMP, David P. Jr., SC3\*. KENLY, Oliver W., RDM3\*. KENNEDY, Andrew J. Jr., S2. KENNEDY, Robert A., S1. KENNY, Francis J.P., S2.

KEPHART, Paul, S1. KERBY, Deo E., S1\*. KERN, Harry G., S1. KEY, S.T., EM2. KEYES, Edward H., COX\*. KIGHT, Audy C., S1. KILGORE, Archie C., F2. KILLMAN, Robert E., GM3. KINARD, Nolan D., S1. KINCAID, Joseph E., FC2. KING, A.C., S1\*. KING, Clarence Jr., STM2. KING, James T., S1. KING, Richard E., S2. KING, Robert H., S2. KINNAMAN, Robert L., S2. KINZLE, Raymond A., BKR2\*. KIRBY, Harry, S1. KIRK, James R., SC3. KIRKLAND, Marvin F., S1\*. KIRKMAN, Walter W., SF1. KISELICA, Joseph F., AMM2\*. KITTOE, James W., F2\*. KLAPPA, Ralph D., S2\*. KLAUS, Joseph F., S1\*. KLEIN, Raymond J., S1. KLEIN, Theil J., SK3. KERNERSCHIELD, Andrew N., S1. KNOLL, Paul E., COX. KNOTT, Elbern L., S1. KNUDTSON, Raymond A., S1. KNUPKE, Richard R., MM3. KOCH, Edward C., EM3\*. KOEGLER, Albert, S1. KOEGLER, William, SC3. KOLAKOWSKI, Ceslaus, SM3. KOLLINGER, Robert E., S1. KONESNY, John M., S1. KOOPMAN, Walter F., F2. KOPPANG, Raymond I., LT (jg). KOUSKI, Fred, GM3. KOVALICK, George R., S2. KOZIARA, George, S2\*.

KOZIK, Raymond., S1. KRAWYVZ, Henry J., MM3. KREIS, Clifford E., S1\*. KRON, Herman E. Jr., GM3. KRONENBERGER, Wm. M., GM3. KRUEGER, Dale F., F2\*. KRUEGER, Norman F., S2\*. KRUSE, Darwin G., S2. KRZYZEWSKI, John M., S2. KUHN, Clair J., S1. KULOVITZ, Raymond J., S2. KURLICH, George R., FC3\*. KURLA, Michael N. Jr., COX\*. KUSIAK, Alfred M., S2. KWIATKOWSKI, Marion J., S2. LABUDA, Arthur A., QM3. LaFONTAINE, Paul S., S1. LAKATOS, Emil J., MM3. LAKE, Murl C., S1. LAMB, Robert D., EM3. LAMBERT, Leonard F., S1. LANDON, William W. Jr., FC2. LANE, Ralph, CMMMA\*. LANTER, Kenley M., S1\*. LaPAGLIA, Carlos, GM2\*. LaPARL, Lawrence E. Jr., S2. LAPCZYNSKI, Edward W., S1. LARSEN, Melvin R., S2. LATIGUE, Jackson, STM1. LATIMER, Billy F., S1. LATZER, Solomon, S2. LAUGHLIN, Fain H., SK3. LAWS, George E., S1\*. LEATHERS, Williams B., MM3. LeBARON, Robert W., S2. LeBOW, Cleatus A., FC03\*. LEENERMAN, Arthur L., RDM3\*. LELUIKA, Paul P., S2. LESTINA, Francis J., S1. LETIZIA, Vincencio, S2. LETZ, Willbert J., SK1. LeVALLEY, William D., EM2. LEVENTON, Mevin C., MM2. LeVIEUX, John J., F2. LEWELLEN, Thomas E., S2. LEWIS, James R., F2. LEWIS, John R., GM3. LINDEN, Charles G., WT2. LINDSAY, Norman L., SF3. LINK, George C., S1. LINN, Roy, S1. LINVILLE, Cecil H., SF2. LINVILLE, Harry J., S1. LIPPERT, Robert G., S1. LIPSKI, Stanley W., CDR. LITTLE, Frank E., MM2. LIVERMORE, Raymond I., S2. LOCH, Edwin P., S1. LOCKWOOD, Thomas H., S2\*. LOEF-FLER, Paul E. Jr., S2. LOFTIS, James B. Jr., S1\*. LOFTUS, Ralph D., F2. LOHR, Leo W., S1. LOMBARDI, Ralph, S1. LONG, Joseph W., S1. LONGWELL, Donald J., S1. LOPEZ, Daniel B., F2\*. LOPEZ, Sam, S1\*. LORENC, Edward R., S2. LOYD, John F., WT2. LUCAS, Robert A., S2. LUCCA, Frank J., F2\*. LUHMAN, Emerson D., MM3. LUNDGREN, Albert D., S1. Luttrull, Claud

A., COX. LUTZ, Charles H., S1. MAAS, Melvin A., S1\*. MABEE, Kenneth C., F2. MACE, Harold A., S2\*. MacFARLAND, Keith I., LT (jg). MACHADO, Clarence J., WT2. MACK, Donald F., Bugler 1\*. MADAY, Anthony F., AMM1\*. MADIGAN, Harry F., BM2. MAGDICS, Steve Jr., F2. MAGRAY, Dwain F., S. MAKAROFF, Chester J., GM3\*.

MAKOWSKI, Robert T., CWTB. MALDONADO, Salvador, BKR3\*. MALENA, Joseph J. Jr., GM2\*. MALONE, Cecil E., S2. MALONE, Elvin C., S1. MALONE, Michael L. Jr., LT (jg). MALSKE, Joseph J., S1\*. MANESS, Charles F., F2. MANKIN, Howard J., GM3. MANN, Clifford E., S1. MANSKER, LaVoice, S2. MANTZ, Keith H., S1. MARCIULAITIS, Charles, S1. MARKMANN, Frederick H., WT1. MARPLE, Paul T., ENS. MARSHALL, John L., WT2. MARSHALL, Robert W., S2. MARTIN, Albert, S2. MARTIN, Everett G., S1. MASSIER, George A., S1. MASTRECOLA, Michael M., S2. MATHE-SON, Richard R., PHM3. MATRULLA, John, S1. MAUNTEL, Paul J., S2. MAXWELL, Farrell J., S1\*. McBRIDE, Ronald G. S1. McBRYDE, Frank E., S2. McCALL, Donald C., S2\*. McCLAIN, Raymond B., BM2\*. McCLARY, Lester E., S2. McClURE, David L., EM2. McCOMB, Everett A., F1. McCORD, Edward Franklin Jr., EM3. McCORKLE, Ray R., S1. McCORMICK, Earl W., MOMM2. McCOSKEY, Paul F., S1. McCoy, John S., Jr., M2. McCORRY, Millard V. Jr., WT2\*. McDANIEL, Johnny A., S1. McDONALD, Franklin G. Jr., F2. McDONNER, David P. Jr., F1. McDOWELL, Robert E., S1. McELROY, Clarence E., S1\*.

McFALL, Walter E., S2\*. McFEE, Carl S., Sd. McGINNIS, Paul W., SM3\*. McGINTY, John M., S1. McGuIGGAN, Robert M., S1\*. McGuIRE, Denis, S2. McGuIRK, Philip A., LT (jg). McHENRY, Loren C. Jr., S1\*. McHONE, Ollie, F1. McKEE, George E. Jr., S1. McKENNA, Michael J., S1. McKENZIE, Ernest E., S1\*. McKINNON, Francis M., Y3. McKISSICK, Charles B., LT (jg)\*. McKLIN, Henry T., S1\*. McLAIN, Patrick J., S2\*. McLEAN, Douglas B., EM3. McNABB, Thomas, Jr., F2. McNICKLE, Arthur S., F1. McQUITTY, Roy E., COX. McVAY, Charles Butler, III, CAPT.\*. McVAY, Richard C., Y3\*. MEADE, Sidney H., S1. MEHLBAUM, Raymond A., S1. MEIER, Harold E., S2. MELICHAR, Charles H., EM3. MELVIN, Carl L., F1. MENCHEFF, Manual A., S2. MERE-DITH, Charles E., S1\*. MERGLER, Charles M., RDM2. MESTAS, Nestor A., WT2\*. METCALF, David W., GM3. MEYER, Charles T., S2\*. MICHAEL, Bertrand F., BKR3. MICHAEL, Elmer O., S1. MICHNO, Arthur R., S2. MIKESKA, Willie W., S2. MIKOLAYEK, Joseph, COX\*. MILBRODT, Glen L., S2\*. MILES, Theodore K., LT. MILLER, Artie R., GM2. MILLER, George E., F1. MILLER, Glenn E., S2. MILLER, Samuel George Jr., FC3.

MILLER, Walter R., S2. MILLER, Walter W., B1. MILLER, Wilbur H., CMM. MILLS, William H., EM3. MINER, Herbert J. II, RT2\*. MINOR, Richard L., S1. MINOR, Robert W., S2. MIRE, Carl E., S2. MIRICH, Wally M., S1. MISKOWIEC, Theodore F., S1. MITCHELL, James E., S2\*. MITCHELL, James H. Jr., SK1. MITCHELL, Kenneth E., S1\*. MITCHELL, Norval Jerry Jr., S1\*. MITCHELL, Paul B., FC3. MICHELL, Winston C., S1. MITTLER, Peter John Jr., GM3. MIXON, Malcom L., GM2. MLADY, Clarence C., S1\*. MODESITT, Carl E., S2\*. MODISHER, Melvin W., MC. LTQ (jg)\*. MONCRIEF, Mack D., S2. MONKS, Robert B., GM3. MONTOYA, Frank E., S1. MOORE, Donald G., S2. MOORE, Elbert, S2. MOORE, Harley E., S1. MOORE, Kyle C., LCDR. MOORE, Wyatt P., BKR1. MORAN, Joseph J., RM1\*. MORGAN, Eugene S., BM2\*. MOR-GAN, Glenn G., BGM3\*. MORGAN, Lewis E.,

S2. MORGAN, Telford F., ENS. MORRIS, Albert O., S1\*. MORSE, Kendall H., LT (jg). MORTON, Charles W., S2. MORTON, Marion E., SK2. MOSELEY, Morgan M., SC1\*. MOULTON, Charles C., S2. MOWREY, Ted E., SK3\*. MOYNELLO, Harold C. Jr., ENS. MROSZAK, Frank A., S2.

MULDOON, John J., MM1\*. MULVEY, William R., BM1\*. MURILLO, Sammy, S2. MURPHY, Allen, S2. MURPHY, Paul J., FC3\*. MUSARRA, Joseph, S1. MYERS, Charles Lee Jr., S2. MYERS, Glen A., MM2. MYERS, H.B., F1\*. NABERS, Neal A., S2. NASPINI, Joseph A., F2\*. NEAL, Charles K., S2. NEAL, George M., S2. NEALE, Harlan B., S2. NELSEN, Edward J., GM1\*. NELSON, Frank H., S2\*. NEU, Hugh H., S2. NEUBAUER, Richard, S2. NEUMAN, Jerome C., F1. NEVILLE, Bobby G., S2. NEWCOMER, Lewis W., MM3. NEWELL, James T., EM1. NEWHALL, James F., S1\*. NICHOLS, James C., S2\*. NICHOLS, Joseph L., BM2. NICHOLS, Paul V., MM3. NIELSEN, Carl Aage Chor Jr., F1. NIETO, Baltazar P., GM3. NIGHTINGALE, William O., MM1\*. NISKANEN, John H., F2. NIXON, Daniel M., S2\*. NORBERG, James A., CBMP\*. NORMAN, Theodore R., GM2. NOWAK, George J., F2. NUGENT, William G., S2. NUNLEY, James P., F1. NUNLEY, Troy A., S2\*. NUTT, Raymond A., S2. NUTTALL, Alexander C., S1\*. OBLEDO, Mike G., S1\*. O'BRIEN, Arthur J., S2. O'CALLAGHAN, Del R., WT2. OCHOA, Ernest, FC3.

O'DONNELL, James E., WT3\*. OLDERON, Bernhard G., S1. OLIJAR, John, S1\*. O'NEIL, Eugene E., S1. ORR, Homer L., HAI. ORR, John Irwin, Jr., LT. ORSBURN, Frank H., SSML2\*. ORTIZ, Orlando R., Y3. OSBURN, Charles W., S2. OTT, Theodore G., Y1. OUTLAND, Felton J., S1\*. OVERMAN, Thurman D., S2\*. OWEN, Keith N., SC3\*. OWENS, Robert Sheldon, Jr., QM3. OWENSBY, Clifford C., F2. PACE, Curtis, S2\*. PACHECO, Jose C., S2\*. PAGITT, Eldon E., F2. PAIT, Robert E., BM2. PALMITER, Adolore A., S2\*. PANE, Francis W., S2. PARHAM, Fred, ST2. PARK, David E., ENS. PAROUBEK, Richard A., Y1\*. PASKET, Lyle M., S2\*. PATTERSON, Alfred T., S2. PATTERSON, Kenneth G., S1. PATZER, Herman L., EM1. PAULK, Luther D., S2\*. PAYNE, Edward G., S2\*. PAYNE, George D., S2. PENA, Santos A., S1\*. PENDER, Welburn M., F2. PEREZ, Basilio, S2\*. PERKINS, Edward C., F2\*. PERRY, Robert J., S2. PESSOLANO, Michael R., LT. PETERS, Earl J., S2. PETERSON, Avery C., S2\*. PETERSON, DARREL E., S1. PETERSON, Frederick A., MAM3. PETERSON, Glenn H., S1. PETERSON, Ralph R., S2. PETRINCIC, John Nicholas, Jr., FC3. PEYTON, Robert C., STM1. PHILLIPS, Aulton N. Sr., F2. PHILLIPS, Huie H., S2\*. PIERCE, Clyde A., CWTa. PIERCE, Robert W., S2. PIPERATA, Alfred J., MM1. PITMAN, Robert F., S2. PITTMAN, Almore, Jr., ST3. PLEISS, Roger D., F2. PODISH, Paul, S2\*. PODSCHUN, Clifford A., S2\*. POGUE, Herman C., S2\*. POHL, Theodore, F2. POKRYFKA, Donald M., S2. POOR, Gerald M., S2\*. POORE, Albert F., S2. POTRYKUS, Frank P., F2. POTTS, Dale F., S2\*. POWELL, Howard W., F1. POWERS, R. C. Ottis, S2. Poynter, Raymond L., S2. PRAAY, William T., S2. PRATHER, Clarence J., CMMA. PRATT, George R., F1. PRICE, James D., S1\*. PRIESTLE, Ralph A., S2. PRIOR, Walter M., S2. PUCKETT, William C., S2. PUPUIS, John A., S1. PURCEL, Franklin W., S2. PURSEL, Forest V., WT2. PYRON, Freddie H., S1. QUEALY, William C. Jr., PR2\*. RABB, John R., SC1. RAGSDALE, Jean O., S1. RAHN, Alvin W., SK3. RAINES, Clifford Junior, S2. RAINS, Rufus B., S1. RAMIREZ, Ricardo, S1\*. RAMSEYER, Raymond C., RT3. RANDOLPH, Cico, STM1. RATHBONE, Wilson, S2\*. RATHMAN, Frank Junior, S1.

RAWDON, John H., EM3\*. REALING, Lyle O., FC2. REDMAYNE, Richard B., LT\*. REED, Thomas W., EM3. REEMTS, Alvan T., S1. REESE, Jesse E., S2. REEVES, Chester O. B., S1\*. REEVES, Robert A., F2. REGALADO, Robert H., S1. REHNER, Herbert A., S1\*. REID, Curtis F., S2\*. REID, James E., BM2\*. REID, John, LCDR\*. REID, Tommy L., RDM38\*. REILLY, James F., Y1. REINERT, Leroy, F1. REMONDET, Edward J. Jr., S2. REYNOLDS, Alford, GM28\*. REYNOLDS, Andrew E., S1. REYNOLDS, Carleton C., F1. RHEA, Clifford, F2. RHODES, Vernon L., F1. RHOTEN, Roy E., F2. RICE, Albert, STM1. RICH, Garland L., S1. RICHARDSON, John R., S2. RICHARDSON, Joseph G., S2. RIDER, Francis A., RDM3. RILEY, Junior Thomas, BM2. RINEAY, Francis Henry, Jr., S28\*. ROBERTS, Benjamin E., WT1. ROBERTS, Norman H., MM1\*. ROBERTS, Charles, S1. ROBISON, Gerald E., RT3. ROBISON, John D., COX\*. ROBISON, Marzie J., S2. ROCHE, Joseph M., LT. ROCKENBACH, Earl A., SC2. ROESBERRY, Jack R., S1. ROGELL, Henry T., F1. ROGERS, Ralph G., RDM3\*. ROGERS, Ross, Jr., ENS\*. ROLAND, Jack A., PHM1.

ROLLINS, Willard E., RM3. ROMANI, Frank J., HAI. ROOF, Charles W., S2. ROSE, Berson H., GM2. ROSS, Glen E., F2. ROTHMAN, Aaron, RDM3. ROWDEN, Joseph G., F1. ROZZANO, John, Jr., S2. RUDOMANSKI, Eugene W., RT2. RUE, William G., MM1. RUSSELL, Robert A., S2. RUSSELL, Virgil M., COX\*. RUST, Edwin L., S1. RUTHERFORD, Robert A., RM2. RYDZESKI, Frank W., F1. SAATHOFF, Don W., S2\*. SAENZ, Jose A., SC3. SAIN, Albert F., S1. SALINAS, Alfredo A., S1. SAMANO, Nuraldo, S2. SAMPSON, Joseph R., S2. SAMS, Robert C., STM2. SANCHEZ, Alejandro V., S2. SANCHEZ, Fernando S., SC3\*. SAND, Cyrus H., BM1. SANDERS, Everett R., MOMM1. SASSMAN, Gordon W., COX. SCANLAN, Osceola C., S2\*. SCARBROUGH, Fred R., COX. SCHAAP, Marion J., QM1. SCHAEFER, Harry W., S2. SCHAFFER, Edward J., S1. SCHARTON, Elmer D., S1. SCHECHTERLE, Harold J., RDM3\*. SCHEIB, Albert E., F2. SCHEWE, Alfred P., S1. SCHLATTER, Robert L., AOM3. SCHLOTTER, James R., RDM3. SCHMUECK, John A., CPHMP\*. SCHNAPPAUF, Harold J., SK3. SCHOOLEY, Dillard A., COX. SCHUMACHER, Arthur J., Jr., CEMA. SCOGGINS, Millard, SM2.

SCOTT, Burl D., STM2. SCOTT, Curtis M., S1. SCOTT, Hilliard, STM 1. SEABERT, Clarke W., S2\*. SEBASTIAN, Clifford H., RM2. SEDIVI, Alfred J., PHOM2. SELBACH, Walter H., WT2. SELL, Ernest F., EM2. SELLERS, Leonard E., SF3. SELMAN, Amos, S2. SETCHFIELD, Arthur L., COX\*. SEWELL, Loris E., S2. SHAFFER, Robert P., GM3\*. SHAND, Kenneth W., WT2. SHARP, William H., S2\*. SHAW, Calvin P., GM2. SHEARER, Harold J., S2\*. SHELTON, William E. Jr., SM2. SHIELDS, Cecil N., SM2. SHIPMAN, Robert L., GM3. SHOWN, Donald H., CFC\*. SHOWS, Audie B., COX\*. SIKES, Theodore A., ENS. SILCOX, Burnice R., S1. SILVA, Phillip G., S1. SIMCOX, Gordon W., EM3. SIMCOX, John A., F1. SIMPSON, William E., BM2\*. SIMS, Clarence, CK2. SINCLAIR, J. Ray, S2\*. SINGERMAN, David, SM2. SIPIES, John L., S1. SITEK, Henry J., S2\*. SITZLAR, William C., F1. SLADEK, Wayne L., BM1\*. SLANKARD, Jack C., S1\*. SMALLEY, Howard E., S1. SMELTZER, Charles H., S2\*. SMERAGLIA, Michael, RM3. SMITH, Carl M., SM2. SMITH, Charles A., S1. SMITH, Cozell Lee, Jr., COX\*. SMITH, Edwin L., S2. SMITH, Eugene G., BM2.

SMITH, Frederick C., F2\*. SMITH, George R., S1. SMITH, Guy N., FC2. SMITH, Henry A., F1. SMITH, Homer L., F2. SMITH, James W., S2\*. SMITH, Kenneth D., S2. SMITH, Olen E., CM3. SNYDER, John N., SF2. SNYDER, Richard R., S1. SOLOMON, William,

Jr., S2. SORDIA, Ralph, S2. SOSPIZIO, Andre, EM3\*. SPARKS, Charles B., COX. SPEER, Lowell E., RT3. SPENCER, Daniel F., S1\*. SPENCER, James D., LT. SPENCER, Roger, S1\*. SPECNER, Sidney A., WO. SPINDLE, Orval A., S1. SPINELLI, John A., SC2\*. SPOMER, Elmer 3., SF2. St. PIERRE, Leslie R., MM2. STADLER, Robert H., WT3. STAMM, Florian M., S2\*. STANFORTH, David E., F2. STANKOWSKI, Archie J., S2. STANTURF, Frederick R., MM2. STEIGERWALD, Fred, GM2. STEPHENS, Richard P., S2\*. STEVENS, George G., WT2\*. STEVENS, Wayne A., MM2. STEWART, Glenn W., CFCP\*. STEWART, Thomas A., SK2. STICKLEY, Charles B. GM3. STIER, William G., S1. STIMSON, David, ENS. STONE, Dale E., S2. STONE, Homer B., Y1. STOUT, Kenneth I., LCDR. STRAIN, Joseph M., S2. STREICH, Allen C., RM2\*. STICKLAND, George T., S2.

STRIETER, Robert C., S2. STRIPE, William S., S2. STROM, Donald A., S2. STROMKO, Joseph A., F2. STRYFFELER, Virgil L., F2. STUECKLE, Robert L., S2. STURTEVANT, Elwyn L., RM2\*. SUDANO, Angelo A., SSML3. SUHR, Jerome R., S2. SULLIVAN, James P., S2. SULLIVAN, William D., PTR2. SUTER, Frnak E., S1\*. SWANSON, Robert H., MM2. SWART, Robert L., LT (jg). SWINDELL, Jerome H., F2. TAGGART, Thomas H., S1. TALLEY, Dewell E., RM2. TAWATER, Charles H., F1\*. TEERLINK, David S., CWO. TELFORD, Arno J., RT3. TERRY, Robert W., S1. THELEN, Richard P., S2\*. THIELSCHER, Robert T., CRTP. THOMAS, Ivan M., S1\*. THOMPSON, David A., EM3\*. THORPE, Everett N., WT3. THURKETTLE, William C., S2\*. TIDWELL, James F., S2. TISTHAMMER, Bernard E., CGMA. TOCE, Nicolo, S2. TODD, Harold O., CM3. TORRETTA, John Mickey, F1\*. TOSH, Bill H., RDM3. TRIEMER, Ernst A., ENS. TROTTER, Arthur C., RM2. TRUDEAU, Edmond A., LT. TRUE, Roger O., S2. TRUITT, Robert E., RM2. TRYON, Frederick B., BUG2. TULL, James A., S1. TURNER, Charles M., S2\*. TURNER, William C., MM2. TURNER, William H., Jr., ACMMA. TWIBLE, Harlan M., ENS\*.

ULIBARRI, Antonio D., S2. ULLMANN, Paul E., LT (jg). UMENHOFFER, Lyle E., S1\*. UNDERWOOD, Carey L., S1. UNDERWOOD, Ralph E., S1\*. VAN METER, Joseph W., WT3\*. WAKEFIELD, James N., S1. WALKER, A.W., STM1. WALKER, Jack E., RM2. WALKER, Verner B., F2\*. WALLACE, Earl J., RDM3. WALLACE, John, RDM3. WALTERS, Donald H., F1. WARREN, William R., RT3. WATERS, Jack L., CYA. WATSON, Winston H., F2. WELLS, Charles O., S1\*. WELLS, Gerald Lloyd, EM3. WENNERHOLM, Wayne L., COX. WENZEL, Ray G., RT3. WHALEN, Stuart D., GM2. WHALLON, Louis E., Jr., LT (jg). WHITE, Earl C., TC1. WHITE, Howard M., CWTp. WHITING, George A., F2\*. WHITMAN, Robert T., LT. WILCOX, Lindsey Z., WT2\*. WILEMAN, Roy W., PHM3. WILLARD, Merrinran D., PHM2. WILLIAMS, Billie J., MM2. WILLIAMS, Magellan, STM1. WILLIAMS, Robert L., WO. WILSON, Frank, F2. WILSON, Thomas B., S1. WISNIEWSKI, Stanley, F2\*. WITMER, Milton R., EM2. WITZIG, Robert M., FC3\*. WOJCIECHOWSKI, Maryian J., GM2. WOLFE, Floyd R., GM3. WOODS, Leonard T., CWO. WOOLSTON, John, ENS\*. YEAPLE, Jack T., Y3. ZINK, Charles W., EM2\*. ZOBAL, Francis J., S2.

## MARINE DETACHMENT

BRINKER, David A., PFC. BROWN, Orlo N., PFC. BUSH, John R., PVT. CROMLING, Charles J., Jr., PLTSGT. DAVIS, William H., PFC. DUPECK, Albert Jr., PFC. GREENWALD, Jacob, 1st SGT\*. GRIMM, Loren E., PFC. HANCOCK, Thomas A., PFC.

HARRELL, Edgar A., CPL\*. HOLLAND, John F. Jr., PFC. HUBBARD, Gordon R., PFC. HUBBRD, Leland R., PFC. HUGHES, Max M., PFC\*. JACOB, Melvin C., PFC\* KENWORTHY, Glenn W., CPL. KIRCHNER, John H., PVT. LARSEN, Harlan D., PFC. LEES, Henry W., PFC. MARTTILA, Howard W., PVT. McCOY, Giles G., PFC\*. MESSENGER, Leonard J., PFC. MUNSON, Bryan C., PFC. MURPHY, Charles T., PFC. NEAL, William F., PFC. PARKE, Edward L., CAPT. REDD, Robert F., PVT. REINOLD, George, H., PFC. RICH, Raymond A., RIGGINS, Earl, PVT\*. ROSE, Francis E., PFC. SPINO, Frank J., PFC. SPOONER, Miles L., PVT\*. STAUFFER, Edward H., 1st LT. STRAUGHN, Howard V. Jr., CPL. THOMSEN, Arthur A., PFC. TRACY, Richard I. Jr., SGT. UFFELMAN, Paul R. PFC\*. WYCH, Robert A. PFC.

\*Indicates a survivor.

#### ADDITIONAL COSPONSORS

S. 42

At the request of Mr. HELMS, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 42, a bill to amend title X of the Public Health Service Act to permit family planning projects to offer adoption services.

S. 171

At the request of Mr. MOYNIHAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 171, a bill to amend the Clean Air Act to limit the concentration of sulfur in gasoline used in motor vehicles.

S. 242

At the request of Mr. JOHNSON, the names of the Senator from Nebraska (Mr. KERREY) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 327

At the request of Mr. HAGEL, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 327, a bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions.

S. 455

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 455, a bill to amend the Immigration and Nationality Act with respect to the requirements for the admission of nonimmigrant nurses who will practice in health professional shortage areas.

S. 459

At the request of Mr. BREAUX, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from West Vir-

ginia (Mr. BYRD) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 495

At the request of Mr. BOND, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 495, a bill to amend the Clean Air Act to repeal the highway sanctions.

S. 506

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 506, a bill to amend the Internal Revenue Code of 1986 to permanently extend the provisions which allow non-refundable personal credits to be fully allowed against regular tax liability.

S. 512

At the request of Mr. GORTON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 635

At the request of Mr. MACK, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 635, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 676

At the request of Mr. CAMPBELL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 684

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 684, a bill to amend title 11, United States Code, to provide for family fishermen, and to make chapter 12 of title 11, United States Code, permanent.

S. 693

At the request of Mr. HELMS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 718

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 718, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service.

S. 800

At the request of Mr. BURNS, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 800, a bill to promote and enhance public safety through the use of 9-1-1 as the universal emergency assistance number, further deployment of wireless 9-1-1 service, support of States in upgrading 9-1-1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 820

At the request of Mr. CHAFEE, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 870

At the request of Ms. COLLINS, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 870, a bill to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes.

S. 879

At the request of Mr. CONRAD, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements.

S. 881

At the request of Mr. BENNETT, the name of the Senator from Kentucky (Mr. McCONNELL) was added as a cosponsor of S. 881, a bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes.

S. 908

At the request of Mr. DORGAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 908, a bill to establish a comprehensive program to ensure the safety of food products intended for human