Reauthorization: Williams/Coleman Compromise (October 27, 1990): Report 11

Follow this and additional works at: https://digitalcommons.uri.edu/pell_neh_I_79

Recommended Citation
https://digitalcommons.uri.edu/pell_neh_I_79/2

This Report is brought to you for free and open access by the Education: National Endowment for the Arts and Humanities, Subject Files I (1973-1996) at DigitalCommons@URI. It has been accepted for inclusion in Reauthorization: Williams/Coleman Compromise (October 27, 1990) by an authorized administrator of DigitalCommons@URI. For more information, please contact digitalcommons-group@uri.edu.
The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. BoscoJ].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.
September 18, 1991.

I hereby designate the Honorable David E. Bosco to act as Speaker pro tempore on Thursday, September 19, 1991.

THOMAS S. POLK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

May Your blessing, gracious God, that spans all the days and extends to every situation, be with all who turn to You in prayer. We admit, O God, that there are times when our human spirit is weak and our spiritual strength is not as it ought to be, and we are not the people we should be. Yet, O loving God, we know Your love surrounds each person at every moment, and Your goodness is ever present. May Your reconciling love be with all Your people, now and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan [Mrs. Collins] please come forward and lead the House in the Pledge of Allegiance.

Mrs. Collins of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed, without amendment a joint resolution of the House of the following title:


The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1106) entitled "An act to amend the Individuals with Disabilities Education Act to strengthen such act, and for other purposes."

The message also announced that, pursuant to Executive Order 12131, as amended, signed by the President May 4, 1979, and extended by Executive Order 12692, signed by the President September 30, 1989, the Chair appoints Mr. Baucus, to the President's Export Council.

ELECTION OF MEMBER TO THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

Mr. Michel. Mr. Speaker, I call up a privileged resolution (H. Res. 223) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 223

Resolved, That Representative Johnson of Texas be and is hereby elected to the Committee on Science, Space, and Technology.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1400

Mr. Michel. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Texas [Mr. Wilson] be removed as a cosponsor of the bill, H.R. 1400.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE ANSWER TO OUR HEALTH CARE PROBLEM IS A NATIONAL HEALTH INSURANCE SYSTEM

(Mr. Schueuer asked and was given permission to address the House for 1 minute.)

Mr. Schueuer. Mr. Speaker, our Nation's health care system, at a cost of over $600 billion per year, excludes 37 million Americans, is wasteful, cost ineffective, and a drain on the Nation's human and capital resources.

As Joe White of the Brookings Institution wrote in the Washington Post:

"The simplest system could save huge amounts of administrative expense."

We have soaring health care costs because—as the GAO and the New England Journal of Medicine have documented—we waste between $67 and $123 billion a year pushing paper rather than treating patients. Mr. White concluded that a single-payer system is not politically practical because the entire private health care insurance industry would be virtually abolished.

But the simple truth is—our country can no longer afford to waste $100 billion a year. Military base closings were politically unpopular—but everyone
agrees that we can no longer afford oversized defense budgets.

Assistance was given to relocate and retrain affected individuals, and our Nation’s economic future is brighter than it would have been without the change.

Overhauling the health care system by ultimately providing national health insurance will not only rationalize health care delivery but will finance what is unimaginable today—maternal and child care for all mothers and young children, long-term care for seniors and comprehensive and catastrophic health insurance for everyone.

Currently, we spend roughly 12 percent of our GNP on health care compared, to an average of less than 8 percent for other industrialized nations.

The United States ranks first in health care spending per capita, yet 24th among industrialized nations in preventing infant mortality and 18th in life expectancy.

In short, there are enough people now employed in the health sector to provide access to quality health care for all Americans. Our goal must be to eliminate the wasteful practices of the 1,500 insurance companies in this Nation and capitalize on the savings.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Madam Speaker, I ask for this 1 minute so that I might inquire of the distinguished majority whip, the gentleman from Michigan [Mr. Bonior], the program for next week.

Mr. BONIOR. Madam Speaker, will the gentleman yield?

Mr. MICHEL. Madam Speaker, I am happy to yield to the distinguished member.

Mr. BONIOR. Madam Speaker, the program for the House of Representatives for the week of the 23d of September is as follows:

On Monday we will meet at noon. We will have one suspension, and recorded votes on the suspension will be postponed until Tuesday, September 24, if so ordered. That suspension is the Rail Safety Enforcement and Review Act.

On Tuesday we will meet at noon, and the Speaker intends to recognize the Committee on Appropriations for the purposes of appointing conferences on eight Senate-passed appropriations bills, and of course motions to instruct on those bills are in conference, going to conference, may be possible. There will be also five suspensions. Recorded votes on those suspensions will be postponed until after the debate on all the suspensions: H.R. 2654, Truth in Savings Act; H.R. 1674, the Federal Communications Commission Authorization Act of 1991; H.R. 2181, Cuyahoga National Recreation Area; H.R. 2970, Stones River National Battlefield in Tennessee, and the fifth one is Senate bill (S. 683), Morristown National Historic Park.

On Wednesday, September 25 and the balance of the week we will meet at 10, and we will consider the following pieces of legislation. We will consider H.R. 1426, which is the Federal recognition of the Lumbee Tribe of Cheraw Indians of North Carolina, again subject to a rule. It is an interior bill of some controversy. H.R. 3039, the Defense Production Act Amendments of 1991 is a possibility. Then H.R. 2900, the Government-sponsored housing enterprises financial safety bill. Of course both the latter two are subject to rules.

Conference reports may be brought up at any time, and any further announcements will be made later, Mr. Leader.

Mr. MICHEL. Might I inquire of the distinguished whip what the prospects might be of a Friday session next week?

0 1010

Mr. BONIOR. Madam Speaker, there are anticipated votes on Friday of next week.

Mr. MICHEL. The gentleman does anticipate votes on Friday?

Mr. BONIOR. We are anticipating meeting on Friday.

Mr. MICHEL. I thank the gentleman. The program does not appear to be that full, and Members have been badgering us, as I am sure they do the gentleman on his side.

Mr. BONIOR. Well, it is the end of the fiscal year, and with that brings all the complications of the legislative process. The Speaker well knows, and of course, we have the appropriation bills that are going to conference, and I assume some will be coming back. There are other issues. There is the possibility of other issues reaching the House floor.

Mr. MICHEL. Madam Speaker, I thank the gentleman for his response. I was obliged to make the inquiry.

PASSIVE LOSS PROVISIONS

(Mr. McMILL len of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McMILL len of Maryland. Mr. Speaker, anytime Government policy disrupts the balance of the market, there will be a price to pay. The policies of the early 1980’s skewed economic decision making.

I am concerned, however, that Federal policy reacted too strongly to this situation. The Congress passed the passive loss provisions in 1986 is now skewing economic decision making in a different direction.

The law currently treats all rental real estate activities as passive activities. Thus, a real estate professional cannot offset legitimate rental losses from other income. This means that real estate investors are paying taxes on gross income and not net income.

This clearly has a negative impact—and not just on the real estate industry; it is also hurting our financial industries.

Consequently, we will not see a significant economic rebound until we see real estate back on its feet, and we need to change the passive loss provisions to see that happen.

I commend my colleagues Mr. Amess and Mrs. Black for introducing H.R. 1414 to provide a less restrictive treatment of passive losses. This is a necessary step toward reviving a moribund economy.

PROPOSED TERMS FOR AID TO THE SOVIET UNION

(Mr. McEWEN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. McEWEN. Madam Speaker, in today’s paper it says that the United States promises-Soviet emergency aid, and that Brady and Greenspan are telling the Premier of easier loan terms for food aid.

Madam Speaker, after 74 years of communism there is no question but what people are starving and are in very, very dire straits throughout the Communist empire. However, we do not lend through nuclear warheads aimed at the United States, with a total of 30,000 nuclear warheads in the possession of the Soviet Union, and I believe that before we begin to go down this road it is important for the United States to make a little gold pro quo here. Let me give the Members an example.

One week before the end of World War II, Stalin jumped in on the side of the Allies again, and with the peace treaty of World War II the Soviet Union stole four islands from the Japanese.

The Japanese have told the Soviet Union that they are sympathetic to their plight, but unless they get their four islands back, the Japanese are not going to assist them in their economic dilemma. The Japanese, in my judgment, will sometime within the year get their four islands back.

I respect that kind of negotiating, and I believe the United States should recognize that the Soviet Union has stolen all the gold and jewels throughout Eastern Europe. They possess presently, according to estimates, somewhere between $34 billion and $43 billion in gold bullion. They have the second largest reserves in oil, and they have the largest strategic metal reserves anywhere outside of South Africa.

Therefore, Madam Speaker, since they have this great treasure trove with which to bargain, I believe the United States should help them imme-
THE ECONOMICS OF CAPITAL GAINS

The SPEAKER pro tempore (Mrs. Collins of Michigan). Under a previous order of the House, the gentleman from Ohio [Mr. McEwen] is recognized for 5 minutes.

Mr. McEwen. Madam Speaker, the economist confided this morning, at 8 o'clock, that the Department of Labor announced that the economy is not producing jobs as we would like to see it.

Madam Speaker, there is a simple basic truth you can tax something, you get less of that thing. In 1978 Jimmy Carter said we ought to tax the production of energy. We passed a $55 billion tax on the production of oil in the United States. So people said, "If we go into the farming business or we make automobiles, we are taxed at one rate, but if we produce energy, we will get slapped with a very special tax, so we won't do that."

As a result, we had gas lines in 1978, 1979, 1980, and 1981. Ronald Reagan came in and said, "Let's not do that. Let's do away with these regulations."

That's what happened? Within 24 hours the gas lines disappeared, and from March 1981 until now they have no longer been in existence and gasoline at the pump today is 44 cents cheaper than it was in 1981.

The basic, common principle is this: If you tax savings, you will get less savings; if you tax income, you will get less income; if you tax productivity, you will get less productivity; and if you tax capital formation, you will get less capital formation. That is why Hong Kong has a zero tax on capital formation. That is why South Korea has a zero tax on capital formation. That is why we want to create jobs.

It takes in America an estimated $160,000 to $180,000 to create one job, and so from 1981 until 1985 in America we lowered the tax on capital formation and we created millions of new jobs, an average of 380,000 jobs a month.

In 1986 we began to increase the tax on capital formation. In the United States, out of the seven major industrialized nations, we were the cheapest in the early 1980's. We began to drop to second, third, fourth, fifth, and sixth, and today we are seventh, and in fact the tax on capital formation in America is the highest of the industrialized world. Therefore, we discourage the formation of capital in America and America is going to continue to lag behind.

From 1982 until 1990, two out of every three jobs created on this planet were created in the United States of America. We created twice as many jobs as the rest of the world combined.

In the late 1980's and early 1990's, we have begun to increase the taxes on capital formation, until now we are beginning to drop to second and third and fourth, as money is beginning to go elsewhere again.

Do you remember in the 1970's, people built jobs where? Mexico, Brazil, Taiwan.

In the 1980's you only built plants in one place, one place, the United States. If you were a Verenich, an American businessman, a Japanese businessman, you only built plants in one place in the 1980's, in the United States. That was the place to put workers to work and create wealth.

Now we have the same problems that we had. We don't need to talk about that. I believe the Democratic Party, which prides itself on its capacity to deny people the right to advance, should get off of this hobby horse and allow us to cut taxes on capital gains, to get us back into the formation of jobs and the economy moving again, before it is too late.

TRIBUTE TO UNIVERSITY OF ARKANSAS AT FAYETTEVILLE

The SPEAKER pro tempore (Mrs. Collins of Michigan). Under a previous order of the House, the gentleman from Arkansas [Mr. Anthony] is recognized for 5 minutes.

Mr. Anthony. Madam Speaker, I rise today to make a tribute to the University, the University of Arkansas at Fayetteville, as they celebrate the rededication of Old Main on September 21, 1991. On March 27, 1991 the University of Arkansas celebrated its 120th birthday.

The history of Old Main is as important as the cultures of Arkansas, and its foundation is as strong today as it was then it was constructed; indicative of the true craftsmanship and personal pride used to build this structure.

This same strength and pride has managed to touch and inspire many persons, for well over 100 years. I was one of those who passed through the doors of this hallowed institution which provided the solid foundation that allowed me and the other countless young minds, whose envisioned dreams were molded into secure futures, strong characters and solid morals.

Despite the country's turmoil after the Civil War, Old Main's birth, yet tedious, moved forward. Today, Old Main has been placed on the National Register of Historic Places, and all the colleges now on campus can trace their birthplace back to Old Main.

The law school, which I attended, was established in 1926 and was housed in two rooms in the basement of Old Main. The Honorable Claude D. Pepper, our distinguished
colleague whom we all remember with respect, was one of three original faculty members who shared a corner office immediately south of the classroom.

In 1949, memorial bells were placed in honor of the university students who lost their lives in service during World War II. These bells were quarter hour, half hour and the hour, with the hour tone equal to the tone of London's Big Ben.

In the University's Alma Mater, author, Brodie Payne, class of 1906, wrote "Beacon of Hope in the ways dreary lighted." At the time he wrote this, he had not seen the old 1875 building which was built with oil chandeliers. Yet the words not only described the halls of this valued building, but they signified the type of encouragement and support that was part of the curriculum taught to us, providing the strength to overcome life's many obstacles and striving to achieve only the best.

It is with great pride, therefore, that I submit this to the record to show not only my gratitude for the basic foundation of my moral character, but behind my accomplishments of today, but to share with you this statement on Old Main:

As the years passed, renovations and additions to the internal structure of the building were done so that an elevator to the top floor was installed, but the substantial basic character of the building remains as it was at the University's beginning, a solid foundation that dominates not only the campus but all the surrounding countryside, and that is the tangible symbol of what the University of Arkansas stands for and is, in the minds of hundreds of thousands of Arkansans, living and dead, not only in the State, but scattered now throughout the world.

THE FEDERAL DEBT MANAGEMENT RESPONSIBILITY ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Illinois [Mr. Rostenkowski] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Madam Speaker, today I lay on the table H.R. 3365, the Federal Debt Management Responsibility Act of 1991. Government sponsored enterprises [GSE's] are generally privately owned, Government-chartered enterprises that conduct specific credit or policy functions.

GSE's, along with corporations owned in whole or in part by the Federal Government—collectively, Government-related corporations—enjoy several benefits of Government sponsorship, typically including the authority to borrow from the Federal Treasury.

The purpose of the legislation I am introducing today is to ensure that the potential impact on the Federal debt of the authority of a newly formed Government-related corporation to borrow from the Federal Government is carefully reviewed in light of its financial viability.

Mr. Speaker, the repayment of obligations of Government-related corporations typically is not legally backed by the full faith and credit of the Federal Government, because of the Federal Government's sponsorship of, and the special benefits granted to these entities, the credit markets rely on the moral obligation of the Federal Government to back the obligations of many of these entities, thus implying a risk of default.

Fed sponsored corporation bonds issued by these entities compete in the credit markets with the U.S. bonded indebtedness issued by the Treasury Department.

The President's budget for fiscal year 1992 reports that borrowing by GSE's totaled $141.6 billion in 1991 and further estimates that this will grow to $981.2 billion in fiscal year 1991 and $1.056 trillion in fiscal year 1992.

As the result of concerns over the potential liability to the Federal Government created by the debt issued by Government-related corporations, Congress and the administration have conducted several studies relating to the operations and credit risks associated with these entities. These reports and studies culminated in provisions contained in the Omnibus Budget Reconciliation Act of 1990 that provide a basis for House consideration of legislation improving the operations and creditworthiness of these entities, and minimizing the possibility that such entities might require future financial assistance from the Federal Government.

The ability of a Government-related corporation to borrow from the Federal Government may result in the Government's lending of funds to a financially risky entity. The legislation I introduce today seeks to ensure that, prior to the granting of this borrowing authority and the commensurate responsibility of the Federal Government for lending public debt proceeds to the entity, the creditworthiness of such an entity and any potential effect on Federal interest rates would be reviewed. If the U.S. Government is to borrow amounts as public debt and lend such amounts to a Government-related corporation, then the Congress has both the right and the responsibility to consider the ability of that corporation to repay such borrowings before such authority is granted.

Technically, H.R. 3365 provides that bonded indebtedness of the United States cannot be issued and the proceeds lent to a GSE or corporation owned in whole or part by the Federal Government, unless the entity is listed in title 31, chapter 31 of the United States Code relating to issuances and uses of bonded indebtedness of the United States, or the entity is governed by an appropriations act. A proposed amendment would require that prior to the granting of such authority, each entity and any potential effect on Federal interest rates would be reviewed. If the U.S. Government is to borrow amounts as public debt and lend such amounts to a Government-related corporation, the Congress has both the right and the responsibility to consider the ability of that corporation to repay such borrowings before such authority is granted.

The bill also requires the Treasury Department to submit a report to Congress on an annual basis regarding the impact of overall levels of government-related corporation debt on the interest rates and amounts of discount from par of the public debt of the United States, and the impact on the marketability of such bonded indebtedness. The purpose of this report is to provide the Congress with an annual analysis of the impact of the borrowing of government-related corporations on the overall market for government securities.

Some corporations owned in whole or in part by the Federal Government, because of their financial standing or size, may have no substantial impact on the public debt. Such entities, if left unregulated, would not have to be analyzed as part of the annual report.

Mr. Speaker, I hope that this legislation, along with other legislative proposals of other committees relating to currently existing government-related organizations, will provide a basis for more responsible fiscal decisionmaking with respect to these entities, and reduce the potential financial risks of these entities to the Federal Government and the American taxpayer.

A copy of the legislation appears below:

H.R. 3365

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 "Federal Debt Management Responsibility Act of 1991."

SEC. 2. RESTRICTION AND EVALUATION OF BORROWING AUTHORITY OF CERTAIN GOVERNMENT-RELATED CORPORATIONS.

(a) IN GENERAL.—Chapter 31 of title 31, United States Code (relating to the public debt), is amended by adding at the end the following new subsection:

"SUBSECTION III—RESTRICTION AND EVALUATION OF BORROWING AUTHORITY OF CERTAIN GOVERNMENT-RELATED CORPORATIONS"

"§ 3141. Limitation on issuance of Treasury obligations and amounts to certain newly established Government-related corporations.

"(a) IN GENERAL.—No obligation may be issued under subchapter I if any of the proceeds or such obligations will be used to lend any amount to a newly established Government-related corporation under any authority of such corporation to borrow from the Treasury, unless:

"(1) such corporation is a qualified corporation, or

"(2) such borrowing is approved in advance as an appropriations Act.

"(b) NEWLY ESTABLISHED GOVERNMENT-RELATED CORPORATION.—For purposes of this section:

"(1) IN GENERAL.—The term 'newly established Government-related corporation' means any Government-related corporation that is established after September 19, 1991.

"(2) GOVERNMENT-RELATED CORPORATION.—The term 'Government-related corporation' means—

"(A) any corporation owned in whole or in part by the Federal Government, and

"(B) any privately owned Government-sponsored enterprise.

"(c) QUALIFIED CORPORATION.—For purposes of this section, the term 'qualified corporation' means any newly established Government-related corporation which is hereafter designated in this subsection as a qualified corporation. /

"§ 3142. Annual report on impact or borrowing by Government-related corporations on public debt

"(a) GENERAL REQUIREMENT.—The Secretary of the Treasury shall annually prepare and submit to the Congress a report setting forth the impact of the issuance or guarantee of securities by Government-related corporations (as defined in section 3141(b)(2)) on—

"(1) the rate of interest and amount of discount offered on obligations issued by the Secretary under subsection I, and

"(2) the marketability of government securities.

"(b) DEADLINE.—The report required by subsection (a) shall be submitted to the Congress by October 1 of the 1st calendar year beginning after the date of the enactment of this section, and by each October 1 thereafter."
CRISIS IN YUGOSLAVIA

President Tudiman stated:

OPEN LETTER TO THE PEOPLE OF THE UNITED STATES

In the spirit of reconciliation and the everlasting hope that peace can be achieved, I, both personally and as elected representative of the people of Croatia pledge to uphold the constitutional guarantee that the human rights of Serbians and other minorities in Croatia will be protected. I am committed to the protection of human rights of all minorities in Croatia. I am committed to ensuring that the constitutional guarantees of those human rights are upheld.

The Government of Croatia stands solidly behind the constitutional guarantees. The preamble to the Croatian Constitution states: "The Republic of Croatia is composed as the national state of the Croatian people and all minorities who are citizens of Croatia, including Serbs, Muslims, Slovenes, Czechs, Slovaks, Croats, Hungarians, Jews and others, for whom equality with those citizens of Croatian nationality is guaranteed as a constitutional right in accordance with the democratic norms of the United Nations and all countries in the democratic world."

Article 14 of the Croatian Constitution states:

"Citizens of the Republic of Croatia shall enjoy all rights and freedoms, regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, education, social status or other properties. All shall be equal under law."

The Speaker pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Annunzio) is recognized for 8 minutes.

Mr. ANNUNZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

The Speaker pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Gonzalez) is recognized for 60 minutes.

Mr. GONZALEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

The Speaker pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. Wolf) is recognized for 60 minutes.

Mr. WOLF, Madam Speaker, I want to make a personal statement and join with the gentleman from New Jersey (Mr. Smith), who, both of us the week before last, had the opportunity to visit Yugoslavia.

During that visit we met with leaders on both sides, President Tudiman and President Milosevic, one in Zagreb and one in Belgrade. Also we met with the Cardinal of the Catholic Church in Zagreb and the Patriarch of the Orthodox Church in Belgrade, and a number of other people. Mr. Speaker, we can go into a little more detail on some of those meetings.

We visited the fighting zone in Osijek, which is now under siege, and also in Vukovar, which has been bombed many, many times by the Yugoslav People's Army, which is massacring people with heavy armament.

I take this time today to share with my colleagues, and hopefully someone, and I am not sure this will be today, but hopefully someone in the Bush administration will focus on this issue and realize that so many people are dying.

I think just in the last few days there have been up to 34 people killed, and more than 450 people have died in fighting since the beginning. Hundreds, and perhaps thousands have been expelled, and thousands have been forced to leave their homes.

We had an opportunity to view the war firsthand. We spoke with people on all sides. It is my belief that the U.S. Government cannot, nor can the Bush administration, nor can this Congress, remain silent as more die every day.

Last night, the same as with the last several times, the cease-fire in Croatia has been quickly unravelling, as Zagreb was hit for the first time with heavy shelling and bombing. The chief Serb negotiator said Croatian minorities if this truce fails, there is little more that mediators can do.

As a strong supporter of the Bush administration, I urge the President to make a strong statement condemning these war crimes and human acts. This is a complex conflict, and the difficulties will not be resolved easily, but it is important for our administration to help those who stand and to condemn the violence.

When Representative Smith and I were going through a bomb shelter in Vukovar and it was dark, someone said here are two Congressmen from the United States, One-Sargeant Castine hollered out, "What is the United States going to do to stop the killing and the deaths?"

People want to see the United States speak out to stop the fighting and stop the killing.

I want to read a letter that was sent to the American people yesterday by President Tudiman. When we met with President Tudiman, we raised the issue of protecting the rights of the Serbs and other minorities who now live in Croatia.

I said to President Tudiman that I would be concerned if I were a Serb living in Croatia, and asked how can he guarantee his human rights? This is what the President yesterday sent in a letter to the American people and to the President of the United States. He said this in a spirit of reconciliation, and, believe me, if there ever were two major powers that need reconciliation, it is this country.

President Tudiman stated:

OPEN LETTER TO THE PEOPLE OF THE UNITED STATES

In the spirit of reconciliation and the everlasting hope that peace can be achieved, I, both personally and as elected representative of the people of Croatia, pledge to uphold the constitutional guarantee that the human rights of Serbians and other minorities in Croatia will be protected.

I am committed to the protection of human rights of all minorities in Croatia. I am committed to ensuring that the constitutional guarantees of those human rights are upheld.

The Government of Croatia stands solidly behind the constitutional guarantees. The preamble to the Croatian Constitution states: "The Republic of Croatia is composed as the national state of the Croatian people and all minorities who are citizens of Croatia, including Serbs, Muslims, Slovenes, Czechs, Slovaks, Croats, Hungarians, Jews and others, for whom equality with those citizens of Croatian nationality is guaranteed as a constitutional right in accordance with the democratic norms of the United Nations and all countries in the democratic world."

Article 14 of the Croatian Constitution states:

"Citizens of the Republic of Croatia shall enjoy all rights and freedoms, regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, education, social status or other properties. All shall be equal under law."

Mr. SMITH of New Jersey, Madam Speaker, will the gentleman yield?
Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey, Madam Speaker, I thank my friend, the gentleman from Virginia [Mr. Wolf] for reserving this special order and for his leadership in helping put together our trip which put together very, very quickly, when we realized that Yugoslavia was on the precipice, was on the edge of careening off the edge, that would literally take the lives of thousands of people, men, women, and children, combatant and noncombatant. We believed that if anything could be done to avert that war, it had to be done.

Mr. WOLF. Richard McCormack, the former Under Secretary of State, the No. 4 man at the State Department, and I undertook the trip. It was a 6-day peace mission, which was completed in early September. While we were there, people were losing their lives, there was fighting. We saw evidence of it in Vukovar and Osijek, two cities that have been laid siege upon by Serbian irregulars and by the Yugoslav Army.

For example, in Vukovar, which was largely evacuated except for a number of people who refused to leave or were afraid to leave, we literally entered the city by going through a cornfield. I only say that to underscore the situation.

 Tanks surround Vukovar. Tanks that could close in any day and completely level the city. Many of the buildings have already been pulverized and destroyed, and tragically many people have been killed. The estimates are, and I am sure these are underestimates, that in excess of 450 people have died thus far in the fighting.

I think when we get a full picture of what is going on in Yugoslavia, the death count and the casualty count will be much higher.

In Osijek, we also saw people under siege. The gentleman from Virginia [Mr. Wolf], Richard McCormack and I and other members of our party, visited the hospital where we saw wounded noncombatants laying in hospital beds.

In one case, a man who was in his jogging shorts had been out jogging. He was apprehended by Yugoslav militiamen, and he was shot.

We know that at this point approximately one-third of Croatia has been conquered by the Serb irregulars and by the Yugoslav Army. The war is under way, and clearly more needs to be done to stop this war.

I would be remiss if I did not point out that those of us who have watched this very carefully commend the tireless efforts of the leaders of the European Community, men and women who have worked hard in an attempt to broker peace in war-torn Yugoslavia. Peacemakers like Lord Peter Carrington have our deepest gratitude, have our respect, and for sure they have our prayers. Earlier this week, when Lord Carrington secured yet another cease-fire from Croatian President Tudjman and Serbian President Milosevic, as well as the Federal Defense Minister, the statement noted that "The country is only days away from a state of irretrievable civil war." We say that on the edge, that would literally take the lives of thousands of people, men, women, and children, combatant and noncombatant.

Reports of escalation of fighting in Yugoslavia both yesterday and today suggest that events are on the verge of simply out of control. I believe, and I know the gentleman from Virginia [Mr. Wolf] concurs in this, that we, especially those of us living in the safe harbors of the West and in the United States, cannot leave a single stone unturned in our quest for peace. The time has come for the United States to ratchet up its efforts to avert war, to mitigate tensions, and to warn the warmakers, particularly in Belgrade because it seems as if that is where the real problem lies. It seems to me that, if Milosevic and the army were to pull back from their positions and return to their barracks, there would be a lessening of tensions and the army would be secured. We must warn them in no uncertain terms that they face certain economic and political isolation for their part in this violence.

As I think many Members of both the House and the Senate are aware, EC peace observers in the region are unarmed. Even European diplomats have told us they are not doing the job, simply because they are not in the combat zones and their deployment in Croatia has not been an effective deterrence to those who would commit violence.

Thus, it becomes very clear the situation demands greater deterrence. There is a story on the AP wire this morning suggesting that both President Mitterrand and Germany now back deployment of a European peacekeeping force in Yugoslavia in an effort to stem the escalating violence.

According to President Mitterrand, France and Germany will propose their plan at today's crisis meeting being held by the EC at The Hague. He has suggested that both EC and the U.N. approval are required to send in a peacekeeping force.

I would hope that our President, and I join the gentleman from Virginia [Mr. Wolf] in thinking that President Bush come out very loud and clear on this issue and do so today, do so at this very opportune moment. In looking at the situation where originally it was thought, and the Yugoslav Army said, that the army was playing a peacekeeping role, it is very clear from the evidence that the Yugoslav Army has sided with the Serbian irregulars.

They have been against the Croats. The army has joined the aggressors rather than trying to separate the warring parties. Hopefully a peacekeeping force, international in scope and preferably under U.N. auspices, or perhaps under the Western European Union which has a capability legally to configure such a force, can be deployed and effectively separate the warring factions so that there will not be any further bloodshed.

Also, I want to reiterate a point that my colleague has made. Yesterday President Tudjman faxed to the gentleman from Virginia, Congressman Wolf the letter which was read earlier and will be in the Record. It is important to underscore the fact that the Croatian President has made a very up front pledge that he and his government will stand in favor of protecting minority rights, particularly for the 600,000 Serbs who currently live in Croatia. I think these kinds of guarantees backed up with those which are already on the table, will give the assurance that, notwithstanding a very bloody and a very checkered past, Croatia is hopefully evolving into a more humane and just society and will protect the Serbian minority in the future.

The peacekeeping force that hopefully will be deployed, if it is mobilized quickly and if the United States is in concurrence and is highly visible, there is a very prospect that this could lead to an armistice and even a peace agreement. It was made a very up front pledge that there would be a cease-fire if any part of Yugoslavia was to pull back from their positions. With the deployment of a European peacekeeping force, putting a diplomatic pressure on President Milosevic for a cease-fire, we must not be any further bloodshed.

Again, I thank my good friend for taking this special order. The time to act, President Bush, is now.

Mr. WOLF. Madam Speaker, I thank the gentleman from New Jersey [Mr. Smith] for his statement.

In closing, to reiterate my own personal feelings, frankly, I do not know if anyone is watching this at the State Department or if they watch us at the White House.

The gentleman from New Jersey [Mr. Smith] and I met with people who were severely injured and wounded, and I am sure some of the people that we met with at Vukovar are now dead because of the shelling that has taken place. This kind of reminds me in a way of the Romanian situation. Congressman Smith and I went to Romania and came back and felt very deeply that Ceausescu was a barbarian and for the United States to give him MFN was absolutely wrong.

We talked to some people in the State Department, and they just ignored us and even at the time that Ceausescu was bulldozing churches and synagogues and one Seventh Day Adventist Church with people in it, he was aiding and abetting the training terrorists through the Carpathian Mountains, and other places like that, yet the Reagan administration continued to support Ceausescu because somehow people in the State Department had become so locked in.

Fortunately, the gentleman from New Jersey, Congressman Smith, and the gentleman from Ohio, Tony Hall, and others in Congress were successful in taking away MFN. We looked and
saw what Ceausescu really did. He was a torturing barbaric man whose actions resulted in pain and suffering in the orphanages, and now the Romanion countryside has just almost been destroyed because of his leadership.

It took a long while for some of the people in the State Department to change with regard to MFN because the day that we offered the amendment here they were outside lobbying to defeat our amendment to take away MFN.

I know the State Department does not like to take advice from anybody in Congress.

1040

That is not indictive just of Republican administrations, but also Democratic administrations.

We now believe that the situation in Yugoslavia is so serious it needs the spirit of reconciliation, it needs both sides to come together almost in a scriptural sense of reconciliation. But it also requires I believe the President of the United States to speak out and put the United States foursquare on record, not taking sides between Serbia and Croatia, but asking that there be an immediate cease-fire, and the fighting to stop. Then also saying there will be isolation for whoever violates that cease-fire. There will be economic and there will be political sanctions, perhaps even taking away their MFN status. Also, that the Yugoslav Army return to the barracks and not use MIG's against innocent people. Lastly, that both sides sit down in the spirit of reconciliation to work out their differences, under the EC, and as the gentleman from New Jersey [Mr. Surtz] said, with the United Nations. Every day there are people dying. These are husbands, these are wives, these are sons, these are daughters, and these are children. This is happening in villages today in Europe, villages that look like the countryside in Austria or Switzerland. It is modern times and if we cannot intercede and be successful here, then we must fear that this type of activity can scatter throughout other parts of Yugoslavia and other parts of Eastern Europe or in the Soviet Union.

I just hope that those in the administration will focus on this and ask, and urge, and recommend to the President that he speak out. If it does not work, we really have not lost anything. It is a question of doing the right thing, and my sense is if it happens there may be a reasonable chance that the killing will be stopped.

Madam Speaker, I yield back the balance of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Michale) to revise and extend their remarks and include extraneous matter):

Mr. FURSELL.
Mr. MICHAELE.
Mr. MILLER of Washington.
Mr. ROBERTS.
Mr. HINGELBE.
(The following Member (at the request of Mr. McMillen of Maryland) and to include extraneous matter):

Mr. SKELETON.

ADJOURNMENT

Mr. WOLF. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 43 minutes a.m.), under its previous order, the House adjourned until Monday, September 23, 1991, at 12 noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the U.S. dollars utilized by them during the first and second quarters of 1991, as well as an amendment to the consolidated report of second quarter 1991 expenditures for official foreign travel authorized by the Speaker of the House, are as follows:


<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>David W. Roth</td>
<td>4/25</td>
<td>Saudi Arabia</td>
<td>$200.00</td>
<td></td>
<td></td>
<td>$200.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>Kuwait</td>
<td>$75.00</td>
<td></td>
<td></td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>Germany</td>
<td>$75.00</td>
<td></td>
<td></td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td>4/28</td>
<td>Germany</td>
<td>$75.00</td>
<td></td>
<td></td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>322.43</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>322.43</td>
</tr>
</tbody>
</table>

1 Per diem constitutes staying and meals.
2 If foreign currency is used, entry dollar equivalent if U.S. currency is used, entry amount expended.


REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. de la Garza</td>
<td>2/25</td>
<td>Mexico</td>
<td>$152.00</td>
<td></td>
<td></td>
<td>$152.00</td>
</tr>
<tr>
<td></td>
<td>2/28</td>
<td>Mexico</td>
<td>$348.00</td>
<td></td>
<td></td>
<td>$348.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>500.00</td>
</tr>
</tbody>
</table>

1 Per diem constitutes staying and meals.
2 If foreign currency is used, entry dollar equivalent if U.S. currency is used, entry amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date of Arrival</th>
<th>Date of Departure</th>
<th>Country</th>
<th>Per diem *</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hon. Parnell Dickie</td>
<td>3/28</td>
<td>8/31</td>
<td>France</td>
<td>747.00</td>
<td></td>
<td></td>
<td>747.00</td>
</tr>
<tr>
<td>Hon. Joseph McKibbin</td>
<td>8/24</td>
<td>8/28</td>
<td>Japan</td>
<td>928.00</td>
<td></td>
<td></td>
<td>928.00</td>
</tr>
<tr>
<td>Commercial air transportation</td>
<td>8/28-8/29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. John Porter</td>
<td>3/31</td>
<td>4/9</td>
<td>South Africa</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial air transportation</td>
<td>3/31-4/9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Robert R. Frederick</td>
<td>4/17</td>
<td>5/9</td>
<td>Mexico</td>
<td>410.00</td>
<td></td>
<td></td>
<td>410.00</td>
</tr>
<tr>
<td>Commercial air transportation</td>
<td>4/17-5/9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hon. Nels B. Kopper</td>
<td>3/24</td>
<td>4/18</td>
<td>France</td>
<td>929.00</td>
<td></td>
<td></td>
<td>929.00</td>
</tr>
<tr>
<td>Commercial air transportation</td>
<td>3/24-4/18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Juliet C. Peck</td>
<td>3/28</td>
<td>4/1</td>
<td>Germany</td>
<td>794.00</td>
<td></td>
<td></td>
<td>794.00</td>
</tr>
<tr>
<td></td>
<td>4/1</td>
<td>4/2</td>
<td>Italy</td>
<td>704.00</td>
<td></td>
<td></td>
<td>704.00</td>
</tr>
<tr>
<td></td>
<td>4/2</td>
<td>4/6</td>
<td>Netherlands</td>
<td>375.00</td>
<td></td>
<td></td>
<td>375.00</td>
</tr>
<tr>
<td></td>
<td>4/6</td>
<td>4/10</td>
<td>Great Britain</td>
<td>704.00</td>
<td></td>
<td></td>
<td>704.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commitment total</td>
<td>5,159.00</td>
<td>13,667.31</td>
<td></td>
<td>274.33</td>
<td>17,014.60</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
-  *Per diem constitutes lodging and meals.
-  Foreign currency is used, except U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

**Travels:**

- **Visit to Philippines, Thailand, Australia, New Zealand, French Polynesia, and Chile, Mar. 25 to Apr. 7, 1991:**
  - Hon. William L. Dickinson
  - Date: 3/25
  - Country: Philippines
  - Per diem: 85.00
  - Total: 85.00

- **Visit to Germany, Italy, and Crete, Mar. 27 to Apr. 3, 1991:**
  - Hon. Martin Lancaster
  - Date: 3/27-3/28
  - Country: Germany
  - Per diem: 56.00
  - Total: 56.00

- **Commercial transportation:**
  - Date: 3/28-4/2
  - Country: Germany
  - Per diem: 1,181.00
  - Total: 1,181.00

- **Visit to Egypt, Bahrain, Israel, Syria, and Turkey, Mar. 29 to Apr. 7, 1991:**
  - Hon. Les Aspin
  - Date: 3/29-3/31
  - Country: Egypt
  - Per diem: 306.00
  - Total: 306.00

- **Commercial transportation:**
  - Date: 3/31-4/4
  - Country: Bahrain
  - Per diem: 133.00
  - Total: 133.00

- **Visit to Egypt, Bahrain, Israel, Syria, and Turkey, Mar. 29 to Apr. 7, 1991:**
  - Hon. Les Aspin
  - Date: 3/29-3/31
  - Country: Israel
  - Per diem: 563.00
  - Total: 563.00

- **Commercial transportation:**
  - Date: 3/31-4/5
  - Country: Jordan
  - Per diem: 130.00
  - Total: 130.00

- **Visit to Egypt, Bahrain, Israel, Syria, and Turkey, Mar. 29 to Apr. 7, 1991:**
  - Hon. Les Aspin
  - Date: 3/29-3/31
  - Country: Syria
  - Per diem: 202.00
  - Total: 202.00
<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
<th>U.S. dollar equivalent of U.S. currency a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clark A. Murdock</td>
<td>3/29</td>
<td>4/3</td>
<td>Turkey</td>
<td>91.00</td>
<td></td>
<td></td>
<td></td>
<td>91.00</td>
</tr>
<tr>
<td></td>
<td>3/27</td>
<td>4/1</td>
<td>Egypt</td>
<td>96.00</td>
<td></td>
<td></td>
<td></td>
<td>96.00</td>
</tr>
<tr>
<td></td>
<td>3/21</td>
<td>4/4</td>
<td>Belgium</td>
<td>133.00</td>
<td></td>
<td></td>
<td></td>
<td>133.00</td>
</tr>
<tr>
<td></td>
<td>3/20</td>
<td>4/4</td>
<td>Israel</td>
<td>192.00</td>
<td></td>
<td></td>
<td></td>
<td>192.00</td>
</tr>
<tr>
<td></td>
<td>4/4</td>
<td>4/6</td>
<td>Jordan</td>
<td>180.00</td>
<td></td>
<td></td>
<td></td>
<td>180.00</td>
</tr>
<tr>
<td></td>
<td>4/1</td>
<td>4/6</td>
<td>Syria</td>
<td>260.00</td>
<td></td>
<td></td>
<td></td>
<td>260.00</td>
</tr>
<tr>
<td></td>
<td>4/1</td>
<td>4/7</td>
<td>Turkey</td>
<td>306.00</td>
<td></td>
<td></td>
<td></td>
<td>306.00</td>
</tr>
<tr>
<td></td>
<td>4/28</td>
<td>4/5</td>
<td>Syria</td>
<td>292.00</td>
<td></td>
<td></td>
<td></td>
<td>292.00</td>
</tr>
<tr>
<td></td>
<td>4/29</td>
<td>4/7</td>
<td>Turkey</td>
<td>155.00</td>
<td></td>
<td></td>
<td></td>
<td>155.00</td>
</tr>
<tr>
<td></td>
<td>4/3</td>
<td>4/4</td>
<td>Belgium</td>
<td>306.00</td>
<td></td>
<td></td>
<td></td>
<td>306.00</td>
</tr>
<tr>
<td></td>
<td>4/4</td>
<td>4/4</td>
<td>Jordan</td>
<td>133.00</td>
<td></td>
<td></td>
<td></td>
<td>133.00</td>
</tr>
<tr>
<td></td>
<td>4/6</td>
<td>4/5</td>
<td>Syria</td>
<td>202.00</td>
<td></td>
<td></td>
<td></td>
<td>202.00</td>
</tr>
<tr>
<td></td>
<td>4/6</td>
<td>4/5</td>
<td>Jordan</td>
<td>133.00</td>
<td></td>
<td></td>
<td></td>
<td>133.00</td>
</tr>
<tr>
<td></td>
<td>4/5</td>
<td>4/4</td>
<td>Jordan</td>
<td>193.00</td>
<td></td>
<td></td>
<td></td>
<td>193.00</td>
</tr>
<tr>
<td></td>
<td>4/6</td>
<td>4/5</td>
<td>Turkey</td>
<td>190.00</td>
<td></td>
<td></td>
<td></td>
<td>190.00</td>
</tr>
<tr>
<td></td>
<td>4/4</td>
<td>4/3</td>
<td>Jordan</td>
<td>202.00</td>
<td></td>
<td></td>
<td></td>
<td>202.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
<th>U.S. dollar equivalent of U.S. currency a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor to Saudi Arabia, Kuwait, Turkey, and Germany Apr. 25-29, 1991.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has. Nicholas Vranasica</td>
<td>4/25</td>
<td>4/7</td>
<td>Saudi Arabia</td>
<td>208.00</td>
<td></td>
<td>208.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Kuwait</td>
<td>75.00</td>
<td></td>
<td>75.00</td>
</tr>
<tr>
<td></td>
<td>4/28</td>
<td>4/7</td>
<td>Germany</td>
<td>77.00</td>
<td></td>
<td>77.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Saudi Arabia</td>
<td>190.00</td>
<td></td>
<td>208.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Kuwait</td>
<td>75.00</td>
<td></td>
<td>75.00</td>
</tr>
<tr>
<td></td>
<td>4/28</td>
<td>4/7</td>
<td>Germany</td>
<td>77.00</td>
<td></td>
<td>77.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Saudi Arabia</td>
<td>190.00</td>
<td></td>
<td>208.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Kuwait</td>
<td>75.00</td>
<td></td>
<td>75.00</td>
</tr>
<tr>
<td></td>
<td>4/28</td>
<td>4/7</td>
<td>Germany</td>
<td>77.00</td>
<td></td>
<td>77.00</td>
</tr>
<tr>
<td></td>
<td>4/27</td>
<td>4/7</td>
<td>Saudi Arabia</td>
<td>190.00</td>
<td></td>
<td>208.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
<th>U.S. dollar equivalent of U.S. currency a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor to Netherlands and Belgium May 24-27, 1991.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has. Norman Sisisky</td>
<td>5/14</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Netherlands</td>
<td>405.00</td>
<td></td>
<td>405.00</td>
</tr>
<tr>
<td></td>
<td>5/28</td>
<td>5/7</td>
<td>Belgium</td>
<td>225.00</td>
<td></td>
<td>225.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
<th>U.S. dollar equivalent of U.S. currency a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cathleen D. Gorman</td>
<td>6/10</td>
<td>6/15</td>
<td>Germany</td>
<td>467.20</td>
<td></td>
<td>467.20</td>
</tr>
</tbody>
</table>

Committee total: 36,512.30 44,526.60 385.25 61,944.15

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent. If U.S. currency is used, enter amount expended.
3 For purposes of disclosure, all foreign currency is converted to U.S. dollars using the market exchange rate effective the date of the expenditure.
4 U.S. dollar equivalent of U.S. currency is computed by dividing foreign currency amount by the exchange rate on the date of the expenditure.


### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem *</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
</tr>
<tr>
<td>Hon. Jesse Helms</td>
<td>4/2</td>
<td>4/7</td>
<td>Guatemala</td>
<td>591.18</td>
<td>118.00</td>
<td>95.82</td>
</tr>
<tr>
<td></td>
<td>4/4</td>
<td>4/9</td>
<td>El Salvador</td>
<td>2,128.92</td>
<td>154.00</td>
<td>35.00</td>
</tr>
<tr>
<td></td>
<td>4/10</td>
<td>4/13</td>
<td>Nicaragua</td>
<td>2,017.30</td>
<td>1,004.03</td>
<td>2,812.03</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Per diem constitutes lodging and meals.  
* If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem *</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
</tr>
<tr>
<td>Tim Wirth</td>
<td>6/14</td>
<td>6/24</td>
<td>Italy</td>
<td>1,988.00</td>
<td>750.00</td>
<td>457.00</td>
</tr>
<tr>
<td>John M. Cleary</td>
<td>4/1</td>
<td>4/8</td>
<td>Spain</td>
<td>1,405.00</td>
<td>1,612.00</td>
<td>1,612.00</td>
</tr>
<tr>
<td>Charles Burton</td>
<td>4/1</td>
<td>4/8</td>
<td>Spain</td>
<td>1,405.00</td>
<td>1,612.00</td>
<td>1,612.00</td>
</tr>
<tr>
<td>Richard Skolnik</td>
<td>4/1</td>
<td>4/8</td>
<td>Mexico</td>
<td>760.00</td>
<td>1,165.00</td>
<td>1,165.00</td>
</tr>
<tr>
<td>Douglas Dennis</td>
<td>4/1</td>
<td>4/8</td>
<td>Mexico</td>
<td>658.00</td>
<td>1,165.00</td>
<td>1,165.00</td>
</tr>
<tr>
<td>David Finergan</td>
<td>6/23</td>
<td>6/29</td>
<td>Switzerland</td>
<td>1,256.00</td>
<td>3,268.00</td>
<td>3,268.00</td>
</tr>
<tr>
<td>Jessica Lovely</td>
<td>6/20</td>
<td>6/23</td>
<td>Switzerland</td>
<td>678.00</td>
<td>704.00</td>
<td>704.00</td>
</tr>
<tr>
<td>Charles Caperton</td>
<td>6/23</td>
<td>6/29</td>
<td>Switzerland</td>
<td>1,256.00</td>
<td>3,268.00</td>
<td>3,268.00</td>
</tr>
<tr>
<td>Bruce Chain</td>
<td>5/14</td>
<td>5/15</td>
<td>Germany</td>
<td>560.00</td>
<td>3,156.00</td>
<td>3,156.00</td>
</tr>
<tr>
<td>J.J. Brady</td>
<td>5/24</td>
<td>5/27</td>
<td>France</td>
<td>498.00</td>
<td>3,156.00</td>
<td>3,156.00</td>
</tr>
<tr>
<td>N.J. Camp</td>
<td>3/31</td>
<td>4/19</td>
<td>South Africa</td>
<td>2,068.85</td>
<td>82.00</td>
<td>134.83</td>
</tr>
<tr>
<td></td>
<td>4/10</td>
<td>4/13</td>
<td>Botswana</td>
<td>531.00</td>
<td>134.83</td>
<td>134.83</td>
</tr>
<tr>
<td></td>
<td>4/13</td>
<td>4/16</td>
<td>South Africa</td>
<td>345.00</td>
<td>345.00</td>
<td>345.00</td>
</tr>
<tr>
<td></td>
<td>4/14</td>
<td>4/16</td>
<td>Zimbabwe</td>
<td>690.00</td>
<td>923.04</td>
<td>923.04</td>
</tr>
<tr>
<td></td>
<td>4/17</td>
<td>4/19</td>
<td>Libya</td>
<td>690.00</td>
<td>923.04</td>
<td>923.04</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6,423.94</td>
<td></td>
<td>18,328.00</td>
<td>329.84</td>
<td>24,981.80</td>
<td></td>
</tr>
</tbody>
</table>

* Per diem constitutes lodging and meals.  
* If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem *</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Arrival</td>
<td>Departure</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
</tr>
<tr>
<td>P. Ackerman</td>
<td>5/1</td>
<td>5/3</td>
<td>Italy</td>
<td>658.99</td>
<td>3,565.00</td>
<td>3,565.00</td>
</tr>
<tr>
<td></td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>834.00</td>
<td>834.00</td>
<td>834.00</td>
</tr>
<tr>
<td></td>
<td>5/29</td>
<td>6/1</td>
<td>Israel</td>
<td>816.00</td>
<td>5,569.00</td>
<td>5,569.00</td>
</tr>
<tr>
<td></td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>834.00</td>
<td>834.00</td>
<td>834.00</td>
</tr>
<tr>
<td></td>
<td>3/31</td>
<td>4/19</td>
<td>South Africa</td>
<td>2,068.85</td>
<td>82.00</td>
<td>134.83</td>
</tr>
<tr>
<td></td>
<td>4/10</td>
<td>4/13</td>
<td>Botswana</td>
<td>531.00</td>
<td>134.83</td>
<td>134.83</td>
</tr>
<tr>
<td></td>
<td>4/14</td>
<td>4/16</td>
<td>Zimbabwe</td>
<td>345.00</td>
<td>345.00</td>
<td>345.00</td>
</tr>
<tr>
<td></td>
<td>4/17</td>
<td>4/19</td>
<td>Libya</td>
<td>690.00</td>
<td>923.04</td>
<td>923.04</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of Member or employee</td>
<td>Date</td>
<td>Arrival</td>
<td>Departure</td>
<td>Country</td>
<td>Per diem $</td>
<td>Transportation</td>
</tr>
<tr>
<td>---------------------------</td>
<td>------</td>
<td>---------</td>
<td>----------</td>
<td>--------</td>
<td>-----------</td>
<td>--------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>U.S. dollar equivalent in foreign currency</td>
<td>foreign currency</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/18</td>
<td>4/20</td>
<td>Iran</td>
<td>5,716.96</td>
<td>4,570.80</td>
<td>2,578.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>5/2</td>
<td>5/5</td>
<td>Tunisia</td>
<td>104.00</td>
<td>700.00</td>
<td>425.10</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>5/5</td>
<td>5/12</td>
<td>France</td>
<td>425.10</td>
<td>804.00</td>
<td>2,179.10</td>
</tr>
<tr>
<td>Hen. S. FasceU, Chairman. Military transportation.</td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>229.40</td>
<td>40.00</td>
<td>350.00</td>
</tr>
<tr>
<td>R. Frost</td>
<td>4/3</td>
<td>4/5</td>
<td>El Salvador</td>
<td>134.44</td>
<td>130.86</td>
<td>90.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/5</td>
<td>4/7</td>
<td>Nicaragua</td>
<td>281.78</td>
<td>1,462.00</td>
<td>2,891.00</td>
</tr>
<tr>
<td>Total</td>
<td>2,393.34</td>
<td>20,577.17</td>
<td>361.00</td>
<td>23,241.51</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R. (Mickey) Hanna</td>
<td>6/9</td>
<td>6/12</td>
<td>Kenya</td>
<td>756.00</td>
<td>156.00</td>
<td>700.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>6/12</td>
<td>6/16</td>
<td>Morocco</td>
<td>130.86</td>
<td>560.00</td>
<td>500.00</td>
</tr>
<tr>
<td>A. Heflin</td>
<td>3/13</td>
<td>3/23</td>
<td>Belgium</td>
<td>260.00</td>
<td>260.00</td>
<td>620.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>3/25</td>
<td>3/26</td>
<td>Congo</td>
<td>235.00</td>
<td>235.00</td>
<td>620.00</td>
</tr>
<tr>
<td>S. Livingston</td>
<td>4/26</td>
<td>4/27</td>
<td>Zambia</td>
<td>630.00</td>
<td>630.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Comm. J. Murray</td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>894.00</td>
<td>894.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. W. Grint</td>
<td>5/1</td>
<td>5/7</td>
<td>Mexico</td>
<td>303.00</td>
<td>303.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>5/20</td>
<td>6/27</td>
<td>Poland</td>
<td>370.00</td>
<td>370.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>6/23</td>
<td>6/27</td>
<td>Soviet Union</td>
<td>534.00</td>
<td>534.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Total</td>
<td>4,493.29</td>
<td>11,544.39</td>
<td>35.00</td>
<td>16,972.68</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Com. W. Owens</td>
<td>5/18</td>
<td>5/20</td>
<td>Iraq</td>
<td>256.00</td>
<td>256.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>B. Paul</td>
<td>1/21</td>
<td>1/20</td>
<td>South Africa</td>
<td>3,084.00</td>
<td>3,084.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>1/25</td>
<td>1/30</td>
<td>Botswana</td>
<td>335.50</td>
<td>335.50</td>
<td>2,190.00</td>
</tr>
<tr>
<td>S. Salazar</td>
<td>1/15</td>
<td>1/15</td>
<td>South Africa</td>
<td>340.00</td>
<td>340.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/10</td>
<td>4/20</td>
<td>Kenya</td>
<td>2,003.00</td>
<td>2,003.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. A. Rios</td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>429.00</td>
<td>429.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>W. Roberts</td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>854.00</td>
<td>854.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Total</td>
<td>6,715.96</td>
<td>20,559.20</td>
<td>40.00</td>
<td>27,316.16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Schumam</td>
<td>4/1</td>
<td>4/9</td>
<td>Mexico</td>
<td>1,230.00</td>
<td>1,230.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>D. Solis</td>
<td>5/24</td>
<td>5/27</td>
<td>Netherlands</td>
<td>804.00</td>
<td>804.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. E. Solis</td>
<td>4/14</td>
<td>4/12</td>
<td>United Kingdom</td>
<td>229.00</td>
<td>229.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>5/24</td>
<td>5/27</td>
<td>United Kingdom</td>
<td>229.00</td>
<td>229.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>G. Strick</td>
<td>6/9</td>
<td>6/12</td>
<td>Kenya</td>
<td>780.00</td>
<td>780.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. E. Trancoso</td>
<td>6/12</td>
<td>6/17</td>
<td>Belgium</td>
<td>344.40</td>
<td>344.40</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/5</td>
<td>4/7</td>
<td>El Salvador</td>
<td>726.00</td>
<td>726.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/23</td>
<td>4/26</td>
<td>El Salvador</td>
<td>134.44</td>
<td>130.86</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. R. Wayne</td>
<td>3/31</td>
<td>4/4</td>
<td>South Africa</td>
<td>164.54</td>
<td>164.54</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Commercial transportation</td>
<td>4/3</td>
<td>4/6</td>
<td>Nicaragua</td>
<td>278.00</td>
<td>278.00</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Com. R. Wayne</td>
<td>3/31</td>
<td>4/4</td>
<td>South Africa</td>
<td>164.54</td>
<td>164.54</td>
<td>2,190.00</td>
</tr>
<tr>
<td>Total</td>
<td>2,070.94</td>
<td>8,820.86</td>
<td>2,190.00</td>
<td>10,081.80</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Grand total for 2d quarter: 161,703.17
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total U.S. dollar equivalent</th>
<th>Other U.S. dollar equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theodore J. Jacoby</td>
<td>3/29</td>
<td>4/2</td>
<td>Brazil</td>
<td>179,568</td>
<td>969.00</td>
<td>2,913.00</td>
<td>3,600.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4/3</td>
<td>4/9</td>
<td>Argentina</td>
<td>9,118,300</td>
<td>940.00</td>
<td>940.00</td>
<td>540.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4/9</td>
<td>4/14</td>
<td>Chile</td>
<td>390,240</td>
<td>580.20</td>
<td>754.00</td>
<td>2,240.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6/13</td>
<td>6/20</td>
<td>Italy</td>
<td>2,657,800</td>
<td>1,988.00</td>
<td>754.00</td>
<td>3,271.00</td>
<td></td>
</tr>
<tr>
<td>Commit total</td>
<td></td>
<td></td>
<td></td>
<td>4,004.00</td>
<td>3,667.00</td>
<td></td>
<td>7,871.00</td>
<td></td>
</tr>
</tbody>
</table>

* Per diem constitutes lodging and meals.
* Foreign currency is used, if U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total U.S. dollar equivalent</th>
<th>Other U.S. dollar equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joan N. Bondareff</td>
<td>4/22</td>
<td>4/28</td>
<td>Spain</td>
<td>179,653</td>
<td>2,684.00</td>
<td>3,070.00</td>
<td>4,850.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6/13</td>
<td>6/24</td>
<td>Spain</td>
<td>122,174</td>
<td>1,075.00</td>
<td></td>
<td>2,150.00</td>
<td></td>
</tr>
<tr>
<td>Charles F. Cragin</td>
<td>4/13</td>
<td>4/17</td>
<td>Soviet Union</td>
<td></td>
<td>605.00</td>
<td>71.17</td>
<td>1,222.00</td>
<td></td>
</tr>
<tr>
<td>Richard J. Duesbach</td>
<td>5/20</td>
<td>5/27</td>
<td>United Kingdom</td>
<td>969.00</td>
<td>2,990.00</td>
<td></td>
<td>3,179.00</td>
<td></td>
</tr>
<tr>
<td>H. Keith Lendvai</td>
<td>6/27</td>
<td>7/5</td>
<td>Portugal</td>
<td>127,170</td>
<td>619.00</td>
<td>2,745.00</td>
<td>3,364.00</td>
<td></td>
</tr>
<tr>
<td>Christopher D. Marsh</td>
<td>6/8</td>
<td>6/15</td>
<td>United Kingdom</td>
<td>824.26</td>
<td>3,395.00</td>
<td></td>
<td>3,579.00</td>
<td></td>
</tr>
<tr>
<td>James R. McMillan</td>
<td>3/26</td>
<td>3/29</td>
<td>Iceland</td>
<td>3,156.00</td>
<td>2,771.30</td>
<td></td>
<td>5,927.30</td>
<td></td>
</tr>
<tr>
<td>Charles G. Moore</td>
<td>5/14</td>
<td>5/24</td>
<td>United Kingdom</td>
<td>462.48</td>
<td>395.00</td>
<td></td>
<td>5,450.00</td>
<td></td>
</tr>
<tr>
<td>Cynthia M. Wilkerson</td>
<td>5/26</td>
<td>6/7</td>
<td>Iceland</td>
<td>1,584.00</td>
<td>230.65</td>
<td></td>
<td>3,333.00</td>
<td></td>
</tr>
<tr>
<td>Neil C. Williamson</td>
<td>5/26</td>
<td>6/7</td>
<td>Iceland</td>
<td>1,584.00</td>
<td>230.65</td>
<td></td>
<td>3,333.00</td>
<td></td>
</tr>
<tr>
<td>Commit total</td>
<td></td>
<td></td>
<td></td>
<td>12,666.00</td>
<td>30,148.23</td>
<td></td>
<td>43,314.23</td>
<td></td>
</tr>
</tbody>
</table>

* Per diem constitutes lodging and meals.
* Foreign currency is used, if U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
* Traveler returned $250.00 to U.S. Treasury upon return from last trip.
* Commercial airfare.
* Cash advanced issued by Department of State.
* Commercial airfare paid by traveler, then reimbursed by Department of State after trip.
* Ground transportation.
* Mile rate issued to traveler.
* Airfare/total package.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1991

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total U.S. dollar equivalent</th>
<th>Other U.S. dollar equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hon. Henry J. Nowak</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Hon. Nick Joe Rahall</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Hon. Robert A. Borski</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Hon. Ben Jones</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>James R. Miller</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Sarita J. Esposti</td>
<td>4/26</td>
<td>4/27</td>
<td>Hungary</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Emil L. Tyler</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Kenneth J. Koposick</td>
<td>4/26</td>
<td>4/27</td>
<td>Hungary</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Gabor J. Rozsa</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Bogomir H. Cromitale</td>
<td>4/26</td>
<td>4/27</td>
<td>Poland</td>
<td>349.00</td>
<td></td>
<td></td>
<td>349.00</td>
<td></td>
</tr>
<tr>
<td>Hon. James L. Oberstar</td>
<td>6/19</td>
<td>6/22</td>
<td>Belgium</td>
<td>675.00</td>
<td></td>
<td></td>
<td>1,577.10</td>
<td></td>
</tr>
<tr>
<td>David A. Haydock</td>
<td>6/19</td>
<td>6/22</td>
<td>Belgium</td>
<td>675.00</td>
<td></td>
<td></td>
<td>1,577.10</td>
<td></td>
</tr>
<tr>
<td>David F. Trythall</td>
<td>6/19</td>
<td>6/23</td>
<td>Belgium</td>
<td>909.00</td>
<td></td>
<td></td>
<td>1,812.10</td>
<td></td>
</tr>
<tr>
<td>David E. Schaefer</td>
<td>6/19</td>
<td>6/23</td>
<td>Belgium</td>
<td>909.00</td>
<td></td>
<td></td>
<td>1,812.10</td>
<td></td>
</tr>
<tr>
<td>Hon. John Paul Hammarschmi</td>
<td>6/19</td>
<td>6/23</td>
<td>Belgium</td>
<td>909.00</td>
<td></td>
<td></td>
<td>1,812.10</td>
<td></td>
</tr>
<tr>
<td>Hon. William F. Ongser</td>
<td>6/13</td>
<td>6/17</td>
<td>France</td>
<td>1,650.00</td>
<td></td>
<td></td>
<td>2,339.00</td>
<td></td>
</tr>
<tr>
<td>Carolee Gulpie</td>
<td>6/30</td>
<td>7/4</td>
<td>France</td>
<td>1,743.00</td>
<td></td>
<td></td>
<td>2,426.00</td>
<td></td>
</tr>
<tr>
<td>Commit total</td>
<td></td>
<td></td>
<td></td>
<td>34,158.00</td>
<td>6,365.20</td>
<td></td>
<td>40,523.20</td>
<td></td>
</tr>
</tbody>
</table>

* Per diem constitutes lodging and meals.
* Foreign currency is used, if U.S. dollar equivalent, if U.S. currency is used, enter amount expended.
* Military transportation.
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and refered as follows:

2097. A letter from the Comptroller General, the General Accounting Office, transmitting a draft of proposed legislation to reauthorize subsection 1378(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4137(c)); to the Committee on Banking, Finance and Urban Affairs.


2100. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a determination that the withholding of economic assistance from Albania would be contrary to the national interest of the United States; to the Committee on Foreign Affairs.

2101. A letter from the Director, Office of Management and Budget, transmitting his certification that the amounts appropriated for the Board for International Broadcasting for grants to Radio Free Europe/Radio Liberty, Inc., are less than the amount necessary to maintain the budgeted level of operation because of exchange rate losses in the fourth quarter of fiscal year 1991, pursuant to 22 U.S.C. 2877(a)(2); to the Committee on Foreign Affairs.

2102. A letter from the Secretary of the Interior, transmitting the Department's report on the study of the Illinois Trail, in Illinois; to the Committee on Interior and Insular Affairs.

2103. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, "Hydrogen Sulfide Corrosion in Wastewater Collection and Treatment Systems"; to the Committee on Public Works and Transportation.

2104. A letter from the Administrator, General Services Administration, transmitting an informational copy of a lease proposal, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

2105. A letter from the Director, Office of Management and Budget, transmitting the seventh report on U.S. costs in the Persian Gulf conflict and foreign contributions to offset such costs, pursuant to Public Law 102-26, section 401 (105 Stat. 89); jointly, to the Committees on Armed Services and Foreign Affairs.

2106. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification to provide $500,000 in fiscal year 1991 peacekeeping operations funds to the Economic Community of West African States (ECOWAS), to be used for peacekeeping operations; jointly, to the Committees on Foreign Affairs and Appropriations.

2107. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report on the impact of potential spills in the Arctic Ocean, pursuant to Public Law 101-380, section 8302(c) (104 Stat. 573); jointly, to the Committees on Foreign Affairs, Merchant Marine and
H 6690

CONGRESSIONAL RECORD — HOUSE

Fisheries, and Public Works and Transportation.

2108. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting on behalf of the President, the Annual Report on the Panama Canal Treaties, fiscal year 1990, pursuant to 22 U.S.C. 3871; jointly, to the Committees on Foreign Affairs, the Judiciary, Merchant Marine and Fisheries, and Post Office and Civil Service.

2109. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Public Health Service Act and related laws to make changes to the Commissioned Corps of the Public Health Service, and for other purposes; jointly, to the Committees on Energy and Commerce, the Judiciary, Armed Services, Merchant Marine and Fisheries, Post Office and Civil Service, and Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper committees.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 2722. A bill to revise and extend the program under the Abandoned Infants Assistance Act of 1988; with an amendment (Rept. 102-202, Pt. 1). Ordered to be printed.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Pursuant to the order of the House on Sept. 17, 1991, the following report was filed on Sept. 18, 1991]

Mr. GONZALES: Committee on Banking, Finance and Urban Affairs. H.R. 3039. A bill to reauthorize the Defense Production Act of 1950, and for other purposes; with an amendment; referred to the Committee on Armed Services for a period ending not later than September 30, 1991, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(c) of rule X (Rept. 102-202, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSTENKOWSKI (for himself, Mr. ARCHER, Mr. PICKLE, and Mr. GRADISON): H.R. 3040. A bill to amend title 31, United States Code, to restrict the authority of newly established Government-related corporations to borrow from the Treasury and to provide for an annual evaluation of the impact of public borrowing by such corporations on the public debt; to the Committee on Ways and Means.

By Mr. ROYBAL (for himself, Mr. MARTINEZ, Mr. EDWARDS of California, Mr. ALLARD, Mr. BOXER, Mr. BUTTAMANTE, Mr. COLEMAN of Texas, Mr. DELLUMS, Mr. DYTALY, Mr. POOGLIETTA, Mr. FUSTER, Mr. GONZA-

LZ, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. LOWEY of New York, Mr. McDERMOTT, Mr. OWEN of New York, Ms. PELOSI, Mr. RANGEL, Mr. RICHARDSON, Mr. SAVAGE, Mr. SCHIFF, Mrs. SCHROEDER, Mr. SHERMAN, Mr. STOKES, Mr. TORRES, Mr. TOWNS, Mr. WEISS, and Mr. WOLPE): H.R. 3366. A bill to repeal provisions of law regarding employer's non-wage-related employment practices, and unfair immigration-related employment practices, to strengthen enforcement of laws regarding labor standards in the United States, and for other purposes; jointly, to the Committees on the Judiciary, Education and Labor, and Foreign Affairs.

By Mr. TERRILL:

H.R. 3367. A bill to require railroads to report actions taken to remedy failures to comply with Federal safety provisions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CHANDLER (for himself, Mr. MILLER of Washington, Mr. DUKAS, Mr. McDERMOTT, Mr. SWIFT, Mr. MORRISON, and Mrs. UMSKELD):

H.R. 3368. A bill to allow the Secretary of the Treasury to purchase United States bonds, for a public service, to the extent of one percent of the accumulated funds of the Federal Savings and Loan Insurance Corporation; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ACOSTA (for himself, Mr. DeFAZIO, Mr. KOPFESKEI, and Mr. PERKINS):

H.R. 3369. Joint resolution expressing the sense of the Congress that the Davis-Bacon Act be fully enforced in the interest of a decent standard of living for this country's working families; to the Committee on Education and Labor.

By Mr. GINGRICH:

H.R. 3370. Joint resolution to designate the week beginning October 13, 1991, as "National Mentoring Week"; to the Committee on Post Office and Civil Service.

By Mr. RINALDO:

H.R. 3371. Joint resolution approving the extension of nondiscriminatory treatment with respect to the products of Estonia, Lithuania, the Union of Soviet Socialist Republics, and individual republics which were formerly a part of that nation; to the Committee on Ways and Means.

By Mr. JAGT:

H.R. 3372. Resolution electing Representative Johnson of Texas to the Committee on Science, Space and Technology; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII.

277. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to H.R. 1, the Civil Rights Act of 1991, to the Committee on Education and Labor and the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, spon-
sors were added to public bills and resolutions as follows:

H.R. 617: Mr. McCARDLES.
H.R. 765: Mr. MACHLETY.
H.R. 776: Mrs. BOXER.
H.R. 780: Mr. ROYBAL.
H.R. 872: Mr. LANCASTER, Mr. PALLOONE, Mr. VANDER, and Mr. VENTO.

H.R. 1063: Mr. FISH and Mr. MARKZ.
H.R. 1222: Mr. MAZZOLI.
H.R. 1281: Mr. ZELIFF, Mr. MAZZOLI, Mr. TOWNS, Mr. ZELIFF, and Mr. LEFRECHTE.
H.R. 1652: Mr. THOMAS of Wyoming.
H.R. 1703: Mr. STARK, Mr. ANDREWS of Texas, Ms. SNOWE, and Mr. MCDERMOTT.
H.R. 1916: Mr. TRAYKOF of Illinois and Mr. PETTIT of Minnesota.
H.R. 2309: Mr. BUSTAMANTE, Mr. CONYERS, Mr. HUNT, Mr. McDERMOTT, Mr. PETTIT of Minnesota.
H.R. 2485: Mr. FORD of Tennessee.
H.R. 2597: Mr. RANGEL.
H.R. 2680: Mr. SABO.
H.R. 3107: Mrs. PALAISVAECA.
H.R. 2804: Ms. DELAURIE, Mr. DEREK, and Mr. EVANS.
H.R. 2840: Mr. ACKERMAN, Mr. JOINTZ, Mr. KOPFESKEI, and Mr. MOODY.
H.R. 2372: Mr. FORSY, Mr. PRICE, and Mrs. SCHROEDER.
H.R. 2381: Mr. FAWELL, Mr. WALSH, Mr. DeFAZIO, Mr. STABLINGA, and Mr. PAYNE of Virginia.
H.R. 2888: Ms. HARRIS, Ms. OKAR, and Mr. SWEET.
H.R. 2895: Mr. ENGLISH and Mr. HATCHER.
H.R. 3026: Mr. TRAPFANT, Mr. GALLEGLY, Mr. DORNAN of California, Mr. RANGEL, Mr. BANDEL, Mrs. JONES of Arizona, Mr. PAYNE of Virginia, and Ms. NORTON.
H.R. 3078: Mr. FOST.
H.R. 3110: Mr. BERMAM, MR. YATES, Mr. TOWNSEND, Mr. RASHFORD, Mr. LEHMAN of Florida, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. JEFFERSON, Mr. HARRISON, Mr. MORERA, and Mr. WALCOTT.
H.R. 3160: Mr. ASHUNITE, Mr. BERMAM, Mr. DELLUMS, Mr. EVANS, Mr. FASCELL, Mr. FORD of Tennessee, Mr. HALL of Ohio, Mr. JOHNSON of Georgia, Mr. FALCE, Mr. LANTOS, Mr. MINTZ, Mr. MURTHA, Mr. NORTON, Ms. PELOSI, Mr. PRICE, Mr. RABALL, Mr. RANZEL, Mr. ROSE, Mr. SANTARE, Mr. TRAPFANT, and Mr. VISCOS.
H.R. 3176: Mr. PENTY, Mr. RANGEL, and Mr. HUTCH.
H.R. 3221: Mr. FORD of Tennessee, Mr. SUNDQUIST, Mr. GOSS, Mr. BARNARD, Mr. GORDON, Mr. WALSH, Mr. TANNER, Mr. PORTER, and Mr. VANDER JACHT.
H.R. 3486: Mr. DOOLITTLE.
H.R. 3511: Mr. SUNDQUIST and Mr. ENDRE.

H.R. 123: Mr. STAGGER, Mr. GALLEGLEY, Mr. CONYERS, Mr. HYDE, Mr. HANSEN, Mr. HERTZ, Mr. HILLET, Mr. DORNAN of California, Mr. SKERK, Mr. VANDEG Mej, Mr. FALCE, Mr. SIERRA, Mr. BERNARD, Mr. HILLET, Mr. SIMA, Mr. BERNARD, Mr. CAMP, Mr. MCDERMOTT, Mr. ANDREWS of New Jersey, Mr. SHAWS, and Mr. PECK.

H.R. 153: Mr. SHAYS, Mrs. KENNELLY, Mr. HOBSON, Mr. PRICE, Mr. OBEY, Mr. SMITH of Oregon, Mr. EDWARDS of Texas, Mr. FICHTE, Mr. RAWLINGS, Mr. MCCLELLAND, Mr. DE LA GARZA, Mr. MOLLOR, Mr. STEARNS, Mr. CARR, Mr. WHEAT, Mr. INHOFE, Mr. SMITH, Mr. CARR, Mr. DONNELLY, Mr. BILLY, Mr. COOPER, Mr. SANGMEISTER, Mrs. PATTERSON, Mr. MORAN, Mr. GILCHRIST, Mr. PETERSON of Florida, Mr. HAMILTON, Mr. SANDERS, Mr. MCDOE, Mr. NEAL of Massachusetts, Mr. CUNNINGHAM, Mr. SLAUGHTER of Virginia, Ms. MOLLA, Mr. HOREXHUSEM, Mr. FRANK of Massachusetts, Mr. HOOD, Mr. FORD of North Carolina, Mr. ROE, Mr. RINALDO, Mr. HAYES of Arizona, Mr. KANJORSKI, Mr. ZELIFF, Mr. GALLO, Mr. MCDADE, Mr. COX of California, Mr. PACKARD, Mr. DWYER of New Jersey, Mr. MAZZOLI, Mr. KNEADY, Mr. BEHREND, Mr. KNOX, Mr. STUBBS, Mr. ORTON, Mr. DUNCAN, Mr. KULTEL, Mr. LEHMAN of California, Mr. Cramer, Mr.
DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1400: Mr. Wilson.
RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transquisition of morning business, not to extend beyond the hour of 9:30 a.m., with Senators permitted to speak therein.

The Chair recognizes Senator Gore.

PEACE IN EUROPE

Mr. GORE. Mr. President, I rise this morning to offer some observations and recommendations with respect to the disturbing developments that have been taking place in Yugoslavia. In my opinion, it is intolerable that the same forces of Balkan nationalism that helped to bring on World War I should now be in a position to threaten the peace of Europe again. If nothing had changed, despite all of the travail and death of this century. If this situation is not brought under control, the worst possible example is set for all others in Eastern Europe and in the former Soviet Union who would rather not do violence to their neighbors than learn to live with them.

As we all know, the European Community has been making efforts to negotiate a cease-fire, to insert observers, and then somehow to promote a solution to the armed conflict that has broken out between Serbs and Croats. The latest effort of this kind may yet fail, tentatively, but success is very much against the odds as they now appear.

The Europeans should be commended for their effort, but they have made very virtually no progress whatsoever. In my opinion, a solution is to be found, the Europeans must decide to get a lot tougher. In fact, they have already kept the velvet glove on longer than they should. Nevertheless, it is still not too late for the Europeans to make a effort in spite of the worsening situation. Finally, I believe that our own Government should not continue to treat what is going on as a purely European matter in which the United States has only weak responsibilities and little influence.

The Croatian authorities have contributed to their own predicament, mainly by disregarding the concerns of the large minority of Serbs living within their borders. Nevertheless, the burden of responsibility rests clearly with hard-line nationalist leaders of the Republic of Serbia and with Serbian hard-liners in the Yugoslav military. I do believe the Serbian people want war. I believe that the leaders of the Serbian republican government, mostly Communist retreats, are the ones who are responsible for this turn of events primarily.

If the current cease-fire fails, it would be wrong, indeed disastrous, to conclude that all is lost. There are still major cards to be played.

The nations of Western Europe, joined by the United States, should present a ultimatum to Serbia with a date certain. If by that date the Yugoslav Army, dominated by Serbian officers has not withdrawn to its barracks and the Yugoslav navy has not lifted its announced blockade of Croatian
ports on the Adriatic, then we should take the following actions: Diplomatic efforts should then be renewed with the government in Belgrade; Slovenian and Croatian independence should be formally recognized; recognition of the Yugoslav Government should be withdrawn; fronts should be frozen; all supplies of jet fuel, military equipment, and spare parts to Yugoslavia should be permanently ended; the option of making substantial levels of antair and antiairour equipment available to Slovenian, Croatian, and(most important)Serb leaders should be introduced to the categories of potent weapons, such as surface-to-air missiles that are presently the scene of hostilities, backed by a European contingent of elite shock forces lent by NATO governments but under the nominal authority of the Western European Union.

Looking toward a resolution of this conflict, it is essential that political arrangements guaranteeing the rights of Croats, Slovenes, and Serbs from the leaders and in the territorial Yugoslavia, arrangements ought to be made for the demobilization of Federal Yugoslav military forces from the region that should be allowed to take their place for border security. The republics should be encouraged then to enter common economic arrangements or not, as they deem fit, under conditions to be negotiated. The continuance of a Yugoslav entity in some form will then be up to the republics.

What should be the role of the United States in all of this?

At any time prior to the collapse of the Warsaw Pact, and the disappearance of the threat of Soviet communism, what is now taking place in Yugoslavia would have been a major security concern in Washington. For all the years of the cold war, Yugoslavia represented a barrier to Soviet naval access to the Adriatic and also a land barrier, together with Romania, south of Yugoslavia. As a result of our policy of pressure against Greece and Italy. That is why the United States persistently supported Yugoslav neutrality and the internal cohesion of the Yugoslav state. It was this vision, lost with the breakup of the cold war, of American interests in the region that motivated Secretary of State Baker to support Yugoslav integrity against Slovene and Croation independence, visits to Belgrade—a move that was a mistake, and which he has more or less retracted subsequently.

Our present reaction appears to be too late. In Europe, we should not treat it as involving U.S. security in any primary fashion.

The altered geopolitical facts of life in Eastern Europe make this a rational but very shortsighted position. We are confronted now with the contraction for civil war in Yugoslavia on a really dreadful scale. At that level, we have an interest because of fundamental concerns about the manner in which ethnic problems throughout the entire region are going to be resolved.

It should be possible for the United States to allow the Europeans to be in the lead, but to try to brush them to acceptance in Europe. Europeans have not thus far shown a willingness or an inclination to offer the kind of bold leadership that is necessary if this matter is to be resolved. Perhaps sooner or later we will be faced with the fact that the European Community fear that they have some kind of political skeletons in their own closet, whether it is a Corsica for the French, Northern Ireland for the British, or whatever.

If I do not know that is the reason for the timidity on the part of important European players in their decision not to play a more forceful role in resolving this tragedy unfolding in Yugoslavia.

I do know this: The United States of America is the only nation in the world now in a position to offer the leadership for the world. And with the dramatic change of circumstances in Eastern Europe and the former Soviet Union, one of the principal challenges we face right now is helping to decide how the disputes that emerge from the dismemberment, since the fall of the Iron Curtain, and in some cases, papered over since the breakup of the Ottoman Empire and the onset of World War I, how those long festering tensions and conflicts that have been put on hold for 50 to 75 years are going to be resolved. Since so many of them are based on deep ethnic hatreds left over from centuries ago, one option is that they will be resolved by an orgy of violence that will take that part of the world spiraling downward toward chaos.

We should be standing for the principles of self-determination and democracy. Nations that govern themselves according to principles founded here in the United States of America—nations that respect individual rights, the rule of law, and the right of self-determination—nations that do not invade their neighbors and persist in a constant state of warfare and violence. We should not be willing to accept that any longer.

And in Yugoslavia, we should be willing to do there, too.

It is simply not in our interest to see the peace of Europe mortgaged once again to ethnic forces, hatreds, and ambitions in the Baltics. It is also not in our interest to see the European Community fail in this endeavor for want of cohesion and political courage. This is a major test of the ability of our friends in Europe to stand on their own and to protect their own security as we draw down our military presence in Europe. The Europeans are waver-

ing, and we are hoping to sit this out. We cannot afford the cost of a failure or a withdrawal.

It is time to get serious about using the very real leverage we have at our disposal and the new circumstances in which we find ourselves.

EVENTS IN IRAQ

Mr. GORE. Mr. President, I believe that every Member of this body supports the President's decision to make it clear that the United Nations' cease-fire resolutions are upheld, and Saddam Hussein will have to comply with those terms.

I support the President's decision to underscore his resolve by sending forces to the area in a symbolic ultimately makes it crystal clear to Saddam Hussein that time is running out, and he has to comply with the conditions of the cease-fire.

Mr. President, I think, however, we have one step farther and change our formal policy, which has been implicit since the end of the war, to support the continued power of Saddam Hussein's regime in Baghdad. I think it was a mistake for the President to reject the advice of General Schwarzkopf and to take instead the advice of Saudi Arabia and other friends in the region who felt that the Baathist regime of Saddam Hussein should be preserved for the sake of stability in Iraq and prevent it from flying apart.

In the long run, stability there will come when the peoples of Iraq have the ability to express themselves freely, and when the Kurds are not subject to repression; when the Shiites in the south are not subject to repression, and when the Baathist regime of Saddam Hussein is no longer in power.

We should have that as our policy objective and we should bend all of our other policy options toward the achievement of that goal. Why, for example, have we not started war crime proceedings to document the case against Saddam Hussein and his lieutenants? Why are we giving the back of our hand, figuratively, to the groups within Iraq who stand for democracy and self-determination?

Some of them will be in Washington next week. I hope the President will be willing to meet with them. I think we ought to have the courage of our convictions in this regard as well, and be willing to stand for a change in the regime inside Iraq.
For the record, Mr. President, I will outline a number of other steps which I believe we could take and should take in pursuit of this goal. Nobody is talking about another land invasion of troops there. That is not a prospect anywhere. The first thing we have to do is take some of the madding crowd barricade. Saddam Hussein is an acceptable part of the landscape, if and when we finally get him cut down to size. In my opinion, the only way we can hope for long-term relief from Saddam Hussein is if Saddam Hussein ceases to hold power, and if his Baathist regime is dismantled as well. Realizing that the burden of proof rests with those who say that Hussein can be toppled by the toppling hat, I would be happy to propose how that might be done.

In general, the formula for deposing Saddam Hussein involves the following elements: blocking his access to international support; building up the stock and resources of his opponents; and cutting off his access to any resources he needs to rebuild his military machine.

Under the first heading—blocking Saddam’s access to international support—I have to ask again why we haven’t long ago begun to document Iraqi war crimes against Kuwait. Even though we may never get Saddam Hussein or his lieutenants into the dock to face war crimes charges, the historical record should be filled in rather than allowed to fade. A full-scale effort should be made to spread the word about the costs of Iraq’s aggression and the security and safety of other people from Congress and the Administration.

The peace process—from which Iraq is completely excluded—destroys Saddam Hussein’s usefulness to the Palestinian community: he may be a hero or a symbol of defiance, but increasingly he must be seen as incapable of producing meaningful results.

Under the second heading—building the stock of Saddam Hussein’s opponents—we should be using every resource at our command to weaken Saddam Hussein’s image at home and to destroy the illusions his propaganda machine labors to create. Surely that is something our intelligence services know how to do. At the same time, we should be making contact with the opposition forces—and getting to know these people: learning from and about them; helping them improve their organization; urging them to develop a more unified outlook than may be the case presently; deciding who is serious and who is not.

Under the third heading—cutting off Saddam Hussein from access to resources needed to rebuild his military power—we have to make sure that the economic tourniquet stays on tight. In general, the United Nations has it about as tough as it can on manufactory, but gives Saddam some access to the oil—market, with neither the money nor the goods passing through the hands of the Iraqi Government. It is a tragedy that the people of Iraq will have to suffer the consequences of economic stagnation, but the message has to be that Saddam Hussein is not only powerless to end their misery, but is its cause.

It seems to me, however, that there are some other steps we should take that are aimed at Saddam’s access to knowledge and technology. In general, the world does not need the contribu-
tions of Iraq in the nuclear physics—practical or applied. The United States should work to completely block future Iraqi activity of any kind in these areas, to the extent they are dependent upon foreign funding and technology, including university training—available from any country with advanced capabilities. There is no way to think about certain branches of science and engineering left with little choice but to work without access to programs aimed at programs of mass destruction. I also believe that we need to encourage a continuous flow of information from within Iraq concerning government actions, by offering both protection and rewards to anyone who comes forward with useful and verifiable information.

Finally, we have to get much tougher about exposing the network of for-
gotten dependents to acquire his nuclear, chemical and biological facilities in the first place. If this means deeply embarrassing certain friendly governments, so be it. Otherwise, for example, I would like to draw attention to the Swiss, who have basically been given a free ride on the security we have provided in Europe for the last 50 years. Their country has become a haven for arms dealers and arms proliferators. The Swiss Government values the security and tranquility of its own people, but one could assess their contribution to the security and safety of other people around the world as substantially negative. Switzerland is rich and irresponsible. It is time for them to live up to their image of clean rectitude, or for someone to remake that image so as to reflect the truth. Others may feel pinched by that same shoe. So be it. And so will it be.

Mr. President, we can no more look forward to a constructive long-term relationship with Saddam Hussein than we could hope to housebreak a cobra. But it is not just enough to say that there will not be normal United States relations with Iraq while he is in power. It is time to get down to cases. Sooner or later, he will go. Sooner is better. And with him, the entire Baathist system of rule by terror has to go as well, or we may simply exchange one brutal character of the next.

Mr. President, I yield the floor. Mr. GORTON addressed the Chair.

The ACTING PRESIDENT pro tem. The Chair recognizes Senator Gorton.

Mr. GORTON, I thank the Chair.

(The remarks of Mr. Gorton pertaining to the introduction of S. 1727 are located in today’s Record under “Statements on Introduced Bills and Joint Resolutions.”)

SAFE AND AFFORDABLE ABORTIONS FOR THE MILITARY

Mr. LAUTENBERG. Mr. President, I rise this morning to discuss an amendment I will be offering today in the Defense Appropriations Subcommittee as we markup the fiscal year 1992 DOD appropriations bill. It will reverse current Department of Defense policy and allow servicewomen and military dependents access to safe and affordable abortion services in overseas military facilities. Once again, Congress has to take action to prevent the further erosion of the constitutional rights of American women. Just last week, the Senate approved the Labor-HHS appropriations bill and overturned the gag rule, which would prohibit doctors from even discussing legal medical options and patients in title X family planning clinics. Now, the Congress should take action to overturn a 1988 Reagan administration directive prohibiting doctors and military dependents access to privately financed abortions in overseas military medical facilities. Mr. President, like the gag rule, this directive came from nowhere and is an affront to every affected service person or dependent. From 1982 to 1988, servicewomen and military dependents could receive safe, privately funded abortion services in overseas military medical facilities. Then in June of 1988, the Assistant Secretary of Health Affairs at the Department of Defense arbitrarily overturned existing policy without any direction from the Congress or warning to the public.

He did this conceding that providing privately financed abortions in overseas military medical facilities does not violate the Department of Defense’s antiabortion policy, but he can and must act against using Federal funds for abortions. The Reagan administration decided to ban such abortions anyway.

Mr. President, the issue here is whether or not a servicewoman or dependent who is stationed overseas leaves her constitutional rights at the U.S. border. In countries like the Phil-
praises to the accomplishments of our troops. In the next breath, however, we turn around and tell our service members overseas that they deserve a lower quality of health care than what they could have had at home. These people risk their lives for our country—I do not believe they must risk their lives because we will not provide them access to safe health care.

If we do not include this amendment in the bill, we will only be hurting more Americans. I do not believe that is our mission.

This provision is not complex. It does not provide for the public funding of abortions. It does not remotely address whether a woman should have the right to choose to have an abortion. It does not allow for postviability abortions. It does not force military medical personnel to be involved in providing abortion related services if that is contrary to their religious or moral beliefs. And finally, it does not preclude parents from being involved in these important decisions that their children may face. It is only about equality.

On other occasions I have shared with my colleagues letters from a military family and from an overseas military doctor describing the trying problems faced by those in the military. In those letters, we learned the impact the arbitrary 1988 DOD directive has had on women's lives.

Dr. Jeffrey Jensen reported to me that:

'It is appalling to me that the President of the United States, Commander in Chief of the military sees it fit to send active duty women overseas, and then neglect a major issue of health care concern. The overwhelming sexism in this policy is especially ugly. On any given night, one can observe scores of young men taking “liberty” in Olongapo City. The service gives implied consent to those representations. I comment on this at this time for his hard work and diligence on behalf of the rights of individuals, as presented under law right now. Senator Wirth has tried valiantly to make sure that this incorrect policy is overturned, and I hope we will hear from him this morning. But I know we have his full support. I yield the floor."

Mr. WIRTH. Mr. President, I rise today to speak on behalf of the Senate. The Senate has considered before—but has yet to resolve.

Our women in uniform volunteered to serve their country, not to give up their constitutional rights. Yet policies with the best of intentions which prevent them from having access to all the rights other American women deserve and can exercise.

During consideration of the Department of Defense appropriations bill, the Senate will again have the opportunity to enable service members and their dependents stationed overseas to be able to use military medical facilities for the full range of reproductive health services permitted under U.S. law allowed to women anywhere else in U.S. society. Any service that cannot be funded by appropriated Federal funds will be paid for by the individual.

I would like to record my colleagues that this past spring, across the Nation, we witnessed a powerful display of emotion and support for the women who forces in the Persian Gulf. Flags were waved, ribbons were hung and we sang care services as women elsewhere in this society are allowed to have.

We are going to address this issue again. There will be those who say this should not be done on an important bill as an appropriation bill, just as those who say the Appropriations bill who say the Mexico City doctrine should not be addressed on a piece of legislation that important.

This issue has been shoved to the back of the bus, shoved to the back of the page, over and over and over again. It seems to me that we have an obligation not to do that any more but to raise it to the top.

So again, when the military appropriations bill comes up, I—and Senator Lautenberg, the distinguished Senator from New Jersey, has indicated his intent to do so—will continue, Mr. President, to try to provide equality of opportunity to women. It is absolutely imperative to bring this to the front of the bus, to bring this to the top of the page and stop this rampant discrimination.

Mr. LIEBERMAN. Mr. President, I suggest the adoption of the

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legal clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SADDAM HUSSEIN

Mr. LIEBERMAN. Mr. President, the clock is ticking once again for Saddam Hussein, and this time, we can all hope there will be no resurrection of the application of U.S. military force.

In August, Senator Dole and I offered a resolution that endorsed the use of force against Saddam in order to contain his nuclear capability. While the resolution passed overwhelmingly, I knew there were some who wondered why it was necessary to revisit this issue.

When the issue is Saddam Hussein, resolve will apply until he is gone from power in Iraq. I have long believed that lasting peace and security in the gulf cannot be achieved as long as Saddam is in power. Evidence plies upon evidence of his duplicity and his continued quest for superpower status. He risks everything—even a renewed attack upon his country—to preserve what he can of his weapons of mass destruction. Why? I presume so that in a few years he can once again launch devastating attacks upon his neighbors.

Perhaps Saddam Hussein has been feeling lately that the attention of the press and the headlines of the global press may have led him to believe he was free of scrutiny of
the community of nations. He could be his own self and thumb his nose at the cease-fire accords.

Perhaps that is what he has been feeling, but as President Bush made clear Thursday, Saddam Hussein is wrong. It takes a few words from the lips of our President, or even sources in the Pentagon, and Saddam Hussein is rightly back on page one as he should be. I believe most Americans understand that Saddam Hussein remains the world’s No. 1 threat, and until he is gone we literally cannot rest on the laurels of victory. We must be willing to pay the price of attention allows Saddam to scurry around and create new horrors for the world to confront.

Mr. President, I support the use of military power to back up the U.N. inspection teams. The President was right to suggest that potential. Air support to secure a suspected nuclear site in Iraq may prove necessary. Potential bombing of nuclear, chemical, biological and missile command and control sites should not be ruled out at this time.

Mr. President, United Nations inspectors must swarm over Iraq like bees over honey and uncover every shred of weaponry that the cease-fire accords, that Iraq agreed to, seek to destroy. We must think in terms of months, even years—as long as it takes, which may mean as long as Saddam Hussein is in charge of his country. But the moment he resists, military force may be needed. Nothing gets his attention like the sight of a cruise missile or a Stealth fighter honing in on Baghdad. As I said in this Chamber on August 2, all the progress we have achieved throughout the course of these past 12 months—and it has been substantial—results from the threat or actual use of force. Unfortunately, Saddam Hussein is staring into the barrel of a gun that is cocked and ready to fire. Does he seem to think about giving in and complying with agreements that he has made?

Mr. President, we have the gun. President Bush has now wisely cocked the trigger and taken aim. And if Saddam does not blink, may our aim be true.

I thank the Chair and I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEMOCRATS AND BCCI

Mr. DOLE. Mr. President, Johnny Carson once joked that the shortest possible measurement of time was the time that elapses between a stoplight turning green and a New York taxi driver honking his horn.

Throughout much of the past decade, however, I have believed that there is no time even shorter than that, and that is the time between an accusation of wrongdoing by a Republican administration official, and a demand for a special prosecutor by a congressional Democrat.

Now make the charge, no matter if the accusation is based on nothing more than rumor mongering, many of my Democrat friends regard their demand for appointment of a special prosecutor as the most important issue of the day, subverted by both the Constitution and natural law, about which we have been hearing so much.

What may be a right for some is the Spanish Inquisition for others.

Special prosecutors have carte blanche to pare down any aspect of the life of the person facing investigation. As we have seen with Mr. Walsh’s investigations, the proceedings can drag on for years—5 years so far at a cost of $50 million to the taxpayers.

At any time, someone can come forward with a new allegation that must be included in the search. Every new charge or rumor is paraded in front of the media. And the bill to the taxpayers keeps going up and up and up.

And what happens if you are found not guilty or if the special prosecutor drops charges? Not much. Your reputation is ruined, your emotions and bank account drained. And as former Secretary of Labor Raymond Donovan said, “Where do I go to get back my good name?” Where do you go to get your reputation back often you have been through all of this and found not guilty?

Mr. President, I raise this issue for two reasons. One is to make it clear that this body should expect a very serious debate over reauthorization of the independent counsel statute, which expires next year.

And the second reason is to point out the fact that pure hardball politics and not any desire for justice is usually motivating factor behind the appointment of an independent counsel.

If proof of this point were needed, all one has to do is listen to the silence coming from the other side of the aisle over the BCCI scandal.

Here is what appears to be the juiciest of all scandals—one involving bribery, money laundering, and financial fraud spanning several continents. This is a big deal.

Yet, those who have so quickly jumped on the independent counsel bandwagon before, are now nowhere to be found. The media, usually leading the drumbeat for an appointment, is also strangely silent. Where is the media? Why are not some in the media demanding a special prosecutor in the BCCI case?

Someone a little more skeptical than I might suggest that the reason for this is the overwhelming majority of names implicated in the scandal are Republicans. Chief among these is David Paul, financier to the Democrat Senatorial Campaign Committee, and perpetrator of the Centtrust Savings & Loans fiasco—a multi-billion-dollar ripoff of the taxpayers.

I am not requesting the appointment of an independent counsel. I believe that our Justice Department is more than capable of continuing their successful investigation into BCCI—without motivation other than that of simply getting to the truth and punishing the guilty.

And so, Mr. President, I ask again: Where are my Democrat colleagues? Where are their outraged voices calling for an independent counsel? Have they forgotten about the statute? Or are they just afraid where the chips will fall? Their silence is deafening.

FAMILY LEAVE

Mr. DOLE. Mr. President, the long awaited and much heralded compromise on family leave falls far short of its expectations.

Granted they have dealt with some of the peripheral concerns; for example, they claim they have streamlined the elaborate and complex procedures for investigating allegations that an employer has improperly defined family or medical leave to a worker. But they have not addressed the critical issue, and that is the mandate, mand-a-t-e.

GREAT NAME, BAD LAW

Who can be against a bill which deals with family- and medical-leave issues? In short, who could possibly be against such important family issues as leave to have a child or leave to care for an ill family member?

Frankly, Mr. President, contrary to what the proponents of this legislation would have you believe—no one is opposed to the underlying goals of the legislation, and that includes the President of the United States, myself, and my other colleagues on this side of the aisle and some on the other side of the aisle. I would hope.

In a perfect world we would like everyone to have every benefit they need, when they need it.

Indeed, I wish the issue were as simple as whether you are for family or anti-family for we could all vote pro-family and go home. But that is not the issue. The issue is whether the Government knows best about how to spend your money.

MANDATES HARM EMPLOYEES

The whole thrust of this bill is a mandate on virtually every business and every business’s employees where there are 50 or more workers.

It seems strange to me, Mr. President, that when we live in an era of individualism, we must now legislate for preference and selection—that many Mem-
bers are pushing a bill which pre-
scribes a one-size-fits-all approach to
to public policy.
Indeed, the legislation is literally the
antithesis of free choice.
Whether you are single or married;
Whether you have children or don't
have children; 
Whether your children are toddlers or
college graduates; 
Whether your family is healthy or
sick.
Whether your parents are dead or
alive—in short, irrespective of your
own personal circumstances, your em-
ployer is required to offer this fringe
benefit which in the real world means
you get less of something else.
It does not take a brain surgeon to
figure out that one's priorities and
needs change as you pass through dif-
ferent phases of life.
I have talked to some younger work-
ers in my State who are not married
and have no dependents and the last
fringe benefit they are interested in is
this legislation.
Indo, you ask them if they would
rather have this legislation—which
provides them with nothing—or have
the money that this bill costs go
toward an extra day or two of vacation
leave or the construction of an onsite
health club or dental benefits—and
their answer is let us decide for our-
selves. And, in fact, that is happening.
Companies are beginning to include
these as a result of internal
discussion and negotiation.
In short, don't have the Federal
Government out there telling us we
are all the same and want all the same
benefits because the world is not and
does not work that way.
The same responses come from older
workers, too, Mr. President. Certainly,
older workers have little interest in
leave to have a baby when their chil-
dren are all grown up. I suspect that
these older workers would rather have
the money that this bill costs to go to-
w ard a pension contribution or extended
or expanded health insurance coverage.
I should add that this case-by-case
feedback that I have received on this
legislation is borne out in public sur-
veys.
A Gallup Poll found that only 1 per-
cent of 1,000 respondents listed paren-
tal leave as their most valuable em-
ployee benefit. And a January 1991
Penn & Shoen survey found that 89
percent of 1,000 respondents preferred
that employee benefits be decided pri-

tarily between employers and employ-

ees rather than mandated by the Fed-
eral Government.
Imagine yourself a business man or
women with a small company with 50
or 60 employees. Competition is tight,
profits are tight, labor is tight, busi-
ness is tight, and costs such as health
insurance are rising fast.
Then the U.S. Congress mandates
parental leave which is going to cost
your business more—more in terms of
increased training and replacement
costs, and more in terms of admin-
istrative compliance costs.
In this case, this more will mean so
much less for everyone. Let us not
make that mistake.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tem-
pore. Morning business is closed.

DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES AP-
PROPRIATIONS ACT, FISCAL
YEAR 1992

The ACTING PRESIDENT pro tem-
pore. The Senate will now resume con-
sideration of H.R. 2686, which the
clerk will report.
The legislative clerk read as follows:
"A bill (H.R. 2686) making appropri-
ations for the Department of the Inter-
ior and related agencies for the fiscal
year ending September 30, 1992, and
for other purposes.
The Senate resumed consideration
of the bill.
Pending:
Sanford amendment No. 1165, provides
for a settlement of a specific agreement
between the Federal Government, the Tennes-
see Valley Authority, and Swain County,
North Carolina.
Burdick amendment No. 1173 to alter
the criteria for modifications to the Great
Plains Project Trust Agreement.
Mr. BYRD. Mr. President, I suggest
the absence of a quorum.
The ACTING PRESIDENT pro tem-
pore. The clerk will call the roll.
The legislative clerk proceeded to
call the roll.
Mr. DIXON. Mr. President, I ask
unanimous consent that the order for the
quorum call be rescinded.
The ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.
Mr. DIXON. Mr. President, I ask
unanimous consent to proceed as in
morning business for the purpose of
introducing a bill.
The ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.
The Senator from Illinois is recog-
nized.
Mr. DIXON. I thank the Chair.
"The remarks of Mr. DIXON per-
taining to the introduction of S. 1725
are located in today's Record under
"Statements on Introduced Bills and
Joint Resolutions."

Mr. DIXON. I thank my distin-
guished colleague from Illinois, Mr. BUR-
DICK. That is right.

DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES AP-
PROPRIATIONS ACT, FISCAL
YEAR 1992

The Senate continued with the con-
sideration of the bill.

AMENDMENT NO. 1173

Mr. President, the amendment we
are offering today is really quite
simple, though a bit of background
is necessary so that everyone under-
stands exactly what we are doing.
The Great Plains coal gasification
project in North Dakota is the only
commercial plant in the country
which produces synthetic natural gas
from coal. Considering the massive
coal reserves in the United States,
coal can play an important role in
our future energy security.
In 1988, the Department of Energy
sold the Great Plains to Basin Electric
Power Cooperative. The reason DOE
then owned the plant was that its
financial owners defaulted on their
Federal loan guarantees and the plant
fell into the hands of the Government.
After operating the plant for over 2
years, DOE put the facility up for sale.
B basin Electric came in with the best
offer and they bought the plant. How-
ever, when Basin Electric bought the
project, it was known that in order for
it to be permitted that in order for it
to be permitted, sulfur emissions
needed to be reduced.
At the time, DOE said that $30 mil-
lion would be adequate to pay for the
fix and accordingly placed $30 million
in a trust fund for just that purpose.
After establishing that the life of the
sale was a $75 million reserve account to be
used to keep the plant operating if gas
prices dropped sharply. It is important
to point out that those trust funds
were created from profits which the
plant generated during the time that

Mr. DIXON. If my dear friend, the
very distinguished senior Senator from
North Dakota will indulge me, I will
proceed very, very briefly. I will not
impose upon the time of the great
giants of this body.
Mr. BURDICK. In view of that
statement, it is very difficult for me
to refuse.
Mr. DIXON. I thank my friend from
North Dakota, and I thank the distin-
guished President pro tempore and the
Republican manager for their in-
dulgence.

The PRESIDING OFFICER. The
Senator from Illinois is recognized.
Mr. DIXON. I thank the Chair.
"The remarks of Mr. DIXON pertain-
ing to the introduction of S. 1725
are located in today's Record under
"Statements on Introduced Bills and
Joint Resolutions."

Mr. DIXON. I thank my distin-
guished colleague from Illinois, Mr. BUR-
DICK. That is right.
it was operated by DOE. In other words, the money did not come from the taxpayers.

Now we have found that the $30 million set aside for the sulfur fix is inadequate. It is now estimated that the actual cost of the needed scrubber could be as much as $30 million more than DOE estimated. So the question is who should pay? Should the buyer of the plant be stuck with this extra $70 million bill? Of course not.

The case could be made that the entire extra cost of the scrubber should come from the reserve account. After all, it was DOE that said $30 million would take care of it. However, in- stead of taking all the funds from the reserve account, this amendment requires that the extra cost be split evenly. Under this proposal, Basin Electric is still required to pay 50 percent of the increased costs. I should point out that the funds are to be taken from the reserve account, so there is no budgetary impact to the bill.

Without question there is a moral commitment for the Government to help with the extra cost of bringing this plant into compliance. After all, it was DOE that said $30 million would fix this problem.

Mr. President, I hope that my colleagues will take a look at these facts and agree that this company should not have to pay for DOE's mistake.

Mr. President, I wish Mr. President, I wish Mr. President, I wish to compliment the senior Senator from North Dakota for his efforts on behalf of his constituency and also on behalf of Basin Electric. He has been tireless in his efforts to help this plant and help the employees in that plant. I compliment him for it.

I do have reservations about the amendment, nonetheless, and I might mention those, I have been talking with employees of Basin Energy, and I know the Senator from North Dakota has; both Senators from North Dakota, I might mention. I know also that Senator Conrad has been contact- ing Henson Moore, the Deputy Secretary of Energy, on this issue, trying to get support for this amendment. Pres- ently, they do not support this amend- ment.

This amendment does a couple things. Senator Bunning outlined the proposition quite well. I might give a little more history on this plant. This was one of the original synthetic fuels plants. Over $1 billion was invested. The original operators got out of the project, and the Department of Energy ended up running it. They ended up taking this $1 billion plant, and I am going to say selling it or giving it, whatever, for a small amount of money.

With that purchase in 1988, they created two reserve accounts. One was $30 million to take care of environmental problems. The Senator from North Dakota is exactly right. The $30 million would not come close to fulfill-
the Federal Government's putting up new money, of putting up money with no return. The reason for that, because the reality is that the Federal Government has the potential, over 20 years, to get $1.8 billion back if we are able to keep this plant in operation.

The second thing we face is that we are facing the biggest environmental problem at this plant. I say to my colleagues and other colleagues who are listening to the Federal Government made a mistake.

The Federal Government, at the time of the sale of this plant to the private sector, said this environmental problem could be fixed for $30 million. A trust fund was set aside by the Department of Energy for that purpose. The Federal Government was wrong. The cost of the environmental fix is going to be $100 million, not $30 million. What we want the Federal Government to do is to write a check. We are asking that the $30 million trust fund be used, and we are asking for a transfer from a second trust fund that was established, the money be transferred on a matching basis with the current owner's contribution, on a 50-50 basis, in order to meet the cost of this environmental fix.

Frankly, I think it would be reasonable to come before this body and ask not only for the $30 million from the environmental fund but for full funding for the environmental fix because, regrettably, that is a mistake by the Federal Government.

I want to thank my senior colleague, Senator Burdick, for his leadership on this issue. As he so well knows, this is absolutely critical, to our State's interests because we have hundreds and hundreds of employees at this plant. The loss to the State would be $50 million if this plant were closed down. $50 million for a State that has already been hard hit. But, further, the employer would not only would the State be a loser. The Federal Government would be a loser because the Federal Government stands to get $1.8 billion over the 20 years that this plant stays in operation.

I also want to publicly thank the distinguished chairman of the Appropriations Committee, Senator Byrd, for his guidance and assistance on this amendment. We would not be successful without the support that he has given us, and we deeply appreciate it.

The amendment that we are offering today will address what is a serious problem at the Great Plains coal gasification plant. Events of the past year are a painful reminder that we need to renew the effort for energy independence in this country, and this plant is a focal point of that effort.

Great Plains coal gasification plant is the Nation's only commercial-scale synthetic fuel project. It was built in the early 1980's under budget, on time. And I might say to my colleagues, it performs at above its designed rated capacity. It is a technological marvel. A number of our colleagues have seen this plant. We stand here on the floor of the Senate, and there has been a lengthy briefing on this plant. Senator McClure has been to the plant, our former colleague from Idaho. I see his successor on the floor here today. It truly is a technological marvel. We are waiting for a whole series of new products being brought on stream as technology improves.

In 1985, the private sponsors of the plant did not raise nearly $1.5 billion in Federal loans.

The Department of Energy acquired the project and operated it until 1988, when the plant was sold back into the private sector to Basin Electric Cooperative, a regional electric cooperative operating in the upper Midwest.

According to DOE, Basin's winning bid for the plant, as I indicated, could have an ultimate value of up to $1.8 billion over the 20 years that the plant was built and that the bid presented value to the Government and because of their assurances of continued operation of the plant.

At the time of the sale, Secretary Herttington said:

The choice of Basin Electric puts the future of the Great Plains plant on a more solid foundation than at any time in the project's turbulent history.

DOE estimated that without Basin's purchase of the plant, the plant could have ended up costing the taxpayers of this country $2.6 billion.

The amendment we are proposing today will settle an environmental issue at the plant that dates from the time of Federal ownership. The plant has sulfur emission levels that exceed those allowed in the permit to construct the plant in 1977. The best available technology was expected to remove 97 percent of the sulfur, but it has only removed 75 percent. DOE was formally notified of the noncompliance when it operated the plant in 1986.

When DOE offered the plant for sale, the environmental problem was acknowledged to all bidders. Everyone was told that this problem existed, and DOE assured bidders that the problem would be paid for by the Federal Government. This was the Federal Government's watch, and the Federal Government made assurances that they would cover the costs. Basin Electric, the winning bidder, was assured at the time of the sale that the sulfur problem at the plant would be paid for through an environmental trust fund that DOE established specifically for the purpose. This trust fund, $30 million, is unfortunately, woefully inadequate to cover the costs of the sulfur fix for the plant.

This amendment allows for the transfer of additional funds to the environmental trust fund. The funds are transferred from another trust fund—the reserve account—which was established for the event of cash-flow shortages at the plant. This $75 million reserve account was established to make certain that the plant stayed open. Everyone understood there were contingencies that could not be anticipated, and that is the reason for this second trust fund.

The $75 million account was set aside by the Department of Energy, not appropriated by Congress. The plant did not stay open, and a transfer of funds from this account, we believe, is consistent with the goals of the account.

This amendment is critical to maintaining the viability of the Great Plains project. The Government made a commitment to this problem. Basin Electric has already made substantial investments. Without help from the reserve trust account, the capital investment that will be required may force abandonment of the plant and an enormous loss of potential revenue to the Federal Government.

The Government, when it selected Basin as the winning bidder, made a decision that it was in the best long-term interests of the Nation to keep this plant open. Without the amendment, substantial Federal investment will be lost just when we are on the verge of promising returns on that investment.

Mr. President, the Government has an obligation to live up to the commitment it made when the coal gasification plant was turned over into the private sector. I hope we keep that commitment here today. I thank the Chair and yield the floor.

Mr. BURDICK addressed the Chair. The PRESIDING OFFICER. The senior Senator from North Dakota is recognized.

Mr. BURDICK. Mr. President, we have nothing further at this time. Does the Senator wish to speak further?

Mr. NICKLES. No.

Mr. President, I wish to compliment Senator Conrad, as I have Senator Burdick, for his statement and also for his leadership. I understand him when the Senator said he has been negotiating, because when I talked to Secretary Moore, he told me that the Senator contacted him yesterday and recently, and tried to persuade him of the wisdom of his position. I know the Senator heard my statement that this amendment was not set up for environmental problems.

It is the Senator's belief that if this amendment did become law, and the reserve fund is used for environmental purposes, and that the price of these contracts decline, or whatever, that under no circumstances would this Basin Electric or the operators of the synthetic fuel plant be coming back to this body asking for additional moneys?

Mr. CONRAD. I would be happy to attempt to answer the question of my colleague. I am in no position to speak for Basin Electric on that question. I say to the Senator this: When the
plant was sold, the Federal Government did an analysis of how to solve the problem. They said it would cost $30 million for a trust fund for that purpose, an environmental trust fund. Therefore, they established a second trust fund—the reserve account—that was to meet potential cash flow problems. No one knows if they will develop or not.

The Federal Government, in its estimate of what was needed, for some reason, completely went wrong. It is not a $30 million problem; it is a $100 million problem.

I do not want to bother my colleagues with the details of why they were wrong, but it is fairly alarming why they were wrong. For some reason, they did not analyze Federal law correctly. It is really quite clear that they were going to be held to a higher standard than the taxpayers of those states at the time. But, unfortunately, that is where we are. We have to deal with this immediate problem. The failure to do so, again, I say to my colleagues, leaves us with a trust of $1.8 billion to pay back to the Federal Government. So I am in no position to speak for Basin Electric and to say what they will do or will not do. I can only speak for this Senator and say to my colleague that I honestly believe the Federal Government made a very clear commitment, and the Federal Government, now, is getting a rather extraordinary windfall.

Mr. NICKLES. Mr. President, I do not think this plant has been a good deal for the taxpayers. The taxpayers have well over $1 billion already invested. The original participant in that plant walked away from it; it was a loser. In spite of the fact that as part of the contracts they would be receiving the highest prices paid anywhere for natural case, that is still the case. Consumers are paying an extraordinarily high price for this plant today. I doubt that in any way, shape, or form, the taxpayers will ever recover that $1.8 billion. That would be a great thing to have happen, but I doubt that it will ever happen.

I have a couple of comments. We are talking about using the trust fund to cover for cash flow deficiencies and use that for other purposes now. It was not set up for that. If this amendment becomes law, again, I hope it will go to the reserve account which would make it a loan. Yes, they could borrow money out, and they would have to pay it back. So there would be money if a cash shortage should come in the future. That is the reason we set it up—not for environmental problems.

I might mention, some of the discussion about, well, the cost has gone up. We passed a clean air bill in the Senate with a lot of people acting like it was not going to cost any money. Part of this problem is this plant cannot get a permit and meet the environmental requirements of the Clean Air Act. It is going to take $100 million.

I think colleagues ought to realize there is a cost involved in clean air, even in North Dakota that does not have any air pollution problems, certainly not similar to cities like LA or Denver, which have congested areas. North Dakota is one of the most pollution-free States in the Nation.

But the requirements are very severe, and to comply with the law, I would agree with my colleague, the Department of Energy now says it cost $100 million. And I also agree with my colleague that a couple years ago they thought it would be only $30 million. This is a fact that many of our industries and companies across the country are finding, that to comply with many of the new regulations which we passed is enormously expensive and in some cases jeopardize the viability of the plant, jeopardize the jobs, jeopardize the industry.

I think I debated that during the clean air bill, and I am not going to debate it again. But there are costs associated with some of the things we do in Congress. Many of the times I think it is better put it against what it pays.

I am not going to oppose the amendment further except to again urge my colleagues to try and see if we cannot come up with a negotiated agreement by the time we get to conference so this will not be a contentious conference item because we are talking about $50 million, we are not talking about peanuts, we are talking about $50 million set aside in a reserve fund for other purposes not for this purpose.

Again, it is my intention if we do use that reserve fund for environmental purposes that should cash flow deficiencies arise this Senator would be vigorously opposed to having the Congress ball this organization out.

Mr. President, I yield the floor. The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, just a couple of quick comments if I might respond to my colleague. The Senator from Oklahoma calls this plan a bad deal for taxpayers. Let me say the original deal was a bad deal for taxpayers.

I could not agree more, the original deal was a bad deal for taxpayers. This plan was the DOE took over for those in the private sector that walked away and sold it back into the private sector, the deal with Basin Electric is a good deal for taxpayers. I think we have to differentiate the two. If the original deal was a bad deal for taxpayers the second deal is a good deal for taxpayers because it has the potential of allowing the Federal Government to recover $1.8 billion or 20 years.

No. 2, I think we should point out no money is being appropriated here. The $30 million is in the trust fund for the purposes of environmental effects; the $75 million is in a second trust fund that was set aside for contingencies. The Senator is quite right it was not for cash-flow contingencies, but nonetheless, the reason for the problem here is the Government mistake.

I really think we should point out so the record is clear the problem with the increased cost is not as a result of the Clean Air Act. The Senator from Oklahoma and I share many views; in fact we voted together on some of the measures on the Clean Air Act because of our concerns about it. In all of this it should be clear on the record that the problem that is addressed by this amendment is to comply with a permit that was granted in 1977 that required the use of the best available technology. It has nothing to with the Clean Air Act that was passed last year.

So again this was the problem that was known by the Federal Government. They made a mistake in their estimate of what it would cost. We are simply trying to rectify that so that the Federal Government is in a position to recover the maximum amount possible. Again, over 20 years, the Department of Energy says the potential is $1.8 billion. We ought not to jeopardize it.

I thank the Chair.

The PRESIDING OFFICER. The senior Senator from North Dakota is recognized.

Mr. BURDICK. Mr. President, I believe we are ready for a vote.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment of the Senator from North Dakota.

The amendment (No. 1173) was agreed to.

Mr. BURDICK. Mr. President, I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BURDICK. Mr. President, I thank my colleagues from Oklahoma for the kindness today in disposing of this matter in a nice orderly manner. I also thank my friend from West Virginia for allowing us to take care of this matter in this fashion.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. SANFORD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Sanford amendment, amendment No. 1165.
Mr. SANFORD. Mr. President, this Senator is prepared to go to a vote, if there is no further debate on the amendment. Yesterday I indeed laid out my arguments for the amendment. This deals with a rather simple obligation. The U. S. Government is supposed to make a county in North Carolina a national park where Fontana Lake is now situated. It was also considered appropriate at that time because of the national efforts and the efforts of the State of North Carolina in the Great Smokies National Park to create the Smoky Mountains National Park to have some additional land in the Smokies for the Park Service, so in combination the Park Service Department of the Interior, on behalf of the State of Swain County, to pay out of its own funds of money to Swain County for the taking of that land, and in particular for the taking of a road that ran where there is now the bottom of the lake.

At that time, under North Carolina's system of road building which is no longer in use, it is now a statewide system, the counties issued bonds for the building of roads, county roads, and Swain County had issued bonds for the building of this road, and so it was obvious that, No. 1, the agreement to the building of this road by the Federal Government would pay for the bonds, since they were destroying the road and would build another road on the upper side of the lake, in particular, would build it because there were a number of cemeteries that would be cut off by the lake, and this would provide access.

They signed agreement but they never paid off the road bonds. Thus the agreement was made, was on the national, and the war came on and the war ended, World War II. They still had not built the road, still had not paid the bonds, and little Swain County which is nestled in the Smoky Mountains of North Carolina, with one of the smallest economic bases of any of our 100 counties, virtually no industry at that time and very little today, and just incidentally in passing losing one of those industries right now, that takes 100 or so employees off the payrolls, that is very important in a small county like Swain, but little poor Swain County continued paying off those bonds until well into the 1970's, still with no help from the Federal Government.

The Federal Government, however, did begin to construct a road. No sooner had it built across the first ridge because they would have to run over the eastern ridge, 30 or 40 miles, they no sooner got across the first one that they realized that, because of the particular formation of the rock, this then even before environmental concern became prominent, even therein they realized that this would be extremely damaging to the area, and that it had raised so much dust that came from cutting into that particular kind of rock. So they stopped it, and it has been stymied ever since.

The environmental groups across this country over the years have risen up in solid defense against such a decision to continue that road. The Park Service that was involved in building it says not under any circumstances would the Park Service of the Department of the Interior build the road in what is now a national park.

That is where it has been for many, many years. To build the road for the other 10 or 12 miles, build it according to the agreed standards in the beginning, it probably would now cost $150 million to build. But that is not the point. The point is that it would cost, in environmental damage, permanent loss of resources which has a great many recreational values as well as the value for producing electricity in the Tennessee Valley.

So you say Governor Andrus was the Secretary of the Interior, he struck a deal with the commissioners of Swain County, since they were not going to build the road, since the road could not be built and be environmentally satisfactory, that they would pay a cash settlement and that that would end the dispute.

So then members of the county commissions and representatives of the people of that county, decided that that was what they ought to do. The county commissioners have almost without an exception since that time, every time a new board comes in, reaffirmed that they believe that the only sensible solution is to take the cash. Provisions had been made and agreed to that the cash will be held in trust. And this amendment provides, among other things, that the income from that trust be used for the education and support of the schools in Swain County, but for the corpus to be used, the main body of the money to be used, it requires a supermajority vote of the citizens.

Now under that supermajority requirement, if, indeed, the county wanted to build a road, certainly if it got the other necessary permits from the Park Service, it could use that money for the construction of a road, but I do not believe anybody seriously proposes it. As a matter of fact, if the people of Swain County decide they want a road, they certainly can use this money for that. They can use this money for economic development, or whatever else they decide is for the good of the people.

I believe very strongly, in local government, local decisions. In North Carolina, some years ago, we decided that we would take from the legislature the right to control all of the rules for local municipalities for local decisions, that we would not decide this by the legislature in Raleigh but we would leave it to the local people to decide. And that has been a pending is indicated by the fact that when I was Governor of North Carolina from 1965 to 1967, this was a hot issue in Swain County, I was asked to intervene, to be of help to get this done, and the Governor's office really didn't have any say in it.

But I did say I would support what the county commissioners wanted. If they wanted a road, I would support the road and speak to the people in Washington, if they wanted a cash settlement, I would support a cash settlement. But I was going to take my lead from what the local elected officials representing the people of Swain County decided they wanted. I think that is the way to run our many-tiered American Government, and that has been my position since.

When I got to Washington as a U.S. Senator, I found that this issue still has not been and that again I took the same position. I am willing to do what the county commissioners want to do. And I took the position that if they wanted a settlement, we would have a settlement; if they wanted a road, I would try to help them. But I did not see much chance, given the fact that it is obvious that now environmental concerns are such, that there is no reasonable expectation that a permit to build that road could ever be obtained. They concluded that.

Since I have been here, we have had a Democratic-dominated board. They were unanimous for a cash settlement. We then had a Republican-dominated board. They were totally in favor of a cash settlement. Now we have a board that has turned back Democratic and they still are for a cash settlement.

And so that is my position, Mr. President, that I am for this money to go to this small county. The county commissioners are now pleading with us, pointing out all of the added costs that have been placed on them within the last few years, pleading with us to authorize this cash settlement.

I think it is a moral question. I think there is the great, strong U.S. Government is abusing this little county. I think it is incumbent on us, the U.S. Senate, on Congress, and on the administration to all be determined that we are going to stop this injustice and settle with Swain County what we have now owed Swain County for almost 48 years.

The Senate without yielding the floor, may I inquire if there is any other debate on this amendment?

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

Mr. SANFORD. No, I have not yielded the floor.

Mr. BYRD. The Senate is correct. I will have to say that I support the
September 19, 1991

CONGRESSIONAL RECORD — SENATE

S 13257

Senators' amendment but I do not support having a rolcall vote when there is nobody on the floor except the Chair.

Mr. SANFORD. I simply inquired whether or not there is any opposition on this amendment.

Mr. BYRD. The Chair asked if there was further debate. And if there is no further debate, the Chair is required to put the question.

Mr. SANFORD. I understand that. I have not yielded the floor, and I do not believe the Chair can do that until I do so.

Mr. BYRD. The Senator is correct. I understand the rules very well. But I wanted to let the Chair know that there cannot be a rolcall vote or any vote at this point.

Mr. SANFORD. It would be inapposite, and this Senator would not, under any circumstances, take advantage of a colleague. I simply want to inform the Chair whether or not the Republican manager thought that anyone cared to debate against it, whether or not the Republican manager thought that anyone cared to debate against this amendment. This is the pending business and, technically, the floor is not open until we dispose of this amendment.

Without yielding the floor, I would like to inquire, Mr. President.

Mr. NICKLES. I am happy to respond to my colleague from North Carolina. I understand that there is opposition to the amendment. I understand that there may well be significant opposition to the amendment. I have a letter from the Governor of North Carolina in opposition to the amendment.

So I am not prepared to debate against it at this point. I may not debate against it, period. But I do expect that there will be some opposition at some point later today.

Mr. SANFORD. Well, since the entire legislative process of the Senate now is controlled by whether or not there is opposition to this amendment, I may inquire, Mr. President, of the Republican manager, without yielding the floor, whether or not there is any indication that there will be any early effort to come in on this legislation.

Mr. NICKLES. Just to respond to my colleague, I do not think that there will be a response in the next hour. I think it probably could not happen for another hour or so. I would have to consult with some of my other colleagues before I know exactly when they will be ready to respond.

Mr. SANFORD. Mr. President, may I inquire whether or not this was the first order of business this morning?

The PRESIDING OFFICER (Mr. ARAKA). The regular order of business this morning was the Sanford amendment.

Mr. SANFORD. Mr. President, can we not get some assurance from the Republican manager that, since this was the first order of business, that we might see it before the middle of the day?

Mr. NICKLES. To respond to the Senator, no, I cannot give him that assurance. I think there is significant opposition to the amendment. I am not sure when that opposition is going to come. I know the Senator laid down the amendment last night. Maybe I should have objected more strenuously, because I knew there would be opposition to the amendment last night. Maybe I would have had the opportunity to believe that a Senator who opposes this amendment can be here.

Mr. SANFORD. This Senator cannot be here then, Mr. President. And this Senator is following the rules. I will be glad to talk from now until then about the state of federalism in America and whether or not letters from Governors mean very much.

Mr. President, I would, as a matter of record in this debate, be willing to place a 50-to-1 bet the Governor of North Carolina has never read my amendment, but he dashes off a political letter here indicating that he is opposed to it.

I can get the Commissioner of Agriculture to favor this. I can get the Attorney General of North Carolina. But their opinions are not any more relevant than the Governor's opinion. This is a local matter and I think that it is a local matter. I think the U.S. Senate has to respond locally.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the session be rescinded.

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

Mr. DOLE. I will be happy to yield to the Senator from North Carolina.

Mr. SANFORD. Mr. President, if the Republicans would acquiesce with the managers, we could make it possible for us to proceed with the debate on this bill. This Senator would be willing to have consideration of the amendment, which is now the order of business, set aside until 8 p.m. tonight or until the morning as the two managers of the bill determine so that other amendments might be considered and that we might make progress on finishing this legislation.

Mr. BYRD. Mr. President, I thank the distinguished Senator. I think he is attempting to go the last mile in the effort to be cooperative with the managers. It would help us to expedite action on the bill. I think he is to be congratulated. I personally thank him for his consideration in disposing of the amendment.

Mr. SANFORD. Mr. President, I inquire whether or not the Republican manager is agreeable to that.

Mr. NICKLES. Mr. President, in response, I do agree. I thank our colleagues. We do have other amendments of which we would like to dispose. Hopefully, we can finish this bill to-
night. The Senator said he would be willing to set his amendment aside until 8 o'clock. I would love to have the Senator's amendment be the last we consider, dispose of that one way or another. There may be a cloture vote on it or something. I do not know. But anyway, I would like to finish this bill if at all possible, and by the Senator's agreeing to set aside his amendment, we will be able to consider other amendments. Likewise, I encourage other Senators with their names on the list to bring their amendments forward because we are trying to finish this bill today as soon as possible.

Mr. President, there is an objection to the unanimous consent, so I will object. Let me consult with the Senator and get back to him.

Mr. BYRD. Mr. President, the Senator did not ask unanimous consent.

Mr. SANFORD. No. I called for the regular order.

The PRESIDING OFFICER. The PRESIDING OFFICER. No request has been made. Unanimous consent is not requested.

Mr. SANFORD. I will readily agree to set aside my amendment in order that the Republican leader might speak. I ask unanimous consent.

Mr. DOLE. Without losing his right to the floor, I thank the Senator from North Carolina.

The PRESIDING OFFICER. With the regular order, so ordered.

Mr. DOLE. Mr. President, let me echo that I want to encourage anybody on this side with amendments to come over and get them offered. I think we can resolve any problem that might be here. If we can set aside the amendment, we can make some progress. I know the managers were on the floor all day yesterday and disposed of at least a dozen amendments. I do not know how many are remaining. Certainly I think we all understand dispose of the amendments unless those Senators with amendments come to the floor. Managers cannot do it unless somebody consents, and then I am sure the managers will be happy to bring them up for them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so that the distinguished Senator from Kansas [Mrs. Kassebaum] may call up an amendment. Senator Nickles and I傣 understand the Senator wishes to use one of his slots for Senator Kassebaum.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, in our unanimous consent where we limited amendments, both Senator Byrd and I did reserve two amendments to accommodate Senators if for some reason they were not on the list. Senator Kassebaum has indicated an interest in one of those amendments, and I will be happy to yield one of those slots to our distinguished colleague from Kansas.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mrs. KASSEBAUM. Mr. President, I appreciate Senator Nickles doing so and appreciate the opportunity to offer my amendment at this time.

AMENDMENT NO. 1174.

Mrs. KASSEBAUM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk read the legislative language as follows:

The Senator from Kansas [Mrs. Kassebaum] proposes an amendment numbered 1174.

On page 100, line 14, strike "$143,583,000" and insert "$126,175,000."

Mrs. KASSEBAUM. Mr. President, the amendment that I am offering would provide a 10-percent reduction in the National Endowment for the Arts. The purpose of my amendment is quite simple. It is to draw attention to the fact that many Americans have legitimate concerns about the way in which their tax dollars are being used with respect to arts funding.

Last year Congress enacted a number of procedural reforms with the view toward urging the reforms to increase the sensitivity of the agency to taxpayer concerns without defining content restrictions. I have felt that these changes sent a strong message, and I worked on behalf of their enactment. Many members have been appointed with the result and have come to the conclusion that we must send a stronger message and that is the point of this amendment.

I do not regard myself, Mr. President, as uncerning about this issue. I care deeply about the arts community. I believe it is an important part of our statements of what we are about as a nation. We have always lent strong support to the arts and in all of our diversity there are many options one could choose in trying to address the concerns that have been expressed from both Congress and the public.

Obviously, one could look at content restrictions, and it is my belief that a number of such restrictions have been presented in this body in the past. I do not believe this course is advisable and would, in fact, urge the rejection of any amendment which might raise this level of concern.

Writing content restrictions into statute ultimately requires excluding classes of subject matter irrespective of the context in which they were presented.

It would also be possible to devise procedural reforms in addition to the current legislation. It is my hope that we can aim toward further prodding the NEA to exercise common sense and good judgment in distributing funds. I believe, however, that there is plenty of authority already on the books to do what is necessary. The goal is to see that it is used.

Some have argued that the Federal Government simply should not be involved at all in funding the arts and that it is a luxury we cannot afford at a time when we are unable to do all we would like to in areas of pressing need. I have rejected this option because I recognize that the National Endowment for the Arts has played an important role in supporting artistic expression and excellence across the country. Throughout history, governments have supported the arts for their value in enriching culture and human experience.

An NEA grant provides recognition that the artist or project is of an extremely high level of excellence and exceptional quality. There is great value in that, but that value has been tarnished by a series of grant awards which do not represent the best of the best, but which do not do bring an appreciation of art to a broad audience.

There is a great deal of excellent art in the United States, and a great deal of excellent art supported by the National Endowment for the Arts. At the same time with respect to the NEA, there seems to be an atmosphere that anything presented as art deserves public support.

An editorial which appeared in the Wichita Eagle last year, Wichita, KS, related to this way:

"The fact is that absolutely no one is trying to deny artists the freedom to create. The arts community seems to think that any artist can do anything they want and the taxpayers should finance it."

This point was underscored in yesterday's Washington Post which carried an article regarding a suit brought against the NEA by four performance artists whose proposals for NEA funding were rejected last year. Contrary to the impression which some seem to hold, Federal arts funding is not an entitlement.

Like all members of this body, I receive a steady stream of mail about the NEA. Although much of this correspondence comes in the form of computer generated postcards, much of it is also from ordinary citizens who simply cannot understand why the taxes they work hard to pay should be used in the manner that they are. They are expressing a broader frustration that those of us in Washington have lost touch with the reality of the world in which Americans live and work.
That is really the basis for my concern, Mr. President. I think there are things that the NEA can do that can enhance the effectiveness and the accountability of the agency. I think the board of the National Endowment for the Arts has not done enough to engage itself in a much more active manner in the opinions that are presented by the peer review panel, for instance.

So it will be my hope that these will be considerations that should be and would be considered. Every recipient of Federal tax dollars holds the responsibility to be accountable to the public which foots the bill. It does not make any difference whether this is in agriculture or in defense. And a failure to recognize this responsibility will only lead to further erosion of public support for the NEA. Those voices deserve attention, and it is the purpose of my amendment to see that they get it.

Thank you, Mr. President. I yield the floor.

Mr. BYRD. Mr. President, will the distinguished Senator yield?

Mrs. KASSEBAUM. I am happy to yield.

Mr. BYRD. Mr. President, I wonder if the distinguished Senator would mind adding my name as a cosponsor, Mrs. KASSEBAUM. Mr. President, I would be very happy to add Senator Byrns, the chairman of the Appropriations Committee, as a cosponsor to my amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mrs. KASSEBAUM. Mr. President, I will be asking for the yeas and nays, but I do not believe there are enough Senators on the floor for a sufficient quorum. I ask for a vote by yeas and nays. I will do so at a later time.

The PRESIDING OFFICER. Does the Senator yield the floor?

Mrs. KASSEBAUM. I yield the floor.

Mr. CHAFEE. Mr. President, I ask unanimous consent that I might proceed for 5 minutes as in morning business.

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

THE NOMINATION OF JUDGE CLARENCE THOMAS TO BE ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT.

Mr. CHAFEE. Mr. President, as have many Americans, I have, during the past 2 weeks, listened when I could to the Senate Judiciary Committee hearings on the nomination of Judge Clarence Thomas to be Associate Justice of the Supreme Court of the United States. I found the hearings—in which we heard both testimony by Judge Thomas and views of panel witnesses—to be helpful in understanding who Clarence Thomas is, and how he may serve this country as a Justice.

There is little disagreement on the character and background of the Judge. He is by all accounts a fair man, an honest man, and a good man. The record demonstrates fully an embodiment of all that we were taught as children about opportunities in America. It is an impressive background, and one that cannot be under-valued.

But there is more to being a Supreme Court Justice than being a good person. Thus, I paid careful attention to the hearings to find out more about Judge Thomas' view of the Constitution, the law, and the court.

After listening to the judge and the various witnesses testify, I think it is fair to say that Judge Thomas falls into the category of conservative thinkers. Yet throughout his state-ments before the committee and his public statements as an official in the executive branch runs a streak of what might be characterized as a moderate—sometimes, even liberal—point of view.

And that is where I think his background does come into play, and does make a difference in the kind of Justice that he would be. I believe Judge Thomas when he says he will be open-minded with regard to the issues he is asked to decide on the Supreme Court. But I also believe that a judge, being human, can never fully shed him, or her, of the influences that have shaped his or her life. In that sense, no judge can ever be fully neutral. And thus, I believe that given the influences that have shaped the life and character of Judge Thomas, we would not see an ideological judge, but one who understands what it is like out there, who understands, and will not forget, what it is like to be without resources, without help, and sometimes with quite a backdrop.

I believe that Judge Thomas will be an independent voice on the Court, neither leaning to the left nor bowing to the right, but instead choosing his own path. I believe that he will decide each case as it comes to him, with an open mind. And I believe that if he exhibits some of the fierce independence that he has shown throughout his life, he may surprise all of us, particularly those who might attempt to categorize the judge's beliefs as part of one monolithic ideological point of view.

There are issues I care deeply about—separation of church and state; the first amendment freedoms of speech and expression; and the right of a woman to make her own choices about reproduction. Each of these issues will come before the Court in the near future. I am pleased that Judge Thomas stated that there is a right to privacy, and that overturning a prece-dent should require more than simply finding its underpinnings to be incorrect. However, I still worry that a conservative thinker will change what I consider to be important and correct decisions on these issues. Yet, I would worry more about a conservative who has not been personally influenced in the way Judge Thomas has, and I would worry far more about an ideological conservative with an agenda.

As Dean Calabresi said during Tuesday's hearing, Judge Thomas' views have changed over time, and may change again in the future. His constitutional philosophy, as was the situation with his certain of his predecessors, is not yet fully formed. I am persuaded that the combination of his willingness to listen without advancing an agenda, his background, and the influences that have shaped his character, and his independence presages a judge who will grow on the Court, who will, as the dean said, be shaped by the cases that come before him even as he shapes the Court.

Therefore, Mr. President, I will be supporting the confirmation of Judge Clarence Thomas to be Associate Justice of the Supreme Court, and I will vote for his confirmation.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

Mr. BYRD. Mr. President, I ask unanimous consent that the vote on or in relation to the amendment by Senator KASSEBAUM occur at 12:45 p.m. today.

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

Mr. FELL, Mr. President, while I have the greatest respect for the Senator from Kansas and appreciate her thoughts about the National Endowment for the Arts, I believe that her amendment to reduce funds is not the appropriate way to address what problems may exist at the agency.

Senator KASSEBAUM was of tremendous help last year when we carefully reviewed NEA procedures. She worked with us and endorsed the numerous reforms we eventually incorpo-rated into the NEA's legislation.

I believe that we must give these reforms time to take hold. The Endowment has moved quickly to establish a series of procedural changes—all of which address the very valid concerns
that many of my colleagues may have, but we must give them time.

In my view, it would be a more positive step if, as the chairman and ranking member of the Subcommittee on Education, Arts, and Humanities, we held hearings specifically on the NEA grants program and the problems that go with it. We should be able to deal with the substance of the issues at hand and give us an opportunity to more fully understand what—if anything—it needs to be done.

It has been my intention to hold such a hearing but not until the current reforms have truly taken hold, which could be a period of time. I do not believe that the Arts Endowment deserves to be punished. A cut in funds is punitive and the effect that further reductions will have on our cultural community could be devastating. However, we do need to continue working with the NEA staff in a good faith effort to strengthen its procedures.

For these reasons, I intend to vote against the amendment being offered by Senator Kassebaum.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER (Mr. Kerry). The Senator from Kansas is recognized.

Mrs. KASSEBAUM. Mr. President, if I may, I would just like to respond for a moment to Senator Pell's comments. As chairman of the Education, Arts, and Humanities Subcommittees, he has always given very thoughtful consideration to matters before the committee, particularly regarding the arts.

If I am not mistaken, the Senator was one of the original supporters some 25 years ago.

Mr. PELL. I was, in cooperation with the Senator from New York, Mr. Javits.

Mrs. KASSEBAUM. So, Mr. President, I have the greatest respect for Senator Pell, because he and I both share a support for the arts and a desire to see that support continues. We would take a different approach at this time.

I worry, myself, that there is a danger of the old adage of throwing the baby out with the bath water. But I also believe it is important to send a strong message to get their attention, and I do not believe matters are being handled as they should be, at least to the satisfaction of the public, and that is really who we have to represent.

I think the Senator's suggestion for hearings in the committee is a good one. I agree that we worked on the reforms last year at this time in the appropriations process and they have not had the full opportunity to take heed of that confidence that is going to help. But I think there are some other matters that they could initiate themselves.

We cannot sit here and micromanage every aspect of the agency. I believe that this may be the way that will help encourage them to step forward with further efforts. That is why I took the approach that I did.

But I look forward to working with the chairman, and in other ways, through the committee so that we can lend support as well as friendly criticism, as I think Mr. Pell wishes.

Mr. PELL. Mr. President, I appreciate very much the words and thoughts of the Senator from Kansas and look forward to working with her to see if we can resolve some of the problems that are being both stated and unstated and that we not end up by further reducing or weakening the National Endowment for the Arts, which has had a pretty steady growth and played an increasing role in our Nation over the past 25 years now. We see it for the time being sort of staggering a little bit, and static, and we would like to return it—and I know the Senator from Kansas would, too—to its upward movement.

Mrs. KASSEBAUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. FOWLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PELL. Mr. President, I rise to commend the Interior Appropriations Subcommittees, and certainly its chairman, for their work on this appropriations bill.

They have demonstrated great judiciousness in protecting our environment, and the interests of the taxpayers by relying in what I consider one of our most inflated forest management expenditures, the Forest Service road construction program.

This appropriation reduces the President's request by $40 million. This represents an excellent first step in implementing the Forest Service's fiscal and environmental management practices.

There is simply no justification for all those roads, when so many of the timber sales they service lose money for the taxpayers—and do considerable damage to scenic areas, watersheds and wildlife habitats, besides. I want to thank the subcommittee and the chairman for acknowledging the case—with which I have badgered them so frequently, going on several years now—that we can save money and have a more responsible timber program.

From this point, the very good start in this Interior appropriation, I intend to devote my efforts to my legislation to phase out below-cost timber sales on our national forests.

The reduction in forest roads appropriation is a significant symptom. I think we can more directly target the problem—because, when we consider below-cost timber sales by themselves, apart from the sales that made money for the Treasury, they lost $300 million of the taxpayers' money last year.

I think we can go from saying we are not going to build quite so many of these roads for timber sales in our national forests, to a more cohesive policy of not building the roads, of not doing the environmental damage, for timber sales that lose money for the taxpayers. We should establish a timber sale policy that requires a showing the very least that the Government, our Government, recover the full cost of selling timber and that, obviously, includes the full cost of building the roads to get there.

I do not know anybody who looks at the problems who does not understand that this is a sound business principle that can help preserve the values of our national heritage in the public's forests.

That is the direction I believe we are now heading. I am very encouraged by the positive action taken by the subcommittee. Again, I thank the chairman of the full committee for, as usual, his extraordinary leadership in this matter.

Mr. BYRD. Mr. President, I thank the distinguished Senator for his charitable and gracious comments.

Mr. FOWLER. I thank the Chair.

Mr. President, I note the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess awaiting the call of the Chair, but in no event the recess extend beyond the hour of 12:45 p.m. today.

There being no objection, at 12:24 p.m., the Senate recessed, subject to the call of the Chair.

The Senate reconvened at 12:27 p.m., when called to order by the Presiding Officer (Mr. Kassey).

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.


The Senate continued with the consideration of the bill.

Mr. MOYNIHAN. Mr. President, I rise to speak on the amendment which would reduce the appropriation for the National Endowment for the Arts by 20 percent; a total of some $17 million, as I see it here.
Mr. President, I rise on this occasion not so much to share my thoughts with the Senate, but to share a deep sense of regret and frustration that so many of our fellow countrymen do not seem to share. I regret that we do not say hurt feelings, with what we seem to be doing to ourselves with the politicization of matters that ought to be as far from politics as ever is possible. The support for the arts and humanities provides, not expensive but important, for the arts and the humanities.

I regret to say that I was present at the creation of the National Foundation on the Arts and Humanities, divided the Senate for the National Endowment for the one and for the other.

This goes back to the early years of the Kennedy administration. I was a young assistant Secretary of Labor. The Metropolitan Opera orchestra was on strike in New York in a situation where there was no way not to empathize with the musicians. They were wrong, it was a hard thing, but they were not as wrong as the setting for the National Endowment of Freedom of the Arts and Humanities that a young scholar at New York University could be rejected on the grounds that she only published in Commentary magazine with the likes of Lionel Trilling.

And suddenly the U.S. Senate has become the setting for unseemly behavior and attitudes on both sides of the political spectrum.

A month and a half ago I was here asking why on earth is happening to the National Endowment for the Humanities that a young scientist from New York University could be rejected on the grounds that she only published in Commentary magazine with the likes of Lionel Trilling.

And now I find myself once again asking what has the National Endowment for the Arts done wrong that the right wing of this body should want to punish? Left and right we see politicization.

What is the matter with us? Are we afraid of painting, sculpture, book reviews? Do we think the American people are not intelligent enough to make reasonable judgments? Do we think in the time of John F. Kennedy that they no longer support the arts and the humanities? Does art intimidate us? Do books frighten us? Does opinion seem inappropriate to us? If we find the statement or expression of opinion inappropriate, we must find the Senate superfluous. We are here for that purpose.

If I may recall those remarks of Secretary Goldberg when he said:

"Do not let the fear of political interference be dismissed. This is by no means an argument to be dismissed, and the persons who make it are to be regarded with great concern for the freedom of artistic expression. In an age in which a third of the globe languishes under the yoke of "Socialist realism," let no one suppose that the political control of the arts cannot be achieved."

The overwhelming evidence, however, is that the free American society has shown a deep respect for the art of the artist. Every attempt to interfere with that freedom has been met with vigorous opposition, not least from the artistic community. Mr. Chairman, I have never known a political issue that has aroused the wrath of the American people as deep as the matter of "Socialist realism." Let no one suppose that the political control of the arts cannot be achieved.

The answer to the question of political interference, then, is not to deny that it is there, but rather to be prepared to resist it. A violation of our community, close to and supported by a large portion of the public, need not fear attempts at interference. Let our writers and composers and performers give as good as they get. Indeed, when have they done otherwise? The situation is no different from that of academic freedom. Our colleges and universities are free by defending their rights that our faculties strengthen them. This is ever the condition of freedom.

And from there, President Kennedy went on to propose a regular system of aid to the arts and humanities. President Johnson made it legislation at the direction of our beloved senior Senator from Rhode Island (Mr. Moynihan). We have had 30 years of this.

And suddenly the U.S. Senate has become the setting for unseemly behavior and attitudes on both sides of the political spectrum.

A month and a half ago I was here asking why on earth is happening to the National Endowment for the Humanities that a young scientist from New York University could be rejected on the grounds that she only published in Commentary magazine with the likes of Lionel Trilling.

Now I find myself once again asking what has the National Endowment for the Arts done wrong that the right wing of this body should want to punish? Left and right we see politicization.

What is the matter with us? Are we afraid of painting, sculpture, book reviews? Do we think the American people are not intelligent enough to make reasonable judgments? Do we think in the time of John F. Kennedy that they no longer support the arts and the humanities? Does art intimidate us? Do books frighten us? Does opinion seem inappropriate to us? If we find the statement or expression of opinion inappropriate, we must find the Senate superfluous. We are here for that purpose.

If I may recall those remarks of Secretary Goldberg when he said:

"Do not let the fear of political interference be dismissed. This is by no means an argument to be dismissed, and the persons who make it are to be regarded with great concern for the freedom of artistic expression. In an age in which a third of the globe languishes under the yoke of "Socialist realism," let no one suppose that the political control of the arts cannot be achieved."

The overwhelming evidence, however, is that the free American society has shown a deep respect for the art of the artist. Every attempt to interfere with that freedom has been met with vigorous opposition, not least from the artistic community. Mr. Chairman, I have never known a political issue that has aroused the wrath of the American people as deep as the matter of "Socialist realism." Let no one suppose that the political control of the arts cannot be achieved.

The answer to the question of political interference, then, is not to deny that it is there, but rather to be prepared to resist it. A violation of our community, close to and supported by a large portion of the public, need not fear attempts at interference. Let our writers and composers and performers give as good as they get. Indeed, when have they done otherwise? The situation is no different from that of academic freedom. Our colleges and universities are free by defending their rights that our faculties strengthen them. This is ever the condition of freedom.

And from there, President Kennedy went on to propose a regular system of aid to the arts and humanities. President Johnson made it legislation at the direction of our beloved senior Senator from Rhode Island (Mr. Moynihan). We have had 30 years of this.

And suddenly the U.S. Senate has become the setting for unseemly behavior and attitudes on both sides of the political spectrum.

A month and a half ago I was here asking why on earth is happening to the National Endowment for the Humanities that a young scientist from New York University could be rejected on the grounds that she only published in Commentary magazine with the likes of Lionel Trilling.

Now I find myself once again asking what has the National Endowment for the Arts done wrong that the right wing of this body should want to punish? Left and right we see politicization.

What is the matter with us? Are we afraid of painting, sculpture, book reviews? Do we think the American people are not intelligent enough to make reasonable judgments? Do we think in the time of John F. Kennedy that they no longer support the arts and the humanities? Does art intimidate us? Do books frighten us? Does opinion seem inappropriate to us? If we find the statement or expression of opinion inappropriate, we must find the Senate superfluous. We are here for that purpose.

If I may recall those remarks of Secretary Goldberg when he said:

"Do not let the fear of political interference be dismissed. This is by no means an argument to be dismissed, and the persons who make it are to be regarded with great concern for the freedom of artistic expression. In an age in which a third of the globe languishes under the yoke of "Socialist realism," let no one suppose that the political control of the arts cannot be achieved."

The overwhelming evidence, however, is that the free American society has shown a deep respect for the art of the artist. Every attempt to interfere with that freedom has been met with vigorous opposition, not least from the artistic community. Mr. Chairman, I have never known a political issue that has aroused the wrath of the American people as deep as the matter of "Socialist realism." Let no one suppose that the political control of the arts cannot be achieved.

The answer to the question of political interference, then, is not to deny that it is there, but rather to be prepared to resist it. A violation of our community, close to and supported by a large portion of the public, need not fear attempts at interference. Let our writers and composers and performers give as good as they get. Indeed, when have they done otherwise? The situation is no different from that of academic freedom. Our colleges and universities are free by defending their rights that our faculties strengthen them. This is ever the condition of freedom.
I ask that an address I gave at the commencement of the Juilliard School be printed in the Record at this point. It was, I believe, in special way, for it occurred to me that I had something to say on the suggested subject, "The Arts in Society".

It happens I was present at the creation of what came to be known as the National Endowment for the Arts. And I would wish to record that at the time of creation, it was thought understood that a time would come when the Endowment would be caught up with conflicts over values, and, at levels ranging from the merely condescending to the downright obscene, struggles for and against money. Indeed it all started over money, albeit in a principled and dignified way. In the summer of 1968, a meeting between Leonard Bernstein, then President of the American Federation of Musicians and the Metropolitan Opera Association threatened to cancel the Met's entire 1968-69 season. Of a sudden, the nation realized that a true national resource, a world institution, was threatened. President Kennedy, then in his position of Labor, Arthur J. Goldberg, to arbitrate the dispute.

Justice Goldberg, as he later became, was a self-portrait artist, and he knew the truth. He was instinctively sympathetic to both sides, but found he could be of little help to either. The musicians were earning $179 a month and were asking for $285. $285.50 to be exact. Mrs. August Belmont and Mrs. Lewis W. Douglas could not raise anything near the needed sum.

Justice Goldberg found he could only give the musicians an extra $10. But, in the manner of the man, he gave them hope as well.

He found the Met's difficulties to be anything but unique.

"The details may differ, but the general conclusions are the same; the case, of course, is money. The individual benefactors and patrons just aren't there, as they once were. Just as importantly, as we become more and more a cultural democracy, it becomes less and less appropriate for our major cultural institutions to depend on the generosity of a very few of the very wealthy."

It happens, as his assistant, that I wrote this section of his finding, the whole of which can be found in "The State and the Performing Arts." The statement is his entire, but it reflected my understanding as well, such as it is which continues to this day. He proposed that the President establish an Advisory Council on the Arts, which Kennedy did some 18 months later, and which in turn, became the National Endowment for the Arts. He noted that the President had proposed "to consider the establishment of a national honors system . . . clearly, . . . one which which artistic achievement can be further recognized by the nation." This, under Goldberg's direction, again with me as an amateur, became the Presidential Medal of Freedom. And so through a list of benefits.

But there were also warnings. Cautions, if you like.

"The issue of Federal support for the arts immediately raises problems. Many persons say that it is true that if the arts are to thrive it will inevitably lead to political interference. This is by no means an argument to be dismissed, and, indeed, it seems to me that we should be honored for our concern for the freedom of artistic expression. In an age in which a third of the globe languishes under the pathetic banaUties of Socialist realism, let no one suppose that political control of the arts cannot be achieved."

The overwhelming evidence, however, is that the free American society has shown a deep respect for the artistic integrity of the artist. Every attempt to interfere with that freedom, as high-minded as it may be, would be met with opposition, not least from the artistic community.

Artists are as susceptible to pressure as the next person, but for every artist who capitulates there is another to take his place from the unruly band which Russell Lyman has described as 'the unrectified, the disrespectful and the uncomfortable searchers after the truth.'"

"The answer to the danger of political interference, then, is not to deny that it exists, but really to prepare to resist it. A vigorous, thriving artistic community close to and supported by a large portion of the public, need not fear attempts at interference. But successful artists who perform well and give as good as they get. Indeed, when have they done otherwise? The artist is not the defender of academic freedom in our colleges and universities. It is by defending their rights that our faculties and students. This is ever the condition of freedom."

He offered practical advice. Concentrate on facilities. "Helping provide and maintain artistic facilities is perhaps the first and foremost duty of the federal government. It is the duty that cannot be shifted."

President Kennedy's position was that "the national interest is at stake in the development of the arts. The arts are a public function. That is why Federal funds should be provided to this extent."

"But in the end, said he, it was you the artists who would have to defend yourselves. And, said he, you will. It was kind of an order. Not for nothing had he served behind German lines in World War II."

"All this might have passed with but little notice. A splendid example of the majesty of The New York Times. Goldberg's decision was reported in a long front page article along with the following five columns and a half page by the President, Marjorie Hunter. Almost the entire text was printed on an inside page, along with a fine essay by Howard Taubman, "The Arts and the State."

Justice Goldberg, wrote Taubman, "couched his statement in terms that might be compared with a Presidential State of the Arts message. Indeed, Mr. Taubman continued, thinking did in fact reflect President Kennedy's interest in the arts."

"The 0,304 million for the NEA, and the 0,200 million for the ENDOWMENT FOR THE PERFORMING ARTS, arts, music, that is the national endowment for the arts which had never before been provided. The NEA was the arts self defense of the true American tradition."

"President Kennedy was dead before he could present the first Presidential Medal of Freedom. He received the freedom of the city of New York. There was a certain national endowment for the arts, and it was not the NEA."

"The Troubles continued. Troubles do. The most recent attacks on the National Endowment reflect those tembles, at both honorable and sometimes by those who may be tempted upon. I would like, however, to offer a quiet voice of concern that artists not too much divert themselves. Genius is not to be wasted, and neither is the nation's endowment for the arts."

"Some of you may know the work of Louise Bogan, who reviewed poetry at the New Yorker for nearly forty years, and was herself a poet of great power. One day years ago, her Irish up, she wrote these lines in The Times, "to whom and wherever deserved."

"Let me inquire, the pending business is the Kassebaum amendment, is that correct?"

Mr. HELMS addressed the Chair. The PRESIDING OFFICER. The Senator from North Carolina. Mr. HELMS. Mr. President, I thank the chair.

Mr. DURENBERGER. Mr. President, I rise today in opposition to the Kassebaum amendment to reduce funding for the grant and administration under the National Endowment for the Arts (NEA) by 10 percent.

Last year, during the reauthorization of the NEA we debated at length the Federal Government's role in the funding of the arts. During the review of this program, concern was raised about the use of Federal funds for "obscene or pornographic" art. Congress took appropriate action at that time to strengthen the administrative and peer review process of determining obscene or pornographic art and instituted a new process that would establish sanctions against people who have been found guilty of violating obscenity laws and bar them from eligibility for NEA grants for a period of time.

We should give this new policy a chance to work, like I believe it will, before we in Congress attempt to penalize the Endowment for past judgments."
sota's leadership and patronage in the arts and currently awards the third highest amount of total State funding to the State of Minnesota. I mention this today, because it is my understanding that there may be attempts by some Members of this body later today to transfer funding for the individual grant programs to the State block grant. This would be a mistake.

The current system is designed to award and bring recognition to America's best artists and arts organizations. By simply blocking granting out this money to the States and bypassing any recognition to quality, we are doing a disservice to the cultivation of the arts.

Mr. President, I would hope that we reject this amendment and any future amendments that would weaken our national commitment to the arts.

The PRESIDING OFFICER. The hour of 12:45 having arrived, a vote on or relating to the amendment has been ordered.

The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Assistant Legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Louisiana (Mr. BREAUX) and the Senator from Iowa (Mr. HARKIN) are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah (Mr. GARREY), the Senator from Utah (Mr. HATCH), the Senator from Oregon (Mr. PACKWOOD), and the Senator from California (Mr. SRYMOUN) are necessarily absent.

I further announce that, if present and voting, the Senator from Utah (Mr. HATCH) would vote "nay".

The PRESIDING OFFICER (Mr. SHELBY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 27, nays 67, as follows:

[Roll Call Vote No. 186 Leg.]

<table>
<thead>
<tr>
<th>Name</th>
<th>Yeas 67</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>12</td>
</tr>
<tr>
<td>Akaka</td>
<td>13</td>
</tr>
<tr>
<td>Breaux</td>
<td>12</td>
</tr>
<tr>
<td>Bennett</td>
<td>12</td>
</tr>
<tr>
<td>Biden</td>
<td>10</td>
</tr>
<tr>
<td>Bingaman</td>
<td>10</td>
</tr>
<tr>
<td>Boren</td>
<td>9</td>
</tr>
<tr>
<td>Bradley</td>
<td>13</td>
</tr>
<tr>
<td>Bryan</td>
<td>12</td>
</tr>
<tr>
<td>Burdick</td>
<td>12</td>
</tr>
<tr>
<td>Burns</td>
<td>12</td>
</tr>
<tr>
<td>Kennedy</td>
<td>6</td>
</tr>
<tr>
<td>Kerry</td>
<td>3</td>
</tr>
<tr>
<td>Eichi</td>
<td>1</td>
</tr>
<tr>
<td>Leventeburg</td>
<td>2</td>
</tr>
<tr>
<td>Leavy</td>
<td>1</td>
</tr>
<tr>
<td>Lieberman</td>
<td>5</td>
</tr>
<tr>
<td>Logan</td>
<td>1</td>
</tr>
<tr>
<td>Mikulski</td>
<td>1</td>
</tr>
<tr>
<td>Mitchell</td>
<td>1</td>
</tr>
<tr>
<td>Boehner</td>
<td>7</td>
</tr>
<tr>
<td>Nunn</td>
<td>3</td>
</tr>
<tr>
<td>Pei</td>
<td>1</td>
</tr>
<tr>
<td>Sasser</td>
<td>3</td>
</tr>
<tr>
<td>Wirth</td>
<td>2</td>
</tr>
<tr>
<td>Wexler</td>
<td>1</td>
</tr>
<tr>
<td>Brown</td>
<td>12</td>
</tr>
<tr>
<td>Hardin</td>
<td>12</td>
</tr>
<tr>
<td>Hatch</td>
<td>12</td>
</tr>
<tr>
<td>Packwood</td>
<td>12</td>
</tr>
<tr>
<td>Seymour</td>
<td>6</td>
</tr>
</tbody>
</table>

NOT VOTING—4

Breaux Garrej

So the amendment (No. 1174) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote.

Mr. CRANSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. Mr. President, on behalf of my friend, the Senator from California (Mr. SRYMOUN), and myself, I call attention to amendment No. 1177 and ask if it be modified by an amendment by Senator SRYMOUN and myself.

The PRESIDING OFFICER. The pending question before the Senate is the Sanford amendment. Does the Senator from California ask that be set aside?

Mr. CRANSTON. Yes, I so ask unanimous consent.

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

ANDEAMEN T NO. 1177, AS MODIFIED

Mr. CRANSTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California (Mr. CRANSTON), for Mr. SRYMOUN, for himself, and Mr. CRANSTON, proposes an amendment numbered 1127, as modified.

Mr. CRANSTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

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

The amendment, as modified, is as follows:

At the appropriate place in the bill insert the following new section:

"Sec. 1. Notwithstanding any other provisions in this Act, funds in this bill for National Park Service land acquisition may be used for acquisition of property by condemnation at Santa Monica Mountains National Recreation Area under the condition that zoning permits or variances for such property shall not have changed since those in place on September 19, 1991."

Mr. CRANSTON. Mr. President, just to briefly reserve the amendment; a brief explanation.

This amendment provides that funds made available in this bill for land acquisition at Santa Monica Mountains National Recreation Area, CA, may be used for acquisition by condemnation provided current zoning of the property does not change from today.

I believe it is essential for the National Park Service to have the same land acquisition tools available to acquire property in the Santa Monica Mountains that it has for every other unit of the National Park System. I hope that the Park service will be able to acquire key parcels in the mountains on a willing seller basis. But if other means of acquiring the land fails, the agency should have the authority to use condemnation.

The original amendment Senator SRYMOUN previously submitted would negate Senate report language prohibiting the use of condemnation at the Santa Monica Mountains. I discussed the Seymour amendment with the Chairman of the Appropriations Committee and understand the committee has concerns about possible high acquisition costs if condemnation is used. Our amendment responds to that concern.

I want to express my great appreciation for the cooperation of the chairman, Senator Byrd, and the ranking minority member, Senator NICKLES.

I understand the amendment is acceptable to the manager of the bill, and I urge its adoption.

Mr. SEYMOUR. Mr. President, I would like to thank Senator CRANSTON for his support of my amendment to the Interior Appropriations bill.

I would like to state at the outset that I am not a fan of condemnation. I am a strong believer in private property rights, and feel that the Federal Government should not impinge upon those rights.

To the greatest degree possible, Federal land acquisitions should occur on a willing seller/willing buyer basis. On rare occasion, condemnation is appropriate.

My amendment does not increase the right of the Park Service to condemn. It simply grants the Park Service the same leeway at Santa Monica National Recreation Area (NRA) it has in every other national park and recreation area in the United States.

Senator CRANSTON is a distinguished chairman of the Appropriations Committee and the ranking minority member of the Interior Appropriations Subcommittee have raised some concerns about the cost of condemnation if changes are made to the local zoning around Santa Monica National Recreation Area. Senator CRANSTON and I understand the committee's concerns and have modified the amendment accordingly.

Mr. President, I would like to thank Senator NICKLES, Chairman Byrd, and Senator CRANSTON for their assistance and cooperation in this matter.

The PRESIDING OFFICER. Is there further debate on the amendment?

If there be no further debate, the question is on agreeing to the amendment of the Senator from California, as modified.

The amendment (No. 1127), as modified, was agreed to.
Mr. CRANSTON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Mr. President, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1184

Mr. HELMS. Mr. President, I believe I am correct when I inquire that the pending business is the Sanford amendment?

The PRESIDING OFFICER. The pending business before the Senate is the Sanford amendment.

Mr. HELMS. I thank the Chair.

Mr. President, once again I find myself in the position of being obliged to do everything I can to defeat an attempt to break faith and desert a solemn promise of the U.S. Government of a clearcut, written commitment to the people of Swain County, N.C. Swain County has a population, according to the 1990 census, of 11,368 people. I have here by my desk letters from more than 7,000 protesting Senator Sanford's attempt to work the will of interests outside of our State. Let it be clear he did not confer with me about this amendment. Senator Sanford is a distinguished Senator, but I had no knowledge that he was going to bring up an amendment of such vital interest to the people of western North Carolina.

On Tuesday of this week, the able junior Senator from North Carolina offered an amendment to the Interior appropriations bill, now pending, authorizing the payment of $16 million to the people of Swain County as a final settlement for the Federal Government’s failure to keep its 1943 written contract with the people of Swain County. Senator Sanford’s amendment has been in the Energy and Natural Resources Committee for some time, and I believe it is fair to say that Senator Sanford knows there is very little chance, if any, that it will see the light of day, but nevertheless here again am faced with this amendment offered by the distinguished junior Senator from North Carolina.

At the outset, let me make one point. At issue here—and it is an important one to me—is whether the U.S. Government will keep its word and live up to a very clear, written commitment and contract made 48 years ago by the Federal Government, and of the people who have been waiting for 48 years, will be decided by what we do or fail to do.

Senators need to be aware of what happened 48 years ago to understand why I so vehemently oppose passage of the pending Sanford amendment.

In 1943, in the midst of World War II, the Tennessee Valley Authority decided that they needed land from the farmers in Swain County, N.C., so that they could flood it for a hydroelectric power dam. Literally thousands of Swain County residents packed their bags and left their homes because they were told that the Federal Government needed their land. The Government did not relocate them, nor did the Government give North Carolina families additional land. The Government simply offered a few acres for the land. But a lot of folks in Swain County have told me that their fathers and grandfathers never received one thin dime for their land.

Do not misunderstand Senator Sanford, Mr. President, that in 1943 World War II was raging in Europe and the Pacific. Many of the men from Swain County, that entire area, were away fighting for their country’s freedom, and their land was being taken by the Federal Government back home.

When the Government took the 44,400 acres of land north of Fontana Lake, the Federal Government promised two things, no condition, no reservation, first, to reimburse Swain County for an existing highway that would be needed in order to create Fontana Lake, and second, to build an around-the-park road to, among other things, provide evacuations, as the Sanatio made his next statement clearly referred to as the “Park Road”:

(a) A section of road beginning at a point on the Fontana Dam Access Road near the western boundary of said North Carolina Exploration Company land and extending to the eastern boundary of the Park as extended hereunder.

(b) A section of road beginning at the eastern boundary of said North Carolina Exploration Company land and extending to the eastern boundary of the Park as extended hereunder.

(c) A section of road across said North Carolina Exploration Company land connecting the ends of the sections of road described in paragraphs (a) and (b) above.

(d) A section of road beginning at a point in the (a) above, and extending in a generally southerly direction to the west abutment of Fontana Dam.

Provided, however, That in lieu of the section of road described in paragraphs (a), (b), and (c) above, the Department may at its election construct or cause to be constructed, as a part of the Park Road, a continuous section of road beginning at a point on the North Carolina Exploration Company land at the crossing of Fox Branch and extending around the aforesaid property of the North Carolina Exploration Company and across the existing Park land to the eastern boundary of the Park as extended hereunder.

Mr. President, building the road was contingent on appropriations by Congress. However, it was clear that the Government assumed that the road would be built shortly after World War II.

In July 1943, shortly after the agreement was signed, a Tennessee Valley Authority supervisor wrote to the families about gravesite removal. The letter stated in part:

The construction of Fontana Dam necessitates the flooding of the road leading to the Proctor Cemetery located in Swain County, North Carolina, and to reach this cemetery 193,000 feet will be required, which would be a considerable distance until a road is constructed in the vicinity of the cemetery, which is proposed to be completed after the war ended. We are informed that you are the nearest surviving relative of a deceased who is buried in this cemetery.

Because of the understanding mentioned in this letter, and for other reasons, that the road would be completed shortly after World War II, the families agreed to leave their deceased relatives buried in the land taken by the Federal Government.

Mr. President, documents dating back to 1943 show that the Government did fulfill a part of its promise to pay for Highway 288. In 1943 the Government paid to the State of North Carolina approximately $400,000, an amount which represents the principal which Swain County then owed on outstanding bonds.

According to my information the Government paid that amount to the State of North Carolina as trustee. A letter dated November 22, 1943, from the Treasurer of the Tennessee Valley Authority to the treasurer of the State of North Carolina confirms that payment was made. But the money never reached Swain County, and the county continued to pave the road until the late 1970s.

The Federal Government, however, never fulfilled its obligation made in writing, to build the road. It had a few false starts. In 1963 the Government built 2½ miles of the road. In 1985 it built 1 mile. In 1987 it built 1 mile and 1,200-foot-long tunnel.

Then the environmentalists got involved. They got into the act. They demanded the project be shut down. Now you can visit one of western North Carolina’s most iconic sites, which they call the Road to Nowhere, because of the failure of the Federal Government to live up to its written contract and agreement and commitment.
The pending Sanford amendment ensures that the commitment will never be honored, that the people will never, never receive the treatment they were promised. The Swain County Road to Nowhere, so-called, will go nowhere in perpetuity. For $16 million, the junior Senator proposes to buy off the politicians in that county against the spending of at least 7,000 of the 11,200-something people who live in that county.

The question arises, and I say this with due respect, for whom does Senator Sanford speak on this 400-something-acre tract? He will tell you. He speaks for the Wilderness Society, the Sierra Club, the National Park Service, and a few very essential politicians in Swain County, NC.

In fact, Senator Sanford quoted a letter from the Swain County Commissioners saying that those who want the road are a few small special interests, Balderdash. My friend from North Carolina has a short memory. For 43 years, Senator Helms has been to Swain County, this time Senator Sanford attempted to vitiate the agreement between the U.S. Government and Swain County, NC.

It is my information, and the junior Senator from North Carolina can correct me if I am wrong, but Mr. Sanford has never once met with the people of Swain County. They say he has not. They say he avoids them like a plague if he gets anywhere near that county. Oh, he has met with a few politicians who are eager to get their hands on a quick, easy $16 million check from Uncle Sam. That is.

I do not consider 7,000 citizens of western North Carolina, 7,000 citizens out of something like 11,000, to be a small special interest.

As Gov. Jim Martin’s representative testified in June 1987—the most recent time Senator Sanford attempted to buy off the people of western North Carolina, the Energy and Natural Resources Committee:

When TVA acquired the communities and lands necessary to build Fontana Lake in the 1940’s the federal government promised the residents a road so that they would be able to visit the gravesites of their ancestors, Senator Helms’ bill honors this long-standing promise to the Swain County residents and their heirs. I support this approach because I feel that government must keep its promises to its citizens. Credibility and trust in government are essential in our democratic system of government.

The Governor of North Carolina, in a letter to me and to Senator Nickles, restated precisely that position this very day.

Mr. President, Senator Sanford stated earlier that Swain County has not received the payment of $16 million which he says the Government owes the county for destroying North Carolina Highway 288 in 1943. I respectfully disagree. Swain County and most of western North Carolina, for that matter, have suffered economic distress because as each year goes by the state of North Carolina is taken off the tax rolls and is placed off limits. That is what is causing the distress in North Carolina.

Over the years, North Carolinians of the area have watched the Federal Government take their land for one purpose or another. As a result they have very little interest, they have no tax base, and the unemployment rate is high.

Not one person can appreciate how the Government has crippled the economy in western North Carolina until one takes a look at how much land the Federal Government has in fact taken. Let us use Swain County as an example. Out of 345,715 acres, the Federal Government has taken 276,577 acres. Neighboring Graham County has only 193,216 acres in that county, the Government has taken 138,813. Of the 353,452 acres in Haywood County, just down the road, the Government has taken 120,946 acres. That is what has happened to western North Carolina.

I mentioned all of this to demonstrate and to emphasize the basis for the frustration that is in western North Carolina.

On the other hand, in the four Tennessee counties, bordering the Great Smoky Mountains National Park, on the other side, the Government owns less than two-fifths of the land. I have no quarrel with our friends in Tennessee. But facts are facts. I would have hoped that both Senators from North Carolina would have supported the people of western North Carolina.

Another part of this story was somehow omitted from the comments by North Carolina Senators Sanford and Dole. Mr. President, I refer to the Secretary of the Interior to build that road committed to in writing 48 years ago. With all due respect, I call on Senator Sanford right now to join this Senator, Governor Martin, and the people of western North Carolina in supporting this effort to get Swain County moving toward a more prosperous future.

I made a promise to the people of western North Carolina many years ago. I said that Senator Sanford and Mr. President, during those three occasions that I have met with the working people, the farmers of Swain County, I have been to Swain County with Senator WALLOR, Senator NICKLES, and Senator Dole. But not Senator Sanford.

After looking at the whole thing, studying the maps, getting on a bus, riding through the territory, being on the ground, I still cannot understand the people I would fight for their interests. Therefore, I feel obliged to do everything I can to defeat Senator Sanford’s amendment.

Let me be fair about this, and again, I say this with all respect. If I lose, Senator Sanford will lose the respect and confidence of thousands of North Carolinians, who have a right, I think, to expect better of their Representatives in Congress, both the House and Senate, than this amendment conveys.

Mr. President, I am going to get a small handful of the letters. This is
about 10 percent of the letters from Swain County, NC. Not any politicians, just good old hard working farm people. If need be, this Senator is prepared to stand on this floor and read every one of them.

I hope this amendment will be rejected. I hope Senator Sanford will follow the tradition of the Senate and get an authorization for such a controversial matter as this before he tries to slide it in as legislation on an appropriations bill.

Mr. President, with that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WALLOP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WALLOP. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WALLOP. What is the pending business?

The PRESIDING OFFICER. The pending business is the Sanford amendment.

Mr. WALLOP. Mr. President, I would like to address myself to that. Two points.

First, to say the least, I am unsettled by the attempts of the Senator in absence of the other Senator from North Carolina. I would hope that that was not a habit that was developed in the Senate either across party lines or for any other reason.

But, second, I would make the point that this is legislation on an appropriations bill, and I would make the special point that the junior Senator from North Carolina has not been willing to submit that legislation to the authorizing committee.

It is more important, I think, as we go into these kinds of amendments, that we not sidestep the authorizing process. It is all too tempting to do it in the appropriations process, one in which all of us at one moment or another seek to yield to that temptation. But in point of fact, this is a piece of legislation, the legislative idea, which, while providing $16 million to the county, does violence to the word of the United States that has already been given in those matters in the past. I think it is fair to say that the senior Senator from North Carolina would like the United States to live by its word in this instance.

So I would hope the Senate would not agree to that; that the junior Senator from North Carolina would see fit to submit that legislation to the Energy and Natural Resources Committee; that we would like to take a look at all of the ideas that he and his colleagues have on that as well as those in Swain County that do not agree with this and that, in fact, back the approach as taken by the senior Senator from North Carolina.

I hope that we do not yield to this temptation. It is my hope that we sustain the argument that it belongs, first, in the authorizing committee before reaching the floor on appropriations.

Mr. NICKLES. Mr. President, will the Senator yield?

Mr. WALLOP. I yield.

Mr. NICKLES. Mr. President, as ranking Republican on the Energy and Natural Resources Committee—and I have the privilege of serving with the Senator from Wyoming on that committee—we have a policy in handling bills in that issue. We really try to work those out in a bipartisan way and try to work them out in a manner which is acceptable to both Senators from that State.

It may be impossible to do this on this issue. It may be. But I do not know that we have an opportunity to try, and this is clearly authorization for actually it is more than $16 million; I believe it is $16 million plus interest; $16 million goes back to 1988. So we are talking about significantly more than that. There is more at stake than just money here.

I would hope that the Energy and Natural Resources Committee could have a chance to look at it, to have a hearing on the matter, on the people, such as the Governor, have input from other people from the affected county, so we would really know what we are doing and so the Senate would not be in awkward position in which we are in right now, of discussing an amendment on which we have conflicting viewpoints from that State. Maybe this is the only way it can be resolved. But if it is, I would think it would certainly be better for it to be resolved through that process than through an amendment on the appropriations bill on the floor.

Mr. WALLOP. Mr. President, I would say to the distinguished Republican manager of this bill that is precisely right. It is, in fact, maybe an impossibility that it can be resolved, but that has not yet been tested.

It has been the standard practice of that committee that, when two Senators from the same States agree that however painful that might be, precedents or other kinds of things for other Senators either from the regions or for other reasons, we try to accommodate them. But the first and most important precedent is to try to get political agreement between Senators on an issue that affects lands within their State, at least not to try to overrun the sensibilities of one or the other. I would say this is not a partisan thing. This is a policy that is important to sustain itself in every direction. You just do not try to overrun the sensibilities of one Senator from the State in an $16 million committee.

I would hope, Mr. President, that the Senate would not agree to this amendment, and that the authorizing committee do hear testimony from the State of North Carolina on both sides of the issue and in as many and appropriate ways as there are and let the committee weigh in with its judgment in what it may be, supposing it is not possible at some point in time to get agreement among the Senators.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I deeply appreciate the comment of the distinguished Senator from Wyoming and equally the distinguished Senator from Oklahoma. This needs to be considered jointly, and it certainly needs to be given a hearing by the people affected in North Carolina, which is being denied.

Many times, all of us have submitted amendments constituting legislation on an appropriations bill. That is the way the system works. But I never before have heard of a situation like this one, where the people of North Carolina are bypassed, where the Governor of North Carolina is bypassed and I just hope that it can be resolved short of any serious personal disagreement between the two Senators, because I hope the Senator from North Carolina understands that we do not belong to the same party because we do not vote alike—oh, maybe on adjournment and recess or something like that. But I like him and I hope he will reconsider for the benefit of the people most affected, the people of Swain County.

I thank the Senator again for his courtesy.

Mr. President, the pending business, of course, is the Sanford amendment.

The PRESIDING OFFICER. The Senator from North Carolina is right.

Mr. HELMS. I wonder if managers of the bill would be willing to set aside this amendment so we can proceed with another amendment that I intend to offer.

Mr. BYRD. Mr. President, I would be happy to ask unanimous consent that the pending amendment be set aside to allow the Senator from North Carolina to call up another amendment, if that is his request.

It is my understanding that the call for the regular order will bring back the Sanford amendment at any point. Am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I make that unanimous-consent request.

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

The Senator from North Carolina.
AMENDMENT NO. 1175 TO COMMITTEE AMENDMENT

Purpose: To prohibit the use of funds from the National Endowment for the Arts to fund obscene, indecent, pornographic, or other obscene, promote, produce, disseminate, or distribute obscene materials.

Mr. HELMS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina (Mr. Helms) proposed an amendment numbered 1175 to the excepted committee amendment on page 100, line 14. On page 100, line 14, strike out the following: "$143,583,000 shall be available to the National Endowment for the Arts—using taxpayers' money. There are countless instances when the NEA, instead of the taxpayers' money, would subsidize, publish carefully selected, noncontroversial pictures, implying that Jesse Helms is concerned about art depicting floral scenes, beautiful little pictures, and paintings. And this falls squarely into the category of journalistic falsehoods because they know what I was talking about, but they were unwilling to make it clear to their readers and their viewers.

Let us be very clear about the so-called "art"—and please put quotation marks around the word "art" in the Congressional Record—(the so-called "art") that is obscene and that I continue to oppose and will oppose until we cut off funding for it, is so rotten, so crude, so disgusting, so filthy, that it turns the stomach of any normal person. Yet, this is the kind of material that so many newspapers and magazines have refused to describe to their readers—while charging that it is "censorship" to oppose funding the taxpayers to subsidize and promote such rotten material.

Mr. President, I remember challenging one newspaper after another. I would say, "Just publish one or two of the pictures that we are talking about so that the people can understand what I am talking about." "Oh," they said, "we cannot do that. The pictures are not appropriate for a newspaper's general readership."

I told them that the so-called "art" that we were talking about was obscene and that the taxpayers were being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.

I recall that the distinguished manager of the bill took a look at some of the photographs and he said, in effect, "Good gosh, we will take your amendment." And that was when the battle began.

After my amendment was approved to prohibit the NEA from using the American taxpayers' money to sponsor obscenity, I was greeted with hoots and jeers from the liberal media all across this country—and have been ever since.

And I have welcomed every syllable of it. Because the media have made fools of themselves on this issue. They have not persuaded any American that denying funds to people who produce rotten material since 1969, and I showed Senators some examples of the so-called "art" that the American taxpayers are being forced to subsidize.
with public funds—despite the NEA's constantly disingenuous attempts to deny direct responsibility for all of this.

Think about it, Mr. President. Think about Annie Sprinkle, Holly Hughes, Karen Finley, the Kitchen Theater. Think of the live sex acts on stage—all of this financed with the taxpayers' money—and, of course, the countless homoerotic movies, photographs, and so-called "film festivals" they call them. From burning the American flag to desecrating their own and one another's bodies, the depravity of those so-called "artists" knows no bounds.

And the only religiously oriented "arts" you will find—funded by the NEA—are scurrilous attacks on the Catholic Church or blasphemous insinuations to the deity of Jesus Christ. That is the only art that is being subsidized by the NEA that has anything to do with religion.

Moreover, Mr. President, the same contrived pronouncements continue to pour forth from the NEA: double talk, double talk, and more double talk. It comes from the decadent so-called artists who have taken control of the arts community in America. I do not know how they did it, but they did it.

You can look at the vote on Senator Kassebaum's amendment just now. The Senate ought to be ashamed of itself for rejecting Senator Kassebaum's amendment. Shame on the U.S. Senate. These "artists" are leading Senators around by their noses.

Among this crowd of decadent people, there has been a militant disdain for the moral and religious sensitivities of the majority of the American people as these artists literally, to quote a phrase, "laugh all the way to the bank"—with the taxpayers' money. And that is why I am here on this floor today.

I have received literally hundreds of thousands of letters, telegrams, telephone calls from citizens over this country who are outraged that their tax money has been used and is being used to subsidize the poisoning of the very moral foundations of America.

We are today, engaged in more than a debate about the allocation of what—$170 million. The Federal Government spends more than that in a few hours.

We are at stake, and the reason why I am standing here, is to question whether we are going to allow the cultural high ground in this Nation to be slowly but surely subdued by a group of people who are in a lifelong battle to destroy the Judeo-Christian foundations of this Republic. That is what it is all about.

And it is in this light that, once again, I am here bringing to the floor this amendment to the National Endowment for the Arts, and that is why I have offered the first of two or three—or maybe more—amendments.

What I want to do is lay to rest the intellectually dishonest nonsense that it is "censorship" to call a halt to anything in the Southern Baptist Convention, or whatever, and subsidize obscenity, vulgarity, and homosexuality, or that the Government is somehow constitutionally obliged to support a decadent "artistic elite," if you want to call it that, at the expense of the deeply held sentiments and beliefs and principles of the vast majority of Americans. That is what it is all about.

These artists, who have their minds in the gutter, are free to do whatever they want with their own money and on their time. I have often said that if they want to scrawl dirty words on a men's room wall, fine with me, just as long as they provide the wall and pay for the crayons. Do not ask John Q. Public to furnish the money; no, sir.

I have said this time and time again: There is a clear difference between censorship and the so-called NEA's so-called censorship of the NEA. I know that the NEA has been sponsoring this rottenness and trying to dodge responsibility all of the way, just as John Frohmayer double talked when he talked with Senator Enwright and is downstairs in the Capital Building today.

Censorship is when the Government presumes to ban the production, distribution, or display of materials in the private and the public sector. "Ban" is the key word.

Mr. President, the issue concerning the spending of the money of the National Endowment for the Arts—centers on sponsorship, as I said earlier, not censorship. And nobody knows this better than those crummy, self-designated, self-proclaimed artists we are talking about.

But they have absolutely scared politicians to death, and I do not understand how they do it, because they tried their best to defeat me last year. One Senator was heard boasting on this floor within 2 weeks before my election that he had personally taken to North Carolina $1 million for my opponents, $1 million from the artists. He also went down for the victory party in November of last year. But I had to tell him that I missed him, because I did not see him at the victory party. He went to the wrong party.

What we are talking about has to do only with the Federal Government financing or sponsoring something at the taxpayers' expense. Under the Constitution, the Government has no obligation whatsoever to compel the taxpayers to subsidize projects that are so far beyond first amendment protection that the Federal Government could ban their dissemination in the private as well as the public sector.

But let it be clear, Mr. President, that the Government's refusal to subsidize this garbage in no way prevents the taxpayer from displaying or selling such material at their own expense in the private sector. I do not like it, but they can legally do it.

So in considering the pending amendment, the Senate is going to do one of two things. We will hear protests to the contrary, but one thing or the other will be the case. The Senate either will call a halt to further NEA outrages or the Senate will allow the decadent elites—if you will call them—that at the NEA to continue fund rotteness and diluting the taxpayers' money. It is as simple as that.

Senators who believe that the NEA should continue to be allowed to waste the taxpayers' money on the perverse activities of Annie Sprinkle, Tongues United, or Robert Mapplethorpe should vote against my amendment.

However, those Senators who believe that the National Endowment for the Arts should not be allowed to use the taxpayers' money to fund obscene materials that "depict or describe in a patently offensive way, sexual or excretory activities or organs," should support my amendment.

Mr. President, I am just about through with this listening and, I ask unanimous consent that the following items be printed in the Congressional Record at the conclusion of my remarks.

First, a resolution adopted by the Southern Baptist Convention at its national convention calling on Congress to set standards to prohibit the NEA from funding morally repugnant and offensive art; an article I submitted to the NOVA Law Review; and, third, an article by Andre Ryerson that appeared in the Heritage Foundation's Public Policy Review last year.

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

[From the SBC Bulletin]

RESOLUTION NO. 4—ON GOVERNMENT SUPPORT OF OBSCENE AND OFFENSIVE "ART"

Whereas, God has ordained government to do good works; and

Whereas, Southern Baptists have historically upheld the constitutional rights of free speech and have opposed censorship; and

Whereas, the Supreme Court has held that obscenity is not constitutionally protected (Roth v. U.S., 1957; Miller v. California, 1973); and

Whereas, the Supreme Court has declared that First Amendment rights of speech and expression do not extend to the possession, production, distribution, or sale of obscenity (New York v. Beuer, 1982; Osborne v. Ohio, 1990); and

Whereas, regulations of pornographic material which is deemed to be harmful to minors has been upheld by the Supreme Court (Ginsberg v. New York, 1968); and

Whereas, restrictions on government funding of art which either degrades or promotes a certain religious belief are constitutionally permissible; and

Whereas, opposing government funding of art does not constitute censorship; and

Whereas, taxpayers should not be forced to pay for those things which violate their moral and religious sensibilities. The one case in 1785, to compel a man to furnish contributions of money for the propagation of opin-
The downward spiral of taste that the art world has been following, in part, from a mistake about the nature of art that arose from an accident of history. In the 19th century, middle-class mores bore the image of academic art so that the genuine artists of the day, without trying to shock anyone and merely by creating original works, appeared to be shocking and were therefore changed by the social order. Ironically, some of the most brilliant figures of what was emerging as modern art, Manet, Degas, and Cézanne, were men of middle-class values and conservative politics. Neither they nor their liberal colleagues has any intention of over- trivializing their work, a fact attested by what they had to say for their art and even more by the paintings that "represent" art. Both in creating art and collecting, Cézanne recommended not radicalism, but taste: "Taste is the best judge," by which he means himself only to an exceedingly restricted number of individuals. He did not consider the works of the elect, though they have since come to dominate the discussion of what constitutes art. "Discussions about art are almost useless," re- grettably noted Cézanne, "The choice of programs in one's own craft is sufficient for not being understood by imbeciles."

Impressionist painting's "shock value"—a novel factor in art history—was clearly incidental to the aesthetic value of its works. Moreover, this shock value was, for the impressionists, a public scandal. Since a public scandal has become a convenient "proof" of aesthetic authenticity. By dint of some very bloopy reasoning, the accidental became the essential. The artist addresses himself to certain cultural elites—and a series of simplistic tenets took root: To express the self is to shock. Art is expression. Therefore, art must be shocking.

The shallowness of this syllogism is rarely plumbed by the gallery directors, museum curators, and the journalists who embrace and propagate it, among other reasons, because it makes connoisseurship an instantly acquired skill. For while judging the work of art is extremely difficult, virtually anyone can identify which play or painting is likely to be the most shocking to the average citizen. To fall into this basic error is lamentable enough for gallery managers and theater directors relentlessly in search of clients. It is wholly unacceptable as the national arts policy of a government of, for, and by the people.

The case for making the NEA more dis- cerning with the people's money has been argued by some capable politicians, including Congressman Henry Hyde (in National Review) and the great man of letters such as Samuel Lipman (in Commentary). Unfortu- nately, they err by recommending better judgment at the NEA to clean up the pre- vailing catalog of junk. The very opposite is the enterprise of selecting certain artists to re- ceive grants, while rejecting others, is not a suitable function for a democratic government.

The scandal has resurrected the old question, "What is art?" It has also added a new one to the agenda, "Why have an NEA?" People outside a given field tend to trust its decisions was cured because they actually possess. Disappointment follows from discovering that doctors do not have all the right answers and occasionally make errors. People are not always the law, and that professors can be narrow-minded and ignorant. The recent scandal at the NEA should add to our conviction that such a它 in any way requires the federal government to fund the arts.

Therefore, be it RESOLVED, That we the members of the Southern Baptist Convention meeting in New Orleans, Louisiana, June 13-14, 1990, call on Congress and the President to set standards which prevent funding of highly offensive, morally repug- nant, and sacrilegious "Art," or, if such is not done, cease funding the National En- dowment for the Arts.

[From Policy Review, Fall 1990]

Aesthetic Governance Is Encumbered by Defective Artistic Genius

(Andre Reyerson)

Imagine a government so confident of its discernment, and so oblivious of this capacity in its citizens, as to declare each year which automobile is considered the most de- servable, then awarded a subsidy, say, to General Motors for its Cutlass Supreme sedan, or to Ford for its Taurus wagon. It is likely that the news media together with the auto industry, and joined by the public at large, would be scandalized. In a market economy we expect government to play the role of umpire, ensuring that fair rules govern the play. The shallow reasoning, the sloppy reasoning, the most radicalism, the scrappy reasoning, the uncensored nature through which stuck between the religious, moral, and aesthetic sensibilities of ordinary Americans. Aesthetics of Scandal

The National Endowment for the Arts (NEA) managed to survive outside the light of public scrutiny for a good quarter century, but now the mounting grants to artists of "approved" tendencies. The public was indifferent to art that was subsidized but out of sight. The periphery is considered impossible to rise of photography and "performance art" to places of prominence, the awards the NEA has made in these more accessible art forms is that it is merely by creating original works, revealed the religious, moral, and aesthetic sensibilities of ordinary Americans.
from the virtues of competing visions. In consequence, the presence of artists on govern-
ment panels does not guarantee against poor judgment, not to mention cabals, cronyism, net-
work politics, and log-rolling, along with ideological self-advancement. And some of these charges have been made against those involved in grant-giving at the NEA.

HOW GOVERNMENT CAN HELP

But are we not obligated, as a society, to "do our best in art's behalf," given its traditionally high status in art as a commodity like any other, and those who want the product should pay for it? We do want a Jane Austen or John Brown's dictionary, they desire, and therefore, if unsold. Certainly government should have no role in paying for products that no one wants.

As a point of departure, the laissez-faire market argument is unsellable. Society as a whole should not pay for what no individual wants. But this argument omits a consideration that does make art different from other products, namely, that the act of communicating the ultimate value of a work. The examples of William Blake, Van Gogh, Emily Dickinson, and others unappreciated by their contemporaries rightly haunt those who think about the problem. Is there no way to assist, while they are alive, those who are creating the treasures of posterity, but which the marketplace in the short term identifies only haphazardly?

Some answers are fairly easy. If we want more people to appreciate art, to visit museums, exhibitions, and to innovate in an occasional print or painting, an appreciation of art is an obvious precondition. Here the function of government through the sensible distribution of grants to other cultural institutions is definable, within the competing demands of a school curriculum.

Closest to the mark, however, is the preservation of our cultural past, through museums, classical theater, and symphony orchestras. While private philanthropy should be our first preference, a role for government, nonetheless, is wholly acceptable in materially preserving our cultural inheritance about which, thanks to the pas-
sage of time, we would normally be unconscious. Govern-
ment also has a special place in choosing the architecture of civic buildings.

If public space and buildings can be improved with public art. Indeed, commissioning works for this pur-
pose began with the Parthenon of Athens in the wake of that city's triumph in the Peloponnesian Wars. Indeed, of selection than presently prevail, however, would be a healthy turn. It would be re-
framed, for example, for expression (as it should be) a simple vote by visitors to an ex-
hibit of models placed in competition, since the voters would be self-selecting (anyone who wants to vote) whose the taste, equally, might prove more distinguished than that of many foundations, and easily of the National Endowment for the Arts.

PART-TIME WORK

Beyond these rather conventional ideas in connection with government arts funding, there is yet to be attempted. Once we honestly admit to having no institutional method, for identifying greatness among contemporaries (beyond the tax incentive to access in time) we see that any institutional role for government should aim at helping artists "as a class," rather than playing at the roulette wheel of identifying individual geniuses.

One innovation of this sort would involve the tax code, to allow artists deductable expenses which might extend the activity is deemed "a hobby," as is presently the case. Another might involve col-
lecting. If we agree that buying art is desira-
ble, if not artistic criteria, a tax deduction could be granted for money spent to participate in "art clubs" to buy art and circulate the works among members who share similar tastes, creating, in essence, fluid mini-museums in the pri-
ivate sphere. (This is how Ben Franklin labeled what was much wider became our system of lending libraries.)

On the supply-side of the equation, creat-
ing art is a financially hazardous choice even for the relatively unappreciated. Stendhal, in his De l'Amour, attempted this with a work that lists some of the backsalaries and filling countless warehouses with paint-
ings no one sees or cares about. Dutch art-
ists themselves find the system somewhat "sensible and desirable," and there appears no great push to repeat the experiment elsewhere.

What remains possible on the part of government is to assist others, modestly, if ne-
eglected, gen of an idea: part-time work.

Flexible work schedules have long been demanded by feminists alert to the special problems of working mothers. Industry is awakening to the need for part-time profes-
sional schedules because without them su-
perior workers are leaving. But the concept of part-time work, of an art-time, is not sus-
ceptible to such arrangements, many others are, and the advent of fax machines and modern-linked computers is loosening the demands of much traditional work. More fluid work schedules would also make better use of office and fac-
yory equipment than does a rigid 8-to-5, five-
day week, a cubicle gridlock and its attendant auto pollution and waste of time.

Yet there remains a suspicion that anyone wishing to work part-time is not to be taken seriously. However, studies reveal that part-
time professionals have higher rates of pro-
ductivity than the 60 to 70 percent levels of full-time workers, and in professions with high "burnout" rates, part-time profession-
als are most productive.

With part-time work, both professionals and unskilled, made more available, an am-
bitious but unknown artist would be able to work two 10-hour days, receiving exactly half the salary and benefits of his 40-hour co-worker, and still have five full days a week to paint, or dance, or write. This would be sus-
taining, a burden on no one, accepting a more ascetic standard of living in order to pursue a creative ideal.

AMAZON TREASURES

One can make an objection, nonetheless, that would run as follows: "We don't want people working less and producing less: we want them working more. And we certainly don't want a large army of persons playing at art. We want artists who are competent, who do a full day's work at art full-time. In a word, we want professionals, not amateurs.

But this is not true. Indeed, the first is, that in a free society people should be able to buy a very precious commodity: time. As we steadily become more affluent in the decades and centuries ahead, more people are going to be able to afford to spend their time in the movie theater, or watching the children grow or to pursue a neglected talent. Time is money, time is leisure, and while some will waste it, history shows that leisure has permitted many of the finest works of art and philosophy to arise. And, indeed, someone will say, "but artists are singular people," in that one was prepared to pay them for their work.

The list of philosophers who were ama-
teurs begins with Socrates, who earned not a drachma for his ideas, and includes Descartes, Locke, Bacon, and Spinoza, whose philosophies were, respectively, armament, tutor, judge, and lens grinder. Poetry would scarcely exist but for its amateurs who in-
clude Villon, Keats, Baudelaire, Rimbaud, and many others. When their work was unappreciated, they learned their living at everything from picking pockets and teaching English to working for the British intelligence. While some of these amateur novelists, as were, for example, Oscar Wilde and Stendhal. In discursive writing, Montaigne was one of our most distinguished amateurs in the field of painting, the names of Degas, Cézanne, Van Gogh, and Modigliani are emblematic of artist-
s who spent most of their lives working at their art without pay. Western civiliza-
tion would be a sorry thing without its unappreciated labor and the heroism of its visionaries.

DECENTRALIZING JUDGMENT

Other ideas to advance the arts need to be explored. But our ultimate goal and estab-
lished truths need to be kept in view. The last thing we should want for a democracy is a government rhinoceros attempting to ar-
range the china shop of aesthetic prefer-
ence. Nor does it matter whether the disrup-
tion proceeds from a belief that art is a tool for improving the people (the old Commu-

unist thesis of socialist realism) or from the belief that government is competent to iden-
tify great art. This is the type of judgment we need, from the NEA for "cutting edge" artists.

The distribution of grant money to a chosen few assumes a wisdom that govern-
ment, nonetheless, does not possess. In this, however, it does not deserve. A free society naturally develops a healthy pluralism of, competing tastes and preferences, whether in choices, wines, books, or art. The ethos of a free soci-
ety aims at decentralizing opportunities and power, not narrowing them. In diversity is our strength. Thus a system of collect-
ing and connoisseurship as to art cre-
at. Only by encouraging widespread, sparsely and independent judgment among the public do we improve our chances that an Emily Dickinson or a Cézanne will be identified while still alive. Quite the reverse will occur by "letting the government take care of what government is utterly ill-de-
sign to do—discern subtlety of expression and artistic genius. Through the NEA we would be empowered to substitute our own institutionalizing the nation's taste, and doing so at the lowest level of sensationalist vulgarity.

DEATH OF PATRONAGE

The recent scandal of government funding may prove a blessing if the policy implica-
tions behind the events are plumbed to their root. The enterprise of identifying en-

during art has no agreed-upon criteria, for its standards are hotly debated by critics, curators, and the artists themselves. Government, least of all, is suited to select the workable tastes of the public. Government cannot, as a general rule, engage in a sort of art criticism. Neither can it set the public taste. The Church was a great institutional patron, whose place today has been largely taken by corporations and foundations. Kirke, is a widely noted decline in independent taste. An elitist herd mentality has begun to steer the public process, with timid commercial considerations looming large. As Andre Leuax pointed out: "Art obeys its own peculiar logic, all the more unpredictable that to discover it is precisely the function of genius.""  

The clearest model policy to consider might be the government's relation to religion. The tax code grants religious, educational, and charitable organizations tax-exempt status. Do religious, educational, and charitable organizations, victims of governmentaluary taken to embrace the "cutting edge," discerned: "Art as an label with moral endowment policy and the duty to steer the public process. The exhibit of a so-called "art" is a violation of an important part of the First Amendment which guarantees the right of all religious faiths to be free from governmentally-sanctioned criticism. When the National Endowment for the Arts contributes money to an artist for him to use to dip a crucifix in his own urine, I find it a grave insult [in terms of church and state entanglement] from a municipality's spending taxpayers' money for putting a crucifix on the top of city hall."  

The controversy over Andres Serrano's so-called "art" had hardly begun when it was disclosed that the National Endowment for the Arts also had paid a Pennsylvania gallery to assemble an exhibition of Robert Mapplethorpe photographs which included photos of men engaged in sexual or excretory acts with nude children. A concerned Borough President in New York City sent me a copy of an NEA-supported publication in New York, New York. It was a picture of nude children in various poses with nude adults, men with young girls and young boys with adult women. All of these "works of art" were offensive to the majority of Americans who are decent, moral people. Moreover, as any student of history knows, such gratuitous insula to the religious and moral sensibilities of fellow citizens lead to an erosion of civil compliance and democratic tolerance within a society. Therefore, funding such insula with tax dollars is anathema to any pluralistic society. This was the basis of my offering an amendment to the Interior Appropriations bill to prohibit the National Endowment for the Arts (NEA) from using tax dollars to subsidize or reward "art" which is blasphemous or obscene. Congress was not only severely weakened when it cast a vote against it, but it was a severe weakened version of the amendment that does not even prohibit funding for such works as those by Mapplethorpe. My amendment created the controversy. Even so, this weakened amendment has been the target of unfounded and often absurd criticisms. Many in the legislation often make the following unfounded and misleading allegations:
4. Federal funding restrictions must use the obscenity definition outlined by the Supreme Court in Miller v. California?

It is important to remember that the Supreme Court established the explicit obscenity definition for the purposes of restricting government funding. But Chair-

man Metzenbaum’s “arts community”

erroneously suggests that the Court requires that the definition in Miller v. California be used in both restricting federal funds for obscenity. However, refusing to subsidize something is not the same as “ban it. In order to BAN obscenity, Miller v. California requires the government to prove that material: (1) has no genuine

artistic merit; (2) depicts in a patently offensive manner sexual or excretory activities or organs; and (3) lacks serious artistic or scientific value.

Numerous cases show that the Court does not apply the same standards to government’s refusal to fund First Amendment activities as it does to the government’s effort to ban such activities. For example, in Miller v. Roth, the Court stated that merely because one has a Constitutional right to engage in an activity, he or she does not have a Constitutional right to promote that activity. Even as far back as 1942, in Wickard v. Filburn, the Court stated, “It is hardly lack of due process, in the Government to regulate that which it abuses.” And so it is in Reger v. Taxation With Representation, a unanimous Court reiterated a litany of cases holding that restriction on the use of taxpayers’ funds, in the area of expressive speech, do not violate the First Amendment and need not meet the same strict standards of scrutiny.

Thus, it is unlikely that the Supreme Court would require Congress to use Miller test before refusing to fund NEA from funding obscenity. In fact, I believe the Court would uphold a Congressional prohibition on funding for any patently offensive depictions or descriptions of sexual or excretory activities or organs regardless of the presence of artistic merit.

It would be interesting if Congress should decide to adopt the Miller standard in its entirety because Miller allowed a jury of ordinary Americans to determine what is and is not obscene. The 1989 amendment approved by Congress on the other hand, effectively grants the NEA and its elitist arts panels sole discretion as to what is or is not obscene for purposes of government funding.

Thus, the legal effect of the current law is to prohibit nothing. The NEA can clap even the most patently offensive depictions of sexual or excretory conduct with “artistic merit” simply by deciding to fund the work, thereby making it legally non-obscene. This was precisely what the current amendment’s drafters intended since they wanted to deceive the public into assuming that federal money had been prohibited—when, as a legal matter, it has not.

Since last fall, Chairman Prohmann has asserted that he would and could fund the NEA so long as Congress prohibits under the language passed by Congress.

5. The original Helms amendment is not enforceable

This is nonsense, and those who say that know it’s nonsense. There was nothing vague about it—and the Federal Communications Commission is having no problem making application of the obscenity standards to broadcasts are indecent and/or obscene. The Postal Service is able to do the same thing concerning obscene or indecent mail. The Department’s National Obscenity Task Force has been able to determine what is obscene under the federal criminal statutes.

If the FCC, the Postal Service, and the National Obscenity Task Force can handle their respective responsibilities, why cannot the National Endowment for the Arts do likewise?

The amendment chills artistic expression because the “art community” is afraid that prohibiting NEA funding of obscene art will either “destroy art in America” or, at best, “lead to art which is bland.” On the other hand, if the NEA has funded only about 20 controversial works out of 85,000 grants over the last 25 years. (This is not, by the way, a statistical manipulation, but that’s an argument for another day.)

The point is this: The “arts community” cannot have it both ways. Either the NEA is funding so many controversial works that eliminating such funding will devastate the arts community—or the NEA has funded so few (20 in 25 years) that no restriction could have no more than a negligible impact.

My response to the first argument is that if art in America is so dependent on obscenity in order to be creative and different, then Congress has a duty to the taxpayers to shut the artists where the dollars are—allowing America’s slide into the sewer. My answer to the second argument is that if so few offensive works have been subsidized by the NEA, why all the fuss from the “arts community”?

In summary, the National Endowment for the Arts has always had the responsibility and the duty to decide what is art and is not suitable for federal funding of the arts—and that has precisely been the problem. The NEA has been used for any world. The National Endowment for the Arts is a magnificent agency of our nation’s cultural heritage. It has enhanced our culture and given us a life by the works of art—ballet, symphonies, public television shows—widely available to virtually every American, in communities throughout the country.

First, let’s look at a few facts. It has been estimated that taxpayers fund the NEA to the tune of $143,533,000 so that the arts may be nurtured so that these funds may be used as stimulus for others in order to expand the arts and to make the arts available to millions of Americans.

For 22 years, the National Endowment for the Arts has played a vital role in keeping American arts health, creative and alive. For 26 years, it has assisted artists, encouraged creativity, and helped to preserve our Nation’s cultural heritage. It has enhanced our culture and given us a life by the works of art—ballet, symphonies, public television shows—widely available to virtually every American, in communities throughout the country.

So let’s look at a few facts. It has been estimated that taxpayers fund the NEA to the tune of $143,533,000 so that the arts may be nurtured so that these funds may be used as stimulus for others in order to expand the arts and to make the arts available to millions of Americans—rich, middle class, and poor.

It would be a tragedy to allow the occasional controversy over an individual piece to threaten the excellent work which the Endowment is doing. It is important to keep this in perspective, recognizing that in general the Endowment’s peer review system has worked extremely well.

Have they ever made a mistake? Of course. Has any Member of this body ever made a mistake? Too many to mention for each of us.

While protecting artistic freedom from Government control, the National Endowment for the Arts has brought about a wonderful growth, a wonderful development in the whole field of arts across a broad spectrum. It is the exception, not the rule, when an artwork by the NEA does not spread public concern. Do some do that? Yes, they do. Does that call upon us to enact legislation in order to be certain to zero in on some particular artist?

During the last 26 years, the National Endowment for the Arts has made close to 90,000 awards, only a handful of which have aroused controversy.

To set a rule as Mr. METZENBAUM, Mr. President, once again we are faced with one of those situations where Congress is called upon to legislate the standards that shall be applicable in the arts world. The National Endowment for the Arts is a magnificent agency of our Government and they try assiduously to bring about a balance in connection with the arts.

Each year it seems that we are faced with a new issue of some special language that puts Members on the spot, so to speak, in connection with some specific personal matter. None of us in this body, none in Congress are sufficiently authoritative with respect to the arts in order to determine what is right and what is wrong. You do not have to be a genius in order to read the papers about the discussions in the National Endowment for the Arts themselves in order to determine their appropriate standards in order to determine what is art and what is not art in making their allocations.

For some reason best known to himself, my colleague from North Carolina sought to portray the Committee before us, is prepared to so-called try to create an embarrassing situation or a difficult situation for Members of this body.

For 26 years, the National Endowment for the Arts has played a vital role in keeping American arts health, creative and alive. For 28 years, it has assisted artists, encouraged creativity, and helped to preserve our Nation’s cultural heritage. It has enhanced our culture and given us a life by the works of art—ballet, symphonies, public television shows—widely available to virtually every American, in communities throughout the country.
September 19, 1991

CONGRESSIONAL RECORD — SENATE

S 13273

number of those have aroused controversy. They are not perfect. They may make some mistakes, but it is better to let this agency of Government, this balanced group that sits on the awards made available to the National Endowment for the Arts under the recent reauthorization legislation, disburse the funds, to review and disburse the National Endowment for the Arts, or produce materials that depict or describe in a patently offensive way sexual orexcessive violence. 

The distinguished Senator talked as if the NEA made a few minor mistakes. You bet they made mistakes and they made mistakes by the dozens. I am fascinated, I might add, about how the figures for all of these things comes during the debate on the NEA. One Senator would get up and say 75,000, another would say 80,000, another would say 70,000, and Senator Metzenbaum just said to 90,000. Does he know how many grants have been made because the NEA does not even know how many grants have been made.

At a point I am making, Mr. President, is that the taxpayers of America have a right to expect Congress to uphold their right not to be forced to subsidize filth, homosexual conduct, and other efforts to promote homosexuality as just another lifestyle. That is what we are talking about. And what ever Senator Metzenbaum thinks, this amendment does not address funding or restrictions on symphony orchestras, or art museums, or any of the other artistic endeavors that every one of us in this Chamber support.

I think the Senator knows better than what was written for him to say. I hope he does. But for the purposes of the record, before I came to the Senate, I was a trustee of a very fine arts company in Raleigh, NC, called the National Opera Co. I support the arts.

But those of us who abhor the kind of funding that goes on repeatedly—incendiary with double-talk and half-truths emanating from the NEA—favor uplifting the spirits. I would say to Senator Metzenbaum or anybody else that Latin expression sursum corda, but do not try to hide the truth about what the NEA has done.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HELMS. Mr. President, I listened with interest to the remarks by my friend from Ohio. I will say this about Howard Metzenbaum. He is always certain about everything he says and he is sometimes. I cannot remember the last time, but there must have been a time. I do not know what amendment he was talking about. This amendment would do nothing to stop symphonies and other decent productions. Let me read what the amendment says and maybe Senator Metzenbaum will revise his remarks somewhat. It says:

Notwithstanding any other provision of law, none of the funds made available to the National Endowment for the Arts under this Act shall be used to promote, disem- plate, or produce materials that depict or describe in a patently offensive way sexual or excessive violence. 

The distinguished Senator talked as if the NEA had made a few minor mistakes. I do not know what amendment he was talking about; this amendment was introduced to increase accountability. That legislation also ensured that no Federal funds can be used to support obscenity, while putting the issue of obscenity where it belongs in the courts. It only makes sense to allow time to see how these changes will work, before imposing new restrictions on the Endowment.

Mr. President, it is time to stop using the endowment as a political punching bag. It is the vehicle through which every city, state, town, and every city, town, and state, when Americans have the act of creation itself, and may I ask the distinguished manager of the bill on pending business designed to increase accountability. That legislation also ensured that no Federal funds can be used to support obscenity, while putting the issue of obscenity where it belongs in the courts. It only makes sense to allow time to see how these changes will work, before imposing new restrictions on the Endowment.

Mr. President, it is time to stop using the endowment as a political punching bag. It is the vehicle through which every city, state, town, and every city, town, and state, when Americans have the act of creation itself, and may I ask the distinguished manager of the bill on pending business designed to increase accountability. That legislation also ensured that no Federal funds can be used to support obscenity, while putting the issue of obscenity where it belongs in the courts. It only makes sense to allow time to see how these changes will work, before imposing new restrictions on the Endowment.
Mr. DIXON. Mr. President, I will suggest the absence of a quorum so that we can proceed momentarily when the distinguished President pro tempore returns to the floor.

The PRESIDING OFFICER. The Clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1170

Mr. DIXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois (Mr. Dixon), for himself, and Mr. Simon, proposes an amendment numbered 1170.

Mr. DIXON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 57, line 18, delete "$1,379,205,000" and insert in lieu thereof "$1,379,050,000".

On page 94, line 1, delete "$179,000,000" and insert in lieu thereof "$179,700,000".

Consequently, after line 31, insert:

"The Forest Service shall conduct a below-cost timber sales study on the Shawnee National Forest, Illinois, in fiscal year 1992. The Forest Service shall work with the purchasers of sales already under contract on the Shawnee National Forest to achieve mutually acceptable modifications to said contracts so that the harvest of timber under such contracts may occur consistent with the expected management prescriptions and/or practices envisioned in the Omnibus Amendment to the Forest Plan for the Shawnee National Forest issued in 1991."

Mr. DIXON. Mr. President, first let me thank the distinguished Senators from West Virginia and Oklahoma for their support of the amendment Senator Paul Simon and I have offered to the fiscal year 1992 Interior Appropriations bill, which directs the U.S. Forest Service to conduct a below-cost timber sales study in the Shawnee National Forest. Further, this amendment will provide an additional $400,000 for various recreational programs and activities, and also directs the Forest Service to work with the purchasers of sales already under contract on the Shawnee, so that these agreements are consistent with the expected forest management plan for the Shawnee.

The Forest Service has been working toward a new management plan for the Shawnee, and its completion is expected by the end of this year. In this new plan, the Forest Service proposes to ban clearcutting in the Shawnee and replace it with a new harvesting method—gap phase dynamics.

Mr. President, we share the concerns of many of our Illinois residents about the devastating effects clearcutting and group selection have on the Shawnee National Forest, and have worked hand-in-hand with Congressman Glenn Poshard to reduce those impacts.

The House and Senate have included $1.6 million for land acquisition in the Shawnee. This newly acquired land is destined to face the same problems we do now: how to do so without clearcutting or group selection.

In fact, my good friend and Illinois colleague, Congressman Glenn Poshard wrote me a most thoughtful letter, which I would like to share with the Senate.

Mr. President, I ask unanimous consent that this letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

HOUSE OF REPRESENTATIVES,

Hon. Allan J. DIXON,
U.S. Senator, Washington, DC.

Dear Senator: This is in further regard to your amendment to the Fiscal Year 1993 Interior Appropriation Bill which extends the opportunity to work with you to achieve a goal of national importance, the preservation and protection of the Shawnee National Forest.

The Shawnee National Forest covers barely 260,000 acres, the second smallest National Forest in the United States, in a forest of this size, clearcutting, and other variations of evenage management, are clearly inappropriate. That is why this amendment, which mirrors legislation already included in the House version of the Interior Appropriations bill, is so vital.

There is a great deal of anxiety, yes, even anger in my southern Illinois district, over timber harvests in the Shawnee. We have witnessed hunger strikes, civil disobedience, and lingering hostility between people who sincerely believe your amendment offers the best hope for significant progress, both now and in the long-term.

In the ten-year Forest Management Plan, which has undergone exhaustive public review and comment the last several months and is now complete, the Forest Service itself proposes to move away from clearcutting in the Shawnee. Clearcutting, as you know, is a process that takes wide swaths of trees at the same time, shaving the forest like a razor across a cheek. This is unacceptable, which is why the Forest Service is currently prohibited from using clearcutting as a forest management technique on the Shawnee, thanks to language passed in the Appropriations bill for this Fiscal Year.

But further controversy continues over what classifies as clearcutting. The Forest Service continues to take trees out in patches as small as 2 acres or smaller, describing this as group selection, even in the presence of clearcutting more than clearcutting on a smaller scale.

In the new Forest Management Plan, the Shawnee National Forest is moving toward a "phase dynamics" as its preferred harvesting method. This is a method of timber harvesting which simulates what happens when a tree is felled by the forces of nature. The openings in the forest canopy range in size from 1/20th of an acre to 3/8ths of an acre, which permits regeneration, the hard wood timber stands we seek to protect.

Our difficulty arises in that the Forest Service has a number of timber sales already contracted where it plans to continue using group selection, which again is nothing but clearcutting in disguise, instead of the forward-looking techniques available. Your amendment, in conjunction with language in the House bill, will help us avoid this potential unwise management, and move us toward more environmentally responsible harvesting methods on the Shawnee.

I am grateful for the political support, which was extended in the Senate, and for the support of the amendment by colleagues for their long-standing concern for the Shawnee National Forest.

Sincerely,

Glenn Poshard.
Member of Congress.

Mr. DIXON. Mr. President, let me conclude that as a lifelong resident of southern Illinois, I can attest firsthand what a magnificent and beautiful forest the Shawnee is.

The Shawnee National Forest should be preserved, not destroyed, and I strongly urge the Forest Service to work with the folks in this district by supporting this amendment, and if you agree with me, and I know you do, I believe your amendment offers the best hope for significant progress, both now and in the long-term.

I thank my colleagues for their support.

Mr. SIMON. Mr. President, let me also thank the manager of the bill for his support. I agree with both my Illinois colleagues—this is a bad situation which we face in southern Illinois. As the former Congressman from this district and a resident of southern Illinois, I can also tell you firsthand about the Shawnee.

The Shawnee National Forest is the only national forest in the State of Illinois. It is unique in that it has vast commercial potential, unlike many of our country's forests and preserves. The Shawnee attracts tourists from all parts of the American States, which generates significant revenue for southern Illinois.

The present harvesting methods, clearcutting and group selection, are destroying this national forest's investment in a $10 billion value, which is something every community in the area, destroying diversity and
calling the forestry to be the same age. Group selection also causes an even-aged management system, but it is not considered as a management method that would destroy the forest.

The fact is, Mr. President, whether the forest is cut down 100 acres at once or 2 acres at a time, clearcutting irreversibly destroys the forest.

The senator from Illinois is concerned, we must preserve the Shawnee National Forest, not destroy it, and I will continue to work with Senator Dixon and my congressman, Glenn Poshard, to see that we do.

I thank my colleagues for their support.

Mr. BYRD. Mr. President, I thank both Senators for their kind expressions. I am sympathetic to their amendment, as they originally intended to offer it. After discussions, as the Senators have indicated, with the two managers, there have been some modifications, and I believe that we have now arrived at a resolution of the matter which is satisfactory to all sides.

The amendment offered by Senators Dye and Snow provides an increase of $400,000 for various resource management programs on the Shawnee National Forest, IL, and directs the Forest Service to conduct a below-cost study on that forest during fiscal year 1992. In addition, language is included which makes the Forest Service to work with the holders of existing timber sale contracts.

The increased funds will be used for enhanced trail maintenance with an increase of $100,000; improved recreation management with an increase of $150,000; and an increase of $150,000 for fish and wildlife habitat management.

The below-cost study will enhance efforts already underway to reduce expenses and increase revenues.

The language regarding existing contracts directs the Forest Service to work with the holders of existing timber sale contracts to modify those contracts in a mutually agreeable manner so that the harvest of timber might occur in the same manner as envisioned in the draft amendment to the Shawnee National Forest plan. The language does not abrogate the existing contracts. It encourages the Forest Service to work with the purchasers to see if mutually agreeable modifications might be made.

Mr. President, I will be happy to accept the amendment and recommend its adoption by the Senate.

Mr. NICKLES. Mr. President, I want to compliment all my colleagues, Senators Simon, Senator Dixon, Senator Byrd, Senator Craig, and others.

This amendment is acceptable. Certainly, from this Senator's opinion, it is an improvement. It does not abrogate existing contracts. It encourages existing persons with contracts with the Forest Service to review those and try to make some acceptable changes—mutually acceptable, I might mention, so we are not taking anybody's property or abrogating contracts. That is important. So we have no objection to the amendment.

The PRESIDING OFFICER. Is there further debate?

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I appreciate an opportunity to speak briefly on the compromise and the amendment that has been arrived at in this situation. I am pleased that we have been able to approach it in this manner. I say so, because I would find it very dangerous for the Senate here on the floor to begin to legislate civil cultural practices and a variety of other things that are technical in nature that should be dealt with in the appropriate committees and would, in essence, had the initial approach been here in the form of an amendment, cause a great many timber sales and might well have put the Department of Agriculture and U.S.A. Forest Service in a libelous situation, as relates to being unable to honor the commitment made through those sales.

Let me also say, in relation to the whole issue of below-cost timber sales, I believe that to be fundamentally a misnomer. I say that because they can, under proper circumstances, be an important part in the overall management scheme of our forested public lands, as it relates to changes of species, more productive forests, types of harvests that relate to fire control and disease control and insect control, and all of those kinds of things in combination.

If we only look at the black and the white, sometimes we can be misled by those dollars.

Let me, for the Record, ask that we print a letter from the Assistant Secretary of Natural Resources of the Environment, James Moseley.

There being no objection, the letter was so ordered printed in the Record, as follows:

DEPARTMENT OF AGRICULTURE,

Hon. Robert C. Byrd,
Chairman, Committee on Appropriations,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: We have strong objection to the House-passed language in the Interior Appropriations bill regarding the Shawnee National Forest.

1. Below-cost timber sale contracts. The House bill is unprecedented in requiring the Government to breach existing timber sale contracts. This action would expose the Government to huge liabilities, but more importantly, represents an unwarranted attack on the integrity of Federal contracts.

2. Restriction on group selection timber harvesting. We object to the report language which would define group selection management as not timber harvesting. Group selection is well recognized in forestry literature, research publications, and by the Forest Service, as a vital management tool. It is inappropriate for the Congress to try to revise professionally accepted definitions. This restriction on the use of the group selection method of timber harvesting would preclude the consideration of multiple values found on the Shawnee. This would cause a long-term decline in biological diversity.

3. Below cost timber sale test. A below-cost timber sale test on the Shawnee National Forest is unnecessary. The Shawnee Land Management plan will be revised by December. It will substantially reduce timber sales for the 1991-95 period. Economic realities of the future timber sale program on the Shawnee. We believe our effort should be devoted toward securing an appropriate direction for the revised Plan rather than conducting a below cost timber sale test.

We wish to emphasize that the requirement to breach existing timber sale contracts has far-reaching implications beyond the Shawnee National Forest. It could set a precedent for similar demands on other National Forests with potential cost to Federal Treasury of hundreds of millions of dollars from lost timber revenue and damage claims by contractors. Secondary effects would include loss of employment to timber dependent communities, and increased prices for wood products and homes.

The timber sales have been sold under full compliance of NFMA, PPA, NFMA regulations. Some have stood the test of appeals and litigation. The contracts are valid and should be honored by both parties.

Sincerely,

James R. Moseley,
Assistant Secretary,
Natural Resources and Environment.

Mr. CRAIG. I think it speaks to the broad range of some of the concerns that we talk about here as it relates to below-cost timber sales. But let me also add, of the statistics, that are facts, as it relates to the sale of public timber by our Government in the last year in 1990, Forest Service timber sales in 1990 yielded a profit of $630 million. They paid to States and local school districts and counties for roads and bridges $327 million. They generated business taxes paid to the Federal Government in the last year, $1,500,000,000; $464 million in personal and business taxes paid to the Federal Government beyond the profit, and $100,000 direct timber industry jobs.

That is why I am pleased that we looked at this more in a comprehensive way of accepting the idea of a study, looking at it as it relates to the Shawnee Forest in particular, so that we do not, with a broad brush, argue that all is bad that falls within the definition, because all is not bad that sometimes falls within the definition. Sometimes the eye of the beholder does not behold all of the picture. I think that can be true in the generic sense as it relates to the below-cost timber sales. It is certainly true of the forests of the West, and I have to believe it is true of the forests of the Midwest and the East.

So I am pleased today that the chairman and ranking member, along with my colleagues from Illinois, can assure the Senate that the amendment recognizes the need to study and examine.

That is certainly legitimate in our re-
sponsibility and a role we can best play here.

I appreciate an opportunity to speak on this amendment, and the importance of the issue.

I yield back the remainder of my time.

The PRESIDING OFFICER: Is there further debate? Without objection, then, the question is on agreeing to the amendment of the Senators from Illinois.

The amendment (No. 1176) was agreed to.

Mr. Dixon. Mr. President, I move to reconsider the vote.

Mr. Simon. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. Byrd. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. Byrd. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Dixon). Without objection, it is so ordered.

Mr. Byrd. Mr. President, I have an amendment on the list that was tendered the day before yesterday concerning qualified amendments. There is an amendment by Mr. Dixon and then there is another amendment by Mr. Dixon. I am informed that Mr. Dixon will not pursue this amendment. Based on that information, I ask unanimous consent that that amendment be eliminated from the list.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. Nickles. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1175

Mr. Nickles. Mr. President, we are now on the Helms amendment dealing with the NEA. I think we are going to vote on it very shortly. I will speak on it briefly.

The Helms amendment, for my colleagues' information, adds the following language:

Nowhere is any other provision of law, all of the funds made available to the National Endowment for the Arts under this Act may be used to promote, disseminate, or depict or describe, in a patently offensive way, sexual or excretory activities or organs.

Mr. President, I support this amendment, and I spent about the last hour going over a lot of NEA grants. I will tell you my conclusions. I think NEA has made some mistakes. And I read where several grants were denied to individuals, individuals that have received grants in the past, and I am going to say abused the taxpayers and had very offensive performances where they were denied grants. Now they are suing NEA saying: "We demand our funds." NEA denied those, I guess, because Congress did agree to the Helms amendment a year or so ago.

It also says that most of those performers have now received subsequent grants for subsequent plays that are also more than questionable of character. We are talking about individuals that we made on the stage, are talking about people that do some very offensive-type performances, some that are very offensive to anyone with any religious sensitivity whatsoever.

So I compliment the Senator from North Carolina for taking on a controversy and a difficult subject, and when I see that further awards have been made to Holly Hughes, Karen Findley, Mr. Fleck, and some of the others, I am offended by NEA's lack of sensitivity to opinion and for the taxpayers' dollars.

I think if they continue to fund these types of grants, there are going to be more amendments to cut or restrict NEA's funds. I am not particularly interested in doing that. I like NEA and the art community to have a lot of flexibility. But I cannot stand for this type of nonsense. I tell you just from one person from a State out in the country, we are calling constituents are more than offended by some of this nonsense.

Mr. President, I support the Helms amendment, and I hope that the Senate will concur.

The PRESIDING OFFICER. Is there further debate?

If there be no further debate, the question is on agreeing to the amendment (No. 1175) of the Senator from North Carolina.

On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. Ford. I announce that the Senator from Iowa (Mr. Harkin) is necessarily absent.

Mr. Simpson. I announce that the Senator from Utah (Mr. Garn), the Senator from Oregon (Mr. Packwood), and the Senator from California (Mr. Serrano) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 28, as follows:

<table>
<thead>
<tr>
<th>Yeas 68</th>
<th>Nays 28</th>
<th>Roll Call Vote No. 197 Leg. 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baucus</td>
<td>Burdick</td>
<td>Daeschle</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
<tr>
<td>Byrd</td>
<td>Burns</td>
<td>Dixon</td>
</tr>
<tr>
<td>Boren</td>
<td>Berman</td>
<td>Dole</td>
</tr>
<tr>
<td>Bond</td>
<td>Breaux</td>
<td>Donnelly</td>
</tr>
<tr>
<td>Breaux</td>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Brown</td>
<td>Bumpers</td>
<td>Glenn</td>
</tr>
<tr>
<td>Bumpers</td>
<td>Burdick</td>
<td>D'Amato</td>
</tr>
</tbody>
</table>
few minutes on an entirely different matter.

THE B-2 BOMBER

Mr. LEAHY. Mr. President, we will be here, as the distinguished Presiding Officer knows, on the B-2 bomber, both in committee and on the floor.

I think all Senators who have had an opportunity to vote on this issue on a regular basis have gone back and looked at the votes, look at the arguments made at the time either for or against it, read the newspapers, read the public press about what has happened with the B-2 bomber, and I strongly urge them to consider this when the matter comes up because I and others will be bringing up similar amendments to what we have done in the past.

With this anomalous situation, the highly visible Soviet Union has disappeared and the declared invisible B-2 has suddenly appeared. Maybe we ought to ask whether we are all working in the same set of circumstances we were as we funneled tens of billions of dollars into this thing.

I know there are briefings coming up this afternoon. I will not go to those. I have been to too many of these classified, closed-door briefings from the Air Force and the Department of Defense about the B-2 bomber, and usually within a few weeks I found the things they told me just were not true.

I think the American people are better served by reading the press. I think there is an enormous credibility gap with the Department of Defense and the Air Force on the B-2 bomber. Frankly, I am tired of going to their briefings because it appears they talk in an Orwellian doublespeak and what they say is not accurate.

Mr. President, if the Senator from North Carolina needs time, I will suggest the absence of a quorum, but I appreciate this courtesy in yielding me that time.

Mr. HELMS. I thank the Senator. Mr. LEAHY. I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont yields the floor.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1177

(Purpose: To provide for a more equitable distribution of National Endowment for the Arts funding among the Individual States.)

THE PRESIDING OFFICER. The distinguished senior Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, let me send my amendment to the desk, and then I want to yield to the distinguished leader.

Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Carolina (Mr. Helms) proposes an amendment numbered 1177.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. LEAHY. Amendment in the nature of a motion, Mr. President.

The PRESIDING OFFICER. Has an objection been heard?

Mr. METZENBAUM. Yes.

The PRESIDING OFFICER. Objection has been heard. The clerk will read the amendment.

Mr. HELMS. I was just trying to save time. I would like to have it read.

The legislative clerk read as follows:

On page 100, line 14, strike "$143,583,000" and insert "$143,583,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through fiscal year 1992, provided that individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act."

Sec. 6. Notwithstanding any other provision of law, funds provided to the National Endowment for the Arts under this Act for purposes of section 5(c) of the National Foundation on the Arts and Humanities Act of 1965, less not more than 70 percent shall be for carrying out section 5(g) of the National Foundation on the Arts and Humanities Act of 1965, provided further, that in making minimum allotments to the states under section 5(g)(3), the Chairman shall allot at least $300,000 to each state which has population of 200,000 or more, according to the latest decennial census; provided further, the funds made available to carry out section 5(g)(3)(A) shall not exceed $3,975,000.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, the Helms amendment now pending allocates $64,000,000 more in direct grants to the States than does the underlying bill.

The purpose of my amendment is obvious. The States, all 50 of them, will be able to use additional money to make up for recent cutbacks they have been forced to make in their State arts budgets.

But, Mr. President, this is also obvious—I will make it as clear as I can in just a moment. This amendment will allow the Chairman to give more direct support to the individual State arts councils—instead of those elitist experts at the National Endowment for the Arts—to decide which artists and which art programs in their respective States deserve grants, by shifting more of the NEA's money directly to the States.

The amendment now at the desk would allow local and State culture to prevail as opposed to the rotten, warped and often disgusting so-called national culture that the NEA is currently imposing upon the States. This is a very important amendment.

First of all, we are going to help the States. Let the States promote and offer support to the artists that they approve of—instead of letting it be done here in Washington, DC, by people who have failed to act responsibly at the National Endowment for the Arts.

Last year, Mr. President, Congress sought to increase the total NEA budget for the States to 25 percent of the NEA budget. I think that most Members of the Senate and the House did not realize that the 25 percent would be applied to only 70 percent of the NEA's total budget last year. As a result, and as a result of a few other funding quirks at NEA, the program giving basic grants to the individual States in fact receives less than 15 percent of the NEA's budget when you total it up, and were led to believe, that it would be 25 percent.

Furthermore, up to one-quarter of the funds reserved for the States is diverted to regional arts groups.

Let me put it as simply as I can. Mr. President. The Senate allocates only a sliver of the NEA budget, and then some of what they do receive is taken away and given to, not State-based, arts organizations.

The pending amendment would correct this inequity by requiring that 52 percent of the NEA's total budget shall be set aside for the basic State grant program compared to the 15 percent of total funding that the underlying bill would give to the States as direct grants.

As a result, more than half of the NEA's funding under the pending amendment, which the clerk has just read, would be distributed on the basis of population which, in my judgment, is the fairest way to allocate Federal funds.

Mr. President, I will be candid. I may not please some Senators. I am sorry about that. But I am obliged to offer this amendment because just six States and cities receive absurdly disproportionate shares of the NEA budget.

For example, how is it that just 6 States, 6 out of 50, received more than 50 percent of the NEA's entire budget in 1990? What is even more remarkable is that just six cities—San Francisco, New York, Los Angeles, Washington, Chicago, and Minneapolis—received more than 41 percent of the NEA's 1990 budget. New York City alone received almost 25 cents out of every dollar the NEA spent last year.

Not only is this unfair, Mr. President, it is also dumb. The numbers prove that the National Endowment for the Arts is not supporting the arts across the country in an equitable manner as they claim to be doing. Rather, it is funneling, as I have just illustrated, most of the money to the big cities, which then impose their liberal, immoral, pro-homosexual, and perverse culture on the rest of the country.

I am here to tell you, Mr. President, that the people of this country are fed...
up, I think the Senators and Members of the House of Representatives are going to hear about it when they go home, if we go home.

How can the NEA get away with this scam? And that is what it is. I will tell you why. The NEA is funding 25 cents out of every dollar that NEA spends. Such favoritism for New York City, and Los Angeles, and San Francisco explains, at least in part, the never-ending string of obscene, rotten so-called “art” that the NEA has promoted with the taxpayers’ money.

Mr. President, the NEA’s chairman, John Frohnmayer—while testifying before the House of Representatives earlier this year—implicitly acknowledged that the NEA’s favoritism for New York City, Los Angeles, and San Francisco, is responsible for the ceaseless parade of filth out of the NEA.

I understand what he is talking about, Mr. President, because I have had the same problem trying to describe the way the NEA is withstanding and improper—which then allows the newspapers, the liberal media, and other so-called self-appointed “censor” the NEA. Poppycock and balderdash. They know it is not so.

The same newspapers that falsely accuse me of censorship will not publish the pictures and the rottenness in the papers. The television stations will not carry it on their stations because they know the FCC would knock them off. So the first thing tomorrow morning if they did, it is just that bad, Mr. President.

I suggest, parenthetically, that there is nothing “arty” about somebody going on the stage and urinating. That is one of the pieces of art that is being subsidized by the National Endowment for the Arts.

Mr. President, the big cities control the NEA’s grant-making panels. In fact, and I am not being facetious, one-quarter to one-third of the seats on many of the panels deciding who is going to receive money from the National Endowment for the Arts. That is how Karen Finley—the so-called “art” of Amsterdam, where they want to give them a chance to do something—received her NEA grant.

In any case, Mr. President, artists from North Carolina must compete with artists from eight other states for the few seats on the NEA’s funding panels. Ten Western States similarly compete with one another to represent their regions on the panels as do the 10 Central Plains States.

But you know something, California has to compete with only two States—Alaska and Hawaii—in order to get a seat at the table where they hand out the grants. That is their only competition. But if I were to tell you that I am not the fairest, I think you might tell me, but you will not persuade me.

The only competition the artistic gaggle of self-proclaimed, self-appointed experts, in New York—who dominate the NEA’s funding panels—comes from the little territories of Puerto Rico and the Virgin Islands. Come on, Mr. President, that does not even make good nonsense in terms of fairness.

So it should not be a surprise that the NEA’s various arts panels and up for that matter, are going to spend 25 percent of the NEA’s budget on the States. And, in order to illustrate it momentarily—would be more effective because the funding decisions would be delegated to review panels in each of the 50 separate States. And, by the way, those panels will be closer to the people. It would not be isolated up here in Washington, DC, where the American people cannot touch it.

The support may be called “high culture,” as I think it is referred to in the art circles. I support the opera. I talked about that earlier. I support the opera, the symphonies, and museums. That is why my pending amendment leaves the NEA with almost 50 percent of its budget. It can go ahead with that. If the NEA uses the words supposedly, the Endowment will continue to be able to support this high culture, which I agree is important to the Nation.

However, Mr. President, the NEA can continue to spend the taxpayers’ money, however, directly or indirectly, on such things as the crudeness of Annie Sprinkle, or that pro-homosexual tirade called “Tongues Untied.” By the way, parenthetically, let me say, the rottenness that the NEA funded “Stop the Church,” a video produced by the homosexual activist group Act-Up that attacks the Catholic Church. The video’s message is to put an end to the church, to stop it. The NEA also funded Robert Mapplethorpe.

However, Mr. President, if the NEA continues to fund that sort of thing, and those sort of people, then the NEA’s favoritism can always come back and distribute 100 percent of the NEA’s budget directly to the States.

I want to give them a chance first. I want to give John Frohnmayer another chance. They are probably kicking and screaming down at NEA right now because old Helms is trying to take some of their “play” money away from them. I do not know whether we will or not. Senators who come in here shortly to vote on the amendment—I am going to decide that. But I will discharge my obligation as a Senator. I have made the proposition, and I submit that it is a reasonable proposition.

The bottom line, of course, is that the pending amendment would send at least 50 percent of the NEA’s budget to the individuals States. Assuming that the NEA distributes the other 50 percent in an equitable manner, most States will get more money in the upcoming year than they have in the past.

I urge Senators, of course, to support the pending amendment. I do so for one reason. First, to ensure that NEA’s funding is more equitably dis-
tributed among the States. The second is to increase the variety of cultural viewpoints responsible for handing out the American taxpayers' money at the NEA. Many of those decisions to the State and local level—where individualism, originality, creativity and accountability are most abundant.

Thus, of how many millions of people are excluded now in favor of the Annie Sprinkle, Mapplethorpe, and Tongues Untied crowd. Madam President, it is also at the State level and the local level that "general standards of decency and respect for the diverse beliefs and values of the American public" will receive a fair and sympathetic hearing.

**AMENDMENT NO. 1117, AS MODIFIED**

Mr. HELMS. Madam President, there is no slight change, and I send a modification to the desk.

The PRESIDING OFFICER. The Senator is entitled to modify the amendment.

Is there now any objection to considering the amendment as modified?

Mr. FEHIL. Madam President, what is the modification?

Mr. HELMS. I am happy to have the Chair tell it.

The PRESIDING OFFICER. Without objection, the modification is included as part of the substance of the amendment.

The amendment, as modified, is as follows:

On page 100, strike the word "organ," in the committee amendment as amended by amendment 1175, and insert the following: "organ."

Sec. 2. Notwithstanding any other provisions of law, of the funds made available to the National Endowment for the Arts under this Act for purposes of section 5(c) of the National Foundation on the Arts and Humanities Act of 1965, not less than 70 percent of the funds on that account shall be made available to the National Foundation on the Arts and Humanities Act of 1965; provided further, that in making minimum allotments to the states under section 5(a), the Chairperson shall allot at least $230,000 to each state which has a population of 200,000 or more, according to the latest decennial census; provided further, the funds made available to carry out section 5(g)(3)(A) shall not exceed $4,975,000.

The PRESIDING OFFICER. The Senator's presumption is correct. That is why the Chair asked if there were any objections.

Mr. HELMS. Very well, Madam President, I have a few charts that I want to exhibit to illustrate what I have said orally.

Madam President, if Senators would refer to the first chart titled "NEA Funding for Basic State Grants" in the packet that I have asked the pages to put on Senators' desks, I will explain what the difference would be in basic State grants from the program account under the pending amendment, compared with the underlying bill.

The first line shows that the NEA's total proposed funding under the bill for fiscal year 1992 would be $174,083,000. The bill divides that amount between the grants and administration or program funding account—$143,583,000—or 82 percent of the total NEA appropriation—$30,500,000 or 18 percent of the total NEA appropriation.

Now the pending amendment and the underlying bill would leave the $30.5 million in matching grants account alone. The NEA chairman would continue to have complete discretion over those funds and their distribution.

However, current law would take just 25 percent of the $143.5 million in the program account—or $35.8 million—for basic grants to the States whereas the pending amendment would give 70 percent—or $100.5 million—to the States on the basis of population.

Again, under current law, $8.9 million—or 25 percent of the bill's $35.8 million set-aside for the States—of the $8.9 million set-aside from the $143,583,000 would be distributed from the States and used to fund regional arts groups instead. This would leave just $28.9 million—or a mere 15.4 percent of the NEA's total fiscal year 1992 budget available for basic grants to each State's arts council.

However, the pending amendment would give 70 percent—not just 25 percent—of the program account to the States. It would also continue to divert $6.9 million to the regional groups. Once the $8.9 million regional group funding is taken out, the pending amendment would provide a total of $91.5 million—or 52.5 percent of the NEA's total fiscal year 1992 budget for distribution in the form of basic grants to the States.

Madam President, that is $64.6 million for State grants under the pending amendment than would be available without it.

Madam President, the second chart in the packet, titled "Where NEA Program Funds Go," illustrates how the pending amendment would switch the funding priorities within the NEA's program account, as I said earlier, would be $143,583,000 or 82 percent of the NEA's total fiscal year 1992 budget under the bill.

Under current law, only 25 percent of the NEA's program account—the small blue area in the circle on the left in the chart—would be used to provide basic grants to the States. The remaining 75 percent—the larger red area in the first circle—would be left totally up to the individual States to distribute as they please.

However, the pending amendment would switch the priorities almost completely around—as illustrated by the circle on the right. The portion of the program account reserved for the State basic grants—again the area in blue—increases to 70 percent and the amount left to the biased and arbitrary panel making arts panels is reduced to 30 percent.

Madam President, there should be no mistake that the NEA's national arts panels are absolutely biased in the way they dole out the NEA's grants. If Senators will refer to the third chart, titled "Six Cities Command Arts Funding," they will see that just six cities—New York, Los Angeles, San Francisco, Minneapolis, Chicago, and Washington, D.C.—received 41 percent of the $141.8 million in grants, from both the program and the matching grants account, that was actually distributed by the NEA in fiscal year 1990.

Madam President, these numbers are not directly from the NEA's own computer records. We did not pull these figures out of thin air. I have the computer sheets here at my desk if any Senator would like to see them or has any question about them.

When the totals for the various cities are compared, the amazing result is that New York City alone received almost 21 cents out of every dollar in grants that the NEA made last year.

Let's look at the pie chart on the bottom of the page. Just 5 States and the District of Columbia—which is home for the NEA's bureaucrats—received over 52 percent of the $141,850,978 in program and matching grant distributions to the States last year.

Madam President, this is an outrage. In the past, I have received numerous complaints that the NEA favors proposals from the east coast/west coast art crowd over proposals from the rest of the country, but I had no idea that the bias was this extreme. However, after looking at the composition of the NEA's review panels that make the grants, it is obvious that the panels are weighted in favor of the east/west coast. That explains why the majority of funding heads in those directions.

Madam President, I stated earlier how the NEA considers New York and California geographic regions virtually equal and parceled out $46.8 million of the NEA's total budget—44 percent—of the Federal government's $104 million in support for the arts. That leaves the NEA's national program account for the other 50 States—56 States—at 56 percent.

The pending amendment would correct this outrage.

Finally, Madam President, the last two charts in the packet compare the total amounts that individual States actually received in grants from the NEA's program account in 1990 with the amount each State would have received if the pending amendment had been in effect in 1990. Chart No. 4 compares this information in the form of a bar graph and the fifth and final chart gives the actual amounts on which the east/west funding gap is based.

It should be clear from this chart that the NEA's funding process has a distinct bias toward the big cities—particularly New York City as the bar graph shows. Senators can either help put their States on a more even playing field as far as NEA funding is con-
cerned by voting for the pending amendment, or Senators may ratify and support the public and governmental precedents in the NEA's funding practices by voting against the amendment.

Madam President, if the pending amendment had been in effect in 1990, 34 States would have received more program money if 14 States lose money and only six of them would lose more than $350,000.

Under the pending amendment, every State arts council—even in those States whose NEA funding is shared with the District of Columbia—would receive larger basic grants which they will be able to dispense on the basis of State and local priorities in the arts instead of the priorities and tastes of the east coast/west coast big city crowd that controls the NEA.

Madam President, do you see what a chunk of the NEA budget goes to New York, Los Angeles, San Francisco, Minneapolis, Chicago, and Washington to get television cameras can have?

Five States and the District of Columbia receive the majority of arts funding: New York, California, Massachusetts, Illinois, and the District of Columbia. The funding for the other 45 States is less than half: 52 percent for these 6 States and 48 percent for all the rest of the country. However, under the pending amendment, New York will get considerably less, which means that all of those rotten performers will get none, probably, because it will be under the purview of the people in the States, rather than in Washington, DC.

Madam President, I am going to leave the charts here for Senators to glance at when they come to vote, to see how much more their States will get under the Helms amendment than we get under the present formula is maintained.

So, Madam President, I think that is about it. I could review again each of the charts, but I imagine our friends with C-SPAN II have focused on the charts as I hoped they would, and there is no point in going down that road.

But we are talking about basic equity and fairness, and—I admit it—getting those millions of dollars out of the hands of the people who have been abusing their responsibilities in the past. The very idea of devoting so much money to sheer garbage, that ought not to be displayed. If they want to display it, if they want to produce it, let them do it on their own time with their own money, and not expect any reward or subsidy from the American taxpayers.

The American taxpayers are fed up, and I jolly well will tell you that if the American taxpayers could vote, they would vote overwhelmingly for the pending amendment.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Mr. HEILS. I thank the Chair, and in a word, Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PELL. Madam President, last year during the reauthorization of the arts endowment, the amount of funds made available to the States was increased dramatically. This fiscal year and next the amount set aside for State arts councils is 30 percent of the program money. To date in 1991, this amount increases to 35 percent.

Actually, this change in State funding was generated by the House last year while the original Senate position has been to retain what was then current law at 20 percent.

The Senate ultimately accepted this increase but without having looked carefully at the impact that this significant reallocation of funds will have.

Before we proceed to allocate even more NEA funds to States, I think we should pause to take a look at the history behind the funding, what the impact is. We should have an idea as to how and understand exactly how scarce Government arts funds can be used most effectively.

I was struck with the pie, the diagram of the Senator from North Carolina, showing the rather large amount, one could say disproportionate, for New York or for six States or for five cities and the District of Columbia. But the interesting thing is that under the guidance of the Endowment for the Arts over the last 25 years, you find the proportion is less now than it was.

I remember when we started out in 1965, Senator Javits and I, the proportion was more—I forget whether it was three-quarters of all the legitimate theaters were in New York, one-quarter in the rest of the country. But it was a much worse situation than it is today. Today, the success of the arts, especially the arts in the country, depends a great deal on the original idea of the State setaside.

This was a magic idea that we had, Jack Javits and I, and it was one of the programs where there was a certain setaside of a portion of it. The idea was to do exactly what the Senator from North Carolina is saying, which was to spread the pursuit of the arts, enjoyment of the arts, across the country. It has been very successful in that. When you look at the actual statistics, the number of museums, the number of theaters, the number of paintings that are produced, et cetera, it has lived up to all our expectation.

I think that you need the central amount to give the impetus and the drive. And the amazing thought is that critics often say that it has discouraged private giving. If one looks at the actual statistics, one finds that the Endowments have produced a larger amount of dollars in private giving or nongovernmental grants than was the case before. And in every case I think that the networks have truly lived up to expectations.

Again I say, this proposal should be, I think, the topic of an oversight hearing. I would like to held off on that hearing until we make sure the changes we made last year have been fully implemented, which would bring us into the winter or spring.

I think it is important that we more fully understand the balance between State arts funding and Federal arts funding. What way can we stretch for the States the impact? What States decide, for example, that they can reduce their own funding for the arts because of a windfall of new Federal monies, we should do all we can to prevent this from happening. How would other funding sources—particularly in the private sector—be affected with ever-increasing State allocations?

What does this shift mean for the national leadership in the arts? Are the arts in a position to assume the added funding responsibilities?

In my view these are very valid questions and they deserve answers before further changes are made in the present percentage of funds going from the National Endowment for the Arts to the States.

I believe that we should, as I say, have hearings.

In closing, I would emphasize the point that the whole concept of money for the States for the arts was a good idea in the first place. The arts and in the humanities has come out of the work that we did 25 years ago. I think it has worked very well in the period in between, and I would like to leave the proportions would other funding sources—particularly in the private sector—be affected with ever-increasing State allocations?

In my view these are very valid questions and they deserve answers before further changes are made in the present percentage of funds going from the National Endowment for the Arts to the States.

I believe that we should, as I say, have hearings.

In closing, I would emphasize the point that the whole concept of money for the States for the arts was a good idea in the first place. The arts and in the humanities has come out of the work that we did 25 years ago. I think it has worked very well in the period in between, and I would like to leave the proportions would other funding sources—particularly in the private sector—be affected with ever-increasing State allocations?

I yield the floor.

Mr. SYMMES. Madam President, I rise to support the amendment offered by my friend and colleague, the senior Senator from North Carolina. Senator Harris' amendment is very simple. It is to increase the percentage of the NEA's money to the arts and in the humanities.
September 19, 1991

CONGRESSIONAL RECORD — SENATE

S 13281

of grants allocated directly to State art councils, and proportionately reduce the amount of funds held in reserve for Washington, DC’s favorite art projects. That is really what this whole issue is about.

There is a provision in the Helms amendment. There is equity in the Helms amendment. And, as the charts that the good Senator went through show, when left to their own devices, the grantmakers at NEA strongly favor their home states. And few cities within these States, for the bulk of this taxpayer-financed funding for the arts.

New York City alone—Senator Helms already pointed out but I will say it again in case any of my colleagues that might be watching missed it—New York City alone received 21 percent of all NEA grant dollars in 1990, while Los Angeles, San Francisco, Minneapolis, Chicago, and Washington, DC, took another 20 percent. Together, New York, California, Massachusetts, Minnesota, Illinois, and the District of Columbia received over half of all grant dollars distributed in 1990, leaving the other 45 States to pick at the remains.

Obviously, New York City has a larger community of artists than most cities have—I do not think any of us would challenge that; perhaps larger than any other city in the Nation; perhaps larger than any other city in the world. So we may expect a larger pool of applicants for NEA grants there. And the same may be true to a lesser extent of the five cities that have scooped up the lion’s share of NEA grant money.

But, Madam President, 41 percent goes to six cities, 52 percent to five States and the District of Columbia. Are there any artists in Atlanta, Nashville, Dallas, Denver, or Seattle who are actively pursuing the support of NEA? Are the people of Alabama, Iowa, Oklahoma, or West Virginia too uncultured or otherwise unworthy of an opportunity to see and experience the art their tax dollars help support?

Madam President, I know my colleagues will agree that artists in their States are every bit as deserving of NEA funds, and their constituents every bit as interested in the art programs that these Federal funds can help support, as the people of New York City, Los Angeles, or Washington, DC. There is no question about it.

My State does not stand to gain a lot from the Helms amendment. It is a lot of money to us, but it is $138,000 if the amendment passes.

I know that $138,000 in my State goes a long way because the members of my delegation, on Art appropriation bill, for every dollar they get from NEA, they lever it into $10 or $12 of contribution.

I think Margot Knight, executive director of the Board for the Arts, Bob Brown, chairman, and Ann Marie Boles, the education program coordinator—they have done an excellent job. And they push this art in the direction the people of Boise, and Coeur d’Arleen, and Sandpoint, and other places in the State are interested in.

So it seems to me that all of us would stand to benefit by pushing this along.

The good Senator, the chairman of the Foreign Relations Committee, from Rhode Island, pointed out that we have made some headway. We have funding guaranteed of 50 percent or 10 percent, whatever it was, of State grant funds. All the Helms amendment means is if we are going to have equity with respect to NEA funding, we should let the 50 State commissions, the people who are interested in the arts in those States, make the decisions about how the funds are used.

I remind my colleagues, the Helms amendment does not cut one dime out of funding for the arts. We had a vote on that amendment, on the Kassebaum amendment, and the will of the Senate is clear. The Senate voted not to cut funding for the NEA.

The Helms amendment is not cutting funding for the NEA. The amendment is simply a question of how the art funding will be distributed; whether State officials or the bureaucracy at NEA along the banks of the Potomac, will make the decision about which projects the taxpayers’ dollars will support.

I urge my colleagues to support the Helms amendment, Madam President. It is fair, it is equitable. I invite my colleagues to look at the charts, look at what the Senator from North Carolina is trying to do. I invite my colleagues to look—70 percent of this is granted by the Federal bureaucracy. The Helms amendment simply would turn it around and give more than 50 percent to the States and then let those State art commissions, like the one we have in Idaho that works so well, make those decisions. They do not have these big controversial issues. They know better than to support projects that have been the subject of such controversy in recent years.

So I urge support for this amendment. It does not cut any funding from NEA. It is simply for localized to make it more equitable and fair to the taxpayers, and the artists in all 50 States.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, let me rise and support and compliment my colleague from North Carolina, Senator Helms, for his amendment. And let me make sure that I explain to my colleagues that this amendment does not gut the NEA, the National Endowment for the Arts.

What this amendment does is, it transfers a greater percentage of the money to the 50-State, National-State, or local funding that the artists committees to be able to distribute the funds. I personally, have a great deal of confidence that our States will do a much better job because they are much more sensitive to the desires and needs of our constituents in our States. So I think it is an outstanding amendment.

Under the present law, 25 percent of the present law, that is the bulk of the money, about $143.5 million, 25 percent of the $143 million goes to the States.

Under the amendment of Senator Helms, 70 percent of that $143 million will be allocated to the States. I think that is a very good amendment. I will state I have looked at the charts that Senator Helms has handed out. Most States will benefit. Most States will benefit substantially because most States have received a very small percentage of NEA funds.

Now we will all receive a more proportionate share of the funds; a more equitable share of the funds. I think this makes good sense.

Senator Helms mentioned the national council, which distributes a lot of the discretionary funds, has been weighted very heavily toward a few cities and a couple of States. He is correct.

Cities such as Los Angeles, or San Francisco, or New York City, they have received the greater proportion of the money. I believe Senator Helms mentioned six or seven cities perhaps received 40 percent or more of the money. That means the rest of the country, particularly in smaller States, do not receive a fair share of the money. We do not receive an adequate distribution of the money.

But other than just the allocation of the money—and I compliment Senator Helms for the distribution—I think we will have a better result. I think we will have a result where you have your local State-controlled endowment organization making these decisions. They will make better decisions. And I do not think they will be funding some of these grants that are so obscene and so offensive to so many Americans. I would be shocked if the Oklahoma endowment group did. I think a great deal of respect for them. I think they have done a very good job. In my State they fund Indian education programs, they fund the arts, Indian arts and our natural heritage. They do a fantastic job. They are well supported, they are well liked by my constituents throughout the State. They support the opera, and they just do a very good job. I think, frankly, they do a much better job than the national organization, and this will almost double the amount of money they receive in our State.

As a matter of fact, in looking at most States, going from the 25-percent formula that is under current law, to Senator Helms amendment going to 70 percent of the money being granted to the State for the State allocation,
I would expect my friend, Pat Moynihan, eloquent as he always is, to oppose the amendment, and some few others. I do suggest that Senator may want to look at the breakdown which will be on the table down here in front so they can consult that and see how it will affect their States.

I thank the Senator again. When all debate is through, I hope to proceed to a vote. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Madam President, in 15 years in the Senate I do not know of any saddler moment for this Senator than to have to rise to this issue in the aftermath of the previous issue. There is something in this body that is unseemly and profoundly sad.

I spoke earlier today, Madam President, about a proposal to reduce by a considerable amount the allocation in the appropriations in the present measure for the National Endowment for the Arts. I spoke of the origins of this program. Of course, there have been many origins, wide and varied, but the specifics of aid to the arts goes back to the winter of 1981 when a fierce dispute broke out with the Metropolitan Opera Co. The musicians were asking for an increase in a very small wage base and the directors of the Metropolitan Mr. Augus Belmont, Mr. Douglas, and others, as much as they would have wished to do, they had not the resources with which to do it.

A statement emerged which no one desired but no one was able to resolve, and the parties turned to Arthur J. Goldberg, then the Secretary of Labor in President Kennedy's Cabinet, and asked if he would mediate the dispute. He agreed to do that, and found that the matter was what both parties said it to be: There was no money around.

And so Secretary Goldberg, who was acting very much for President Kennedy in this regard, issued a statement of the facts and made the height of its resources, and at that stage in its history, having been able to do so from the early 19th century, suggested the time had come for the Federal Government to play a role in the support of the arts.

It is unique in our country. We are one of the few great countries in the world where the arts are not, for practical purposes, a state enterprise. The great opera, ballets, orchestras of Europe, of Vienna, of Paris, of Rome, of Milan, Berlin, London, these were always largely, if not primarily, royal enterprises provided for by the state purse. Just as our universities in this country, independent institutions unlike any other major country in the world, so have our art institutions.

In the case of the musical arts, they have been singularly located in New York City. This is not unusual. It is somewhat like the great work that it tends to concentrate in one place and bring people to it. It is the normal experience of the arts, particularly large and expensive activities which involve musicians and performers and composers and audiences. New York has been such a place from the beginning.

Madam President, a small note. On the 5th of December this year, we will observe the 200th anniversary of the death of Wolfgang Amadeus Mozart, 200 years since his death.

The world, as long as there is a world, will record and treasure the incomparable work, Don Giovanni, which was first performed in Prague, in the state music house here. Don Giovanni was of Mozart the musician and Da Ponte, his librettist. Da Ponte was an Italian. He was from an Italian-Jewish family and converted to Catholicism, as was Mozart, who wished to work in the courts of the Austro-Hungarian Empire. He took the name of the local bishop and converted.

After Don Giovanni was performed, and other work, Da Ponte left Central Europe and, Madam President, perhaps not many know this, but he made his way to New York City. New York City was, in even the time of Mozart, a city active in the arts and attractive to practitioners at the supreme level. The Da Pontes of the world, Mozart's librettist, the man who wrote Don Giovanni. He became a professor of Italian music at Columbia University, new Columbia University. He lived, he began a musical tradition in New York, and brought to it the great strengths of those experiences.

He was, as I recall, given the last rights by Cardinal McCloskey, the second cardinal of the city of New York, Diocese of New York. There you have, in the 18th century and the early 19th century, America as part of the high European culture.

It has continued that way, Madam President. It is not in the nature of things that there should be a great many opera companies of the first order. I think there are a good 30 in our country largely because of the efforts of the National Endowment for the Arts.

As I said this morning, Secretary Goldberg asked me to do the first draft of his general proposition that there ought to be a national support for the arts. At that time, the activities were very much concentrated in New York, Chicago, Philadelphia, Boston, Los Angeles, and San Francisco. Europe, too, was the center, as it is of the visual arts, as it was of publishing, as it had been from the time-
September 19, 1991

we started our Nation with New York as its Capitol.

It was on a fateful day in 1790, I regret to inform the Senate, that at a luncheon, dinner as they would say, between Hamilton and Jefferson, it was agreed that New York would be the capital city of the United States from New York City, where it was, to a swamp on the banks of the Potomac where we are, slightly above on Jenkins Hill. But there is sense here, why the culture remained in the first Capitol, and has served this Nation well.

The purpose of the culture is not to serve the Nation, but we speak proudly of our role in the last two centuries. And to the extent we do, we speak of the things that have happened, to an extraordinary degree things that have happened in the city of New York, by people who come from all over the country, and the world as Da Ponte did to that center of creative activity. One can say that beginning at the establishment of the National Endowments for the Arts and Humanities, which took place under President Johnson, as did so much of the legislation that had been earlier contemplated in the Senate. President Kennedy, has been instrumental in the diffusion of these activities throughout the country. No one has been more diligent, I would say vigilant, in seeing to this than our beloved Claiborne Pell, who has insisted that these activities that a Capitol portion go to every part of the country, every State in the Union. It has and it has had its effect over what is now past quarter of century of this activity.

But it remains the case, inevitably it is the case, that there are places where particularly intensive activities in the arts occur, the places I have just described.

It is not as if we have not been moving toward an even larger general distribution. Last year's authorization for the National Endowment raised the allocation for State funding from 20 percent to 25 percent, to 27.5 percent in 1983.

The proposed measure is a very simple one, to take money away from the city of New York and distribute it elsewhere. The idea is very different. The idea is to strike at the artistic activities and expressions which are found at the center of the Nation's art world, of which Senators on this floor do not approve. I do not know if they would approve of De Ponte when he came here. There is that tradition in American life that hugely underestimates that intelligence of the American people and plays to almost a depraved sense of what will shock them.

I somehow remember from my youth the story of Ogden Nash when Senator Smoot of Utah began with these hoohahs, Smoot of the Smoot-Hawley Tariff. I am not sure I can get it quite right. But Ogden Nash said, "Senator Smoot (Republican-Utah) is planning a ban on smut. Rooty-toot-

toot for Smoot of Ut, and his reverend occupant".

And I suppose I have to record that, yes, it is true the poem appeared in the New Yorker magazine.

That is in 1945, the year Senator Smoot of Utah introduced a ban on smut, and Ogden Nash thought it was pretty funny. It was funny, though sad. This is sort of sad. Not especially funny.

Of what are we afraid? Are we going to do this? As the 200th anniversary of the death of Mozart comes upon us, are we going to go out of our way to be mean, fearful, troubled, anxious—oh, very anxious, that we have welcomed his librettist, welcomed the Italian Jew who for a Viennese emperor in a Czech city composed the libretto to Don Giovanni? Is that who we are? Ex-senators which, they could show you. "Here, look, how do you like that question? Look at that."

You know, in high school hormonal events, can be disheartening. All those compulsions of adolescents are not right, we have gone through it ourselves. As parents we watched our children do the same. But not Senators—not Senators. We surely are beyond that. Or, are we? Perhaps the Nation does not understand or does not know. Or perhaps we do not understand or know the Nation.

I do not think there is a self-respecting council on the arts in any of the States that will receive this money from the city of New York that would want it, because they are not taking it from New York; they are taking it from the culture. It just happen the culture is primarily located there. It has not been there from the beginning. Give Beijing its due. Give Philadelphia its due. Remember that orchestra of the Metropolitan Opera that came to Arthur Goldberg. One of the violinsts, I believe, was a relative of Arthur Goldberg's, who came out of some shetel in Poland, or whose parents did, as did Arthur Goldberg. He played the violin and found his way to the Metropolitan Opera. A relative found his way to the Cabinet of the United States and then to the Supreme Court. That relative went and sat down with those violinists and Mrs. August Belmont to try to keep it going. It was collaboration. This opera was a rich and powerful and important thing. It brought to this country. It brought Arthur Goldberg to this country. It brought Bernstein to the world. Because the time came when we started giving back.

The time came when the school of New York was the most important school of painting in the world.

The time came when the great operatic music of this age came out of New York.

One is so troubled that we would want to do this. What a fearful thing. What an unnecessary thing. What a foreboding thing. Mr. President.

I find it interesting that there is not a single person here on the floor at this moment. There has been for some time.

It is not easy about this choice. Mr. President. We do not like it. We would never have done it on our own.

There is not a single Member of the Democratic side, not a single Senator on the Republican side. I alone in this Chamber pleading that we not do something which we will regret.

I said there is something foreboding here. Do we break up this country into its competing parts? Do we want to go back to an earlier time when those who had, kept? They did not share—to reach out and bring to a place that did not have things they might need in health, in education, in standards of relations between labor and management—in a sense of sharing a common culture, of diffusing and, enriching that culture.

I said in that earlier address this morning how on the occasion that I had to draft mediation for Arthur Goldberg, that we were aware of the problems of the politization that could come when there are public moneys directed to sensitive areas. And we addressed that.

Justice Goldberg found the Metropolitan Opera's problem anything but unique. He said the details may differ, but the general condition is the same.

The problem, of course, is money. The individual benefactors and patrons just are not there as they once were.

Just as importantly, as we become more and more a cultural democracy, it becomes less and less appropriate for our major cultural institutions to depend on the very few of the very wealthy.

Then he went on to think, therefore, of the state of the performing arts. He proposed that the President establish an advisory council on the arts, which President Kennedy, of which, in time, became the National Endowment for the Arts. He noted that the President had proposed to consider the establishment of a national honors system, clearly an important area in
which artistic achievement could be further recognized by the Nation.

And that, Mr. President, with Arthur Goldberg taking the lead, became the Presidential Medal of Freedom, which is just the affair of state, which had been the realm of decorations and honors up until then. He went on to say the benefits that would come of the national involvement in these matters.

But then, sir, a word of caution. These happen to be my draft of the section that I am reading to you. But they are Arthur Goldberg's words. He issued them, and John F. Kennedy endorsed them. He said:

The issue of Federal support for the arts immediately raises problems. Many persons oppose Federal support on grounds that it will inevitably lead to political interference. This is not an argument that can be dismissed. And the persons who make it are to be honored for their concern for the freedom of the artist.

In an age in which a third of the globe languishes under the pathetic banalities of seismic realism, let no one suppose that political control of the arts cannot be achieved.

May I say it is political control that is the issue here—political control, sir. Justice Goldberg said, the overwhelming number of persons is that the liberal American society has shown a deep respect for the artistic integrity of the artist. Every attempt to interfere with that freedom has been met with vigorous opposition, not least from the artistic community. Artists are as susceptible to pressure as the next person, but for every artist who capitulates, there is another to take his place from that unruly band. The late Russell Lynes, in his book, put one picture of them as the unencumbered, the disrespectful, and the uncomfortable searchers after truth.

Justice Goldberg then concluded:

The answer to the danger of political interference, then, is not to deny that it exists, but rather to be prepared to resist it.

Mr. President, this goes back to the founding:

The answer to the danger of political interference, then, is not to deny that it exists, but rather to be prepared to resist it. A free artistic community is one that is close to and supported by a large portion of the public need not fear attempts of interference by our writers and composers and performers give as good as they get. Indeed, when have they done otherwise?

The situation is different from that of academic freedom in our colleges and universities. It is by defending their rights that our faculties strengthen them. This is ever the condition of freedom.

It is a sad reflection how fearful and confused public men can be in the face of threats to public morals. I did not want to be dramatic; but Socrates was ordered to drink hemlock, and died because he was felt to have corrupted the youth of Athens by the assembly. The artists live on, and the societies are remembered for how they responded to them.

I spoke in the spring, in May, at the Juilliard School's commencement. I was sitting next to Isaac Stern, just back from Jerusalem, where he had played to an audience in gas masks. I watched that extraordinary row of young Chinese and Japanese violinists, going by in the graduating class, about one-third young women, and saw the wonder. Below the Juilliard School itself, which has been a source of so much of the musical talent, hard-trained, musical talent of that city of mine. Did I have some premonition of this moment on the Senate floor? I ended by quoting a poem by Louise Bogan, who reviewed poetry at the New Yorker for nearly 40 years, and was herself a poet of great power. One day, years ago, her Irish up, she wrote these lines in defense of the true artist:

Mr. President, I am going to use some words that are going to shock some people, I do not doubt; and if they do, so be it.

She would say:

Come, drunks and drug-takers: come, perverts unnerved!
Receive the laurel, given, though late, on merit.
To whom and wherever deserved.
Parochial punks, trimmers, nice people, Joiners, true blue.
Get the hell out of the way of the laurel. It is in the hands of the persons who achieved, and it is not for you.
There speaks poetry. There speaks the artist. There is the truth of it so often. And it is a truth that has enlarged our lives and understanding from the beginning of civilization. The first think children do is draw and then sing and then dance. It is in the species, the human species.

Yes, they are dirty pictures, and dirty stories, and all matter of disturbing things. But Louise Bogan was not disturbed. She sat up there in her West Side apartment, wrote her poem, reviewed others, 40 years with the New Yorker, 40 years at this.

Are we going to be able to understand this, Mr. President? Are we going to establish Louise Bogan and DeBouttay and Bernstein, the great writers, whose purpose we undertook to help? Those were the writers that I could write where they are.
But reaching back, what roots. The matter of Don Giovanni, the Italian Jew working in an Austrian court, performing in Prague, and coming to New York. That is our cultural heritage. And we are now to say "no" to that. Well, fine.

"No" can be said back. There is no reason to have National Endowments for the Arts and Humanities if their purpose is to offend against all the standards of the "arts and the humanities. We do not need them. We got along without them before, and I dare to say New York will get on without it as well. We did before. What the National Endowment for the Arts has done is bring opera to places in our country where it had never been, bringing opera companies, symphony, and ballet where they have never been before. That is the real role of the Endowment.

But now to take this punitive, fearful, mean measure is not like us. It is not very helpful to invoke dead people and tell what they would say if they were here. But can you imagine John Lennon, taking a back row at the naming of this? Oh, the remarks he would make in the Cloakroom. I wish he were here so I could hear those remarks. And Lyndon Johnson. Lyndon Johnson knew what you missed growing up in Johnson City, population 650. Over the mantelpiece in that little frame house in Johnson City his mother put one picture which, when you see it, tells you so much: Gainsborough's Blue Boy, that lovely young man in blue satin and white silks and all. It meant something.

"Son, you know you are not going to be here in this little old town, with this calfie soil and a fourth grade education all your life. You are not going to sit down and say: Yes, you are going to get to the Metropolitan Museum, get to the National Gallery, and share these things."

It came to pass. The National Endowment has meant that things went to you and it was such a large and hopeful moment. Now it comes down to this. "Senator Smoot, Republican-UT., is planning a ban on smut."

No, no, that is not our Nation. I would love to think what Lyndon Johnson would have to say. It would not be nearly as printable, perhaps, but even so, possibly more to the point.

I have been looking at the annual report of the independent commission which was established to look into the question of the National Endowment when it became an issue a couple years ago. Two fine persons were asked to chair the commission. They were John Brademas, our former colleague, a member of the House leadership from South Bend, IN, home of Notre Dame, and for lo these 15 years, the eminent president of New York University. A learned man. Oxford, Rhodes Scholar, family, good, serious, thoughtful person. And: Leonard Garment, a Brooklyn boy, Brooklyn Law School, a counselor to Presidents, a man of great personal attainments in the arts as well. He is a clarinetist of rare accomplishment, and a saxophonist as well. I have the honor to think of both of these men as friends. And they had with them very able people.

There is more than a normal distribution in New Yorkers there because it is a subject which New York has been associated with for so long. And the persons who are involved come from all over the country, representing all forms of activity that would be
relevant to this work. And they came up with a judicious, thoughtful statement dealing with some of the difficulties that have arisen over an exhibit of photographs.

Probably there are those who do not recognize that photography has become one of the fine arts in our time. You think of the work of Stieglitz, going back to the turn of the century, Richard Avedon, and others in our time. And they go into the subject of the background and history of the National Endowment. And they note that it, like so many things, does go back a long way.

George Washington, in a letter to the Reverend Joseph Willard on March 22, 1781, remarked:

The arts and sciences essential to the prosperity of the State and to the ornament and happiness of human life have a primary claim to the encouragement of every lover of his country and mankind.

That bears repeating, Mr. President. The arts and sciences essential to the prosperity of the State and to the ornament and happiness of human life have a primary claim to the encouragement of every lover of his country and mankind.

"Arts and sciences essential to the preservation of the State." Not just sciences, but also arts.

Thomas Jefferson wrote to Madison in 1785. He said:

You see I am an enthusiast on the subject of the arts. But it is an enthusiasm of which I am not ashamed; for the object is to improve the taste of my countrymen, to increase their reputation, to reconcile them to the respect of the world, and procure them their praise.

There is Jefferson talking about increasing the reputation of the American artist, winning the respect of the world in procuring their praise. That day came when Da Ponte the librettist came. It is also now. Only will we besmirch that reputation? Will we diminish that respect? Are we on the verge of it. We have been moving in this direction for some time now.

The arts, of course, has been involved for a long time. In 1891 we created the National Conservatory of Music, and in 1897, the National Fine Arts Commission, which, to this day, has oversight over design and development in the National Capital. From the fourth decade of the 19th century, we have had the Smithsonian Institution with its extraordinary collection of the arts of all kinds on The Mall.

And in this setting, Mr. President, we have had this careful commission ask itself, what should we do about these matters?

The independent commission set forth a wise, prudent set of recommendations for the NEA. It was a wise set of guidelines or suggestions. The first finding was that the standard for publicly funded art must go beyond the standard for privately funded art.

We are not, happily, talking about censorship here. We are talking about standards, and we have admirable standards, and an admirable commission carrying them out. These grants have been reviewed. It is not as if we have not looked at this subject. We have looked at it very carefully—John Brademas and Leonard Garment—and these new standards are in place. To go further in the manner that is now proposed, is to put in jeopardy something of great value. I hope we will not do it.

Earlier, Mr. President, I remarked that there were no Senators on the floor and so I continued to speak. But I think it is also very important to see my distinguished friend and neighbor from Vermont whom I believe has risen and who might wish to speak. Is that the case, I ask the Senator?

Mr. JEFFORDS. Mr. President, I would be happy to do so if the Senator desires to yield the floor. And I will immediately take the floor and proceed to argue against the amendment.

Mr. MOYNIHAN. Mr. President, with great interest, and looking forward to the remarks of Senator JEFFORDS, I do yield the floor and thank you for your courtesy.

Mr. JEFFORDS. Mr. President, I rise to speak against the amendment. I want to begin with this phrase. I think everyone should carefully listen to.

First of all, I find, for instance, that under this amendment my State will lose 30 percent of its grant. Certainly, to my knowledge, there has never been one of those States that have been cited for ever having done anything inconsistent with the policies that have been urged by the distinguished Senator from North Carolina. Thus, I certainly point out that a loser here will be a small, rural State which needs these funds very much.

Second, I think it is also important to point out that what we will be doing is establishing very inconsistent votes. If we vote on this one, I think you can have some consistency with respect to the first two votes. We turned down an amendment from the Senator from Kansas that would have reduced the time the arts and humanities are overburdened is that they will reduce their own efforts. Then we will see a total reduction of funds that are available at the State level.

I think we should recognize damage will be done to those kinds of art forms which are less institutionalized. Some of those forms are—folk arts, design arts, and the like—are most important in the sense of our development of our arts throughout the Nation.

In other words, a larger allocation to the States would reduce the funds that go to the discipline programs which are unlikely to be fully covered. The discipline programs presently provide fellowships to provide support for projects of individual artists. And the States are prohibited by law from directly supporting individual artists. And that is understandable, perhaps. But certainly the inability to support individual artists would be a crippling blow to our arts and the States, many budding artists who really end up, in most cases, being those who exempt the privilege of our arts in this Nation.

No corporations and few foundations are individual fellowships. They do not have the structure or the ability to do that. If the States do not and those with other funds for the arts do not do it, they will be lost. That is probably the greatest amount of the improvements in our arts, in our music and painting. All of those arts would be crippled by reductions in that area.
These less institutionalized art forms such as the folk arts, and the design arts, and literature, and film, do not get the same kind of priority at the State level. With the exception of a few States, State agencies simply do not have the infrastructure to support the media arts, also.

And we see fewer and fewer Federal arts programs. Under this amendment is that what will happen, again because of the tremendous pressure on the States, is that much more money will be spent on administration. There is that tendency as it was in other Federal programs. If we do not restrict the amount for administrative funds when the money flows in, what happens? It immediately goes to replace the present cost for the infrastructure that is there, the administrative cost, and there again, for other reasons, you will have a reduction of the amount of money that will actually be available for the arts.

There are no restrictions on the use of increased allocations in this amendment to the States for administrative costs. This further increases that possibility, as I mentioned, that we would end up, actually, with a net reduction in the amount of money that would be available for the arts.

Another area in which there would be a significant decrease in the availability of funds, I believe, would be the copyright sector. Again, areas where you get into the individual artists. Those are areas that we have, a difficult time for young artists to be able to perform and be able to create their arts. Yet later on they are the ones we all look to as the examples of the best of our Nation. But to get them started and to have the programs out there. These are the individual artists which most States are either precluded from supporting or do not have and would not have programs to support. It is very difficult to make selections along these lines.

Increased State allocation could unduly affect the plurality of funding sources. I think this is also very true, especially with the matching grant facets of the National Endowment, and the leverage aspects of the National Endowment. I understand that the amounts are $3 to $1, $2 to $1, $1 to $1, whatever—but again, they take the relatively scarce amount of money we do give to the arts in this Nation—scarce compared to almost any other nation in the industrialized world—in what other nations spend on the arts—and increase and improve ours by virtue of leverage. To my knowledge, there are no leverage requirements under this amendment which would be in anyway compare with the system of the National Endowment which leverages, as I said, $3 to $1, $2 to $1, $1 to $1.

The inability to have monies at the present level available for those kind of challenge grants would very substantially reduce the total amount of money available in this country for the kinds of things the National Endowment does carry on.

So I would like to say again, we must see if all we are doing here. Oh, it all sounds so good: Block grant and you can look at charts and see numbers which are going to say that your State is going to do a little better here. But more, it will have a little more flexibility. But take into consideration the matters of matching and the loss to administrative funds and all of those matters, and the restrictions States have on these things.

As I just mentioned, we have already demonstrated our support today for the Endowment. We also know that the restrictions we have set over the course of the last few years—even though in some ways I resented those and object to them—nevertheless, are working. Certainly the present Chairman has taken seriously the warnings from many of the Members of this body. I know him to go what I can to make sure that you in the Senate and you in the House are not embarrassed by what the Endowment funds."

I know. I talked to him recently. He informed me of the decisions he has made, of what he has done, especially for one flagrant violation of the guidelines and the terms of the grant. He has made it clear it would be financially damaging to the individuals that violated those terms and conditions by canceling their grant, requiring money back, and all that. He got the message.

The Endowment has. It is a message I do not agree with totally, because I have so much confidence in our society and system that I am not terrified as some are by an abberation here on whatever it is, less than a percent, of these things that get into a problem.

Also, in the purpose of this amendment, somehow, is the feeling—which would not be the case if the local governments, governments of the States, were in charge of it. And it is in my judgment the decisions which I just referred to on the questions of obscenity—the problem is the Federal Government is doing it and it is Federal funds.

I point out that the No. 1 example which the levering of this amendment has utilized over the past few years is the Mapplethorpe exhibit, the Mapplethorpe art. We can argue about whether or not that is good art or bad, but the funding came from a State grant. It was to the State and then out to Mapplethorpe.

So the thought that somehow we are going to reduce the questionability of the art available because of Federal funds is hard to fathom. How can you say you will give funds to the States and you will have less questionable art when you will have less control at this level to ensure that whatever standards that we feels are appropriate are adhered to.

Again I urge Members not to cast inconsistent votes. We already want to say we are setting a national standard. We also want to say, by turning down the Kassembaum amendment, that we have performed reasonably and continuing to perform a very useful function in our society, and we support not cutting it, now to say that it would be better to do something to reduce the funds amount of money Endowment available in arts throughout this Nation and to provide that the States will be the ones setting the standards. To me that is a very inconsistent way to vote. I hope and urge that this body turn down the Hendrickson amendment. Again, we will be happy to yield the floor, assuming the Senator from New York, for whom I have the greatest esteem, is ready to continue the discussion.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I would like to congratulate my neighbor and friend, the learned Senator from Vermont.

Am I mistaken that this would be the 50th anniversary of the founding of the National Endowment, an institution that has distinguished itself through the years and marks the great tradition which has been a proud tradition?

One after another, as the American States came into the Union, the first bill they passed was to create a university, to bring to the people, as a matter of right, as a matter of citizenship, the range of arts and letters that we properly associated with elites in Europe, with courts and patronage and all the paraphernalia of very exclusive institutions.

I have spoken about the hugely disproportionate assault this measure would have on New York, which happens to be the London and the Paris of our country. As it has been. But I think the more important thing is to speak about the impact on the city of Washington. The sums here are not small. I mean they are not large. Washington, D.C., is not represented on this floor. It has no Senator and it has no voice. It is entirely dependent on us.

In the last 50 years, we have seen the beginning in Washington of an active community in the arts. Not for nothing, Mr. President, but it was John F. Kennedy's idea to have a National Endowment for the Arts. And in that considersation, we plan going to the Kennedy Center for the Performing Arts here in Washington. We have seen not just the museums associated with the Smithsonian, but independent museums, such as the Corcoran, grow. We have seen musical ensembles grow. We have seen an audience grow. And now to come along and knock it just like that is so much at odds with what President Kennedy hoped for. Again, what George Washington hoped for, what Thomas Jefferson hoped for. It is such at odds with this moment in the world when we ought
to be celebrating what we have achieved and what we can now achieve in a world.

At last, the cold war is behind us and we are free to choose what we want to be and want to do. Surely, the last thing we should want to be and want to do is to be mean spirited and jealous and fearful by denying the elemental realities of where the culture is concentrated in its institutionalized forms.

We now bring heads of state to Washington, and the President takes them to our great symphony orchestra, the great theater complex. We have the Arena stages; we have the Anacostia Museum; we have fine universities in this city, and they grow. These things do not come suddenly. They come out of years and years of humus collected. But when they do come, they are the adornment of a nation. They are, as Jefferson wrote to Madison, the source of reputation and of respect of the world, of praise in the world. How an unseemly thing will be seen as a diminishing thing. With what spirit will the Senators come to this floor tonight and address this matter? I cannot but hope it will be different than the odds would tell you from reading down the list of who gets what, with what small calculation which too often we make at the expense of the Nation's interest.

I see my good friend and colleague is on the floor and has risen. I should not have to keep him from making whatever length he desires, and promptly if that is his wish.

Mr. D'AMATO. I thank my distinguished colleague, the senior Senator from New York.

Mr. MOYNIHAN, Mr. President, I yield the floor.

The PRESIDING OFFICER. The junior Senator from New York is recognized.

Mr. D'AMATO. Thank you, Mr. President.

Mr. President, I thank the distinguished Senator from New York (Mr. MOYNIHAN) because he has touched on something that is fundamental to this body. It is the basis of fairness, not just some formula that arithmetically will dispense money to people based upon the population or based upon the fact that there are 50 States, obviously, or some of them with over 200,000 people.

And so I look at the very legislation, I look at the amendment, and in the body of the amendment it says that if there is a State that has a population of 200,000, that means all 50 States, they will be guaranteed $300,000.

It does not go into the merits of the program that will be run. It does not go into the effort as it relates to matching or requirements or challenge grants.

There are a number of programs that exist and generate tens and tens of millions of dollars as a result of a challenge grant, perhaps maybe $1 or $2 million in Federal funds bringing in private sector funds $10, $20, and $30 to every Federal dollar.

I suggest that this amendment is a mischievous. This amendment will kill those kinds of programs because it makes it impossible or unlikely that a challenge grant will be dispensed as set forth in the proposed amendment.

The amendment is a mischievous. The amendment, under the guise of seeing to it that every State is guaranteed $300,000, will do irreparable damage to the matching funds, to the concept of matching funds, to the concept of Inducing the private sector to put in money that otherwise will not come.

This is not just a parochial argument from the Senators from New York; indeed, the art capital of the world, the cultural capital of the world is important for all of us to maintain and retain, for everyone, for the smaller States, whether New York, or the far distant West and North and Northeast, for those States which are contiguous to New York and the great cultural hub in the great city of Chicago and its art and artistic development, the State of Illinois but to the surrounding environs, and to the people it draws and attracts.

Do we want, on political grounds that may be popular argument to our colleagues, to say you are going to get $300,000 that you did not get before? Are we thus going to destroy the ability to get capital from the private sector, destroy the art centers that are today precariously clinging to life?

Take any of the great museums and the great cultural centers. Were is not for the private sector and dollars that come in, they would not make it. And the Federal arts and cultural resources have been allocated on a program carefully crafted, this which Senator is prepared to discuss for quite a long time, because before we permit the culture of the arts of New York and other major centers to be destroyed because of political expedience—and that is what this amendment is—if it is passed, it would be politically expedient passage. It would not be one based upon sound logical criteria—why I would feel compelled to have to go into detail as to the manner in which these moneys are distributed.

Mr. President, let me just touch, if I may, on some of the manners of distribution that have been set up by the National Endowment and the manner in which these funds are distributed.

The arts endowment grant matching requirements are an effective tool to generate funding from non-Federal sources. We should be very careful when we begin to tamper with this carefully crafted program. The arts endowment grant matching requirements are effective tools to generate these non-Federal private sources.

Most national endowment grants require the minimum match of $1 of nonendowment funds to every dollar of endowment funds. Some endowment programs require greater matches. The assumption that increases in matching requirements are to be required to be passed through to States will be passed through to artists and art organizations in their own State is simply not supportable. Artists in each State are ensured greater total funding as a result of the endowment program. The endowment's matching requirements have a multiplier effect, increase the amount of funds going to support artists and art organizations.

One of the endowment's funding policies is to support programs that, by their nature and design, generate non-Federal funds beyond the legislatively required 1-to-1 match so that grantees do not become dependent on Federal funds alone for a major portion of their budgets.

Not all States have matching requirements or matching requirements as high as those for grants in some of the endowment programs.

The SBA example, for example, which has a matching requirement of 3 to 1, is a very important and successful program. Its purpose is to complement the work of the other enforcement programs by offering major grants for activities that look beyond current needs and programming.

Further, increasing endowment money going to State artists and art organizations may, in tight budget times, encourage some States to reduce their own support for the arts.

Mr. President, the recent reauthorization of the increased endowment funds allocated to States was followed by more cutbacks in State arts appropriations. A much larger cut is likely in several States for fiscal year 1992. In tight budget times another increase of State set-asides could encourage States to reduce further their support of the arts.

So what I am saying simply here and what the Endowment is concerned about, is that by saying that each State is going to get $300,000, regardless of what their needs are, it will encourage States to further reduce a commitment which they are already reducing as a result of tight budget times.

If we remember again the matching dollars, the challenge grants, the dollars that come in through the private sector are not going to be forthcoming.

The Federal taxpayer could become a patsy if State legislatures use the increase in the State share of endowment funds as a reason to cut State appropriations for the arts. Yes, State budgets are tight, but the Federal Government should not encourage States to diminish their responsibility for providing access to the arts.
I would suggest that, at the very least, there should be requirements as they relate to making these funds available and not simply, say $300,000 for every State.

Increasing the State set-aside even further could encourage the abandonment of State responsibility. A larger allocation to the States would even further reduce funds for the discipline programs which are unlikely to be fully recovered. The increase in the amount of the endowment funds going to the States in fiscal year 1991 as a result of the legislation and increased allocation required cutting $12 million from the discipline programs. The discipline programs provide direct Federal support for projects in dance, design arts, folk arts, literature, museum, music, opera, musical theater, other visual arts, media arts, and interdisciplinary arts in the form of competitive grants. These programs would suffer even further severe reductions should there be a reduction in funding as a result of funding the States.

The discipline programs provide fellowships to support the projects of individual artists. Some States are prohibited from giving any money directly to individual artists or and few foundations award individual fellowships. As a result, a further shift of funds to the States would result in a severe reduction in funding for individual artists.

Also, reducing support for competitive grants through the discipline program would result in major losses for the arts, and is, with no regulations, that does not require any kind of discipline with respect to spending of the money and require what percentage gets to various artists, how it will be utilized, requires no infrastructure, is an amendment that we should not support.

You just do not, say, give $300,000 to the State, and say it for the arts, and that is it, with no regulations, with no restrictions. It should not be passed. For that reason alone we should not be going out and giving taxpayers' money.

If people are dissatisfied with the National Endowment for the Arts—I must say that I have had my run-ins, my differences with some of their policies—what about just giving the money to 50 States with absolutely no rules or regulations with respect to what matching funds should be sought in the development of art? It is ill conceived, especially if we are talking about taking a conservative point of view and seeing to it that we guarantee that the taxpayers' money goes for those things with which all of our taxpayers can feel comfortable, or most of them, in seeing them supported.

An increased State allocation could undermine the plurality of funding sources. The arts in America have benefited from a plurality of funding sources. With access to Federal, State, private-sector, and community craft organizations have been able to avoid overdependence on any single source of public support.

A plurality of funding sources also gives artists and art organizations a greater range of opportunities for support. Thus, shifting a greater share of funds to States will undermine one of the major strengths of the plural system of art support; an increased allocation could undermine support of the private sector. I have touched on that before.

In determining the priority for arts funding generally, and in selecting specific grantees, many corporations and foundations follow the lead of the National Endowment. It is improbable that corporations and foundations will develop a selection process comparable to the National Endowment's, or that they would not consider State's arts agencies for guidance to the extent that they look to the Endowment for leadership.

Increasing Endowment funds going to States reduces national economic growth in the copyright sector, an important contributor to the growth of the national economy. This is an area that we can scarcely just put to the side. The National Endowment's Federal dollars could play an unparalleled and indispensable role in promoting the production of copyrighted materials, which adds to our national economic growth. Thus, increasing Endowment funds which go to States will diminish the funding by the National Endowment, which stimulates one of the largest and fastest growing sectors of the U.S. economy, the core copyright industry. Again, this amendment—which I said is a mischiefmaker—is a mischiefmaker that hurts the economy of this country, as well as the arts. The arts are an important industry in the United States, and one that we can ill afford to tamper with. If you say it is a parochial concern of this Senator because of New York and New York City, the answer is yes.

But I want to tell you something. We are going to lose, if this amendment passes. States, hundreds and hundreds of millions of dollars in private-sector money in development in the entertainment area, the copyright sector, under the guise we are going to give everybody a better piece of the action, it will not be able to use it. It is not going to go for the purposes intended.

The core copyright industry is a substantial contribution to the GNP. A large share of the national employment and high revenues generated from foreign sales make it one of the most important industries in our economy. Here we are talking about trying to get us out of this recession, improve our balance of payments.

During these times of fiscal constraint and fierce international competition, we all benefit when our Government invests dollars in industries to show greatest promise of increasing our economic growth in the long term. Diminishing funds that currently stimulate, on the national allocation, the copyright industry is a foolish fiscal policy.

I hope that my colleague, who has offered this amendment to seek maybe a better distribution, understands the great damage to the economy that takes place nationally. I hope that he will reconsider. This is not the time to attempt to change formulas and programs which have been carefully crafted. I hope that he will look to withdraw this amendment. Do not put us through voting, do not put us through tabling motions, do not put us through endless debate, because I tell you now that I know there will be a tabling motion that I believe that not from this State, from New York will make, and that I will support. I hope it will be successful.
If it is not successful on the first go-around, there will be additional explanation in detail as to how this amendment brings economic ruin to the arts and to a substantial part of our economy.

It is misleading. I do not believe that our colleague, the senior Senator from North Carolina, really understood that, nor do I think that is his intent. That is absolutely not his intent. His intent, I believe, is to say, well, let us give all the States the money. But in so doing, there are carefully crafted balances that have been, over the years, brought to a point where where we are generating tremendous private-sector revenues, but that otherwise will not be forthcoming.

I appeal to my colleague from North Carolina to reconsider this amendment. He has made a point. If, indeed, there should be better craftsmanship of the allocation formulas for the NEA, let us examine them but not with this kind of amendment that does not surgically make the changes carefully necessary to keep the arts at the levels that we now have come to expect and in meeting the needs of our people.

I hope our colleague will listen to our supplication. It is a supplication. We do not need to take this frontal confrontation and to a vote. I think he has made his point. I joined with the Senator before in supporting one of his amendments. But I reluctantly have to say that this amendment that would otherwise bring about fairness does not do that.

Indeed, it would provide great inequity. It would take from those areas that need, that bring about culture, develop economic stimulation, and in many cases would—as I indicated before, only he used as a sap in local government, not performing the kind of artistic upward and meeting the levels that we now have to take for granted.

Mr. President, I see a number of my colleagues on the floor, and the Senator from Hawaii.

Mr. President, I yield the floor.

Mr. AKAKA. Mr. President, I wish to commend my friend, the distinguished Senator from New York (Mr. MOYNIHAN) who has keen insight on NEA funding, and also the other Senator and my friend, the Senator from New York (Mr. D'AMATO), for his statements on this amendment.

We have before us, Mr. President, a highly politicized proposal which would—if you will excuse the pun—strip the National Endowment for the Arts of a significant portion of its funding.

On the surface, the pending amendment appears simple, straightforward, and democratic. It would redistribute funds away from the NEA and direct a higher percentage among each of the States' art councils. The amendment seems democratic, fair, and harmless, but is it? It allocates funding based on the population of each State. It appears on the surface even patriotic, a salute to democracy.

But, Mr. President, I have a problem with this. Why must art funding follow an artificial formula? Why should we award a statistic—that is, the number of people who live in each State—and sacrifice artistic merit?

Our colleague, the senior Senator from North Carolina, wonders, alas, why certain States and cities receive more grants from the NEA than do others. Does anyone here truly wonder why New York, San Francisco, and other native cities draw a majority of the NEA grants? These cities serve as vibrant cultural hubs and natural magnets for America's musicians, filmmakers, dancers, singers, composers, and painters. It was no less different in Mozart's Vienna or Michelangelo's Rome. A critical artistic mass is reached, and art flourishes.

I see no mystery or conspiracy here. The NEA is an organization being deliberately limited to certain cities and States. On the contrary, Mr. President, if we vote to radically alter the NEA funding formula, we will undermine its financial stability. We will tear the heart out of the NEA. With this radical formula, we will undermine the good works of the NEA.

The NEA has long played a proud role in promoting American art. The NEA contains millions of dollars in aid, and millions more in aid in all media and in all 50 States. Why are some intent on punishing the National Endowment for the Arts year after year?

Mr. President, I strongly urge my colleagues to stand fast against the pending amendment. The NEA deserves our strongest support in an America which has long prided itself on its homegrown artists.

Mr. President, I will take a few minutes of the floor.

Mr. DURENBERGER addressed the Chair.

THE PRESIDING OFFICER. The Senator from Minnesota.

Mr. DURENBERGER. Mr. President, I would like to take just a few moments to discuss the amendment proposed by the Senator from North Carolina. Over the years, the National Endowment for the Arts has had an impact for all Americans. Since the NEA was created over 25 years ago, we have seen vast growth in professional orchestras, nonprofit theaters, dance companies, and art galleries. In addition, the Endowment has provided recognition and opportunity for many of America's best artists who might not otherwise have received acknowledgment.

Mr. President, in my own State of Minnesota, we are blessed with a deep interest and appreciation of the arts. The NEA has recognized Minnesota's leadership and patronage in the arts and currently awards the third highest amount of total State funding to the State of Minnesota.

I believe that this amendment, which would transfer funding from the individual grant program to State block grants, would be a mistake. States such as Minnesota would suffer enormously under this amendment because it would bypass the original intent of the NEA which is to provide proportionately more funding to those communities and States who make the greatest investment and public commitment to enhancing the arts. It would punish and deter those State and local organizations who have worked so hard to become leaders in the arts community.

The current system is designed to reward and bring recognition to America's best artists and arts organizations. By simply block granting out this money to the States and bypassing any recognition to quality, we are doing a disservice to the cultivation of the arts.

Mr. President, I hope that we reject this amendment and any future amendments that would weaken our national commitment to the arts.

Mr. President, I am without the benefit of having listened to the presentation on behalf of my colleague from Minnesota. We would have to go back to the words of my colleague from North Carolina and, also, with the exception of my colleague from Hawaii, without the benefit of the presentation of my good friend from New York, Senator MORGAN, and my friend from New York, Senator D'AMATO.

But, also, I want to take a few minutes of my colleagues' time to discuss the issue involved. I am not going to stand here and defend the National Endowment for the Arts from a variety of charges made about its activities over the years, but I want to say something special about the relationship between the National Government's financial commitment to arts and artists in the country, and the response that commitment evokes in States like mine.

I am not an artist, and I am not a great financial supporter of the arts. Like most people, I do it by buying occasional inexpensive paintings, going to a performance, patting an artist on the back for a job well done. So I do not hold any particular expertise in the field. In my former life, though, I spent about a year and a half to 2 years with the Governors' Commission on the Arts, appointed by the then Democratic Governor of the State of Minnesota, Wendell Anderson.

Minnesota was making about a $1 million State contribution to go with the NEA contributions in direct grants to certain art organizations. That was in the early 1970's. A lot of people felt there was a reason why the arts ought to go to this state, and not the Federal Government. It had nothing to do with the money involved. We were probably spending one-half billion dollars in private sector contributions and public sector contributions and in the contributions of those who
bought the art, or went to listen to it being performed, and so forth. So in the whole scheme of things, the dollar amount contributed by either the NEA or a State endowment was relatively small.

But what was important in Minneso-

ta, I think, was the fact that the arts are not just something to be experi-

enced. The arts, as we all view it from a Mediterranean point of view, as we as people hand our culture on from one generation to the other, and how we share the uniqueness of past cultures with this generation as well. If you notice, in Mediterranean states, especially the South, the arts and their expres-
sion are important to all, to judges, to lawyers, to students, and to all people.

Just as a matter of fact, it is also significant in financial terms insignifi-
cant by NEA here, occasionally you will find a great American native artist who is being recognized for reminding us of all our artistic roots in this Nation. Before 1492, when Columbus sailed the ocean blue and brought us the arts of another continent, you find why so many people go to arts performances in Minnesota. We measured Minnesota compared to other States and we found out many more people per capita went and spent their $5, $10, $15, or $25 per ticket in Minnesota than anywhere else in the country.

We asked ourselves why do they do that? We went out, surveyed it, and we determined the reason is that we also have a substantially more at the ele-
men-tary and secondary school level on arts education than anybody else in America, by far than anybody else in America.

So, somebody long before me decided that in the State of Minnesota the arts were important, and they began to invest in arts education. arts apprecia-
tion, and arts talent and skills when people are very young. And you could measure it in 1974-75. I recall it being measured at the tune of $100 million a year, going into bands and orchestras and a variety of individual arts in-
struction.

So no wonder, when the National Endowment for the Arts is saying to the rest of the States in the country this is a very special place and they do it a very special way, that with their grants every year, I guess, $4,900,000-some went to recognize the special nature of the arts in our community.

I just want to say to my colleagues, that money for the arts is not money for the roadways. It “hain’t” something you take $105 billion and divide it by 50 or by the miles of highway and come up with a formula, which was suggested by this amendment. That is not the nature of the arts; it is not a transportation system.

When you look behind the formulas for aid you find strange things. I re-

member the first time I discovered by looking behind the Medicaid formula aid which is premised on per capita income, the highest goes to Mississippi.

And then I thought right behind that would be the District of Colum-
bia. No, the lowest per capita amount goes to the District of Columbia. Why? Because the District of Columbia is one of the wealthier communities in our country and that boggled my mind because it really didn’t make sense.

So I say to my colleagues, there is more behind what is going on than meets the eye. You have to come to these places, Los Angeles, San Francis-
co, Minneapolis, Chicago, Washington, DC, New York, California, Massachu-
setts, Illinois, to find out what that is. But I must say it would not be there if not for the endowment. Then Iook a period of 100 years ago, every year thereafter and divided it into some 50 pieces or some popula-
tion thing and expected it to happen.

So I, too, hope that my colleague from North Dakota can convince some generous, certainly in spirit, will recognize this and, having prompted a debate on the subject on the floor, will withdraw his amendment. And if he chooses not to, I hope our colleagues see fit to table that amendment.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York (Mr. MOYNIHAN).

MR. MOYNIHAN. Mr. President, I hope that my distinguished and honored friend would not think just one moment to let a New Yorker acknowledge that one of the ornaments of America’s civilization in these recent generations has been exceptionally complex, and most parti-
cularly the theatrical arts that has developed around Minneapolis and St. Paul. These have to have a specific place; you know; and a play has to have a place in which to play. People come from all over the world to see it; all over the Nation, all over the world, to the arts festivals in Minneapolis, as they do in New York, as they do in Washington, DC, as they do in Los An-
geles.

It is one of the simple facts, howev-

er, that we are mostly subsidiz-
ing here is performances, and perfor-
mances are expensive, and there is a simple economic fact which is referred to by economists as Baumol’s disease, which says that the most distinguished American ‘economist,’ says that things like performances in the arts do not benefit from improvements in effi-
ciency. It is just not in the nature of a performance that you can put out faster, turn out faster, and so forth.

I guess the nicest way to put it is that you can play the “Minute Waltz” in 50 seconds, but it is not the same. It is going to take a minute to play the “Minute Waltz” as long as you want that original. And so the benefits that come from productivity changes in almost every other sphere do not obtain in this case. That is why, under President Kennedy and President Johnson, we turned to the present ar-
range-ment with a particular concern, and I would like to speak to that now if I may, sir, of our Capital.

The Senator from Minnesota has pointed out that Washington is one of the cities that benefits particularly, and it ought. It has never had the base of an audience, a base of large industri-
al activities other than the Govern-
ment, by which I might say, spread the arts elsewhere in the country.

As we have seen in the last two gener-
ations, the potential and the reward
are enormous. When John F. Kennedy was assassinated and the Nation wanted to do one thing for that President, we created the Kennedy Center for the Performing Arts in Washington. I was told that we did that.

President Eisenhower had originally set in motion the idea of creating such a center. It was not coming along because the private donations just were not there. Mr. Ed Ryerson has taken over the chairmanship of the committee that wanted to try to raise the money. They just were not forthcoming. Washington is a place where you have to make a lot of big, kind of large wealth that has produced in the past things like the Chicago symphony, the Los Angeles symphony, the Metropolitan Opera in New York. And so, as a tribute to President Kennedy, with the huge active interest of President Johnson, we created the Kennedy Center. And it has been very heavily dependent upon the National Endowment for the Arts, which also was created by President Johnson.

To suddenly cut off that is to say that we are a nation that does not care about the condition of the performing arts in our Nation’s capital. That is not true. Go to one evening and see the people arriving from everywhere in the world coming to Washington for just that kind of experience. It adorns the Capital.

And it behooves us here in the Senate not to reduce something that large, that sacred an undertaking, to a level of how to distribute tobacco subsidies or hand out highway funds or subvention of grain subsidies or defense contracts.

There are some things larger than that in the world and this is one. To do it in an atmosphere of an almost sniggering display of activities that are not approved. There are times, Mr. President, when you could have the impression that the Senate Chamber had been transformed into a locker room, which all talk has no part in our deliberations.

We have a maturing organization, the National Endowment for the Arts. We had some very painful displays on this floor in the last 2 years about certain exhibits. A Commission was established by the Congress called the Independent Commission; most ably led by John Brademas, our former colleague in the House, now President of New York University, and Leonard Garment, who did so much to advance these purposes in the administrations of President Nixon and President Ford. And they set forth simple, direct, comprehensible standards for the Endowment in making its grants.

They insisted on two things. One is that these be matching grants. The moneys given by the National Endowment are matched many times over in many cases in the administration in Washington as well. This is not a program that produces dependency on Government. It produces exhilaration, innovation, and creativity in the performing arts.

I am not talking about the artists themselves, the composer, the writer, as is so often the case from the outset I had, I think, the normal skepticism about how much patrons do for the artists themselves.

I was once at a hearing in the Finance Committee on some of these activities and set up a premise: little or a little testy with the remarks I made, said, “Well, Senator what would you do to have Government encourage the arts?” And I said, “Well, as far as I know the Government can do to encourage the arts is to forbid them, and then you soon enough find out who cares.”

Look around at the 20th century. Who would have said that one of the great writing of the second half of the century, would come out of post-Stalinist Russia? Well, that is the way the world is, and that is the way artists are.

But performances are large and expensive activities. They are subject to Baumol’s disease. You do not get changes in productivity; they are going to cost proportionately more as time moves on.

That is why it came about that the National Endowment was created under President Johnson; everybody was very proud of it, pleased by it all, and you could see it all over the country.

It is not just that some cities will be centers of institutions like the Los Angeles Philharmonic. But young people in West Virginia, who get early training and experience may end up in the philharmonic. This is one Nation and one culture, or used to be. Dividing it in this way, in particular to seek to make an issue of big States versus smaller, or resources, to bring that necessary omnipresent activity on our floor, is beneath our dignity as a body.

We are not talking about tobacco subsidies. We are not talking about highway funding, or transit, defense contracts, or defense bases. We are talking about something larger, something that unites us and does not divide us. And it seems so unnecessary for this to happen now.

I cannot but hope that Senators will ask themselves: Is this something good for the Nation? Is this the kind of thing you say to the young people who want to make this part of their lives? It is not a very lucrative life. There is scarcely a less well-paid calling than to be an actress. The nerve of failure is so necessary in the young person who would be an opera singer, be a composer, be an actor. The odds are so long.

And yet when there is enough activity, there is room for so many more than otherwise would be the case.

That is what this is about. We made television, the American Playhouse. American television at the level of sort of adult drama, a grownup place, was becoming a province in the British Broadcasting Corporation until the NEA came along. It has done things that make us proud, and interested, and interesting.

It has been good work. We had a dispute that broke out on this floor. We established an independent commission. That commission said something very serious with respect to the standards. And what we are talking about does not come from the great cities and the standards which they bring, but the disturbing innovative things they bring to the world, as they always have done.

But the independent commission made this very fundamental proposition. It said: “The Independent Commission finds that the standards of publicly funded art must go beyond the standards for privately funded art.” A very open acknowledgment that there are public standards and conventions which ought to be adhered to.

We are a much more tolerant nation than we have been in these matters, more aware of the range of aesthetic possibilities and the need for it. We are a long way from a time when a review in London said that Whistler had flung a pot of paint in the public’s face. And Whistler, an American painter, was so indignant, he sued, he won; but he was, he did win, but he won. We are not that sensitive anymore. We are a mature and creative people, with mature and creative arts establishments almost everywhere.

We have done so well that it seems to me such an act of spoliation, to assault that system now that is in place and performing so well.

I mentioned several times it was President Kennedy who first began the notion that the Federal Government should be involved. In his last months as President, on June 12, he made a statement establishing the Advisory Council on the Arts, and asked some 30 private citizens who then went on to join him in seeking to develop a program that would help museums, help troops, help orchestras, help companies.

Senator Claiborne Pell has been so protective, thoughtful, and far-sighted about this subject for so long that I cannot imagine that at this point we will do something this destructive.

It is not seemingly of the Senate. It is not that the American people have asked us to do. The amounts of money involved are small by comparison with many other things in the budget. I simply would hope that we might decide this is a matter to be put on the national table, to think of that is always possible. It surely can be done. But not to come suddenly in the middle of the afternoon as an amendment to an important appropriations bill.

We have never discussed this. We have never seen it before. We do not know what will be the effect. We have
not asked any of the artists involved. We have not asked any of the public officials involved. It is simply no way to legislate, and I hope we would not. I believe that any time the Senate, the Senate, the Senate, the Senate?

The PRESIDING OFFICER.

The Senator from New York retains the floor.

Mr. MOYNIHAN. I am prepared to call for the regular order unless there is another view.

The PRESIDING OFFICER. The Senator from New York retains the floor.

Mr. MOYNIHAN. I see that the majority leader and distinguished Republican colleague from New York, I have been discussing with the Republican leader and other Senators a proposed agreement that would permit us to avoid doing over anything pending matters, including the measure in which the Senator is interested, and I hope to be able to propose that in a few minutes.

I was going to suggest the absence of a quorum unless the Senator wishes to continue discussing the matter. The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, on the subject of dealing with the proposal to radically revise the formula by which the funds of the National Endowment for the Arts are allocated to the States, in June of last year, the Senate National Arts Agencies issued a policy statement which, among other things asked Congress "to maintain the existing State funding formula." I hope Senators might hear this. Each of the States, the District, and Puerto Rico, and Guam have State arts agencies that have come into being in response to this Federal program. Those State agencies have unanimously asked the Congress not to do what this amendment proposes doing. They have a stable, productive relationship. This is working. The system has been through its shakeout of the first quarter century and we are simply asked to maintain the present stability. To do otherwise is to do a great injustice to all the people who have worked so hard and with such great expectation for so long in this effort.

So, Mr. President, I ask unanimous consent that the goals proposed by the State councils be printed in the Record.

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

STATEMENT OF THE NATIONAL ASSEMBLY OF STATE ARTS AGENCIES, JUNE 1990

Recent events have seemed to polarize members of the arts community, the Congress and the general public regarding the issues of freedom of expression and accountability in the expenditure of public funds. In the heat of this debate we have all to some degree, lost sight of the fundamental consensus that underlies a free and civilized society. Freedom is among our most important and cherished rights and that accountability in the expenditure of public funds is essential to the democratic process.

In this spirit we call upon the arts community, the Members of Congress and all concerned to work together to uphold the principles in a spirit of good faith and shared purpose so that we may honor both the right of free expression and public accountability.

For these goals we recommend that Congress:

1. Expand the declaration of purpose to affirm that it is vital to a democracy to honor its heritage and to provide for its future, and therefore to provide assistance to its artists and the organizations that support their work. Such support of creativity is paramount to maintaining a free society.

2. Reauthorize the National Endowment for the Arts for another five years. Maintain existing State funding formula.*

Mr. LEAHY. Mr. President, the underlying issue of this amendment is, are we going to have a National Endowment for the Arts or not?

A National Endowment for the Arts should have the capacity to support great national treasures, like the Alvin Alley Dance Company, and small, overwhelming values like the Vermont Folk Life Center.

This amendment is intended to cut the heart out of the NEA.

The State arts councils do a wonderful job. Without them, and the State funds they receive, our cultural lives would be impoverished.

My fear is that this massive transfer of funds to the States, which are hard hit by deficits, will encourage them to use their State share of the funding and will destroy the very effective Federal-State partnership that has worked for 25 years.

And I must add a local note—my State of Vermont—which is probably home to more artists per square mile than any other State, would lose 37 percent of its NEA funding under this proposal.

Mr. President, last year this Congress and the administration agreed to end Federal funding for the Arts. I thought the National Endowment for the Arts was a worthy undertaking for this Government.

Let the Senate reject the Helms amendment and proceed to serious business.

Mr. LEVIN. Mr. President, the taxpayers through the National Endowment for the Arts should not fund projects that are obscene. The law already provides that if a work is determined by a court to be obscene, then the money must be returned and the artist is debarred from further grants until that money is returned. Those steps are included in the 3-year authorization passed for the NEA in 1980, and I believe those steps.

However, the language of the Helms amendment goes well beyond that point. Its working, without more standards, is unconstitutional because it represents a vague prior restraint on American citizens.
Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. DODD.) Without objection, it is so ordered.

AMENDMENT NO. 1165

Mr. SANFORD. Mr. President, I rise to reply to comments made earlier today when my responsibilities on the Budget Committee made it impossible for me to be here when my colleague from North Carolina spoke about a local issue that is of considerable importance to a county of 11,000 people, certainly not an issue of magnitude that should occupy too much time of the U.S. Senate, but, on the other hand, one of considerable importance because I think it raises a moral obligation on us to do something about the neglect of settling a claim now for 48 years. There hardly can be anything like that on the record anywhere else.

I would like to put in the Record, and regret that my colleague is not here—my comments on two or three things that the senior Senator from North Carolina referred to in his remarks this afternoon.

I have today learned that the Chamber of Commerce of Swain County, certainly made up of people of all political and economic persuasions, just last week voted unanimously to support the approach of a cash settlement instead of a road.

And then I think I could say to my colleagues on both sides of the aisle, I do not really believe this is a partisan political issue and I believe it quite possible. It may be for us to take a position, as we ought to take, that it is not up to us in the Senate now to decide this issue. It ought to be decided by the people of Swain County.

The people of Swain County have said, through a unanimous vote of their recently elected county commissioners, through their chamber of commerce, they want the approach that is represented in my amendment. They want to have these funds to spend now, as under the terms of my amendment, to make it possible for them to spend the interest from the $16 million account on necessities decided on by the commissioners and with a vote of the people, to spend the principal in any way they wish. The county leaders are authorized to repay two outstanding school loans that hang over the heads of Swain Counties.

I have made major concessions to Senator HELMS, because the senior Senator from North Carolina made two basic points when this issue was debated in 1988. First, he said he would not support language mandating that an area of the Great Smokies be designated as a wilderness, this area of the park that is now treated as a wilderness. Therefore, I left that provision out of this amendment.

I believe I have met him more than halfway. I have made attempts to have this area designated as a wilderness in order to try to reach an accommodation in the matter. I believe the needs of Swain County are too urgent to languish for another 20 years because a compromise was not reached on the issue of wilderness designation.

Second, my colleague suggested that he would not support a settlement that precluded the construction of a road.

I have picked up the language that the Senator himself included in his legislation of 1987, outlining here a process by which the citizens of Swain County could use these funds for the building of a road if they could get all of the necessary clearances. So through my amendment they have that authority. They have that right. And there is a provision that they have 7,000 votes. So they should not have any problem in clearing it if, indeed, that is their intention.

I was pleased to note that my colleague made the point that I am in the hip pocket of the environmentalists. Well, I make no apologies for caring about the environment. I make no apologies for having worked closely with members of the environmental community on many matters of preservation in my State.

Ironically, because I left out the wilderness, I irritated these wilderness supporters, and consequently these environmental supporters. But I will send them this certification that I am not in the hip pocket of the environmentalists.

Mr. President, only today have I received the support from the leadership within the Sierra Club. The Sierra Club and others were initially upset that I had not tied wilderness designation for this portion of the area to any such request.

Mr. President, only today have I received the support from the leadership within the Sierra Club. The Sierra Club and others were initially upset that I had not tied wilderness designation for this portion of the area to any such request.

Indeed, there is a large portion of Swain County that is held by the Federal Government. That, indeed, does add to the economic strains that are placed on the county. I have learned of a number of years ago by the time, with the help of the Ap-
palisian Regional Program, opened up western North Carolina. I do not mean to stand here and take credit for what hundreds of people worked on, but certainly I took a lead in the building of highways across western North Carolina which today make that whole area far more attractive to new business than it has ever been. We have far to go, and my amendment represents but a start.

I do not need to worry about the people of the people of Swain County. I know the people of Swain County. The people of Swain County know me and know what I have done on their behalf over the years.

We have certainly debated this issue. We have heard it in committee as a freestanding bill. We voted on it here. I believe, with two cloture votes. Unfortunately, in 1986 when we had about 10 or 12 people absent from the Senate, and we did not get the 60 votes needed to invoke cloture. We might not get 60 votes tonight. But whether or not we get 60 votes tonight, the people of Swain County will know that I am on their side; that I am on the side of their children; that I am on the side of their future economic health.

If we are defeated, I have no problem in explaining that, under the rules of the Senate, under the traditions of the Senate, with which I totally agree. We are the last great deliberative body in the world anywhere, perhaps, where a majority can defeat the will of a minority. Sometimes that works a hardship, as may be this case tonight if, indeed, we do not get enough votes to invoke cloture. And so be it. Because in the long run, we need to keep this tradition. But let's see where the children.

I would have to say, Mr. President, I think the people of Swain County understand that. I think the people of Swain County understand that we are trying our best under these rules, that are good rules and good procedures, to do justice by their longstanding claim. If we fail, they will understand why.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate now resume consideration of Senate Joint Resolution 188, the Gramm-Rudman waiver resolution; that immediately upon disposition of the resolution and resumption of the Interior appropriations bill, the Senate, without intervening action or debate, vote on the motion to invoke cloture on the Sanford amendment No. 1165; that should cloture not be invoked on the Sanford amendment, the amendment be withdrawn.

I further ask unanimous consent to extend this unanimous consent vote on the Sanford amendment, the Senate proceed, with-out intervening action or debate, to vote on the motion to invoke cloture on the Helms amendment No. 1177, and that should cloture not be invoked on the Helms amendment, it be withdrawn.

I further ask unanimous consent that the cloture motions on the two amendments be deemed to have been timely filed in accordance with provisions of rule XXII, and that should cloture be invoked on either amendment, Mr. President, cloture on the amendment or amendments in the order in which cloture was invoked.

The PRESIDING OFFICER. Is there objection? Without objection, it is ordered.

Mr. BYRD. Mr. President, reserving the right to object, and of course I will not object, the cloture motions will be filed, may I say to my good friend?

Mr. MITCHELL. Yes.

Mr. BYRD. Yes, they will be filed.

Mr. MITCHELL. They will be filed.

The PRESIDING OFFICER. There being no further objection, it is so ordered.

Mr. MITCHELL. Accordingly then, Mr. President, Senators should now be aware that we will resume consideration of the Gramm-Rudman waiver resolution. Under the prior agreement, there remain 2 hours for debate on that resolution. If the time is used, then the vote on the resolution will occur at approximately 9:20 p.m. this evening, to be followed immediately by votes on the motion to invoke cloture on the Sanford amendment and the motion to invoke cloture on the Helms amendment.

However, if all of that time is not used and a portion of the time on the Gramm-Rudman waiver resolution is yielded to Carolina, three votes could begin earlier than 9:20.

So let me be clear. There will be three votes in succession beginning not later than 9:20, possibly earlier than 9:20. Senators should remain either in the area of the Capitol or in committee rooms. That simple fact in and of itself should give considerable pause to anybody who is making the argument that the recession of 1990–91 has been short and shallow. Let us be clear about this. Our economic performance has been absolutely dismal since 1988. If we are indeed finally coming out of the recession, we are not vaulting up out of the depths. We are simply clawing to a slightly lesser level of economic stagnation.

We all know that the budgetary mechanism that we put in place is not the most subtle or supple or adaptive machine where economic matters are factored in. The suspension remedy is simply a device. It simply says that in the event of recession the Congress and the President can agree to suspend the reports, the sequesters, the freeze order, and all the paraphernalia that hold the budget in check. Such suspension, by anyone's defini-
tion, would be a drastic step given the unprecedented peace time deficits that this country faces.

Most of us will not want to take that step, I suspect, Mr. President, and with good reason. But we are not, I submit, condemned thereby to doing anything that is not a step in the right direction in the face of strug- ling American workers. It should be the first, because its economic policies have been a startling failure. The eco- nomic record is crucially important. What this indicates is that the admi- nistration's presence in office, an average annual real GNP growth of less than six-tenths of 1 percent. The truth is that the next worse record, that of the Ford administration, gave us an economic growth three times the econom- ic growth that has been established under this administration.

Mr. President, is the overall picture, let me look deeper, and let us see what has happened to the average American during this period of time. What we have before us here is a chart giving annual GNP growth on a per capita basis. What this chart does is give us a broad and comprehen- sive measure of what is happening to the average standard of living in this country. Another way of putting this measure is that it shows the change in the average of people is produced every year and is potentially available for distribution.

If we look at this chart, we see that the chart is the Kennedy administra- tion, which had real GNP on a per capita, per person, or per worker basis, growing by 33/4 percent. It is followed by the Johnson administration at 3.3. The only administration since World War II which has shown a decline in real GNP on a per capita basis is the administration that is presently in office. What we see is that real GNP on a per capita or per capita basis has declined at the rate of four-tenths of 1 percent over the past few years that this administration has been managing the economic policy of this coun- try.

Indeed, Mr. President, I think this is the only administration in which you would find a net decline in GNP on a per capita basis since that of Herbert Hoover the late 1920's and early 1930's.

I think that answers, very graphical- ly, the question that has been asked in times past: Are you better off today than you were before? Are you better off today than you were in 1988? I think the answer can be answered clearly in the negative.

Mr. President, our third chart here deals with the record of administra- tions in creating jobs. As we see here in terms of job creation, we have not seen the good, the bad or the ugly in the economy since the days of the Eisen- hower administration. We should re- member that these are simply raw job creations. They are not corrected for population. If you look at the one-time measure, jobs created as a per- cent of population, the Bush administra- tion looks even worse.

It is interesting to note, Mr. Presi- dent, that the much maligned adminis- tration of President Jimmy Carter had the best record of creating jobs of any administration in the postwar era. That came as a real surprise to this Senator. I might say that all of these statistics are furnished by the Depart- ment of Commerce and by the Depart- ment of Labor.

Finally, and most graphically, we have a chart that compares job cre- ation to job loss over the past 2½ years. Since the Bush administration took office, 230,000 new jobs have been created. On the other side of the legend we find that the ranks of the unemployed have grown by over 2 mil- lion. To put it another way, for every one job that has been created under this administration, nine American workers have lost their jobs since 1988.

Mr. President, these are the kinds of factors that we are dealing with here—slow growth, a declining average standard of living for the first time in the post-World War II period. And the bottom line is: more jobs lost and fewer jobs created.

Some 3.5 million Americans, our fellow countrymen, are officially unem- ployed now, as I address this body this evening.

Another 5.9 million, almost 6 million people are working part time. They want full-time work but they cannot find it. An additional 700,000 of our fellow countrymen have become discouraged at not being able to find work that they have dropped out of the labor force altogether.

I see the distinguished chairman of the Joint Economic Committee on the floor here this evening, Mr. President. I was pleased to be invited to a hearing that he held just a few weeks ago on the plight of the unemployed. At that hearing, Mr. John Brotherton, the Administra- tor of the Bureau of Labor Statistics, told the Joint Committee on Economics that if the underemployed and the discouraged are included the number of people who are out of work in the United States of America is 10 percent, not 6.8 percent as some would have us believe.

Mr. President, that in my view is em- phatically an unemployment emergen- cy and the only way through the fiscal irresponsibility of the last decade deprives us of the option to ad-
dress the root causes of that emergency, we are morally bound, I think, to address the consequences.

We simply must help the Americans who lost their jobs. That is a fundamental concern. But this Government has maintained with working people in this country since the early 1930's.

Some $2 million laid off American workers have run out of unemployment insurance. Mr. President, they want to work. The evidence is all around us.

I was reading today in the Washington Post about how local merchants in some cities, because of the decline in funding for local government and the failure of local government, as a result to keep the streets clean, were hiring workers to go out and sweep the streets. The workers hired were telling in the newspaper how they were constantly being asked by others on the street how they got jobs sweeping the streets of Philadelphia, or sweeping the streets of Maryland. The problem is not with their level of initiative. The problem is with a completely unforgiving economy that shows no sign of relenting or producing the jobs that are needed.

Mr. President, as I have said, I cannot vote to suspend Gramm-Rudman-Hollings at this time. I urge my colleagues to sustain the restraint that we have agreed to. But in the same voice I also urge, I implore, the President to assist us and the American people in this difficult task.

We need a clear demonstration that the budget agreement is flexible enough to allow this Government to redress a compelling human need on the part of our own citizens. Emergent help for American workers who have been forced from their jobs is the right substitute, I submit, for suspending the budget law. Doing nothing at all, Mr. President, is not an acceptable alternative.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Tennessee has 70 minutes and 20 seconds remaining.

Who seeks recognition?

Mr. SASSER. I have 17 minutes remaining.

The PRESIDING OFFICER. Seventy.

Mr. SASSER. Seventy minutes remaining.

I thank the Chair. And how much time for my distinguished friend from New Mexico?

The PRESIDING OFFICER. The Senator from New Mexico has 30 minutes remaining.

Mr. SASSER. Does the distinguished Senator from New Mexico wish to speak now?

Mr. DOMENICI. Might I say at some point I am going to yield back more of my time. I prefer to let the other side have their time.

Mr. SASSER. I see the distinguished Senator from Maryland on the floor. I am pleased to yield to him now such time as he may consume.

The PRESIDING OFFICER. The Senator from Tennessee has 69 minutes. He yields to the Senator from Maryland for such time as the Senator from Maryland needs.

The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, I thank the distinguished Senator from Tennessee, the chairman of the committee.

The question I want to put is, how long are we going to stay on autopilot? Must we actually crash into the mountain before we invoke the very provisions that are in the legislation before us that provide for a suspension if the economy experiences a downturn, which it certainly has.

This is not one of these votes that we have had. The first time it came up, I voted not to suspend. The second time, I voted to suspend, and I will vote again this time to suspend.

I submit to my colleagues that the time has now come to take into account the fact that the world around us is changing, both internationally and domestically. How long are we simply going to stay in this rut?

This provision, as I understand it, is in the legislation explicitly for the purpose of addressing the kind of situation in which we find ourselves. Why are we here even considering this? It is because the legislation was written to provide that this issue would be addressed if we had negative growth in the economy. Actually, it was not even negative growth that the legislation required. It was less than 1 percent growth for two successive quarters.

What have we had? In the last quarter of 1990, real GNP fell 1.6 percent. In the first quarter of 1991, real GNP fell 2.8 percent. Then the Commerce Department reported on July 26 of this year, four months of 1 percent of real GNP growth for the second quarter of 1991.

But on August 28, a month later, the Department revised its earlier figures. It showed second quarter 1991 decline in real gross national product of one-tenth of 1 percent, marking the third consecutive quarter of negative growth in real GNP.

We have almost gone a full year with negative growth. The Gramm-Rudman-Hollings law says that the Congressional Budget Office shall notify Congress if either economic growth is projected or estimated to be less than zero for any two consecutive quarters, or the Department of Commerce report of real economic growth indicates that the real rate of growth for the two preceding quarters was less than one percent, or that the real rate of growth for the two preceding quarters been less than one percent, it has been negative for three quarters in a row.

Yet we proceed along as though we are oblivious to this. We have dramatic changes taking place in the Soviet Union and Eastern Europe. You would never know it from looking at the budget of the United States.

Let me just look at the domestic economy for a few moments here, because that is really my first and primary concern. We have had it said that this is a short and shallow recession. That is the siren song, a short and shallow recession.

Actually, we have been mired in a recession that is long and painful. Only in the post-World War II recessions have been longer than this one. This recession has now lasted for 13 months and is going into its 14th month. Only two recession in the post-World War II period lasted longer. The very deep recession of 1981-82 which was the worst we had experienced since the Great Depression and lasted 18 months and the also 16-month long recession of 1973-75.

The decline in employment in this recession has paralleled the job loss during the 1981-82 recession which was the worst since the Great Depression. In fact, the job loss has been worse in this recession, as the chart illustrates. This chart shows the decline in employment in percentage terms from the pre-recession peak. This line, the solid line, is this recession and the dotted line is the recession we experienced in 1981-82, which was the worst since the Depression. Now the fall-off in percentage terms has been worse in this recession than in the 1981-82 one.

The official unemployment rate, as my very distinguished colleague from Tennessee has stated, understates the severity of the recession. Actually, the unemployment rate rose from 5.3 percent just before the recession to a peak of 7 percent in June. It is now at 6.8 percent. But this change in the figure masks the real extent of unemployment because there has been virtually no growth in the labor force. The official Government figures indicated that if the labor force had grown at the normal rate, it would have grown by 1.6 million workers since July of 1990. Instead, the labor force only grew by 200,000, not 1.6 million, but 200,000, because many people are too discouraged to look for work.

If the labor force had grown at the expected rate, we would have an unemployment level today of 7.5 percent, not 6.8 percent; and the number of unemployed would be almost at 10 million, not at 8.5 million.

Furthermore, if you count discouraged workers and those working part time because there are not any full-time jobs. The unemployment rate today is 6.8 percent; and the number of unemployed would be almost at 10 million, not at 8.5 million.

I, and the other side of course, have been told that there are people who want to work full time, but they can only get a part-time job. They are not counted as unemployed in the official figures. But there is a different index that factors in...
unemployment rate today would be 10 percent.

Now this is the comparison of these two unemployment rates. This is the so-called official rate which we ordinarily talk about that appears in the newspapers. It is 6.8 percent. The comparable rate, which includes in it the discouraged workers, and the people working part time because there are no full-time jobs, is at 10 percent—10 percent unemployment.

In 1980, nearly 20 million Americans experienced one period of unemployment sometime during the year. This year it is expected that the number will be closer to 25 million. Then it is suggested to us that the recession is over with, or almost over with, or we have turned the corner. We have seen the light at the end of the tunnel. There is data that shows some upturn, and then the next month it is back in the tunnel.

In the business section of the New York Times today, there is an article headlined "New-Home Building Up Just 0.6 percent. Small August Gain Suggests a Slowing in Housing Recovery." Construction of new housing slowed to a sluggish six-tenths of 1 percent gain in August, the smallest in three months. Analysts said the report today from the Commerce Department suggested that the housing recovery was weakened or possibly stopped.

"These numbers show a housing recovery losing steam, at least through August," said Richard Pesch, an economist with the Mortgage Bankers Association. "Meanwhile, Michael Carlin, an economist for the National Association of Home Builders, was more pessimistic. "It looks like the recovery has stalled," he said.

On the same page, there is an article about Reading, PA. "Reading Revisited: Recovery Sags." The recovery's cold feet have landed here. And at the signs of a copper tub of three months ago, this diverse factory town that makes everything from bricks to shoe polish to Godiva chocolates is watching business chill again.

"We thought that June was going to be the end of it, that things were turning around," said Donald Frazee, manager of Berks Products Corporation building materials store in suburban Temple. But after a fairly active July that matched last year's level, sales in August sagged 8 percent below those of August 1980 and, combined with a "flat" early September, have brought disillus...
surance Program would fail as badly as it has. We are hardly helping anyone now in this situation with extended benefits. It is really enough to make one weep, as you hear the stories and receive the reports from the stricken working people, who now find themselves, through no fault of their own, unemployed, out of a job, and unable to meet their obligations.

We are hearing from people who are about to lose their homes, and their cars. They are distraught with anxiety and stress. Marriages are breaking up. We had testimony from one fellow, his marriage had gone bad over the situation in which he found himself.

I submit the budget agreement, and this legislation, only make sense if there is enough flexibility to respond to emergencies and to adjust to changing circumstances. The circumstances today are obviously sharply different from what they were a year ago. They are sharply different, both at home and abroad.

Mr. President, I am not advocating a wholesale use of the emergency provisions. The only serious effort that has been made by the Congress to invoke the emergency provisions is the unemployment insurance. President Bush has invoked the emergency provisions more than once this year in order to meet problems that he sees abroad. But if we are not going to invoke the emergency provisions, if we are going to completely locked into this straitjacket, then I believe we ought to vote to suspend the application of this legislation.

We cannot go on this way—this is madness; we are surrounded by changed circumstances, with an economy that is performing in a way that no one predicted and an international situation which obviously cries out for reordering the Nation's priorities. We are still locked into a defense budget that was formulated under one set of assumptions about the Soviet Union and Eastern Europe which have been totally transformed. Yet we go blissfully on, as though the Nation is not in bad economic shape.

It is time to face this. I think it is time to face up to these changing circumstances and start to come to grips with them and reflect them in the fiscal policy of the United States. We need to address our economic problems here at home, problems that are pressing us desperately.

Mr. President, I welcome this debate. I think it is time we start to discuss these issues. It is time we start asking where we are, and how we got here, and what we can do to get out of this situation.

I thank the Senate for yielding me time.

Mr. DOMENICI addressed the Chair.

Mr. DOMENICI. Mr. President, might I inquire of the distinguished chairman, other than Senator RIEGLE, who is here; how many additional speakers does he expect?

Mr. SASSER. Mr. President, I will respond to my friend from New Mexico. Senator Bush has invoked the emergency provisions more than once this year in order to meet problems that he sees abroad. But if we are not going to invoke the emergency provisions, if we are going to completely locked into this straitjacket, then I believe we ought to vote to suspend the application of this legislation.

We cannot go on this way—this is madness; we are surrounded by changed circumstances, with an economy that is performing in a way that no one predicted and an international situation which obviously cries out for reordering the Nation's priorities. We are still locked into a defense budget that was formulated under one set of assumptions about the Soviet Union and Eastern Europe which have been totally transformed. Yet we go blissfully on, as though the Nation is not in bad economic shape.

It is time to face this. I think it is time to face up to these changing circumstances and start to come to grips with them and reflect them in the fiscal policy of the United States. We need to address our economic problems here at home, problems that are pressing us desperately.

Mr. President, I welcome this debate. I think it is time we start to discuss these issues. It is time we start asking where we are, and how we got here, and what we can do to get out of this situation.

I thank the Senate for yielding me time.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. WYNDHAM). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I inquire of the distinguished
it provides for a waiver in time of re-
cession. I support the Senate resolu-
tion to waive that act.

Finally, I believe we should act soon
to revise the budget agreement so that
spending that may no longer be
needed to high-priority nondefense
programs, including unemployment
compensation, if necessary.

Mr. RIEGLE. The face of the
changes sweeping through the world
and through our economy it is folly to
insist that our economic policies and
spending priorities remain unchanged.
Let us recognize new realities and
adopt new policies.

The PRESIDING OFFICER. The
Senator from Michigan is recognized.

Mr. RIEGLE. I thank the Chair. I
am having an easel brought in, be-
cause I have a chart I want to refer to.
I want to commend the Senator
from Maryland for an outstanding
presentation. We have a terrible eco-

omic problem on our hands. There is
no question of the magnitude of that
problem within the executive branch of
the Government. The focus over there
is on foreign policy, as everybody
knows.

In our country today, the Bush ad-
mnistration's economic plan for
every country in the world except this
one. Today is an illustration of that.
We are trying to get the extended un-
employment and extension benefits in
place. There is $8 billion in the fund;
people need the money, and we cannot
get the President to agree to it. He
does not see the problem.

I have known this President a long
long time, and I like the President. But I do
not like the policies, and the policies
are hurting America.

We saw in the papers today the won-
derful photographs of the President
out visiting the Grand Canyon. It is
well that we attach some importance
to that issue, but we have a grand
canyon right now of unemployed
workers in this country. We have well
over 15 million people in this country
who are unemployed, some are com-
pletely unemployed, some are part-
time because they cannot get full-time
work, and some who have just given
up—and those who have given up—are
discouraged worker category. We can
see them all across this country.
They are all over this city. They are on
the park benches at night; they are
sleeping under the bridges, they are
sleeping in cardboard boxes. We cannot
even count them, because of the sit-
uation of the great distress within the
economy today.

Who is talking about it? Not just
those of us speaking here tonight.
Here is an editorial today—I should
say a column today—off the editorial
page of the Wall Street Journal. It is
entitled “The Never-Ending Reces-
sion.” The fellow who has written this
is one of the top ranking execu-
tives of the U.S. Chamber of Com-
merce. This piece is devoted to the
fact, pointing out with hard data, that
the economy is in trouble—serious
trouble—and nothing is being done
about it.

I am going to read part of it. It says
here:

Real GNP has not been able to achieve an
annualized growth rate of 2 percent
for the past nine quarters. Today, the level
of real GNP stands a scant 2.6 percent
higher than it did at the end of 1988. When
looked at over a 4-year period, the economy
has struggled to eke out an increase in real GNP
of less than 1 percent a year. In fact, if the
Blue-Chip consensus forecast is correct for
1991 and 1992, the economy
will have experienced the second slowest
4-year average annual growth rate since the
1930's.

Which is the depreciation.

Even under the President's optimistic eco-
nomic forecast, real GNP will not move back
in the direction of its 40-year growth trend
over the next few years. I will merely run parallel to
it.

And it goes on in this vein:

By the end of 1996, under this Blue Chip
consensus forecast, real GNP will equal only
$4.7 trillion rather than the $5.1 trillion
that would have been expected from normal
economic performance: The cumulative loss
in real GNP would equal $2.193 trillion, or
1.8 percent. This translates into a cumula-
tive loss of $219.3 billion for every man,
woman, and child. There will also be 9
million fewer jobs than there should be.

He concludes:

The political and social ramifications of a
decade of this scale in the expected stan-
dard of living are hard to predict.

They are not hard to predict, be-
cause you can see them now, and you
see the kind of Clockwork Orange soci-
ety that we are seeing in some of our
urban centers because of the extraor-
dinary accumulation of economic
stress and difficulty and deprivation
and other problems thrown in on top
of it.

There is no plan to deal with it.

There is a plan for every other coun-
try; no plan for America. So this grand
canyon of unemployment that we have out
there has to be dealt with. We need to see the President visit an
unemployment center. There are
lots of them across the country; to
go out and look into the faces of the un-
employed workers and listen to what
they have to say. Not go in with a lot
of PR and a lot of hype, but to walk in
and go down the line and listen to what
the unemployed workers have to say;
listen to what the single parents who
are unemployed workers have to say
about the difficulties that they
face; trying to feed their families and
keep body and soul together.

Senator SARBANES talks about mort-
gage delinquencies. Here is an item out
of the papers: The Mortgage Bankers
Association reported mortgage delin-
quencies are at a 5-year high. Ameri-
cans who are at least 30 days behind in
mortgage payments rose to 5.28 per-
cent in the second quarter of 1991.

I have talked to people out of work
who have lost their cars, lost their
homes, lost their families. I have
heard the President offer nothing of
any consequence—or his chief finan-
cial and economic advisers—to deal
with this problem.

I saw an article today—I do not have
it here right now—about the push now
for economic assistance for the Soviet
Union. Most favored nations—let us get
on with helping the Soviet Union, says
the administration. There are certain-
ly problems and needs over there.

But what about here, particularly out
there in the government turning its
back on unemployed workers who
have been out of work for a short
period of time, but for 26 weeks—out
of work a half a year, and no job
coming back? They need to eat and
they need to feed their families. There
are 8 billion dollars that have been put
into that trust fund for exactly that
purpose, and it is being denied to
them. It is not right.

I want to show something on this
chasing from the Wall Street Journal.

Mr. SARBANES. Will the Senator
yield on that point?

Mr. RIEGLE. Yes, I yield.

Mr. SARBANES. Mr. President, I
just want to put these quotes into the
Record. This is in a revised report that the GNP had actu-
ally shrunk in the second quarter of
this year, making it three quarters in
a row of negative GNP growth. A drop
of 5.3 percent in the first quarter of
last year; 2.3 percent in the first quar-
ter of this year; and one-tenth of a
percent in the third quarter.

So we have some business econom-
ists who said “The GNP figures tell us
that the economy remained in a
shump through the second quarter.”
Another one says, “This definitely
shows us that recovery is very, very
punny.”

This is what the President said. I am
reading from the Wall Street Journal.

President Bush was more optimistic. “I
feel all right about things,” he said. “There
are some statistics up and some down but
basically I think it's doing all right.

We had more people exhaust their
unemployment compensation benefits in any month since we had the system.

Michael Boskin—the chairman of the
Council of Economic Advisers said
the new GNP figure is “still quite con-
sistent with the view that the econo-
my is in the very early stages of a
modest recovery whose strength and
duration are still to be determined.”
You bet your life they are still to be
determined.

Mr. RIEGLE. Let me just say to my
friend from Maryland. I appreciate
the observation the Senator has given
with respect to those articles.

Mr. President, ask yourself this
question. If the members of the Presi-
dent's family were unemployed today
and had exhausted their benefits and
the Vice President's family, everybody
here in the Senate, both sides of the
aisle—members of the President's family members were out of work and
had exhausted their unemployment
compensation benefits and in real
need, how long do you think it would
take the administration to have a plan up here to fix that problem. A few hours? Maybe a day. There would be plan up here. It would be put on a fast track, they are asking for fast track on all these foreign assistance programs, asking for a fast track on the United States-Mexico Free-Trade Agreement so we can send millions of more jobs down to Mexico. If they felt this problem directly and were not insulated and isolated from it, they would have plan up here to fix it. There is no plan. There is no plan. And it is common to this.

Here is a story out of a recent Lansing State Journal business section this month, "Spending Slump Hits Big Retailers Again." A box article next to it, "Economic Numbers Are Looking Weak, dateline Washington." It talks about the unemployment situation. Here is one from the Wall Street Journal this month. "Sales of Cars Stayed in Slump in Late August. Early Summer Sales As Low As They Have Been in Years. Is There Any Malt Of The Runes Can't Ease Lack Of Cash." It goes on to talk about how severe the problems are here.

The auto industry over the last year has lost millions of dollars and people are out of work. Things are not getting better. Here's a front page story in the Detroit Free Press. This is one that says, "Jobs Vanish in Northern Michigan. Boyne City plant to lay off 450 workers." It points out in the area of northern Michigan over 7 percent of the industrial jobs have been permanently done away with this year, and this plant closing will double the number so it will be about 15 percent over the entire year. They do not have other work to do because we do not have enough jobs in this country, because we do not have a job strategy, and because this administration does not put any priority. So if we had the local there are enough jobs to go around.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. RIEGLE. I ask for 2 additional minutes.

Mr. SASSER. I yield the Senator 2 additional minutes.

Mr. RIEGLE. I thank the Senator.

Mr. President, we are here to talk about whether we get rid of this Gramm-Rudman-Hollings straitjacket, which is as phony as a $3 bill. This is a chart which shows what our deficits have been each year since the Reagan revolution got started. Here you see these deficits. This part of the line has to do with the baseline deficit and then on top of that is the additional deficit that comes from the trust funds that have been raided to take the money to pay for other things in Government, including, by the way, over 300 billion dollars' worth of borrowing from the Social Security trust fund. This is what these deficits have done since the administration.

Now, here you see this black line shows what the first Gramm-Rudman-Hollings budget package was supposed to do in getting these deficits down to zero. It was a fraud, and it failed, so that is why you see the second line. Gramm-Rudman-Hollings II had to come in to patch up Gramm-Rudman-Hollings I, and you saw the same failure of that program. Now, here is a brand new one, the one we are here debuting today. Gramm-Rudman-Hollings III is supposed to give us this kind of performance.

Anybody who believes that is not looking at what the history shows us. This thing is out of control. The deficits are out of control because the economy is not going to have any significant productivity improvement and we do not have enough jobs for our people. We have people sitting at home, desperate; they need work, they need a plan, and we cannot build a plan because we put ourselves in this Gramm-Rudman straitjacket, which has given us record high deficits. We are nearly at one-half trillion dollars when you look out here to 1992. Meanwhile, we are raiding all the trust funds, raiding them and using the money for things for which they were not intended to be used.

There is a massive coverup going on over these facts. The people that invented this irresponsible thing are still defending it. They are saying it is working despite the fact that all of the evidence one can see is to the effect it is not working.

In order to get out of this straitjacket and be honest with what is going on in this economy and build an economic plan that is good for the people of this Nation. People want it. In all the public opinion polls, when people are asked whether the economy is on the right track or wrong track, over 60 percent say it is on the wrong track. The public knows what is happening here. They want a change. We need to have a chance to produce a change. I think we need to elect new leadership which can put new plans in place that will bring our jobs back and not just keep them away from this country or other places around the world.

I thank the Chair. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I hope I will not have to use all of my time, and I might say to Senator Sasser, I know of no one else who wants to speak on this side.

Mr. President, so much has been said tonight that it is very difficult for the Senator from New Mexico to decide with what I should respond. Since we were having a totally partisan discussion, maybe I should start on a partisan note.

Mr. President, those who have spoken tonight and who talked about the President of the United States with reference to the current economic situation must really believe that the American people are fools, because you see, it is very easy, whether it be from newspapers or charts or graphs, to tell everybody how bad things are.

Is it not interesting that tonight in the lengthy debate about what is wrong with America, other than to blame it all on the President, the current President, and to suggest that unemployment compensation ought to be extended—and it should be—other constructive suggestions from the mammoth Democratic Party that used to lead America has been made on this floor. I listened attentively to the distinguished Senator from Michigan, Mr. Breaux. He said we ought to get rid of Gramm-Rudman—and we will talk about that in a minute—and that we ought to have extended unemployment compensation, I heard nothing—

Mr. SARBANES. Will the Senator yield?

Mr. DOMENICI. As to how we will do it.

Mr. SARBANES. Just on that very point.

Mr. DOMENICI. I will in a while. I listened to the Senator and I hope he will be patient. There will be plenty of time.

Mr. SARBANES. There was another proposal made.

Mr. DOMENICI. The only other proposal I heard was we should get rid of the strain, apparently, that is on this economy by the 5-year budget agreement. Now, let me tell you again, Mr. President, the distinguished Senator from Michigan talks on the floor as if the U.S. Government can go out tomorrow and wish and plan and think and Americans will get jobs. Does anyone believe that? Do you know what happens when jobs are made? Businesses that are succeeding, large and small, make jobs. I have not heard a single suggestion as to how to help American business succeed other than that the fast track to Mexico hurts us. We debated that. An overwhelming number of Senators thought it helped us, not hurt us. Yet the Senator would even give the President of the United States that as a negative that is causing this unemployment situation.

I am not going to go into details, but I do believe it is interesting to note that throughout the same period of time that President Bush allegedly caused all of this harm, the Democratic Party, at least here, has offered a tremendous inventory of constructive legislation to help the American economy.

Anyone know one? I am looking for one. I do not find any. In fact, I do not believe the unemployment compensa-
tion proposal helps the American economy. It helps people that need it. I look at the rest of them. Parental leave, nice thing. Does it help the American economy? Most people think no.

Child care, much needed, we passed it. It did not help the American economy. It helped some social problems. Long-term it may help something.

Ethics in Government, campaign finance reform, perhaps it is a way to help the American economy and to get the American people back to work?

Motor voter, boy that will really put people to work. We need a few more of those.

The health care plans have not been passed, but even those have mandatory employer-provided costs—really helps America grow.

I am not going to go into more because I think I heard enough partisan talk tonight. I do not think anybody out there in America really believes that by getting rid of programs on the Federal Government's expenditures, and the pay-as-you-go provisions of the law, because the leadership of the majority party here and in the House will prudently spend the American taxpayers' money so more Americans will have jobs.

Americans would not think we are on the right track. Ask them. Do you think proposals such as those here tonight will get us back on the right track? They will not even answer it, it will be so hilarious.

Having said that, let me talk about a couple of other things. Much has been made tonight about what is the real measure of unemployment. Some say it is 10 percent under this new way of calculating—that is, that if you really get to the bottom of things, it is 10. Well, it is. But, at the best of times, when and when unemployment was the lowest in the past 10 years, when we were at the peak, do you know what the unemployment under that new approach was? You will find that when unemployment was so low, that we said it is great, the rate was 8 percent.

So I really do not think that the 10 percent level of unemployment is going to be helped very much by an unemployment compensation extension. It is not going to help—because when we did not have any people qualifying to speak of, the rate was 8 percent.

Let me take a couple more minutes, and then I will sit down and listen. And perhaps we will vote tonight. Before I do that, I want to thank the distinguished chairman of the Budget Committee for his statement tonight, not with reference to who is to blame for this because I am sure the American people know this recession is not to be blamed on George Bush. But I am thanking him because in spite of his effort, he said Reaganomics, which chooses to keep in place the 5-year agreement made between the President, the Democrats, and the Republican leadership in the House and Senate. He will vote to keep it in effect.

I think the U.S. Senate should do that by overwhelming numbers because tonight when we vote on this, the issue is not unemployment benefits. I will address that in a moment. The issue is, do we think we can do better for the American people by getting rid of the restrictions on spending, and the necessity to pay for new programs as we adopt them? That is the issue.

As far as the unemployment benefits extension, I submit two things: one, we need some kind of an extension. Two, we ought to pay for it, as the chairman of the Ways and Means Committee in the House indicated, and tried to do. We will do the same here. We will suggest ways to pay for an extended benefit program so that it is budget neutral. We think that this is precisely what the budget agreement contained. If you look back to January, you will find that the unemployment numbers and the growth predictions by both CBO and OMB are almost exactly the same as where we are. We expected it. And we expected to pay for any new extended benefits. We made provisions in the budget resolution to do that.

We will do that, and it will not pass because for one reason or another the other side want an extended unemployment benefit package or do they want a Presidential veto so they can again blame the President for not extending it? I think it is the latter. We will offer a reasonable extension and reasonable ways to pay for it, and we will not win.

I am not going to go into details as to what emergencies we have accepted—both the President and Congress—many of the other aid packages than to say that, other than some money needed for Turkey and Israel following the Mideast war which the President and the Congress said was an emergency, the other foreign emergencies were not paid for out of our budgetary money. No emergency was declared. It was paid for out of money left over from the allied contributions for the Middle East effort. Everybody knows that.

To blame the President and say he has all kinds of foreign aid programs that are emergencies but nothing here at home for a program like unemployment compensation is just overstating the facts.

As a matter of fact, Democrats and Republicans here in the Senate and House agreed that we should do the Israel and Turkey emergency funding. All the other foreign assistance came in a completely different way and did not come out of this budget.

One last comment. You know it is very interesting. Senator Riegle, said that he wanted to quote a person from the Chamber of Commerce who wrote the article in today's Wall Street Journal—Lawrence Hunter. Previous to that I think the Senator from Maryland indicated that he would very rarely quote a Chamber of Commerce statement. It is a bad recession. Maybe the Senator would tell us why he very rarely quotes a Chamber of Commerce person.

I thought we were interested in jobs. I thought the chamber was made up of businessmen that try to make money and create jobs. But concerning the "never-ending recession" by Mr. Hunter, might I tell the Senate—if you would like to know what Mr. Hunter thinks caused the recession, that was left out. How bad the recession is was talked about. But what was left out was that he believes that it was a failure to adopt a capital gains tax increase, he believes we are spending too much money, he believes we pass too much regulatory restraint. Who did that? Who did those things? President Bush? Those are the things he thinks caused the recession.

My last comment has to do with our spending under the 5-year plan. When I want to do I am the Senate I do not think anybody ought to be concerned about whether this Government is spending enough money.

Are we in one of those times when we are responding to a recession by spending more? We pass new Federal dollars as a capitalist economy normally does? The answer is unequivocally, yes. We are spending. This is a very high-spending economy on the Government side right now because under this new 5-year plan we have no limitations on such things as food stamps, AFDC, and those other things that might need help in an extraordinary way during a recession.

So those are all expenditures that are at very high levels such that the deficit is high and there is little doubt that most people are saying we need that stimulus and that it helped during this period of time.

I close by saying, when Ronald Reagan was President, it would come to the floor like this one, and the argument was, there are a lot of new jobs but they are no good. Now the argument is, there were a lot of good jobs back there under Reagan, but they are not there under Bush.

Well, the truth of the matter is that we had 7 years of sustained economic growth. What this recession proves, even though that was the longest growth period since the Depression, is that we have no way to get around the business cycle in America. I thought we might have, but we have not.

So we are going to have 4, 5, 6 years, hopefully 7 years again, of sustained growth, and then we are going to have a recession, just like we have had rather regularly since the Second World War. Frankly, I have not heard anything that I heard tonight that they know how to avoid that. I have not heard anyone suggest they have a magic bullet.
know how to fix it. A lot of statement of facts, a lot of interpretation of facts, but no plans, no ideas.

I believe that if there are no questions, I will yield my time to the Senator from Tennessee. If not, I will yield my time to the Speaker before the night passes, we will again vote not to revoke the current rigorous fiscal policy with builtin stabilizers. We will leave it in effect because, certainly, it should not be changed now, unless we think that the deficit does not matter.

I happen to think that probably the recession is more profound than currently thought, because everyone is too hanging debt—business, individual, the Government. I think in one way or another, it is a little bigger load than people canQuite handle and, thus, we are having a little bit longer recession than we had expected, and maybe it will even be longer.

I yield the floor.

Mr. SARBANES. Will the Senator from Tennessee yield a minute?

Mr. SASSER. I am pleased to yield.

Mr. PRESIDENT, when I tried to get the Senator from New Mexico to yield, the point I wanted to make, when he said he had not heard any other ideas other than one, he said the plan, he put forward was that there has been a dramatic change in international circumstances, that the United States was no longer facing the security threat it faced even a year ago, and that we were going to stay locked into this budget plan and making no adjustment for that.

I defy anyone to say to me that there have not been such significant changes internationally with what has transpired in the Soviet Union and Eastern Europe, the demise of the Warsaw Pact, the breakup within the Soviet Union, that we can continue to simply sit on auto pilot and locked into this framework, and that we are talking about here in terms of the Nation's set of priorities. Those priorities do not fit the world which we face today and the problems which we face here at home. How long are we going to go into lock in this posture before we start to adjust to it? That is a significant transformation, and that needs to be undertaken.

We come out here and say, no, we made this plan, this plan was going to go 5 years. What kind of circumstances do you need to rethink your plan? The recession is worse than people forecast, and the unemployment toll is heavier than was anticipated. The international scene has been transformed, and we stick with the same set of priorities that we established a year ago and say, no, we should not reexamine them, and we simply sit on the lock in, how do you justify that in terms of any sensible policy making?

Mr. DOMENICI. Will the Senator yield?

Mr. SARBANES. Yes.

Mr. DOMENICI. I use my own time.

Mr. President, I assume the Senator is saying that if he did not, he is now, or if he did he is repeating that one plan would be to adjust Gramm-Rudman and the 5-year agreement to cut defense more. Well, if that is what he would like, what would he do with the money?

The American people would like to know how we are going to put people to work if we cut defense more. What would the Senator have us to do with it?

I'll tell you what I think. Senator Hakim's amendment has been to the Senate floor and it failed. Senator Sasser wanted to take over $7 billion out of Defense and spend it on domestic programs. Maybe the Senator from Maryland wants to make it more than 7. Let me just suggest that was defeated only 10 days ago in the Senate by an overwhelming margin—29-to-59 said no.

Let me tell you that the 10 programs that he was going to spend the money on are pretty captivating, some of them. We do not want this money for mental health research, more money for title I education, and the like.

The Senator said no, because they are asking if you sign this agreement you open the door and you are finished. With the discipline we have around here, we will spend it all and nothing will happen for the unemployed, or the businesses, large and small, from Mississippi, but we will tout that we have spent it to cure all America's ills.

Mr. RIEGLE. Mr. President, if the Senator from Tennessee has any time left, could he yield another minute or two?

Mr. SASSER. I am pleased to yield to the Senator from Michigan 2 minutes.

Mr. RIEGLE. The plan my friend from New Mexico likes so much—this is what it brought us. This is the wonderful budget discipline. These are the deficits as they have accumulated year by year through the '80s. This is supply-side economics. This is Reaganomics or supply-side economics.

What have we had is the supply of record deficits. That is what supply-side economics turned out to be, record deficits. Here they are. This is data from OMB. These deficits, year by year, are getting higher, now nearly half a trillion a year.

What is interesting, I put on the Gramm-Rudman-Hollings targets here, which obviously were fraudulent, that is why they have been replaced one after the other. This one is designed to jump over the next election, finesse this problem past the election, and put it into a second President's lap.

You know what is going on back here, something called Gramm-Latta that came out of the House of Representatives—the same piece of fraud with the same result. This thing going in the first place. If the Senator from New Mexico is proud of this, if he thinks that is a great performance, then he and I have a very real difference.

We need a tough trade strategy, and we have to stop the predatory practices going on in this country and the fast track to Mexico is not part of that answer. We need to cut down on the foreign spending. We need to ask the Europeans to spend more on their own defense than they are doing. We are committing tens of billions of dollars there to defend them, that I think is unjustified, particularly because of the changed circumstances.

We need to have more capital investment in this country. We need to drive the business sector at a faster rate. This is not doing it. More of the same is not doing it. That is not the answer to our situation. We need to invest more in technology and get that technology applied in new products in this country and not let the technologies continue to shift overseas. We need to invest in our people with job training and retraining. We need to invest in infrastructure.

Will the Senator yield 30 additional minutes?

Mr. SASSER. Yes.

Mr. RIEGLE. The money out of these trust funds that has been looted for other things, if they were invested in building this country and new economies, and new growth and new recession and get the deficits down. But what we have here, if we want more of the same, stick with the budget plan, because this is what it has given us—a 10-year disaster of deficits. It is time to change it.

I yield the floor.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOMENICI is yielded 1 minute, and then I will yield 5 minutes to the Senator from Texas.

Senator ROCKS mentioned something I agree with. We ought to spend more on technology. That is one area the President focused on. We are putting $7 billion more into defense than they are doing; We are going to stay locked into this recession and get the deficits down. But what we have here, if we want more of the same, stick with the budget plan, because this is what it has given us—a 10-year disaster of deficits. It is time to change it.

I yield the floor.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOMENICI is yielded 1 minute, and then I will yield 5 minutes to the Senator from Texas.

Senator ROCKS mentioned something I agree with. We ought to spend more on technology. That is one area the President focused on. We are putting $7 billion more into defense than they are doing; We are going to stay locked into this recession and get the deficits down. But what we have here, if we want more of the same, stick with the budget plan, because this is what it has given us—a 10-year disaster of deficits. It is time to change it.

I yield the floor.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOMENICI is yielded 1 minute, and then I will yield 5 minutes to the Senator from Texas.

Senator ROCKS mentioned something I agree with. We ought to spend more on technology. That is one area the President focused on. We are putting $7 billion more into defense than they are doing; We are going to stay locked into this recession and get the deficits down. But what we have here, if we want more of the same, stick with the budget plan, because this is what it has given us—a 10-year disaster of deficits. It is time to change it.
is obvious he needs no help. I could come over and accuse him of intellec-
tually duallying with unarmed men. But I am not going to do that either.
I hear our colleagues get up and say, well, there's the hollow defense and 'reduced the
Texas, and let us see how the people
bases are closed, we collected for.
This thing we ought
certainly come over
would also increase. rebuilding the
Committee
capsulize what I said
was my opinion, the last
rise and
to control
is, it
in long-term interest We
raising
the deficit. ·
spending. ·
control the explosion of deficit, and
that we put in place
begun. 
해
from
of the runaway Federal
time we ought
take two
the deficit by
higher unemployment. Reagan
spending. ·
any
deficits, it
is the longest
Washington. But which
unarmed men. But which
up-
against
be an
deficit by
increase in the planned way
not leave
8.8 billion in the name of extended unemployment ben-
that the result of that is going to be
an increase in long-term interest rates and higher unemployment.
Our colleagues tonight who are talk-
ing about high deficits, it will be interesting
to see on Tuesday when we cast
a real live vote on that subject who is for real and who is not for real in
terms of dealing with the deficit.
I have already spoken on this subject yesterday and the day before. But I would like just
capitalize what I said very briefly.
First of all, I believe that the econ-
omy has turned the corner, but it sure didn't look that way a year ago and it sure didn't
return. We have a very weak recovery on our hands. In my opinion, the last
thing we ought to be doing is waiving a budget process which has built confi-
dence in the financial markets, which has encouraged the Federal Reserve
banks to expand the money supply to lower interest rates, and which is in the
process of bringing long-term interest rates down.
I think if we waive the Gramm-
Rudman law and destroy the budget process we set into effect last year, then long-term interest rates would certainly rise and unemployment would also increase. I have already spoken on this subject yesterday and the day before. But I would like just
capitalize what I said very briefly.
Did you know that after all the
debate is over, we will be saving money at the rate of about $800 mil-
ion a year, the price of one B-2 bomber. I am going to offer an amendment
to cut $4 billion, and I am going to
say, limit the number of B-2's to
the number of B-3 bombers that have taken place in the world.
Scale back on the strategic defense initiative so that it only increases by
$600 million in fiscal year 1992 over 1991. Do away with the rail mobile
MX. Who needs it anymore? That will
save $24 billion. I tell my friend from
Texas, and let us see how the people
on his side of the aisle vote on that.
Let us see how serious they are about the defense. I am talking about
goldplated weapons systems that
we do not need anymore. We are talking about helping people who
are desperate by the millions, doing nothing to help get unemployment receipts were
collected for.
The distinguished Senator from
Maryland has told this body time after
time after time about the growth of
the trust fund in which these unem-
ployment receipts are held. And I say
it is a disgrace when we have millions
and millions of American
unemployed exhausting their unemployment benefits and the unemployment trust fund continues to grow.

Mr. SARBAKES. Will the Senator yield on that very point?

Mr. SASSER. I am pleased to yield to the distinguished Senator from Maryland.

Mr. SARBAKES. Mr. President, I want the Members to take a careful look at this chart. This is the balance in the extended benefit trust fund. This is the projected surplus for 1992. It shows that 3.4 million taxpayers have been paying extended benefits. That is why they pay them. They are levied upon them for this purpose. We built up this surplus. We are now in a recession and we have people unemployed who are unable to draw benefits. The unemployment insurance trust fund is still building up a surplus right in the middle of a recession. I defy anyone to explain the logic of that to me.

Let me show you why it happens. These are the numbers of people receiving extended unemployment insurance benefits in previous recessions. This line is in 1981-82 recession. This is now. One State is now paying extended benefits, yet the employers have put this money into this trust fund.

Not only has the surplus been built up, but it was supposedly to be used in bad times, which is exactly where we find ourselves today. We are hearing actually from employers who are saying, we paid these taxes for the purpose of paying these extended benefits. We have had to lay our people off because of the economic downturn. They are without work. We hope things will pick up, so we can hire them back. But we think our money ought to be used for the purpose for which they were paid.

The rationale on which you took these taxes from people was that they were going into the extended benefit trust fund, and we are in recession and you have the money for the purpose for which it was intended.

It is an abuse of people's trust. There is absolutely no excuse for it. They ought to be used for the purpose for which they were intended. That was the rationale advanced to them to why they are making these payments.

You have 8.5 million people unemployed, and they are not drawing these benefits. People are losing their homes and losing their cars, and they find themselves in dire circumstances. These are working people. You cannot draw unemployment benefits if you have not held a job for a continuous period of time. These are working people who have lost a job through no fault of their own. The system has built up this large balance in the trust fund and the benefits ought to be paid.

Mr. ADAMS. Will the Senator from Tennessee yield to me a moment?

Mr. SASSER. I yield 2 minutes to the distinguished Senator from Washington.

Mr. SASSER. I yield 2 minutes to the distinguished Senator from Tennessee.

I want to join with the Senator from Maryland in support the other comments that have been made about what we are doing if we do not suspend this Gramm-Rudman-Hollings Act. I do not think it should have been enacted in the first place; it should be suspended. We are in the middle of a recession.

As pointed out by the Senator from Maryland, we have a situation where we have not reduced the deficit by Gramm-Rudman-Hollings. We have built on it. We have not saved our economy, we have simply trapped ourselves from being able to assist it.

There are people in my State and in every other State of this Union who earned extended benefits that employers pay into the trust fund for them, and we should not have to be going through the technicalities of declaring some sort of emergency. Why should not let a President be able to sign a bill and say, "No, it is not an emergency. You cannot pay out the benefits. These are trust fund moneys that were paid in for this particular purpose."

I hope that tonight and in the next few days of this Congress we will begin to take care of the people who have worked all of their lives, who now find themselves unemployed, and are unable to draw extended employment benefits.

I was in this Congress in 1969 when the Boeing Co., which is very profitable right now, got in so much trouble that a billboard in the city of Seattle said, "Will the last person out of this city, please turn out the lights." And we in the Congress at that time voted extended unemployment benefits, which saved our people for that period of time. To this day, that is remembered. The company did come back. But those people, during that period of time, did not lose their homes. They had to go to food banks maybe, but they had some money.

So tonight I am going to join with the Senator from Maryland and others. This is a shift in my previous position. That is why I took the floor. And I want to be grateful to the Senator from Tennessee for giving me this time to explain why I have given up on this budget straitjacket known as Gramm-Rudman-Hollings.

President, I am exasperated by the prolonged struggle we have had to wage to get the administration to release extended unemployment benefits to the more than 2 million workers that have exhausted their benefits since the beginning of this year. At present some 8.5 million Americans are out of work—300,000 of whom lost their jobs since the President refused to implement the legislation extending benefits that we passed before the August recess.

We should not have to wait for the President to declare an emergency. We know we are in a recession. The U.S. economy has experienced negative growth for three consecutive quarters. That is why we are voting on a recession resolution for the third time this year.

For the third time this year, the Nation's economic growth has either been negative or less than 1 percent for two consecutive quarters. Under the Gramm-Rudman-Hollings Act, the enactment of a joint resolution to suspend the sequestration and spending constraints of the act.

Twice before we have considered recession resolutions and have rejected them. I voted against both of the earlier bills because I wanted to give the system the benefit of the doubt. But I will vote for the resolution tonight, because I am afraid that we are using the rationalization of Gramm-Rudman-Hollings to hold the American people hostage and to avoid taking action on the realities of our families' agony.

Let's face the facts. The emergency safety valve has not worked. The Congress passed legislation to provide additional unemployment benefits and the President did not sign it. But because we used the provision in the Gramm-Rudman Act we prevented benefits from being disbursed.

To hold our unemployed workers hostage to the Gramm-Rudman-Hollings Act would be most cruel. This trust fund was established to provide extended benefits to those who need them during periods of extended unemployment. That is what we are experiencing during the current recession.

The PRESIDING OFFICER (Mr. BRYAN). The Chair advises the Senator that his time has expired.

Mr. DOMENICI. Mr. President, how much time does the Senator from New Mexico have and how much time does the chairman have?

The PRESIDING OFFICER. The Senator from New Mexico has 7 minutes and 20 seconds remaining and the time under the control of the Senator from Tennessee is 10 minutes and 30 seconds.

Mr. DOMENICI. I yield myself 2 minutes. Mr. President.

I first might applaud both for the record and to my friend, the chairman, if I mistated the quality of the sustained expansion of the 1980's in terms of its longevity. Let me say I left out a word, and I should include, and I should henceforth, I will say it is the longest peacetime expansion that is an expansion during which time we were not engaged in a war. And I think that is a true statement. During the period that President Ford was in control, we were involved in the Vietnam war.

Having said that, let me talk about the extended unemployment benefits and the reserve fund and the notion that tonight is there is something unfair about requiring that they be
paid for. It was only May—not May 10 years ago—May a few months ago when we passed the budget resolution. I came to this floor and said, "I vote against this budget resolution." Do you know why?
I like the budget resolution. I helped work in out. We worked very hard.
But there were three, three, Mr. President, reserve clauses that permitted us to change the budget numbers with fast vio-lent. We had the budget. And one of the three happened to be employment legislation. And the Recess on the floor, without my digging it out, is rampant that when we use the word employment, it was always using the word unemployment. So unemployment benefits were expected to be extended. But the reserve clause said, if you do it, you can change the numbers, but it still has to be budget neutral.
Now, how do you extend unemployment benefits without paying for them and still have a budget neutral bill? You do not.
Now, I think we said—and I do not doubt the distinguished chairman—Chairman Sasser proposed the three reservations—he will say he was thinking of permanent extensions, not a temporary extension, but an overall unemployment. So unemployment benefits were expected to be extended. But the reserve clause said, if you do it, you can change the numbers, but it still has to be budget neutral.
Now, how do you extend unemployment benefits without paying for them and still have a budget neutral bill? You do not.
Now, I think we said—and I do not doubt the distinguished chairman—Chairman Sasser proposed the three reservations—he will say he was thinking of permanent extensions, not a temporary extension, but an overall unemployment. So unemployment benefits were expected to be extended. But the reserve clause said, if you do it, you can change the numbers, but it still has to be budget neutral.
Now, how do you extend unemployment benefits without paying for them and still have a budget neutral bill? You do not.
Now, I think we said—and I do not doubt the distinguished chairman—Chairman Sasser proposed the three reservations—he will say he was thinking of permanent extensions, not a temporary extension, but an overall unemployment. So unemployment benefits were expected to be extended. But the reserve clause said, if you do it, you can change the numbers, but it still has to be budget neutral.

The PRESIDING OFFICER. The Chair would inform the Senator that his time has expired.
Mr. DOMENICI. I yield myself additional time.
I want to say for the record, I do not remember such distinction. Nonetheless, I would suggest that the House bill has permanent changes. I would suggest that Benton bill as currently proposed, while not in its entirety, but partially, has permanent changes. Although I think it is irrelevant, because I do not think that is a way to distinguish between unemployment benefit bills and whether we should pay for them or not, we do not get rid of it, so we are guilty. When this chart is held up and it says we are going to use these reserves unfairly, let me suggest we decided that right here and, strange to say, an overwhelming number of the votes to do it came from that side of the aisle.
But we did not agree with it. So I do not believe we are being unfair. We will offer our plan, and we will pay for it. I hope that everyone understands that is what we were expected to do.
I yield the floor.
The PRESIDING OFFICER. Who yields time?
Mr. SASSER. I yield 4 minutes to the distinguished Senator from Michigan.
Mr. RIEGLE. Mr. President, a lot has been said tonight. The fact is, for reasons that we have been practicing a kind of budget that we have. This chart illustrates it better than anything else. It has gone under the guise of Reaganomics. It has gone under the guise of supply-side economics, the Laffer notion. The notion that was sketched on the floor has been an enormous success.

Here we are a decade later. The economy is in deep trouble. We have had a mountain, a rising mountain, of deficits over this period of time—very anemic growth level in terms of real production. And the world was outperforming us substantially over this period of time in terms of their productivity growth.

I want to explain this chart because these are the Federal budget deficits. Here we are, into the Reagan years during the eighties, when this radical economic experiment was put to work. Senator Sasser referred to it in terms of the damage that was done with respect to unemployment and uneven pattern of the tax cuts and the impact that that had. This scale over here is notched in $50 billion segments. So we are not talking about pocket change here.

As we came down through the eighties, you will see the deficit, in 1982, in terms of the amount of money actually spent and the amount taken out of the trust funds, is just about $150 billion. This is the deficit.

We thought that was high. The next thing we knew we were up here over $200 billion, almost to $250 billion. Of course this is when the Gramm-Latta so-called "philosophy" was in place. We thought that, that plan—or at least those who advocated it; I did not happen to vote for that—would bring this thing down. But you see what happened is it continues to go up. It was deflated. I think it came down briefly in this period here. But now look at where we were in 1989; up here almost to $350 billion.

This year, we are going to be up here about $400 billion. And looking out to 1992, again, if you take the amount of money taken out of the trust funds, we are going to be up almost to a half a trillion dollars in 1 year.

These are for each year. If I had another, I would take all of these together, because they are cumulative, I would need a chart that stretches halfway up to the ceiling in here.

I understand the argument of those who have advocated this from the beginning, because they cannot confess the failure of this plan. So they continue to modify it. As I say, this shows Gramm-Rudman No. 1. That was a complete flop. It was replaced by Gramm-Rudman No. 2. That was supposed to bring the deficits down like this. We were not supposed to see any of this. It was supposed to be down here.

That was flop No. 2; we are in the middle of flop No. 3. But this flop is designed to flop over the next election. Lord knows where these deficits are going to go. So this plan is not working.

Yes, I can see why everybody is hanging onto it for dear life. It is the only fig leaf in town and everybody is trying to get behind it. If that is the only fig leaf there is for the budget, you make the best you can of it.

But here is what is happening. What this is doing, this pattern—it is bad strategy; it is bad economic policy—it is giving us bad results. And it is stealing the economic future.

If you take the average income for a selected few of your income, for the United States over the last 20 years, adjusted for inflation, working people have been running on a treadmill. They are almost exactly where they were 20 years ago today. In fact, you can go back even further than that. And the biggest families, there are two people working to earn the same amount of income that one person was able to earn 20 years ago.

So you have a situation now where people are working a lot harder, and they are no better off than they were 20 years ago. Yet now we have this mountain of debt on our backs.

It is interesting, and I will be back here another time to talk about where all this money went because it went to somebody. If you look at the Forbes list of the growth of the number of billionaires and the growth of the number of multimillionaires, yes, there is a very thin group up at the very top. And, if the economic ladies that have cashed in big time. And they are doing very, very well.

But if you look across the broad base of society, most people are treading water or sliding backwards, and it is not right, and we have to get out of this straitjacket before its bankrupts this country. We cannot afford any more success like this.

The supply-side policy has been supplying deficits of ever increasing size. That is what supply side turned out to be: bigger and bigger deficits.

When I hear people come in here and defend this—I will just finish with one other point—this area right up here represents the amount of money that is paid into the Social Security trust fund and spent on things that have nothing to do with Social Security. People are paying in the Social Security payments in their taxes. They are paying for a program for which they do not get a return, and yet, that money is being borrowed and transferred over and spent on things that have nothing to do with Social Security, including the gold-plated weapons systems, and a lot of other things.

What is being left behind are a whole pile of IOU's over in the cash drawer of Social Security. And the surprise that is coming down the track in the future is that if this supply side policy is left, this is that people are going to be given the happy news one of these days that they are going to end up paying for their Social Security twice, because people are going to have to pay in the money again to redeem the IOU's of the money that has been taken out here each year and taken over the spent in other areas of the Government.

That is what is going on here. The crowd that brought this scheme in
here, they are not going to come in tonight and lay the cards on the table and say: Yes, we really blew it. We really blew it. We really did not mean to have any huge deficits; we did not mean to have any huge surpluses. And we did not mean to have this anemic growth rate. We really did not mean to see Japan and the other countries racing off ahead like that.

I do not think they did intend that, but that is what they have brought us, and we need a new economic plan for America, a growth plan for America, and that means investing in this country. Yes, in the private sector. And in our people. We are not doing that today. The President does not even have that issue on his radar screen. He has every country in the world on the radar screen except this one.

We need an economic plan for America, a growth plan. We need it now.

Mr. MOYNIHAN. Well said. Well said.

Mr. SASSER. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 2 minutes and 40 seconds.

Mr. SASSER. I am prepared to yield back my time.

Mr. DOMENICI. Mr. President, how much do I have?

The PRESIDING OFFICER. The Senator has 4 minutes.

Mr. DOMENICI. I yield 1 minute to the Senator from Texas. I will take 1 and yield the remainder.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. CUBAN. Mr. President, our dear colleague from Maryland held up that beautiful chart with those green lines here and said: We have all this money in this unemployment trust fund. Why do we not spend it?

Mr. DOMENICI. Mr. President, the President has said is: If you want to spend the money out of that trust fund, since we have set a cap on total spending, cut spending somewhere else.

In reality, what we did is we set out a cap to that amount we were going to spend in the budget agreement, and then Congress went off and spent it on something else. And now, rather than cutting other things so we can spend out of the trust fund, they propose that we simply bust the budget.

I do not know if it strikes people as comical; but I am amazed at people who stand up and say we have to get out of this spending streetjacket so we can increase spending so we can bring the deficit down.

It that rings true to anybody, or sounds like an effective policy to anybody, I am just going to be absolutely astounded. It makes no sense to me.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, while I could probably make some statements about when did America's military preparedness really come down, and when did it start back up, I will do that another time.

I will only state that Senator Farr from Arkansas and I voted for an increase in the budget for defense in the last year of Jimmy Carter out of frustration, because defense had been in a regular state of decline when it was at its lowest.

Having said that, let me just say to the Senate tonight, the issues are not those discussed here. We will do those another day. Maybe there will be an economic plan. Maybe we will vote on something like that sometime in the future, but tonight the issue is a simple one. It is not whether we are going to extend unemployment benefits because even the majority party intends to do that in their own way within the parameters of the 5-year agreement. It is not a win, but that is how they will do it.

I truly believe the worst thing to do for the American economy is to take off all of the restraint and permit the U.S. Congress and the President to spend and spend and spend anywhere, think that will truly make this recession worse and make the lives of our people generally worse, and I do not think we should do it. The vote tonight I want to keep the restraint on. I yield the floor, and I yield back the remainder of my time.

Mr. SASSER. Mr. President, let me yield 1 minute to the distinguished Senator from Maryland.

Mr. SARBAZNIES. Mr. President, I say to the Senator from Texas, it borders on the criminal to tax people for a specific purpose, as was done with the extended benefit trust fund. It was levied for that purpose. That is the rationale. The people pay for it. You build up the trust fund balance for the purpose of paying the extended benefits, and then not to pay them in the time of need for which they were intended, that is exactly what we have done. The money was not paid in. This fund has built up a huge—not only has it built up a surplus, it is building up an even larger surplus right now in the middle of a recession when we have millions of people who are not getting extended benefits.

In every previous recession, we paid people extended benefits. Ford did it back here; Carter did it; Reagan did it. Here is his time. In only one State of the 50 are people today receiving extended benefits. One out of the 50 States. We have States with unemployment rates of 8, 5, 9, 9.5 percent. They are not paying extended benefits, even though the employers put the money into the trust fund.

It is criminal not to use that money for the purpose for which it was based, or base the balance on which the taxes were levied.

Mr. SASSER. Mr. President, how much time remains?

The PRESIDING OFFICER. Forty-one seconds.

Mr. KERRY. Mr. President, I will vote against Senate Joint Resolution 186, which would suspend provisions of the Omnibus Budget Reconciliation Act of 1990 and the Congressional Budget Act of 1974.

I vote against this resolution for many of the same reasons I voted against the Reagan budget. By suspending the budget agreement, this plan will transfer funds from defense to a selected number of programs under the jurisdiction of the Labor-Health and Human Services, Education Subcommittee of Appropriations.

In both cases, the effort addresses one small aspect of a much broader problem. Time, events and developments in our economy have simply moved beyond the budget agreement of last year. That agreement no longer reflects reality. And, it has become a procedural dinosaur which thwarts any effort to respond to today's world and requirements.

The American people know the agreement is outdated. Pundits both here and abroad write that there is already a consensus that it must be renegotiated after the 1993 election. We passed a sense of the Senate resolution offered by Senator Moynihan, which would order another roll-call vote—which said that the President and the Democratic and Republican leadership of the Congress should consider establishing new priorities in light of the extraordinary events which have occurred since the 1989 summit.

The Bear may still have a strategic force, an army and a KGB, but the nature of the threat is very different. And our opportunity to help shape the course of events, the outcomes of events, is something our American people—our domestic needs—and desires cannot and should not wait. The mother deprived of prenatal care; the child who has no access to Head Start move on. Last year, it was our third graders who were being left behind. Today, it is our fourth graders in the year 2000. Today, those children are in fourth grade. Next year, they will be in fifth. If we don't take a new look at the budget agreement, they will be in sixth or seventh grade before we even consider a realignment of priorities.

The deficit projections for fiscal 1992 continue to go up. I agree that the budget agreement didn't cause the budget deficit. But, at least part of the cause is timing of receipts and expenditures related to Desert Storm and savings and loan resolutions. But that misses the underlying point. The deficit is higher. We will have to borrow more. And that needs attention.

There are a number of us who remain extremely concerned about tax and national security spending by families with children. We will never preserve and protect—and extend—the American dream if work-
ing men and women carry a dispropor-
tionate tax burden and if they are
unable to provide for their families in
the way their parents were able to pro-
vide for theirs.

There are also many of us who
remain concerned about the productiv-
ity of our country. Competition from
abroad is robust. Success on our part
will require wise investment and con-
tributions from all.

The frustration of the moment is
that no one is providing the leadership
needed to address these problems com-
prehensively. This opportunity no one
ought to miss. This is the chance to
reorder our priorities is enormous, but without presi-
dential leadership this opportunity
will be lost. We can tinker here; quib-
ble there. We can overturn a little
piece of the agreement or waive the
budget act to accomplish some tiny
gram that

must be there.

We cannot afford a little problems-even, in some cases, to do so
outside the GRH limits. One such pro-
gram that I have supported this
summer and will continue to support
in the weeks to come is the extension of unemployment benefits in need.
This is the kind of spending that
government must be prepared to un-
take to assist those in parts of the
Nation such as my own State of Mas-
sachusetts that may have been ravaged by the
current recession.

In addition, my support for the fund-
damental framework and discipline of
GRH does not translate into unques-
tioning support for the specific ingre-
dients of the def

est agreement. While I believe Congres-
sional negotiators, who labored long
and hard in search of an agreement
with President Bush, did the best they
could in the face of the intransi-
teness of the President and his senior
advisers including Chief of Staff John
Sununu and OMB Director Richard
Darman, I was not comfortable even
then with the way in which spending
was allocated by the agreement. I also
was troubled by the rigidity that the agreement established, prohibiting
Congressional discretion to be exer-
cised easily to transfer funding from
one major category of spending to an-
other.

Now, Mr. President, in light of the
stunning events that began to unfold
in 1989 in what was then Communist
Eastern Europe, and the events in the
Soviet Union in recent months that
are, if possible, even more stunning,
the original inadequacies of that
summit agreement are dramatically
magnified. We find ourselves as the
elemental basis of the people
of this Nation confined by a straight-
jet of our own making.

At home, we are seeing more and
more evidence of glaring domestic
needs that are going unmet, and which
not only break suffering on countless
individuals across the Nation but
threaten collectively to impede our
future economic growth and our inter-
ational competitiveness. This has
resulted in a long-term diminution of our
standard of living. And the budget
summit agreement has tied the hands
of the Congress to a considerable
extent in confronting those needs.

Nevertheless, GRH remains the only
tool we have to exert pressure to close
the budget deficit. It may only be a
slingshot against a Goliath, but that is
better than no tool at all.

It is critical that we continue to
focus on rethinking our budget prior-
ities because the huge and persistent
budget gap continues to be the major
constraint on the ability of the United
States to play a productive and leading
role at our Nation's competitiveness. Mas-

sive government spending, unmatched
by revenues, explains why savings in
this country are so low. Long and short
term interest rates are so high.

My support of GRH and a smaller
budget deficit, however, does not mean
that I categorically oppose specific
spending to address pressing national
problems—even, in some cases, to do so
outside the GRH limits. One such pro-
gram that I have supported this
summer and will continue to support
in the weeks to come is the extension of
unemployment benefits in need. This
is the kind of spending that
government must be prepared to un-
take to assist those in parts of the
Nation such as my own State of Mas-
sachusetts that perhaps have been
ravaged by the current recession.

In addition, my support for the fund-
damental framework and discipline of
GRH does not translate into unques-
tioning support for the specific ingre-
dients of the def

est agreement. While I believe Congres-
sional negotiators, who labored long
and hard in search of an agreement
with President Bush, did the best they
could in the face of the intransi-
teness of the President and his senior
advisers including Chief of Staff John
Sununu and OMB Director Richard
Darman, I was not comfortable even
then with the way in which spending
was allocated by the agreement. I also
was troubled by the rigidity that the agreement established, prohibiting
Congressional discretion to be exer-
cised easily to transfer funding from
one major category of spending to an-
other.

Now, Mr. President, in light of the
stunning events that began to unfold
in 1989 in what was then Communist
Eastern Europe, and the events in the
Soviet Union in recent months that
are, if possible, even more stunning,
the original inadequacies of that
summit agreement are dramatically
magnified. We find ourselves as the
elemental basis of the people
of this Nation confined by a straight-
jet of our own making.

At home, we are seeing more and
more evidence of glaring domestic
needs that are going unmet, and which
not only break suffering on countless
individuals across the Nation but
threaten collectively to impede our
future economic growth and our inter-
national competitiveness. This has
resulted in a long-term diminution of our
standard of living. And the budget
summit agreement has tied the hands
of the Congress to a considerable
extent in confronting those needs.

In effect, Mr. President, the world
simply has left us and the budget
summit agreement behind in the dust.
If the United States is to play a pro-
ductive and leading role at our Na-
tional competitiveness, Mass-
ive government spending, unmatched
by revenues, explains why savings in
this country are so low. Long and short
term interest rates are so high.

As a consequence, I believe we have
no choice but to completely reexamine
the budget summit agreement. And I
cannot see any outcome to such a re-
examination effort other than some
profound alterations in its provisions.

As a consequence, I believe we have
no choice but to completely reexamine
the budget summit agreement. And I
cannot see any outcome to such a re-
examination effort other than some
profound alterations in its provisions.

It is all we've got at the moment, fiscal
year 1993—and special allocations for
the remainder of fiscal year 1992—
must be made on the basis of those al-
tered provisions. This rethinking
about when and just how big a role we
will play must be a part of the pro-
cess. And when we reconvene in January
for the second session of the 102d Congress.

All of this being true as I am per-
suaded it is, we nonetheless have
a disciplining mechanism that con-
strains the Budget Committee to a
budget deficit that cannot be mag-
ified while we are grappling with the
specific domestic, defense, and foreign policy needs and
their changing nature. I was never
convinced that the original Gramm-
Rudman-Hollings legislation is any
where close to the perfect device to fill
that need. I am not any more nearly
convinced that the new and improved
version of Gramm-Rudman-Hollings is
the perfect device.

I am hopeful that the Budget Com-
mittee, and others who are this body's
leading thinkers on the structure of
the Federal budget and Congressional
budget processes, will give careful con-
sideration to whether a new discipli-

n I am hopeful that the Budget Com-
mittee, and others who are this body's
leading thinkers on the structure of
the Federal budget and Congressional
budget processes, will give careful con-
sideration to whether a new discipli-
}
ing program after program and passing
the cost on to our children and their
children by means of profligate
borrowing.
I yield to the distinguished majority leader.
Mr. MITCHELL. Mr. President, I have
inquired of my colleague, the distin-
guished Republican leader, if there
would be any objection to making the
second and third votes 10-minute votes
this evening?
Mr. DOLE. No.
Mr. MITCHELL. Mr. President, I ask
an unanimous consent that all time
be yielded back and that the second
and third votes be in this sequence of
three votes be for 10 minutes.
The PRESIDING OFFICER. Is there objection? Without objection, it is
so ordered.
Mr. MITCHELL. Mr. President, I ask
an unanimous consent that all time
be yielded back and that the second
and third votes be in this sequence of
three votes be for 10 minutes.
The PRESIDING OFFICER. Is there objection? Without objection, it is
so ordered.
Mr. MITCHELL. Mr. President, I ask
an unanimous consent that all time
be yielded back and that the second
and third votes be in this sequence of
three votes be for 10 minutes.
The PRESIDING OFFICER. Is there objection? Without objection, it is
so ordered.
Mr. MITCHELL. Mr. President, I ask
an unanimous consent that all time
be yielded back and that the second
and third votes be in this sequence of
three votes be for 10 minutes.
The PRESIDING OFFICER. Is there objection? Without objection, it is
so ordered.
September 19, 1991

CONESSIONAL RECORD — SENATE

S 13309

41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the order, the amendment is withdrawn.

The Senator from North Carolina. Mr. HELMS. Mr. President, I am willing to save time of the Senate and not even have a vote.

I ask unanimous consent if I can withdraw the amendment, notwithstanding the unanimous consent request, so people can go on and go to bed.

The PRESIDING OFFICER. The amendment of the Senator from North Carolina is withdrawn.

Mr. HELMS. Very well.

The amendment (No. 1177) was withdrawn.

The PRESIDING OFFICER. The pending business is the Interior appropriation bill. The committee amendment found on page 23.

Is there further debate on the committee amendment?

Mr. BYRD. Mr. President, I suggest the clerk call the roll.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, I ask for the quorum call.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

PROTECTION OF FISH AND WILDLIFE

Mr. CHAFFEE. Mr. President, the 1992 Interior appropriations bill (H.R. 2686) directs the Forest Service to offer for sale specific volumes of timber in each Forest Service region—including those in areas containing the northern spotted owl. These owls are protected under the Endangered Species Act (ESA) which requires that Federal lands be managed in a manner that will not jeopardize the continued survival of a listed species. Although H.R. 2686 sets specific targets for the volume of timber to be offered from the regions that are home to spotted owls, nothing in H.R. 2686 or the committee report exempts—either explicitly or implicitly—the Forest Service from its duty to comply fully with the ESA or other laws regarding protection of wildlife on public lands, including the National Forest Management Act (NFMA).

As the Interior Appropriations committee report notes at page 89:

- - - The committee has provided volume targets in order to maintain accountability for forest resources provided. The Committee has not specified many targets. The Committee recognizes that additional information may become available during the year.

This additional information may include information about actions which must be taken to provide for the protection of the northern spotted owl or other wildlife and fish species as mandated by the ESA or other laws. Therefore, it is clear that the Forest Service has the necessary flexibility to adjust volumes if necessary and I would stress only if this proves necessary—to adhere to the requirements of ESA.

This flexibility is extremely important, in my view, to ensure that we protect all the varied resources of our Nation's forests. While significant stands of old growth forests are protected in national parks and wilderness areas, these areas do not currently provide adequate habitat to ensure the continued existence of the northern spotted owl. The spotted owl is considered an important indicator of the health of its ecosystem. In fact, the Forest Service itself years ago chose the owl as an indicator species under the NFMA. A vanishing owl indicates a level of timber harvest that is not sustainable.

I am pleased that the Committee on Appropriations, in reporting H.R. 2686, took no action which would amend or waive ESA, which is within the jurisdiction of the committee on energy and public works on which I serve. Inclusion of such an amendment would only serve to delay the development of a forest management strategy that would provide for both timber harvest and the conservation of other valuable forest resources, including healthy populations of fish and wildlife.

DOE STATE AND LOCAL ASSISTANCE (SLAP) FUNDING

Mr. FOWLER. Mr. President, the House has provided $246 million for the DOE State and Local Assistance Program, slightly above the fiscal year 1991 appropriation of $246 million.

The Senate Appropriations Committee, however, rejected the House provision. This appropriation includes the State Energy Conservation Program (SECP), the Schools and Hospitals Program (ICP), the Energy Extension Service (EES), and, by far the largest activity, the low-income home weatherization program.

State and local resources, petroleum overcharge funds, and private sector monies are combined with these Federal funds to ensure energy efficiency for all sectors of the population. Unfortunately, fewer funds are becoming available at the local level for weatherizing housing units and the low-income energy assistance funds are expected to further decrease this coming year. The elderly, the poor, and the disadvantaged, many of whom are already living on the fringes of society, are particularly hard hit by this slowdown in energy conservation funding.

I hope that in the very near future, we will be able to offer practical and more economical energy alternatives, right now, by reducing energy costs and using our energy resources most efficiently, is conservation, energy efficiency. That is ultimately what these weatherization programs are about. This investment in conservation and efficiency will help our country at the same time it helps saving that elderly couple in Sparta, GA.

It is only weatherizing more houses, by assisting more schools and hospitals in improving energy efficiency, by offering energy education to more teachers and students, by helping farmers save energy by saving potential, that we, in the most cost-effective manner, can continue to aggressively address the energy concerns of Georgia and the Nation.

Last year alone, almost 4,000 households representing 9,000 Georgians, were served by the Weatherization Assistance Program. Twenty-nine schools and hospitals received matching grants to improve energy efficiency in their facility operations. These are all important investments in improving energy and economic stability.

In Georgia, these energy programs are very successful at serving the State's citizens. This past year, the Dry Hydrant Assistance Program won a national award from the Council of State Governments for its innovative approach to saving energy, property and lives in rural Georgia. The No-Tillage Assistance Program is a finalist in the prestigious Ford Foundation/Smithsonian Institution Sustainability Awards Program. The program is being recognized for its contribution, through the promotion of energy savings, to the survival of the family farm in Georgia.

Sound energy information and technical assistance continues to be made available to the State's over 6 million citizens.

All of this is possible only by, at the very least, maintaining DOE's current funding. With renewed concern for a national energy strategy, it only makes sense to continue level funding for these proven energy programs that serve all economic sectors of the country.

SMITHSONIAN INSTITUTION

Mr. MOYNIHAN. Mr. President, I rise in my capacity as a member of the Board of Regents of the Smithsonian Institution, appointed in accordance with the provisions of 20 U.S.C. 42. That statute embodies the act of August 10, 1846, in which Congress legislates that the Board of Regents for the Smithsonian Institution, in our case, the Board of Regents for the Smithsonian Institution, shall be a body corporate and by its board of regents shall be forever continued. It is charged with the duty of securing to the United States, in the realm of the fine arts and sciences, the best knowledge among men.

While I am aware of the constraints under which the Committee on Appropriations labored as it fashioned the pending measure, I am also concerned by the reductions it made in the budget of the Smithsonian and distressed by the character aspersions
the committee report casts of the Smithsonian management.

Successive generations of Regents have created and sustained the extraordinary institution that extends alongside the Potomac from the feet of this hill to the far corners of the earth, collecting and interpreting objects and specimens of science and culture to remind us and our heirs of the multiplicity of our origins, the roads we have traveled, and the paths we might lie ahead. The Board of Regents today oversees an institution that, in fulfilling Mr. Smithsonian's ancient dream, employs some 6,000 people in occupational categories ranging from accountant to zoologist and utilizes funds from a variety of sources that total nearly half a billion dollars.

The Board also faces the challenges of managing that institution in an economic devoid of dynamism at a time when, in spite of demographic and democracy demand, a greater determination to share knowledge and ideas with diverse and dispersed audiences. In meeting those demands the Regents do not contemplate sponsor- ship of full-fledged construction programs. They have chosen, instead, a more deliberate course of strengthening core institutional activities by assuring that they are well-staffed and operating with essential support in appropriate facilities, the ordered base that sets one free.

To provide that assurance the Regents put in place more than 2 years ago a process for identifying needs, setting priorities, and allocating budgetary resources to address needs consistent with those priorities. The Institution's justification of its funding request to Congress is now accompanied by a thoroughly readable planning document, which outlines the thinking and the priorities that shaped the budget, and offers a planning horizon—well beyond the next Congress or the next election—to suggest needs and direction. In recognizing the Board's statements by the Regents, by the Institution's able Secretary, Bob Adams, and by his talented staff, it is unmistakably clear that those of us who have policy and management responsibilities for the Smithsonian place the highest priority on what we probably too elaborately call stewardship of the public trust. Put more simply, we mean to take care of and strengthen what is ours.

Doing so will require the addition of staff, the purchase of computer equipment, the replacement of outdated exhibits, the construction of advanced telescope sites, and the renovation of the buildings in which these people and activities are housed. Doing so, too, will require the most careful deployment of the limited resources available to the Institution through the Federal budget and appropriations process, the allocation of its trust funds, and the generosity of those in the private sector who support Smithsonian activities.

This program of reinvestment in the infrastructure of the Institution, which is now in place, is the only prudent means for protecting its long-term viability and improving its ability to serve larger audiences. To implement the draconian cuts proposed by the committee will put that program on a much slower track and erode the Institution's basic capacity for public service.

At this point I do not seek to change the committee's allocations. However, in the conference on the differences between those of this and the other body I urge the distinguished chairman to protect the Institution from the application of the across-the-board reduction; provide funding for its water and sewer payment; and restore funding to permit the backing of infrastructure requirements to be reduced.

HEALTHY START GRANTS

Mr. PRESSLER. Mr. President, I rate to congratulate the Aberdeen, SD, Indian Health Service (IHS) on being selected for a $1 million Healthy Start grant. It is unfortunate that infant mortality rates on Indian reservations are far above the national average. However, I am pleased that the Healthy Start Program will help them combat this problem.

This grant will help 19 reservation communities in North and South Dakota, Iowa, and Nebraska. The current infant mortality rate for the reservation in the Bureau of Indian Affairs Aberdeen area is 20 per 1,000 births.

In 1990 the State of South Dakota had an infant mortality rate of 10.1 per thousand live births. The project's gestation rate is 11 per thousand live births. The infant mortality rate on the reservations far exceeds infant mortality rates in South Dakota and the United States. This is unacceptable.

I have the privilege of working with the Aberdeen Area Indian Health Service in addressing this tragic problem. The IHS has plans to improve prenatal care. Better health care for both mothers and children will lead to a lower infant mortality rate.

I commend the tribal chairmen for their leadership in successfully seeking this grant, and the Healthy Start Program administrators for their efforts to meet the special needs of our Indian population.

FISCAL YEAR 1992 INTERIOR APPROPRIATIONS

Mr. LAUTENBERG. Mr. President, I rise in support of the fiscal year 1992 Interior appropriations bill, and to provide the detailed Park Service Appropriations chairman, Senator Byrd, for his efforts on this bill.

This legislation makes important investments in the preservation of our Nation's natural heritage, through its support of the National Park Service, the U.S. Fish and Wildlife Service, and the Forest Service. It also provides essential support for the National Foundation on the Arts and Humanities and the Smithsonian Institution, and contains money for health and education programs that are vital to Native Americans.

I would like to discuss a number of items involving historic preservation, parks, and open space in my State that are addressed in this bill.

NEW JERSEY URBAN HISTORY INITIATIVE

Mr. President, this legislation contains $12.6 million I requested for the New Jersey Urban History Initiative, a project that will serve to accentuate the rich history of New Jersey's cities.

From the Revolutionary War to the Industrial Revolution to modern times, New Jersey's cities have played a vital role in the growth of our Nation. Many New Jersey cities contain physical reminders of their rich history. These are sites of such national significance that they have been designated National Landmarks or are candidates to be listed on the National Register of Historic Places. Unfortunately, though, many of these significant structures have fallen into disrepair.

My New Jersey Urban History Initiative advocates solutions to rehabilitate historic structures in four New Jersey cities: Paterson, Trenton, Perth Amboy and Newark. These renovations would be made under the Park Service's authority for public buildings. These are renovationally significant historic structures.

At my request, the committee has earmarked $4.3 million for the City of Paterson, NJ, my home town. Paterson holds a special place in history as one of the leading industrial cities of this Nation. The Great Falls in Paterson is the site of the first attempt in the U.S. to harness the entire power of a major river for industrial purposes.

The National Historic District in Paterson contains some of the most important vestiges of our Nation's industrial heritage. Unfortunately, Paterson, which is about to celebrate its bicentennial, has had its heritage in good measure neglected. The National Historic District in Paterson has been ravaged by fires.

The National Park Service, in its 1989 Report on Damaged and Threatened National Historic Landmarks, described the Great Falls Historic District. It was suffering "severe physical deterioration" and recommended that the structures be "stabilized, and when a compatible use is found, rehabilitation should be undertaken."

The raceways, a system of canals which were used to channel water from the Great Falls to the nearby mills, is the unifying thread of the District. The raceways have fallen into severe disrepair and must be stabilized and refurbished.

The funding earmarked for Paterson would be used to repair the middle raceways, as well as to make historic streetscape improvements within the District. It would also be used for the Park Service to perform a comprehensive assessment of historic
structures within the District and to devise an action plan to stabilize and reverse the decline of the area.

Trenton, the capital of New Jersey, is rich in early and post revolution history. The historic structures in Trenton would benefit enormously from the $1,892 million in Federal funding that the Committee included for Trenton as part of my Urban History Initiative.

For example, the 100 year old Trenton Battle Monument, which memorializes General Washington's Christmas-time victory against the Hessians, is in need of refurbishing. Funding also will be used for improving the Delaware and Raritan Canal in downtown Trenton. The Canal was one of the Nation's most important commercial transportation routes. During the 1860's and 1870's, it often exceeded the Erie Canal in total tonnage. In addition, the Old Barracks Museum, which is a National Landmark, is sorely in need of repairs.

The New Jersey Urban History Initiative would receive $80 million for Perth Amboy, which was the capital of pre-revolutionary East New Jersey. The Perth Amboy Train Station was built in 1828. Perth Amboy has always served as a transfer point between local and express trains. The Totten- ville Ferry also structure was built in 1904 and is the last vestige of a long history of Perth Amboy ferry service. Both of these falling historic structures would be revitalized as part of this project.

In addition, the funding for Perth Amboy will be used to conduct a survey of historic building located in the business district along Smith Street, which connects the historic ferry slip to the train station.

Finally, Newark is New Jersey's largest city and has played a prominent role in the State's development and in the Nation's history. Last year, at my request, the Appropriations Committee agreed to help restore Newark Symphony Hall. This year, the city will use the $4.7 million, as part of my Urban History Initiative, to continue its improvements to the Lincoln Park Historic District which is home to Symphony Hall.

From the 1880's through the 1920's, Lincoln Park was known as Newark's "skil stocking" district where the "elite" always was. With the"elite" were the largest businesses lived. The District still has one of the finest collections of urban townhouses from that era. Newark plans to use the Urban History Initiative funds, in part, to renovate historic homes, create an arts exhibition space and a visitor's center for the New Jersey Historical Society.

With Federal help, we can restore some of these historic buildings and sites, we can renew these areas and re-capture an important part of history. I am hopeful that revitalization initiated with these Federal funds will serve as a magnet to attract private investment in these downtown neighborhoods.

I am extremely grateful to the distinguished chairman for his assistance with this project, which is so important to me and the people of my State.

OUTER CONTINENTAL SHELF (OCS) OIL AND GAS MORATORIA

Mr. President, I'd also like to express my support for the bill's provisions banning OCS leasing activities on lease sale 145, which stretches from Rhode Island to Northern Florida. The Senate bill retains the House Report moratoria language, and I am very pleased that the Committee chose to include my request for the moratoria in the Senate bill.

In 1968, then-candidate George Bush visited the New Jersey shore. He called the pollution of our coastal waters and beaches a "national tragedy," and promised to protect the Nation's shores. Yet, in his June 1990 OCS moratoria decision, the President protected only a portion of the Nation's coastline. Although he recommended the moratoria for most of the west coast, much of New England and certain areas off Western Florida, the President flatly ignored New Jersey and the other Mid and South Atlantic States. That decision effectively disenfranchised New Jersey and South Atlantic States by saying that other offshore areas are somehow more sensitive and more deserving of protection.

It took the National Academy of Sciences 3 years, and the President's OCS Task Force another year, just to conclude that the areas placed under moratoria needed further study. And the President's decision called for an additional 6-10 years of study to determine the environmental impacts on these States. How can the Administration already have all the answers for New Jersey and the other unprotected States? The answer lies here.

Obviously, the President does not believe that these States deserve protection. But the economies of these unprotected States rely heavily on their coastal resources. And spilled oil can have devastating effects on a State's commercial and recreational industries, not to mention the damage it can inflict on its marine and estuarine systems.

The waters off New Jersey are just as precious as those covered by the President's ban: our beaches deserve equal treatment. Since the June 1990 decision, I have sent several letters to the President, and have met with the Director of the Minerals Management Service. In each instance, I have urged that New Jersey receive the same type of environmental reviews as those that have been conducted in distance. Unfortunately, the MMS is known for holding out vast acreage off the eastern seaboard for oil and gas leasing. It's now up to the Congress to remove the prejudice and instill some justice into the OCS planning and leasing processes.

At the wake of the gulf war, the Administration's National Energy Strategy has proposed increasing our domestic production to offset our dependence on foreign oil and OCS development would play an important role in the Administration's energy plan. Yet, if we develop the offshore portions of our OCS, it would provide us with less than 1 percent of world oil supplies. The Marine Management Service has estimated that there is less than a month's worth of oil in lease sale 145. These are meager benefits in the face of the potential economic and environmental risks posed to our vulnerable coastal States, and OCS development would do little to affect our reliance on the volatile world oil markets.

Increasing domestic oil production from our ocean waters is a short-term fix to our shortage of oil. The United States simply does not possess large enough reserves—on or offshore—to satisfy this Nation's inevitable appetite for oil. Even if the United States is the highest per capita energy consumption rate in the world. If we truly want to wean ourselves from foreign oil dependence, the answer lies in reducing our use of oil, and increasing our use of alternative fuels and renewable energy—and not in increased domestic oil production from our ocean waters.

I commend the Appropriations Committee for its attention to this very important issue, and I urge my colleagues to support the moratoria in the Interior appropriations bill for Outer Continental Shelf lease sales.

LAND ACQUISITION FOR WILDLIFE REFUGES AND PARKS.

Mr. President, this legislation also contains funding for refuge and park land acquisition that is significant to my State. New Jersey is the most densely populated and urbanized State in the Nation, but New Jersey also has some beautiful areas that are home to diverse plant and animal life. The fact that New Jersey is so urbanized, makes the preservation of our remaining undeveloped areas that much more important.

The New Jersey coast is an area that feels the pressure of development very acutely. I'm very pleased, therefore, that the legislation contains $5 million to continue acquisition of critical properties at the E.B. Forsythe National Wildlife Refuge.

The Forsythe Refuge includes critical wintering habitat for black ducks and Atlantic brant, as well as habitat for the peregrine falcon, blue heron, and the federally listed piping plover. The area also includes the Swan Point Bird Sanctuary where the Red Rock Creek's clean waters before being made available to the public, and the area is crucial to New Jersey's clamming industry.
Last year, I worked with the chairman to provide $3.25 million to enable the Fish and Wildlife Service to begin acquisition at Reedy Creek in the For- syth National Reserve, and the Fish and Wildlife Service obtained title to two properties with money Congress appropriated last year. I'm very pleased that acquisition has begun, but more funding is needed to continue this im- portant work.

This money will provide a shot in the arm for conservation efforts at Reedy Creek, Cedar Bonnet Island, and other critical properties, such as Chestnut Neck on Long Island. The refuge is proceeding rapidly toward acquiring nearly all the land at Cedar Bonnet Island, and properties at Chestnut Neck have recently become available for acquisition and addition to the For- sythе Refuеgе.

I also want to thank the chairman for his help in obtaining $3.25 million included in the Senate report for land acqui- sition within the Pinelands National Reserve.

Created by Congress in 1978, the Pinelands marked the first application of the National Reserve concept. The Pinelands is comprised of 1.1 million acres of land that spans seven counties, and is characterized by low, dense forests of pine and oak, cedar and hardwood swamps, bogs, marshes and coastal lowlands. The reserve contains 12,000 acres of pinergy forest which is made up of dwarf pine and oak smaller than 11 feet in height. Also, the reserve houses 650 species of plants and 550 species of animals in- cluding rare species such as the Pine Barrens Tree Frog.

Three major rivers run through the Reserve. Funding for land acquisition is authorized by Public Law 100-488 and supplemented by New Jersey State funds for a grand total of $8 mil- lion to preserve this unique area.

Last year, the Senate passed by leg- islation to establish in law the Wallkill National Recreation Area. Wallkill National Recreation Area is comprised of $2.25 million in Congress appropriated funds to begin acquisition there. The bill before us contains $500,000 to continue land ac- quisition at the Wallkill Refuge. These actions will allow for the conservation of land in New Jersey that is of signifi- cant ecological value.

The Wallkill River and its adjacent lands comprise one of the last high- quality waterfowl concentration areas in northwestern New Jersey, and is home to a diversity of wildlife, including 16 State-listed endangered species. Mr. President, I would also like to point out that, at my request, the bill contains almost $1.5 million for land acquisition and waste cly- by-up at the Great Swamp National Wildlife Refuge. This refuge, located 25 miles west of New York City, is under heavy development pressure. The acquisition of land provided for in the bill will prevent encroachment from residen- tial development that is rapidly de- stroying valuable habitat, degrading water quality, and threatening the eco- logical integrity of the swamp.

The bill provides $3 million for land acquisition at the Cape May National Wildlife Refuge. This refuge is divided into two areas, the Bay Head and the Cedar Swamp Division, and includes lands considered among the Atlantic Flyway's most important staging and breeding areas during spring and fall migration. The refuge also contains habitats important for at least five plant species being consid- ered for Federal threatened or endan- gered listing.

Overall, this legislation contains over $13 million for land acquisition in New Jersey's refuges, and I'm ex- tremely pleased that we are taking these important steps to protect and preserve these environmental treasures and open spaces for ourselves and for our children.

**GATEWAY NATIONAL RECREATION AREA**

Mr. President, I also want to point out that the bill contains over $2 mil- lion for Gateway National Recreation Area's Sandy Hook unit. Gateway quickly became one of the Nation's premier refuges and each year millions of people travel to New Jersey to take advantage of Sandy Hook's acres of barrier beaches, bays, lighthouse and historical forts.

With this money that I requested, the Park Service can now begin construction of much needed new rest- rooms, lifeguards and facilities conces- sions at Sandy Hook's Area C and the North Beach. Furthermore, a $400,000 addition to the unit's operating budget has been provided for improved main- tenance of the beaches to keep them safe and clean for Sandy Hook's nu- merous visitors.

**OHMSETT AND OILSPILL RESEARCH**

I'm pleased, Mr. President, that the bill restores funding deleted by the House of Representatives for the Min- erals Management Service's Oil Spill Response Program. The restored funding includes approximately $2.25 million for the Oil Spill and Hazardous Materi- als Simulated Environmental Test Tank, or OHMSETT, facility in Leonard- o, New Jersey. I had written to the distin- guished chairman earlier in July re- questing his help in restoring these funds, because there is an urgent need to find new and better ways to respond to oilspills.

OHMSETT is a unique installation for testing offshore oilspill response equipment and procedures. Although the OHMSETT facility was closed in 1988, MMS plans to reopen it later this year. MMS intends to use OHMSETT for a variety of purposes, including the development of innovative oilspill treatment and detection technol- ogies.

The Department of Interior, the Coast Guard, and the Environmental Protection Agency all have conceded publi- cally that enhancing Federal research programs on spill response and preven- tion technology is essential. The oil- spills in the Arthur Kill in New Jersey, and more recently, spills in the Per- sian Gulf resulting from Iraqi environ- mental terrorism, have highlighted the need to find more effective ways to respond to these environmental dis- asters.

The OHMSETT facility is a critical resource for spill research efforts, and I'm pleased that the committee has fully funded MMS Oil Spill Response Program.

**ABANDONED MINES**

Finally, Mr. President, Oxford Township and High Bridge Borough are two communities in my State that face a grave situation. Both of these New Jersey towns have abandoned mine shafts running underneath them. In both towns, many of these shafts have begun to collapse, or in some cases have already collapsed, causing damage to property and posing a potential safety hazard. Also, many residents have had difficulty in securing insurance since the incidents.

These towns need the financial and technical help of the Federal Government, and I thank the chairman for the $75,000 included in this bill for remediation efforts in Oxford Township and $75,000 for work in High Bridge.

Mr. President, I would again like to commend the distinguished chairman for his outstanding work on this bill and for his cooperation and attention to the needs of the State of New Jersey. I would also like to thank my able chief clerk Charles Estes for his assistance and attention, and also Rusty Mathews and Sue Massica for their assistance.

I urge my colleagues to pass this bill.

**CLARIFICATION OF FEIA AMENDMENT**

Mrs. KASSEBAUM. Mr. President, I would like to make a brief clarification of the amendment that I offered earlier today. My amendment called for a 10- percent reduction in funding for the National Endowment for the Arts. It is my understanding that some Members of the Senate felt that this amendment also reduced funding for public broadcasting. This is not the case. Only funding for the National Endowment for the Arts would have been affected had my amendment been adopted.

**EXPLANATION OF ABSENCE**

Mr. HATCH. Mr. President, I was necessarily in my home state of Utah with the President of the United States. Had I been able to be here for the vote, I would have voted "no" on the Kassebaum amendment.

**WEST DELTA AMENDMENT**

Mr. NICKLES. I would like to clar- ify a matter regarding the amendment providing appropriations to compen- sate the State of Louisiana and its les- sors for net drainage of oil and gas re- moved by the Federal offshore leasing. The Third Party Factfinder Louisiana Boundary Study dated March 21, 1989. Am I cor- rect in my understanding that this
amendment is not intended to serve as the basis for the new economic recovery payments by the Federal lessee on the West Delta Field as a result of past production from that field.

Mr. JOHNSTON. That is correct. The amendment is not intended to lead to the actual funding of new payments by the Federal lessee due to past production on that field.

Mr. NICKLES. On that basis, I have no objection to the amendment.

WILSON COUNTY AMENDMENT

Mr. DURENBERGER. Mr. President, I rise in opposition to the amendment offered by my colleague from North Carolina, Senator Sasser, for three reasons. First, it has been a long time since the citizens of Swaine County left their homes so that the Federal Government may construct a dam to generate electricity necessary for the furtherance of the war effort. At the same time, the Federal Government, in conjunction with the Tennessee Valley Authority, promised to compensate the people of Swaine County with a road, which is now North Carolina Highway 288 that was flooded as a result of their efforts. Mr. President, I believe the people of Swaine County deserve this and according to my colleague from North Carolina, Senator Helms, that is what a majority of them want.

Second, I do not believe that it is appropriate for the U.S. Senate to pass legislation attached to appropriations bills that may or may not be in the committee's bill. A bill, S. 1339, that is similar to this amendment, I would encourage him to pursue his bill, through the normal committee channels, and to not attempt to alter time-honored Senate process by forcing passage of this amendment.

Finally, Mr. President, in 1943 the Government promised to build a road, to return to the citizens of Swaine County and their families the roads that were taken. That is the purpose of this amendment. I would encourage him to pursue his bill, through the normal committee channels, and to not attempt to alter time-honored Senate process by forcing passage of this amendment.

Mr. President, in 1943 the Government promised to build a road, to return to the citizens of Swaine County and their families the roads that were taken. That is the purpose of this amendment. I would encourage him to pursue his bill, through the normal committee channels, and to not attempt to alter time-honored Senate process by forcing passage of this amendment.

Mr. NICKLES. First, however, I wish to thank Senator Sasser for providing critical funding for several natural resource and Indian programs in Minnesota in the fiscal year 1992 Department of Interior and Related Agencies appropriations bill. I share my colleague's interest in seeing that the committee has agreed to fund these important projects.

Second, I wish to clarify the subcommittee's position on three important projects which I have vigorously supported but which were unfunded in the committee's bill, including continuation of land acquisition funding for the Chippewa National Forest, new funding for the Upper Mississippi River Environmental Education Center in Winona, MN, and funding for the Grand Portage Visitors Center in Grand Portage, MN.

I understand the severe budgetary constraints which the subcommittee was working under this year. I also recognize the prudence exercised in making the selections that the subcommittee made. I believe this would be the time to address the aforementioned projects in turn.

First, with regard to the land acquisition program for the Chippewa National Forest. This program was unfunded in the House version of the bill at $1,000,000. Therefore, I seek the assistance of the senator from Oklahoma on funding for this land acquisition program in the conference.

Second, regarding the Upper Mississippi River Environmental Education Center, I wish to make note to the subcommittee of my interest in the project, as evidenced by my introduction of S. 1048, a bill that would authorize appropriations for this project. I hope to enact this legislation quickly and would appreciate favorable consideration of this project at that time.

Finally, the Grand Portage Visitors Center in Minnesota has received planning money by the full committee in 1988 and 1990. This project is now ready for construction. I seek the Senate's assurance that this project went unfunded solely as a result of budgetary constraints and that the subcommittee will again seriously consider providing construction funding in fiscal year 1993.

Mr. NICKLES. I thank my colleague from Minnesota for his continued interest in these Interior appropriations bill programs and projects. I also appreciate the understanding of the severe funding limitations placed on the subcommittee this year. There were, indeed, many difficult choices among many deserving projects.

I would like to give my colleague credit about all these projects. First, if the House committees insist on their level of funding for the Chippewa National Forest, I am willing to consider supporting their request. Second, I give my assurance that the legislation authorizing construction moneys for the Upper Mississippi River Environmental Education Center pass, that the subcommittee will certainly consider this project during the next fiscal year. Finally, I note that the Grand Portage Visitors Center has received funding from the committee in previous years and I give my assurance to my friend from Minnesota that the subcommittee will again consider this project for fiscal year 1993 funding.

Mr. DURENBERGER. I thank my friend from Oklahoma for his cooperation and I appreciate the continued support for not just these but for all the projects and programs affecting my constituents in Minnesota.

MINNESOTA PROJECTS

Mr. WELSTONE. Mr. President, I would like to engage the distinguished floor manager in a brief colloquy. First, I would like to thank the Chairman for his help in providing critical funding for several natural resources and Indian programs and project in Minnesota in the fiscal year 1992 Interior Appropriations bill. I am grateful to see that the committee agreed to fund these important projects.

I rise also to clarify the committee's position on three important projects which Senator Durenberger and I supported but which were unfunded in the committee's bill, including continuation of the land acquisition program for the Chippewa National Forest, new funding for the Upper Mississippi River Environmental Education Center in Winona, MN, and funding for the Grand Portage Visitors Center.

Mr. President, I understand the severe constraints under which the committee was working this year, with a considerably smaller funding allocation than in the House bill. I would like to address each of these projects in turn.

On the land acquisition program for the Chippewa National Forest, which was funded in the House version of the bill at $1 million, I seek your assistance that the Committee reject funding this project not because it lacks merit, but solely for budgetary reasons. Further I seek your assurance that if the House conference insists on funding for this land acquisition program, you would be willing to support a funding level of $1 million for this land acquisition program.

Regarding the Upper Mississippi Environmental Learning Center, I first seek a similar assurance that this point went unfunded by the committees not for lack of merit, but for budgetary reasons. Further I seek your assurance that if the House conference insists on funding for this land acquisition program, you would be willing to support a funding level of $1 million for this land acquisition program.
committee in 1986 and in 1990, is ready for construction. I seek your assistance that this project went unfunded not for lack of merit, but for lack of funds, and that the Committee will seriously providing construction funding next year.

Mr. BYRD. I thank my colleague from Minnesota, Senator WELLSTONE, for his continued support for programs and projects of interest to the people of Minnesota. First, let me say I appreciate his acknowledgment of the severe funding constraints under which the committee was working this year. There were, indeed, many hard choices among deserving projects which confronted the committee this year. Second, let me assure him that none of the projects mentioned were rejected as lacking in merit. 

I note the Senator’s concern about funding for the Chippewa National Forest contained in the House Interior Appropriations bill for fiscal year 1992. If the House conferees on the bill and the Senate-passed level, I would, within our funding constraints, give every possible consideration to this project.

Regarding the Upper Mississippi Environmental Learning Center, I appreciate the Senator’s continued support for this project, and I offer my assurance that the committee will consider funding for that project once it is authorized.

Finally, let me say regarding the Grand Portage Visitors Center that the Committee has provided funds for this project in past years, and hopes to build the visitors center when funds become available. During the next funding cycle, I will give this project every consideration.

Mr. WELLSTONE. I thank the chairman. I am grateful for his assurance and appreciate this continued support.

STRATEGIC PETROLEUM RESERVE

Mr. COCHRAN. Mr. President, the Department of Energy is currently preparing an implementation plan for expansion of the strategic petroleum reserve (SPR) to one billion barrels. In this process, DOE is evaluating various sites to determine the most appropriate location for this additional storage capacity.

In March of this year, DOE submitted to the Congress a report on their progress in this process. This report included the factors they considered, including appropriate location, cost estimates, environmental concerns, and other feasibility assessments.

One area that did not seem to be addressed was the strategic importance of the SPR. As the name implies, the strategic petroleum reserve involves national security concerns, and I believe these should be considered when evaluating new sites for SPR storage.

Mr. President, I believe the Department of Energy should supply Congress with the strategic criteria used in this initial stage of the site selection process, and I would ask the distinguished managers of the bill if they would assist me in requesting such a report from the Department.

Mr. BYRD. Mr. President, I agree with Senator Cochran’s potential of SPR to furthering the production of energy and the severe budget constraints in the future course of action with regard to SPR.

I thank the Senator for bringing this to the attention of the Senate, and I join him in requesting such a report from the Department of Energy.

Mr. NICKLES. Mr. President, I join the Senator from Mississippi and the distinguished chairman of the subcommittee in requesting this study from DOE. Because they have completed this first phase of site selection, I would expect they would be able to complete this report within 30 days, and I would ask the Department to complete this study in that timeframe.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from West Virginia and the distinguished Senator from Oklahoma for their help in this effort.

OIL AND GAS RESERVES BAD

Mr. GRAMM. Mr. President, to promote applied research and development in the recovery of oil and gas reserves, the Interior Appropriations bill passed by the House of Representatives included report language that directed the Department of Energy to develop long-range priorities and a plan to promote this vital research.

Unfortunately, the Senate Appropriations Committee did not feel that adequate resources existed for this applied research and development. Given the severe budget constraints, I understand that for the chairman and ranking member face.

It is, however, my hope that during the conference committee with the House on the Interior appropriations bill, the bill will adopt the House report language on the matter of applied research and development on oil and gas recovery. America has huge reserves of oil and gas that have not been tapped because recovery is prohibitively expensive. But with a greater commitment to research and development for recovery of these reserves, we can help America expand domestic energy production.

Mr. BYRD. This will be an issue in conference with the House. Given our severe constraints, I will do my best to accommodate the Senator’s request to the extent I can.

Mr. GRAMM. I thank the chairman for his time and efforts.

RURAL ABANDONED MINES PROGRAM IN KANSAS

Mr. DOLE. Mr. President, a group of my constituents in Cherokee County, Kansas, has been aware of the serious problem of unreclaimed mine land in southeast Kansas. Although Kansas has been in line for funding from the Rural Abandoned Mine Program (RAMP) since the seventies, very little work has been done. In fact, over the last seven years, only 40,000 dollars worth of technical and engineering studies have been provided by the RAMP program for Kansas. At the same time, States, such as Ohio and Pennsylvania, have received hundreds of thousand of dollars worth of assistance each year.

Kansas may not have had as much mining activity as other States, but its problems, in many instances, are just as serious. In one particular case, a children’s church camp in Cherokee County is surrounded on three sides by dangerous mine quarters. The most serious concern is that a young camper might drown, and in fact, there have been several near-misses. It seems to me that under any ranking system, the RAMP program would make this project one of the soil conservation service’s highest priorities.

This senator strongly urges the soil conservation service to commit more funds to the cleanup of rural abandoned mines in the near future. It is my understanding that the soil conservation service was committed to initiating a $750,000 RAMP program in Kansas if the overall funding level for the program was raised to $15 million. Due to severe budget constraints, the Interior subcommittee was not able to provide this level of funding. However, the Interior subcommittee set aside $12 million for the RAMP program in Kansas. In my opinion, it would be indefensible for the soil conservation service to refuse to provide this modest level of funding for Kansas given the Interior subcommittee’s generous action.

Mr. BYRD. I thank the distinguished republican leader for bringing this matter to my attention. The committee has added $9 million above the budget estimate for the RAMP program in order to continue RAMP funding at current levels. Despite repeated attempts by the administration to eliminate the RAMP program, the committee plans to continue its support of this program.

I join with my colleague in urging the soil conservation service to do whatever it can to commit more funds to high priority rural abandoned mine sites in Kansas during fiscal year 1992. These life-threatening situations must be addressed without further delay.

TOHONO O’ODHAM WATER RESOURCES STUDY

Mr. DeCONCINI. Mr. President, I would like to ask the chairman of the committee a question regarding fundings the Tohono O’odham Nation in Arizona. Section 303(b) of the Southern Arizona Water Rights Settlement Act of
1982 requires the Secretary of the Interior, at the request of the tribe, to conduct a water resources study for the limestone quarry.

The study has begun, but the tribe has identified a need for $7,652,335 over the next 5 fiscal years to complete the study. They made a request of our committee of $1,842,349 as the first installment, $7,652,335 in the second year, but the committee did not specifically address this need because of its decision to establish an essential services line item to complete this water study, but it is in danger of being terminated at the end of fiscal year 1991.

Would the chairman agree that the Tohono O’Odham Nation’s funding need for the water resources study should be met by BIA for fiscal year 1992 out of these available funds?

Mr. BYRD. Mr. President, I commend Senator DeConcini for his continuing interest in the welfare of Arizona’s Indian tribes in his State. As he knows, because of the budget limitation and the committee’s approach to funding for tribal priorities, the bill does not specifically address the water study funding needs of the Tohono O’Odham Nation. However, as he suggests, it would clearly be within the authority of the BIA to make funds available for the continuation of this effort. In reaching its decisions on funding allocations, the BIA should keep in mind the Federal Government’s statutory commitment to complete this study.

Mr. DeConcini. Mr. President, I thank the chairman of the committee for his assistance and assure him that I will be pursuing this effort with the BIA after enactment of the fiscal year 1992 Interior Appropriations Act.

BUREAU OF INDIAN AFFAIRS SCHOOL TRANSPORTATION

Mr. DeConcini. Mr. President, I would like to ask the distinguished chairman if he would allow me to address an issue which concerns me.

Mr. BYRD. I gladly yield to the Senator from Arizona.

Mr. DeConcini. Mr. President, first I want to thank the distinguished chairman for his most generous help with all the items in the bill which benefit Arizona. He and his staff do an excellent job on behalf of this Senator and I greatly appreciate the fine work of the committee.

Mr. President, the issue I need to address now is one which has been discussed by staff. Schools funded by the Bureau of Indian Affairs lease buses from the General Services Administration. The lease and fuel costs are set by GSA. Last year GSA announced higher lease and fuel cost reimbursements for BIA vehicles, including school buses. The Department of Interior’s fiscal year 1991 budget for BIA school transportation did not reflect the higher lease and fuel costs. The schools were facing 60- to 110-per cent increases without the additional funds.

We enacted a 1-year moratorium on the new rates for the BIA schools in line items 230-01-004 and 230-01-005 with the Water and Urban Resources appropriations bill to protect the schools. The moratorium was negotiated with GSA on the assurance that the BIA’s fiscal year 1992 budget would include funding for the higher school transportation costs. The 1-year limit was critical because GSA loses money on the school bus leases and the new rates do not fully cover GSA’s costs. The moratorium was a short-term solution. Since we have expected the fiscal year 1992 funding to address the problem.

Mr. President, I regret to say that did not happen. When the BIA school transportation budget needs were funded in the forward funding arrangement last year, the budget request did not reflect the higher lease rates. So, when the current moratorium expires on September 30, 1991, the schools will be asked to pay 60- to 110-per-cent school transportation costs for the remaining 9 months of the 1991-92 school year without additional funds. Staff made every effort to get a budget estimate of the anticipated funding shortfall prior to subcommittee and full committee action on the bill before us. The response from the agency came too late.

I know that the subcommittee was willing to address the funding shortfall had the specifics of the additional need been provided earlier. That not having occurred, the pending bill does not provide the additional funds which the schools need to meet their higher student transportation costs in the coming year. But I would like to ask the chairman if he would agree to consider this matter when other funding opportunities present themselves in the new fiscal year. For example, would the chairman agree that this is an item worthy of consideration should a supplemental appropriations bill become necessary in fiscal year 1992?

Mr. BYRD. I appreciate the concern of the Senator from Arizona. Any committee consideration of additional needs will depend on getting reliable cost estimates from the agency on a timely basis. The committee needs to have adequate time to evaluate the need and determine the most appropriate way to address the problem.

The committee would expect the BIA to provide an estimate of the school transportation funding shortfall during October 1, 1991 through June 30, 1992. As the Senator knows, the budget agreement from fall limits the domestic discretionary funds for each fiscal year. Any consideration for additional funding must be addressed in the context of expenditures. We would need to offset from other sources.

Mr. DeConcini. I thank the chairman.

NEZ PERCE LIMESTONE QUARRY

Mr. CRAIG. Mr. President, I am concerned that funding has not been provided to address the reclamation needs at the limestone quarry operated by the Nez Perce Tribe in Idaho. I have talked to the Nez Perce Tribe and understand that the tribe has attempted to operate this economic venture. They have experienced initial success. However, the Federal Government leased this mine to independent operators from 1935 until 1980. These independent lessees mined the quarry in a manner not conducive to future viability of the deposit, resulting in improper benching on the face of the quarry, and a collection of large boulders and other materials which inhibit the safety of the mine and its potential as an economic resource have been jeopardized. In addition to the safety concerns, there are environmental considerations which must be addressed. The quarry wash plant and settling ponds have been located near the adjacent Mission Creek, which feeds into the Clearwater River. Technical assistance is needed to address the effects of the limestone quarry on the sedimentation of the stream bed and its impacts on stream elements and aquatic life.

Mr. President, I wish to seek technical advice available through the Bureau of Mines and assistance from the Bureau of Indian Affairs to work with the Nez Perce Tribe to rehabilitate this limestone quarry.

Mr. BYRD. I thank my colleague from the State of Idaho. It is my understanding that the Nez Perce Tribe and the Bureau of Indian Affairs have initiated an effort with the tribe to examine the rehabilitation needs at this particular site. This bill provides funding to both the Bureau of Mines and the Bureau of Indian Affairs in areas which could be helpful to the Nez Perce limestone quarry operation. The Bureau of Mines should provide technical advice, and the Bureau of Indian Affairs should continue working with the Nez Perce Tribe on the need for reclamation and to provide technical advice on this resource. I thank the Senator from Idaho for bringing this to my attention.

E.B. FORSYTHE NATIONAL WILDLIFE REFUGE

Mr. LAUTENBERG. Mr. President, I rise to thank the committee and its distinguished chairman, Senator Byrd, for including, at my request, funding in the fiscal year 1992 Interior Appropriations Act for acquisition of the E.B. Forsythe National Wildlife Refuge in New Jersey.

New Jersey is the most densely populated and urbanized State in the Nation and the New Jersey coast is an...
area that feels the pressure of development very acutely. Last year, I worked with the chairman to provide $3.25 million to enable the Fish and Wildlife Service to begin acquisition at Reedy Creek, a critical property in the Forsythe refuge. I'm very pleased that this year's bill provides $5 million to continue acquisition of critical properties at the Forsythe refuge.

In addition to Reedy Creek, Cedar Bonnet Island and other critical properties such as Chestnut Neck. Would that be the committee's intent as well?

Mr. BYRD. The Senator from New Jersey has been a champion of land acquisition for refuges in his State, especially the Forsythe refuge. At his request, the committee has provided $5 million for acquisition at the Forsythe refuge. It has noted Reedy Creek in the report. However, that should not preclude the possibility of acquiring other properties. It would be my intent that the funds for the E.B. Forsythe National Wildlife Refuge provided by the committee would be available for acquisition of land in the Reed Creek unit, Cedar Bonnet Island and other critical properties.

Mr. LAUTENBERG. I thank the chairman for his clarification and for his support of acquisition of lands to expand the Forsythe refuge which is of particular concern to me and the people of New Jersey.

NIOBRAEA SCENIC RIVER

Mr. EXON. On May 24 the President signed legislation adding certain segments of the Niobrara and Missouri Rivers to the National Wild and Scenic Rivers System. Because these are new additions they could not be anticipated in the National Park Service's 1992 budget. The Park Service has indicated that up to $400,000 may be needed in the coming fiscal year to move forward with implementing these designations. I would like to inquire of the chairman of the Interior Appropriations Subcommittee if he has any objection to the Park Service using up to $400,000 of the appropriation in this bill for that purpose.

Mr. BYRD. I appreciate the concern raised by the Senator from Nebraska and have no objection to the Park Service using up to $400,000 of the appropriations in this bill for that purpose. I would expect the Park Service to proceed expeditiously pending their proper notification, in advance, of the Appropriations Subcommittee.

Mr. EXON. I thank the chairman. This designation is important to me and I very much appreciate his consideration.

HYDROGEN FUEL CELL STUDY

Mr. BENTSEN. Mr. President, I would like to take this opportunity to engage in a colloquy with my distinguished colleague and chairman of the Committee on Appropriations regarding a feasibility study relating to the use of hydrogen fuel cells.

Fuel cell technology has been selected as one of the top 10 critical technologies for national need by the President.

This technology will have a great impact in the future on our Nation's transportation sector by enabling us to live in cleaner air through the use of hydrogen fuel cells. This technology will provide the country with a competitive edge in the development of critical technologies.

Therefore, I would request that the Department of Energy conduct a feasibility study using hydrogen as a direct fuel in the development of fuel cell technology for transportation applications. This study would be conducted with existing funds and reported back to the committee by February 1, 1992.

Mr. BYRD. I support this request and would urge the department to move swiftly on this study.

Mr. BENTSEN. I thank the distinguished chairman for his confirmation and support for this study that will offer further insight into the use of this technology.

FISH AND WILDLIFE ECOLOGICAL SERVICES FIELD OFFICE IN AUSTIN, TX

Mr. BENTSEN. Mr. President, I would like to take this opportunity to engage the distinguished chairman of the Committee on Appropriations in a colloquy regarding the language in the committee's report relating to a new Fish and Wildlife Service Ecological Services field office for Austin, TX.

As the committee is aware, central Texas has had two birds, two fish, two salamanders, a plant and several caves dwelling invertebrates placed on the endangered species list. Any endangered species pose a real threat to the economy of the State, county, city and local governments, as well as individual landowners in a region and central Texas is no exception. To help deal with inquiries from these agencies and individuals and to work with the communities in planning for the protection of endangered species, the U.S. Fish and Wildlife Service has opened an Ecological Service field office in Austin, TX. The Fish and Wildlife Service has already spent $380,000 on the office and needs to spend an additional $500,000 in fiscal year 1992 to get the office fully staffed and functioning properly.

The committee has included report language that the Service may establish an office in Austin, TX within the available funding if that would provide efficient consultation services to that region.

I am pleased that the committee is supportive of efforts to establish an office in Austin, TX but want to clarify the committee's language. The report language of the committee is intended to direct the Service to allocate $800,000 of the funding increase, if the operation of this office is cost effective, so it can be used for other purposes.

Mr. BYRD. I am in complete agreement with the Senator from Texas.

Mr. BENTSEN. I thank the distinguished chairman for his confirmation and support of this office in Austin, TX.

A STUDY OF THE HISTORIC LODGE AT LAKE MATAWUSKEET

Mr. SANFORD. Mr. President, I would like to engage Senator BYRD in a colloquy regarding a study of the historic lodge at Lake Mattamuskeet in Hyde County, NC.

Mr. BYRD. I would be happy to discuss this matter with the Senator from North Carolina.

Mr. SANFORD. The Lake Mattamuskeet National Wildlife Refuge in eastern North Carolina is one of this Nation's richest areas for bird watching and waterfowling. It is an area full of bird life, especially during the spring and fall migrations.

The historic lodge at Lake Mattamuskeet, which is on the National Register of Historic Places, could possibly serve as offices for the Fish and Wildlife Service personnel and as a satellite facility for East Carolina University (ECU). By studying the structural integrity of the lodge, we can learn about the economic feasibility of converting this lodge to accommodate office space for both the Fish and Wildlife Service and ECU. If this joint venture between the Service and the university succeeds, we can avoid spending as much as $2 million on new facilities for the Fish and Wildlife Service.

The House has included language calling for the Fish and Wildlife Service to study the lodge. If available funds, the structural integrity of the Mattamuskeet Lodge to determine its feasibility as offices for the Service and the university. It is my hope that the Senate committee will support this House language.

Mr. BYRD. I thank Senator Sanford for taking the time to speak on the importance of this study. I will certainly give this matter my careful attention during conference committee negotiations on this bill.

Mr. SANFORD. I thank the Senator from West Virginia for his time and consideration of this matter.

THE RABIN LAKE CONSTRUCTION PROJECT IN UWAHAKCE NATIONAL FOREST AND FOR LAND ACQUISITION OF RIO GRANDE RIVER NATIONAL WILDLIFE REFUGE

Mr. SANFORD. Mr. President, I would like to engage the distinguished manager of the bill, Senator Byrd, in a colloquy on several appropriations measures affecting North Carolina.

Mr. BYRD. I would be happy to discuss these matters with the Senator from North Carolina.
Mr. SANFORD. The first matter I wish to discuss with the Senator from West Virginia is funding for the Badin Lake construction project in Uwharrie National Forest.

Due to its proximity to population centers, the Uwharrie National Forest promises to see a significant increasing number of visitors in the near future. The forest is within a 2-hour drive of two-thirds of the State's population, and more than 2,000,000 for camp each year. The area receives extensive and varied recreational uses such as hiking, fishing, and wild and endangered species observation.

Funding for the Badin Lake project will provide approximately half of the money needed to construct needed camping and picnic facilities, boat ramps, a swimming beach, and bicycle and off-road vehicle trails. Funding will also provide money needed to construct and pave the entrance road into the area.

In last year's appropriations bill, $780,000 was provided for Uwharrie National Forest acquisition. This year, $750,000 was provided for recreational development and enhancement. We must work to continue the effort to consolidate and improve and complete facilities at Uwharrie National Forest.

The House Appropriations Committee has allocated $1,833,000 for construction for the Badin Lake project and $300,000 for an entrance road for Badin Lake. I am hopeful that the Senate conference will support the House levels of funding on this matter.

Mr. BYRD. I certainly understand the concerns of the Senator from North Carolina and will give careful consideration of this construction proposal during conference committee negotiations on this bill.

Mr. SANFORD. I thank the Senator from West Virginia for his attention to this important matter, and I would like to discuss one more item of great importance to North Carolina, land acquisition for the Roanoke River National Wildlife Refuge.

The U.S. Fish and Wildlife Service, in cooperation with the North Carolina Wildlife Resources Commission, the Halifax and Bertie County Commissions, the North Carolina Wildlife Federation, and the North Carolina Nature Conservancy worked actively for 5 months to establish this refuge on the Roanoke River.

A landmark joint venture agreement, endorsed by Governor Martin, evolved from this process where three conservation partners, the U.S. Fish and Wildlife Service, the North Carolina Wildlife Resources Commission, and the Nature Conservancy, own and manage this extensive bottomland and riverine system. Through this joint venture, a memorandum of agreement was signed in which the Fish and Wildlife Service and the North Carolina Wildlife Resources Commission pursue joint management objectives under the regulations of both public agencies.

Since the mid-1980's, the State of North Carolina has protected more than 180,000 acres in the Roanoke River Basin totaling an expenditure of over $5 million. The Fish and Wildlife Service now has the opportunity to purchase over 7,000 acres to be added to the Roanoke River National Wildlife Refuge.

The Roanoke River National Wildlife Refuge is the least disturbed bottomland hardwood system in the mid-Atlantic South, with the very few functioning bottomland hardwood ecosystems on the east coast. The refuge serves as a wintering area for numerous species of waterfowl such as the black duck and a breeding area for at least 35 species of neotropical birds, including the Mississippi kite and ceculean warbler.

Mr. BYRD. I thank the Senator from North Carolina for his remarks and comments on these important matters and look forward to the conference committee's deliberations.

Mr. SANFORD. I thank the distinguished Senator from West Virginia for his time and for his attention to these matters.

Mr. SANFORD. Mr. President, I would like to discuss with the distinguished Chair, Senator Byrd, and ranking member Senator Nickles, if they would agree to reallocate the $500,000 dedicated to the Lake Champlain Special Designation Act for fisheries, fish and wildlife management account. This reallocation will have no impact on budget authority or outlays. I greatly appreciate the chairman and ranking member's dedication to fisheries resources. I look forward to the Fish and Wildlife Service's ecological services account to the Service's fisheries, fish and wildlife management account. If this matter, I would like to discuss with the distinguished Chair, Senator Byrd, and ranking member Senator Nickles, if they would agree to reallocate the $500,000 dedicated to the Lake Champlain Special Designation Act for fisheries, fish and wildlife management account.

Unfortunately, the Service's ecological service division is not responsible for the duties for which the funds are intended. More specifically, the Lake Champlain Special Designation Act directs the Fish and Wildlife Service to: First, improve the health of fisheries resources; second, control aquatic nuisance species; third, conduct a study on fisheries resources; and fourth, conduct and periodically update a survey of the fishery resources.

Mr. BYRD. I would like to discuss with the Senator from North Carolina the manner in which the funds are being used. Unfortunately, the Service's ecological service division is not responsible for the duties for which the funds are intended. More specifically, the Lake Champlain Special Designation Act directs the Fish and Wildlife Service to: First, improve the health of fisheries resources; second, control aquatic nuisance species; third, conduct a study on fisheries resources; and fourth, conduct and periodically update a survey of the fishery resources.

Mr. SANFORD. I would like to discuss with the Senator from North Carolina the manner in which the funds are being used. Unfortunately, the Service's ecological service division is not responsible for the duties for which the funds are intended. More specifically, the Lake Champlain Special Designation Act directs the Fish and Wildlife Service to: First, improve the health of fisheries resources; second, control aquatic nuisance species; third, conduct a study on fisheries resources; and fourth, conduct and periodically update a survey of the fishery resources.

Mr. SANFORD. I would like to discuss with the Senator from North Carolina the manner in which the funds are being used. Unfortunately, the Service's ecological service division is not responsible for the duties for which the funds are intended. More specifically, the Lake Champlain Special Designation Act directs the Fish and Wildlife Service to: First, improve the health of fisheries resources; second, control aquatic nuisance species; third, conduct a study on fisheries resources; and fourth, conduct and periodically update a survey of the fishery resources.

Mr. SANFORD. I would like to discuss with the Senator from West Virginia the manner in which the funds are being used. Unfortunately, the Service's ecological service division is not responsible for the duties for which the funds are intended. More specifically, the Lake Champlain Special Designation Act directs the Fish and Wildlife Service to: First, improve the health of fisheries resources; second, control aquatic nuisance species; third, conduct a study on fisheries resources; and fourth, conduct and periodically update a survey of the fishery resources.
$500,000 dedicated to the Fish and Wildlife Service's Lake Champlain activities to the Service's Resource Management, Fisheries, Fish and Wildlife management account in conference.

Mr. MIKULSKI. I would like to engage the distinguished chairman of the Interior Appropriations Subcommittee in a colloquy concerning Atlanta, GA's request to be designated an area of Fish and Wildlife Service port of entry.

The city of Atlanta is fortunate to have experienced significant economic growth over recent decades and is now developing a strong competitive position in the global marketplace. Unfortunately, as the chairman and I have discussed, this progress is being hindered by inadequate Fish and Wildlife inspection capability. An estimated $65 million is lost to Georgia's economy each year because of lack of port of entry status. This designation is critical to the future economic development of Georgia and the entire Southeast region.

In 1985, the Fish and Wildlife Service acknowledged Atlanta's increasing volume of wildlife imports and exports and established a wildlife inspector position to inspect these shipments. Since that time, Atlanta has experienced significant economic growth in international trade. Hartsfield International Airport now logs over 12,000 international flights each year, serving 26 foreign destinations. Atlanta is the nation's only inland seaport, with 25,000 ocean containers arriving annually by rail on Atlanta ocean bills of lading. Because Atlanta is not now an official port of entry, any shipment to be inspected by the U.S. Fish and Wildlife Service must be accompanied by a special permit, which is given only in limited circumstances. Without the permit, shippers must forgo the significant economic growth at Hartsfield International Airport and ship through Miami or New York, the only two designated ports on the east coast at this time. Even with these complications, Fish and Wildlife inspections in Atlanta increased from 577 in 1985 to 975 at the port of entry at New Orleans. As Atlanta prepares to host the 1996 Summer Olympics, we can only expect even greater demands to be placed on our inspection capability.

In the committee-reported Interior appropriations bill for fiscal year 1992, I am aware that the committee has allocated funds so that a port of entry can be established at Baltimore, MD. I know that the chairman has worked for some time to secure this designation, which promises important benefits for the Middle Atlantic region. While I had hoped that such a provision could be made for Atlanta as well, I understand that the chairman's support for future consideration of Atlanta's request for port of entry status. I hope that at the appropriate time Atlanta's pressing need for improved inspection capability will be made a priority for attention by the subcommittee and the Fish and Wildlife Service.

Mr. BYRD. I appreciate the Senator from Georgia bringing this request to our attention. I am aware of the significant economic costs which Atlanta and the Southeast as a whole now bear due to lack of port of entry designation. I will assure the Senator that Atlanta's request will be given every consideration by the subcommittee. I will also expect the Fish and Wildlife Service to study Atlanta's inspection needs as the first step to establishing a port of entry and to report back to the subcommittee by February 1992.

Mr. SASSER. The committee report accompanying H.R. 3586 contains a line item appropriation in the National Park Service construction account for the Foothills Parkway in Tennessee. The appropriation is broken down into two categories: $35 million for construction and $2,400,000 for construction. Would the Senator from West Virginia agree that the money is intended to continue resurfacing work that is being done on the parkway, and therefore no planning funds are necessary? Would the distinguished chairman also agree that all of the $3 million provided should be included in the construction category?

Mr. BYRD. The distinguished Senator from Tennessee is correct. I agree that no planning funds are necessary to continue this vital resurfacing project and that all of the $3 million should be in the construction category of the National Park Service construction account.

Mr. MIKULSKI. I know that the Senate Appropriations Committee has reviewed the request for the Foothills Parkway. I concur with the Senator from West Virginia that all of the funds provided should go for construction.

Mr. BYRD. I would be happy to yield.

Mr. MIKULSKI. It was the understanding that in the Appropriations Committee's markup of the Interior bill now on the floor, an amendment was offered on behalf of myself and Senator SARRANES which added $65,000 to the annual grant provided by the National Park Service to the Alice Ferguson Foundation.

The Alice Ferguson Foundation operates the Elizabeth Farm, located in the Piscataway Park. The farm provides environmental education for schoolchildren from throughout the Washington, D.C., metropolitan area.

Was this amendment adopted and is this increased grant reflected in this bill?

Mr. BYRD. The distinguished Senator from Maryland is correct. During the markup of the Interior Appropriations bill, the Appropriations Committee adopted an amendment which I offered on behalf of Senator SARRANES. This amendment added $65,000 to the approximately $35,000 annual grant provided by the National Park Service to the Alice Ferguson Foundation.

Therefore, the $89,558,000 included in the bill for the National Park Service management of park areas includes the committee's recommendation that $100,000 be provided to the Alice Ferguson Foundation in Accokeek, MD.

Mr. MIKULSKI. I thank the distinguished Senator for his contribution.

Mr. SARRANES. I join my colleagues, Senator MIKULSKI, in supporting this increased appropriation for the Alice Ferguson Foundation. These increased funds will allow the foundation to continue its excellent work in introducing schoolchildren—many who have never lived outside an urban environment—to life on a farm, and to important environmental issues. I thank Chairman BYRD for accepting Senator SARRANES's amendment in conference, and for his clarification today.

CAPE COD NATIONAL SEASHORE

Mr. KENNEDY. Mr. President, I would like to engage the chairman in a brief colloquy to clarify the intent of a provision in the Interior appropriations bill.

First, let me thank the chairman for his inclusion of funds to address long-deferred maintenance and staffing needs at the Cape Cod National Seashore, to ensure that the Seashore remains one of the Nation's crown jewels.

I am also deeply appreciative of his assistance including $100,000 for the purchase of a new crane for the Seashore.

In this provision that I would like to discuss with the distinguished chairman.
September 19, 1991

CONGRESSIONAL RECORD—SENATE
S 13319

Through the years, visitors to the Cape Cod National Seashore have been responsible for a substantial part of the solid waste that has been deposited in the landfill used by Provincetown. The Senate and the National Park Service and town officials have been discussing a plan to construct a transfer station on owned land outside the seashore boundaries, to handle future solid waste. The Senate would request that the :

Mr. BYRD. I would say to the Senator that this project sounds like a worthy effort.

Mr. DODD. I appreciate the distinguished President pro tempore's kind words. In addition to that, the House Appropriations Committee's report accompanying its bill includes language within the National Park Service's National Recreation and Preservation Program earmarking $250,000 for technical assistance for resources along the Quinebaug-Shetucket River.

I understand that budget constraints prevent the earmark for being included in the report issued by the distinguished chairman and the Senate Appropriations Committee. I would simply request that the distinguished chairman see if there might not be some way of including money for the study in the conference report.

Mr. BYRD. I would say to the senior Senator from Connecticut that, given the budget constraints he has just mentioned, a project might be difficult. I anticipate that money allocated for many purposes in the Senate bill will be reduced. Nevertheless, I understand the Senator's interest in this project and we might see if there might be some way of accommodating him during the conference.

Mr. DODD. I thank the chairman of the Appropriations Committee for his willingness to consider this matter. I also very much appreciate the strong leadership and the wisdom he brings to appropriations matters, both as chairman of the Interior Subcommittee, and as chairman of the full committee, and I appreciate his willingness to consider this matter.

Mr. McCAIN. I would like to ask the distinguished chairman of the Appropriations Committee if he would yield for the purpose of a brief colloquy?

Mr. Caroll. I would be glad to yield to the Senator from Arizona (Mr. McCAIN).

Mr. McCAIN. I would like to raise a question regarding the BIA EARN Program. The EARN Program, or Environmental Assistance Research and Training Program, was a 3-year, community-based demonstration project designed to enable Indian individuals, who receive general assistance to achieve sustained and meaningful work and to develop job skills. Several tribes, including the Tohono O'odham Nation in Arizona, were selected in fiscal year 1988 to test the concept. The demonstration period is due to expire on September 30. Mr. Caroll's department, after consultation, requested no funds to continue the program in fiscal year 1992.

Both the Senate and House reports on H.R. 2866 recognized the success of the Tohono O'odham's work and directed the BIA to use from $8,000,000 to $10,000,000 in general assistance funds to continue existing EARN programs in fiscal year 1992. The two reports mentioned specific tribes involved in the demonstration project, but omission of the Tohono O'odham Nation. Since this BIA evaluation of the projects recommended the project as a success and since the BIA Phoenix Area Director has recommended to the Assistant Secretary that the Tohono program be refunded for the year 1991, I am sure this was an oversight.

Would the chairman of the committee advise the Senate, first, if there is authority for BIA to continue the EARN Program in fiscal year 1992 using general assistance funds and, second, if this continuation should cover all successful programs, including the Tohono O'odham Nation project?

Mr. BYRD. Mr. President, first let me say that, since both our report and the House report have directed BIA to continue the EARN Program in fiscal year 1992 using general assistance funds, we clearly believe there is authority for them to do that.

Second, let me assure Senator McCain that the fact that the Tohono O'odham Nation EARN Program was not specifically mentioned in our report does not mean that it should not be refunded. I understand the program was highly rated in the evaluation and that the area director has recommended that it be continued.

Mr. CHAIRMAN. I thank the distinguished chairman and commend him for his efforts to continue funding for the EARN Program.

FUNDING FOR SOIL PRODUCTIVITY RESEARCH IN RESEARCH TRIANGLE PARK, NC

Mr. SANFORD. Mr. President, I would like to engage the distinguished manager of the bill, Senator Byrd, in a colloquy on funding for the National Park Service's soil productivity research in Research Triangle Park, NC.

Mr. BYRD. I would be happy to discuss this matter with the Senator.

Mr. SANFORD. As the chairman knows, much debate has occurred regarding the effects of timber activities, and long-term site productivity ranks highly among these concerns. The willingness of the Senate to support timber harvesting in the future will be greatly assisted by our ability to demonstrate a knowledge of when, where, and how to ensure minimal site impact. By studying different combinations of harvesting techniques, soil type, vegetation, and other factors, we can find which combinations will result in the least impact on our forests.

In the past year, the Research Triangle Park Work Unit (RWU SE-4102) joined a national network of experimental sites that are involved in research to determine the effects that logging on a site will have on the land. Their research centers on the effects of organic matter removal and soil
compaction. These are two factors that are most often altered by timber harvesting activity. Funding for fiscal year 1992 will allow the Forest Service to continue this important research on the many factors that can affect long-term site productivity. In time, the findings from the North Carolina site will eventually be linked to results from other national forests involved in the national study.

I would like to commend that the Senate Appropriations Committee has included a $250,000 increase in funding for the soil productivity research in Research Triangle Park, North Carolina, and I am hopeful that the Senate conferences will continue to support this important research.

Mr. BYRD. I thank the Senator from North Carolina for his comments in support of the soil productivity research. This is included for an uncertainly give this matter their careful attention.

Mr. SANFORD. I thank the Senator from West Virginia for his consideration of this matter.

ORIGIN OF FISH HABITAT

Mr. HATFIELD. Mr. President, I would like to engage the chairman in a brief colloquy to clarify a matter that was included in the Senate report from the fiscal year 1992 Interior and Related Agencies appropriations bill.

Also, I would like to take this opportunity to thank the chairman for his inclusion of funds to begin implementation of the Land Management's anadromous fish habitat management plan for the Columbia and Snake River Basins. I want to make sure that the chairman agrees these funds, which are in line with the management plan and the salmon summit agreement, do not affect long-term, carry over, and important fish activities in Oregon, Washington, and Idaho.

Mr. BYRD. Mr. President, I want the distinguished Senator from Oregon to know that the funding is intended for the three Pacific Northwest States.

OREGON TRAIL PROJECT

Mr. HATFIELD. Mr. President, I would like to commend the State of Oregon and the Oregon Trail Coordinating Council for their efforts in coordinating the events planned for the Oregon Trail Sesquicentennial and the plans for the four Oregon interpretive centers in support of the Oregon End of the trail project I am offering this $250,000 amendment. The amendment would provide funding for planning and design for a visitors center at Oregon City, OR.

As I have discussed with Chairman Byrd, the committee is concerned with the scope and cost of the project. Funding opportunities for worthy projects such as this are continuing to diminish as we strive to reduce our Federal deficit. Therefore, the committee expects that the Federal share for the project would be substantially reduced in scope compared to that conceived presently by the non-Federal cost-sharing participants. The committee expects a further report from the Oregon Trail Coordinating Council on the project scope and on the total cost, including cost-sharing allocations, prior to the appropriation of any additional Federal funds for this project.

Mr. BYRD. Mr. President, the distinguished Senator from Oregon has spoken to me regarding the end of the Oregon Trail and at a higher funding level. As we have discussed, I agree with the Senator that the scope and Federal cost of the project needs to be reduced.

FUNDING OF THE REPUBLIC OF PALAU

Mr. INOUYE. Mr. President, I rise to share with my colleagues some concerns expressed by the Government of Palau about the use of Federal funds appropriated to the Republic of Palau.

I ask unanimous consent that the text of a letter from the President of Palau, president of the Senate, and house speaker, setting forth their concerns, be printed in the Congressional Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

REPUBLIC OF PALAU,
OFFICE OF THE PRESIDENT,
HON. DANIEL K. INOUYE,
Senator, State of Hawai'i
WASHINGTON.

DEAR SENATOR INOUYE: The people of Palau need your help to restore the process for determining our island's budget for the fiscal year 1992. This process was superseded by a new practice that the Department of the Interior instituted last year in violation of the clear intent of the fiscal year 1991 Interior appropriations act. Although the conference report on that law directed that our government should continue to have flexibility in spending the grant for its operations, the Interior Department 'earmarked' the purposes for which the grant could be spent, thereby dictating what our local budget had to be.

Interior's earmarking effectively rewrote the appropriations law and contradicted the Trusteeship obligation of the United States to provide increasing self-government to our people. It was also fiscally unsound in that it overfunded some functions of government, underfunded others, and failed to fund still others.

The Government of Palau is in a better position than the Interior Department to determine the needs of Palau. To deny our elected leaders a real opportunity to determine these needs is to make a mockery of democracy.

We are trying to responsibly manage fiscal affairs and overcome problems created by past mismanagement and neglect. We want Interior to help us in these efforts... not undermine us. We welcome their advice, need their technical assistance, hope there can be a mutual agreement on priorities, and recognize the ultimate authority of the United States. Palau should, however, have a chance to manage its own.

We hope that you will agree with the language in the fiscal year 1992 Interior appropriations bill, H.R. 2686, that would provide Palau with the authority to determine how to spend the support the Congress provides for it. At the very least, however, we hope that you will agree that only the Congress should make final Federal decisions on what appropriations should be spent for. A model for such a decisionmaking process is found in this bill's language regarding assistance to the Northern Mariana Islands.

Thank you for your past assistance and considering this request.

Sincerely,

NORBECK INOUYE,
President, Republic of Palau.

Mr. INOUYE. Mr. President; the House fiscal year 1992 Interior appropriations bill includes language which allows Palau to use its operating funds "as determined by the Government of Palau."

The Senate counterpart does not include the House provision. Rather, based on the General Accounting Office's finding that Palau has experienced fiscal problems and widespread internal control weaknesses, the Senate included report language that the Department of the Interior should not be precluded from exercising Federal funds for Palau "if such earmarking contributes to the resolution of Palau's serious financial problems or if it assists the Department in meeting United States responsibilities in Palau under the U.N. trusteeship agreement."

I respectfully request that Senator Byrd, chairman of the Interior Appropriations Subcommittee, and Senator Nickles, the ranking minority member, keep Palau's concerns in mind when they address this issue during the Conference.

Mr. BYRD. I assure the Senator that I will keep the concerns of the Government of Palau in mind when the conferences deliberate this issue.

Mr. NICKLES. I will also keep Palau's concerns in mind during the conference.

EARMARKING FUND FOR INDIAN CHILD PROTECTION

Mr. McCAIN. I would like to ask the distinguished chairman of the Appropriations Committee if he would yield for the purpose of a brief colloquy.

Mr. BYRD. I would be glad to yield to the Senator from Arizona (Mr. McCain).

Mr. McCAIN. I want to commend the distinguished chairman for all his efforts in considering the needs of Indian tribal governments across the Nation.

As the vice chairman of the Select Committee on Indian Affairs, I also have become intimately familiar with the needs of many tribal governments, in Arizona and across the Nation. One of the most troubling issues that I have encountered has been the issue of child abuse and family violence in Indian country.

Last year, the Senate took action to begin addressing this very difficult issue when it passed the Indian Child Protection and Family Violence Prevention Act, Public Law 101-830. As
important as that action was, it will not have its full impact until the Congress appropriates the necessary funding for the Federal agencies to meet their statutory responsibilities.

Mr. BYRD. Mr. President, the Senate Appropriations Committee has approved a significant amount of growth in funding for the Indian Health Service's Alcoholism Program. This, of course, is another problem that has had us, Noting this increase in Indian country and deserves our attention. Yet, I believe we can utilize $2 million from what the committee has provided in its committee mark for alcoholism and begin to use it to begin to fund the child abuse programs authorized in Public Law 101-630.

Would the chairman agree with me that by using $2 million from the alcoholism program and making it available to the mental health program for child protection, we can meet an important need and still provide for a significant amount of growth in the alcoholism program?

Mr. MCCAIN. I agree with the Senator from Arizona. There is no objection to transferring $2 million from the committee's recommendation for alcoholism to the mental health program to carry out future child abuse programs authorized in Public Law 101-630.

Mr. MCCAIN. I wish to comment on the committee's remarks for identifying funds to meet this needs of child abuse treatment and prevention programs for the Navajo and Hopi Tribes, and the Bay Mills Indian Community.

It was recently brought to my attention that the Havasupal Tribe in Arizona is in critical need of funding to continue counseling services for several children who were sexually abused. This particular request was too late for action to be taken at the full committee level. I would like to ask the distinguished chairman to earmark $24,000 for the Havasupal Tribe out of the $2 million identified for IHS child protection programs, to be consistent with the committee's provision for the establishment of a universal system of care for existing tribal child prevention and treatment programs?

Mr. BYRD. Yes, I agree. The Senator's suggestion is entirely consistent with the intention of the committee.

Mr. MCCAIN. I thank the distinguished chairman.

Mr. DASCHLE. Mr. President, I would ask the chairman of the committee, Mr. Byrd, if he might enter into a colloquy with me to clarify a matter of great importance regarding funding in this bill for the Indian Health Service:

Mr. President, it is my understanding that by discussions with the distinguished chairman, that the committee will not object to the transfer of $653,000 from the increased funds recommended for the Indian Health Service alcoholism programs for the consumption and health clinics programs for the purpose of planning and implementing a recruitment and retention program for physicians and other health care professionals through the University of South Dakota School of Medicine. Is my understanding correct?

Mr. BYRD. Mr. President, the chairman is correct.

Mr. DASCHLE. Mr. President, I thank the chairman for his support of this idea. This idea has been developed through a cooperative effort of South Dakota's tribes, the Indian Health Service, the University of South Dakota School of Medicine, and the state of South Dakota. It is the logical product of years of work and is intended to improve the health status of native Americans by addressing the serious shortage of qualified health care personnel on Indian reservations.

This program is the logical place to initiate such a program in light of the area's especially severe shortage of health care professionals. Infant mortality and morbidity rates are twice that of the United States Indian population. The age-adjusted death rate is more than twice that of the U.S. Federal Indian health program is designated as "hard to fill" sites. And, finally, Aberdeen area physicians support patient workloads that are among the highest in the Indian Health Service. If this program is successful, it will serve as a model for other recruitment and retention programs and could be replicated in other underserved IHS areas.

I should also note, Mr. President, that an important focus of this program is to encourage Native Americans to enter the health care profession and to recruit native American health care professionals for service in Indian areas. That is why I am aware of the committee's concern about the lack of native American health care professionals. I share that concern, want to pledge my support for efforts to address it, and am pleased that this program will help meet that goal.

Again, I want to thank the distinguished chairman for his valuable support of this effort and for his leadership on issues related to health care for native Americans.

Mr. MCCAIN. Thank you for your remarks. On behalf of the committee, I want to thank the distinguished chairman.

Mr. JOHNSTON. I would like to engage the distinguished chairman in a colloquy regarding funding for the Insular Territories.

As chairman of the Committee on Energy and Natural Resources, which has jurisdiction over the insular areas, I am particularly sensitive to the concerns of the Insular Areas. Although I have often seek the assistance of the committee in meeting those needs, this year has been a particularly difficult one for the Interior Subcommittee that is responsible by the Subcommittee's allocation. However, there is one need of particular concern to which, I would like to urge the chairman's sympathetic consideration as this legislation moves to conference.

As most of my colleagues are aware, the Virgin Islands was devastated by Hurricane Hugo. While the Federal Government responded swiftly and effectively to this disaster, Federal assistance does not cover all of the costs of reconstruction.

In addition, the massive reconstruction effort that is underway offers an excellent opportunity for the Island's government to undertake infrastructure projects that were either underway or planned at the time of the disaster. This is the case with the Virgin Islands.

The government of the Virgin Islands was either in the process, or soon to undertake, a series of public facility improvement projects targeted at health and education facilities at the time Hugo struck. Incorporating these improvement projects with the ongoing disaster reconstruction effort would significantly reduce the cost of these projects, and would increase the effectiveness of Federal funding.

Mr. MCCAIN. Mr. President, it is a responsibility to see that certain basic needs of all of our citizens are met. Adequate health and education facilities are a part of these basic needs. Given the chronic economic underdevelopment of many of our insular areas, these basic needs cannot be met without Federal assistance. The government of the Virgin Islands has raised $124 million to help meet these needs, and has asked Congress to contribute $35.5 million to cover part of the cost of these projects.

Accordingly, I most respectfully urge the chairman's support for this request from the Virgin Islands when it comes before the committee.

Mr. WALKOP. Mr. President, as the ranking Republican member of the Committee on Energy and Natural Resources, I would like to associate myself with the remarks of the chairman of the Appropriations Committee. The need is clear. The assistance of the Federal Government is required, and the current reconstruction effort assures that Federal assistance will be most effectively used at this time.

Mr. JOHNSTON. I appreciate the remarks of my colleague and assure him that I understand and share his concern for meeting the basic needs of the people of the Islands. This item will be given every consideration. In addition, the committee remains concerned about the delays in passage of the Insular Areas Disaster Relief Act which twice passed the Senate last year.

Mr. JOHNSTON. I thank the Chairman.

Mr. WALKOP. Mr. President, as the ranking Republican member of the Committee on Energy and Natural Resources, I would like to associate myself with the remarks of the chairman of the Appropriations Committee regarding these needs.
CRAIG; $536,000
cha. irma j. Lujan, during Secretary in Recreation viewed the great need for additional ity account for tional Park months. Department of the Interior projects in Economic Chickasaw accompanied Oklahoma. On July 2, this important matter. mark that need for additional maintenance fund-

ing at the Chickasaw system to areas within other camping facilities at the Chickasaw National Recreation'Connor established 1'3322 CONGRESSIONAL RECORD; SENATE September 19, 1991

This project would upgrade the water system which currently serves the Red Lake Indian Reservation. The project has already been supported by the Congress. The study is now complete and has been reviewed recently by the National Park Service Director. The Park Service has agreed to an aggregate value of $30,000 which would produce four or five thematic trails— for example, maritime history, coastal ecology, recreation—and a north and south anchor for the trail.

I want to emphasize that this is a long-term investment in a project with a cost to date of roughly $900,000. The trail literally encompasses a whole New Jersey coastline with all its diversity. It is not a Federal acquisition or strong-arm approach to preservation.

On the contrary, it encourages local pride and local control.

The Park Service is ready to go, but it cannot proceed without direction from Congress. I ask that $300,000 be earmarked to the New Jersey Coastal Heritage Trail from the sums already appropriated to the National Park Service for rivers and trails. This money will allow development and implementation of the New Jersey Coastal Heritage Trail. This additional funding will mean the difference be-

The PRESIDING OFFICER. Is there objection to the unanimous consent report? The Chair hears none.

The amendments are agreed to. The amendments agreed to en bloc are as follows:

RED LAKE INDIAN RESERVATION

Mr. WELLSTONE. Mr. President, I would like to engage the distinguished floor manager in a brief colloquy regarding the plan to upgrade the water system to areas within the Red Lake Indian Reservation in Minnesota.

Mr. NICKLES. Mr. President, 2 months ago I was pleased to host the Secretary of the Interior, Manuel Lujan, during his visit of several De-

partment of the Interior projects in Oklahoma. On July 2, Secretary Lujan accompanied me on a tour of the Chickasaw National Recreation Area near Lawton, Oklahoma.

I also appreciate the Chair's agreement that many of Chickasaw's facilities were in need of improvement.

The report on this legislation, the fiscal year 1993 Interior and Related Agencies appropriations bill, provides a $30,000 maintenance increase for the Chickasaw N.R.A. Since the bill was reported to the floor, it is my understanding that the chairman of the Appropriations committee, Senator Byrd, has reviewed the great need for additional maintenance funding, as well as funding for campground improvements such as electrical hookups and bath-

room and shower facilities at the Chickasaw N.R.A.

I am informed that the chairman has agreed to provide a total maintenance increase for the Chickasaw N.R.A. of $100,000 from within general maintenance fund accounts. It is also in-

formed that the $50,000 of the funding provided in the bill for general management planning be used to develop an im-

provement plan to the campground areas at the Chickasaw N.R.A. I thank the chairman for his cooperation on this important matter.

Mr. BYRD. Mr. President, I thank the Chair for the comments. I agree that there is a great need for additional maintenance funding at the Chickasaw National Recreation Area, and I support the Senator's request to provide a total increase of $100,000 for that purpose in this bill.

I also appreciate the Senator from Oklahoma's desire to improve the campground facilities at the Chickasaw N.R.A. I share his concern about the lack of electrical hookups and other camping facilities for visitors at this park, and as such I support his request to earmark $50,000 from within the general management planning account to develop an improvement plan for the campground areas at the Chickasaw N.R.A.

NEW JERSEY COASTAL HERITAGE TRAIL

Mr. BRADLEY. Mr. President, today I rise to request that the Senate agree to provide a small amount of money out of available funds for the New Jersey Coastal Heritage Trail, an interpretative project now underway by the National Park Service.

The Coastal Heritage Trail has been under study by the National Park Service for the past 3 years and has been reported by the Congress. The study is now complete and has been reviewed recently by the National Park Service Director. The Park Service has agreed to an aggregate value of $30,000 which would produce four or five thematic trails— for example, maritime history, coastal ecology, recreation—and a north and south anchor for the trail.

AMENDMENTS NO. 1178, 1179, 1180, 1181, AND 1182

Mr. BYRD. Mr. President, I send to the desk the following amendments: an amendment by Mr. MITCHELL; an amendment by Senators SIMPSON and MURkowski; an amendment by Sena-

tors WELLS and Craig; and an amendment by Mr. CRAIG; and an amendment by Mr. BYRD.

I ask unanimous consent that the amendments together with the companion amendments be considered and agreed to en bloc; that the motion to reconsider en bloc be laid on the table; that the bill be deemed as having been read the third time; that statements and colloquy by any Senators in explanation of the amendments be printed in the Record at the appropriate places; and that if any amendment amends a number that has already been amended, that that be in order and be agreed to.

Mr. President, I thank all Senators. The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. NICKLES. Mr. President, we have agreed to those amendments, and we have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The amendments are agreed to. The amendments agreed to en bloc are as follows:
On page 11, line 22, strike “$86,650,000” and insert in lieu thereof “$96,750,000”.

MAINE ATLANTIC SEA-RUN SALMON COMMISSION

Mr. MITCHELL. Mr. President, this amendment would provide $100,000 in Federal matching funds under the Anadromous Fish Conservation Act for the operation of the Maine Atlantic Sea-Run Salmon Commission.

A number of Maine’s rivers support this Nation’s last remaining, self-sustaining natural salmon. Maine’s Atlantic Sea-Run Salmon Commission, an independent State agency, has played a critical role in the restoration and production of stocks that assure continued survival and, we all hope, enhancement of the State’s salmon resources. Unfortunately, Maine’s current fiscal crisis and the failure of the President’s budget to request Federal funding under the Anadromous Fish Conservation Act could result in drastic reductions in the Commission’s budget and thereby curtail severely the State’s salmon restoration program.

Maine’s rivers are a vital part of Maine’s heritage and are important to its tourist industry. Even a short-term loss of funding will jeopardize the considerable investment that has been made to restore this resource.

The loss of Federal funding threatens to nullify the benefits of countless hours of labor on the part of dedicated volunteers who have assisted in salmon restoration projects. Maine’s rivers are a valuable natural resource that, once lost, could not be replaced.

I would like to thank the distinguished chairmen of the Appropriations Committee, therefore, for their cooperation in restoring $100,000 in Federal matching funds for the continued operation of this Commission. It is a matter of great importance to the State of Maine’s Atlantic salmon resources.

AMENDMENT NO. 1179

On page 74, after line 10, insert the following:

With regard to funds made available for salmon under a general request for proposals under this head in previous appropriations Acts, if, due to an insufficiency of funds, the Secretary selects other than the qualifying proposal ranked highest by the Source Evaluation Board in a specific technology category and sufficient funds subsequently become unobligated to find such qualifying proposal, such unobligated funds, up to $44,000,000, shall be rebidawged by the Secretary to find such proposal, notwithstanding any other provisions of law.

AMENDMENT NO. 1180

On page 196, line 14, delete all beginning with “small” through “Act.” on line 18.

Mr. BYRD. Mr. President, I offer a technical correction on behalf of Senator Nickles and myself.

It is our understanding that when the Senate adopted amendment number 1175 earlier today, certain language was inadvertently duplicated in the bill.

Our technical amendment would delete the repetitive language.

AMENDMENT NO. 1181

(Purpose: To increase the appropriations for the United States Fish and Wildlife Service and the Bureau of Mines, with an offset)

On page 84, line 1, decrease the amount by “$600,000.”

On page 19, line 21, increase the amount by “$500,000.”

Mr. CRAIG. Mr. President, the allotment grants for 30 mining schools across the country should be funded at $4.5 million. However, because of the difficult fiscal times that we find ourselves in, I am grateful that the Chairman and ranking member have been able to find $500,000 for this purpose.

It is my intent that the funds for my amendment be available for supporting graduate students in the mining schools. In future years it is my hope that we can fully fund these allotment grants at our historic levels.

AMENDMENT NO. 1182

At the appropriate place in the bill, insert the following:

Sec. 1. None of the funds appropriated in the Energy and Water Development Appropriations Act, 1992 (Public Law 102-104) shall be used to implement the proposed rule for the Army Corps of Engineers amending regulations on “ability to pay” (33 CFR Part 227), published in the Federal Register, Vol. 56, No. 114, on Thursday, June 13, 1991.

Mr. BYRD. Mr. President, the committee has become aware of a proposal by the Corps of Engineers to revise rules for determining the non-Federal sponsor’s ability to pay its share of the cost of a flood control project. Section 103(m) of the Water Resources Development Act of 1980 required the establishment of procedures under which economically underprivileged areas could obtain some relief from the cost sharing requirements established by that Act. In section 305 of the Water Resources Development Act of 1990, Congress intended to modify those procedures to make them more flexible in granting relief in cases where communities could not afford the normal cost sharing.

The committee has learned that the Corps’ proposed rule will actually decrease the non-Federal share compared to the existing ability to pay rules, thus thwarting congressional intent. While the 1990 legislation required the new rule to be established by November 1991, the committee believes that additional time is needed to allow Congress to review this matter and has therefore included a restriction on implementation of the new rule.

The committee intends to review this matter with the authorizing committee next year. Procedures that are presently in place will continue to remain in effect until Congress has had an opportunity to review this further.

By unanimous consent the amendments were engrossed and the bill was deemed to have been read a third time.

The PRESIDING OFFICER. The bill deemed to have been read a third time, the question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah (Mr. GARD) the Senator from Oregon (Mr. PACKWOOD), and the Senator from California (Mr. SLYCAMO) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mr. SLYCAMO) would vote “yea.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 93, nays 3, as follows:

[Vote Call No. 200 Leg.]
Mr. BYRD. Mr. President, I move that the Senate insist on its amendments to the bill which were offered by the House of Representatives and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to, and the President appointed Mr. BYRD, Mr. Johnston, Mr. Leahy, Mr. DeConcini, Mr. Bumpers, Mr. Hollings, Mr. Reid, Mr. Nickles, Mr. Stevens, Mr. Garn, Mr. Cochran, Mr. Rudman, Mr. Dombeck, and myself.

Mr. BYRD. Mr. President, I want to take this occasion to thank my colleagues on the other side of the aisle, the ranking member, Mr. Nickles, for the splendid workmanship that he has demonstrated throughout our hearings this year and throughout the markup on the bill and throughout the actions on the bill and during these hearings, we found requests that we have had better cooperation, and I am delighted that I have such a fine partner on the other side of the aisle with whom to work. I have, of course, always worked well with his predecessor, the late Senator Jim McClure, but I say that this young man is falling right into those footsteps. I could not have asked for a better comanager with whom to work throughout this whole process. I thank him.

I also want to thank our two leaders for helping us to get the legislation up, and I thank all Senators on both sides of the aisle for their cooperation. I thank those who wanted more and could not get it. I thank those who would have had amendments adopted and we had to turn those down because of the constraints that were upon us, budgetwise.

It was a difficult bill. As I indicated earlier, I hope that there will be no more, I suppose, than any other subcommittee had. We always do have that in the Interior Appropriations Subcommittee.

I also want to thank the ranking member of the Senate Appropriations Committee, Senator Hartfield, and the majority leader, Senator Bumpers, for their help when the bill was before the full committee.

Last and certainly by no means least, I thank all of our fine staff people who have been so helpful, courteous and understanding all the way, without whom we could not have done the job: On majority staff of the full committee: Jim English, Mary Dewald, and Anita Skadden; the minority staff of the full committee; and the majority staff of the Interior subcommittee: Sue Masica, Rusty Mathews, Ellen Donalson, Carla Bursyk, and Charlie Estes; and the minority staff of the Interior subcommittee: Carol Cooper and Lynn James.

Mr. NICKLES. Mr. President, I would like to thank my senior colleague, the chairman of the subcommittee and chairman of the full committee, Mr. Leahy. It has been a pleasure working with him. We have worked on this bill on and off for a week. It was not necessarily easy. We had several contentious amendments, but I am pleased the way the bill came out. I think we have a good bill.

I might again tell my colleagues the outlays increase in this bill are by about 1 percent, budget authority by about 2 percent. So we did have a lot of demands. Actually, we had over 9,000 requests from our colleagues. So it was very difficult putting this bill together.

I compliment Senator Byrd for his leadership, but also his staff, Charlie Estes, Sue Masica, and my staff, Charlie Cooper. I think they did an outstanding job.

I also would like to thank the leadership, Senator Mitchell, Senator Dole, and also Senator Wollor, who helped us on this bill, as well as Senator Hatfield.

I might ask the Chair, I think Senator Hartfield's name is supposed to be listed as a conference. I am not sure I heard his name.

The PRESIDING OFFICER. Senator Hartfield's name was not on the list provided the Chair.

Mr. BYRD. Mr. President, I ask unanimous consent that Senator Hartfield's name be added to the list of conferees.

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

Mr. NICKLES. I thank my friend and colleague from West Virginia and I thank Senator Hartfield and his staff for their help in the consideration of this bill. We passed a good bill. I am going to have a difficult conference to say the least, as many items we have in this agreement, with the House. We will look for a long but, hopefully, successful conference.

Mr. GRAHAM addressed the Chair. The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I wish to add my voice to the commendations that have been earned by the managers of this difficult but important piece of legislation.

I would like to take this brief opportunity to discuss an area within this bill which I think is very important to the Nation, as an area that has been designated as one of the unique ecosystems of the world by the United Nations, and that is the Florida Everglades.

The Florida Everglades represent a national treasure which we hold in trust for the world. It contains the second largest national park in the Continental United States.

It also contains a major national wildlife refuge. It contains some of the greatest diversity of plants and animals on the planet. It is also an extremely threatened area. It is an area which just a few years ago was being consigned to the list of extinguished areas, areas that had so been robbed of their natural qualities that they could, in fact, no longer function as the system as we had known it.

There has been a major effort, Mr. President, to reverse that prognosis of terminal illness, and there has been some considerable early indication of success in that effort. It has been accomplished through a partnership, a partnership which included many thousands of private citizens and non-governmental organizations, but also a particularly close relationship between the Federal Government, various agencies of this Government, and the State of Florida.

As an example, one of the early indicated steps needed to protect the Everglades was the construction of a buffer zone around Everglades National Park. The purpose of this was to provide additional protection for the natural flow of water into the park.

That buffer zone has not been acquired solely with Federal funds, although its principal purpose is to protect a Federal investment. Rather, it has been acquired by a very compatible and significant sharing of responsibility between the State and the Federal Government. For most of this buffer zone, the State has dedicated to the Federal Government. It owned, transferred it to Federal ownership and then paid 20 percent of the cost of the private land that had to be acquired, all of which was done in order to protect a Federal investment, a Federal investment which I might remind the President, is largely itself the result of a grant of land by the State of Florida to the Federal Government prior to the establishment of the park in 1978.

What does all that background have to do with the bill we just passed? There were several important items in this bill which I take this occasion to comment upon because there is going to be some discussion of these in the conference committee and I would like to outline why I think they are so important.

One relates to an important part of that buffer zone. One of the largest areas which is buffered is referred to as the State of Florida. Specifically, we have gone for several years without making any progress toward bringing that area, although authorized, into public ownership. I am pleased that in this bill for the first time in several years there is funding for commencement of the acquisition of that area.

Second, there is funding in this bill for the construction of some of the water control devices which are necessary in order to begin to restore the natural flow of water into Everglades National Park. For almost a half century or more, water into the park has been very mechanically regulated, and that mechanical regulation has been a threat to the essential function and foundation of the park. Now we recognize that what needs to occur is a restoration of the natural water flow. These construction funds will help us toward that objective.

A third critical item is water quality. The Federal Government has been in litigation against the State relative to the State's policies of enforcing water
quality into the park. I am pleased to say that our former colleague, now Gov. Lawton Chiles, has been instrumental in moving toward a settlement of that situation. What is not in the缓冲 zone but is actually going to be added to within the boundaries of Everglades National Park. That area is so critical because we cannot restore the natural water flow into the park unless we acquire public ownership over the land which that natural water flow is going to move. That, Mr. President, is a source of great concern to me because, while there are funds in the House budget for that acquisition, a second stage of a 5-year program of acquiring 108,000 acres into the park, the budget we passed does not contain funding for that.

I am particularly hopeful in the conference for continuing forward with this important acquisition and restoration of natural water flow projects will be recognized by our colleagues and that we can take the next urgent steps for the salvation of this critical area while that salvation is still available to us.

Mr. President, I appreciate this opportunity to make these comments. I, as with the vast majority of my colleagues, signed this legislation which contains many important initiatives, and I look forward to the items that I have just briefly outlined being given serious consideration when this matter is taken up in conference committee.

Mr. BYRD. Mr. President, I have listened to the distinguished Senator from Florida. I want to assure him that we will take a look at the matters of which he has spoken. We are in the conference, and there may be an opportunity to be helpful. We have some budget matters to resolve there, and we will work with the chairman of the Appropriations Committee in the House to see if he will agree with some of these suggestions, and of course the other Members as well, as we try to develop the budget authority and outlays that we will have to have in order to accommodate these several amendments. We will certainly look at each one.

ORDER OF BUSINESS

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, the Senate proceed to the consideration of S. 1722, the unemployment compensation bill; that the only amendment in order tomorrow be an amendment and that there be debate only on the bill and the amendment on tomorrow.

I further ask unanimous consent that at 2:30 p.m. on Monday, September 23, the Senate proceed to the consideration of the defense appropriation bill, H.R. 2021, and that at the conclusion of business on Monday, that bill be laid aside and the Senate resume consideration of S. 1722, the unemployment compensation bill on Tuesday, September 24, upon the conclusion of business on Monday.

Mr. DOLE. Mr. President, reserving the right to object, and I shall not object, I just wanted to clarify that I may not actually lay down the amendment on Monday but the amendment is in order.

Mr. MITCHELL. That is correct. That is my understanding. This agreement would permit but not require the offering of the amendment tomorrow.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. MITCHELL. Mr. President, accordingly, with the approval of this agreement, the Senate will take up and consider the unemployment compensation bill tomorrow. Senator Dole is authorized under this agreement to offer his amendment as he may so do either tomorrow or on Tuesday. There will be no roll-call votes tomorrow. There will be debate only on the unemployment compensation bill.

On Monday, the Senate will for that day set aside the unemployment compensation bill and begin consideration of the defense appropriations bill.

That will be for debate only, and there will be no rollcall votes on Monday.

On Tuesday morning, the Senate will return to consideration of the unemployment compensation bill, and it is so ordered that Senator Dole complete action on that bill on that day, and then return to consideration of the Defense appropriations bill on Wednesday morning, and hope to complete action on that bill as soon thereafter as possible.

I invite the Republican leader to comment in regard to this if he wishes.

Mr. DOLE. Mr. President, that is an accurate reflection, and it is our hope that we can complete action on the unemployment compensation bill on Tuesday. It may be a little later Tuesday than some might plan. But I think we sort of have an agreement and understanding on both sides of the aisle that if at all possible we will complete action on that bill Tuesday.

-If there should be some period of time where we may finish amendments on that bill, I do not think there would be any objection on this side—but I want to be going back for a few hours to the DOD appropriations bill. We are looking at the October 1 deadline on appropriations. We probably are going to have to a CR in the context of Defense.

So I think you can expect cooperation from this side.

Mr. MITCHELL. Mr. President, I am grateful to my colleague for that cooperation. This now permits us to proceed expeditiously and yet in a manner that is convenient for the largest number of Senators in terms of their own schedule, and in terms of the Senate meeting its obligations to complete action on these important measures.

Mr. DOLE. I must say one of my colleagues said today, "Are there votes on Monday?" I said no. It has been known for a long time that because of a holiday there would be no votes on Monday. That is correct.

Mr. MITCHELL. That is correct. There will be no votes on Monday. We hope that we can begin action and get well underway on the defense appropriations bill so that when we return to it either on Tuesday or on Wednesday, my colleague will be on that bill and complete action on that early in the week during next week.

MORNING BUSINESS

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,378th day that Terry Anderson has been held captive in Lebanon.

THE CONGRESSIONAL AWARD PROGRAM

Mr. WALLOP. Mr. President, the role of volunteer service in the fabric of our society continues to be a much discussed topic and today I wish to draw my colleagues' attention to the congressional award, a program of our own creation which addresses this issue in the most positive way possible, and uses no Federal funds in the process.

Created through a bipartisan congressional initiative in 1979, the congressional award aims to create qualities of self-reliance, initiative and social awareness in American young people aged 14-23.

Participants, in consultation with volunteer adult advisors, set and achieve their own goals in four areas: Volunteer community service, personal development, physical fitness, and expeditions. Upon attaining their goals, participants receive recognition for their efforts from the U.S. Congress through the presentation of a congressional award.

Participation in the congressional award program creates young people from whatever background, qualities of confidence in themselves, self-initiative and the desire and knowledge to become active, responsible members of society.

Many positive benefits grow out of participation in the congressional award program.
Intergenerational involvement is strengthened as participants work with adult advisors.

Individualized, noncompetitive effort is encouraged—young people are not selected for the award, they earn it.

The problems of alcoholism, drugs, and unemployment are positively combated.

Contact with Members of Congress involving young people more fully in their Governments.

The quality of life within communities is enhanced through the efforts of these young people.

Since 1982, when the first medals were presented, more than 5,000 young people have received awards. Calculated conservatively, program requirements for voluntary community service alone have returned more than $750,000 in hours to local needs.

Recognizing that every young person possesses a unique combination of talents and interests, the congressional award program offers a structure that supports the long-term development of young people and their communities.

It challenges fundamental problems of complacency and inertia, encouraging participants to experience the world in new, exhilarating ways. In the process, it engenders civic responsibility, physical challenge, teamwork, intergenerational interaction and life skills which guide participants throughout their adult lives.

TRIAL OF HUMAN RIGHTS ADVOCATE BEGINS IN KENYA

Mr. DeCONCINI. Mr. President, on Tuesday, September 16, a Nairobi court began hearing the case of Paul Muite, president of the Law Society of Kenya. Mr. Muite, whom I met during a visit to Kenya last month, is charged with sedition. Of course, making public statements supporting political pluralism despite court injunctions restricting such activity. The contempt case stems from legal attempts by society members favored by President Moi to have Mr. Muite, an outspoken advocate of political reform, removed from his position.

Since 1982, when a constitutional amendment prohibited a multiparty system, a fundamental right of Kenyans to change their government through the electoral process has been severely restricted. With Kenya's Parliament presently nothing more than a rubber stamp for policies of President Moi, activists have focused efforts on reasserting the independence of the judiciary and the creation of alternative political parties. Peaceful attempts to introduce freedom of political debate, freedom of the press, freedom of association, and general harassment. Calls for basic freedoms, including freedom of speech, association, assembly, and movement are being circumscribed or repressed harshly.

Mr. President, for many years the United States has considered Kenya a valued friend in Africa and a stable nation with shared values. Over the years we have maintained a significant political, economic, and strategic relationship. I believe that we stand with our countries and peoples. It is a friendship that, I believe, can be strengthened through frank and open discussion about issues that underlie our shared objectives.

As political changes sweep across the African continent, dictators unwilling to heed the calls of their people for democracy are becoming increasingly desperate, isolated, and thankfully, obsolete. I believe it is critical that the United States express in no uncertain terms that continued abridgement of basic rights and freedoms in Kenya is unacceptable. Democracy and government accountability will benefit all Kenyans in the long run. Supporting Kenyans like Paul Muite is one way of expressing our concern and resolve.

FIFTH ANNIVERSARY OF TAX REFORM

Mr. LEVIN. Mr. President, as we approach the fifth anniversary of the passage of the Tax Reform Act of 1986, and as we gear up for a debate on the Tax Reform Act of 1991 or 1992, I thought it might be worthwhile to pause for a moment and consider whether the 1986 act should be prologue for new policies.

In 1986, in part because of the insistence of the Reagan administration, the Congress passed tax reform legislation that had as a primary objective something called revenue neutrality. The goal was designed to ensure that any shifts in the tax burden among groups resulting from that bill would not result in any net revenue gain to the Treasury during the 1987-91 time frame. At that time, I thought that aspect of the Tax Reform Act flew in the face of common sense in light of the $200 billion deficits that the country was confronting. To have engaged in the massive reform effort without regard to its potential impact on the deficit demonstrated the myopia which sometimes afflicts public policy making. The tendency to compartmentalize issues, the consequence when viewed, acts as blinders that limit the vision of even the most well intentioned legislation.

I believe that occurred in 1986. The process was as simple as it was misguided. Revenue was raised through closing tax loopholes and restricting other tax benefits, such as individual retirement accounts, interest on consumer loans, and the two wage earner tax relief. The focus was on whether some of these tax changes were wise, and I made my concerns about that issue clear at the time in numerous speeches on the Senate floor. But, in retrospect, in light of those changes, the dynamic was clear.

All the revenue raised was used to pay for, or offset, the revenue lost through lowering the marginal tax rates and increasing the personal exemption and standard deduction.

I voted against the Tax Reform Act of 1986. I believed that it was shortsighted to engage in this enormous enterprise and do nothing to reduce the deficit. In fact, to the extent that some of the more vulnerable tax loopholes were closed as part of the quest for revenue neutrality, in 1986, it was the revenue pockets from those loopholes had been preempted from being used for future deficit reduction. I believed that the larger economic effects in the form of lower interest rates and a more productive economy that could result if lower deficits were more important than some of the relatively modest tax savings for those taxpayers who were lucky enough to get a tax cut.

It was likely to be different with the same tax reform dynamic, although in a different form. Soon, the fifth anniversary of tax reform may be the last time to reconsider it before the momentum for another revenue neutral tax reform becomes immutable and unstoppable.

With the tax reform proposals that have already surfaced, the marginal income tax rate on the wealthiest taxpayers would be increased, and the reduction of general revenue would be distributed among some other taxpayers. If these proposals are only compared with the tax fairness of the current Tax Code, they would represent a shift in the tax burden that I could support. And, as a result of the legislative process, that might indeed be the only choice available to the Congress by the middle of next year. But, at least in theory, it need not be the only choice offered or considered. There was a generation ago. The deficit situation, with the administration currently estimating the deficit for fiscal year 1992 at $350 billion, makes it even more important that we consider the deficit reduction for tax reform now than it was in 1986.

It is clear from public opinion polls that the public supports by a wide margin increasing tax rates on the wealthiest taxpayers. So do I. The public recognizes that during the 1980's the wealthiest taxpayers saw their aftertax incomes double at the same time that middle-income taxpayers barely kept their heads above water. In an environment which still generally bears the marks of the antigovernment sentiments of the 1980's, this support for an increase in the marginal income tax rate on the wealthiest taxpayers points to a significant and politically realistic resource for deficit reduction.

If, however, the top marginal income tax rate on the wealthiest taxpayers is increased to pay tax cuts for others, the political dynamic will have bypassed a prime opportunity to reduce the def-
September 19, 1991

CONGRESSIONAL RECORD — SENATE

S 13227

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Johnnie M. Smith, of South Carolina, to be a Member of the Board of Directors of the Commission on National and Community Service for a term of one year.

The following named persons to be Members of the Board of Directors of the Commission on National and Community Service for the terms indicated (in positions):

For terms of one year:
Thomas Ehrlich, of Indiana.
For terms of two years:
Leslie Lenkowsky, of Indiana.
For terms of three years:
Jack A. MacAllister, of Colorado.
Robert L. Woodsen, of Maryland.

(INTRODUCTION OF BILLS AND JOINT RESOLUTIONS)

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

Mr. DIXON (for himself, Mr. BUMPERS, Mr. COCHRAN, Mr. DeCONCINI, Mr. HAYFIELD, Mr. HEPSTEIN, Mr. JACOBSEN, Mr. LOYD and Mr. SIMS): S. 1725. A bill to authorize the minting and issuance of coins in commemoration of the quincentennial of the first voyage to the New World by Christopher Columbus and to establish the Christopher Columbus Quincentennial Scholarship Foundation and an Endowment Fund, and for related purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DIXON: S. 1726. A bill to amend the Immigration and Nationality Act to restore authority in courts to naturalize persons as citizens; to the Committee on the Judiciary.

Mr. GORTON (for himself and Mr. ADAMS): S. 1727. A bill to allow Major League Baseball teams in smaller markets to compete financially with teams in larger markets; to the Committee on the Judiciary.

Mr. KENNEDY (for himself, Mr. SIMON, Ms. MIKULSKY and Mr. HOLINGE): S. 1728. A bill to suspend until January 1, 1995, the duty on secondary butyl chloride; to the Committee on Finance.

Mr. KENNEDY (for himself, Mr. SIMON, Ms. MIKULSKY and Mr. HOLINGE): S. 1729. A bill to amend the Public Health Service Act to require drug manufacturers, wholesalers, and retailers to keep affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes; to the Committee on Labor and Human Resources.

Mr. CHAFFEE: S.J. Res. 199. A joint resolution to designate the week of October 13 through October 19, 1991 as "National Mentoring Week;" to the Committee on the Judiciary.
STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DIXON (for himself, Mr. BUMPERS, Mr. COCHRAN, Mr. DeCONCINI, Mr. HAYTFIELD, Mr. HEFLIN, Mr. INOuye, Mr. LUGAR, and Mr. SHEELEY):

S. 1725—A bill to authorize the minting and issuing of coins in commemoration of the quincentenary of the first voyage to the New World by Christopher Columbus and to establish the Christopher Columbus Quincentenary Commemorative Coin Endowment Fund, and for related purposes; to the Committee on Banking, Housing, and Urban Affairs.

CHRISTOPHER COLUMBUS QUINCENTENARY COMMEMORATIVE COIN AND SCHOLARSHIP ENDOWMENT ACT

Mr. DIXON. Mr. President, I rise today to introduce this bill to commemorate the voyages of Christopher Columbus and other explorers who joined in this effort by Senators ALBANY, COCHRAN, DeCONCINI, HAYTFIELD, HEFLIN, INOuye, LUGAR, and SHEELEY.

Mr. President, 1992 will mark the 500-year anniversary of Columbus' voyages. Our world today is a small place. It took Columbus 33 days to cross the Atlantic. Today it takes 3 hours. International trade in 1492 was confined mostly to spices and gold. Today everything from potatoes to peanuts are traded. A family restaurant in Bloomington, IL, can buy its lamps from China and its wine from California.

Business requires more than a knowledge of numbers; it requires a knowledge of your neighbors—the people who live across town and the people who live across oceans. Our young people need to know their neighbors. If we want our children to be successful and economically competitive, we need to prepare them to compete. The world community requires an appreciation and knowledge of other people and nations. Our political and economic survival depends on it.

Unfortunately, in recent decades Americans have failed to understand the emerging international mosaic. In 1986, the Southern Governors' Association rejected a proposal to issue commemorative coins in the 150th anniversary of the Civil War.

Ms. Smith.

Mr. President, I hope you will join me in supporting this bill.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the Record, as follows:

S. 1725

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 "Christopher Columbus Quincentenary Commemorative Coin and Scholarship Endowment Act of 1992.

SEC. 2. PURPOSES

The purposes of this Act are:

(1) To commemorate the 500th anniversary of the first voyage of Christopher Columbus to the New World, which was commissioned by the King and Queen of Spain.

(2) To honor Christopher Columbus' achievements and his quest for knowledge and discovery, and the values of his world, his exploration, and the values of his world, his exploration, and the values of his world.

(3) To establish the Christopher Columbus Quincentenary Scholarship Foundation (hereafter referred to in this Act as the

Yet, despite the importance of being able to live and work in the modern world, this is still not stressed to our children. Let us show our young people that the study of languages, history, cultures, geography, and the arts and humanities are rewarded. Let us let them know that the study of languages, history, cultures, geography, and the arts and humanities are rewarded.

The Christopher Columbus Scholarship Foundation will consist of two components:

A new world summer program for high school students and a 4-year college scholarship program.

High school students will be selected based on their achievements in language and the arts and humanities. A curriculum designed to promote better understanding of all cultures will be taught.

The college scholarship recipients will be chosen from new world summer program participants. A nuclear war would harm the environment.

In the real world, this kind of ignorance leads to real-life consequences.

According to the Intelligence Committee and the chairman of the Armed Services Committee, the military crisis in the Persian Gulf could have been avoided, if we had Middle East experts in our diplomatic and intelligence communities who were sensitive to the culture and were monitoring the situation.

In the business world, our lack of knowledge of other languages and cultures costs us much business as trade restrictions. According to the Journal of Commerce and the Smithsonian, United States businesses persist in sending culturally unprepared executives to Japan for business negotiations. As a result, we are getting walloped at the bargaining table. International markets are waiting for us, but our limited knowledge of languages and cultures prevents us from fully developing these markets.

The summer program and scholarship foundation, I hope to encourage young people to also explore new worlds at home and abroad.

The world, while richly diverse in people, languages, and cultures, is bound by economic and political interdependence. Today's world is a small place. It took Columbus 33 days to cross the Atlantic. Today it takes 3 hours. International trade in 1492 was confined mostly to spices and gold. Today everything from potatoes to peanuts are traded. A family restaurant in Bloomington, IL, can buy its lamps from China and its wine from California.

Business requires more than a knowledge of numbers; it requires a knowledge of your neighbors—the people who live across town and the people who live across oceans. Our young people need to know their neighbors. If we want our children to be successful and economically competitive, we need to prepare them to compete. The world community requires an appreciation and knowledge of other people and nations. Our political and economic survival depends on it.

Unfortunately, in recent decades Americans have failed to understand the emerging international mosaic. In 1986, the Southern Governors' Association rejected a proposal to issue commemorative coins in the 150th anniversary of the Civil War.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the Record, as follows:

S. 1725

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SEC. 1. SHORT TITLE

This Act may be cited as the "Christopher Columbus Quincentenary Commemorative Coin and Scholarship Endowment Act of 1992.

SEC. 2. PURPOSES

The purposes of this Act are:

(1) To commemorate the 500th anniversary of the first voyage of Christopher Columbus to the New World, which was commissioned by the King and Queen of Spain.

(2) To honor Christopher Columbus' achievements and his quest for knowledge and discovery, and the values of his world, his exploration, and the values of his world.

(3) To establish the Christopher Columbus Quincentenary Scholarship Foundation (hereafter referred to in this Act as the
SECTION 2. AUTHORIZATION TO MINT COMMEMORATIVE COINS.

(a) 5 DOLLAR GOLD COINS.—
(1) ISSUE.—The Secretary of the Treasury (hereinafter referred to as the "Secretary") shall issue not more than 500,000 5 dollar coins which shall—
(A) weigh 8.359 grams; 
(B) have a diameter of 30.605 inches; and 
(C) contain 90 percent gold and 10 percent alloy.
(2) DESIGNS.—The design of each 5 dollar coin shall be emblematic of the quincentenary of Columbus' encounter with the lands and peoples of the New World. On each 5 dollar coin there shall—
(A) be a representation of the value of the coin; 
(B) be an inscription of the years "1492—1992"; and 
(C) be inscriptions of the words "In God We Trust," "United States of America," "E Pluribus Unum" and "Liberty." 

The American Eagle shall be represented on the reverse side of the coin.

(b) 1 DOLLAR SILVER COINS.—
(1) ISSUE.—The Secretary shall issue not more than 5,000,000 1 dollar coins which shall—
(A) weigh 26.73 grams; 
(B) have a diameter of 1.000 inches; and 
(C) contain 90 percent silver and 10 percent copper.
(2) DESIGNS.—The design of each 1 dollar coin shall be emblematic of the New World Eagle. No such design shall be derived from any contributions to the Old World, such as agricultural crops. On each 1 dollar coin there shall—
(A) be a designation of the value of the coin; 
(B) be an inscription of the years "1492—1992"; and 
(C) be inscriptions of the words "In God We Trust," "United States of America," "E Pluribus Unum" and "Liberty." 

The American Eagle shall be represented on the reverse side of the coin.

(c) CLAD HALF DOLLAR COINS.—
(1) ISSUE.—The Secretary shall issue not more than 5,000,000 half dollar coins which shall—
(A) weigh 11.34 grams; 
(B) have a diameter of 3.050 inches; and 
(C) shall be minted to the specifications for full dollar coins contained in section 5112(b) of title 31, United States Code.
(2) DESIGN.—The design of each half dollar coin shall be emblematic of the Old World's contributions to the Americas, such as the horse and new forms of architecture. On each such half dollar there shall be—
(A) be a designation of the value of the coin; 
(B) be an inscription of the years "1492—1992"; and 
(C) be inscriptions of the words "In God We Trust," "United States of America," "E Pluribus Unum" and "Liberty." 

The American Eagle shall be represented on the reverse side of the coin.

(d) LOCAL TENDER.—The coins issued under this section shall be legal tender as provided in section 5103 of title 31, United States Code.

(e) SOURCES OF SILVER BULLION.—The Secretary shall obtain silver for the coins under this section from the bullion пуpool established under the Strategic and Critical Material Stockpiling Act (50 U.S.C. 86 et seq.).

(f) SOURCES OF GOLD BULLION.—The Secretary shall obtain gold for the coins minted under this section pursuant to the authority of the Secretary under existing law.

(g) SELECTION OF DESIGN.—The design for each coin shall be selected by the Secretary, with the advice and consent of the Governing Committee of the Columbus Quincentenary Jubilee Commission, created by the Congress in 1984, and the Commission on Fine Arts.

(h) SALE OF COINS.—
(1) SALE PRICE.—Notwithstanding any other provision of law, the coins issued under this section shall be sold by the Secretary at a price at least equal to face value, plus the cost of designing and issuing such coins (including labor, materials, equipment, promotions, and overhead expenses, and surcharges).
(2) BULK SALES.—The Secretary shall make bulk sales at a discount. The Secretary shall accept prepaid orders for the coins prior to the issuance of such coins. Sale prices for such prepaid orders shall be at a reasonable discount.

(4) SURCHARGE REQUIRED.—All sales shall include a surcharge of $5 per coin for the 5 dollar coin, $7 per coin for the 1 dollar coin, and $1 per coin for the half dollar coin.

(1) ISSUANCE OF THE COINS.—
(a) GOLD COINS.—The 5 dollar coins authorized by this section shall be issued in uncirculated and proof qualities, except that no more than 5,000 coins shall be sold.
(b) SILVER COINS AND CLAD HALF DOLLAR.—The 1 dollar and clad half dollar coins authorized under this section shall be issued in uncirculated and proof qualities, except that not more than 12,000 coins shall be sold.

(3) COMMENCEMENT DATE.—Issue of the coins may commence on October 12, 1991.

(4) SURCHARGE.—The coins shall be minted under this section after 12 months from the actual commencement date.

(j) GENERAL WAIVER OF PROCUREMENT REQUIREMENTS.—No provision of law governing procurement or public contracts shall apply to the procurement of goods or services necessary to carry out the provisions of this section. Nothing in this subsection relieves any person entering into a contract under the authority of this section from complying with the Federal Acquisition Regulation (except to the extent of employment opportunity, except that no business shall be considered to be subject to part 90 of title 41, Code of Federal Regulations (relating to equal employment opportunity affecting governmental contractors) solely because of its status as a consignee of Mint numismatic products purchased by the United States. 

(k) DISTRIBUTION OF SURCHARGES.—The Secretary of the Treasury shall pay quarterly all surcharges received from the sale of coins issued under this section to an endowment fund established and administered as provided in section 4 of this Act.

(a) AVIATION.—The Comptroller General of the United States shall examine such books, records, documents, and other data of the Foundation as may be related to the expenditure of amounts paid under subsection (k).

(b) AVIATION.—The Comptroller General of the United States shall examine such books, records, documents, and other data of the United States Treasury as may be related to the expenditure of amounts paid under subsection (k).

(c) AVIATION.—No other provision of law—
(1) all amounts received from the sale of coins issued under this section shall be deposited in the coinage profit fund in the United States Treasury; 
(2) the Secretary shall pay the amount required under this section from the coinage profit fund; and 
(3) the Secretary shall charge the coinage profit fund with all expenditures under this section.

(2) FINANCIAL ASSURANCE.—
(1) NO FEE TO THE GOVERNMENT.—The Secretary shall take all necessary action to ensure that the issuance of the coins authorized by this section result in no net cost to the United States Government.

(2) APPROPRIATE SECURITY FOR PAYMENT REQUIRED.—No coin shall be issued under this section unless the Secretary has received—
(A) full payment; 
(B) a security satisfactory to the Secretary to indemnify the United States for full payment; or 
(C) a guarantee of full payment satisfactory to the Secretary, including an appropriate security to indemnify the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

SEC. 3. THE CHRISTOPHER COLUMBUS QUINCENTENARY SCHOLARSHIP FOUNDATION.

(a) IN GENERAL.—There is established, as an independent establishment of the executive branch, the Christopher Columbus Quincentenary Scholarship Foundation, for the purpose of sponsoring, directing, and operating educational activities for secondary students and postsecondary students, utilizing funds deposited in the Christopher Columbus Quincentenary Scholarship Endowment Fund (hereafter referred to in this Act as the "Endowment Fund").

(b) BOARD OF TRUSTEES.—The Foundation shall be under the supervision and direction of a Board of Trustees (hereafter referred to in this Act as the "Board") to be composed of 16 members as follows:
(1) 3 members to be appointed by the Majority Leader of the Senate; 
(2) 2 members to be appointed by the Minority Leader of the Senate; 
(3) 2 members to be appointed by the Speaker of the House of Representatives; 
(4) 4 members to be appointed by the Minority Leader of the House of Representatives, and 
(5) 5 members to be appointed by the President.

A vacancy on the Board shall be filled in the same manner as the original appointment.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—
The President shall designate a Chairperson and a Vice Chairperson from among the members appointed by the President.

(1) IN GENERAL.—Each member of the Board of Trustees shall serve for a term of 6 years to begin from the date of expiration of the term of the member's predecessor, if any,
(2) INTERIM APPOINTMENTS.—A member who is appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed, shall serve for the remainder of the term; 
(3) INITIAL APPOINTMENTS.—Of the members first appointed—
(A) 4 shall be appointed for a term of 2 years; 
(B) 5 shall be appointed for a term of 4 years; and 
(C) 7 shall be appointed for a term of 6 years; 

(4) TENURE OF OFFICE.—Each member of the Board of Trustees shall hold office during such term of such member's appointment unless sooner removed.

(5) COMPENSATION.—The compensation of each member of the Board of Trustees shall be determined by the Senate Committee on Appropriations and the House Committee on Appropriations, respectively.

(6) DUTIES.—The Board of Trustees shall have the duty to administer the Endowment Fund.
S 13330

CONGRESSIONAL RECORD—SENATE

September 19, 1991

(C) 4 shall be appointed for a term of 6 years, as designated by the President.

(e) COMPENSATION.—Members of the Board shall serve without pay, but shall be entitled to reasonable cost of travel, subsistence, and other necessary expenses incurred in the performance of their duties as members of the Board.

(f) The Foundation may—

(1) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, or the amount of expenses that shall be reimbursed (other than the Executive Secretary) be compensated at a rate in excess of the rate of basic pay payable for GS-15 of the General Schedule;

(2) procure temporary and intermittent services of such experts and consultants as are necessary to the extent authorized by section 3109 of title 5, but at rates not in excess of the rate of basic pay payable for level IV of the Executive Schedule;

(3) procure the services of such persons as the Foundation may determine to be necessary to convey in the manner in which its functions shall be carried out;

(4) receive income and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, and otherwise dispose of such property for the purpose of carrying out its functions;

(5) negotiate and utilize the services of voluntary personnel and reimburse them for travel expenses, including per diem, as authorized by section 3703 of title 5, United States Code.

(g) To enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this Act, and such contracts or modifications may, with the concurrence of two-thirds of the members of the Board, be entered into without the performance of other bonds, and without regard to section 3709 of the Revised Statutes;

(h) make advances, progress, and other payments, or make advances, repayments, or contributions under this Act without regard to the provisions of section 529 of title 31, United States Code;

(i) solicit, purchase, or otherwise acquire an interest in real property in the District of Columbia, and

(j) conduct programs in addition to the programs described in this Act that shall further the purposes of this Act.

SEC. 6. EXECUTIVE SECRETARY OF FOUNDATION.

(a) Duties.—The Board shall appoint an Executive Secretary of the Foundation who shall be the chief executive officer of the Foundation and carry out the functions of the Foundation subject to the supervision and direction of the Board.

(b) Compensation.—The Executive Secretary of the Foundation shall be compensated at a rate of basic pay determined by the Board which shall not exceed the rate payable for level IV of the Executive Schedule. The compensation of the Executive Secretary and other employees of the Foundation shall be paid exclusively from funds available in the endowment fund income.

SEC. 7. ENRICHMENT.

(a) Definitions.—For the purposes of this Act—

(1) ENDOWMENT FUND.—The term "endowment fund" means an amount equal to the sum of the coin sale surcharges authorized by this Act, and any income earned. The Secretary may direct the Foundation to take other appropriate measures to remedy any violation of this Act, and to protect the financial interest of the United States.

(2) ENDOWMENT CORPUS.—The term "endowment corpus" means an amount equal to the total value of the endowment fund minus the endowment fund corpus.

(3) ENRICHMENT.

(b) SEC. 14. SEC. 15.

(c) SEC. 16.

(d) SEC. 17.

(e) SEC. 18.

(f) SEC. 19.

(g) SEC. 20.

(h) SEC. 21.

(i) SEC. 22.

(j) SEC. 23.

(k) SEC. 24.

(l) SEC. 25.

(m) SEC. 26.

(n) SEC. 27.

(o) SEC. 28.

(p) SEC. 29.

(q) SEC. 30.

(r) SEC. 31.

(s) SEC. 32.

(t) SEC. 33.

(u) SEC. 34.

(v) SEC. 35.

(w) SEC. 36.

(x) SEC. 37.

(y) SEC. 38.

(z) SEC. 39.

(A) SEC. 40.

(B) SEC. 41.

(C) SEC. 42.

(D) SEC. 43.

(E) SEC. 44.

(F) SEC. 45.

(G) SEC. 46.

(H) SEC. 47.

(I) SEC. 48.

(J) SEC. 49.

(K) SEC. 50.

(L) SEC. 51.

(M) SEC. 52.

(N) SEC. 53.

(O) SEC. 54.

(P) SEC. 55.

(Q) SEC. 56.

(R) SEC. 57.

(S) SEC. 58.

(T) SEC. 59.

(U) SEC. 60.

(V) SEC. 61.

(W) SEC. 62.

(X) SEC. 63.

(Y) SEC. 64.

(Z) SEC. 65.

(AA) SEC. 66.

(BB) SEC. 67.

(CC) SEC. 68.

-DD) SEC. 69.

(EE) SEC. 70.

(FF) SEC. 71.

(GG) SEC. 72.

(HH) SEC. 73.

(I1) SEC. 74.

(JJ) SEC. 75.

(KK) SEC. 76.

(LL) SEC. 77.

(MM) SEC. 78.

(NN) SEC. 79.

(OO) SEC. 80.

(PP) SEC. 81.

QQ) SEC. 82.

(EE) SEC. 83.

(LL) SEC. 84.

(MM) SEC. 85.

(NN) SEC. 86.

(OO) SEC. 87.

(PP) SEC. 88.

QQ) SEC. 89.

(EE) SEC. 90.

(LL) SEC. 91.

(MM) SEC. 92.

(NN) SEC. 93.

(OO) SEC. 94.

(PP) SEC. 95.

QQ) SEC. 96.

(EE) SEC. 97.

(LL) SEC. 98.

(MM) SEC. 99.

(NN) SEC. 100.

(OO) SEC. 101.

(PP) SEC. 102.

QQ) SEC. 103.

(EE) SEC. 104.

(LL) SEC. 105.

(MM) SEC. 106.

(NN) SEC. 107.

(OO) SEC. 108.

(PP) SEC. 109.

QQ) SEC. 110.

(EE) SEC. 111.

(LL) SEC. 112.

(MM) SEC. 113.

(NN) SEC. 114.

(OO) SEC. 115.

(PP) SEC. 116.

QQ) SEC. 117.

(EE) SEC. 118.

(LL) SEC. 119.

(MM) SEC. 120.

(NN) SEC. 121.

(OO) SEC. 122.

(PP) SEC. 123.

QQ) SEC. 124.

(EE) SEC. 125.

(LL) SEC. 126.

(MM) SEC. 127.

(NN) SEC. 128.

(OO) SEC. 129.

(PP) SEC. 130.

QQ) SEC. 131.

(EE) SEC. 132.

(LL) SEC. 133.

(MM) SEC. 134.

(NN) SEC. 135.

(OO) SEC. 136.

(PP) SEC. 137.

QQ) SEC. 138.

(EE) SEC. 139.

(LL) SEC. 140.

(MM) SEC. 141.

(NN) SEC. 142.

(OO) SEC. 143.

(PP) SEC. 144.

QQ) SEC. 145.

(EE) SEC. 146.

(LL) SEC. 147.

(MM) SEC. 148.

(NN) SEC. 149.

(OO) SEC. 150.

(PP) SEC. 151.

QQ) SEC. 152.

(EE) SEC. 153.

(LL) SEC. 154.

(MM) SEC. 155.

(NN) SEC. 156.

(OO) SEC. 157.

(PP) SEC. 158.

QQ) SEC. 159.

(EE) SEC. 160.

(LL) SEC. 161.

(MM) SEC. 162.

(NN) SEC. 163.

(OO) SEC. 164.

(PP) SEC. 165.

QQ) SEC. 166.

(EE) SEC. 167.

(LL) SEC. 168.

(MM) SEC. 169.

(NN) SEC. 170.

(OO) SEC. 171.

(PP) SEC. 172.

QQ) SEC. 173.

(EE) SEC. 174.

(LL) SEC. 175.

(MM) SEC. 176.

(NN) SEC. 177.

(OO) SEC. 178.

(PP) SEC. 179.

QQ) SEC. 180.

(EE) SEC. 181.

(LL) SEC. 182.

(MM) SEC. 183.

(NN) SEC. 184.

(OO) SEC. 185.

(PP) SEC. 186.

QQ) SEC. 187.

(EE) SEC. 188.
(c) Authority of the Secretary of Education.—The Secretary of Education is authorized to conduct the activities of the Foundation to assure that the legislative intent of this Act is properly and efficiently carried out.

SEC. 4. AUDITS.

The activities of the Foundation under this Act may be audited by the Comptroller General of the United States. The Comptroller General shall have access to all books, accounts, records, reports, files, and all other papers or property belonging to the Foundation, and shall have authority to conduct such audits and investigations as are necessary to facilitate the audit.

SEC. 5. ADMINISTRATIVE PROVISIONS.

(a) Annual Report.—The Foundation shall submit to the Congress an annual report of its operations and activities under this Act.

(b) Status of Employees.—Members of the Board of Trustees, the Executive Secretary, and employees of the Foundation shall not be considered Federal employees for the purposes of the provisions of title 5, United States Code.


SEC. 6. TERMINATION.

(a) Termination of Federal Oversight.—Issuance of a contract to the Foundation under this Act and the endowment fund created by this Act shall be terminated, if the Foundation, at any time, pays to the Executive Secretary of the Treasury an amount equal to—

(1) the total amount received by the Foundation from the sale of the commemorative coin authorized by this Act; plus

(2) income earned that has not been obligated for authorized activities.

(b) Termination of the Foundation.—If the Foundation fails to pay the amounts specified in subsection (a) of this section and the Federal oversight and the Fund have not at that time returned to the Secretary of the Treasury the amount specified in subsection (a) of this section, the Endowment Fund shall be terminated, if the Foundation, at any time, pays to the Executive Director of the Treasury an amount equal to the value of the total coin sales surcharge deposited in the endowment fund plus any income earned that has not been obligated for authorized activities.

By Mr. DIXON.
S. 1276. A bill to amend the Immigration and Nationality Act to restore authority in courts to naturalize persons as citizens, to the Committee on the Judiciary.

JUDICIAL NATURALIZATION AMENDMENTS

Mr. DIXON. Mr. President, I rise to introduce a bill, S. 1276, restoring the longstanding right of judges to administer the oath of allegiance to immigrants eligible for naturalization as citizens of the United States.

Under the Immigration and Naturalization Act of 1990, the exclusive right of judges to conduct these ceremonies would be stripped in favor of a procedure in which the individual applicant could choose between a naturalization ceremony conducted by a Federal or State judge on a certain day or by an administrative officer of the Immigration and Naturalization Service. This transfer of authority would end a custom that has been valued by the courts and the public alike.

The Immigration and Nationality Act made the change in order to address the problem of backlogs in the naturalization process. However, the proposed change goes too far. It effectively strips judges of an authority that they have long enjoyed.

There is no guarantee that any individual would choose a judicial ceremony. I believe the presence of a judge, conducting the ceremony in a courtroom, lends the appropriate sense of dignity and respect for the occasion. Anyone who has been to a swearing-in ceremony knows full well the importance with which the applicants and judges who conduct the ceremony approach the process. There is no need to provide for the naturalization ceremony to be conducted by an administrative officer of the INS.

Under this legislation, the balance is maintained between the importance of a judicial ceremony and the need to naturalize immigrants speedily. Judges would have an exclusive right to conduct the naturalization ceremony within 45 days of the date when the INS has completed and approved an applicant's paperwork. After the 45-day period, an applicant could choose between a judge or an administrative officer to conduct the ceremony.

Mr. President, the naturalization ceremony is a once-in-a-lifetime event. It is indeed a special occasion. The judges who conduct these ceremonies take this duty seriously, and have specified in their oaths of allegiance under section 337(a) and (b) of the Immigration and Naturalization Service, that the ceremony be conducted with dignity and respect for the occasion.

I urge swift enactment of this legislation, and thank my colleagues.

Mr. President, I ask unanimous consent that a copy of the legislation be printed at this point in the Record.

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

S. 1276

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

section 1. This Act may be cited as the "Judicial Naturalization Amendments of 1991".

SEC. 2. RESTORING NATURALIZATION AUTHORITY TO COURTS.

(a) In General.—Subsections (a) and (b) of section 310 of the Immigration and Nationality Act (8 U.S.C. 1421), as amended by section 401(a) of the Immigration Act of 1990, are amended to read as follows:

(1) LIMITATION.—Each eligible court described in paragraph (5) shall have authority to naturalize persons residing within the jurisdiction of the court.

(2) EXCEPTIONS.—Each eligible court described in paragraph (5) that wishes to have exclusive authority to naturalize persons residing within the jurisdiction of the court during the period described in paragraph (3)(A)(i) shall notify the Attorney General of such wish and, subject to this subsection, shall have such exclusive authority to naturalize such persons during such period.

(3) INFORMATION.—In the case of a court exercising authority under paragraph (1), in accordance with procedures established by the Attorney General, the court or naturalization authority shall notify the Attorney General of the intent to be naturalized before the court, and the Attorney General shall forward to the court (not later than 10 days after the date of approval of an application for naturalization in the case of a court which has provided notice under paragraph (3)(A)(i)) such information as may be necessary to provide for the naturalization of the person, including the administration of the oath of allegiance under section 337(a) and (b) of the Act, the preparation and issuance of a certificate of naturalization.

(b) ASSIGNMENT OF INDIVIDUALS TO THE CASE OF EXCLUSIVE AUTHORITY.—If an eligible court has provided notice under paragraph (1)(A)(ii)(B) of such person's application for naturalization, the Attorney General shall inform each person (residing within the jurisdiction of the court), at the time of the approval of the person's application for naturalization, of—

(1) the court's exclusive authority to naturalize such person during the period specified in paragraph (3)(A)(i), and

(ii) the date or dates (if any) under paragraph (3)(A)(ii)(B) on which the court intends to naturalize persons.

If more than one eligible court in an area has provided notice under paragraph (1)(A)(ii)(B) of an application for naturalization, the Attorney General shall notify the person, at the time of the approval, to choose the court to which the information will be forwarded for naturalization under this title.

(3) SCOPE OF EXCLUSIVE AUTHORITY.—

(A) LIMITED PERIOD AND ADVANCE NOTICE REQUIRED.—The exclusive naturalization authority of a court described in paragraph (1)(A)(ii)(B) shall apply with respect to a person only—

(i) during the 45-day period beginning on the date on which the person's application for naturalization is approved by the Attorney General; and

(ii) if the court has notified the Attorney General, prior to the date of approval of such application, of the day or days (during such 45-day period) on which the court intends to naturalize persons.

(B) AUTHORITY OF ATTORNEY GENERAL.—

(i) Notices to courts.—Subject to subparagraph (C), the Attorney General shall not provide for the naturalization of a person under subsection (a) of this section if the period in which exclusive naturalization authority is exercised to an eligible court.
(G) by adding at the end the following:

"No certificate of naturalization received by the Attorney General, or issued or reissued in such manner as to present its use as herein provided shall in any case be disregarded, but such certificates shall be returned to the Attorney General."

(1) SEC. 348 of such Act (8 U.S.C. 1450) is amended by adding at the end the following subsection:

"The Attorney General shall pay over to courts naturalizing persons under this title one-half of all fees, up to the sum of $50,000 as described in subsection (a)(1), collected by the Attorney General with respect to persons naturalized by the respective courts during each fiscal year;"

(2) Effective date of amendments made by this Act shall take effect on October 1, 1991.

By Mr. GORTON (for himself and Mr. ADAMS):

S. 1727. A bill to allow Major League Baseball teams in smaller markets to compete financially with teams in larger markets to the Committee on the Judiciary.

MAJOR LEAGUE BASEBALL EQUITY ACT

Mr. GORTON. Mr. President, today, along with Senator ANANS, I am introducing a bill designed to ensure competitive balance in Major League Baseball across the country for many years to come.

This bill will benefit the smaller market teams of major league baseball. All of these teams are facing a cost spiral that consists of skyrocketing salaries and rampant free agency; however, larger market teams are able to control these cost spirals because of their local broadcast revenues.

New York epitomizes this dilemma; the Yankee have a local cable television contract that will pay them $55 million a year. Marge Schott, owner of the Cincinnati Reds, recently said, "We will not have baseball in small towns like Cincinnati. We can't compete."

If New York gets all their money from cable. It's going to be that baseball is only going to be in the big cities.

Baseball is the national pastime, it brings together the entire country. That is why Senator FCompact, Senator LeMoyne in Arlington, TX, Kansas City, MO, and New York, NY—three entirely different cities.

Baseball is not only a unifying element for the Nation, it is a benefit to each community that has a major league baseball team. For example, in Seattle the Mariners donate almost $1 million in charitable contributions such as collectibles for auctions, free tickets for Seattle's schools, and speaking tours. This is not to mention the additional countless hours that individual team members spend with the community's youth and participating in charity events.

Currently, the Seattle Mariners are in dire financial straits. This bill, however, will not solve their problems in the short run. In order to keep the Mariners in Seattle, the next business community and local governmental leaders must put together a combined effort to save the Mariners. It is a local challenge which can only be met in Seattle.

Major league baseball is the only major professional sports league, that has the potential to have a plan that can cut the cost spiral, mentioned earlier, or this economic stratification. The NFL shares all broadcast revenue equally, and the NBA has a players' salary cap.

This legislation is necessary because of the economic stratification between larger and smaller market teams in Major League Baseball. It sets out a plan to rectify this stratification. This plan will redistribute local broadcast revenue. Each team is free to negotiate its own local broadcasting contract and keep 100 percent of the revenue.

This plan would divide local broadcast revenues of home games, 80 percent to the team negotiating the contract and 20 percent to the league to be distributed equally among the teams in the league; and it would divide local broadcast revenue of away games, 20 percent to the team negotiating the contract and 80 percent to the league, subject to the same antitrust laws as the NFL and NBA.

Mr. President, I ask unanimous consent that a text of the bill be printed in the Record following my remarks.

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

S. 1727

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

SECTION 1. This Act may be cited as the "Major League Baseball Equity Act".

FLORIDA

SEC. 2. The Congress finds that—

(1) Major League Baseball is becoming increasingly stratified in terms of the relative economic power of its teams;

(2) the current practice of gate receipt revenue sharing in both the American League and National League also works to the competitive advantage of the teams in the larger markets;

(3) the Major League Baseball teams in the larger markets have a competitive advantage over other Major League Baseball teams in their ability to negotiate favorable independent broadcast contracts.

DEFINITIONS

SEC. 3. In this Act, the term—

(1) "strictest laws" has the meaning given to that term in section 6 of the Federal Trade Commission Act (15 U.S.C. 41).
(3) "League" means the league of professional baseball teams known as the American League or the league of professional baseball teams known as the National League; and

(4) "Major League Baseball" means both Leagues.

PURPOSE
Sec. 4. The purpose of this Act is to create equity within Major League Baseball, by providing teams in smaller markets the opportunity to compete financially with the teams in the larger markets.

BROADCASTING REVENUE SHARING
Sec. 5. (a) Any revenue generated pursuant to an independent broadcasting contract should be divided equally among the teams of Major League Baseball, each League, and all Major League Baseball teams.

(b) Except in the case of revenue generated as a result of nationally transmitted cable television, the Major League team that is party to such contract shall receive—

(1) 80 percent of the revenue from the transmission of the home games of that team; and

(2) 20 percent of the revenue from the transmission of games in which that team is the visiting team.

(c) All other revenue generated pursuant to such contract, including all revenue from through 1994 the duty suspension for butyl rubber is catalyzed using secondary butyl lithium. A major outlet for this special rubber is in specialty adhesives for aerospace/military applications; and cable jacketing for undersea and underground conditions.

The polyethylene industry is undergoing major changes as new high strength, tear resistant linear low density polyethylene (LLDPE) compounds are becoming available. These compounds offer advantage in their specialty engineered properties tailored for special applications. A common example is tear resistant trash bags which can be produced thinner, yet stronger, than bags made of traditional polyethylene compounds previously available.

One method of producing LLDPE's required to create competition in the industry is by co-catalyst systems. A competitive catalyst system is imported from Europe displacing U.S. produced secondary butyl lithium. This competitive catalyst system is imported with 3.7% tariff duty.

By Mr. HELMS:
S. 1728. A bill to amend the Public Health Service Act to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes; to the Committee on Labor and Human Resources.

SUSPENSION OF DUTY ON BUTYL CHLORIDE
Mr. HELMS. Mr. President, today I am introducing legislation to extend through 1994 the duty suspension for a substance called secondary butyl chloride. Congressmen Cass Ballenger has likewise introduced a companion bill (H.R. 1990) in the House on behalf of FMC Lithco, in Gastonia, NC.

Mr. President, I ask unanimous consent that a fact sheet explaining the nature and uses of secondary butyl chloride be printed in the Record at the conclusion of my remarks.

There being no objection, the fact sheet was ordered to be printed in the Record, as follows:

FACTSHEET
Product name: Secondary Butyl Chloride. Alternate name: 2-Chlorobutane.
Chemical formula: C4H8Cl.
Import tariff classification: HTS 2903.19.50; tariff rate—18%.
CAS registry number: 78-88-4.

Secondary butyl chloride has limited applications and is not considered widely used commodity. World demand is primarily in Europe, the United States, and to a minor degree in Japan. A major, if not the only application, is in the production of secondary butyl lithium.

SECONDARY BUTYL LITHIUM
Applications
Secondary butyl lithium has several limited applications which are sensitive to world conditions. In the specialty adhesives market, secondary butyl rubber is catalyzed using secondary butyl lithium. A major outlet for this special rubber is in specialty adhesives for aerospace/military applications; and cable jacketing for undersea and underground conditions.

The polyethylene industry is undergoing major changes as new high strength, tear resistant linear low density polyethylene (LLDPE) compounds are becoming available. These compounds offer advantage in their specialty engineered properties tailored for special applications. A common example is tear resistant trash bags which can be produced thinner, yet stronger, than bags made of traditional polyethylene compounds previously available.

One method of producing LLDPE's required to create competition in the industry is by co-catalyst systems. A competitive catalyst system is imported from Europe displacing U.S. produced secondary butyl lithium. This competitive catalyst system is imported with 3.7% tariff duty.

By Mr. KENNEDY (for himself, Mr. Simon, Ms. Mikulski, and Mr. Pryor):
S. 1728. A bill to amend the Public Health Service Act to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes; to the Committee on Labor and Human Resources.

PUBLIC HEALTH CLINIC PRUDENT MEDICAL PURCHASING ACT
Mr. KENNEDY. Mr. President, last year, Congress required that discount drug prices made available by pharmaceutical manufacturers to certain federal programs be no less than those available to State Medicaid Programs. This initiative is now providing much needed financial relief to Medicaid while at the same time improving access of our most vulnerable citizens to needed drug therapies.

Last year's legislation, however, did not extend the discount to other groups of purchasers who deserve it: Public Health Service Act clinics, such as those for the elderly and migrant health centers, drug treatment centers, family planning clinics, and Ryan White AIDS grantees, which also serve the Nation's most vulnerable citizens.

Unfortunately, to offset the loss of profits from Medicaid drug manufacturers have increased their prices to other purchasers.

As a result, many Public Health Service Act clinics have reported significant budget problems in recent shal low months. Community Health Centers in Texas have been told by one manufacturer that prices for their drugs will increase by at least one-third, and possibility by as much as 350 percent. Family planning clinics in many States have in a similar program, one family planning clinic in Massachusetts reports that one manufacturer has increased in price for a widely used antifungal cream by 93 percent. The director of reproductive health for the Massachusetts Department of Public Health estimates that the price hikes will cost her program an additional $250,000 for oral contraceptives alone.

The National Association of State Alcohol and Drug Abuse Directors, who oversee drug treatment clinics, report that methadone prices have doubled this year. These increases follow on the heels of normal increases last year of 40 percent for this essential drug. A White House official, Dr. Herbert Klebar, Deputy National Drug Control Policy Director, has warned that "This could eat up millions in new treatment money **. An increase of this magnitude could have a significant impact on the number of patients that could be treated."

Public Health Service Act clinics have the worst of both worlds. They are not able to receive the same discount prices as Medicaid payers, and they are being forced to accept much larger than normal price increases for prescription drugs. Even these normal price increases for drugs have been more than twice the rate of general inflation.

I want to make clear that this legislation extends the discount drug prices to clinics who purchase and dispense drugs to low income individuals, not to all grantees under the Public Health Service Act. The Congressional Budget Office has estimated that the rebate program will save these clinics $30 million each year. This is real money to these programs that are caught by rising health care costs, but it is only a drop in the bucket for the pharmaceutical industry. In a hearing before the Senate Committee on Labor and Human Resources last year, it was estimated that the industry spends over $5 billion each year on advertising and marketing.

The bill does not technically require drug manufacturers to offer discount drug prices to the clinics. Rather, the sale of drugs to all Public Health Service Act grantees is conditioned on the signature of a rebate agreement to provide discounts to the clinics. This is the same approach taken by the Medicaid rebate program.
This proposal will not place an undue administrative burden on drug manufacturers. Although some manufacturers have opposed rebate requests, the companies have consented to the text of the bill being printed in the Record.

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

S. 1728
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 "Public Health Clinic Franchise Pharmaceutical Purchasing Act."

SEC. 2. REBATES FOR THE PURCHASE OF CERTAIN DRUGS.
Title XXIX of the Public Health Service Act (42 U.S.C. 300a-2 et seq.) is amended—
(3) in the title heading by inserting "AND CERTAIN DRUG PURCHASES"; and
(7) by adding at the end thereof the following new part—
Part E—Rebates For The Purchase of Certain Drugs.

(a) Requirements.—An entity that receives funds under this Act may not purchase any drug, biological, described in such subsection from a manufacturer unless there is first entered into an agreement with the Secretary that requires the manufacturer to provide a rebate, as determined under subsection (c), to a covered entity for the purchase of such a drug, except that such a rebate may not be required in the case of any drug provided to an individual for which reimbursement has been made under title XX of the Social Security Act.

(c) Covered Entities.—A drug of the type described in subsection (a) shall be a drug as defined in section 1327(k)(2) of the Social Security Act, and any over the counter drug or birth control device, that is purchased and dispensed by—
(1) a migrant health center receiving assistance under section 328;
(2) a community health center receiving assistance under section 330;
(3) an entity receiving assistance under section 340;
(4) an alcohol or drug treatment entity or mental health entity receiving assistance under section 330;
(5) a family planning project described in section 1024;
(6) an entity receiving assistance under section XXX;
(7) a Black lung clinic funded under this Act; and
(8) a clinic that treats sexually transmitted diseases and is funded under section 318.

(b) Amount.—The amount of a rebate described in subsection (a) shall be the difference between the purchase price paid by the covered entity described in subsection (b) for the drug during the calendar quarter or other applicable period and the price per unit available to the covered entity on the first day of such calendar quarter or other applicable period on which such drug was initially available for purchase.

(c) No Reduction in Great Amounts.—Notwithstanding any other provision of law, grants awarded under Federal law to covered entities described in subsection (a) shall not be reduced as a result of such entities receiving rebates under this section.

(d) Barrow.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that shall contain—
(1) a description of the drugs purchased under agreements entered into under this section and the amounts of such purchases;
(2) an assessment of the effectiveness of the rebate provisions under this section, including the savings achieved and the administrative costs associated with such program;
(3) an assessment of the feasibility of implementing agreements with manufacturers under this section, the utilization of the Federal supply schedule and the Federal Depot system; and
(4) a recommendation for legislation that would improve such program, including the establishment or utilization of recommendation...
drug purchasers serving similar vulnerable populations of our society. The legislation also authorizes the HHS Secretary to attempt to negotiate with drug companies in an attempt to reduce prescription drug prices to levels effective prior to the enactment of the Medicaid law.

It is my belief that Senator KENNEDY's approach is consistent with the straightforward intent of the Medicaid law—namely, to reduce drug prices for financially strapped programs serving the poor that are being denied access to discounts and that consequently, are in effect, charged above their purchasing power. Just as it was unfair for the Medicaid Program to be paying the highest prices in the market for drugs, it is unfair for PHS clinics, such as community and migrant health centers, drug treatment centers, and black lung clinics to spend their already scarce health care dollars on overly inflated drug prices.

Mr. President, although it is certainly not statistically disappointing that many drug manufacturers have apparently chosen to increase prices to PHS clinics. Regrettably, the drug manufacturers have not limited their pricing increases to PHS clinics. We are receiving daily reports from the Department of Veterans Affairs (DVA), the Department of Defense, hospitals, Health Maintenance Organizations, clinics, and others that they are either experiencing similar price hikes or receiving threats that this is likely to occur. In fact, just yesterday, the General Accounting Office released the first part of its congressional mandated report that continued that a number of manufacturers are significantly increasing prices on select drugs sold to the DVA.

Even more troubling, acutely and chronically ill patients of all ages are finding that public and congressional attention alone will not shAME the drug manufacturers into constraining skyrocketing prescription drug price increases. Despite all the attention focused on the drug industry in the last Congress, the manufacturers continue to turn a deaf ear to our pleas for moderate prices.

Just last week, I went to the floor to document a prescription drug price inflation rate that is increasing at more than 3% times the general inflation rate in the first 6 months of this year. These price increases exceed the uncorrectable inflation rate of the 1980's—when the 56 percent general inflation rate peaked in comparison to the 152 percent prescription drug inflation rate. There is no question in my mind that we must find ways to address this problem. If we do not, it is my belief that we will be doing as much a disservice to our constituents as is our drug industry.

As my colleagues in the Senate know, I have long been involved in the prescription drug pricing issue for some time now. I have come to the conclusion that prescription drug price containment is best addressed in a comprehensive manner. Otherwise, the drug industry will continue to attempt to pit one group who pays slightly less ridiculous prices for prescription drugs against another who pays more ridiculous prices for the same drugs.

It is for this reason that I have chosen not to join Senator KENNEDY today as an original cosponsor of his legislation. Instead, in the upcoming weeks, I will offer an alternative—fully comprehensive prescription drug price containment proposals.

Having said this, as a public servant with a fiduciary responsibility to our Nation's taxpayers, I cannot and will not oppose efforts that represent responsible approaches to dealing with the prescription drug pricing crisis we face. The Public Health Clinics Affordable Drug Act definitely meets this requirement and my lack of cosponsorship should not be construed in any other way than sending the message that I believe we can and must do more.

Mr. President, once again, I congratulate and commend Senator KENNEDY on his thoughtful proposal. I look forward to working with him, my colleagues on the Finance Committee, the Labor and Human Resources Committee, and all Members of this body in developing an equitable solution to the intolerable and unacceptable prescription drug pricing crisis we and all Americans face.

By Mr. CHAFEE:

S.J. Res. 199. Joint resolution to designate the week of October 13 through October 19, 1991, as "National Mentoring Week"; to the Committee on the Judiciary.

NATIONAL MENTORING WEEK

Mr. CHAFEE. Mr. President, I rise today to introduce a joint resolution that would designate October 13 through October 19, 1991, as "National Mentoring Week." A similar proposal has been introduced in the House of Representatives. I am pleased to ask the Senate approval of this resolution.

The ability of our Nation's businesses to compete both domestically and abroad depends in large part on the quality of our workforce. Behind the success of every company are men and women who do their jobs, and do them well.

One way to ensure that American industry will remain a leader in the developing world economy is to prepare our young people to be productive workers. Schools in particular play a critical role in training youngsters to assume the challenges of the Nation's workforce.

There is growing awareness that mentoring, one-to-one relationships between a responsible adult and a student, can help prepare young people for success in the work force. Equally important, much of that success can be transferred easily to the workplace. Mentoring programs can help reduce...
the dropout rate among at-risk youth. Moreover, volunteer mentors can be important role models, and are a valuable source of support and guidance to students.

Rhode Island is host to a number of mentoring programs. Both the public and private sector have encouraged individuals to act as mentors to the State's children, and hundreds have accepted that challenge.

Mr. President, mentoring is a low-cost, high-yield enterprise. I encourage my colleagues to support this important resolution.

ADDITIONAL COSPONSORS

S. 247

At the request of Mr. Reed, the name of the Senator from New Hampshire [Mr. Sargent] was added as a co-sponsor of S. 247, a bill to prohibit State from imposing an income tax on the pension or retirement income of individuals who are not residents or domiciliaries of that State.

S. 447

At the request of Mr. Bumpers, the name of the Senator from Pennsylvania [Mr. Wirth] was added as a co-sponsor of S. 447, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small businesses, and for other purposes.

S. 447

At the request of Mr. Thurmond, the name of the Senator from Massachusetts [Mr. Kerry] was added as a co-sponsor of S. 447, a bill to recognize the organization known as The Retired Enlisted Association, Incorporated.

S. 493

At the request of Mr. Kennedy, the names of the Senator from North Carolina [Mr. Sanford], and the Senator from Michigan [Mr. Levin] were added as cosponsors of S. 493, a bill to amend the Public Health Service Act to improve the health of pregnant women, infants and children through the provision of comprehensive primary and preventive care, and for other purposes.

S. 809

At the request of Mr. McCain, the name of the Senator from New York [Mr. D'Amato] was added as a co-sponsor of S. 809, a bill to require a 60-vote supermajority in the Senate to pass any bill increasing taxes.

S. 1010

At the request of Mr. Inouye, the names of the Senator from Maryland [Mr. Sarbanes], and the Senator from Ohio [Mr. Moos] were added as cosponsors of S. 1010, a bill to amend the Federal Aviation Act of 1958 to provide for the establishment of limitations on the duty time for flight attendants.

S. 1037

At the request of Mr. Murkowski, the name of the Senator from New York [Mr. D'Amato] was added as a cosponsor of S. 1037, a bill to amend the Immigration and Nationality Act to revise certain health requirements regarding the admission of certain disabled veterans and to revise the period of active military service required for a veteran to qualify for naturalization.

S. 1040

At the request of Mr. Glenn, the name of the Senator from Georgia [Mr. Fowler] was added as a cosponsor of S. 1040, a bill to provide a Governmentwide comprehensive energy management plan for Federal agencies.

S. 1139

At the request of Mr. Nunn, the names of the Senator from Texas [Mr. Bentsen], the Senator from Indiana [Mr. Lugar], and the Senator from Louisiana [Mr. Johnston] were added as cosponsors of S. 1139, a bill to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

S. 1332

At the request of Mr. Baucus, the names of the Senator from Michigan [Mr. Stabenow], the Senator from Nebraska [Mr. Enron] were added as cosponsors of S. 1332, a bill to amend title XVIII of the Social Security Act to provide relief to physicians with respect to excessive regulations under the medicare program.

S. 1381

At the request of Mr. Graham, the name of the Senator from Nebraska [Mr. Enron] was added as a co-sponsor of S. 1381, a bill to amend chapter 71 of title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with disability compensation.

S. 1383

At the request of Mr. Dodd, the name of the Senator from Connecticut [Mr. Lieberman] was added as a co-sponsor of S. 1383, a bill to amend the Securities Exchange Act of 1934 with respect to limited partnership rollups.

S. 1423

At the request of Mr. Conrad, the name of the Senator from South Dakota [Mr. Daschle] was added as a co-sponsor of S. 1423, a bill to amend chapter 17 of title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a mobile health care clinic program for furnishing health care to veterans located in rural areas of the United States.

S. 1426

At the request of Mr. Bumpers, the names of the Senator from Arkansas [Mr. Pryor], and the Senator from North Carolina [Mr. Sanford] were added as cosponsors of S. 1426, a bill to authorize the Small Business Administration to conduct a demonstration program to enhance the economic opportunities of startup, newly established, and growing small business concerns by providing loans and technical assistance through intermediaries.

S. 1441

At the request of Mr. Graham, the name of the Senator from Pennsylvania [Mr. Specter] was added as a co-sponsor of S. 1441, a bill to provide disaster assistance to agricultural producers, and for other purposes.

S. 1451

At the request of Mr. Biden, the name of the Senator from Indiana [Mr. Lugar] was added as a cosponsor of S. 1451, a bill to provide for the minting of coins in commemoration of Benjamin Franklin and to enact a fire service bill of rights.

S. 1492

At the request of Mr. Specter, his name was added as a co-sponsor of S. 1492, a bill to amend the Internal Revenue Code of 1986.

S. 1572

At the request of Mr. Breaux, the name of the Senator from Connecticut [Mr. Dodd] was added as a co-sponsor of S. 1572, a bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended care services be provided not later than 30 days after a period of hospitalization of not fewer than 3 consecutive days in order to be covered under part A of the Medicare Program, and to expand home health services under such program.

S. 1573

At the request of Mr. Reid, the name of the Senator from Maryland [Ms. Mikulski] was added as a co-sponsor of S. 1574, a bill to ensure proper and full implementation by the Department of Health and Human Services of Medicaid coverage for certain low-income Medicare beneficiaries.

S. 1578

At the request of Mr. Thurmond, the names of the Senator from Louisiana [Mr. Johnson], the Senator from Arizona [Mr. DeConcini], the Senator from Nebraska [Mr. Enron], and the Senator from Wyoming [Mr. Simpson] were added as cosponsors of S. 1578, a bill to recognize and grant a Federal charter to the Military Order of World Wars.

S. 1596

At the request of Mr. Wofford, his name was added as a co-sponsor of S. 1596, a bill to provide for a Pilot Program of Fair Housing Testing in the Department of Justice.

S. 1650

At the request of Mr. Kerry, the name of the Senator from Washington [Mr. Adams] was added as a co-sponsor of S. 1650, a bill to revise the National Flood Insurance Program to provide for mitigation of potential flood damages and management of coastal erosion, ensure the financial soundness of
the program, and increase compliance with the mandatory purchase requirement, and for other purposes.

S 1115

At the request of Mr. GRAMM, the name of the Senator from Louisiana (Mr. Breaux) was added as a cosponsor of S. 1715, a bill to ensure the protection of the Gulf of Mexico by establishing the Environmental Protection Agency a Gulf of Mexico Program Office.

S 1723

At the request of Mr. BENTSEN, the names of the Senator from Tennessee (Mr. NICHOLSON), the Senator from Oklahoma (Mr. Boren), and the Senator from Nebraska (Mr. Kerrey) were added as cosponsors of S. 1723, a bill to provide emergency unemployment compensation, and for other purposes.

SENATE JOINT RESOLUTION 38

At the request of Mr. TWARDOVSKY, the name of the Senator from Virginia (Mr. Warner) was added as a cosponsor of Senate Joint Resolution 38, a joint resolution to recognize the "Bill of Rights of the Freedoms Foundation at Valley Forge.

SENATE JOINT RESOLUTION 91

At the request of Mr. HATCH, the names of the Senator from Hawaii (Mr. Akaka), the Senator from Texas (Mr. Bentsen), the Senator from Delaware (Mr. Brown), the Senator from South Dakota (Mr. Byrd), the Senator from New Jersey (Mr. Bradley), the Senator from Louisiana (Mr. Breaux), the Senator from Nevada (Mr. Bryan), the Senator from Arkansas (Mr. Bumpus), the Senator from Montana (Mr. Burns), the Senator from North Dakota (Mr. Bunde), the Senator from Rhode Island (Mr. Chafee), the Senator from Indiana (Mr. Coats), the Senator from Mississippi (Mr. Cochran), the Senator from Maine (Mr. Cohen), the Senator from Idaho (Mr. Crahan), the Senator from California (Mr. Cranston), the Senator from New York (Mr. D'Amato), the Senator from Ohio (Mr. DeConcini), the Senator from Illinois (Mr. Dixon), the Senator from Connecticut (Mr. Donn), the Senator from Kansas (Mr. Dole), the Senator from New Mexico (Mr. Duran), the Senator from Minnesota (Mr.Durkheimer), the Senator from Georgia (Mr. Fowler), the Senator from Utah (Mr. Gann), the Senator from Ohio (Mr. Glenn), the Senator from Iowa (Mr. Grassley), the Senator from Tennessee (Mr. Gore), the Senator from North Carolina (Mr. Helms), the Senator from South Carolina (Mr. Hollings), the Senator from Hawaii (Mr. Inouye), the Senator from Vermont (Mr. Javens), the Senator from Kansas (Mrs. Kassebaum), the Senator from Wisconsin (Mr. Kasen), the Senator from Missouri (Mr. Kennedy), the Senator from Michigan (Mr. Kyl), the Senator from Maine (Mr. Mitchell), the Senator from Mississippi (Mr. Morris), the Senator from South Dakota (Mr. Pressler), the Senator from Arkansas (Mr. Pryor), the Senator from Michigan (Mr. Reigle), the Senator from West Virginia (Mr. Rockefeller), the Senator from North Carolina (Mr. Sanford), the Senator from Tennessee (Mr. Sasser), the Senator from Alabama (Mr. Shively), the Senator from Illinois (Mr. Simon), the Senator from Alaska (Mr. Stevens), the Senator from South Carolina (Mr. Thurmond), the Senator from Wyoming (Mr. Wallop), and the Senator from Virginia (Mr. Warner) were added as cosponsors of Senate Joint Resolution 91, A joint resolution to designate the periods commencing on December 1, 1991, and ending on December 7, 1991, and commencing on November 29, 1992, and ending on December 5, 1992, as "National Home Care Week."

SENATE JOINT RESOLUTION 129

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. Breaux) was added as a cosponsor of Senate Joint Resolution 129, A joint resolution designating the week beginning October 20, 1991, as "World Population Awareness Week."

SENATE JOINT RESOLUTION 174

At the request of Mr. GRAHAM, the names of the Senator from Colorado (Mr. Brown), and the Senator from Vermont (Mr. Leahy) were added as cosponsors of Senate Joint Resolution 174, A joint resolution designating the month of May 1992, as "National Amyotrophic Lateral Sclerosis Awareness Month."

SENATE JOINT RESOLUTION 174

At the request of Mr. KENNEDY, the names of the Senator from New Jersey (Mr. Bradley), and the Senator from Maine (Mr. Mitchell) were added as cosponsors of Senate Resolution 174, A resolution expressing the sense of the Senate on Chinese political prisoners and Chinese prisons.

At the request of Mr. Lugar, the name of the Senator from Washington (Mr. Gorton) was added as a cosponsor of Senate Resolution 174, supra.

AMENDMENT NO. 1175

At the request of Mr. SEYMOUR, the name of the Senator from California (Mr. Cranston) was added as a cosponsor of Amendment No. 1175 proposed to H.R. 2666, A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

KASSEBAUM (AND BYRD): AMENDMENT NO. 1174

Mrs. KASSEBAUM (for herself and Mr. Byrd) proposed an amendment to the bill (H.R. 2666) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, as follows:

On page 108, line 14, strike "$143,583,000" and insert "$126,175,000."

HELMS AMENDMENT NO. 1175

Mr. HELMS proposed an amendment to the bill H.R. 2666, supra, as follows:

On page 100, line 14, strike "$143,583,000" and insert "$145,583,000;" shall remain available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 501 of the Act, and for administering the functions of the Act.

"See. Notwithstanding any other provisions of law, none of the funds made available to the National Endowment for the Arts under this Act be used to promote...art...in...or."

DIXON (AND SIMON) AMENDMENT NO. 1178

Mr. DIXON (for himself and Mr. Simon) proposed an amendment to the bill H.R. 2666, supra, as follows:

On page 57, line 16, delete "$3,179,205,000" and insert in lieu thereof "$3,177,000,000."

On page 84, line 1, delete "$79,000,000" and insert in lieu thereof "$78,700,000."

On page 72, after line 21, insert the following:

"The Forest Service shall conduct a below-cost timber sales study on the Shawnee National Forest, Illinois, in fiscal year 1992."

"The Forest Service shall conduct the below-cost timber sales study on the Shawnee National Forest, Illinois, in fiscal year 1992."

"The Forest Service shall conduct the below-cost timber sales study on the Shawnee National Forest, Illinois, in fiscal year 1992."

HELMS AMENDMENT NO. 1177

Mr. HELMS proposed an amendment, which was subsequently modified, to the bill H.R. 2666, supra, as follows:

On page 106, strike the word "organs," in the following: amendment as amended by amendment 1175, and insert the following: organs."
NOTICES OF HEARINGS

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. LEVIN. Mr. President, I wish to announce that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, will have a hearing on disclosure of executive branch lobbying, on Wednesday, September 25, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 19, at 10 a.m. to hold a hearing on the Soviet democratic revolution.

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

COMMITTEE ON THE JUDICIARY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, September 19, at 9:00 a.m. to hold a nomination hearing of Judge Clarence Thomas.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate at 10:30 a.m. on September 19, 1991, on S. 640, the Product Liability Fairness Act and S. 645, General Aviation Accident Liability Act.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, Thursday, September 19, 1991, at 10:30 a.m. to conduct a hearing on the GAO Report on the Bank of New England Failure.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9 a.m., September 19, 1991, to receive testimony on the resettlement of Rongelap, Marshall Islands.

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

Mr. MITCHELL. Mr. President, I seek unanimous consent that the Select Committee on Indian Affairs be authorized to meet on September 19, 1991, beginning at 9 a.m., in 485 Russell Senate Office Building, to consider for report to the Senate S. 982 and H.R. 972, legislation to reaffirm the inherent authority of Tribal governments to exercise tribal jurisdiction over all Indian people on reservation lands and S. 1717, a bill to amend the Native American Programs Act of 1974, to be followed immediately by a hearing on S. 1720, reauthorization of the Navajo-Hopi Relocation Housing Program.

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

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, September 19, 1991, at 8 a.m., in open session, to receive testimony on Soviet military conversion.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I seek unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, September 19, 1991, at 12:45 p.m. to receive testimony on Soviet military conversion hearing of Robert M. Gates to be Director of the Central Intelligence.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate for an executive session on pending Presidential nominations on Thursday, September 19, 1991, at 2 p.m. on ICC motor carrier oversight.

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on September 19, 1991, at 2 p.m. on ICC motor carrier oversight.

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

SUBCOMMITTEE ON WATER AND POWER

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., September 19, 1991, to receive testimony on S. 1228, the Western Water Policy Review Act of 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.
THE MAIDEN FLIGHT OF THE C-17 AILPLERT

Mr. DIXON. Mr. President, it has been over a year now since Saddam Hussein invaded Kuwait and our Armed Forces were called upon to check this brazen aggression. Today we boast of how our military successfully turned Saddam back using the most technologically advanced weapons systems in the world.

We have every reason to be proud of our people and our technology—we were prepared and it paid off. But as chairman of the Senate Armed Services Subcommittee on Readiness, sustainability and support, I wish to emphasize that we cannot afford to rest on our laurels.

With that in mind, I commend McDonnell Douglas for recognizing the vital importance of staying on the cutting edge of technology. Yesterday, the McDonnell Douglas C-17 airlifter made its maiden flight. This aircraft will succeed the C-141 to greatly enhance our military transport capabilities.

As a matter of fact, Gen. H.T. Johnson, commander of both the Military Airlift Command and the U.S. Transportation Command located at Illinois' Scott Air Force Base, calls the C-17 a critical airlift asset. He states that its modern design will result in fewer intertheater missions, fewer crew members, less maintenance, additional intratheater capability and a faster rate of cargo delivery. I am told that if the C-17 had been used during Operation Desert Storm, we could have performed our airlift deployment 20 to 35 percent faster.

Mr. President, I simply wish to applaud the tremendous effort McDonnell Douglas has put into producing aircraft such as the C-17. With that kind of support, we can ensure our military has what it needs to be prepared for any situation.

SOVIET MILITARY CONVERSION—THE CASE AGAINST PROVIDING AID OUT OF THE DEFENSE BUDGET

Mr. McCAIN. Mr. President, the Armed Services Committee met today to examine the issues relating to the conversion of Soviet military plants and industry, and the possible use of United States aid. The committee is not examining any specific proposals for such aid at this time, but I believe that this issue is part of an emerging debate over the Defense budget, and I would like to make my views clear on the issue.

Let me begin by stating that I do not oppose all aid to the new Union of Soviet Socialist Republics. We cannot ignore the needs of the emerging democratic regimes in Russia, the other former Soviet Republics, and Eastern Europe. I support humanitarian aid, and I believe the United States may find it useful to join other nations in providing carefully targeted aid to the emerging Soviet private sector.

At the same time, I am deeply concerned about American's priorities as well as those of the Soviet Union. We cannot ignore that we face major economic and domestic problems of our own. America's have urgent needs for a peace dividend, for reduced taxes, and for action in helping the elderly, minorities, and the poor and those like education and transportation.

We also cannot make sudden and unplanned tradeoffs between aid and national security. We cannot ignore the fact that we still need military forces to defend our interests and those of our allies in other parts of the world.

We have hard choices to make, and we cannot afford to shape long-term policies on the basis of momentary good intentions, and uncertain priorities. This is particularly true of any aid to Soviet military conversion. I believe that there are five major reasons we should not provide such aid:

THE REACTIONARY NATURE OF THE SOVIET MILITARY INDUSTRIAL COMPLEX

First, we must recognize who we are talking about, as well as what we are talking about. We are talking about a military industrial complex that produced eight of the members in the junta that tried to overthrow Presdident Gorbachev and Russia's developing democracy. We are talking about the organization headed by Oleg Baklanov, who talked democracy but was a key force behind the coup.

We are talking about an element of Soviet society that has been one of the most privileged groups of apparatchiks in the Communist bureaucracy. We are talking about one of the few groups that has failed to produce any significant reformers—as distinguished from producing rhetoric about conversion and perestroika.

THE TRUE CHALLENGE POSED BY TRYING TO AID THE SOVIET ECONOMY

Second, we must understand the true nature of the challenge we face. We have learned the hard way in the past that far smaller economies can easily absorb billions of aid dollars without benefit. Worse, we have seen aid dollars simply make the situation worse. In the 1980s, we often saw aid to Asia, Africa, and Latin America divert attention from the need to strengthen private enterprise, and encourage state-owned enterprises in the inefficient use of resources.

In the case of the Soviet economy, however, we are talking about providing comparatively limited amounts of aid to an economy whose gross national product recently has been worth $2.6 trillion, or roughly half the value of our own.

Further, we are talking about an economy virtually every aspect of which is in crisis. In recent years, living standards have dropped by more than 20 percent, almost solely because of policy mistakes and mismanagement. The overall output of the Soviet economy has already dropped by at least 11 percent in the last 12 months. The CIA estimated before the recent coup that the Soviet GNP would probably drop by 20 percent in 1991, and inflation could reach 100 percent. No one, even in the Soviet Union, is capable of predicting current trends.

The scale of this crisis not only requires us to be extremely careful in targeting every aid dollar, it also indicates that there are strong reasons to focus on aid to the civil sector rather than military conversion.

CIA estimates issued this spring indicate that Soviet civil investment, and the completion of new major civil projects, may have dropped by 50 percent since 1988. The transportation sector has suffered a breakdown of development that it is on the edge of collapse. All of these areas desperately need investment and resources.

SOVIET USE OF AID FOR ECONOMIC REFORM

Third, we must understand that good intentions and rhetoric are not a substitute for carefully planned economic reform where aid is asked to be a catalyst in achieving change.

The Soviet leaders and bureaucracy did very little to use the aid they were given before the abortive coup. While the leaders of the Soviet Union talked economic reform, their proposals were at best half hearted, and even those few proposals which were enacted into law died in the hands of the Soviet Union's permeating and deadly bureaucracy. The Soviet Government generated a massive budget deficit, and wasted virtually all of the billions of dollars' worth of credits, and loans it received from the West.

Although the U.S.S.R. arranged for some $7 billion in credits and loans in the spring of 1991, virtually none of this was allocated to any of the market or structural reforms necessary to change the Soviet economy. The black market and new private sector, not the State, became the center of most of the reform has occurred.

This is why the Soviet Union's nascent efforts at private enterprise and new commercial sector have been at a time when its economy is being torn apart by unstable and sharply rising prices, the ruble's loss of value, the breakdown of trade between the elements of the Soviet economy, regional fragmentation, and the failure of the Soviet distribution system.

We also must firmly recognize that providing billions of dollars in U.S. aid will be a meaningless exercise in symbolic aid. It will only be seen in a matter of weeks unless there is a clear reform plan that will actually be implemented. We also need to recognize that the Soviet people will gain...
nothing if we provide such aid to the wrong leader and the wrong plan. Humanitarian aid is vital and necessary, aid for economic reform must not be tied to the right leader and the right plan.

Soviet military aspects and military conversion

Fourth, Soviet military conversion is an area we must exercise particular caution because Soviet military industrial conversion represents an active threat to peace.

The CIA reported before the recent coup attempt that the formal Soviet defense budget in 1981 would be 55.6 billion rubles versus 73.9 billion rubles in 1980. Although Soviet planners talked 2 years ago of cutting military spending by 33 to 50 percent, DIA estimated before the coup that there were no indications that cuts of this magnitude were underway.

While real military procurement expenditures seem to have dropped by as much as 20 percent over the last 2 years—particularly in the production of tanks, artillery, and other armored vehicles—a recent draft estimates new procurement expenditures are planned to rise by 15 percent, and cuts in R&D activities have largely been blocked by the Soviet military.

Deployment of the fifth and sixth modification of the SS-18 heavy ICBM have continued, although such modifications have little value except in their multiplicity. Where we have virtually frozen ICBM modernization, and plan major force cuts, the U.S.S.R. has finished deployment of the rail-based SS-24. It continues to deploy the road-based SS-35, and has at least two new ICBMs in development. It is restructuring its SSBN force, and has two new SSBN's in development.

Structural problems in Soviet military conversion

Fifth, we must recognize that there are major structural problems in Soviet military industry that raise serious questions about whether it can convert to civil production in any cost-effective way.

There is no doubt that the Soviet military complex is vast—totalling as much as 30 percent of all Soviet industrial activity. Soviet military production has dominated the industrial sector of the economy, and this domination has been a key factor behind the lack of housing and consumer goods in the Soviet Union. Every Soviet citizen has suffered because of the immense effort that has gone into such efforts—an effort that is at least four to eight times larger in terms of the relative burden it has imposed on the Soviet economy as military production in the United States.

These problems have given the Soviet leadership every incentive to restructure military industry to serve civil needs. However, in spite of a great deal of rhetoric about military conversion since 1988, very little has changed.

While thousands of plants are fully involved in military production, the U.S.S.R. only singled out 500 for any form of conversion before the coup. Most of these 400 military and 100 civilian plants have so far only made token or propaganda efforts to convert from military to civil production—if that.

Further, only 6 military plants and 24 civilian plants, are planned to totally cease military production. This is a far cry from the U.S. which has made in military production and conversion during the same period, and the CIA reports that the Soviets planned to spend only 9 billion rubles on this conversion before the recent coup attempt.

The question is why this progress has been so limited. The explanation scarcely seems to be a lack of technology or outside capital—since the Soviets have spent so much on maintaining their military effort.

It seems far more likely that the conversion problem is a combination of deliberate resistance to change for political and bureaucratic reasons, and of an array of structural problems and poor efficiency.

Structural problems are ones we often see in the U.S. defense industry. Highly specialized buildings and tools, designed purely for military production and the use of resources without regard for cost, do not tend themselves to conversion. Time and space constraints mean that they are too rigid and too hard to adjust. It means trying to change every aspect of the physical nature of a plant, and every aspect of the way its management and labor think and operate.

We must also beware of thinking of the Soviet military sector as being efficient relative to the civil sector. There are major debates within the intelligentsia community, and among Soviet economists, about the relative efficiency of the military production sector.

A significant number of experts seem to believe that the Soviet military production system has only succeeded because of the vast resources it commands. They believe that it consists of a bureaucracy that is reactionary and highly resistant to change, and highly specialized facilities filled with highly specialized equipment that will be extremely difficult to convert.

There are three recent articles that summarize these views, and I respectfully request that they be included in the Record.

The articles follow:

[From the Economist, Dec. 15, 1990]

Converting Soviet Arms Factories

Swords into ploughshares, tanks into tractors, missile-makers turning their tools to everyday from production to throttle-making machines. Just a disarmers' pipe-dream? Mr. Mikhail Gorbatchev hopes not. He talks of transforming the Soviet Union from an "arsenal of a world power" into an "arsenal of peace". This is not pacifism, but realism.

The threat to the Soviet Union's Union's future is not just from belligerent republics or uncoordinated generals. It is economic collapse that has brought the Soviet state to the point of disintegration. It was always going to be hard to remake the Soviet economy in 70 years. It proves impossible, one reason will be that the vast, secretive military-industrial complex built up in the over-armed 1940s and 1950s is still squeezing the life out of the place.

[AP only]

Today's buzzword for the attempt to break this military-industrial stranglehold is conversion. Conversion means for Western economies too. In the post-Cold War West, shrinking armies also mean shrinking order books for defence industries (the U.K. and France are a Quiet Revolution). People have to be retrained, factories re tooling or closed. The Stockholm International Peace Research Institute recently estimated one of the main tasks of the 1990s will be to cost Western Europe's arms industries up to 30% of their sales by the mid-1990s. They will have to retrain, retool and reconvert. The Soviet Union could find the equivalent very painful indeed.

In the years of economic rearmament in the early 1980s, the United States was spending an average of 6% of GNP on defence. Optimists differ on the Soviet proportion, but the world's leading budgetary analyst for Western in a recent survey of the defense industries for Western in a recent survey judged that Western in a recent survey judged that Western in a recent survey judged that Western in a recent survey judged that Western in a recent survey judged that 50-60% of the Soviet GNP represented defence expenditure.

This sort of muscle was not acquired in a fit of absent-mindedness, in the other days, before the Communist party had to worry about sham and parliamentary committees, one of its main tasks was to ensure that the defence industries and the armed forces had everything they needed.

The chief bureaucratic obstacle of this priority supply line was, and still is, the government's military-industrial commission. Until recently, its task was to ensure that state planning and supply agencies, was to channel the best of everything—brains (some 70% of all R&D personnel, according to Mr. Robert Dugger, the Soviet planning agency for electronics and materials—into weapons production. If a defence factory ran short of anything, it was the task of the party's defense commission by exiling the heads of civilian factories. Worse than that, what Mr. Gorbachev has called the Soviet Union's "inner Caesars", the rigid separation between civilian and military industry, largely preserved the new technologies and materials developed for military purposes being used to benefit the civilian economy.

Reforms have been resisted because, without command from the top, this easy cash would collapse. Now, however, the military-industry commission has been given the task of supervising an eight-year plan to cut large swathes of defence production of conventional arms. The hope is that, if it works, things are not going well. Even if the commission were comfortable in its task, the shock of the cuts to the black would frustrate the best-intentioned bureaucrat.

[AP only]

People are still confused over what conversion entails. There are few changes of the pace. One of the main challenges is for surplus military equipment, the other, far more significant...
Nonetheless, shrinking orders from traditional customers at home and in Eastern Europe, plus pressure to make a profit in a world where the dollar (for most prices are still controlled), are forcing more and more defense managers into side- lining the defense business. More than 600 defense plants are engaged in the new conversion campaign, at least to some degree. But, to give one example, quoted by New Times, last year only 43 of the planned 120 items of new machinery and equipment for the food-processing industry actually went into production, and many of those were of poor quality.

The aircraft-builders and naval dockyards may be tempted to switch to civil work. But where, except to Soviet customers, could they sell the result? World shipbuilding is a ferocious market at the best of times, and these are not its best. Though there is a Joint Soviet-American project between Sukhoi and Gulfstream to build a supersonic business jet, the market looks dim.

There are high hopes that spin-offs from the Soviet space programme—everything from rockets, kids to new materials for hip joint and heart transplants and much-needed hard currency. Certainly a visit to Britain by Soviet metals and materials experts from this field in September left the impression that they will take the view that whether the Russians can spot and exploit potential markets—entrepreneurial skills for which the country is famous. All these doubts come back to one thing: management. That Soviet materials researchers or aircraft designers can be brilliant, no doubt. But that Soviet defense factories can use their work and turn out effective weaponry and space-craft. But that is no guide to managerial efficiency. It is not getting the hard currency the country needs—never has been, never will be for a protected economy. Much has been made of the consumer control that operated in defense production: the army's own quality-control inspectors were attached to every factory, and shoddy goods were junked. But no one counted up the cost of production. The figures—one of the by-products of the changeover to consumer production—seem to have been miles off the mark.

For all these reasons, conversion, once seen as the salvation of the Soviet civil economy, is becoming something of a dirty word to Mr. Gorbatchev's countrymen—another promise unfulfilled.

MILES TO GO

Yet the problem that led to the conversion campaign in the first place is still not solved. The answer, by some Soviet economists is to take large chunks of goods, resources and skills out of the military sector—such as one size by one quarter, says one) and then put them into the factories that still survive conversion—ammonium-plant filling plants—leaves the whole economy quite untouched. This one-fifth of the labor force would correspond to a two-thirds production shrinkage. But, even if the real figure is much higher, it would remain a long way short of the total production gap that needs to be closed.

The trouble is that retooling, retraining and rebuilding the country's industries are too expensive. The reason is that the country is so well stocked with raw materials that it would be difficult and expensive to disperse the workforce from military to civilian production. The transition must be made in stages, and at a pace the country can afford. The problem is to find the right balance between the two sectors that will allow the economy to make the transition.
The conversion of the Soviet Arms Industry: Plans, Reality, and Prospects

(By Michael Chudnoff)

Since late-1988 virtually all Soviet leaders and most of the political commentators have emphasized the importance of transition from military to civilian economy. After the official announcement of a new military doctrine the subsequent disarmament policy, much has been written about the anticipated economic benefits of the new arms strategy. From the retrospection of three years, Soviet analysts and managers have discovered that conversion has proved to be much more protracted than expected and created many new difficult and unexpected problems. This article discusses the economic conditions of the conversion program as reflected in published Soviet sources. In an Annex the main personalities involved in implementing the Conversion Program are presented.

1. The conversion and Soviet defense strategy

The Soviet conversion plan can best be understood as an element of the more comprehensive socio-economic policy developed during the decade after the October Revolution. Three cornerstone of this policy, which remain in effect until today, were established in the 1980's:

1. Increase of direct investment in the defense industry
2. Integration of the defense industry in the national economy
3. Production of defense goods for export

Nonetheless, most Soviet military-economic planners, considering the approach to economic planning described above as normal, expected that the transformation of the Soviet economy would strengthen the defense potential of the state. No wonder, therefore, that the conversion program is conceived by the military planners and by many leading Soviet economists in terms of an instrument to improve the critical situation of the civilian market but rather as a strategy to modernize the military-industrial complex in general, and military industry in particular.

Indeed, in the first stage of Gorbachev's leadership a concept was developed of how, in the shortest time possible, to discard Soviet machine-building branches, the backbone of the Soviet military-industrial complex. Serious changes in the arms production plans were not discussed, nor were such discussions expected. Yet, for lack of modern technologies and economic resources this program failed. For that reason and, as it were, out of desperation, in late-1988, 1989, the so-called 'softening' or 'liberalization' of the arms industry was developed. The program of action is based on an intensive exploitation of the resources accumulated in two Soviet arms industry complexes: the military-industrial sector and in the energy producing branches. The latter has to be modernized to increase productivity and to save oil and gas. Thus, the military conversion is to exploit the overinvested capacities of the arms sector in order to accelerate scientific-technological progress in the national economy. In the context of Putsman's arguments the problems, impediments and results of the conversion are treated as components of more complex Soviet economic and defense strategy. Yet, this strategy is no longer--like in the past--indispensable and determinative only because the Soviet ruling elite is today divided as never before, and there is no longer a single unambiguous answer on how to solve the current economic, political, and ideological problems. The Soviet political elite is still divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as indispensable and determinative. The political elite is divided as never before, and there is no longer a single unambiguous answer to the questions of the new strategy. Nonetheless, much can be expected if the strategy is no longer seen as }
September 19, 1991

CONGRESSIONAL RECORD—SENATE

S 13343

Tensions of the Soviet Union in the 1970s-1980s and the U.S.-Soviet arms race are discussed.
It, therefore, behooves us to examine the real dimension and task of the current conversion program.

As we know, above the Soviet disarmament program is just the other side of the armament and defense policy. A closer look at both dimensions is needed.

During the years of Gorbachev's perestroika some reduction in the numbers of weapons produced took place. On the other hand, we witnessed a proliferation of such types of arms like tanks and other armored vehicles: T-72s, SU-27s, submarines, SAMs, and modern tactical missiles, and warships continued until 1989.

The USSR is now building new warships; new missiles are in development. The Soviet arsenal and industrial base is, as it were, the 'black box' full of mystery.

With all these contradictory indications it is not easy for the foreseeable future to make a clear-cut assessment of the dismantling of the armaments and development of a conversion program.

The concept of a conversion program seems to be empty of meaning. Without understanding the current state of the Soviet Union, new arms production will continue, as the principal means of maintaining the stability of the country.

3. Conversion: The apple of discord

The urgent need to exploit the extremely expensive Soviet arms industry for civilian purposes was addressed at home and abroad by Mr. Gorbachev and by prominent civilian figures. Each week one or more articles in this area are published in a growing number of Soviet newspapers and journals. Statements and directives of the country's leaders that in the near future a majority of the Soviet Union's military-industrial elite understand the difficulties being experienced by the country's economy, and that this support the conversion as a necessary policy. But they are divided in assessing the expected advantages and disadvantages: the problems to be solved, the means of action, and the understanding of the substance and meaning of the conversion as a whole.

(a) The military elite together with leading military designers and engineers directly involved in developing the most ambitious defense projects argue that:

(1) The arms production government and industry is an engine for Soviet economic growth and improvement.

(b) Officials of the military-industrial complex and managers of civilian and military enterprises argue that:

(c) Leading economists, politicians and scientists concerned with the development of the country as a whole.

From numerous Soviet publications it is possible to formulate some general problems stressed by the above-mentioned three main social groups. In the absence of the leaders, the following views can be identified:

The military elite is concerned first with preserving high production and employment capacities for the arms industry and preventing its rapid modernization.

The military-industry complexes, defense managers and designers are focusing their efforts on maintaining the privileged status of the military-industrial complexes, and the high level of their technological equipment resources.

Many politicians, leading economists and military experts emphasize the final results of the conversion in the broader context of modernizing the entire economy, particularly the machine-building industry and the need to export surplus industry to the civilian sectors of the economy.

Military commanders and military industrialists are accepting the new defense posture with some reluctance. They are concerned about converting the sizeable forces and industry to meet the economic and industrial capabilities. It is natural, that the military elite is concerned with and feels directly responsible for the defense of the Soviet Union, and therefore in processing various views which reflect the fears and hopes of large Soviet social groups and not only of the military-industrial complex.

The highest military commanders are playing also their own narrow-minded game, motivated by their group interests.

For that reason alone their conversion program strategy is different from that presented by economists and politicians. They would like to have their cake and eat it too. Conversion, yes, but with the goal to preserve the military-industry complexes of the Soviet military-industrial complex. Some examples to illustrate.

In a discussion on the conversion program in the 1990s, we can read that this undertaking should be accomplished within the context of the prospects for the 1990s and the second half of the century; a crime to victimize our raison d'état ... .

These arguments, shared by the highest military commanders, appear even more convincing in light of the recent crisis created by Iraq's policy. The conversion program must be accomplished in such a way that it will not negatively impact on the capacities and reindustrialization readiness of the arms industry. It is a major drawback—notes a Soviet economist—that conversion cannot be achieved along the same lines as in the second half of the century; it is a crime to victimize our raison d'état ... .

The military elite intends, therefore, to have a "non-conversion conversion," which will help to accelerate the modernization of the machine-building industry—the basis for defense and for producing new weapon systems, and to victimize the civilian enterprises and national economy in general, which will be the goal to win in long-term development plans. Of course, the military elite does not oppose many other domestic tasks, and supports the government in general (a better supplied market, higher level of education, social and political stability), but useful for the Soviet Armed Forces.

The conversion should be accomplished if three main issues will be elucidated:

The reduction of the defense production capacities endanger the extensive modernization program of the Soviet Armed Forces?

Conversion in weapons production be ensured, should a dramatic change occur on the world political scene?
(3) How to reconstruct industry across-the-board, so as to preserve its main links with the arms industry and the ability of the economy to meet needs in a war-time footing, in accordance with the mobilization plans?

To answer these questions are for Soviet military commanders more crucial than current cuts in arms production programs, and no one Soviet leader is neglecting them. It would be, therefore, a very-superficial conclusion to assert that the military elite's traditional approach is no longer a major factor in determining Soviet mobilization plans and economic policy in general.

While the conversion process is now widely discussed among the elites, media, and politicians, the growing role of leading Soviet economists and other scientists should be emphasized. Under conditions of glasnost' their professional advice and analysis have a growing impact on many important decisions related to conversion. For politicians and economists the conversion program should satisfy needs other than the tasks of the military. In the short term the conversion of the arms industry should first and foremost make it possible to overcome current market shortages. In the medium term, the major economic goal of reducing arms production programs is to modernize the consumer goods producers of the country. The flow of resources badly needed to accelerate scientific technological progress in the economy in general.

Indeed, the differences between the post-war and current situations are more complex. In the 1990s the main problem is not to replace a medium, but to modernize an extended industrial base, to reconstruct an inefficient agriculture with an infrastructure which is one of the most backward, and to employ millions of people who are occupying jobs without any economic justification, and to stop the catastrophic deterioration of the environment and the infrastructure. There is an experience nor the resources to solve such problems. Moreover, the conversion of the arms industries and to convert a country that is an extremely cost capital investments. A leading official of the State, Military-Industrial Commission argues that the conversion process must start with a drastic restructuring and modernization of the fixed capital of all industry and with major capital investments for the replacement of existing plants. All this at a time when there is an extremely critical shortage of funds.

Soviet publications admit that not only capital investments, many years of experience and some serious social sacrifices are a precondition for the planned conversion program. Many economist argue that the existing autarchic system of the Soviet economy makes the conversion problems more complicated than in a market economy. A well known Soviet economist notes: ...The idea that Gosplan through the directives is able to cope with the conversion is equal to misleading specialists to the extent to which the market (economy) is able to solve this problem without planning ... The most important requirement for the economic mechanism to impinge upon the process of conversion is to it an economicizing approach (prosvetovat' po zakonam). This mechanism can be created in full only by eliminating the deficit, satisfying the demand for goods and de-monopolizing the market. ... The path to achieve such conditions was recently outlined by the Soviet People's Deputies, and only after the projected "500-700 days" will it be possible to determine whether the mechanism will be established at all. In the meantime the Soviet government remains very carefully in making decisions associated with the conversion of the arms industry. In 1989 only two or three military-industrial plants were totally converted to civilian programs, and in 1990 only a small fraction of the output of the plants was allocated to civilian goods production. According to General Shabanov, by 1995 only 56 plants, from the estimated 300 newly built, yet now "frozen" military plants, 41.5 billion rubles must be invested, with an additional 40.5 billion rubles in subsequent years. Therefore, the need for conversion in our country lies not in the output but in the input of our economic system.

Indeed, the differences between the post-war and current situations are more complex. In the 1990s the main problem is not to replace a medium, but to modernize an extended industrial base, to reconstruct an inefficient agriculture with an infrastructure which is one of the most backward, and to employ millions of people who are occupying jobs without any economic justification, and to stop the catastrophic deterioration of the environment and the infrastructure. There is an extreme shortage of funds.

Soviet publications admit that not only capital investments, many years of experience and some serious social sacrifices are a precondition for the planned conversion program. Many economist argue that the existing autarchic system of the Soviet economy makes the conversion problems more complicated than in a market economy. A well known Soviet economist notes: ...The idea that Gosplan through the directives is able to cope with the conversion is equal to misleading specialists to the extent to which the market (economy) is able to solve this problem without planning ... The most important requirement for the economic mechanism to impinge upon the process of conversion is to it an economicizing approach (prosvetovat' po zakonam). This mechanism can be created in full only by eliminating the deficit, satisfying the demand for goods and de-monopolizing the market.

5. The Soviet prefacts of the conversion program

According to O. Baklanov, CC Party Secretariat responsible for the Soviet military-industrial complex, the conversion program is constantly being implemented by the following institutions: (a) The Ministry of Defense (b) Gosplan (c) The State Committee on Material Supply ( Gosmash) (d) Ministry of Finance (e) The State Committee for Technical and Industrial ministries (f) Other ministries and institutions.

The Soviet Union has some experience in converting its arms industry to non-military production programs. Such a program was successfully implemented after World War II. This was, however, a post-war era, in which people were ready to accept any kind of inconvenience and sacrifice. The postwar conversion process took place during the 1950s and 1960s. In contrast, the economy had been totally ruined and deprived of manpower, capable of utilizing all these new economic and defense needs, even the most outdated production facilities. Today, despite many similarities, the situation is different. A well known Soviet economist admits with reference to the Soviet economist A. Stolyar: ...the distinguishing feature of conversion in the USSR is the fact that is being carried out in an economy of shortages, the economy of the market, and the market is far virtually inexhaustible demand for consumer goods and investment equipment. Therefore, the need for conversion in our country lies not in the output but in the input of our economic system.
A more detailed list would include the following institutions:
The Defense Council and the Politburo—responsible for the armed services (O.R. Ezhov);
The CC Party Department for Defense assigned similar instruments on republican and all-Union levels;
The Defense Branches and Administrative Organs Department of the Management Division of the Ministry of Defense (MVD);
The State Military Industrial Commission;
The Committee for Defense and State Security of the Supreme Soviet of the USSR;
The Commission for Conversion of the Military Industry;
The Ministry of the Main and the Military Directorate of Gosplan;
The National Commission for Promoting the Conversion;
The Central R&D Institute of the Economy and Conversion of the Arms Production;
The Defense Industrial Complex (Seven Military-Industrial Ministries and the Ministry for Communications);
The Ministry of Finance and the Military Department of the State Committee for the Extermination of Anti-Tank Armament;
The State Committee for Science and Technology;
The State Committee for the Conversion of the Military Industry;
The Military Department of the State Committee for Manpower;
The Ministry for Foreign Economic Relations;
The Ministry of Defense, particularly the Directorate for Ordnance (General Shapat), the General Staff and the Rear Services of the Soviet Armed Forces;
The KGB and GRU; and

Representatives of the main and central institutions directly involved in the decision-making process on conversion. An additional four or five smaller ministries and committees at the republican and all-Union level and thousands of managers of the leading R&D institutes and construction bureaus, and about 450 defense plants (or production associations), directly involved in the conversion program, and another 300 plants cooperating with the arms sector, also have their representatives on this commission. Among them are the director general of the State Committee for the Conversion of the Military Industry, who chairs the commission; the director general of the State Committee for Science and Technology; and representatives of the various military-industrial complexes.

The commission is the leading body of the ruling party that determines the general course of the conversion process without having its substantive work supervised by another body. A state committee for the conversion of the military industry has to give all the needed decisions on the conversion issues. If for no other reason, the enormous, overburdening bureaucracy that exists among many conflicting social groups will make the conversion of the military industry no simple undertaking.

A look at the leading personalities directly responsible for the conversion process may support the view that they are not extremely interested in the full success of this complicated program. Besides M. Gorbachev and V.S. Toporov, this include the majority of the leading officials of the above mentioned institutions and organizations in the arms sector.

From the military side, first to be mentioned, Army General Vasily Afanasyevich Shakhrai, Deputy Minister of Defense for Armament, and aviation engineer by training, who is directly involved in the main conversion decisions. A large network of military production and military-industrial organizations and arms-prototype producing plants operate under his direct command. Shakhrai is the central figure in the Soviet Army establishment, which plans short- and long-term arms supply for the Soviet Armed Forces. He acts in full coordination with the defense ministers (the State Defense Council), the Defense Minister, the Chief of the General Staff, all commanders of the various armed forces (many, etc.), and the military industrial deputy commanders for armament, as well as, of course, the State Military Industrial Commission. The Chief of the Rear Services of the Soviet Armored Forces and his many deputies also have a voice in solving specific conversion problems.

All the civilian technocrats or bureaucrats of the military-industrial complex, listed in the above-mentioned commission, are committed to the military organization. They are, indeed, in the same social group as any other leading manager of the Soviet economy. Yet, in the context of conversion, they have enjoyed comfortable working conditions and benefits from the system of preferences—technology, equipment, business deals and the military-industrial sector. Nonetheless, as a social group these managers cannot be identified with military commanders. As producers and suppliers, they are concerned with problems other than the "recipients," e.g., the commanders of the Soviet Armed Forces. Yet, being under the pressure of public opinion to increase the pace of conversion, the military industrialists have been forced into the same boat and now represent one united front with the military directors.

The strong voice of the military commanders and military industrialists is also supported by the decision-making machinery of the armed forces, i.e., the all-Union commission which prepares the official state conversion program to be approved by the Supreme Soviet of the USSR. The following bodies are represented in this commission:

1. Gosplan with the de facto role of the Gosplan head as director of the commission.
2. The State Military Industrial Commission.
3. The Military-Industrial Ministries (1-3, together EID).
5. KGB (2 members).

Among these institutions the strongest position belongs to the Military Industrial Commissions, linked to the most influential party, government and legislative bodies. The MID is concerned first with ensuring the development of the arms sector and its mobilization capacity. No wonder that this body itself vẫnORNRE.

... unwilling to fully join some of the factories under the pretext that some of their facilities should be kept for a military-industrial complex to be merged to the world of similar enterprises elsewhere..."

In addition, according to a Soviet party official, the MID is... an exempt from democratic control, a combination of the world's largest armed forces, a military economy of incredible proportions and an enormous bureaucratically established basis...

All this justifies having many doubts as to whether inside the newly created Supreme Soviet Committee for Defense and State Security, the military-industrial complex represents just a small fraction of the entire economy. He argues that in 1989 only 3.5 percent of the value of the active capital stocks of the national economy were allocated to the military-industrial complex. This figure requires closer examination.

In 1989 the total value of the active capital stocks (property and equipment) of the national economy was estimated at 6,898 billion rubles. Using the figure given by Lapsygin we can, therefore, estimate the value of capital stocks of the military-industrial complex at about 115.2 million rubles (1)

Accordingly, the active capital stocks allocated to the military-industrial sector absorbed 1.6 percent of the total active capital stocks of all Soviet industry. 115.2/898 = 12.95% (2)

In brief, the above analysis of figures received from another Soviet source, e.g., Ya. Blagovoev, a leading economist and member of the USSR Academy of Sciences, who argues that the share of the military-industrial sector in all commodity activity is about 12-13 percent, show that this share of the military-industrial sector in all commodity activity is about 12-13 percent.
Nonetheless, our estimate shows that not a single Soviet leader is able to address the complex problems of market and social reforms and other production factors can be found to finance the planned conversion program, particularly in a time of profound economic disarray. The Soviet figures and the real ones illustrate the magnitude of problems which must be resolved by a planned conversion program into a realistic economic undertaking.

7. Some conclusions

Our review allows us to conclude that the conversion program remains still a big economic imperfection which is a far cry from the optimistic predictions. No wonder, therefore, that is assessed by economists and managers from contradicting perspectives. The more so, the ongoing ill-defined and confusing economic reform will strengthen the contradicting approaches and bodies on how to solve the conversion program. This will have a greater effect in the short-term, with unpredictable implications for the future. Technologies used today could be replaced tomorrow. A 40 billion rubles investment may be more reasonable, if we estimate the value of the production capacities at about 23.8 billion rubles. Is it possible that in the USSR, and particularly given the sumplicity of the phenomenon period, such a magnitude change could be realistically adopted? A 40 billion rubles investment may be more reasonable, if we estimate the value of the production capacities at about 73.4 billion rubles, according to calculation (7) above. But even such a decision may evoke many doubts, because this means that the cost of retooling the planned 20 percent of production capacities equals 54.5 percent of the value of the fixed capital production assets.

And last but not least are the social problems produced by the conversion. The Soviet press discusses this topic, but full information about the magnitude of the difficulties and impediments are not presented. The main problem is the urgent program for reeducating, training, and transferring people from one job to another. What is the size of this workforce? We can find the answer to this crucial question by recalculating the information given by Blagovolnii. As noted above, according to Blagovolnii's data, one-third of the industrial workforce is involved in producing military items. Production of military items in 1990 was 38 200 000 people are employed in industry. This means that, as we noted above, about 9 million people work in the military industry.

38 200 000 = 12 800 000 (8)

Before 1985 20 percent of these 13 million will change their skill or profession. In other words, about 2.6 million people, a workforce larger than the total number of males engaged in the US in producing arms (over 3 million). Not an easy task for the Soviet economy.

Our conclusion is that despite the glasnost building the Soviet military-industrial complex with the kind of officially published information about the Soviet arms industry. It is worth noting that even the most recently published statistical data are still distorted figures about the Soviet machine building industry, which is only the general form. It is no surprise that most Soviet economists are disappointed with the lack of any official information about the size and place of the military-industrial complex in the USSR economy. In Lyumk's rather careful assessment: “Despite certain advances in the sphere of purely military glasnost, the quantity and quality of statistical data about the defense industry in our country remains lower than in most Western countries....”

September 19, 1991

CONGRESSIONAL RECORD - SENATE
ANNEI
Main personalities directly involved in the conversion process
2. Sergei Budyonny, First Deputy Chairman of the Central Committee of the Communist Party of the USSR, member of the Politburo.
3. Oleg Grigoievich Belousov, Deputy Prime Minister, Chief of the State Military Industry Commission, former Deputy Chairman of Gosplan, former deputy Chairman of the State Commission for the Military-Industrial Complex.
5. Valeryi Pashov, Chief of the State Commission for the Military-Industrial Complex.
9. Aleksey Ivanovich Voronin, First Deputy Chairman of the State Committee for Science and Technology.

In addition, the following personalities directly involved in the arms industry decision-making process can be identified:

10. Yury Yurevich Maslyukov, Deputy Chairman of the State Commission for Science and Technology.

In the conversion process, the following individuals were also involved:

11. Viktor Kononov, Deputy Prime Minister, Chairman of the State Committee for Science and Technology.
12. Ivan Stepanovich Svetlov, Deputy Prime Minister, Chairman of the State Committee for Science and Technology.

During this period, a round-table discussion was organized by the editors of Voennoy mir, General Major Yu. Khrushch, Deputy Chief of the Institute of Military History of the Ministry of Defense, stated that the main task of the current military reforms is to resolve problems of the Socialist state. The military-industrial complex was needed to accelerate the economic development of the country, to renew national resources, and to integrate the country into the world market. The editors noted that the conversion process was a complex and multifaceted process, requiring the involvement of numerous stakeholders.

The editors also mentioned the importance of the conversion process for the future of the country, as it was seen as a key to the development of a new, post-socialist economic model.
S 13348

CONGRESSIONAL RECORD — SENATE
September 19, 1991

pp. 5-6; Col. N-17;

Sen. E. Eckstein: "Ostzyr gran konversy-
Krasnaya zveda, April 4, 1989, p. 2.

19. Deputy Prime Minister and Chairman of the State Military Indus-

20. Smyshlov: "Voemne proizvodstvo...
p. 4.


25. Interview with V. V. PVev, Prime Minister and former Finance Minister of the USSR. "Pochenuyu vozhl v Fasnovy zhivot? Kak budut b osnovy tekite?", Ekonomicheska gazeta, No. 44, October


27. Fafikov argues that the Soviet Union must now realize that it only has the capital production and stocks and stock of equipment, but little has been done in this respect during the last 20 years. Therefore, the new strategy will not be sufficient, whereas Shvareshzk says that in the USSR there are no more resources available to continue the arms race and, if defense policy does not change, will be forced to do so.

28. Pravda, 23 December 1990, p. 6 and Izvestia, 18 Oc-

29. Molosev, "Ekonomicheskaya konceptiya konversii... op. cit., p. 32.

30. "Kibo razumnyi za m. ..., Pravda, 14 September 1989, p. 4 and the quoted speeches and articles.

31. Interview with Belosu, op. cit., p. 32.

32. Molosev, op. cit.

33. "Juzhni Shapov's statement for the Trud newspaper, Moscow, TASS in English, 09.30 GMT, 28 September 1990.


35. "Oboronesne proizvodstva—na sushubnne rei....", Interview with Yuri Makurov, Party Secre-


38. Kuznetsov, F. Shirokov. "Naukome tekhpro-


40. Andrei Babkov. "Unified Civilian Produc-

41. "Komialit po voprosy obronny i guzdomstven-

42. Vestiak statistiki, No. 5, 1990, p. 44.

43. Ibid.

44. "Gospopolitsicheskue aspekty obrone-


46. Michael Chechulek. "An Estimate of Current Soviet Military-Industrial Output and the Develop-


Congress of Economic Priorities, October 1990.

BEATING SWORDS INTO WASHING MACHINES (By Peter Maggs, Martin Spechler, Judith Twigg and Kim Malone)

Soviet experts estimate that as many as one-third of all enterprises in Soviet industry manufacture products connected with the military. According to Soviet econom-

19. Kabulshvili, Head of the De-


22. "Koalitsiya sovremenno proiz-


24. "Two Trends in Soviet Military in-

assumed that the application of defense technologies to consumer products would reduce the production cost of such goods, allowing the defense enterprises to channel "profit" to the civilian economy for further development. Such has not been the case.

CAPITAL INVESTMENT NEEDED

But authorities did not realize how substitution of defense industries for civilian manufacturing might be. Defense enterprises have been expected to bear the costs of retooling, technology retraining and labor retraining, and retraining teams of workers with the labor to do the conversions. The Soviet authorities recently did First Deputy Minister of Machine Building State the conversion cannot take place without large-scale investments. The wiring and plumbing of old defense production space generally are serviceable for civilian production capacities, but massive expenditure is necessary to dismantle specialized equipment designed to manufacture and test military hardware and replace it with equipment designed to manufacture civilian goods. Soviets argue that starting over from scratch would be more efficient.

NEW SKILLS NEEDED

Yet another problem for the conversion effort is the retooling of defense personnel and technical capacities, the defense sector lacks familiarity with the processes involved. For all their expertise, military and defense personnel are tremendous obstacles in designing civilian products. For instance, defense workers erred in their calculation of the aging time for sausage meat and produced machines that made sickeningly green sausages. Similarly, defense personnel designed a vacuum-evaporating device for dairy plants that was useless because designers failed to take into account the acidity of milk produced by Soviet cows. Over 200 fires a year in Moscow alone are alleged to have been spontaneous or accidental. Malfunctions of Soviet TV sets manufactured at defense plants. Although such fissures are common to Soviet industry in general, they do indicate, at the very minimum, an urgent need for retraining.

Indeed, many former defense specialists working under the CEP's new rules will not be applicable to peaceful production with any amount of retraining. Defense plant managers report, however, that sizable numbers of their workers have left their work in coops and joint ventures—and had no trouble finding attractive jobs. If conversion is to succeed, former military personnel who help design and produce with an entirely new set of criteria. Market research must be done to determine what these criteria are, what prices people can pay, the attributes they look for, and the quality and service they demand.

HOUSING A MAJOR PROBLEM

Peter Maggs, Corman Professor of Law at the University of California, and a member of the CEP's working group on housing, has focused on yet another major problem encountered in the conversion process: civilian planners have no experience in housing military personnel. Maggs believes that the combination of the return of troops from Eastern Europe, the transfer of a large fraction of the Soviet military command to Warsaw Pact, and the partial transfer of power from the Central Government to the republics is putting a severe strain on the system for housing. In February 1990, Defense Minister Dmitri Yazov stated, "The problem of dwelling for the officers and soldiers is very acute now. Even before the current situation, there were not enough flats for many tens of thousands of families, but now with a cut of 500,000 troops and the future return of officers and soldiers from Czechoslovakia and Hungary, the situation is getting worse. More than 170,000 officers and soldiers and their families have no flats."

Most discharged soldiers come from urban areas and particularly cities in the U.S. and Europe. However, a policy of charging far below market rents for government-owned housing was not understood in the military. Investment in the construction of new housing, has resulted in an extreme urban housing shortage, (with uncomfortably similar conditions in the U.S.) This shortage has led to an elaborate housing rationing system. No one may legally live in a case unless he or she is issued a card by the city police. Each city maintains a waiting list for low-rent public housing, and it takes years for a man, or woman, to get housing. Therefore, finding housing for demobilized soldiers is a near impossibility. Indeed, a recent article even mentioned homeless soldiers among Soviet army officers. Demobilized soldiers are reportedly living in tents.

Soviet law has not been geared to such familiar Western practices as providing veterans with low-interest loans to buy housing. Rather, it gives officers special privileges in that they may in (theoretically) obtain housing upon discharge without waiting on decade-long lists as do locals and draftees. If, as a result of massive troop cuts, the Soviet military had to end such special privileges, it could lead to military opposition to reforms.

But recently there has been a strong political recognition that a higher priority must be placed on housing for discharged military personnel. The Latvian Parliament has considered legislation, law, demanding that military personnel of the Soviet law, that would severely restrict priority housing rights for military personnel. And such reactions as likely to become much more widespread. If the Soviet government can find a way to meet the housing needs of a large number of veterans, it could lead to greater military support for reforms.

If the Soviet Union moves away from subsidized, allocated housing and toward a free market, it will face new problems in finding housing for discharged military personnel. Either the personnel will need adequate income to pay for housing, or the government will have to provide financial assistance for veterans, as is done in the United States.

WHO NEEDS SUBSIDIES?

Another problem with the conversion process is the belief that the official ruble price of Soviet goods often do not even approximate their economic values. In the absence of a meaningful currency, connecting buyers and sellers can be a nightmare. Defense ministries, now that their priority access to supplies no longer exists, have tremendous difficulty finding the goods they need to keep new civil production lines running. Meanwhile, some suppliers who produce the goods essential to converting defense industries to consumer uses may find a buyer. Even when buyers and sellers do connect, contracts rarely represent simple business transactions. For instance, some suppliers often have a monopoly on their goods, and they may demand "extras" (such as Japanese video equipment or German cars) in exchange for delivery of their goods.

...TO PLAN OR NOT TO PLAN

The significant problems discussed above have provoked various suggestions. Few would dispute the proposition that a market economy would not be preferable to the continuation or reform of any sort of centralized planning. The presence of market forces would allow factory managers at plants undergoing conversion to negotiate supplies, and to price outputs according to supply and demand, reducing the shortages and quality problems that result from artificial prices. Markets would be generated as commodities enter into commerce.

Unfortunately, even positive movement in this direction is still not the same as having in place a functioning market system. Indeed, the U.S. market system has evolved in the West over centuries, and cannot be decreed overnight in the Soviet-Union. This summer's recent proposed price increase demonstrates that the mantle of price reform, reveal a fundamental lack of understanding among many Soviet economists of the nature of a market system. Indeed, the market economy is how to achieve it. Even if the "500 Days" plan associated with Shatalin and Teliatin is adopted, it could well entail several years of confusion and hardship before the positive effects of the market are widely disseminated. Yet the Soviet public expects conversion to produce immediate benefits.

THE CASE OF CONVERSION PLANS

Twigg argues that properly implemented Soviet conversion on a large scale could, politically and economically, be a major stepping-stone to systemic reform. Centrally directed conversion goals might include: (1) assisting and five-year plans to develop new production lines and output targets, including raw-material processing and component materials as well as finished civilian products. These targets should be derived in consultation with the individual enterprises, since they possess vital information about their own supply connections or lack thereof, production skills and capabilities; (2) the establishment of a national economic security and defense secret, to ensure a steady supply of materials to defense industries, and to provide for the availability of supplies. Heretofore, most information has been classified. With vital data kept secret, there can be no hope for successful transition to a market, (3) the promotion of national and regional forums linking suppliers and consumers; (4) financial incentives for defense enterprises to convert, including the right to retain a higher percentage of profits and turnover taxes on civilian production; (5) the gradual elimination of outright subsidies for start-up costs for civilian production lines, and additional tax and credit incentives for innovations that prove to be particularly promising; (6) the establishment of employment centers and placement services, with a national data base on job openings and available workers, and (7) the immediate repeal of internal passport legislation, which restricts labor mobility.

Continued centralization of the conversion process could facilitate supply distribution and put an end to the inefficient barter system that dominates the Soviet economy. A systematic plan for conversion could ease the transition to a market economy in a variety of methods, ranging from the establishment of job retraining programs to the passage of legislation that would make labor more mobile.

In sum, Twigg argues that conversion efforts so far have been "decentralized," but because of the state of the economy as a whole, these efforts have generally been extensive and ineffective. In view of the inefficiency, the institution of a wholesale market, and the breakup of the producer monopolies and retail networks, the immediate goal of government centralization is hopeless. Centralized guided conversion of the kind outlined by Twigg could be one way to rescue the defense industries from their current dilemma and put them on a productive track.
The Soviet Case Against Plans

However, Vladimir Patrushev, Doctor of Economic Sciences, member of the Council on the Industrial Productivity of the U.S.S.R. Academy of Sciences, and a member of the CEP working group, with many years of experience in government industrial policymaking, contends that a centrally guided conversion process would simply reinforce the elements of the Soviet economy that brought it to its current plight. Patrushev and others believe that resources formerly wasted in the military would simply be appropriated by the civilian sector to starve consumers. Furthermore, centralized resource allocation depends on the old planning system, which will be difficult to revise given the recent increase in authority of republic and even city-level governments. Historically planning has not been efficient; it has been termed "centralized disorganizations." A conversion plan is unlikely to provide for the assimilation of military technology into the civilian sector, and is even more unlikely to determine what and how to provide for the civilian sector, according to this line of thought. Therefore, such thinkers argue, conversion must be decentralized, and may be more feasible.

Through it may take place simultaneously with market reform, it is unlikely to ease substantially the hardships of the transition to a market economy.

The American Case Against Plans

Dr. Martin Spechler, professor of economics at Indiana University, another member of CEP's working group, contends that the important issues are not so much those of a planned or decentralized conversion effort, but one of resource allocation. According to Spechler, the Soviet economy will never be as efficient as long as conservative defense bureaucracies continue to control resources. Indeed, certain activities remain in the defense sector because more consumer goods and to control inefficient civilian industries may offset military sector opposition, and offer them incentives to buy into conversion, but actually amounts to "anti-conversion" in Spechler's view. The reason is that there is little ground for the hope that defense ministries will be any more efficient than other ministries. Indeed, he argues that the only reason their record has been better is that they have more priority in resource allocation. Now that even more military enterprises than before are being put in charge of producing civilian goods, these resources will be used to produce goods any better than traditional Soviet civilian enterprises.

At best, Spechler says, putting the military in charge of conversion will not benefit civilian production. At worst, it will positively undo any potential benefits from conversion. Technical personnel, whose privileges depend on defense spending, will undermine conversion efforts. Military secrecy will wreak havoc with efforts to transfer technology. Spechler supplies inadequate information for market type research totally unavailable. The most efficient "conversion" would not really be conversion per se, but rather a process of redeployment of labor formerly slated for the military to civilian enterprises.

Moreover, November Conference will give scholars and business leaders a chance to air problems and search for solutions. CEP will pursue the development of indepth descriptions of different proposals for conversion.

[From World Watch, October 1990]

Is the Soviet Union Prepared for Peace?

Five years into Mikhail Gorbachev's top-down transformation of the U.S.S.R., Soviet citizens' expectations of better living standards are skyrocketing past the capacity of the Russian economy to keep pace with unlimitedextravagant desires. Store shelves remain bare, serious social needs are going unmet, and tempers are rising. The reasons for this are many and familiar, and are numerous, but among the most significant is the lingering burden of excessive military spending.

President Gorbachev has stated repeatedly that ending the arms race with the United States is a prerequisite to invigorating the Soviet economy. As the 28th Communist Party Congress held in early July, Foreign Minister Edward Shevardnadze claimed that "in the current five-year period, we can make 240 billion to 250 billion rubles." At official exchange rates, this would be equivalent to $330 to 340 billion, clearly a significant infusion of resources. Yet, so far, the fruits of Gorbachev's disarmament initiatives are not apparent.

Moscow faces a dilemma: While the eventual economic gains of disarmament promise to be sizable, they will not be diminished in the near-term by costs associated with the end of heavy military expenditures, verifying armaments, demobilizing and housing soldiers, and reorienting military enter­prise and the down-sizing of defense plants.

Indeed, as the congress's first debate over the defense sector's role will determine how fast military spending will decline, so Gorbachev's overall goal of reducing military spending by 25 or perhaps 30 percent, and the process will be difficult to achieve.

As a result, the true extent of military spending in the Soviet Union is not clear, it is readily apparent that the country's leaders must shift resources from guns to butter, and the problems involved are immense. Along with the enormous shortage of quality consumer goods, numerous other pressing needs in Soviet society undermine the economic and social usefulness of military spending. The Soviet Union has an infant mortality and life expectancy of those to those of the Third World than the West.

Spending on environmental protection currently accounts for 1 percent of the Soviet Union's economic output. As a December 1985 conference sponsored by The Economist in London--a pressing need but remains clearly insufficient. By the government's own reckoning some $56 billion will be needed to prevent the complete disappearance of the Arctic Sea. Some scientists think double that amount, or roughly the equivalent of one year's military expenditures, will be required. Dealing with the effects of the Chernobyl nuclear accident, meanwhile, is now estimated to cost as much as $46 billion, and perhaps more.

The process of central planning and decision making has resulted in a military economy that is as inefficient as the military itself. As a result, it is unlikely that the transition to a market economy will be smooth, and the Soviet Union's military forces will be diminished long before any gains will come. Military hardware needs to be adapted for peaceful uses; where possible, demobilized soldiers must be reintegrated into society; and, most important, military production facilities must be retooled for civilian use. In addition, government-related financial arrangements among individual factories (and the ministries to which they belong) need to be recalibrated. These difficult steps, central to the process of economic conversion, have only just begun.

As it embarks on the conversion process, the Soviet Union joins China as the policy question of major power to do so in the post-World War II era China headed down this road a decade ago (see "Swords Into Plowshares," World Watch, July/August 1989).

Military Recycling

Options for adapting military hardware to civilian applications are often limited. In some cases, weapons systems are pre-fashioned and reused, in others, valuable components, such as engines, electronics
September 19, 1991
CONGRESSIONAL RECORD—S
S 13351

equipment, or precious metals, might be salvaged and recycled. Of 10,000 battle tanks that are being withdrawn unilaterally, half are reserved for civilian purposes, and the rest converted to bulldozers and other equipment for civilian purposes. The military has been asked to hand over the old joint venture with West Germany—has begun to transform several hundred launchers for the SS-30 missiles banned by the INF accord into self-propelled holing cranes.

Unilateral military cutbacks turned some missiles into spare parts, worth a half-billion rubles, including motor vehicles, ships, transistors, and navigational equipment, were put up for sale to the public in 1986. Some 80 million transport planes, roughly 10 percent of the total fleet, have been made available for civilian tasks.

Unfortunately, much military hardware simply has no use in the civilian world. Scapping missiles, tanks, and warplanes will save on maintenance and operating costs, but the expense associated with destruction, treaty verification measures, and, in many cases, environmental clearances may offset any savings. In any event, the stockpiles of weapons in the first place cannot be fully recouped.

RESTRUCTURING MILITARIES

Moscow’s decision to demobilize 500,000 troops has led to an immediate problem. Servicemen generally return to their civilian jobs without much difficulty, but problems arise in retraining officers into civilian society, primarily because they need jobs and housing. By the end of the year, some 100,000 officers and 50,000 professional soldiers, trained in the military, will have been discharged—primarily those of advanced age, judged incompetent or unmotivated, and those serving as reserve officers.

A number of measures have been taken to smooth the transition of demobilized soldiers to civilian life, including the provision of higher pensions. The Ministry of Defense and Goskonomstroi (the State Committee for Labor) have also established a joint retraining program; in conjunction with local authorities, they are responsible for job placement. It is too early to tell, however, whether these programs are working as intended. Expert opinion is most critical, and successful decommissioning officers are finding housing.

According to Aleksei Kuzmyn of the Institute of Sociological Problems of Moscow, more than 20,000 officers’ families had no permanent homes even before the current troop cuts, and the Defense Ministry has no contingency plans in place at all. The housing shortage is particularly acute in Moscow and other large cities in the European part of the Soviet Union, where most discharged officers wish to return.

These problems will only balloon. Gorbachev, who had agreed to reduce by 50 percent the troops stationed in Europe form the current level of 655,000 to 105,000. Soviet forces are in the process of pulling out of Czechoslovakia, and the group of forces in Poland and East Germany. But with the Warsaw Pact disintegrating rapidly, Moscow may have no troops left in Eastern Europe by the turn of the year. Even so, Moscow used to foot the bill for the 380,000 Soviet soldiers stationed there, and West Germany spent $20 billion a year on that defense.

But once these troops return home over the next four years, Moscow will have to pay for their upkeep.

Reintegrating into Soviet society, they can be a boon to an economy characterized by continuous labor shortages. If the effort fails, however, there could be serious political implications.

In January 1988, for example, then-Premier Konstantin Chernenko announced a troop reduction of 1.3 million soldiers, coming on top of an earlier demobilization. Yet the policy was implemented in gross disregard of the affected. The military’s dissatisfaction with the entire undertaking was an important factor in Kruschev’s downfall in 1964. In 1988, Gorbachev’s leadership is well aware that misgivings within the armed forces, of which there are already indications, could lead to the military’s opposition to additional reductions.

MISSILES INTO BABY CARRIAGES

The most crucial element of conversion concerns the retooling of factories that produce war matériel. Successful retooling involves several states helping to convert alternative civilian products, conducting engineering studies to determine the feasibility of producing other civilian goods, and training mass work forces.

The feasibility of producing alternative missile engines now proscribed by the INF accord have shifted part of their capacity to civilian production. The Vertol, machine tool plant in the Udmurt Republic of the Russian Federation, the Perekopsk facility in Kazakhstan, and a third factory in Volgograd are now manufacturing cutting machines, drilling rigs and other oil industry equipment, washing machines, bicycles, and even baby carriages. Several missile design laboratories have also been realigned toward civilian work, including the development of a rocket to carry meteorological equipment into orbit.

At Vokshag, some 5 percent of the total number of skilled workers were retrained. Due to high production targets, the changeover to civilian output occurred without loss of employment, but the industry had already been involved in civilian production to some degree, the adjustment would have been more difficult had it not been for the help of other companies. Realigned toward civilian work, the enterprises have saved more than 7,500 apartments during the transition period of 1988-90.

RETOOLING FOR PEACE

The Soviet military sector has a long history of producing both military and civilian goods. But until recently, the defense industry’s output doubled to about 40 percent between 1985 and today (see Table 1). Although officials say that defense production has been cut by 30-40 percent, it appears that the defense industry now produces nearly 8 percent of all Soviet consumer goods. In 1985, some 346 military plants and 300 defense-related scientific research institutes and design bureaus were involved in varying degrees in civilian production.

<table>
<thead>
<tr>
<th>TABLE 1</th>
<th>SHARE OF TOTAL OUTPUT OF SELECTED CIVILIAN GOODS PRODUCED BY MILITARY INDUSTRY ENTERPRISES, 1985-88</th>
<th>(in percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>1986</td>
<td>1987</td>
</tr>
<tr>
<td>Defense</td>
<td>85%</td>
<td>80%</td>
</tr>
<tr>
<td>Industry</td>
<td>15%</td>
<td>20%</td>
</tr>
<tr>
<td>Agriculture</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>Construction</td>
<td>3%</td>
<td>2%</td>
</tr>
</tbody>
</table>

According to plans approved by the Council of Ministers, the Kremlin cabinet, the portion of defense industries’ output devoted to civilian purposes is to rise from the current 40 percent to 50 percent in 1991 and more than 60 percent by 1995. Put differently, the country’s overall production of civilian goods is to rise by 5 percent through these measures.

The additional civilian output of military enterprises will be targeted primarily toward the food-processing industry. Nearly 150 military plants have been realigned toward producing food materials, and it is estimated that the food industry under the investment plan for 1988-98 is to be produced for the first time in a decade.

The military sector has also been directed to produce $11 to $13 billion worth of goods for light industry, as well as to increase the output of consumer goods, medical equipment, and plumbing supplies.

SO MUCH LETHAL TV

If previous experience is any guide, however, simply increasing the civilian share of military industries, without proper reorientation, is likely to spawn price and quality problems. Earlier Soviet attempts at conversion produced washing machines that cost twice as much as civilian models and television sets that exploded and caught fire. Similar problems exist today.

So far, the items selected for production have not always been well-matched with the factories targeted for conversion. Of 559 consumer goods scheduled to be manufactured in 1988-89 by all military factories, only 126 were successfully produced. The target for 1989-90 was scaled down to 126 products, but by the end of 1989 only 22 of these products were actually being manufactured.

Part of the explanation is that the conversion endeavor is proceeding hastily, more improvised than properly planned and prepared. There are efforts at the present time to correct and attempts to direct the process from above, with the latter tending to neglect local conditions and capabilities in deciding what alternative products individual military enterprises should produce.

Defense industries, for their part, are so accustomed to a centrally planned economy that the costs involved, a practice if simply transferred to the civilian sector could have disastrous results. Soviet observers agree that the civilian goods industry is too expensive for their customers. As long as these factories remain in the orbit of the defense bureaucracy, some defense-related companies will never accord priority to civilian needs and principles.

Despite these dangers, the Soviet leadership has decided to enlist the services of the defense industry to increase the output of skilled labor, materials, equipment, and technologies in its campaign to boost the transition to civilian production. The line of defense industry is seen as too backward and hamstrung to realize the hoped-for rapid im-
provement in living standards. Thus, the civilian Ministry of Machine-Building for the Light and Medium Industries was disbanded in 1988 and many of its 260 enterprises transferred to defense ministries. While it is uncertain whether this approach will yield the expected results, there is a definite danger that it will backfire.

A debate is currently under way between those who believe that defense industries should be treated as a separate "economy within the economy" and retain the capability to switch back to defense production, and those who favor its integration into the national economy in the nature of Soviet economic conversion.

OUT OF MILITARY ORBIT?

Defense factories still have little incentive to switch to civilian production. Manufacturing enterprises, along with blue-collar workers, see civilian production as clearly secondary in priority, temporary in nature, or imposed on them. As an inducement for defense factories to produce more civilian goods, the Council of Ministers decreed in September 1988 that factories could retain profits from above-quota production of consumer goods during 1989 and 1990. Perhaps more important than ideological promises is wages and wages are rising fast, housing, child care, and other social benefits available to military industry employees and their families are closely linked to the former enterprises. In some cases, profit margins and wages have dropped as factories have moved from military to civilian production. Unless production is remedied, it may lose the seeds of sentiment, and possibly resistance to conversion. On the other hand, military enterprises that seek to compensate for lower profits by charging higher prices for their civilian products, endangering the success of this approach.

At the same time, however, Alexei Izumrov argues that remaining in the military orbit is becoming less attractive for leaders of military-industry enterprises, especially now that the defense establishment is being put on a self-financing basis. Some seem prepared to accept the loss of privileges in return for greater independence from the constraints and pitfalls of rigid centralized planning.

In addition, the military sector has lost a good deal of its earlier attraction for the non-managerial work force, according to Levir Isakov, a former head of a major ruble enterprise. Most of his workforce has evaporated for the rank and file, while the negative aspects of military industry—discipline, rigid discipline, overtime, unhealthy conditions, strict quality control, and limitations on travel abroad—have remained in place.

WEARING MILITARY GLASnost?

Many Soviet analysts agree that the lack of military glasnost is a serious obstacle to successful conversion. According to Sergei Blagovin, an economist writing in the mainstream newspaper Krasnaya Zvezda, only 25% of ruble enterprises have reliable data on the number of military enterprises, their location, the number of people employed, and the types and characteristics of the equipment, and the raw materials and supplies used. A sample of 100 arms-producing enterprises from the Volgograd region, the University of Birmingham in Great Britain, sheds some light on the regional distribution of military factories. He shows that the overwhelming majority of these factories are located within the Russian republic—particularly in the Urals, in the central economic region, and in the Volga region, and along Leningrad (see Figure 1, which shows the distribution of factories in Cooper’s sample by republic and, within the Russian Republic, by economic region). But much more far-reaching and detailed information about the problems and the potential of conversion.

The potentially most serious impediment to conversion is the lack of any adequate system to account for resources devoted to military purposes. As Paddy Ashdown, a member of the British Parliament, put it, simply said what it wanted and industry supplied it. There were no overall budget limits, no effective costing system, and only the most rudimentary methods of cost control.

The revitalization of the Soviet economy depends crucially on successful conversion of defense industries. But that success is in turn inextricably linked to the fate of Gorbachev’s perestroika. Only with a meaningful and realistic conversion plan can an arbitrary and unaccountable bureaucratic system, can a realistic conversion program be created. Reliable indicators are needed to determine whether to take a step forward and a program and the possibilities for converting defense industries to civilian uses. Without such indicators it is impossible to decide whether to convert a given facility or close it and start from scratch, or to determine the success of any conversion undertaking.

To date, Soviet conversion has proceeded on an ad hoc basis. For example, the government’s decision in early 1989 to slash the national defense budget by 25% out of the blue, leaving military factory managers with neither sufficient orders nor an alternative plan. There has been no overall integration of conversion measures to promote greater civilian production.

To move beyond this haphazard stage, a national conversion plan is needed. The plan has been formed—with representatives from Gosplan, the military-related ministries, the Academy of Sciences, and various universities—design a proper long-term program. In addition, a draft economic conversion law has been submitted to the Supreme Soviet that, among other things, would provide a two-year grace period, and a job information system for military workers who lose their jobs.

Although conversion plans are directed from the top, there is growing public discussion and appreciation of the concept, and Soviet conversion proponents are seeking ways to share their insights with their counterparts abroad.

GORBACHEV’S APPEAL

President Gorbachev’s foreign and military policies have so far yielded far more political than economic dividends. While the domestic benefits of trimming the Soviet military apparatus will materialize only in the medium- or perhaps even the long-term, the country needs to mobilize considerable funds now to smooth the social and economic effects of disarmament.

The disarmament, or conversion plan, depends on more than technical factors, as crucial as they may be. Just as important is the conviction of those involved, particularly the military, that their unilateral military concessions are yielding returns that make the gamble worth while. For a country that needs tangible evidence that less military spending and fewer weapons do not translate into less security. And he needs to transform guns into butter before he can change the rising tide of unforeseen expectations may drown his entire undertaking.

As open debate has increasingly replaced old taboos, the Soviets have become more receptive to ideas with internal masters. But while the fate of Soviet conversion is of obvious domestic relevance, there is an important international dimension as well. The Soviet case can be described as the country’s role as a global leader in arms production. It demonstrates that conversion is a realistic option, even in a world that has barely begun to contemplate alternatives. And crucially, if the West follows suit with its own demilitarization and conversion measures, the arms race may at long last be transformed into a peaceful competition.

Mr. McCAIN, in summary, Mr. Chairman, I do not believe that there is any case for using dollars from the fiscal year 1992 defense budget to provide aid for Soviet military conversion, and that it is far too early to decide whether such aid should be provided at all.

We have domestic and economic needs of our own. We are already cutting our defense budget to the bone. It is unclear that we will be able to fund the power projection forces we need.

We should not provide aid for economic reform without a very detailed plan and schedule for overall reform, without a clear set of priorities, and without the assurance that a stable leadership exists that can implement an aid plan.

We should weigh the practically of any such plan by getting a clear benefit of the expertise of the intelligence community and a wide range of true experts on the Soviet economy and Soviet military production machine.

We should focus on supporting private enterprise in the most democratic elements of Russian society, not state owned and conservative elements.

AN ALARMING INCIDENT IN ALBANIA

Mr. DeCONCINI. Mr. President, I learned this morning that Dr. Eliez Biberaj, Director of the Albanian Service of Voice of America, was seriously injured in a car accident in Tirana, the capital of Albania. The car reportedly flipped, and Dr. Biberaj’s wife, Kadire, and two other passengers were hurt but not badly. Fortunately, thanks to concerned friends and colleagues at the Department of State and the Voice of America, the Biberajs were flown by a United States military aircraft to Wiesbaden, Germany, and both are now recovering.

I was very concerned when I heard this news. I know Eliez Biberaj very well. He traveled with a delegation I led to Albania in March of this year as cochairman of the Helsinki Commission. He served as interpreter for the delegation and as for Commission staff members who remained behind in Tiranaj’s first multiparty elections since in the 1990’s. During the course of the visit, Eliez’s popularity among Albanian citizens was testament to the effectiveness of the work of the Albanian Service of VOA which
he heads. Later, Eliez Biberau interpreted for witnesses at a Commission hearing on democratic developments in Albania.

In addition to being concerned over the health of Eliez and Kadide Biberau, I am deeply disturbed about news reports which indicate that some believe the incident in Albania may have been intentional, planned by the Albanian secret police. I urge the Albanian Government to investigate immediately and fully the incident, to make public all of the facts of the case, and to bring to justice those responsible in the event that this was a planned attack on Dr. Biberau.

Meanwhile, I would like to express my deepest hope that Eliez and Kadide Biberau have a speedy recovery, and that we have them safely back here with us in the very near future.

HONORING HENRY TAUB

Mr. LAUTENBEGH, Mr. President, I rise today to record recognition of a much deserved tribute to a dear friend and former business colleague of mine, Henry Taub. He will be honored on September 21, 1991, by the Jewish Community Center on the Palisades for his outstanding contributions to the development of that important community facility.

Henry was a leader in the effort more than 10 years ago to build the center, and was the first president of the Jewish Community Center on the Palisades. Henry applied his considerable talents toward assuring that the JCC would move into a site able to provide more services to the expanded Jewish community. He worked energetically to make the facility a reality. His skill also assured that the transition to the new, expanded modern center was accomplished.

Henry Taub brought his unique business experience to the development of a generation of leaders at the JCC. An ingredient essential for its future. During his tenure, membership increased, and programs grew to meet the needs of the growing Jewish community. Henry should be proud of his distinguished record with the center.

One of his greatest assets is the spirit in which he undertakes new projects. He is a true humanitarian and has a long, given-generously of his time, his resources and his energy to assisting the Jewish community here and abroad. He has served in a leadership role in many organizations, including the American Jewish Joint Distribution Committee, Chairman of the International Board of the Jewish Agency for Israel, president of the American Jewish Joint Distribution Committee, and currently chairman of the International Board of Technion University.

When a massive number of Soviet Jews fled to Israel, Henry stepped into the breach, saying that the Passage to Freedom campaign that assured Soviet Jewish resettlement would succeed. It is rare to find an individual so committed to good causes and to be able to serve them so capably.

Henry's participation in charitable, educational, cultural and business organizations has not been limited to the Jewish community. He has worked tirelessly on behalf of hemophiliacs as a director of the National Hemophilia Foundation, and has worked to bring an end to hunger as part of the Interfaith Hunger Appeal. He also sits on the board of the Shakespeare Festival, and is on the board of trustees of New York University, his alma mater.

Mr. President, Henry Taub has been my close friend, confidante, and colleague for years. He is admired and loved by his family and friends because he has such high personal standards which set an example for all of us to follow. Henry's contributions deserve the recognition he will receive at the JCC dinner. He has inspired many, myself included, by selfless devotion to the good of others and I want all to know how fortunate we are to have Henry Taub provide a rule model for future generations. I look to him to provide an example how to use personal success for the betterment of others.

I extend my very best wishes to Henry for continued achievements and thank him for being my friend.

CONGRATULATIONS TO LORRAINE LAZERUS 1991 WOMAN OF THE YEAR

Mr. SEYMOUR, Mr. President, the Boys & Girls Club of Venice has chosen Lorraine Lazurus as 1991 "Woman of the Year." The club will present the award to Mrs. Lazurus at its annual awards banquet on September 21. In honor of that occasion, and in recognition of Mrs. Lazurus, I ask that the club's statement be printed in the Record.

The statement follows:

Boys & Girls Club of Venice Honoring Lorraine Lazurus

Lorraine Lazurus, known for her caring and concern of children, the family and the community, will receive the Boys & Girls Club of Venice's annual award on September 21, 1991 as the 1991 "Woman of the Year."

Mrs. Lazurus was born and raised on a farm near the city of South Dakota (one of the world's only two Palisades). She attended the classic one-room rural schoolhouse and later returned there as a teacher. Her teaching career was shortened by World War II when she entered defense work. She met and married Lieutenant Donald Lazurus. Together they raised their five children in California. In 1991, they celebrated their forty-sixth wedding anniversary.

When her son, Bob, a high school athlete, developed epilepsy, athletics became a way to help the Los Angeles County Epilepsy Society. As an active Board member, she was invited to become a member of the Board of the Foundation of America with headquarters in Washington, D.C. where she served as the National softball team. She was also an associate producer and consultant to two award winning films about the disorder.

This year's honoree was a member of the Medina City Club's Board of Governors where her activities were directed toward community services. As Chairman of the Cri de Coeur, Sunday School Superintendent, produced children's shows benefitting the Boys & Girls Club of Venice and the U.S. Marine Corps Toys For Tots program. She organized and spearheaded the Special Olympics annual Night hosted by American Golf and the Marina City Club to benefit the Venice Club. For her work Mrs. Lazurus received the Marina City Club's highest accolade, the Los Patrones Medallion.

Her interests include membership of the Jewish Benevolent Society, Boy & Girls Clubs of America's Charities which includes both the California Special Olympics and the Make-A-Wish Foundation of Los Angeles. She is a Life Member of the Daniel Freeman Hospital Endowment Guild. Along with her husband, she is a Founder of the Los Angeles Music Center and Daniel Freeman Hospitals Foundation. For many years they supported Korean orphans through Compassion International. They visited an orphanage in Pusan, and Lorraine appeared in a television special made in the United States for the organization.

She was also a leader for both the Boy and Girl Scouts. Sunday School Superintendent and Bible class teacher at the First Lutheran Church of Venice, and Scholarship Committee Chairman for the American Legion. In 1991 Lazurus received an Honorary Life Membership by the Parent-Teacher Association.

THE MAJOR LEAGUE BASEBALL EQUITY ACT OF 1991

Mr. ADAMS, Mr. President, I rise to speak as an original cosponsor, with my colleague Senator Gorow, of S. 1777, the Major League Baseball Equity Act of 1991. During the August recess, as I traveled throughout my State, the one topic that was consistently raised, regardless of where I was, was the fate of the Seattle Mariners. From Spokane to Seattle, from Walla Walla to Vancouver, the question of the day was whether the Seattle Mariners would go the way of the Seattle Pilots, to a new city with a new name, to play baseball in the East, and have a franchise throughout the entire Pacific Northwest without a home team.

While the future of major league baseball in Seattle may seem like a trivial issue to some, to the people of Washington, and to the entire Pacific Northwest—the Mar-
niners have made a long and steady climb to respectability. As this morning's box scores attest, the Mariners are four games over .500, headed for their most successful season in their history. The team has become a regional asset, a central concern in the daily lives of major league baseball fans from Vancouver, BC, to Vancouver, WA. The Seattle Mariners are a face of community and a team for fans in the neighboring States of Idaho, Oregon, and Montana.

Because of the growing local effort to explore how to preserve major league baseball in the Pacific Northwest, I commend my colleague Senator Gomro for his work to help save the Mariners. During his tenure as Washington State attorney general, my colleague played a crucial role in paving the way for baseball's eventual return to Seattle after the departure of the Pilots to Milwaukee. I believe the Major League Baseball Equity Act would greatly assist the local effort to keep the Mariners as a northwest regional asset.

Seattle has a long and memorable baseball tradition. From the Seattle Indians, Angels, and Rainiers of the old Pacific Coast League to the Seattle Pilots, and now the Mariners, many of us still remember old Sicks Seattle Stadium, a diamond in the rough so to speak, bordered by Empire Way and Rainier Avenue. The Mariners began as a minor league team, yet look at their history. The team played a crucial role in paving the way for baseball to return to Seattle after the departure of the Pilots to Milwaukee. I believe the Major League Baseball Equity Act would greatly assist the local effort to keep the Mariners as a northwest regional asset.

Seattle has a long and memorable baseball tradition. From the Seattle Indians, Angels, and Rainiers of the old Pacific Coast League to the Seattle Pilots, and now the Mariners, many of us still remember old Sicks Seattle Stadium, a diamond in the rough so to speak, bordered by Empire Way and Rainier Avenue. The Mariners began as a minor league team, yet look at their history. The team played a crucial role in paving the way for baseball to return to Seattle after the departure of the Pilots to Milwaukee. I believe the Major League Baseball Equity Act would greatly assist the local effort to keep the Mariners as a northwest regional asset.

The Mariners have a north-west asset drawing fans from the entire region. Considering the popularity of this team, and one of the lowest team salaries in the league, how can a major league franchise be striking out? The larger media markets take in anywhere between $20 and $50 million a year in lucrative broadcast contracts, yet they take in even more money with higher luxury box fees and a bigger admission ticket base. It is high time major league baseball took a look at this market disparity by developing a format for sharing broadcast revenues so that major league baseball will be a game that all people can enjoy. The fans are with them every step of the way.

The Mariners have become a north-west asset drawing fans from the entire region. Considering the popularity of this team, and one of the lowest team salaries in the league, how can a major league franchise be striking out? The larger media markets take in anywhere between $20 and $50 million a year in lucrative broadcast contracts, yet they take in even more money with higher luxury box fees and a bigger admission ticket base. It is high time major league baseball took a look at this market disparity by developing a format for sharing broadcast revenues so that major league baseball will be a game that all people can enjoy. The fans are with them every step of the way.

This bill does just that. It makes baseball's earnings more equitable and allows the small media markets to compete with the large.

The Seattle metropolitan area is one of the fastest growing regions in the country. We must realize that in order for baseball to truly live up to its billing as America's favorite pastime, it must be available to all American families so that more fathers and sons, mothers and daughters, can create memories of their own in ballparks across America, no matter what the size of its television market. My plea is, "Major league baseball, don't strikeout. Help the Mariners stay in Seattle where they belong, with their fans."

IN RECOGNITION OF THE CENTENNIAL OF THE SANTA ANA PUBLIC LIBRARY

Mr. SEYMOUR. Mr. President, I stand today in recognition of the centennial birthday celebration of the Santa Ana Public Library in Santa Ana, CA.

On September 25, the community will join together for the official birthday party at the newly renovated library building at 26 Civic Center Plaza.

The birthday party will feature a ribbon-cutting ceremony and honor long-time retired staff, volunteers, and patrons.

For 100 years, the Santa Ana Public Library has provided, to quote Long-fellow: "The loving of learning, the sequestered nooks, And all the sweet serenity of being.

The library has enriched the lives of countless Santa Ana residents over the last 100 years, and I know that it will continue to serve the love of learning for many, many generations to come.

I ask the Members of the Senate to please join me in extending our congratulations and very best wishes to the community of Santa Ana as it celebrates the library's centennial birthday.

TRIBUTE TO TONY TRAVATO

Mr. CHAFFEE. Mr. President, I rise today to pay tribute to Tony Travato of Westerly, RI. Tony Travato was chosen for his outstanding community service on Saturday, May 4, 1991, at the Calabrese Club in that town.

Tony Travato was born in westerly on February 1, 1925. As a youth, he attended the Westerly public schools and is a graduate of the Cheshire Academy. Thereafter, Tony attended Rhode Island State College, now the University of Rhode Island, and studied clothing design in New York City. He graduated from the American Gentleman Designing School.

As a citizen of Westerly, Tony Travato has been an invaluable asset to the community. He has been an active civic leader, serving as State senator, beach commissioner, district moderator as well as a member of town council. In addition, he has given of his time and talents as a volunteer for 20 years at Westerly Hospital. These activities demonstrate Tony's sincerity, commitment, and warmth for his neighbors and the community.

I join with all the people of Westerly in saluting Tony Travato and wishing him great success and happiness in the years ahead.

CONGRATULATIONS TO MICHAEL O'HARA 1991 "MAN OF THE YEAR"

Mr. SMITH. Mr. President, Michael O'Hara will be recognized on September 21 by the Boys and Girls Club of Venice at its annual awards celebration as the 1991 "Man of the Year." In honor of that occasion, and in recognition of Mr. O'Hara's wish that the club's statement be reprinted in the Record.

The statement follows:

STATEMENT OF BOYS & GIRLS CLUB OF VENICE HONORING MICHAEL O'HARA

The Boys and Girls Club of Venice, a non-profit organization geared towards 1,000 children, ages 6 to 18, has chosen to
The article follows:

**THE SERVICE INDUSTRIES**

- **Mr. BIDEN.** Much of our business and economic pressure focuses on our Nation's competitive position in manufacturing technologies. But not as much is written about the service industries in our country, a huge segment that employs over two-fifths of our Nation's workforce or more than 45 million Americans. What attention is paid to the service industry is often disparaging.

I recently received an article from the Harvard Business Review on the service industry. The authors, Leonard A. Schlesinger and James L. Heskett, cite the development of a disturbing trend in the service industry, a "cycle of customer dissatisfaction" that includes "employee turnover, flat or falling sales, and little or no growth in productivity for individual companies and for services overall."

As the authors bluntly report, many service jobs are "dead end." But the article goes on to note that this is in large part due to the way many American service companies are structured, following an industrial model that creates lousy employment conditions.

When one realizes that service jobs were the fastest growing area in the 1980's, and yet fundamental problems exist, we have reason to be concerned about the future of our Nation's economy. But the Harvard Business Review article points out that unmotivated employees and declining productivity are not an unalterable future for our country.

The new service model envisioned by Messrs Schlesinger and Heskett calls for changes in business practices, including:

- Investments in people as much as investments in machines;
- Technology to support the efforts of men and women on the front line, not just to monitor or replace them;
- Recruitment and training as crucial for salesclerks and housekeepers as for managers and senior executives;
- Compensation tied to performance for employees at every level, not just for those at the top.

The model described in the article could mean increased competitiveness for individual companies. For the business as a whole, it would provide new solutions for the千年 service jobs that are no longer "dead end", but "bring more working people into the mainstream of economic life."

I ask that a copy of "The Service-Driven Service Company" be printed at the conclusion of my remarks.
ING AT COMPANIES LIKE DAYTON HUDSON AND FAIRFIELD INN, WHICH HAVE MADE SERVICE DEPARTMENTS THE CORNERPIECE OF THEIR COMPETITIVE STRATEGY.

A NEW MODEL OF SERVICE IS EMERGING, REPRESENTING THE HIGHLIGHT OF INDUSTRIALIZATION IN EVERY ELEMENT OF THE BUSINESS. IN THIS NEW MODEL, COMPANIES:

- VALUE INVESTMENTS IN PEOPLE AS MUCH AS INVESTMENTS IN MACHINES, AND SOMETIMES MORE.
- USE TECHNOLOGY TO SUPPORT THE EFFORTS OF MEN AND WOMEN ON THE FRONT LINE, NOT JUST TAKE THEIR JOB AWAY.
- MAKE RECRUITMENT AND TRAINING AS CRUCIAL FOR SALESCUSTOMERS AS THEY ARE FOR MANAGERS AND SENIOR EXECUTIVES.
- LINK INDIVIDUAL PERFORMANCE FOR EMPLOYEES AT EVERY LEVEL, NOT JUST FOR THOSE AT THE TOP.

FINALLY, TO JUSTIFY THESE INVESTMENTS, THE NEW LOGIC USES INNOVATIVE DATA THAT TRADITIONAL ACCOUNTING AND MEASUREMENT SYSTEMS DO NOT TRACK: THE AVERAGE COSTS OF CUSTOMERS AND EMPLOYEE TURNOVER, FOR "THE JOB" THE GREATER PROFIT MARGINS THAT REPEAT CUSTOMERS CAN PROVIDE.

AS YET, NO SINGLE COMPANY HAS PUT ALL THE PIECES OF THIS NEW BUSINESS MODEL TOGETHER. BUT ITS INTERNAL LOGIC IS ALREADY BEING CLEAR: CAPABLE WORKERS WHO ARE WELL TRAINED AND FAIRLY COMPENSATED PROVIDE BETTER SERVICE THAN LESS SUPERVISORY, AND ARE MUCH MORE LIKELY TO STAY ON THE JOB. AS A RESULT, THEIR CUSTOMERS ARE LIKELY TO BE MORE SATISFIED, WORK MORE OFTEN, AND PERHAPS EVEN PURCHASE MORE THAN THEY WOULD OTHERWISE.

FOR INDIVIDUAL COMPANIES, THIS MEANS ENHANCED COMPETITIVENESS. FOR THE UNITED STATES, IT MEANS THE CREATION OF FRONTLINE SERVICE JOBS THAT CAN Bring MORE WORKING PEOPLE INTO THE MAINSTREAM OF ECONOMIC LIFE.

MORE THAN 45 MILLION PEOPLE (OR ROUGHLY 45% OF THE U.S. WORK FORCE) ARE EMPLOYED IN SERVING FOOD, SELLING MERCHANDISE IN RETAIL STORES, PERFORMING CLERICAL WORK IN SERVICE INDUSTRIES, CLEANING HOSPITALS, SCHOOLS, AND OFFICES, OR PROVIDING OTHER FORMS OF PERSONAL SERVICE. THESE ARE THE OCCUPATIONS THAT GAVE THE RISE TO THE FUTURE OF THE 1980S, A PATTERN THAT WILL CONTINUE AT LEAST UNTIL THE TURN OF THE CENTURY.

THE INDUSTRIAL APPROACH TO SERVICES IS ON DISPLAY VIRTUALLY EVERY HOUR OF EVERY DAY IN SUPERMARKETS, AIRPORTS, BANKS, HOTELS, GOVERNMENT OFFICES, AND MORE. BUT ITS EFFECTS MAY BE EASIEST TO SEE IN THE DEPARTMENT STORE, THAT WAREHOUSE OF WAREHOUSES WHERE ALMOST EVERYTHING THE CUSTOMER EXPERIENCE IS AGGRAVATING.

THINK OF THE CREATION OF A SALESPERSON BEING THE STANDING POINT AT WHICH MORE LIKELY, YOU SEE RACKS OF CLOTHES, COUNTERS FILLED WITH ACCESSORIES, AND OTHER SHOPPING CHALLENGES. UNLESS YOU ARE TERRIFIED WHEN NO ONE OFFERS TO WAIT ON YOU, YOU BEGIN THE SEARCH ON YOUR OWN. YOU FIND THE PANTS SECTION, CHOOSE A FEW PAIRS TO TRY ON, AND SEARCH OUT A DRESSING ROOM. YOU MAY HAVE TO FIND SOMEONE TO UNLOCK IT OR GIVE A NUMBER TO MONITOR THE REQUEST—AND YOU SHOULD WANT A DIFFERENT SIZE, COLOR, OR STYLE, YOU'LL HAVE TO GET IT FOR YOURSELF. AND WHEN, AT LAST, YOU ARE READY TO PAY, YOU STILL HAVE TO LOOK FOR THE DEPARTMENT STORES SPECIAL SIGNS: "COULD YOU SEE IF ANOTHER STORE HAS THESE ALLOYS IN MY SIZE?"—TAKE A FEW ADDITIONAL MINUTES IF THEY CAN BE ACCOMMODATED AT ALL. RETURN, THEN, THE HUMAN PROBLEM.

IN ADDITION, TRANSACTIONS LIKE REGISTER ERRORS TAKE MORE TIME AND THE INTERVENTION OF A MANAGER WHO IS AUTHORIZED TO MAKE THE DECISIONS.

WHAT IS ASTONISHING ABOUT THIS SCENARIO IS NOT THE POOR SERVICE IT DEPENDS ON. WHAT IS ASTONISHING IS THAT, FOR ALL THE POTENTIAL TO AVOID TURNOVER, THEY ARE NOT FAILURES, THEY HAVE BEEN DESIGNED INTO THE SYSTEM BY THE CHOICES SENIOR MANAGEMENT HAS MADE. LIKE THEIR PEERS IN MANY OTHER INDUSTRIES, THESE STORE'S MANAGERS HAVE CREATED, AND CONTINUE TO RUN, A SELF-SITURING SYSTEM THAT ESTABLISHES AN INCREDIBLE CYCLE OF FAILURE. INTRINSICALLY, THE SYSTEM'S ASSUMPTIONS AND OPERATING PRACTICES VIRTUALLY GUARANTEE THE DEGRADATION OF THE SERVICES THE BUSINESS EXISTS TO PROVIDE.

THE CYCLE OF FAILURE BEGINS WITH A SET OF INTERLOCKING ASSUMPTIONS ABOUT PEOPLE, CUSTOMERS, MACHINERY, AND EMPLOYEES. UNHAPPILY, IT IS ORGANIZED AROUND THE OPERATIONS OF COMPANIES AND MANAGERS.

FOR EXAMPLE, SOME OF THE THEORIES GO LIKE THIS:

- THAT THE LOGIC OF THINGS IS BEING POSTED, EQUAL OR BETTER THAN DEPARTMENT STORES ON HOW TO MANAGE PRODUCTS, SERVICES, OR HUMAN BEINGS.
- MACHINES ARE MORE EFFICIENT AND PRODUCTIVE. THEY COST LESS IN THE LONG RUN. AND THEY ARE INFINITELY LESS TROUBLE TO MANAGE THAN, UNLIKE PEOPLE, THEY DO NOT NEED TO BE RECRUITED, SUPERVISED, TRAINED, AND MOTIVATED.

THE HUMAN RESOURCES POLICIES AND PRACTICES THAT FOLLOW FROM THIS INDUSTRIAL LOGIC EFFECTIVELY Threaten PEOPLE AS MUCH AS THEY WERE MACHINES.

ONE OF THE FACTORS THE STRONG EMPLOYMENT ENVIRONMENT HAS MADE IT POSSIBLE FOR THEM TO BE FILLED WITH ALMOST ANYONE—FILOOT-PROOF EMPLOYEES. EMPLOYERS ASK LITTLE OF POTENTIAL EMPLOYEES. THEY USE MINIMUM WAGE AS A BASE, OFFER THE ABILITY TO PUT IN HOURS (MORE THAN THE ABILITY TO SHOW UP ON TIME) AND SET ABYMLIALLY LOW PERFORMANCE EXPECTATIONS. AT BEST, THEY PAY AN ADDED BONUS IN THE FORM OF A LIFELONG INSURANCE POLICY IN RETURN. THEY KEEP WAGES AS LOW AS POSSIBLE, OFTEN JUST ABOUT THE LEGAL MINIMUM.

THE TRAINING THEY OFFER NEW HIRES IS REDUCED TO THE ESSENTIALS OF WORKING A MACHINE. INSTEAD OF A SYSTEM THAT GIVES WORKERS NO ROOM TO EXERCISE DISCRETION OR JUDGMENT, OPPORTUNITIES TO ADVANCE ARE RARE, IF ANY AT ALL.

THESE INDUSTRIAL MODELS PROSPER IN THE FACE OF THE SERVICE INDUSTRY, WHERE CUSTOMERS OFTEN VALUE MORE THAN THE PRODUCT ITSELF. THEY LOOK FOR EMPLOYEES TO TREAT THEM AS HUMAN BEINGS—LIKE THE TECHNOLOGY AND MACHINERY THEY TRIED TO REPLACE. IT'S A SURPRISING TURN.

RECENT RESEARCH ON CUSTOMER LOYALTY IN THE SERVICE INDUSTRY CONDUCTED BY THE CONFERENCE BOARD CONFIRMS THAT CUSTOMERS OFTEN VALUE MORE THAN THE PRODUCT ITSELF. THEY LOOK FOR EMPLOYEES TO TREAT THEM AS HUMAN BEINGS—LIKE THE TECHNOLOGY AND MACHINERY THEY TRIED TO REPLACE. IT'S A SURPRISING TURN.

RECENT RESEARCH ON CUSTOMER LOYALTY IN THE SERVICE INDUSTRY CONDUCTED BY THE CONFERENCE BOARD CONFIRMS THAT CUSTOMERS OFTEN VALUE MORE THAN THE PRODUCT ITSELF. THEY LOOK FOR EMPLOYEES TO TREAT THEM AS HUMAN BEINGS—LIKE THE TECHNOLOGY AND MACHINERY THEY TRIED TO REPLACE. IT'S A SURPRISING TURN.

RECENT RESEARCH ON CUSTOMER LOYALTY IN THE SERVICE INDUSTRY CONDUCTED BY THE CONFERENCE BOARD CONFIRMS THAT CUSTOMERS OFTEN VALUE MORE THAN THE PRODUCT ITSELF. THEY LOOK FOR EMPLOYEES TO TREAT THEM AS HUMAN BEINGS—LIKE THE TECHNOLOGY AND MACHINERY THEY TRIED TO REPLACE. IT'S A SURPRISING TURN.

RECENT RESEARCH ON CUSTOMER LOYALTY IN THE SERVICE INDUSTRY CONDUCTED BY THE CONFERENCE BOARD CONFIRMS THAT CUSTOMERS OFTEN VALUE MORE THAN THE PRODUCT ITSELF. THEY LOOK FOR EMPLOYEES TO TREAT THEM AS HUMAN BEINGS—LIKE THE TECHNOLOGY AND MACHINERY THEY TRIED TO REPLACE. IT'S A SURPRISING TURN.
September 19, 1991

CONGRESSIONAL RECORD — SENATE

S 13537

task. Despite its extensive and growing base of retail outlets, revenue gains at Sears have averaged only 4.5% per year since 1988, while competitors' revenues have doubled. Sales margins have deteriorated significantly, dropping from 4.9% in 1988 to 1.3% in 1990. In contrast, Sears' operating income has been trimmed to a 4% margin on its operations, and its average sales growth over the past five years has exceeded 26%.

Perhaps worst of all, Sears executives have lost the loyalty of its target market, middle-income consumers.

They have tried to reverse these declines by upgrading its buying organization, introducing new merchandising strategies such as off-price, and improving service costs throughout the organization. Since 1988, the giant retailer has eliminated 33,000 nonessentials positions for a projected savings of $600 million to $700 million. But besides these efforts, management still seems not to have realized how critically important its salespeople are to turning things around, and how long-standing human resource policies have seriously eroded the sales force's ability to sell.

For example, Sears has consistently followed the basic tenet of the old industrial mind-set to keep labor costs as low as possible. During the 1970s and early 1980s, it reduced the average sales force of the savings from 70% full-time employees to 70% part-timers. In the short run, this change undoubtedly reduced the amount of work cut back and work dramatically. Over time, however, it led to rising rates of turnover and a sharp drop in customer satisfaction.

The chain of consequences that is the cycle of failure explains these unintended outcomes: with fewer, less knowledgeable salespeople, customers will get less and lower quality help. Impatient, dissatisfied customers have no reason to hide their feelings from employees. And since discount prices are frequent, sooner or later even the most conscientious salespeople become demotivated. Then the best leave, the mediocre hang on until they are fired, and the cycle starts over with a new crop of recruits who are likely to be even less capable than the people they have replaced.

New businesses and companies that attract job hunters with good skills or experience to fill vacancies because quality employees will naturally be attracted to positive work environments. As a result, they may not use new technology mostly to monitor employees' work (electronic time clocks, computerized attendance systems) rather than to give customers better service. Total expenses rise because more supervisors and managers are needed to deal with situations marginal employees cannot be trusted to resolve. Over all, service quality ratchets down another notch and sales drop.

Obvious as these connections may be once they have been stated, many service company managers do not make them. The assumptions reflected in the cycle of failure contribute largely to this myopia. In fact, the harder managers push to resolve performance shortfalls using tools derived from the corporate mind set, the less likely they are to make real long-term progress. Moreover, the day-to-day performance measures commonly used in most companies only reinforce this vicious circle.

THE ECONOMICS OF SERVICE

Managers in labor-intensive service companies cannot track the real performance of the workforce in traditional management systems. Determining the costs of customer turnover or the economics of service recovery requires metrics that generally ac-
cepted accounting principles do not provide. It also requires senior managers who are willing to abandon conventional wisdom and risk conventional perceptions. Few ever have.

In service companies that have stores, restaurants, or other facilities in many localities, differences among stores are a significant problem. One is that location strategies, sales promotions, and advertising drive the top line. The other is that cost control is the unit-level manager's consumer responsibility, and payroll decisions are right in part. Prominent locations, catchy sales promotions, and memorable ads are financially important. But when a business can operate profitably for long without care of cost controls at every level. But irrespective of this, the role of sales is that workers who are in direct contact with customers play in enhancing or diminishing customer satisfaction and therefore profits.

Research into the economics of problem resolution and service recovery highlights the critical role of customer-contact employees. Data collected by Technical Assistance Research Programs for the U.S. Department of Consumer Affairs show that a close link between resolving a customer's problem on the spot is profitable. When customers experience minor problems, 95% say they will repurchase if the complaint is resolved quickly. If the resolution takes longer, however, the number drops to 70%.

A spread of 25 percentage points can easily mean the difference between spectacular service and mediocre operating performance. Indeed, studies on the effects of customer loyalty have shown that even a 5% increase in customer retention can raise profitability by 25% to 85%. Yet the old industrial model virtually guarantees poor on-the-spot problem-resolution rates that only managers can solve. As a result, it has created a generation of service workers who are either uninterested in customers' difficulties or unable to assist them if they do care. Even if they want to, managers cannot confidently rely on workers hired under the cycle-of-failure model to do the right thing.

The economics of turnover are another area in which new metrics are needed—and where traditional accounting practices reinforce the cycle of failure and invisibly underpin a business' profits. To illustrate the scope of the problem, consider a one-year study done in 1988 and 1989, in which Merck & Co. observed 1,000 sales jobs turned over in the retail network of the Sears Merit Group. The cost of hiring and training one salesperson was $900, or more than $110 million in the aggregate (a figure that represents 17% of the Merck Group's turnover).

Costs of this magnitude often lead managers to make cuts in training. The explanation is the absence of relevant information: while wages and training costs are universally measured and known, the return on these investments in employee development is not because the incremental value of better-trained service employees is unknowable. Now, however, that assumption is breaking down. Managers are looking for measures that can isolate the relationship between training and employee retention, for example, or the value of the consistency of service that comes from less frequent turnover, or the beginning factor in the new economics of service.

In 1989, Sears surveyed customers in 771 stores as part of its routine service-monitoring activities. Its findings throw new light on the critical importance of employee turnover as well as on the value of employee development. Sears concluded that employee turnover and customer satisfaction are directly correlated. In stores where customers received a high customer service rating, 84% of the salesforce turned over in a year compared with 53% at the poorer scoring stores. Second, customer satisfaction correlates directly with the composition of a store's sales force. The more a store relied on a continuously changing group of part-timers (a staple in many service businesses), the lower the customer ratings received. The higher its percentage of full-time and regular-part-time workers, the more satisfied customers said they felt.

Evidence from companies that are mounting innovative efforts to measure the full costs of employee turnover adds to the impact of these findings. For example, two divisions at Marriott Corporation undertook a study to quantify the links among turnover, customer retention, and profitability. As a working hypothesis, management estimated that a 10% reduction in turnover would result in higher operating margins, 3% lower wages and salaries and raises, and savings of $50 million to $150 million. The study's conclusions are striking: even with high-end estimates for retail and travel and low-end estimates for the cost of lost customers, reducing turnover by 10% yielded savings that were greater than the operating profits of the two divisions combined.

The inefficiencies in day-to-day operations created when employees leave are another factor that costs many millions of dollars. And that disruptions in work relationships and the transactional costs of getting employees on and off the payroll raised the total costs to the employer well above an employee's annual salary. Further, the analysis concluded that, from an investment of 50% of an employee's salary in activities to eliminate turnover, Merck could reap a one-year payback.

Finally, in a study done in 1988 and 1989, Ryder Truck Rental discovered that another hidden cost of turnover is its impact on workers' compensation claim rates (a significant component of benefit costs). In the year when turnover was lower than 10%, the workers' compensation claim rate was just over 16%. In the 20 districts where voluntary turnover ranged between 10% and 20%, the rate was 21%. In addition, Ryder found that increased training led to decreased turnover. Among employees who participated in the company's new training program, the turnover rate was 19%. Among employees who did not participate, the rate soared to 41%.

Documenting the critical relationships among customers, profits, and employees presents a measurement challenge to be solved. The economics of customer satisfaction are now only beginning to be worked out, despite overwhelming evidence of their importance. The economics of employee loyalty are still largely unexplored. But thoughtful managers at companies such as Marriott, Merck, and Ryder are making measurable strides in factoring the new economics of service into their strategies and their general accounts.

DESIGN FOR SERVICE

Companies cannot design new standards of service by following old routines. In many service industries, companies have already realized this and begun to busi-


ness in a radically different way that represents a 180-degree turnaround from the old industrial paradigm. Its consequences are apparent to customers, employers, employees, managers, and competitors.

At the heart of this new approach to service are the needs and expectations of customers and the operation of the company's service system and its components, defined them. 

By fast-food patrons who expect instant service as a result of variety in prices will lead to the customer to go to one restaurant to 10.

At Taco Bell, over the past three years, in an overall market that has been flat to declining, sales growth at company-owned Taco Bell has exceeded 65%. Profits have increased over 30% per year, compared with 6% annually at McDonald's U.S. restaurants. All of Taco Bell's sales growth is a result of improving the performance of traditional industry competitors.

The restaurant chain has a core menu. The chain offers the most popular menu, such as tacos and burritos, at prices as low as 89 cents, 79 cents, 59 cents, and recently even 39 cents. This has been a strategy to compete with fast-food and other restaurants.

The media and industry analysts attribute this growth to the new value proposition. The chain offers a variety of menu items, including tacos and burritos, at prices as low as 89 cents, 79 cents, 59 cents, and recently even 39 cents. This has been a strategy to compete with fast-food and other restaurants.

The media and industry analysts attribute this growth to the new value proposition. The chain offers a variety of menu items, including tacos and burritos, at prices as low as 89 cents, 79 cents, 59 cents, and recently even 39 cents. This has been a strategy to compete with fast-food and other restaurants.

These front-of-the-house jobs cannot be done by incompetent, uncommitted workers. They require men and women who can take these responsibilities in stride and do so well to pressure from customers. In this, the kind of people who have the potential to be high performers; others will not. To meet the demand for service, Taco Bell uses a selection process that is designed to elicit prospective employees' values and attitudes toward responsibility, teamwork, and other attributes that lead to a life of order and cooperation with successful service work. 

Taco Bell's management has an excellent track record for selecting high-potential candidates with a high degree of accuracy. 

The selective hiring policies are a critical component of the new human resource development program. These policies have two elements: one is the establishment of criteria for defining a select group of candidates to be interviewed. 

The goal of the interview process is to identify candidates who are likely to succeed in the restaurant business. The interview process is designed to assess the candidate's knowledge of the restaurant business, their ability to work in a team environment, and their potential for success in the role.

The information from the interview process is then used to make a hiring decision. The decision is based on a combination of the candidate's qualifications, their fit with the restaurant culture, and their potential for future growth.

The selective hiring policies are a critical component of the new human resource development program. These policies have two elements: one is the establishment of criteria for defining a select group of candidates to be interviewed. The goal of the interview process is to identify candidates who are likely to succeed in the restaurant business. The interview process is designed to assess the candidate's knowledge of the restaurant business, their ability to work in a team environment, and their potential for success in the role.

The information from the interview process is then used to make a hiring decision. The decision is based on a combination of the candidate's qualifications, their fit with the restaurant culture, and their potential for future growth.
just in their industries but in the labor market overall.

Selection and hiring practices are the most obvious examples of how standards differ markedly from their competitors. Take recruitment: whereas most large service companies have to rely on the luck of the draw to find good employees, many tend to hire people who have come through referrals or because they have heard good things about working for the company. The selection process can be a matter of chance. In essence, they prefer to interview ten candidates to find the right person for a job rather than hire five and then have to fill the same job ten times over. Moreover, they are able to say, quite specifically, what "right" means in their particular business. Interviewers at Dayton's, for example, favor applicants who see retail sales as a career. Suitable candidates for housekeeping jobs at Fairfield Inn (the Marriott Corporation's new chain of economy inns) are not only dependable people with good work habits and a passion for cleanliness but also people who are willing to be evaluated and compensated on the basis of their performance.

At Dun & Bradstreet, too, hiring decisions at pionering service companies are based largely on how people think, not on what they are. These decisions are possible because Dun & Bradstreet is able to use its carefully analyzed data to determine the characteristics entry-level workers need to be successful in their jobs and the degree to which these characteristics can or cannot be imparted through training. In hiring front-desk clerks, Fairfield Inn will gladly take on a candidate who relates easily to customers but needs to learn how to use a personal computer. Computer whizzes with no interest in people are another matter altogether. As a result, the type of people Dun & Bradstreet hires can be enormously diverse and still be homogeneous on the one dimension that matters, their ability to provide excellent service.

Training and development is another area in which these employers are breaking new ground in their industries. Increasingly, training is seen as both a means to more competitive performance and as an end in itself. Training does more than close the gap between the number of jobs and the number of qualified candidates. Training also creates a larger pool of job candidates. What's more, training can be a means of retaining employees, an important consideration in industries with low turnover rates.

In addition to educating and motivating employees, training sessions typically provide the context in which employees commit themselves to their organizations. New sales consultants at Dayton's take part in a two-day "celebration" in which they are introduced to the company, its history, as well as the general goals and objectives of their company. During the sessions, they work through exercises to identify and improve their attitudes toward service and customers, watch videotapes on the importance of body language, and engage in role playing to build their enthusiasm for the company. Throughout, the focus is on helping the associate understand that, in the words of a vice-president, the new model demands "organizational excellence" of everyone who works for the company, whatever his or her job. The model demands something that is new to the whole organization: a continuing commitment to excellence in all that the associate does, from the receptionist to the assistant manager. In the new model, the associate works as a team member on a project, gaining a "dual" skill set of sales and service techniques, as well as a new attitude toward customers. Thus, the associate is part of the organization as a whole, not simply a part of a sales team.

Moreover, training translates to everyone, not just to those who are labeled "new associates." For example, in the Capital Banking Center, these organizations places as much emphasis on people as on money. One prerequisite for employment in the center is the ability to provide a model of service to the new customer-centered model is an investment in training that will last a lifetime. The rationale for this investment is the expectation that new associates will have higher performance standards and expectations and partly from the need to convey the information and skills workers will need to be able to "go the extra mile" for customers who will not accomplish anything, for example, unless these salespeople also understand why and how their customers work. Salespeople have been taught to make stock-in-trade of their businesses and marketing interests, and to help their customers make the most of them. Similarly, managers whose chief responsibility has shifted from supervising workers to helping their workers develop the skills they need, can help their employees develop themselves to perform successfully in their new roles.

Ironically, a critical piece of any manager's re-education is an on-the-job refresher course in service. Today more and more supervisors and managers are spending large portions of their time training their own staff. At Dayton's, department managers and even some buyers are on the road floor 50% of the time. Store managers at Taco Bell typically work out front where they can interact with customers instead of being hidden away in the back room to monitor operations. One of the reasons the company is filling the rest of the opportunity it provides for managers to model good service for frontline workers.

Another is the fact that it gives managers a better understanding of the daily drama, firsthand feedback from customers on the quality of their operations. A third (and often double-edged) advantage is that it gives managers a priviledge to do a productive job to do and so creates a place for them in their company's newly flattened organizational chart.

In virtually every large-scale change effort we have studied, one of the most stubborn problems is resistance from middle management. People in the center of a large organization are not only gatekeepers, they are also the people who have to sell new ideas to the top. They have to sell a new idea to the company, their own managers, and their employees. As a result, the middle managers are in the most uncomfortable position of all. They have to say yes to the new idea but are also well aware of the problems that are already associated with it. But as the middle managers resist the new idea, they also act as a buffer between their lower-ranking associates and the people who are trying to change things. Although they can be a great source of resistance, middle managers are also a great source of support for the new idea, often because they know more about the organization than anyone else. They know how the pre-organization is designed and how the new model will go haywire if the middle managers don't support it. That is why they are often the first line of defense against change. Middle managers can be a great source of support for change, but they can also be a great source of resistance.

But large, middle managers understand the importance of change and are beginning to see the benefits of change as an investment in the company's future. They are beginning to see that the new model demands the reshaping of the middle management's ranks. This means moving some people up, moving some back into the lower ranks, and keeping good managers close to customers, and moving some out of the organization. The result is that the middle managers have a new role to play in the organization.

What one effect this retraining and makes it possible is the development of new technology to retrieve and transfer the information about the customer's account. With the same good systems in place, a company can achieve great gains in productivity in ways that assist frontline workers and are not obvious to customers. But as the suggest, in the new model, technology is almost always viewed as a resource and support and not as a source of competitive advantage in its own right. The technology is there, but it will have to become available to everyone. Employees with positive, customer-oriented attitudes are a lot harder to copy or buy.

But the main benefit of the organization is tunstiligious; there is no getting around that fact. After the "Performance Plus" program was introduced two or three years ago, frontline turnover rose as sales con-

CGRATULATIONS TO DALENA M. HATTAWAY, RECIPIENT OF MEDALLION AWARD

Mr. SEYMOUR. Mr. President, the winner this year of the Boys and Girls Club of Venice, Florida, Medal of Merit Award is Dalena M. Hattaway. Ms. Hattaway will be honored along with the other 1991 award recipients at the club's 44th annual award ceremony on September 21. In honor of that occasion, and in recognition of Ms. Hattaway, I ask that the club's statement be printed in the Record.

The statement follows:

STATEMENT OF BOYS AND GIRLS CLUB OF VENICE, FLORIDA, DALENA M. HATTAWAY

Dalena M. Hattaway will be the recipient of the Boys & Girls Clubs of America Medal of Merit Award. The award is presented to a person who has been a unusually interest
Since graduating from college, Ms. Hathaway has volunteered time to work with or tutor low-income children. In addition to her work for the Boys and Girls Club of Venice, she has worked with mentally and physically disabled children.

S. 13360

CONGRESSIONAL RECORD — SENATE

September 19, 1991

SENATE

WESTMINSTER CELEBRATES THE U.S. CONSTITUTION

Mr. SEYMOUR. Mr. President, on September 18, 1991, the Westminster Bicentennial Foundation will conclude its 5-year celebration of the Bicentennial of the U.S. Constitution in closing ceremonies at the Westminster Cultural Center.

For the past 5 years, Westminster has celebrated the U.S. Constitution with community events that have enriched knowledge and understanding of that document and all it represents. I had the pleasure of attending the kick-off ceremony held in Westminster on September 18, 1987, and I regret I cannot join in this Saturday's celebration.

I would like to share with the community the following passage from Catherine Drinker Bowen's "Miracle at Philadelphia." I believe it sums up the living spirit of our Constitution:

"Miracles do not occur at random... miracles are men's wishes fulfilled, so with the miracle of Philadelphia."

I ask the Senate to join me in congratulating the Westminster Bicentennial Foundation and in extending the thanks of our National Government for 5 years of effort well spent in keeping the spirit of the "Miracle of Philadelphia" alive and well among us.

AROOSTOOK BAND OF MICMACS SETTLEMENT ACT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 208, S. 374, relating to Maine Indian claims; that any statements be inserted in the Record where appropriate; that the bill be deemed a third time and passed; and that the motion to reconsider be laid upon the table.

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

The bill as passed is as follows:

The bill (S. 374) to settle all claims of the Aroostook Band of Mikmacs resulting from the Band's omission from the Maine Indian Claims Settlement Act of 1980, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY.

(a) Pursuant to the Policy—Congress hereby finds and declares that:

(1) The Aroostook Band of Mikmacs, as represented as of the time of passage of this Act by Mr. Philip Carrier, is the sole successor in interest to lands within the United States, to the aboriginal entity known as the Micmac Nation which years ago claimed aboriginal title to certain lands in the State of Maine.

(2) The Band was not referred to in the Maine Indian Claims Settlement Act of 1980 because historical documentation of the Micmac presence in Maine was not available at that time.

(b) This documentation does establish the historical presence of Miamic in Maine and the existence of aboriginal lands in Maine and thereby that any jurisdiction or other right to which the Micmacs could have asserted aboriginal title but for the extinguishment of all such claims by the Maine Indian Claims Settlement Act of 1980.

(4) The Aroostook Band of Mikmacs, in both its history and its presence in Maine, is similar to the Houlton Band of Maliseets in its Indian Claims Settlement Act of 1980 and to the Micmacs in Maine. The Aroostook Band was honored to participate in the Westminister Cultural Center.

(5) It is now fair and just to afford the Aroostook Band of Mikmacs the same settlement status as that of Maine Indians for the settlement of that Band's claims, to the extent they would have been settled from inclusion in the Maine Indian Claims Settlement Act of 1980.

(6) Since 1920, the State of Maine has provided special services to the Indians residing within the State, including the members of the Aroostook Band of Mikmacs. During this same period, the United States provided few special services to the Band and repeatedly denied that it had jurisdiction or responsibility for the Indian groups in Maine. In view of this provision of special services by the State of Maine, requiring substantial expenditures by the State of Maine and made by the State of Maine without being required to do so by Federal law, it is then obvious that the State of Maine not be required further to contribute directly to this settlement.

(b) Purpose.—It is the purpose of this Act

(1) provide Federal recognition of the Band;

(2) provide to the members of the Band the services which the United States provides to Indians because of their status as Indians;

(3) place $900,000 in a land acquisition fund and property tax fund for the future use of the Aroostook Band of Mikmacs; and

(4) ratify the Micmac Settlement Act, which defines the relationship between the State of Maine and the Aroostook Band of Mikmacs.

SEC. 5. DEFINITIONS. For the purposes of this Act:

(1) The term "Band" means the Aroostook Band of Mikmacs, the sole successor to the Micmac Nation as constituted in aboriginal times in what is now the State of Maine, and all its predecessors and successors in interest. The Aroostook Band of Mikmacs is represented in the settlement of this Act, as to lands within the United States, by the Aroostook Mikmac Council.

(2) The term "Band Tax Fund" means the fund established under section 6(g)(2)(b) of this Act.

(3) The term "Band Trust Land" means land or natural resources acquired by the Secretary of the Interior and held in trust by the United States for the benefit of the Band.

(4) The term "land or natural resources" means any real property or natural resources, or any interest in or right involving any real property or natural resources, including (but not limited to) minerals and oil and gas rights, timber, water and water rights, and fishing rights.
(C) which have been certified by the Commissio

(c) Sources of certain payments.—Not-

warriors any other provision of law, if—

(1) The Band is liable to the State of

City, town, village, plantation, or any other

political subdivision thereof for any tax,

payment in lieu of property tax, or fees, to-

generate revenue or to provide any interest

and penalties thereon, and

(2) There are insufficient funds in the

Bank to pay such tax, payment in lieu of

property tax, or fees, to generate revenue or

to provide any interest and penalties thereon,

then the tax, payment in lieu of property tax,

or fees (together with any interest or penal-

ties thereon) in full,

in which case the proceeds shall be paid by

the Bank only from income-producing property

owned by the Band which is not held in

trust for the Band by the United States and

therefrom one member of the Band to another

member of such Band.

shall certify, in writing, to the Secretary

of the State of the State of Maine the location,

boundaries, and status of the land acquired

from the Band.

(B) The State of Maine shall have initial

jurisdiction over condemnation proceedings

brought under this section. The United

States shall be a party to any such condemna-

tion proceedings. After exhaus-


On conclusion of all State administra-

tive remedies, the United States is authorized to

seek judicial review of all records and issues

involved in such condemnation proceedings in

the courts of the United States and shall have an

absolution right of removal, at the discretion

over any action commenced in the courts of

the State.

(5) Land or natural resources acquired by

the Secretary in trust for the Band shall be

managed and administered in accordance

with terms established by the Band and

agreed to by the Secretary in accordance

with section 192 of the Indian Self-Determi-

nation and Education Assistance Act (25

U.S.C. 450f) or other applicable law.

SEC. 6. LAWS APPLICABLE.

(a) Federal recognition.—Federal recog-

nition shall be accorded to the Aroostook

Band of Micmacs. The Band shall be

eligible to receive all of the financial benefits

which the United States provides to Indians

and Indian tribes subject to the same eligibil-

ity criteria, generally applicable to other fed-

erally recognized Indians and Indian tribes.

SEC. 7. GENERAL LAW.—For the

purposes of application of Federal law, the

Band and its lands shall have the same

status as other tribes and their

Federal recognition and under the terms

of the Maine Indian Claims Settlement Act

of 1980.

SEC. 8. ELIGIBILITY FOR SPECIAL SERVICES.—

Notwithstanding any other provision of law

authorizing the provision of special pro-

grams and services by the United States to

Indians because of their status as Indians,

any member of the Band in Aroostook

County, Maine, shall be eligible for such

services without regard to the existence of a

reservation or the residence of members of

the Band on or near a reservation.

(d) Agreements with states regarding

jurisdiction.—The State of Maine and the

Band are authorized to execute agreements

regarding the jurisdiction of the State of

Maine over lands owned by, or held in trust

for, the Band. The consent of the United

States is hereby given to the State of Maine

to amend the Micmac Settlement Act for

this purpose; Provided, That such amend-

ment is made with the agreement of the

Aroostook Band of Micmacs.

SEC. 7. TRIBAL ORGANIZATION.

(a) In general.—The Band may orga-

nize (a) a federal government and adopt an

appropriate instrument in writing to govern

the affairs of the Band when acting in its

governmental capacity, and any amend-
ments thereto must be consistent with the

terms of this Act. The Band shall file

with the Secretary a copy of its organic

governing document, and any amendments

thereto.

(b) Members.—For purposes of benefits

provided by reason hereunder, each per-

son who is a member of the United States

may be considered members of the Band except

persons who, as of the date of enactment of

this Act, were not members of the Band,

including the Band's existing membership roll,

and direct lineal descendants of such members.

Membership in the Band shall be subject to

such conditions, standards, and procedures as

may be prescribed by the Band in its organic
governing document,
or amendments thereto, subject to approval by the Secretary.

SEC. 8. IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT.

For the purposes of this section, the Band is an "Indian tribe" within the meaning of section 4(b) of the Indian Child Welfare Act of 1978, 25 U.S.C. 1903(c)(8). Nothing in this section shall alter or affect the jurisdiction of the State of Maine over child welfare matters as provided by the Maine Indian Claims Settlement Act of 1980.

SEC. 9. FEDERAL FINANCIAL AID PROGRAMS AFFECTED BY PAYMENTS UNDER THIS ACT.

(a) STATE OF MAINE.—No payments to be made for the benefit of the Band pursuant to this Act shall be considered by any agency or department of the United States in determining or computing the eligibility of the State of Maine for participation in any financial aid program of the United States.

(b) BAND AND MEMBERS OF THE BAND.—(1) The eligibility for, or receipt of, payments from the State of Maine by the Band or any of its members shall not be considered by any department or agency of the United States in determining or computing payments to, the Band or any of the members of the Band under any Federal financial aid program.

(2) Nothing contained in this section shall mean that eligibility for the benefits of any Federal financial aid program is dependent upon a showing of need by the applicant, the administering agency shall not be barred by this subsection from considering the actual financial situation of the applicant.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $900,000 for the fiscal year 1992 for transfer to the Aroostook Band of Micmacs Land Acquisition Fund.

SEC. 11. INTERPRETATION.

In the event of a conflict of interpretation between the provisions of the Maine Implementing Act, the Micmac Settlement Act, or the Maine Indian Claims Settlement Act of 1980 and this Act, the provisions of this Act shall prevail.

SEC. 12. LIMITATION OF ACTIONS.

No provision of this Act may be construed to confer jurisdiction to sue, or to grant implied or necessary injunction, to sue, the United States or any of its officers with respect to the claims extinguished by the Maine Indian Claims Settlement Act of 1980.

Mr. COHEN. Mr. President, I am very grateful for the assistance my colleague from Maine, Senator MITCHELL, that addresses the unique situation of the Micmac tribe in Maine.

Identical legislation was approved unanimously by the Senate last year. It will bring fair treatment to the Aroostook Band of Micmacs and afford them access to Federal services that are desperately needed by tribal members.

The Micmacs are a small tribe located in northern Maine, whose principal livelihood is gained through basket-making and seasonal agricultural labor. They are an essentially agricultural tribe, with very high alcoholism and high school dropout rates. Despite these problems, there are few programs available to assist them in addressing these conditions. The land acquisition exists because the Micmacs were not included in the 1980 Maine Indian Claims Settlement Act, for a variety of reasons I have explained in previous statements to the Senate on this subject.

Exclusion from the 1980 MICSA prohibits the tribe from being eligible for crucial tribal services provided by the BIA. In addition, State Indian assistance programs were terminated following passage of the 1980 act, thus eliminating the source of funding long used by the tribe.

The bill before the Senate today grants Federal recognition to the Aroostook Band of Micmacs as the sole successor to the aboriginal entity known as the Micmac Nation. It also authorizes $900,000 for the establishment of a land trust fund for the band. These two provisions will make the band members eligible for a host of Federal services through the Bureau of Indian Affairs and the Indian Health Service, and will provide them with the wherewithal to begin to acquire land for tribal use as a reservation and for economic development.

The bill does not amend the 1980 act, and we do not intend that any of the issues covered in that landmark legislation be reopened or reconsidered. The purpose of the Micmac settlement legislation is to bring some fairness to the unfortunate situation the tribe faces, whereby there are no programs available to help it deal with the poverty and lack of education among its members.

The Micmacs continue to live as a tribe in Maine and have striven to maintain a tribal identity against great odds. Unemployment among the tribe runs at 75 percent, and approximately 60 percent of the tribe live on less than $5,000 per year. I hope that through passage of this legislation we will be able to provide tribal members some relief from these conditions.

In 1980, Maine introduced legislation approved by the Senate, providing a Federal law regarding the purchase of State lands for the Micmacs. This occurred with no congressional action being taken, and it was introduced by a bipartisan group of lawmakers representing Aroostook County. The Legislature also approved a resolution urging the Congress to take action on the Micmac claim.

In addition, the Maine attorney general's office has expressed its full support for this legislation.

I want to express my appreciation to the Senate Indian Affairs Committee, particularly its chairman, Senator Inouye, for acting expeditiously on this legislation and demonstrating a keen understanding of the issues surrounding the Micmac's plight.

I hope my colleagues in the Senate will hold a hearing today so that the Aroostook Band of Micmacs can receive the benefits accorded other Maine tribes.

Mr. MITCHELL. Mr. President, I am aware that the Senate is today considering legislation, introduced by Senator Cousens and myself, to effectively settle all claims of the Aroostook Band of Micmacs. Passage of this bill by the Senate, and its subsequent enactment into law, will enable the Micmacs to finally have access to the services, assistance and recognition that makes available to all other recognized bands of native Americans. I urge my colleagues to support passage of the bill.

The Micmacs' exclusion from the 1980 Maine Indian Claims Settlement Act left them in a unique situation, as they have no Federal assistance and are ineligible for Federal assistance. The bill the Senate is considering today will establish the historical presence of the Micmacs in Maine and provide Federal recognition to the band.

The legislation also provides for $900,000 to be placed in a land acquisition fund and property tax fund to allow the Micmacs to purchase land and pay taxes on that land to the State of Maine.

The Aroostook Band of Micmacs, in both its history and its presence in Maine, is similar to the Houlton Band of Micmee Indians. This bill will grant the Aroostook Band the same recognition, as well as from the other three recognized tribes in the State. The Maine State Legislature has already approved legislation to implement the provisions of Federal law regarding the purchase of State lands for the Micmacs, as well as a resolution urging the Congress to take action on the band's claim.

Identical legislation was passed by the Senate last year by voice vote. Unfortunately, the House failed to consider it during the last year, and therefore the Micmacs have spent another year in their predicament.

Enactment of this legislation will enable the Aroostook Band of Micmacs to establish a much needed land base in Maine and grant them the same status as other tribes and lands accorded Federal recognition under the terms of the Maine Indian Claims Settlement Act of 1980.

I commend Senator Inouye and the Select Committee on Indian Affairs for addressing this legislation so promptly, and I urge my colleagues to pass S. 374, which will enable the Micmacs to rise above the quagmire they find themselves in today.

SEQUENTIAL REFERRAL OF STRIPED BASS LEGISLATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that H.R. 2387, the Striped Bass Act of 1991, be sequentially referred to the Committee on Environment and Public Works for a period not to extend beyond 7 calendar days; and that if H.R. 2387 is not
CONGRESSIONAL RECORD — SENATE
S 13363

September 19, 1991

reported by the Committee on Environment and Public Works within said time, the Committee on Environment and Public Works shall be discharged from further consideration of H.R. 2587, and the bill shall be placed on the Calendar without action.

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

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate complete its business today, it shall stand in recess until 8:30 a.m. on Friday, September 20, 1991, in accordance with the unanimous consent request of Senator Fisher.

Mr. President, I modify my request to ask that the Senate stand in recess until 10 a.m. tomorrow, and that the period for morning business extend until 11:15 a.m.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 10 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as under the previous order until 10 a.m. on Friday, September 20.

The Senate being no objection, the Senate, at 10:55 p.m., recessed until Friday, September 20, 1991, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate Executive September 19, 1991:

OFFICE OF SPECIAL COUNSEL

KATHLEEN DAY KOCHEL, OF VIRGINIA, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF 5 YEARS, VICE MARY P. WISDOM, TERM EXPIRING SEPTEMBER 20, 1996.

PANAMA CANAL COMMISSION

WILLIAM CARL OF TEXAS, TO BE A MEMBER OF THE BOARD OF THE PANAMA CANAL COMMISSION, VICE WILLIAM W. WARNER, JR., RESIGNED.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT


IN THE MARINE CORPS

THE FOLLOWING NAMED MARINE CORPS ENLISTED COMMISSIONING EDUCATION PROGRAM GRADUATES HAVE BEEN PROMOTED TO SECOND LIEUTENANT IN THE U.S. MARINE CORPS, PURSUANT TO THE U.S. CODE, SECTION 3411.

ELECTORS TRAINING TO LEAD A LIEU TENANT OF THE TERM OF TWO YEARS, U.S. SENATE, stand in recess after the prayer, the Journal of the Senate, for up to 15 minutes.

The following Senators were recognized: Senator Wellstone for up to 20 minutes, Senator McCain for up to 10 minutes, Senator Adams for up to 10 minutes, and Senator Rockefeller for up to 15 minutes.

Mr. President, I modify my request to ask that the Senate stand in recess until 10 a.m. tomorrow, and that the period for morning business extend until 11:15 a.m.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ROBERT C. BINDER OF TEXAS, 479

VICTOR J. BURKE OF KANSAS, 327

MARK O. GORDON OF WASHINGTON, 327

J. GORDON, 327

EARL H. HAGSTROM, 893

DEBORAH M. HETI, 210

WENDY L. KINKEARD, 1343

LARRY W. LAWS, 197

STEPHEN B. PIERSON, 479

BENJAMIN R. FORD, 402

THE FOLLOWING NAMED MARINE CORPS ENLISTED COMMISSIONING EDUCATION PROGRAM GRADUATES HAVE BEEN PROMOTED TO SECOND LIEUTENANT IN THE U.S. MARINE CORPS, PURSUANT TO THE U.S. CODE, SECTION 3411.

KELLY A. AUSTIN, 2747

LOHMANN, ROBERT K., 2460

RUDolph, RUDolph K., 3696

STEVIN L. LUBS, 3259

ALBERTO V. ROY, 3281

CANTHIAN N. ANSELSON, 5831

STEWART R. NICKLASS, 6696

MICHAEL R. DEGEE, 5299

ROBERT A. VOLTAIRE, 3386

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR PROMOTION AS LIEUTENANT COLONEL, PURSUANT TO THE U.S. CODE, SECTIONS 6206 AND 6710, TITLE 10, UNITED STATES CODE, PROMOTIONS MADE UNDER SECTION 6206, ARE CONFIRMED BY THE SENATE UNDER SECTION 8320 SHALL BE EFFECTIVE ON THE DATE OF CONFIRMATION, AND PROMOTIONS MADE UNDER SECTION 6206 SHALL BE EFFECTIVE UPON COMPLETION OF 90 DAYS OF PROMOTION SERVICE AND 31 YEARS OF TOTAL SERVICE, UNLESS A LATER EFFECTIVE DATE IS AUTHORIZED BY THE SECRETARY OF DEFENSE, OR THE PROMOTION SERVICE DATE IS DEFERRED (IN ACCORDANCE WITH SECTION 8320(b) OF TITLE 10).

CLARK, WILLIAM J., 410-47-3512

COOK, KENNETH OF VIRGINIA, 531-10-4168

COLEMAN, CHARLES, 532-48-3678

BUDIT, RICHARD L., 650-50-5250

HAMMER, 518-44-0572

HUSSEIN, 505-40-2058

BECHELE, 991-72-5531

BROWN, 565-50-5250

BUSH, 428-88-1481

BURE, CHARLES W., 540-40-2811

BUSHMAN, ROBERT W., 586-46-8444

BUTCHER, RICHARD L., 534-46-2104

BUTLER, RONALD L., 413-39-9250

CANNEL, WILLIAM R., 573-49-3153

CANNON, RICHARD L., 503-46-2611

CAPUA, JOHN A., 976-23-5494

CAPPIT, JOHN A., 289-23-5283

CARR, ROGER L., 141-43-7597

CARR, RALPH A., 860-46-2832

CARR, BERNARD R., 530-38-8044

CARR, MELVIN E., 578-44-1792

CARTER, JOHN L., 382-50-6288

CHAMPA, WILLIAM P. JR., 434-40-1825

CANDREWS, LEO R., 996-46-9208

CHATFIELD, RICHARD L., 518-44-9961

CICCO, MICHAEL V., 470-44-4699

CHILD, JOHN L., 650-31-3775

CHILD, WILLIAM L., 280-46-2058

CHILD, WILLIAM L., 280-46-2058

CHILD, WILLIAM L., 280-46-2058

CHILD, WILLIAM L., 280-46-2058

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748

CHELLED, WILLIAM E., 476-48-9748
CONGRESSIONAL RECORD — SENATE

September 19, 1991

CONFIRMATIONS

Executive nominations confirmed by the Senate September 19, 1991:

DEPARTMENT OF LABOR

CARL M. DOMINGUEZ, OF WASHINGTON, TO BE ASSISTANT SECRETARY OF LABOR. NANCY R. KENNEBURY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF LABOR. THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEE COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.
ADDRESS BY BRIG. GEN. TOMMY FRANKS
HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1991
Mr. SKELTON. Mr. Speaker, recently, Army Brig. Gen. Tommy Franks addressed the Military Order of World Wars, Banquet in Kansas City, MO. His speech was salutary recognition of the international officers attending the command and staff course at Fort Leavenworth, KS. I take this opportunity to share the address of General Franks with the Members of this body, as it has special significance in light of the successful coalition forces with whom our soldiers fought in the recent Persian Gulf conflict.

Among the first friends you made upon your arrival in the United States was LTC Eggering, the deputy class director for international officers, who with his staff is responsible for inducting you into the best of the military services and what it has to offer. And for many of us, there are our best friends, our spouses, sitting next to me, who have been there throughout our careers, supporting us, and enhancing the jobs that we do. No recognition of friends could be complete without them. I am in giving them a hand. Speaking of spouses, reminds me of my wife of more than 30 years. On the way to the class, she reminded me we'd had almost 3 happy years together. I asked her “What should I talk about this evening?” She said “How long you talk is more important than what you say.” I said “Should I speak in French, German, Spanish, or Farsi”, and she reminded me that I have enough trouble with English. So, without help, I’ll keep it simple.

As I look within your class, it’s an exciting sign of the times to note who you are: Among International Officers, representing sixty-eight countries; some are old friends, with histories of attendance at training in the United States, and we greet you as we have the best of the soldiers. I am happy to note that you are the first representatives of your countries at training here: Officers from Chad, Guinea-Bissau, Niger and Swaziland. We hope you are the vanguard of many more to come. And one of your ranks, LTC Kempara from Poland, is the first representative of that brave country to Fort Leavenworth since 1945. Perhaps you would join me in applauding the significance of Polish presence here this evening. We welcome you and the changes which have made it possible for you to be here. Together, you join the distinguished ranks of world-great leaders such as the graduates of the Command and General Staff College since 1894, representing 113 countries, among those who have proceeded you have been 23 States of State. The confidence that your country places in you by sending you here should be inspiring as you tackle the requirements of your course. Enrolling also should be the comradeship which you are developing with the members of your class, together, you will share this unique adventure which you choose to share with one another. You will make lifelong friends here, and I envy the great times ahead of you.

By now you’re wondering why I’ve so taken with the idea of friends and friendships. Sure, you say, friends are everywhere. There’s someone you’re close to when you’re working in your staff group on the next briefing; very important when you’re studying for your driver’s license exam. Even real good friends can’t help when you’re trying to understand what’s happening in a baseball game or an American football game, or a rodeo. By the way, I understand that the international student have already experienced a rodeo, where the cow chow downing continues to be a major problem. You told me you roped calves and rode mules and that sometimes the student won, and sometimes the mules won. But all things considered, personal friends are important. Well, countries need friends, too, especially right now. Few of us would have predicted the changes which have taken place in our world in the very recent past. The traditional ideological, national and cultural divisions which have dominated the state of the world for the last 50 years have been much more quickly than any expert foretold. In the words of Yogi Berra, “Making predictions is something you should do with a short memory.” It is about the future.” In Europe and Asia, in Africa and in South America, the familiar faces and familiar ways are passing, and new ones, new faces are emerging. In this dynamic environment, the perceived threats of yesterday have evolved; some have gone, others have simply changed their complexion. In the face of change, there are new causes for concern. The world continues to be a dangerous place. And friends are some of the best insurance you have of your place in that dangerous place. Friends and allies cover your flank, and they stay with you when the going gets tough.

Earlier this year, I had occasion to work with a coalition of nations that opposed Iraq’s wrongful aggression in Kuwait. Several of you were involved in those operations, and I am sure you will talk about how the “old-fashioned” way works. We only fight wars as a last resort, and as General Douglas MacArthur once said, “It’s no use playing for peace, because he will have to pay the terrible price of war.” However, from the operational standpoint, we can be proud of the accomplishments of coalition forces in Southwest Asia. Our adversary had the fourth largest army in the world, with much larger reserves, and a battle hardened troops, and he knew the ground upon which he would fight. The majority of the coalition forces on the other hand had never fought a war, and prepared to fight alongside unfamiliar allies in unfamiliar terrain against a defending power we had seen in a text scenario for an attack. Yet the results were impressive. Although the coordination of air power for the air strikes amounted to a list of the size of the Kansas City telephone book every day, the precision and success of the coalition air campaign changed the way air power will be viewed from now on. In spite of the defenders’ advantage, in terrain favoring armored combat, the Iraqis lost over 3,000 tanks to coalition forces, while the U.S. lost fewer than two dozen. In the span of less than 100 hours, the invaders of Kuwait were outflanked, overpowered, demoralized and defeated in detail, by a coalition force which had attacked over hundred thousand American soldiers a night, passing through dense and sophisticated obstacles, and incurring miraculously light casualties, which are incredible for any force, but to be performed by a coalition of thirty-six nations, speaking different languages, subscribing to different doctrine, and using different equipment is hard to comprehend.

The very formation of the coalition itself is amazing. It was the largest coalition of its kind ever formed to compel the called Nations call to combat, and it shows what I meant when I talked about friends. There are certain themes that are understood in any language, these themes transcend cultures and leaders and time. Freedom is one of these themes, and the world community demonstrated that point by rallying in support of coalition efforts to protect the freedom of one small nation. A Viet Nam veteran and war correspondent during Desert Storm has said that the Gulf was the last great war; that the desert had been fought sixty years; his idea was that the commanders who led the force and the strategy and tactics which were developed were shaped by the desert war over many years. The same is true of the bonds of trust and confidence which forged the coalition so quickly and firmly in a time of crisis last autumn. Speaking of the desert Shield in his recent appearance before a committee of Congress, Lt. Teddy Allen, Director of the Defense Security Assistance Agency, noted that “we did not have to scramble for friends in the region. We already had them.” The patient and deliberate work of many years had developed the climate which permitted so many nations, from such different regions and with such differing perspectives, to unite in a common cause.

Our gracious hosts here this evening will recognize that this equation for success is not really new. From our first struggles for freedom, the bonds of friendship and the demonstration of the importance of friends and allies. The lessons of the twentieth century have taught us that we often fortify our alliance by fighting together, and that we have fought shoulder to shoulder with our friends in the trenches of Europe during the
Mr. Cateracci is being awarded the Alexander Macomb Citizen of the Year Award by the March of Dimes for his devoted service and distinguished community leadership.

Mr. Cateracci has spent a distinguished career in the construction business. Born in the Province of Frosinone, Italy, John and his family moved to the United States and attended the University of Detroit and then joined his father in the construction business.

After serving in the armed services in the Korean War, John and his brother, Joe, formed John Carlo, Inc., a concrete paving business. Though their hard work and dedication, the company has grown into one of the largest volume concrete and asphalt paving companies in the country. John is responsible for new business acquisitions and the overall administration of John Carlo, Inc. He has extensive experience in underground utility, grading, concrete, and asphalt paving projects and has introduced new and innovative techniques to the profession.

In the 1970's, John and Joe cofounded the Trinity Land Development Co., a real estate company. Trinity has since developed shopping centers, industrial buildings, condominium projects, office buildings, marinas, residential homes, and several thousand single-family residential lots. He remains active in professional trade associations, where he has been president, vice president, and treasurer of the Michigan Concrete Paving Association and secretary of the Michigan Road Builders Association.

Although his business takes up a lot of Mr. Cateracci's time, he manages to contribute a great deal to his community. He serves on various civic and community organizations including, for example, the Italian Heritage Society, the American Heart Association, and the March of Dimes. He has been a strong supporter of Boys' Towns of Italy and many other Italian organizations. His tireless efforts in organizing one of the largest single fundraising events for the Italian Earthquake Victim Relief Fund helped countless numbers of people in need. He has also donated a large amount of time raising significant funds for the Italian Cultural Center.

Mr. Speaker, it is my highest privilege today to pay tribute to John Carlo Cateracci. I join the March of Dimes in honoring his as the Alexander Macomb Citizen of the Year for his many contributions to the citizens of his community.

Mr. HERTEL. Mr. Speaker, I rise today to pay special tribute to Mr. John Carlo Cateracci, who will be honored on Wednesday, September 25, 1991, in Sterling Heights, Mich.
then redistribute those dollars equally to every team. Major league baseball would lose its antitrust exemption if it failed to comply with this law.

Costs are spiraling in major league baseball. It wasn't too long ago that million-dollar contracts generated banner headlines in the sport pages of America. Not anymore. It takes $3 million just to get noticed, and $5 million a year to receive a banner headline.

For small market teams, paying those kind of salaries is close to impossible because local television revenues are not keeping pace with players' salaries. For instance, the New York Yankees with $85 million this year from its local television contract. The Seattle Mariners will earn less than a 10th of that from their local TV contract.

Mr. Speaker, I don't want to see the Mariners snatched away. Baseball fans in the Pacific Northwest shouldn't be punished because our television stations can't dish out the money like those in New York City.

Keeping up with the Joneses is getting harder for teams in smaller markets. The biggish television contracts the Mariners can only dream of negotiating. Our legislation will make baseball more competitive, and more exciting for the fans.

I think our legislation is fair. It's a reasoned approach to a problem that affects cities throughout America, not just Seattle. I urge all my colleagues to support our proposal.

NATIONAL FARM SAFETY WEEK

HON. PAT ROBERTS
OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1991

Mr. ROBERTS. Mr. Speaker, today I remind my distinguished colleagues that President Bush has proclaimed this week, September 15-21, 1991, as National Farm Safety Week, the 46th annual observance. Annually, farm accidents result in hundreds of fatalities and thousands of disabling injuries. In 1990, 1,300 agricultural workers died and 120,000 disabling injuries occurred, according to National Safety Council statistics. Although significant gains have been made to improve safety in agricultural production in recent years, agriculture has an accident death rate four times the average of all industries.

To promote Farm Safety Week, some 21,000 packets of resource information have been prepared by the National Safety Council and the USDA's Extension Service. These packets are being distributed to the county offices of the Cooperative Extension System, local Farm Service Agencies, and Farm Bureau, Vocational Agriculture Instructors, the media, and others.

The Cooperative Extension Service in my home State of Kansas has developed and implemented farm safety programs targeted at the elderly and youth, the two highest risk groups for farm accidents. Each year, approximately 1,000 Kansas youths receive 10 hours of agricultural tractor safety training. In 1990, the Cooperative Extension Service in Kansas began an intensive campaign to promote safety among elderly farmers through local community organizations and volunteers.

I encourage my distinguished colleagues to join me in supporting National Farm Safety Week and programs in their States to reduce the toll of farm-related accidents.

UNITED STATES ASSISTANCE TO THE BALTIc STATES

HON. LEE H. HAMILTON
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1991

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues a letter I received from the Department of State on September 14, 1991, informing the Committee on Foreign Affairs of the Administration's intention to begin an assistance program to the Baltic States from fiscal year 1991 funds. In addition, the administration provided a determination on assistance to the Baltic States signed by Deputy Secretary of State Lawrence Eagleburger, and a memorandum of justification regarding such assistance.

The text of the correspondence follows:

U.S. DEPARTMENT OF STATE

HON. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Western Hemisphere, Committee on Foreign Affairs, House of Representatives.

Dear Mr. Chairman: I would like to inform you of our intention to provide a modest amount of assistance to the Baltic States from fiscal year 1991 funds. Our program concentrates on technical assistance to lay the groundwork for market economic reform, strengthening democratic institutions, and meeting humanitarian needs.

This assistance would be adapted from the regional programs we have begun in other countries of the Eastern Europe. We anticipate this would include the following programs for the Baltics:

- American Business and private Development
- Privatization and Enterprise Restructuring
- Truck Training
- Emergency Medical Supply
- Emergency Energy Impact Program
- Restructuring Agriculture and Agriculture

- Local Assistance
- Political Process
- Reform

- National Legislation
- Regional Human Resources

We intend to provide the Baltics approximately $13 million from remaining FY 1991 funds ($1 million from appropriations for assistance for Eastern Europe and $11 million from unobligated FY 1991 ESP original allocations to Pakistan). Pursuant to Section 451 of the Foreign Assistance Act of 1961, as amended, it is essential that unobligated ESP funds be made available in this fashion to assist these countries in the Baltic States this fiscal year, thereby making an immediate contribution to political and economic reform.

NATIONAL MENTORING WEEK

HON. NEWT GINGRICH
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1991

Mr. GINGRICH. Mr. Speaker, the competitive edge which businesses are striving to maintain and is directly influenced by the quality of human resources upon which management can draw. I'm certain that business and labor leaders have expressed to my colleagues their concerns about high school dropout statistics; the education and preparation of young, entry-level workers; and about the level of skills required of both their present and future work force.

Therefore, I believe there is one relationship between a responsible adult and a youth—can help to prepare graduates for success in the classroom and enable them to transfer that knowledge to the workplace.

We would be pleased to discuss further any aspect of our proposed assistance to the Baltic States.

Sincerely,

JANET G. MULLIN,
Assistant Secretary, Legislative Affairs.
There is a growing awareness of the significant contribution that adults can make in preparing students for success in the classroom and in the workplace. Volunteers from business and labor are well equipped to become mentors to students who are in need of an adult role model to give support and guidance. Mentoring is a low-cost, high-yield, community-based solution that can make a significant difference in the lives of our youth and will pay off in bottom line economics for business and education.

Through mentoring programs, individual citizens, businesses, labor groups, and community and religious organizations are meeting the challenge of preparing our future work force for success. In support of these efforts, I have introduced a resolution to designate the week of October 13–19, 1991, as “National Mentoring Week.” If you would like to join me in recognizing the value of mentoring by cosponsoring this resolution, please contact Greg Wright on my staff at 225–4501.

TRIBUTE TO THE HONORABLE DEBORAH A. SERVITTO

HON. DENNIS M. HERTEL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1991

Mr. HERTEL. Mr. Speaker, I rise today to pay special tribute to the Honorable Deborah A. Servitto, who will be honored on Wednesday, September 25, 1991, in Sterling Heights, Ml. Judge Servitto is being awarded the Alexander Macomb Citizen of the Year Award by the March of Dimes for her extraordinary service and distinguished community leadership.

Judge Servitto has spent a great deal of her legal career serving the people of Macomb County. After being admitted to practice Michigan in November 1982, she was hired by the city of Warren as its first female assistant city attorney. She then served as 37th District Court Judge for the cities of Warren and Center Line before being appointed by Gov. James J. Blanchard to the Macomb County Circuit Court in 1988, where she served a 4-year term as circuit court judge in November 1990.

Judge Servitto’s extensive background in law has enabled her to lend support and assistance to various children, youth, and family organizations in Macomb County. Her tireless efforts as an instructor with the People’s Law School, sponsored by the Michigan trial lawyers, has been a great asset to the countless number of people to whom she has lent guidance and assistance.

Presently the chairperson of the SMILE [Start Making It Liveable for Everyone] Macomb project, Judge Servitto is working to create a program similar to the Oakland County Circuit Court SMILE Program in Macomb County. The seminar for divorcing parents is an extension of a seminar developed by the Cobb County Superior Court of Atlanta, GA, which has been attended by more than 8,000 divorcing couples. The primary concern of the SMILE Program is to provide information and help parents better understand the effects of divorce and to help them understand the needs of their children. The goal of the SMILE Macomb project is to insti-

Once a SMILE-type Program in Macomb County.

There are various other community organizations in which Judge Servitto contributes generously.

Ms. Servitto is currently serving as vice president of the Women’s Network of Macomb and is an executive board member of Comprehensive Youth Services. She is also a member of the Warren Historical Society.

Mr. Speaker, it is my highest privilege today to pay tribute to the Honorable Deborah A. Servitto. I join the March of Dimes in honoring her as the Alexander Macomb Citizen of the Year for her many contributions to the needs of children and families and offer my sincere best wishes.

NUCLEAR PROLIFERATION PREVENTION ACT

HON. EDWARD J. MARKEY
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1991

Mr. MARKEY. Mr. Speaker, although we have watched with great pleasure the rapid and often shallow progress toward peace over the past weeks, our attention this morning returns to Iraq and its threat to world peace. President Bush’s declaration yesterday that the United States is prepared to send planes to Iraq to protect United Nations inspection teams underlines the seriousness of the Iraqi proliferation threat.

In order to keep future Iraqs from obtaining the necessary materials and technologies for developing nuclear weaponry, I have introduced the Nuclear Proliferation Prevention Act, H.R. 2755, together with Representatives Solomon, Wolpe, and Stark. This legislation would strengthen U.S. controls over the export of nuclear weapons materials and technologies and put pressure on other nations to adopt comparable controls on their exports.

Paul Leventhal, the president of the Nuclear Control Institute, and Steven Dolsky, the institute’s research director, recently outlined the need for new thinking on proliferation in an article that appeared in Newsday. Their piece led me to ask myself, what is the current dilemma with Iraq and prescriptions solutions that would keep us from facing such a situation again. I commend the article to the attention of my colleagues.

[From Newsday, Sept. 10, 1991]

EXPOSED: KIER, SERGEI NUCLEAR HANDELS (By Paul Leventhal and Steven Dolsky)

In 1979, the partially melted core of the Three Mile Island reactor showed the world that a major nuclear-power accident was no imaginary threat. Now the discovery of a massive Iraqi nuclear weapons program, built right under the noses of international inspection teams, has thrown the global nonproliferation system with its own kind of Three Mile Island. But just as the Chernobyl meltdown followed Three Mile Island, the proliferation weapon was once thought to be out of the question space unless real reforms are put in place.

Until the gulf war, Iraq had always been treated as a model citizen by the International Atomic Energy Agency and other international organizations. However, the agency and its boosters in the nuclear industry and bureaucracy worldwide have had to eat crow over a succession of humiliations at the hands of the United Nations (U.N.) and its three task forces. Iraq repeatedly denied having any weapons-useable material or bomb-building plants, despite the UN ceasfire resolution requiring it to turn over nuclear materials to the U.S. government and to allow the agency to destroy all such plants missed by allied bombings.

Iraqi officials eventually agreed to reveal the whereabouts of its bomb-grade and other nuclear materials, but denied having other weapons-grade materials or weapons plants. Then, after a defector from the Iraqi nuclear program told what he knew to U.S. experts, Iraq tried to conceal and then grudgingly showed inspectors evidence of a secret industry for producing its own bomb-grade uranium.

Then, in what must have been the cruellest blow for the international inspectors, Iraq admitted that it had been producing plutonium in defiance of the Nuclear Nonproliferation Treaty, of which Iraq is a signatory. Although the three grams of plutonium shown to the Iraqi inspectors were far less than the few kilograms needed for a weapon, it demonstrated Iraq’s capability to recover plutonium at an insignificant cost and made it clear that Iraq might have hidden away a plutonium production program.

In the interest of world peace, then, we must learn some lessons from the Three Mile Island of nuclear proliferation.

First, there may be far more to Iraq’s nuclear program. Iraq cannot be expected to volunteer anything we don’t know or suspect.

A partly declassified U.S. intelligence document, released to the Nuclear Control Institute for example, outlines a Chinese feasibility study for building a camouflaged reactor in Iraq by 1990. Was it built? Where is it? Is a reactor in Iraq known to have been making or acquiring weapons-grade materials or even a bomb?

International inspection teams should remain full time, and in addition, look for and looking for materials and production sites. Even if they don’t find everything, they can keep the Iraqi program in disarray, making chances of a bomb become built.

Also, the Atomic Energy Agency needs to revisit its safeguards, to determine whether Iraq’s safeguards are sufficient. It is now and to be strengthened to deter nations from building such facilities. Iraq may be working on a nuclear reactor that is not possible and a far stricter system is needed.

This will require more staff and funding for the Atomic Energy Agency.

Moreover, the schedule of inspection arrangements and results must be lifted. The Atomic Energy Agency should be empowered to conduct snap inspections—now the Agency must give notice—and be authorized to look wherever they suspect violations. (Now, if a building is declared free of nuclear material, it is off limits, and inspectors may not even report suspicious activities observed between declared site.) Inspections also should be more frequent. In Iraq, inspectors visit the site several times a year. They could be visiting Iraq once every three weeks.

Of course, a stronger inspection system would help to be help by strict controls over nuclear exports. U.S. law permits many nuclear components and other items useful to implement the nonproliferation treaty to do not adhere to the nonproliferation treaty or accept inspections.

The Nuclear Proliferation Prevention Act, recently introduced by Senator Helms (R-N.C.), Senators Nunn (D-Ga.) and Skakel (D-Conn.), would help those and other major export control loopholes. It also directs the president to designate individuals or entities transferring nuclear items under less strin-
gent controls, and to negotiate stronger Atomic Energy Agency safeguards.

Also, there must be a substantial upgrading of protective gear and training of Therac-25 operators—an area neglected when vast resources were being spent on anti-Soviet intelligence. Now that the Cold War has receded, major accidents can turn against those who have nuclear weapons and threaten world order.

There also must be the political will, thus far lacking, to confront wayward nuclear suppliers and customers alike. Iraq has taught us the danger of looking the other way.

None of these reforms will stop the spread of nuclear weapons, however, unless the growing proliferation of nuclear fuels for civil nuclear power and research programs is stopped. Plutonium and highly enriched uranium, of which only a few pounds are needed for a bomb, are traded by the ton in world commerce. The United States, the principal exporter of bomb-grade uranium for research reactors, has developed substitute, low-enriched fuels unsuitable for weapons, but refuses to finish the program that could eliminate the bomb-grade material from commerce. United States agencies, after Japan recovered from U.S.-supplied nuclear fuel more plutonium than is contained in the U.S. arsenal, even though that is no substitute for enriched uranium to fuel Japan's electrical generating reactors. A nuclear-nonproliferation regime that tolerates, indeed promotes, use of bomb-grade nuclear fuels is a recipe for catastrophe—the proliferation equivalent of Chernobyl, or worse.

**RECOGNIZING THE IMPORTANCE OF VOLUNTRISM**

**HON. TOM CAMPBELL OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Thursday, September 19, 1991**

Mr. CAMPBELL of California. Mr. Speaker, I rise today in support of the Older Americans Act amendments. This bipartisan bill is crucial—it authorizes such important programs as supportive services, senior centers, nutrition programs, and community service jobs. This bill will go a long way toward providing our seniors with the type of services that they need. Our seniors are the foundation of our country and passing this bill is the minimum that we can do to show our appreciation for their contribution.

I would also like to thank Congressmen MARTINEZ, FORD, GOODLING, and FAWELL for giving me an opportunity to attach an amendment to the Older Americans Act. This amendment would permit area agencies on aging to establish volunteer service coordinators to recruit, coordinate, and recognize volunteers. It would also direct State agencies to establish statewide coordinators when a majority of a State's area agencies have for-
Chapel of the Redeemer, and through its dynamic service I am sure that the chapel will continue to grow and thrive.

Mr. Speaker, I would like my colleagues in the House of Representatives to join me in congratulating the Chapel of the Redeemer on its 50th anniversary and in extending them our best wishes for many years to come.

OPERATION THANK YOU

HON. FRANK HORTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Mr. HORTON. Mr. Speaker, Operation Thank You is scheduled for October 5, 1991, in the village of Newark, NY, to pay tribute to the veterans of all wars. The community is hosting a parade and commemoration ceremony to honor area veterans.

This recognition will be an acknowledgement of all the area veterans who served in World War I, World War II, Korea, Vietnam, and Operation Desert Storm. A special thanks to the participants who are comprised of members of Reserve units, National Guard members, and active duty military who responded with loyalty and patriotism to call of their country to help free the brave people of Kuwait. The personal sacrifices of the military and their families were rendered without hesitation in support of freedom and our American ideals.

His Excellency Sad Nasir Al-Sabah, Ambassador of Kuwait to the United States will be in attendance to help celebrate and honor these veterans.

I personally commend the Newark community veterans of all wars, and ask my colleagues to join me in recognizing their many contributions to our great Nation.

CONGRESSMAN KILDEE SALUTES HISPANIC HERITAGE MONTH

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Mr. KILDEE. Mr. Speaker, I rise today to recognize the Hispanic Heritage Month celebration to be held in Imlay City, MI, on September 22. Every year the people of Imlay City gather to honor those members of their community who have enhanced and promoted the development of Hispanic culture. The celebration also highlights the contributions of Hispanic that have made our community a better place to live. The growing Hispanic population has accomplished a myriad of achievements that will be a positive shaping force for our great Nation into the next century.

One organization in my district that promotes Hispanic culture and serves the Hispanic community is the Hispanic Service Center. The staff and volunteers of the Hispanic Service Center work selflessly to provide leadership, education, and service to the people of Imlay City. They identify opportunities, provide encouragement, act as a forum for civic and cultural activities, and support the educational efforts of Hispanics by working with the local community education office to fulfill specific needs. This past year the hard work of this organization was rewarded with two grants for a center in Imlay City to serve our homeless population. I was happy to assist the Hispanic Service Center to obtain a grant from the Michigan State Housing Development Authority to establish this center in the community.

It is a great honor to pay tribute to this organization and the Hispanic community of Imlay City. I congratulate the entire community for their accomplishments and commend them for celebrating the diversity of Hispanic culture.

SENSE OF CONGRESS THAT DAVIS-BACON MUST BE ENFORCED

HON. LES AUNCION
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Mr. AUNCION. Mr. Speaker, 2 years ago, members working for 10 days on a new Graham Waste Water Treatment plant in my home State of Oregon were paid for only 55 hours of work, when in fact, most had worked 70.

Construction workers at a new Federal prison in Sheridan, OR, were paid for fewer hours than they actually worked.

During construction of the Celilo Converter Station near The Dalles in my home State, the contractors classified journeymen as apprentices, and classified some employees as independent contractors in order to avoid paying them the prevailing rate.

Right now, CDK of Farmington, NM, the prime contractor at the Veterans' Administration Hospital under construction in Vancouver, WA, is neglecting prevailing wages. Freshly poured concrete columns show fractures and rockholes. Despite many requests, CDK refuses to let anyone onto the construction site to inspect the work.

To add insult to injury, these employers—because of their dubious business practices—are able to undercut fair, honest, contractors for Government construction projects.

One principal I have always believed in is that good work deserves good wages. But over the last several years I have learned of many employers who do not share that point of view.

Worse of all, these employers are contractors on Federal construction projects—many of them repeat offenders—who have no qualms about denying highly specialized craft persons a living wage. It's happening all over the country.

There ought to be a law against it.

And there is: The Davis-Bacon Act.

But unscrupulous contractors have found quite a few ways of getting around a good law—law that was designed to guarantee a fair, family wage at the prevailing market rate to all craft persons on Federal construction projects.

How do they get away with it?

Unfortunately, over the past decade the administration has failed to enforce the Davis-Bacon Act.

And the number of violations has skyrocketed. Yet the Wages and Hours Commission doesn't go after repeat offenders.

Under the law, the burden is on employees to complain when their rights are violated. But many workers are afraid to, for fear of losing a job. At a time when American workers are squeezing their belts tighter and tighter, and manufacturing jobs are moving overseas, a family wage job means more than ever.

So contractors who violate the law have seen that they can get away with it, and their violations are growing more frequent and even more flagrant.

The Davis-Bacon Act plays a major role in assuring a decent standard of living for thousands of working men and women. That's why I'm determined to see it more effectively enforced.

Mr. Speaker, I urge my colleagues to join me in demanding that the Bush administration enforce the Davis-Bacon Act to the fullest extent of the law. Today I am introducing legislation, the family wage protection resolution, to condemn Davis-Bacon violations for their shameless exploitation of working people, and send a powerful message that this Congress wants to see the Bush administration get off its hands and stand up for workers' rights.

Plenty of contractors have demonstrated that they aren't about to protect their employment rights to a decent standard of living unless they are forced to. Let's not let them—or this administration—get away with it anymore. I say it's time for this administration to get serious about protecting family wages for hard-working Americans.

NATIONAL POW/MIA RECOGNITION DAY

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Mr. DINGELL. Mr. Speaker, I rise today to call our attention to tomorrow's celebration of National POW/MIA Recognition Day, a day which was proclaimed earlier this week by the House of Representatives.

The resolution authorizes me to present a proclamation from the President to call on the American people to remember the thousands of American citizens who have disappeared while proudly serving their Nation in our Armed Forces.

The resolution also authorizes the display of the POW/MIA flag at all national cemeteries, the National Vietnam Veterans Memorial, and certain key Federal Government buildings such as the White House, the Department of State, the Pentagon, and Department of Veterans Affairs.

As a co-sponsor of legislation which would provide privacy for families trying to determine their status of loved ones missing in Southeast Asia, I am concerned that we continue our effort to achieve a full accounting of missing service men and women at the earliest possible time.

Indeed, with recent reports of sightings, I believe the work of our Government to gain more cooperation from Vietnam is worthy of praise.

Plenty of contractors have demonstrated that they aren't about to protect their employment rights to a decent standard of living unless they are forced to. Let's not let them—or this administration—get away with it anymore. I say it's time for this administration to get serious about protecting family wages for hard-working Americans.

NATIONAL POW/MIA RECOGNITION DAY

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Mr. DINGELL. Mr. Speaker, I rise today to call our attention to tomorrow's celebration of National POW/MIA Recognition Day, a day which was proclaimed earlier this week by the House of Representatives.

The resolution authorizes me to present a proclamation from the President to call on the American people to remember the thousands of American citizens who have disappeared while proudly serving their Nation in our Armed Forces.

The resolution also authorizes the display of the POW/MIA flag at all national cemeteries, the National Vietnam Veterans Memorial, and certain key Federal Government buildings such as the White House, the Department of State, the Pentagon, and Department of Veterans Affairs.

As a co-sponsor of legislation which would provide privacy for families trying to determine their status of loved ones missing in Southeast Asia, I am concerned that we continue our effort to achieve a full accounting of missing service men and women at the earliest possible time.

Indeed, with recent reports of sightings, I believe the work of our Government to gain more cooperation from Vietnam is worthy of praise.

Plenty of contractors have demonstrated that they aren't about to protect their employment rights to a decent standard of living unless they are forced to. Let's not let them—or this administration—get away with it anymore. I say it's time for this administration to get serious about protecting family wages for hard-working Americans.
TRIBUTE TO JUDGE BARUCH S. SEIDMAN

HON. FRANK PALLONE, JR.
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1991

Mr. PALLONE. Mr. Speaker, on Friday, September 20, 1991, a surprise portrait presentation ceremony will be held for the Honorable Baruch S. Seidman honoring his 10 years as supervising judge of the Appellate Division's Civil Appeals Settlement Program in the Middlesex County, N.J., courts. The occasion will also mark his 80th birthday.

Mr. Speaker, this is a tremendous milestone within the legal profession in New Jersey in general, but it has a special significance for me. After my graduation from law school, I clerked for Judge Seidman. At that time, I could not overstate the deep impression that this great legal mind—and this great man—made on me. What has always impressed me most about Judge Seidman is the way he brings together the two most important qualities we look for in a jurist: exhaustive legal training and knowledge of case law, combined with a common sense, real-world appreciation for how his decisions affect the people whose concerns are brought before the court. It has always seemed to me that his training and experience are a vital prerequisite for judicial wisdom. It was the effect that Judge Seidman had on me during the time I worked in his office that convinced me that all of us in public life need to remember this balance.

Judge Seidman was born in Chicago and attended public schools in New York and New Jersey. He attended Rutgers University in New Jersey and New York University Law School. He was admitted to the New Jersey Bar in 1939 and the New York Bar in 1943. He practiced law in South River, N.J., in association with the firm of Burton, Seidman, Burton, also serving as township attorney for East Brunswick, N.J., and counsel the township's board of education and sewerage authority.

Judge Seidman also served his country, both in the Army Reserves and as an active duty judge advocate during World War II. Judge Seidman was appointed Middlesex County Court judge in 1956 and superior court judge in 1972. He sat in the chancery division in the Mercer-Somerset-Hunterdon vicinage between 1971-73, and was assigned to the appellate division from 1973 until his retirement in August 1981, at which time he was presiding judge. He was recalled the day after retirement to set up the Civil Appeals Settlement Program and has since served as supervising judge of the program.

He has been married to the former Pearl Wedeen of Perth Amboy, N.J., since 1939.

Mr. Speaker, for those of us holding elected offices, it is always an honor to pay tribute to great community leaders as they celebrate important milestones in their career. But in this case, when the individual happens to be a

TRIBUTE TO ASSISTANT CHIEF FRANCIS X. SMITH

HON. THOMAS J. MANTON
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1991

Mr. MANTON. Mr. Speaker, on Thursday, September 26, 1991, the patrol borough of Queens is honoring Assistant Chief Francis X. Smith, who recently retired from the New York City Police Department after 37 years of dedicated service.

Mr. Speaker, Frank had a long career of service and commitment to New York City and the Nation. From 1947 to 1952, Frank honorably served this country as a member of the U.S. Navy. Shortly after his discharge from the Navy, Frank was appointed to the New York City Police Department on March 1, 1954.

Mr. Speaker, Frank had a remarkable career with the police department. Soon after his appointment, he was recognized as a tireless soldier in the war against crime and drugs in New York City. As a deputy inspector, he was a commanding officer in the organized crime control bureau, and in 1984 he was appointed deputy chief. In 1989, Frank was promoted to assistant chief and appointed commanding officer of Patrol Borough Queens.

Mr. Speaker, Frank served as a patrol supervisor and a plain clothes supervisor. He served in the police commissioner's criminal investigation unit and in the public morals division. He was commanding officer of the field internal affairs unit, Patrol Borough Brooklyn North; of the investigation and analysis section; of the organized crime control bureau of the first deputy commissioner's office; of the field control division; of the organized crime control bureau; of the 6th and 14th divisions; of the Patrol Borough Brooklyn North; of the support services division, and of the Detective Borough Brooklyn.

Mr. Speaker, the New York City Police Department has lost an outstanding officer. However, I know Frank will continue to play an active role in the community. I know my colleagues and I will be asking Assistant Chief Francis X. Smith on his outstanding achievements.

UNEMPLOYMENT INSURANCE REFORM ACT OF 1991

SPEECH OF
HON. RONALD D. COLEMAN
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 17, 1991

The House in Committee of the Whole ordered the consideration of the Unemployment Insurance Reform Act (H.R. 3040), to provide a program of Federal supplemental compensation, and for other purposes.

Mr. COLEMAN of Texas. Mr. Chairman; I rise today in support of H.R. 3040, the Unemployment Insurance Reform Act. More than 25,000 El Pasoans are currently looking for work while news reports are saying the recession is ending. But residents of Texas' 16th Congressional District, who cannot pay their bills, will tell you that the recession is real. I believe these workers agree with a majority of the U.S. Congress that the extension of unemployment benefits is an emergency.

Already this year, the President has designated $1.14 billion in emergency funding for foreign aid programs and not a dime for domestic programs. It is time that we turn our attentions to the needs of Americans at home. Last month George Bush denied the emergency funding for the extension of these benefits, and more than 600,000 jobs have been lost. Almost 1.2 million Americans have been unemployed for more than 26 weeks, and are ineligible to receive benefits. The rate of unemployment has doubled, and this doubling of long-term unemployment is troubling.

Unemployment declines after financial recovery is underway and, to contradict the administration, recovery has not yet begun. Therefore, long-term unemployment will persist.

The weakness of the economy has been straining family finances, in my district and across the United States, since well before the recession began. The House Budget Committee reports that adult participation in the labor force peaked at 66.6 percent in 1989 and remained flat until the recession began in mid-1990. Since then, there has been a decline of 65.7 percent.

Additionally, the 'adjusted unemployment rate' now reflects the unemployed workers no longer seeking work because they do not believe jobs are available, is now 12 percent, or 2.5 percentage points higher than it was before the recession.

In Texas, based on the unemployment rates, unemployed workers would receive an
additional 6 weeks of benefits. But those 6 weeks could mean the difference between finding a job and losing a home.

I also support the House Ways and Means Committee amendment to H.R. 3040, which would have deleted a provision giving States the option of providing unemployment benefits between terms or academic years to non-instructional employees. Under present law, States are prohibited from paying unemployment benefits to all school employees between terms or academic years.

The Congressional Budget Office estimated this provision would cost $20 million per year, but would also add $20 million per year in Federal receipts. This would occur because governmental and nonprofit schools have the option to reimburse the Federal unemployment trust fund for these costs rather than pay experience-rated unemployment taxes.

I agree with the committee’s position that this provision could be interpreted by the other body as a revenue bill, which in turn would open the door for other revenue amendments in the Senate. This could detract from the main objective of the bill, which is providing essential benefits to the unemployed.

My additional concern was that poor school districts, such as those in my congressional district including El Paso, Ysleta, Socorro, and San Elizario, could be forced into an untenable financial situation and be required to pay for benefits which they currently are not under obligation to pay. While I am empathetic with seasonal and nonprofessional school district employees obtaining unemployment benefits to which they are entitled, current laws define the time period during which they are eligible. Nonetheless, we have the opportunity to place the extension of benefits with a funding alternative on President Bush’s desk. The needs of more than 8.5 million American workers, and their families, are at stake. If the President does not agree that the extension of unemployment benefits constitutes an emergency, he will have to resort to his use of the veto. The decision he makes will reflect on his concern for all Americans.
To provide for the prompt publication and delivery of the Congressional Record, the Joint Committee on Printing has adopted the following rules, to be observed by the Members of the Senate, Representatives, and Delegates:

1. Arrangement of the daily Congressional Record. — The Public Printer shall print the report of the proceedings and debates of the Senate and House of Representatives, as furnished by the official reporters of the Congress, in 8-point type; and all matters included in the remarks or speeches of Members of Congress, other than their own words, and all reports, documents, and other matter authorized to be inserted in the Record shall be published in 6-point type; and all roll calls shall be printed in 5-point type. No italic or black type nor words in capitals shall be used for emphasis or prominence; nor will unusual indentations be permitted. These restrictions do not apply to the printing of quotations from historical, official, or legal documents or papers of which a literal reproduction is desired.

2. Only as an aid in distinguishing the manner of delivery to order to contribute to the historical record of the House, shall there be inserted in the Record where no part of them was spoken will be preceded and followed by a "bullet" symbol, []

3. Return of manuscript.--When manuscript is received from Members of either House, and returned to the Government Printing Office not later than 9 o'clock p.m. in order to insure publication in the record of the next day's proceedings, the manuscript is necessarily due to the Administrator of General Services at 7:30 a.m. the following morning; and if all of the manuscript is not furnished at the time specified, the Public Printer is authorized to strike out the heading of the manuscript from the Record and insert the following: "Received late and not printed as the House has not come to its regular session." In case of necessity, the manuscript may be printed if it is delivered to the Public Printer not later than 12 o'clock midnight.

4. The manuscript of speeches containing tabular statements to be published in the Congressional Record shall be in the hands of the Public Printer the morning of the day of publication.

5. Proof furnished.--Proofs or "leave to print" and advance speeches will not be furnished the day the manuscript is received but will be submitted the following day, unless otherwise agreed to do without causing delay in the publication of the regular proceedings of Congress. Advance speeches shall be set in type against the words "Mr.", "Mrs.", "Mr. and Mrs.", "Mr. and Miss", or "Mr. and Mr." and sent to the Public Printer for publication in the Record immediately.

6. Notation of withheld remarks.--If manuscript or proofs have not been returned in time for publication in the Record, the Public Printer will insert in the Record a notation that the remarks have been withheld by the Member (House or Senate). His remarks will appear thereafter in Extensions of Remarks and proceed with the next day's Report. To the extent that such remarks are not read by the Member, the Members of the House will be informed by the Clerk of the House of Representatives, the Secretary of the Senate, or the Clerk of the Senate by letter, that due to the time limit herein fixed, they shall be printed only for the body of the Record for which the copy comes and the Members of the House shall be informed of the time limit in the Record for which the copy comes and the Members of the House shall be informed of the time limit in the Record. If such remarks are not read by the Member, the Members of the House shall be informed by the Clerk of the House of Representatives, the Secretary of the Senate, or the Clerk of the Senate by letter, that due to the time limit herein fixed, they shall not be printed in the Record of the House for which the copy comes and the Members of the House shall be informed of the time limit in the Record for which the copy comes.