

and use of CFC's well in advance of their 2010 deadline.

And we must take stronger steps to improve our energy efficiency and conservation. Doing so will reduce our emission of greenhouse gasses and the resulting global warming. This is the kind of planetary insurance policy mentioned in the NAS report.

The Senate will be considering comprehensive energy legislation in the near future. I, along with a number of my colleagues, intend to press for strong conservation and efficiency measures. It is the right thing to do, for us, now. And it is the right thing to do for our children.

Mr. President, we are now seeing the consequences of a policy that for too long has said wait. Study. Go slow.

Let us not compound the problem with further delay.

MOSES BOYD AND TRIO: AMERICAN SUCCESS STORIES

Mr. HOLLINGS. Mr. President, the spring 1991, edition of the Carolinian newspaper includes a profile of Moses Boyd, a counsel on the Senate Commerce Committee. Mr. Boyd is one of several talented young men and women mentioned in the article who have received a helping hand in realizing their academic potential courtesy of the TRIO Program. TRIO, of course, is the enormously successful Federal program that identifies disadvantaged but promising high school students, and provides them with academic enrichment activities and support before and during their years in college.

Moses Boyd is a superb example of what this program has accomplished in countless cases in every State in the Nation. A 1986 graduate of the University of South Carolina Law School, he has already earned a reputation on the committee and among our Senate colleagues as a fine lawyer with acute judgment—someone we can trust and rely on.

The lion's share of the credit for the Moses Boyd success story must go to Moses himself and to the family that raised him. But my hat is off, too, to the TRIO Program, which has made a decisive difference in the lives of many thousands of Americans from disadvantaged backgrounds. I am proud to have championed TRIO from my earliest years in the Senate. Perhaps my reward is to have a counsel of Moses Boyd's caliber on my Commerce Committee staff.

Mr. President, I ask unanimous consent that the article, "When Opportunity Knocks * * *," be reprinted in the RECORD.

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

WHEN OPPORTUNITY KNOCKS . . .

The corridors of power in Washington are familiar ground to Moses Boyd. As counsel

to the U.S. Senate Commerce, Science and Transportation Committee, he advises some of the nation's most powerful leaders and helps draft bills that will affect millions of lives. His law career is on the fast track to success.

But without the Opportunity Scholars Program (OSP) at USC, he might have had to settle for much less.

Boyd grew up in a small Fairfield County town in a family of 11 children. His mother was a high school graduate and his father—one of 13 children—left school to support his brothers and sisters when their parents died.

A promising high school student, Boyd was student body president in his senior year at Columbia's Eau Claire High School and had ambitions for law school. His teachers recommended a small college, but a guidance counselor saw his potential and urged him to try for USC. He did, was admitted through OSP, and became the quintessential high achiever that the program develops. He received a B.A. in political science in 1983 and a law degree in 1986.

"In my freshman year I got a lot of help learning how to focus on my course work," he said. "The faculty motivated me to study harder and helped me hone my writing and speaking skills. I can't say enough about the impact this program had on my life and career."

More than 500 graduates have answered opportunity's knock since the program began. In 1969, then-President Thomas Jones realized that some South Carolina high school students who had the potential to do good college work were being left out in the cold. For a variety of reasons—low SAT scores, inadequate academic preparation, family poverty or other problems beyond their control—they were labeled "educationally disadvantaged" and just didn't quite meet USC's admissions standards.

So Jones started a special admissions program for these students under the direction of the late Dr. J. Manning Hiers. The following year it was taken under the federal umbrella and has since been supported by a combination of University and federal money.

OSP is one of the TRIO programs—Opportunity Scholars, Talent Search and Upward Bound—funded under the federal Higher Education Act of 1965 and designed to provide counseling, basic skills instruction, tutoring and information about financial aid and college admissions to low-income and first generation college students.

Dixon Durham, who oversees the program and teaches the history component, emphasized that OSP is a developmental, not a remedial, program. "Like many other freshmen, our students come in with a need to strengthen certain aspects of their academic performance," Durham said. "Besides giving them full credit courses in English, history and math, we teach them critical thinking and study skills and help them develop the self-confidence they need to move out of their first-year experience into the mainstream of University life."

Associate Provost Dr. Susan Forman said the track record of OSP students proves the value of the program.

"This is a prime example of how a major research university can provide increased opportunities for a state with a diverse population and citizens with a range of social, economic and educational needs," she said. "In case after case, OSP has provided the means for students who might not typically be able to complete a high-quality college education to obtain college degrees and engage in successful careers."

Dr. Carol McGinnis Kay, dean of the College of Humanities and Social Sciences, also takes pride in the achievements of OSP students. "Far from being coddled," she said "these students probably have to meet stiffer demands from their instructors than a lot of entering freshmen do.

"It is a credit to their determination and to the academic excellence of the program that their graduation rate is so high and that so many of them continue their education in graduate school.

"This program is an important one, for both the students and the state as a whole. It enables the University to serve the needs of an important part of our constituency."

Terry Davis, Columbia campus admissions director, said the program makes it possible for the University to exercise flexibility in admissions policies by referring about 50 students each year who meet OSP's criteria to the program.

"While we know that a combination of SAT scores and high school performance generally gives the best indication of potential success in college, we also know that some students simply don't test well," she said.

"The graduation rate of OSP students—more than 60 percent—is significantly higher than the overall USC-Columbia rate, and many of them pursue graduate work. That's a clear indication that this kind of flexibility pays off for the University," Davis said.

Like Moses Boyd, the program's graduates are making major contributions to society through their professions—as social workers, teachers, lawyers, nurses, pharmacists, engineers, librarians, bankers and in other fields. And without exception, they credit USC and OSP for giving them a chance to prove they could succeed.—ANN HILL.

DR. NICHOLAS E. DAVIES

Mr. NUNN. Mr. President, last week one of Georgia's, and our Nation's most prominent physicians, Dr. Nicholas E. Davies, of Atlanta, was killed in a plane crash. An internist and cardiologist, Dr. Davies was to have become the president of the American College of Physicians on April 13, heading the organization of 70,000 doctors trained in internal medicine. He was on his way to a meeting of internists on the Georgia coast when his plane went down.

His colleagues at Piedmont Hospital, where he was chairman of the ethics committee and former chairman of the Department of Medicine, spoke of his deep concern for improving the lives of his fellow man, and for his intellect. Dr. Davies also served on the staff at Grady Memorial Hospital and was a professor at Emory University's School of Medicine.

Atlantans knew him as a lover of books, and founder of Friends of the Atlanta Public Library. Around the State, he was known for his active work to guarantee necessary medical care to all Georgians, regardless of their ability to pay. Nationally, Dr. Davies was known for his work as chairman of the National Library of Medicine, for his support for nurses and homebound patients, and for his advocacy of concentrating spending on the

medical services that were most needed, such as preventive care.

My sympathy goes out to his wife, Garland, herself a distinguished assistant professor at Georgia State University, now retired, and to their children and grandchildren in the loss of this admirable man of medicine, whose life meant so much to his city and State, his colleagues and students, and all who benefited from his skill and concern.

MESSAGES FROM THE PRESIDENT

Message from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting Sunday nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 355. An act to provide emergency drought relief to the Reclamation States, and for other purposes.

The message also announced that the House has agreed to the following resolution:

H. Res. 119. A resolution relative to the death of the Honorable John Heinz, a Senator from the Commonwealth of Pennsylvania.

At 3:45 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 543. An act to authorize the President to award a gold medal on behalf of the Congress to General H. Norman Schwarzkopf, and to provide for the production of bronze duplicates of such medal for sale to the public; and

S. 565. An act to authorize the President to award a gold medal on behalf of the Congress to General Colin L. Powell, and to provide for the production of bronze duplicates of such medal for sale to the public.

The message also announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 194. Joint resolution to designate the weeks of April 14 through 21, 1991, and May 3 through 10, 1992, as "Jewish Heritage Week; and

H.J. Res. 197. Joint resolution to designate the weeks of April 15 through 21, 1991, as "National Education First Week."

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 115. A concurrent resolution authorizing the use of the rotunda of the Capitol for a ceremony of welcome for the Dalai Lama.

The message also announced that pursuant to the provisions of section 4(b) of Public Law 94-201, the Speaker appoints on the part of the House, from private life, Mrs. Lindy Boggs of New Orleans, LA, to the Board of Trustees of the American Folklife Center in the Library of Congress.

The message further announced that pursuant to the provisions of section 1205(a)(4) of Public Law 101-628, the Speaker appoints the following individuals to the Civil War Sites Advisory Commission on the part of the House: Mr. MRAZEK and Mr. SLAUGHTER of Virginia; and from private life, Ms. Mary Frances Berry of Washington, DC.

ENROLLED BILLS SIGNED

At 5:22 p.m., a message from the House of Representatives, announced that the Speaker has signed the following enrolled bills:

S. 534. An act to authorize the President to award a gold medal on behalf of the Congress to General H. Norman Schwarzkopf, and to provide for the production of bronze duplicates of such medal for sale to the public; and

S. 565. An act to authorize the President to award a gold medal on behalf of the Congress to General Colin L. Powell, and to provide for the production of bronze duplicates of such medal for sale to the public.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 355. An act to provide emergency drought relief to the Reclamation States, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of April 9, 1991, the following reports of committees were submitted on April 10, 1991, during the recess of the Senate:

By Mr. GLENN, from the Committee on Governmental Affairs:

Special Report on the Activities of the Committee on Governmental Affairs and its subcommittees for the 101st Congress (Rept. No. 102-36).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. 3: A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes (Rept. No. 102-37).

By Mr. FORD, from the Committee on Rules and Administration, without recommendation without amendment:

S. 6: A bill to amend the Federal Election Campaign Act of 1971 to provide a voluntary system of flexible fundraising targets for Senate elections, to increase public disclosure of activities of Senators, to reduce special interest influence in Senate elections, to increase competition in politics, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of April 9, 1991, the following executive reports of committees were submitted on April 10, 1991, during the recess of the Senate:

By Mr. NUNN, from the Committee on Armed Services:

The following named persons to be Members of the Defense Base Closure and Realignment Commission for terms expiring at the end of the first session of the 102nd Congress:

Arthur Levitt, Jr., of New York; Robert D. Stuart, Jr., of Illinois; and Alexander B. Trowbridge, of the District of Columbia.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations:

Nicholas F. Brady, of New Jersey, to be United States Governor of the European Bank for Reconstruction and Development.

(The above nomination was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. INOUYE:

S. 795. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active

service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DIXON:

S. 796. A bill to provide a one-time amnesty from criminal and civil tax penalties and 50 percent of the interest penalty owed for certain taxpayers who pay previous underpayments of Federal tax during the amnesty period, to amend the Internal Revenue Code of 1986 to increase by 50 percent all criminal and civil tax penalties, and for other purposes; to the Committee on Finance.

By Ms. MIKULSKI (for herself and Mr. SARBANES):

S. 797. A bill to establish programs for evaluation, research and development, and construction of a magnetic levitation transportation system between Baltimore, Maryland and Washington, District of Columbia; to the Committee on Commerce, Science, and Transportation.

By Mr. CRANSTON (for himself, Mr. PACKWOOD, and Mr. ADAMS):

S. 798. A bill to amend title 18, United States Code, to provide a criminal penalty for interfering with access to and egress from a medical facility; to the Committee on the Judiciary.

By Mr. NICKLES:

S. 799. A bill to amend the Davis-Bacon and the Service Contract Act of 1965 to exempt from such acts tenants of federally-related housing who participate in the construction, alteration, or repair of their residences, and for other purposes; to the Committee on the Judiciary.

By Mr. PACKWOOD:

S. 800. A bill for the relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. BRYAN, Mr. SARBANES, Mr. WIRTH, Mr. GARN, Mr. JEFFORDS, Mr. DANFORTH, and Mr. HATCH):

S. 801. A bill to amend the National Trails System Act to designate the Pony Express National Historic Trail and California National Historic Trail as components of the National Trails System; to the Committee on Energy and Natural Resources.

By Mr. SIMON:

S. 802. A bill to amend title VII of the Public Health Service Act to prohibit discrimination against international medical graduates, to provide for the establishment of a National Repository of Physician Records, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. REID:

S. 803. A bill to amend the Family Violence Prevention and Services Act to provide grants to States to fund State domestic violence coalitions, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. AKAKA (for himself and Mr. INOUE):

S. 804. A bill to establish the Spark M. Matsunaga Renewable Energy and Ocean Technology Center and make funds available to the facility for renewable energy and ocean resources research, development, and transfer; to the Committee on Energy and Natural Resources.

By Mr. HELMS:

S. 805. A bill to provide for regulations to require certain consumers of newsprint to use, in their commercial operations, a certain percentage of recycled newsprint; to the Committee on Environment and Public Works.

By Mr. ADAMS:

S. 806. A bill to provide for the transfer of property for the Warren G. Magnuson Park in the City of Seattle, Washington, and for other purposes; to the Committee on Armed Services.

By Mr. HATCH (for himself and Mr. GARN):

S. 807. A bill to permit Mount Olivet Cemetery Association of Salt Lake City, Utah, to lease a certain tract of land for a period of not more than 70 years; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI:

S. 808. A bill to provide for the payment of claims by United States nationals against Vietnam and to terminate certain economic sanctions against Vietnam, and for other purposes; to the Committee on Foreign Relations.

By Mr. MCCAIN (for himself, Mr. MACK, Mr. BURNS, Mr. COATS, Mr. LOTT, Mr. CRAIG, Mr. HATCH, Mr. KASTEN, Mr. SMITH, Mr. MCCONNELL, Mr. BOND, Mr. HELMS, Mr. GARN, Mr. SYMMS, Mr. NICKLES, and Mr. ROTH):

S. 809. A bill to require a 60-vote supermajority in the Senate to pass any bill increasing taxes; to the Committee on Rules and Administration.

By Mr. HARKIN (for himself, Mr. KENNEDY, Mr. HATFIELD, Mr. METZENBAUM, Mr. DODD, Mr. ADAMS, Mr. BURDICK, Mr. LEVIN, Mr. CONRAD, Mr. KERRY, Mr. KOHL, and Mr. SHELBY):

S. 810. A bill to improve counseling services for elementary school children; to the Committee on Labor and Human Resources.

By Mr. HOLLINGS (for himself, Mr. EXON, Mr. BRYAN, Mr. BREAUX, Mr. REID, Ms. MIKULSKI, and Mr. SIMON):

S. 811. A bill to require the Secretary of Transportation to lead and coordinate Federal efforts in the development of magnetic levitation transportation technology and foster implementation of magnetic levitation and other high-speed rail transportation systems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JEFFORDS (for himself and Mr. GRAHAM):

S. 812. A bill to amend the Federal Water Pollution Control Act; to the Committee on Environment and Public Works.

By Mr. GRASSLEY:

S. 813. A bill to establish the Federal Interagency Advisory Council and promote the use of senior citizens in the support of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

S. 814. A bill to amend the Environmental Programs Assistance Act of 1984 to provide that for purposes of liability for damage, injury or death caused by the negligence or wrongful acts or omissions of individuals authorized by such Act, the United States is liable, and for purposes of access to trade secrets and confidential business information such individuals are authorized representatives of the United States Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself, Mr. HATCH, and Mr. DANFORTH):

S. 815. A bill to amend the Public Health Service Act to provide for the establishment of an Office of Medical Insurance and to establish a self-insurance fund to provide coverage for successful malpractice claims filed against health service providers utilized by community and migrant health centers, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MOYNIHAN (for himself, Mr. BROWN, Mr. PELL, Mr. HELMS, Mr. LIEBERMAN, Mr. BURNS, Mr. INOUE, Mr. SIMON, Mr. KERRY, Mr. SPECTER, Mr. WALLOP, Mr. AKAKA, Mr. BRADLEY, Mr. MCCAIN, Mr. DECONCINI, Mr. COATS, Mr. D'AMATO, Mr. DIXON, Mr. RIEGLE, and Mr. SEYMOUR):

S. 816. A bill to amend the Foreign Assistance Act of 1961 to authorize the provision of medical supplies and other humanitarian assistance to the Baltic peoples to alleviate suffering; to the Committee on Foreign Relations.

By Mr. GARN (for himself, Mr. D'AMATO, Mr. GORE, Mr. GRASSLEY, Mr. JEFFORDS, Mr. PELL, Mr. SASSER, Mr. SIMON, and Mr. WARNER):

S.J. Res. 114. A joint resolution to designate May 1991 as "Neurofibromatosis Awareness Month"; to the Committee on the Judiciary.

By Mr. MOYNIHAN:

S.J. Res. 115. A joint resolution to designate the week of June 10, 1991, through June 16, 1991, as "Pediatric AIDS Awareness Week"; to the Committee on the Judiciary.

By Mr. ROTH (for himself, Mr. GORE, Mr. CHAFEE, Mr. KASTEN, Mr. KOHL, Mr. KERRY, Mr. CONRAD, Mr. PELL, Mr. ADAMS, Mr. SANFORD, Mr. BIDEN, Mr. DODD, Mr. DURENBERGER, Mr. MOYNIHAN, Mr. WARNER, Mr. BENTSEN, Mr. LAUTENBERG, Mrs. KASSEBAUM, Mr. BURDICK, Mr. ROCKEFELLER, Mr. D'AMATO, Mr. JEFFORDS, Mr. CRANSTON, Mr. DECONCINI, Mr. FOWLER, Mr. SHELBY, Mr. HOLLINGS, Mr. SASSER, Mr. GORTON, Mr. SEYMOUR, Mr. DOMENICI, Mr. KENNEDY, Mr. REID, Mr. SARBANES, Mr. LEVIN, Mr. NUNN, Mr. WELLSTONE, Ms. MIKULSKI, Mr. COCHRAN, Mr. BINGAMAN, Mr. INOUE, Mr. BUMPERS, Mr. COHEN, Mr. MITCHELL, Mr. SPECTER, Mr. PACKWOOD, Mr. DANFORTH, Mr. PRESSLER, Mr. BOND, Mr. BAUCUS, Mr. HATCH, and Mr. GRAHAM):

S.J. Res. 116. A joint resolution to designate April 22, 1991, as "Earth Day" to promote the preservation of the global environment; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. DASCHLE, Mr. SARBANES, Mr. LEVIN, Mr. BRADLEY, Mr. HOLLINGS, Mr. SASSER, Mr. DIXON, Mr. BUMPERS, Mr. HEFLIN, Mr. CRANSTON, Mr. MITCHELL, Mr. EXON, Mr. SIMON, Mr. NUNN, Mr. GORE, Mr. LIEBERMAN, Mr. RIEGLE, Mr. BOREN, Mr. MOYNIHAN, Mr. PELL, Mr. SANFORD, Mr. STEVENS, Mr. WARNER, Mr. D'AMATO, Mr. JEFFORDS, Mrs. KASSEBAUM, Mr. GARN, Mr. DOLE, Mr. SEYMOUR, Mr. COCHRAN, Mr. MURKOWSKI, Mr. THURMOND, Mr. HATCH, Mr. MACK, and Mr. AKAKA):

S.J. Res. 117. A joint resolution to designate December 7, 1991, as "National Pearl Harbor Remembrance Day" on the occasion of the anniversary of the attack on Pearl Harbor; to the Committee on the Judiciary.

By Mr. GARN (for himself, Mr. GRAHAM, and Mr. MACK):

S.J. Res. 118. A joint resolution to recognize the Astronauts Memorial at the John F. Kennedy Space Center as the national memorial to astronauts who die in the line of duty; to the Committee on Commerce, Science, and Transportation.

By Mr. ROTH (for himself, Mr. GORE, Mr. CHAFEE, Mr. KASTEN, Mr. KOHL, Mr. KERRY, Mr. CONRAD, Mr. PELL, Mr. ADAMS, Mr. SANFORD, Mr. BIDEN,

Mr. DODD, Mr. DURENBERGER, Mr. MOYNIHAN, Mr. WARNER, Mr. BENNTSEN, Mr. LAUTENBERG, Mrs. KASSEBAUM, Mr. BURDICK, Mr. ROCKEFELLER, Mr. D'AMATO, Mr. JEFFORDS, Mr. CRANSTON, Mr. DECONCINI, Mr. FOWLER, Mr. SHELLEY, Mr. HOLLINGS, Mr. SASSER, Mr. GORTON, Mr. SEYMOUR, Mr. DOMENICI, Mr. KENNEDY, Mr. REID, Mr. SARBANES, Mr. LEVIN, Mr. NUNN, Mr. WELLSTONE, Ms. MIKULSKI, Mr. COCHRAN, Mr. BINGAMAN, Mr. INOUE, Mr. BUMPERS, Mr. COHEN, Mr. MITCHELL, Mr. SPECTER, Mr. PACKWOOD, Mr. DANFORTH, Mr. PRESLEER, Mr. BOND, Mr. BAUCUS, Mr. HATCH, and Mr. GRAHAM):

S.J. Res. 119. A joint resolution to designate April 22, 1991, as "Earth Day" to promote the preservation of the global environment; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRAMM (for himself, Mr. BENNTSEN, Mr. DODD, Mr. DOLE, and Mr. BOND):

S. Res. 97. Resolution to express the sense of the Senate with regard to the death of John Goodwin Tower, a former Senator from the State of Texas; considered and agreed to.

By Mr. PELL (for himself, Mr. CHAFEE, Mr. KENNEDY, Mr. KERRY, Mr. DODD, Mr. BRADLEY, Mr. LAUTENBERG, Mr. COHEN, Mr. JEFFORDS, Mr. LIEBERMAN, and Mr. RUDMAN):

S. Res. 98. Resolution expressing the opposition of the Senate to the imposition of a fee on or in-kind storage diversion requirement for imported crude oil and refined petroleum products; to the Committee on Finance.

By Mr. MOYNIHAN (for himself, Mr. D'AMATO, Mr. GORE, Mr. PELL, Mr. LEAHY, Mr. SANFORD, Mr. MITCHELL, Mr. DOLE, Mr. PACKWOOD, Mr. DECONCINI, Mr. CRANSTON, and Mrs. KASSEBAUM):

S. Res. 99. Resolution concerning the protection of refugees in Iraq, considered and agreed to.

By Mr. SANFORD (for himself, Mr. HELMS, and Mr. MITCHELL):

S. Res. 100. Resolution to commend the Blue Devils of Duke University for winning the 1991 National Collegiate Athletic Association Men's Basketball Championship; considered and agreed to.

By Mr. MITCHELL (for himself and Mr. DOLE):

S. Res. 101. Resolution to authorize testimony in the case of United States v. Kim Peoples, No. M7711-90; considered and agreed to.

By Mr. KERRY (for himself, Mr. LEVIN, Mr. AKAKA, Mr. KENNEDY, Mr. JEFFORDS, Mr. INOUE, Mr. LIEBERMAN, Mr. HARKIN, Mr. DASCHLE, Mr. PELL, and Mr. GORE):

S. Con. Res. 26. Concurrent resolution calling for the United States to support a new agreement among the Antarctic Treaty Consultative Parties which would provide comprehensive environmental protection of Antarctica and would prohibit indefinitely commercial mineral development and related activities in Antarctica; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself and Mr. HATCH):

S. Con. Res. 27. Concurrent resolution urging the Arab League to terminate its boycott against Israel, and for other purposes; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUE:

S. 795. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

FILIPINO VETERANS EQUITY ACT

● Mr. INOUE. Mr. President, today, I rise to introduce legislation which amends title 38, United States Code, to restore full veterans' benefits, by reason of service, to certain organized military forces of the Philippine Commonwealth Army and the Philippine Scouts.

Fifty years ago, President Roosevelt, on July 26, 1941, issued a military order that called members of the Philippine Commonwealth Army into the service of the United States Forces of the Far East. Under the command of Gen. Douglas MacArthur, our Filipino allies joined alongside American soldiers in fighting some of the most fierce battles of World War II.

From the onset of the war through February 18, 1946, Filipinos who were called into service under President Roosevelt's order were entitled to full veterans' benefits by reason of their active service in our Armed Forces. Unfortunately, on February 18, 1946, Congress enacted the Recession Act of 1946, (now codified as section 107, title 38, United States Code), which states that service performed by these Filipino veterans is not deemed as "active service." As a result of the 1946 act, Filipino veterans on May 12, 1989, in Quiban versus U.S. Veterans Administration and Quizon versus U.S. Veterans Administration, the U.S. District Court for the District of Columbia declared section 107 of title 38, United States Code to be unconstitutional. The Veterans Administration filed an appeal to the U.S. Court of Appeals for the District of Columbia, challenging the district court's ruling that military service performed by Filipino veterans, which is not deemed as active service, was unconstitutional. The U.S. Court of Appeals for the District of Columbia heard the oral arguments on February 14, 1991. A decision is expected shortly. I am hopeful that the U.S. Court of Appeals will affirm the lower court decision.

For many years, Filipino veterans of World War II have sought to correct this injustice by seeking equal treat-

ment for their valiant military service in our Armed Forces. We must not ignore the recognition they duly deserved as U.S. veterans. Accordingly, I urge my colleagues to support this measure which would restore full veterans' benefits, by reason of service, to our Filipino allies of World War II.

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

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

S. 795

Be 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 "Filipino Veterans Equity Act of 1991".

SEC. 2. CERTAIN SERVICE IN THE ORGANIZED MILITARY FORCES OF THE PHILIPPINES AND THE PHILIPPINE SCOUTS DEEMED TO BE ACTIVE SERVICE.

(a) IN GENERAL.—Section 107 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "not" after "Army of United States, shall"; and

(B) by striking "except benefits under—" and all that follows and inserting a period; and

(2) in subsection (b)—

(A) by striking "not" after "Armed Forces Voluntary Recruitment Act of 1945 shall"; and

(B) by striking "except—" and all that follows and inserting a period.

(b) CONFORMING AMENDMENTS.—

(1) HEADING.—The heading of such section is amended to read as follows:

"§ 107. Certain service in organized military forces of the Philippines and in the Philippine Scouts deemed to be active service".

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

"107. Certain services in organized military forces of the Philippines and in the Philippine Scouts deemed to be active service.".

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on October 1, 1991.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the effective date of this Act by reason of the amendments made by this Act.

By Mr. DIXON:

S. 796. A bill to provide a one-time amnesty from criminal and civil penalties and 50 percent of the interest penalty owed for certain taxpayers who pay previous underpayments of Federal tax during the amnesty period, to amend the Internal Revenue Code of 1986 to increase by 50 percent all criminal and civil tax penalties, and for other purposes; to the Committee on Finance.

FEDERAL TAX DELINQUENCY AMNESTY ACT

Mr. DIXON. Mr. President, even after last year's contentious budget battle, and the enactment of the largest deficit reduction package in our history,

we stand here today facing the largest Federal budget deficit in our Nation's history. Our failures to get the deficit under control have hurt every American and have damaged the American economy.

There are many factors that have contributed to our budget crisis. One very important factor that continues to receive little attention is our deteriorating tax compliance levels. It is an alarming fact that during the past decade, as our Federal deficit grew to appalling levels, compliance with our Federal tax laws dramatically declined.

Since I first came to the U.S. Senate, I have repeatedly argued for, and introduced legislation to institute, a Federal Tax Amnesty Program. Even with substantial and growing noncompliance with our Nation's tax laws, this proposal has not received the attention or serious review that I believe it merits.

In 1983, the tax gap—that is, the difference between what is owed by the Federal Government and what is actually collected—was estimated to be \$24 billion. By 1992, lost revenue to the Government could reach as much as \$114 billion. Commissioner Goldberg, in testimony before the House Ways and Means Oversight Subcommittee last year, estimated the current tax gap to be \$87 billion—\$87 billion of uncollected taxes is scandalous! It exacerbates our mounting budget deficit, as well as increases burdens upon all honest tax-paying citizens.

Every year billions and billions of dollars are lost to our tax collection system. Part of the problem lies within the Internal Revenue Service itself. Its procedures are outdated and inefficient. At the same time, because the IRS is forced to share in domestic budget cuts, its manpower is grossly inadequate. In 1976, the Service audited 2.6 percent of tax returns; this year it will audit less than 1 percent. By increasing IRS collection efforts, and implementing new programs designated to recover the vast majority of these outstanding delinquent balances, we could collect billions that might otherwise be lost in our tax collection system.

Tax amnesty is a simple concept. It provides an opportunity for delinquent taxpayers—a majority of which are otherwise honest citizens who earn their livings respectably—to fully pay their overdue tax liability without being subject to criminal or civil prosecution.

Amnesty programs have worked well at the State level. States, including my State of Illinois, as well as Massachusetts, New York, Connecticut, Kansas, Alabama, Texas, Missouri, Minnesota, North Dakota, New Mexico, Arizona, California, Colorado, Louisiana, Oklahoma, South Carolina, Texas, Wisconsin, Arkansas, Florida, Iowa, Michigan,

Mississippi, New Jersey, Rhode Island, West Virginia, Maryland, Idaho, Virginia, and the District of Columbia, have enacted tax amnesty programs.

The results of State amnesty programs have been impressive. These programs have demonstrated that many individuals and companies will come forward if they can pay their back taxes, and not be prosecuted. The State programs have also revealed that amnesty programs have enabled the States to collect significant amounts of currently uncollectable revenue with a minimal amount of resources. Over 130,000 delinquent taxpayers came forward in California—Illinois collected approximately \$150 million—and over \$72 million was collected in Massachusetts.

The State programs were not giveaways: They did not reward tax cheaters. Rather, the State programs were balanced. Following the amnesty period, compliance efforts and penalties for noncompliance were increased. The State programs have resulted in placing additional taxpayers back on the rolls. The success of these State tax amnesty programs has demonstrated the potential of this idea at the national level.

Mr. President, while I recognize the enormous differences between the State and the National tax systems, I believe a National Tax Amnesty Program will be effective.

It is true that Federal tax collection efforts are more sophisticated than those of the States. Nonetheless, our current tax system is failing the test. The magnitude of the tax gap is enormous, and it continues to grow. Voluntary compliance continues to decline, while, the public is becoming increasingly aware of the fact that large numbers of taxpayers are getting away with cheating. The Federal Government is losing billions of tax dollars—\$87 billion this year. Of this \$87 billion, underreported income—that is, overstated deductions and credits, as well as unreported income—represents roughly \$40 billion. The largest portion of this unreported income is from sole proprietorships, informal supplier income, and capital gains.

At the Federal level, revenues from a tax amnesty/enforcement package can be utilized to help reduce our budget deficit. At the same time, these revenues can help preserve high-priority Federal programs that are currently facing drastic cuts or elimination.

The legislation that I am introducing today would establish a tax amnesty/tough enforcement package. A 6-month amnesty period would go into effect, beginning on July 1 after the bill is enacted.

All taxpayers would be eligible for the amnesty with some limited exceptions: First, those involved with the IRS in administrative or judicial proceedings before the amnesty period be-

gins; second, those under criminal investigation where the IRS has referred the matter to the Justice Department before the amnesty period begins; and third, those who make false or fraudulent representations in attempting to take advantage of the amnesty.

The amnesty itself would be simple and straightforward. It would include amnesty from criminal and civil penalties and from 50 percent of any interest penalty owed. It would, however, apply only to legal-source income. Taxes due on income resulting from criminal activity would not be covered by the amnesty.

All Federal taxes would be included under the amnesty, not just the income tax.

The amnesty provisions are generous and provide a substantial incentive for taxpayers to take advantage of the amnesty period. However, the bill does not rely just on carrots; it also contains a couples of substantial sticks.

First, it increases all tax-related civil and criminal penalties, including money fines and jail terms, by 50 percent. The tougher penalties would apply to any tax year after 1987, and after the amnesty period, to any open tax year. Of course, the increased penalties would not apply to cases pending on the date of enactment where a judgment was entered before that date.

Second, the bill authorizes such funds as are necessary to add 3,000 additional revenue agents to the IRS—an increase of about 20 percent in the agent force. Adding agents has proven to be cost-effective, because each additional agent can bring in as much as 12½ times his salary in additional tax revenue. In fact, the IRS has informed me that agents can bring in as much as 40 times their salary, depending on where enforcement efforts are concentrated.

The bill also authorizes the funds that the Treasury will need to administer and publicize the amnesty program. The State experience demonstrates that wide publicity can significantly enhance the effectiveness of the amnesty program.

I believe in the amnesty concept, but I recognize the need to carefully analyze the potential impact of an amnesty program on compliance. I firmly believe that a tax amnesty program would undermine neither tax administration objectives nor the overall climate for voluntary compliance. As the State experience demonstrates, it will, in fact, add thousands of taxpayers to the rolls. Further, it will not adversely impact future tax collections. I am confident that the vast majority of honest taxpayers will see a one-time amnesty for what it is—a demonstration of the extraordinary efforts the Government is prepared to undertake to collect delinquent tax payments.

My legislation will not reward delinquent taxpayers the IRS has already

uncovered. It will provide an incentive to come forward to those who otherwise may not be discovered. These taxpayers would have to pay their full delinquent amounts, and it is worth forgoing the penalties in order to get them to do so.

As we battle headlong to reduce our uncontrollable budget deficit, debating over whether to cut essential programs or to impose unwanted taxes on our citizens, we should take advantage of the benefits that a tax amnesty program yields.

I urge my colleagues to carefully examine the amnesty concept. I remain confident that a thorough and fair-minded review of this proposal will result in large, bipartisan support for such a program.

By Ms. MIKULSKI:

S. 797. A bill to establish programs for evaluation, research and development, and construction of a magnetic levitation transportation system between Baltimore, MD, and Washington, DC; to the Committee on Commerce, Science, and Transportation.

MAGNETIC LEVITATION TRANSPORTATION SYSTEM BETWEEN BALTIMORE, MD AND WASHINGTON, DC

Ms. MIKULSKI. Mr. President, I rise to introduce a transportation bill that really offers a new concept in transportation for the American people.

I want to, before I add comments on my own bill, say a few words about our dear colleague, Senator Heinz.

Senator Heinz played a very key role in the authorization of the Metro subway that is part of the National Capitol system. We Senators from Maryland and Virginia—Senators SARBANES, ROBB, WARNER, and myself—could not have moved the legislation had Senator Heinz not been willing to take the leadership in differences with the administration. He did that because of the committee from which he was the ranking member on Government Operations.

We now have an authorization bill for the National Capital subway because of the very fine work of Senator Heinz. How like him. There was nothing in it for Pennsylvania. There were prickly issues between the States and the administration. But in his own skillful way he stepped forward to resolve a problem, and it was to have an authorization framework to move forward. He did his job not as a Pennsylvania Senator; he did his job as a national Senator.

We in Maryland and in Virginia are grateful for what he did. I offer the incident and the anecdote just because I think it shows the kind of guy and the kind of Senator that John Heinz was.

Mr. President, I also now would like to take the opportunity to introduce a bill related to a new transportation technology called Mag Lev. Mr. President, this technology could mean that

America could ride into the 21st century at 300 miles an hour on a cushion of air over magnets. It is a new technology that could generate new jobs and new opportunities for business and economic development. This technology is a train system.

I am advocating a demonstration project for the entire Nation to see if it is feasible, as well as if it is desirable. It would speed travelers between cities at triple the speed of conventional trains, as I said, floating above guideways by the same forces that push two similarly charged magnets.

This is kind of what it looks like. I know it looks glitzy. But I am telling you this is the train of the future. I am introducing this legislation for Baltimore as a demonstration project, and the Baltimore-Washington corridor. I am introducing it along with my colleague from Maryland, Senator SARBANES.

Other colleagues have played a very important role in highlighting this: Senators MOYNIHAN, HOLLINGS, and EXON, whom I look forward to working with.

Mr. President, my bill will do a few things. It will jump start the mag-lev development process by authorizing a feasibility study of mag-lev between Baltimore and Washington. If passed, it would provide six 1-year grants for design competition, and it would offer Federal matching funds to the winner. It would limit this only to American companies and organizations. And it will be critical, then, for our future.

We will be building a public-private partnership where the Federal Government works with private industry to meet America's transportation needs. mag-lev is the transportation technology of the future because it is faster, cleaner, and more energy-efficient than cars of airplanes. It means a healthier environment, airports and roads that will not be jampacked, and will go toward energy independence.

The Baltimore-Washington corridor is a perfect test site. I say that with all modesty. In this corridor, it would link two major urban centers and would be the first step in a linking of the Northeast corridor.

Mr. President, I commute every day. I know what it is like to be in a rolling backup. I think it would be great for me to be able to get a morning paper, buy a cup of coffee in one of the ethnic diners I stop in every morning, and be at the Capitol in less than 15 minutes. I do not even know if I will have time to read my memos if this technology goes through. But I know this: I can read what the future is.

We need to have technology that will create opportunity in this country and that we can sell abroad. That is what this will do. It will be investing in the future.

Mr. President, I think this will bring benefits to America because we will be

developing cutting-edge technology. We invented this technology, and then, in 1974, we dropped the ball and did not pursue it any further. The Japanese and Germans came in and picked up on it. They did it fair and square. They have now developed prototypes.

I am sick and tired of the inventions that we create but do not develop which end up coming back and taking America's jobs. We have to do more than export our dollars and export our jobs. That way, if Mag Lev works, we can be the Yankee peddlers around the world that we have been for two centuries.

Mr. President, I am happy today to introduce this bill for Baltimore and Maryland, but most of all, for our own country.

Let me reiterate.

Today I am taking the first step toward our transportation future by introducing legislation to make the Baltimore-Washington corridor the site of America's first high-technology, high-speed magnetic levitation rail system. I am introducing this legislation on behalf of Senator SARBANES and myself.

As I introduce my bill, I also want to recognize the leadership and advocacy of Senators MOYNIHAN, HOLLINGS, and EXON on Mag Lev. I want to work with them and other Senators to make Mag Lev a reality by the year 2000.

This train system—a demonstration project for the entire Nation—would speed travelers between cities at triple the speed of conventional trains, floating above guideways by the same force that pushes two similarly charged magnets apart.

My bill will:

Jump start the Mag Lev development process by authorizing a feasibility study of Mag Lev between Baltimore and Washington.

Award six 1-year grants to competing private companies or local governments to design a Mag Lev line, and,

Authorize Federal matching funds for the winner of the design competition to build the line.

Only American companies and organizations will be eligible to compete, and the Federal share of constructing the line will be no more than half the cost.

We are building a public-private partnership where the Federal Government works with private industry to meet the American public's transportation needs—and improve America's competitiveness.

Mag Lev is the transportation technology of the future. Faster, cleaner, and more energy-efficient than cars or airplanes, it will mean a healthier environment, airports and roads that aren't jampacked, and it will help our Nation become energy independent.

The Baltimore-Washington corridor is a perfect test site. Mag Lev in this corridor would link two major urban centers. It would be the first link in a

Northeast corridor system connecting Washington to New York City to Boston. It could end the endless backups on I-95 and the Baltimore-Washington Parkway. It cuts airport congestion.

And personally, I am excited about buying my morning cup of coffee at Jimmy's in Fells Point, Baltimore, and getting to work on Capitol Hill, in less than 15 minutes—with my coffee still hot.

In my years in the Senate, one of my top priorities has been to get Maryland and America ready for the future.

That means investing in the technologies of the future. Technologies like magnetic levitation that will give Maryland and America a competitive edge.

It will make it easier for companies to locate in Baltimore and do business in Washington. It will lure America's best minds and most advanced technologies to Maryland. And it will demonstrate Maryland's commitment to building a 21st Century economy.

These trains are fast and flashy, but they are not some Buck Rogers pipe-dream. Germany and Japan are already building theirs.

Twenty years ago, the United States led the world in Mag Lev research. We still dominate fields like superconductivity and cryogenics that are making Mag Lev feasible, but we are losing our edge.

As we demonstrate to the rest of the world the benefits of Mag Lev, we bring benefits home to America. We'll be building a 21st-century transportation infrastructure, developing cutting-edge technology that we can export around the world, cutting the gas line that ties us to Middle East oil.

The technology already exists. Mag Lev can be up and running by the year 2000. All we need now is the will to put it into place.

I yield the floor. I thank the Senate for its attention.

Mr. SARBANES. Mr. President, today I am pleased to join my colleague, the junior Senator from Maryland, in sponsoring the Baltimore-Washington Corridor Magnetic Levitation Transportation System Demonstration Act of 1991. This legislation authorizes a study of the feasibility of establishing a magnetic levitation railway link between Baltimore, MD and Washington, D.C. Once that study is completed, favorable data and results would form the basis for the construction of such a line.

The development of magnetic levitation technology, commonly known as maglev, was initially invented and researched in the United States. The technology uses electromagnetic force in order to suspend and propel a train a few inches above a guideway at speeds up to 300 mph. Since its initial discovery in the 1960's, only Japan and Germany have aggressively pursued and developed working transportation

systems utilizing this technology. These have served to highlight maglev's potential as a safe, environmentally sound, economically viable, and energy efficient form of transport.

Mr. President, it seems logical that the Baltimore-Washington corridor would serve as an appropriate testing ground for an examination into both the practicality and plausibility of such a transportation system. The combined population of these two adjacent areas totals approximately 6 million, with 100,000 commuters traveling daily between the two cities, and 4,600 businesses based in the two vicinities. This combined area ranks fourth among the Nation's largest urban complexes. In a January, 1991 study entitled "Roadway Congestion in Major Urban Areas, 1982-88," it was found that of the six northeast cities, Washington and Baltimore ranked first and fifth respectively in terms of traffic congestion. Furthermore, the study found that the Washington area had the third worst traffic problem in the Nation, costing an estimated \$1.73 billion a year in lost time, gas consumption, accident losses and other factors. The density of traffic which the introduction of such a system as maglev could relieve is quite apparent.

Additional positive attributes of the Baltimore-Washington corridor consist of an existing interstate highway system, a ready made right of way for possible maglev tracks in I-95; the presence of BWI Airport as a feed into the proposed maglev line; and the very location of the corridor itself, which could serve as a potential springboard for an extended maglev system along the entire Northeast corridor. Recent articles and editorials published in both the Sun and Evening Sun have expressed cogent arguments for the introduction of maglev in this specific region. I ask unanimous consent that these be printed in full at the conclusion of my statements.

I commend Senator MIKULSKI for introducing this measure.

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

LEVITATING TO WASHINGTON

Will a day come when passengers can hop on a train in downtown Baltimore and arrive in downtown Washington 15 minutes later? Boosters of the "magnetic levitation" concept say such speed and convenience could be possible by the year 2000—if Congress can be persuaded to back a \$600-million project to demonstrate the versatility of these quiet, vibration-free trains.

The new technology is mind-boggling. Magnetic levitation trains, instead of riding on steel wheels and rails, would float above a roadbed to which they are linked by electromagnetic forces.

The initial maglev technology was developed by American scientists in the 1960s. But as in the case of two other flashes of American imagination—the VCR and fiber optics—Japanese and German companies (and governments) have become the leading devel-

opers of this revolutionary transportation mode.

In fact, when Las Vegas asked for bids for a maglev line linking that city with Los Angeles, the only proposal came from a German consortium. "This is a technology that might mean to the next century what civil aviation has meant to the latter part of this century," says Rep. Robert Torricelli, a New Jersey Democrat.

An American consortium, contending that perfecting magnetic levitation outside the laboratory is too expensive for the private sector to undertake single-handedly, is trying to secure federal aid to catch up with the Germans and Japanese.

Maryland's Democratic Sen. Barbara A. Mikulski says she will introduce legislation that would designate the Baltimore-Washington corridor for the construction of a 40-mile roadbed for 300-mph magnetic levitation passenger trains. This is a 21st century idea that merits strong congressional support in the final decade of the 20th century.

[From the Evening Sun, Mar. 11, 1991]

RIDE TO THE FUTURE

While American technology has transformed the weapons of warfare, American inventions that could revolutionize daily life have languished or been adopted by foreign competitors. One such invention—magnetic levitation, or "maglev"—a clean, quiet, vibration-free train that can travel in excess of 300 mph—was invented in this country in the 1960s. But anyone who wishes to ride a maglev train will have to travel to Germany or Japan. Maglev technology still needs some work, but many people say it could revolutionize transportation in the 21st century.

In an attempt to get this country back into the maglev arena, members of Congress are proposing legislation to build a prototype route of 30 or 40 miles. The big question, of course, is where—and a consortium called MAGLEV USA has a perfect answer: between Baltimore and Washington, D.C. The route has much to recommend it, since there is plenty of traffic between the two cities and a major airport could feed into the line. Once built, the line would fit nicely into a longer East Coast system. From a local perspective, the advantages for Maryland and its economy are obvious. Consider the boost to Baltimore if downtown Washington were a mere 15-minute ride away.

The ball is rolling on Capitol Hill, and MAGLEV USA has enlisted an impressive amount of local support from the private sector. For instance, Alex Brown, which helped finance the country's first commercial railroad, wants to continue its participation in pioneering transportation projects by helping underwrite maglev.

The missing link in this campaign is enthusiastic support from the state government. Tomorrow, however, the state House Ways and Means Committee will hear testimony on a joint resolution of the Maryland General Assembly sponsored by Prince George's Del. Joseph Rosapepe urging Congress to finance the project and to choose the Baltimore-Washington corridor as its location.

Eventually, of course, the state would be required to contribute a portion of the project's cost, 10 percent or so. But that contribution would be spread over several years and would not be required until 1993 at the earliest. By that time, Maryland can hope to have weathered the current fiscal crisis and be ready to help pioneer the transportation of the future.

HIGH-SPEED TRAIN LINK TO D.C. MAY GET ON TRACK

(By David Conn)

ANNAPOLIS.—Don't blink. A Buck Rogers high-speed railroad that could carry commuters from Washington to Baltimore in less than 15 minutes may be on the way. It will be so clean and quiet that at speeds of more than 300 mph, a momentary lapse in attention means you might miss the train. So don't blink.

This is the dream of a consortium of public and private organizations, more than half from Maryland, that is lobbying Congress and Maryland's General Assembly to finance construction of a prototype magnetic levitation, or maglev, line from Baltimore to Washington.

Maglev, invented in the United States in the 1960s, would use electromagnetic force to suspend a train a few inches above a guideway and then propel it quietly. An actual commercial railroad run by maglev is merely a pipe dream at this point, although prototype lines have been built in Germany and Japan.

But U.S. Sen. Daniel Patrick Moynihan, D-N.Y., is expected to introduce a bill within a few weeks calling for a federal commitment to a \$1 billion project to design and build a prototype maglev route of 30 or 40 miles.

Supporters of the plan predict that if Congress chooses Maryland for the first route, the project will transform the Baltimore area's economy, not only because of the tourism value and not just because a \$1 billion construction project would go up along Interstate 95.

"I think the major economic development impact is it's the most important thing we can do to drive the Baltimore and Washington economies together," said Delegate James C. Rosapepe, D-Prince George's, who has sponsored a joint resolution in the General Assembly to urge Congress to finance the project and to choose Baltimore and Washington as its end points.

"This would make the concept of the SMSA [Standard Metropolitan Statistical Area] a reality," Mr. Rosapepe said, "because it would mean that it would be very, very feasible for lots of people to live in Washington, and in Baltimore—and vice versa—or work in both cities at the same time."

The ride probably would take 15 minutes or less, including a stop at Baltimore-Washington International Airport that could help draw some travelers from National and Dulles, the other Washington-area airports.

Scientists think the current cost of building a maglev line—\$20 million to \$24 million a mile—could be lowered to \$10 million or less using technology now being studied.

Ideally, the price of a ticket would be competitive with those of tickets for other rail lines between the two cities, said William Boardman, president of the consortium, called MAGLEV USA.

The consortium's 12 members include Baltimore Gas and Electric Co., which wants to provide the electricity to run the train; Alex. Brown & Sons Inc., which helped finance the first commercial railroad in the United States and wants to do the same for maglev; Westinghouse Electric Corp.; Whiting-Turner Contracting Co.; Grumman Corp.; the Abell Foundation; Center City-Inner Harbor Management Inc.; the University of Maryland; and CSX Transportation Inc.

MAGLEV USA has been "trying to create interest with the federal government," Mr. Boardman said. "At the same time, we're

trying to create interest at the state and local level."

State officials will have to be more than a little interested to sign on to the project, which probably will cost Maryland 10 percent or more of the \$1 billion price tag.

There's no doubt that Baltimore needs faster, more frequent rail service between the two cities, said Robert Keller, president of the Greater Baltimore Committee. And maglev "has a magic to it because of the new technology," he said. "The question is, is it affordable?"

Delegate Thomas H. Hattery, D-Frederick, who co-sponsored Mr. Rosapepe's resolution, pointed out that a \$100 million project spread over four or five years is a relatively small bite out of the state Department of Transportation's \$1.5 billion annual budget. And the first installment of the money won't be needed until fiscal 1993, at the earliest.

Even for those who don't consider themselves maglev fanatics, the potential benefits to the region are clear. Federal agencies, national trade associations, law firms and non-profit organizations that were already beginning to take Baltimore seriously as a location would be more likely to move to the city if they were less than 30 minutes from Capitol Hill, Mr. Keller said.

Class A office space in Baltimore rents for \$10 to \$12 a square foot less than it does in Washington, he pointed out. The decision to move north would make sense "as the federal government searches for cost-effective ways of managing their agencies," Mr. Keller said.

Mr. Rosapepe thinks that Maryland, home of the first commercial railroad in the 1830s, cannot afford to miss out on one of the most important technologies of the 21st century.

"The reason the port of Baltimore expanded so much in the 19th century," he said, "is because we were the first to have a railroad"—the Baltimore & Ohio, which connected the city to the Midwestern markets beyond the Allegheny Mountains. "That was for a raw materials-based economy, and this is for a service-based economy."

David Brown, a MAGLEV USA member from BG&E, went even further. "In our opinion, this is going to be as important as the airplane for transportation in the next 40 years," he said.

But first, assuming Congress agrees to finance the project, the consortium must convince the lawmakers that Maryland is the place for maglev. There are six other locations looking into building a line, and some of them are farther along than Maryland in the planning stages.

The possible routes are Los Angeles to Las Vegas; Seattle to Tacoma, Wash.; the Orlando, Fla., airport to International Drive just outside Disneyworld; Pittsburgh's airport to the downtown area; and locations in upstate New York and Ohio, Mr. Boardman said.

For Mr. Rosapepe, Baltimore-Washington is the ideal route. Few other locations have the density of intercity traffic that maglev could relieve; the distance is just about right for a \$1 billion allocation; there is a major airport along the route to use maglev as a feeder; and the route is an obvious launching pad for running an extended maglev system along the Northeast Corridor.

Besides, the route is close to Washington, "so it'll get more attention from the decision-makers," Mr. Rosapepe said.

His resolution will be heard by the Ways and Means Committee next week, only two weeks after the federal government issued a request for proposals for about a half-dozen

small (\$1.5 million each) initial design contracts. A response is due at the end of April, Mr. Boardman said, noting that Maryland could show its interest by spending \$1 million or so to aid those studies.

"Within the next couple of months," he said, "there is an opportunity for the state to say, 'Yes, we want to play a role,' or 'No, we don't.'"

By Mr. CRANSTON (for himself, Mr. PACKWOOD, and Mr. ADAMS):

S. 798. A bill to amend title 18, United States Code, to provide a criminal penalty for interfering with access to and egress from a medical facility; to the Committee on the Judiciary.

FREEDOM OF ACCESS TO CLINICAL ENTRANCES ACT

• Mr. CRANSTON, Mr. President, I am today introducing S. 798, the Freedom of Access to Clinic Entrances Act of 1991. This legislation is aimed at protecting the rights of women seeking medical assistance at health facilities which provide abortion services. It is intended to protect these women from physical interference with their right to enter and leave such facilities.

This measure is based upon a similar bill which I introduced in the last Congress as S. 2321. I am pleased to be joined in introducing this measure by the distinguished Senator from Oregon [Mr. PACKWOOD] and the Senator from Washington [Mr. ADAMS]. A companion bill is being introduced in the House of Representatives by my good friend and colleague from California, Representative MEL LEVINE.

Quite simply, Mr. President, the legislation we are introducing today would make it a Federal crime to prevent an individual from entering or exiting a medical facility by physically detaining the individual or obstructing, impeding, or hindering the individual's passage. Persons found guilty of a violation of this law would be subject to a fine or imprisonment of not more than 3 years or both. The legislation specifically provides that the term "physically" does not include speech. It also provides that any person aggrieved by a violation of this law may obtain appropriate relief, including injunctive relief, in a civil action and may recover reasonable attorney's fees.

Mr. President, this is a tough bill because we are dealing with a very serious problem. Medical facilities throughout the Nation which provide safe, legal abortion procedures for women exercising their constitutionally guaranteed right to choice have been under siege by highly organized groups like Operation Rescue. These organizations and groups are not engaged in peaceful, nonviolent protests. They are engaged in a concerted effort to force their will upon women and health providers by physically invading health facilities which provide abortion services, setting up blockades which prevent staff and patients from entering or leaving these facilities, and

engaging in direct physical assaults upon individuals attempting to enter the buildings.

According to statistics compiled by the National Abortion Federation [NAF], in last year alone there were 67 reported incidents of violence against health facilities providing abortion services. Since NAF began collecting this data in 1977, there have been a total of 329 reported incidents, including 34 bombings and 52 cases of arson, and 43 cases of attempted arson or bombing. There have also been more than 400 cases of clinic blockades.

One of the reported cases of arson in 1990 included a fire set at a Planned Parenthood clinic in Concord, CA. That arson incident last September resulted in 90,000 dollars' worth of damage to the clinic. Over the past 6 years, according to the NAF report, there were 12 incidents of arson or bombings or attempts in California. These incidents ranged from a Molotov cocktail thrown through the lobby window of a San Diego clinic to the partial destruction of a Riverside clinic by a fire set in the facility.

Mr. President, I ask unanimous consent that the NAF annual report on incidents of violence and disruption against abortion providers be printed in the RECORD at the conclusion of my remarks.

It is important to recognize that the NAF incident report includes only those cases reported to NAF. The actual number of cases is undoubtedly higher.

Indeed, during a series of meetings I held in California with prochoice organizations and health providers I repeatedly heard reports about the growing problem of clinic violence. Health facility employees and volunteers are routinely cautioned against wearing jewelry that can be ripped from their bodies by clinic protesters. Six patients and five staff members at a clinic in Monterey County were held prisoner in the facility for 6 hours by over 300 antichoice individuals. One patient seeking a scheduled cancer treatment was blocked from entering. Of the 104 individuals who were eventually arrested in this incident, only 6 were local residents. The rest were outsiders, brought in to shut down this local clinic.

In Daly City, CA, clinic blockaders refused to allow a pregnant patient who began suffering a miscarriage outside the clinic to enter. The clinic staff was finally able to find a car and transport the hysterical woman to another facility some 15 miles away.

Mr. President, these women's health facilities often provide a broad range of health services for women, including cancer screening, pap tests, treatment of reproductive disorders and family planning services. Patients who are unable to get into the facility may be forced to forego essential treatment

services. Moreover, clinic blockades could prevent or delay patients who may have a medical emergency from being transferred to a hospital. Blockading health facilities is a very dangerous activity and must be halted.

The most effective way to end this violence and interference with women exercising their constitutional right to freedom of choice is to make sure that those who engage in this kind of conduct know that they will face tough criminal sanctions. This legislation is designed to send a very strong message that those who violate the rights of others will be subjected to the full force and weight of the law.

NEED FOR FEDERAL LEGISLATION

Mr. President, criminal sanctions have traditionally fallen within the responsibility of the State governments. I am pleased to report that a number of States have begun to respond to this problem. The State of Maryland led the way in 1989 with enactment of the first State legislation making it a specific offense to interfere physically with an individual attempting to enter or exit a medical facility. In the past week, similar legislation has been introduced in the California Assembly. Legislation criminalizing clinic blockades has also been introduced in the Washington State Legislature.

At the same time, however, it is clear that a Federal criminal statute and Federal civil remedy are both necessary and appropriate in this instance. Historically, Federal criminal sanctions and remedies have been imposed, in addition to State criminal sanctions and remedies, where important Federal rights are at issue, where interstate activity is involved or where there is a compelling need to establish uniform Federal sanctions and protections. For example, Federal criminal sanctions and civil remedies for violation of civil rights were enacted during an era when certain regions of the Nation were unwilling to protect the rights of black citizens.

The circumstances warranting Federal remedies and sanctions are clearly present in this situation.

First, the basic right involved—the right of individual women to obtain safe and legal abortions services—is a federally protected right, guaranteed by the Constitution of the United States. The Federal Government has a responsibility and an obligation to help assure the protection of federally guaranteed rights.

Second, there is ample evidence to indicate that the assaults on these health clinics are being masterminded by organizations such as Operation Rescue which are interstate in nature and involve interstate conspiracies to interfere with the exercise of constitutionally guaranteed rights by individual women.

Third, although many State and local law enforcement officials have

been very courageous and vigorous in their efforts to protect the women and staff of these health facilities, there have been other instances where local government officials have refused to enforce the law against those engaged in clinic violence. For example, the sheriff of Nueces County, TX, has repeatedly stated that he "would not stop prolife demonstrators from blocking abortion clinics" or "take any action that would assist people to get into a place where abortions were going to be performed."

STRONG CRIMINAL SANCTIONS DO WORK

Mr. President, some may suggest that because of the emotional nature of the issues involved, imposing tough criminal penalties upon those engaged in clinic blockades will have little impact. The facts show exactly the opposite. In those jurisdictions where these individuals have been subject to stiff sentences and heavy fines, the violence and unlawful conduct has diminished. In Florida and New York, for example, heavy fines and tough jail sentences have forced leading Operation Rescue activists to cease their activities.

Unfortunately, in too many jurisdictions, clinic blockaders have been given token fines and suspended jail sentences.

This legislation would guarantee that punishment commensurate with the offense is actually imposed. Under the new Federal sentencing guidelines, repeat offenders and those who use physical force to impose their views on others will be subjected to stiffer penalties. The guidelines provide for increased penalties where a victim is physically restrained in the course of the offense, where the defendant was an organizer or leader of a criminal activity that involved five or more participants or where the defendant has a record of prior offenses. Thus, under the objective sentencing criteria outlined in the U.S. Sentencing Commission Guidelines Manual, the likelihood that these individuals will get minimal sentences is greatly diminished.

CLINIC BLOCKADES AND VIOLENCE IS NOT A LEGITIMATE FORM OF PROTEST

Mr. President, one thing should be made absolutely clear: those who oppose abortion have every right to make their views known. Freedom of speech is a deeply cherished right protected by the first amendment to our Constitution. Those who oppose abortion are free to engage in peaceful demonstrations, to picket, to pass out literature, and to engage in political activities to articulate their views.

Abortion is a deeply emotional and divisive issue. The passions on both sides often run deep and strong.

However, those who oppose freedom of choice in matters relating to abortion cross the line between legitimate protest and criminal conduct when

they physically prevent others from exercising their constitutional rights in this area.

Some have suggested an analogy between antichoice protesters and the civil rights protesters of the 1960's. In fact, antichoice protesters who go beyond peaceful protest and engage in violence, physical intimidation and assault have little in common with those who sought to assert and protect constitutional freedom during the turbulent civil rights struggles of the sixties. A closer analogy can, however, be drawn between these violent protesters and the segregationists who barred black citizens from entering school house doors in a vicious and often violent effort to deny black Americans free exercise of their constitutional rights.

Mr. President, this legislation is carefully crafted to protect women and health providers from physical violence while recognizing the right of legitimate protest. It specifically excludes activities related to freedom of speech and peaceful protest.

CONCLUSION

Mr. President, if we want the violence and physical intimidation to end, we need to send a very strong signal that it will not be tolerated. This measure is designed to deal with the specific problem of clinic blockades. It includes provisions which would not only provide for criminal sanctions, but also would allow individuals, women or health care providers, whose rights have been invaded by clinic blockaders to bring civil actions in Federal district courts to protect their rights. It authorizes appropriate relief, including injunctive relief, along with attorney's fees to be awarded to these aggrieved individuals. The bill specifically authorizes a private right of action to protect the rights of women and clinic staff seeking to enter or exit health facilities which provide abortion services. Similar relief has been

provided in Federal courts under other applicable Federal statutes, including civil rights statutes and the RICO statute.

Although a number of Federal courts have authorized injunctive relief under existing statutes, the Supreme Court's acceptance of a clinic blockade case arising out of the fourth circuit has caused some concern that an adverse high court decision in that case might curtail Federal civil remedies for victims of clinic blockades. This bill is specifically and intentionally tailored to deal with these abortion clinic blockades so that there can be no debate or argument as to its applicability or the power of Federal courts to grant appropriate relief in these cases. This remedy would be in addition to any other remedy which might be available to the victims of clinic blockades under other State or Federal statutes.

Finally, Mr. President, let me state again that the problem of clinic blockades is a very serious and important problem that must be resolved. Last year, I authored an amendment to the National Affordable Housing Act, enacted as section 906 of Public Law 101-625, which provides that municipalities which fail to adopt and enforce a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility which is the subject of a clinic blockade will lose their eligibility for community development block grant funds. I intend to work to assure that this new law is adequately enforced and to protect the constitutional right to freedom of choice for all women. Passage of this legislation will bring us a step closer to achieving that goal.

I am pleased that this legislation has been endorsed by a number of organizations concerned with protecting women's rights to freedom of choice including the National Abortion Federation, Planned Parenthood Federation of America, National Coalition of Abor-

tion Providers, and National Abortion Rights Action League.

I ask unanimous consent that the text of this bill, the NAF annual report, and letters from supporting organizations be printed in the RECORD at this point.

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

S. 798

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 "Freedom of Access to Clinic Entrances Act of 1991".

SEC. 2. TITLE 18 AMENDMENT.

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

"§ 248. Interference with access to or egress from a medical facility

"(a) Whoever, other than an agent of a medical facility or a law enforcement officer acting within the scope of such officer's official authority, intentionally prevents an individual from entering or exiting that medical facility by physically—

"(1) detaining the individual; or
 "(2) obstructing, impeding, or hindering the individual's passage,

shall be fined under this title or imprisoned not more than 3 years, or both.

"(b) Any person aggrieved by a violation of this section may in a civil action under this title obtain appropriate relief (including injunctive relief), and shall be awarded a reasonable attorney's fee as a part of the costs.

"(c) As used in this section—

"(1) the term 'physically' does not include speech; and

"(2) the term 'medical facility' includes a hospital, clinic, physician's office, or other facility which provides health or surgical services."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 13 of title 18, United States Code, is amended by adding at the end the following new item:

"248. Interference with access to or egress from a medical facility."

INCIDENTS OF VIOLENCE AND DISRUPTION AGAINST ABORTION PROVIDERS

	1977-83	1984	1985	1986	1987	1988	1989	1990	Total
Violence (number of incidents):¹									
Bombing	8	18	4	2	0	0	2	0	34
Arson	13	6	8	7	4	4	6	4	52
Attempted bombing or arson	5	6	10	5	8	3	2	4	43
Invasion	68	34	47	53	14	6	25	19	266
Vandalism	35	35	49	43	29	29	24	25	269
Assault and battery	11	7	7	11	5	5	12	6	64
Death threat	4	23	22	7	5	4	5	7	77
Kidnapping	2	0	0	0	0	0	0	0	2
Surgery	3	2	2	5	7	1	0	2	22
Total number of incidents reported	149	131	149	133	72	52	76	67	829
Disruption (number of clinics):²									
First mail and harassing calls	9	17	32	53	32	19	30	21	-----
Bomb threats	9	32	75	51	28	21	21	11	-----
Picketing	107	150	139	141	77	151	72	45	-----
Clinic blockades:³									
Number of clinics	0	0	0	0	2	138	103	21	-----
Number of incidents	0	0	0	0	2	182	201	34	419
Number of arrests	0	0	0	0	290	11,732	12,538	1,363	26,357

¹ Statistics represent incidents reported to NAF; actual number may be higher.

² Due to clinic duplication, totals for "number of clinics" are not applicable. Statistics represent incidents reported to NAF; actual number may be higher.

³ "Clinic blockades" are protests during which groups of demonstrators physically block the doors to reproductive healthcare facilities to prevent patient access. Despite claims to be nonviolent, many "blockaders" are arrested for assault, trespass, and invasion. Note: The "number of arrests" represents the total number of arrests, not the total number of persons arrested—many blockaders are arrested repeatedly.

Date, Facility, and City/State	Incident	Estimated damage
ARSON AND BOMBING INCIDENTS, 1990		
January, 1990, Aid For Women, Kansas City, KS.	1 attempted arson	0
May, 1990, Lovejoy Surgicenter, Portland, OR.	1 arson	\$15,000
May, 1990, Planned Parenthood of Syracuse, Syracuse, NY.	1 arson; 2 attempted arsons.	570
September, 1990, Planned Parenthood of Central Mass., Worcester, MA.	1 attempted bombing	500
September, 1990, Planned Parenthood of Shasta Diablo, Concord, CA.	1 arson	90,000
November, 1990, Fort Wayne Women's Health Organization, Fort Wayne, IN.	1 arson	10,000
Total		116,070
January, 1990, Memphis Center for Reproductive Health, Memphis, TN.	Concrete block thrown through window.	3,000
May, 1990, West End Women's Medical Group, Reno, NV.	Antibioche slogans painted on wall; stairs destroyed.	1,400
May, 1990, Allegheny Reproductive Health Service, Pittsburgh, PA.	Roof of clinic damaged with ax.	50,000
June, 1990, Planned Parenthood of Minnesota, St. Paul, MN.	Director assaulted at clinic	(¹)
July, 1990, Atlanta Surgicenter, Atlanta, GA.	Narcosis chemical poured into ventilation system.	2,000
October, 1990, Women's Health Services, Pittsburgh, PA.	Narcosis chemical flushed into clinic with water from floor above.	12,000
October, 1990, Northeast Women's Center, Philadelphia, PA.	Safety glass on front door broken.	1,500
December, 1990, Women's Pavilion, South Bend, IN.	Roof vandalized	23,000
Total		72,900
Total dollar damage to clinics.		188,970

¹ Unavailable.

² Preliminary estimate.

Note.—See NAF's Violence and Disruption Fact Sheet for more information and totals of all incidents.

NATIONAL ABORTION FEDERATION,
Washington, DC, April 8, 1991.

HON. ALAN CRANSTON,
Hart Senate Office Building, Washington, DC
DEAR SENATOR CRANSTON: On behalf of the National Abortion Federation (NAF), a national association of reproductive health care professionals, I fully endorse the Freedom of Access to Clinic Entrances Act. We appreciate your leadership in protecting women's health and safety.

All across the United States, women have been subjected to harassment, intimidation, and physical violence while trying to enter reproductive health facilities. Such actions clearly violate the rights and privacy of women, and can be dangerous or life-threatening in emergency situations.

In the absence of a national law specifically addressing the issue of access, many clinics have been forced to spend thousands of dollars in legal fees and court costs so that their patients could enjoy a freedom which is already theirs according to law. If enacted, the Freedom of Access to Clinic Entrances Act will provide badly needed protection, allowing women unhindered access to gynecological and abortion services.

It is unfortunate that, for women, Congressional action is a prerequisite to free access to health care. We deeply appreciate your recognition of this serious problem and your attempts to rectify it. Please let us know if we can assist you in any way.

Sincerely,

BARBARA RADFORD,
Executive Director.

PLANNED PARENTHOOD
FEDERATION OF AMERICA, INC.,
Washington, DC, April 8, 1991.

HON. ALAN CRANSTON,
U.S. Senate, Washington, DC.
DEAR SENATOR CRANSTON: Thank you in advance for introducing the "Free Access to Clinic Entrances Act of 1991." This bill is unfortunately necessary to help stop attempts to close clinics, doctors' offices and hospitals that offer reproductive health services to women and their families. By making it a federal felony to interfere with a person entering or exiting a medical facility, this act should help to deter those who try to prevent women's access to legal medical procedures.

During the past several years, many clinics across the country have been subject to blockade and invasion by groups such as Operation Rescue. While none of our clinics has been forced to close, women seeking services have been harassed and medical services they sought have often been delayed. Employees also have been subjected not only to verbal abuse but also in some cases to physical assault. In some jurisdictions, prosecution under local or state laws has helped to deter recurrence of these crimes. However, in many instances this has not been the case. The passage of a federal statute guaranteeing a woman's access to medical facilities will provide an added measure of protection to women seeking reproductive health services.

Again, thank you for taking this important step in protecting a woman's right to abortion. We pledge the assistance of Planned Parenthood in helping to secure enactment.

Sincerely,

WILLIAM W. HAMILTON, Jr.,
Director, Washington Office.

NATIONAL COALITION OF
ABORTION PROVIDERS,
Washington, DC, March 18, 1991.

HON. ALAN CRANSTON,
Hart Senate Office Building, U.S. Senate,
Washington, DC.

DEAR SENATOR CRANSTON: Thank you for sending to me the latest version of the "Freedom of Access to Clinic Entrances Act."

On behalf of all of our clinics, I would like to express my enthusiastic support for this legislation. The simple fact is that providers everywhere need as many tools as possible to stop protestors from stopping patients from entering clinics. All too often, local laws (if they are enforced) do not deter such behavior. While this will not solve the problem single-handedly, it will surely be of great assistance to our clinics.

Again, thank you for your efforts in this area. Please feel free to call upon me for any assistance that you think I can provide.

With warm regards,

RON FITZSIMMONS,
Executive Director.

NATIONAL ABORTION RIGHTS
ACTION LEAGUE,
Washington, DC, April 8, 1991.

HON. ALAN CRANSTON,
U.S. Senate, Washington, DC.

DEAR SENATOR CRANSTON: The National Abortion Rights Action League endorses wholeheartedly the efforts you and Representative Levine have undertaken to introduce legislation to make it a felony to forcibly stop an individual from entering or leaving a medical facility. The Freedom of Access to Clinic Entrances Act imposes necessary penalties while continuing to guaran-

tee opponents of abortion and family planning the right to make their views known through peaceful demonstrations.

Over the past few years, incidents of violence and intimidation that have escalated at hospitals, clinics and doctors' offices where reproductive health services, including abortion, are provided.

Spearheaded by "Operation Rescue," opponents of women's right to choose abortion have blockaded entrances to health facilities all over the country. Their efforts to block the civil rights of others have erupted into cases of violence, neighborhood disturbance, and have produced an undue drain on limited local law enforcement services. The tactics of these anti-choice demonstrators have succeeded in denying women access to needed health care, including the family planning services necessary to prevent unplanned pregnancies.

NARAL supports your bill and will urge members of the Senate and House to join you and Rep. Levine as cosponsors of the Freedom of Access to Clinic Entrances Act. This important legislation represents a positive step toward correcting the untenable situation caused by unlawful actions and protects the rights of individuals seeking medical treatment.

If you need any assistance, please contact the NARAL legislative staff at 408-4600. Thank you for your continued efforts to protect the health interests of women.

Sincerely,

KATE MICHELMAN,
Executive Director. *

By Mr. NICKLES:

S. 799. A bill to amend the Davis-Bacon Act and the Service Contract Act of 1965 to exempt from such acts tenants of federally related housing who participate in the construction, alteration, or repair of their principle residences, and for other purposes; and to the Committee on Labor and Human Resources.

RESIDENT EMPLOYMENT OPPORTUNITY ACT
* Mr. NICKLES. Mr. President, I am introducing a bill today which I believe will have significant impact on the lives of many residents of public and federally assisted housing projects.

This bill, the Resident Employment Opportunity Act, will open the door of opportunity for tenants across the country who want to be able to compete for construction, alteration, and repair work on the project which they are currently residing.

Under current law, a tenant is forced to sit idly while a Federal contractor brings in outside workers because of an outdated Federal law which does not allow Federal contractors to pay nontenant workers at market wages.

The Davis-Bacon Act requires contractors to pay all workers on federally funded construction projects valued at more than \$2,000 the prevailing wage for that type of work, as determined by the Department of Labor. This policy costs the taxpayer \$900 million per year and shuts out those laborers who do not have the skills to command the higher wages.

I see no reason why this bill should not be considered and passed by the

Senate. An amendment which also allowed the homeless to work on their shelters passed the Senate by voice vote in 1987. This past session, I offered a tenant exemption amendment to the National Affordable Housing Act and it was tabled. However, the bill that I am introducing today is quite narrowly drafted.

My bill, the Resident Employment Opportunity Act, exempts only tenants of public housing or federally assisted housing projects and only when the work is on his or her principal residence. Principal residence is defined in the bill as the building in which a tenant resides, any building located in the same project, and any real property that is managed as part of the project.

While reform of the Davis-Bacon Act is important, at this time, I am simply asking Congress to consider a narrowly drafted bill which will benefit those individuals who are looking for a way to improve their lives for themselves and their families. This bill will provide an opportunity for on-the-job training which will lead to the development of new skills and eventual independence. I urge the support of my colleagues.

Mr. President, I ask unanimous consent that a letter from Secretary Kemp relative to this legislation be printed in the RECORD.

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

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,
Washington, DC, March 11, 1991.

Senator DON NICKLES,
U.S. Senate,
Hart Senate Office Building, Washington, DC.

DEAR DON: I am writing to let you know of my interest in and support of your efforts to create greater opportunities for jobs and entrepreneurship in our nation's public and assisted housing communities.

As you know, I recently visited two assisted housing communities in Tulsa, Oklahoma—Morning Star Village and Vernon Manor. I was impressed by the determination of the residents of these communities to make a better life for themselves and their children.

The Resident Employment Opportunity Act, which I understand you plan to introduce, will allow public housing residents to learn skills and gain work experience at competitive wages when they are working on the construction, alteration or repair of their own homes. It will do so by allowing Davis-Bacon and other federal wage rates to be waived when public and assisted housing tenants are hired by contractors to assist with the construction and rehabilitation of their own homes.

Low income residents of public and assisted housing should be given the chance to compete for these jobs. I commend you for your efforts to expand jobs and entrepreneurial opportunities in our nation's public and assisted housing communities.

Very sincerely yours,

JACK KEMP,
Secretary.●

By Mr. PACKWOOD (for himself
and Mr. HATFIELD):

S. 800. A bill for the relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini; to the Committee on the Judiciary.

RELIEF OF PARINI FAMILY

● Mr. PACKWOOD. Mr. President, today Senator HATFIELD and I are introducing legislation which would allow three of our constituents to become U.S. Citizens. Felix Juan Parini, Sergio Manuel Parini, and Carmen Victoria Parini all believed they were U.S. citizens by virtue of their father's citizenship. However, in 1987, when Felix Juan Parini applied for a passport renewal, it was discovered that his father had not met the residency requirements to pass citizenship on to Felix, Sergio, or Carmen. Before this time, all three had believed in good faith that they were U.S. citizens. The misunderstanding was due not to any fault on the part of the Parini's, but to apparent agency errors. Both the State Department and the Immigration and Naturalization Service have concluded that private legislation is the only way to remedy this unfortunate situation.

Mr. President, I rarely introduce private legislation. I reserve it for those cases which I believe to be truly meritorious and in need of extraordinary relief. The Parini's have been ambitious, contributing members of their community, pursuing careers and education. In addition, Felix Juan Parini serves in the Oregon National Guard, and for several months was on standby to be sent to the Persian Gulf.

I am pleased to introduce legislation today that will allow Felix, Sergio, and Carmen Parini to become U.S. Citizens.●

By Mr. REID (for himself, Mr. BRYAN, Mr. SARBANES, Mr. WIRTH, Mr. GARN, Mr. JEFFORDS, Mr. DANFORTH, and Mr. HATCH):

S. 801. A bill to amend the National Trails System Act to designate the Pony Express National Historic Trail and California National Historic Trail as components of the National Trails System; to the Committee on Energy and Natural Resources.

NATIONAL TRAILS SYSTEM ACT AMENDMENTS

Mr. REID. Mr. President, today it is my privilege to introduce legislation to designate the Pony Express Trail and the California Trail as National Historic Trails under the National Trails System.

The Pony Express galloped into postal history on April 3, 1860. It was like a giant relay, in which about 75 ponies ran in each direction. At each station, these heroic riders were given only 2 minutes in which to transfer the saddle bags to fresh ponies and be on their way again. The Express ran day and night, in all kinds of weather and in the face of Indian attack. In the 18 months that the Express operated, only one trip was missed when a westbound

rider charged into Dry Creek Station, clinging to his saddle horn. He had been fatally wounded by Indians and died in a few hours, but he had brought the mail through in its blood stained mochilla, a leather saddle blanket containing four cantinas or boxes for carrying the mail. The service was sponsored and financially supported by a well-known freighting firm of the time: Russell, Majors, and Waddell.

William H. Russell had failed repeatedly to get backing from the Senate Post Office and Post Roads Committee for an express route to carry mail between St. Joseph, MO—the western-most point reached by the railroad and telegraph—and California.

St. Joseph was the strategic starting point for the direct 2,000 mile central route to the West. Except for a few forts and settlements, however, the route beyond St. Joseph was a vast, silent wilderness inhabited primarily by Indians.

Russell's freighting firm lost more than \$100,000 on the Pony Express—a loss he could ill afford. Undismayed, he kept the Pony Express going.

The project was pushed vigorously. The route followed the well-known Oregon-California trail by way of Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, and California. Stations were built at intervals of about 15 miles, wherever stage stations did not already exist.

Fleet, wiry, Indian ponies were purchased. Young, courageous, lightweight riders were hired. Although the written rule was to hire no one under the age of 20, the actual ages of these pony men averaged slightly under 19. Many an eager applicant did not hesitate to up his birth date a year or two in order to get the job. Riders were recruited hastily, but before being hired had to swear on a Bible not to cuss, fight, or abuse their animals. They pledged, under all circumstances, to conduct themselves honestly.

The first mail by Pony Express from St. Joseph to Sacramento took 10½ days, cutting the Overland Stage time by more than half. The fastest delivery time was in March 1861, when the inaugural address of President Lincoln was carried in 7 days and 17 hours.

The Pony Express has a secure, permanent place in the catalog of American folklore. Two of its famous sons, "Buffalo Bill" Cody and "Wild Bill" Hickok, has served as pioneer heroes to millions of young Americans. Recently it has been celebrated and popularized in a weekly TV series. It is a symbol of the bravery and can-do optimism of our pioneer youth.

The California Trail was the route of the greatest mass migration in American history. Over a 20-year period, 1841 to 1860, more than 200,000 pioneers made this great trek west. This legendary highway opened up the Western frontier and tied what was known as

the Island of California together with the older and more settled east coast.

The most feared section along the entire California Trail is found in my home State of Nevada, southwest of the town of Lovelock. Here the pioneers had to cross the dreaded Forty-Mile Desert. Lacking both water and grass, this stretch of country was considered not far short of Hades. The adversity that was endured in the Forty-Mile is best captured by the following entry of October 3, 1849, in the *Journal of Mrs. Sarah Royce*:

Should we try to go on? But there were miles of desert before us, in which we knew, neither grass or water could be found. With unwearied gaze my eyes swept, again and again, the shimmering horizon. There was no help or hope out there. Then I looked out at what lay nearest. How short lived our few remaining resources would be, unless fresh strength came from somewhere. How still it was. Only the sound of a few feeble breaths. It would not take many hours of starvation to quiet them forever.

Independence, MO, was the jumping off point for the emigrants to the West. The city, made famous by President Harry Truman in this century, had an economy geared to outfitting and provisioning the pilgrims. Here a family could purchase all that was needed for the westward trip and a good deal that was not needed.

The busy season along the trail was early spring. The pioneers gathered in vast camps on the outskirts of Independence, waiting for the first signs of green grass on the Great Plains. This grass provided the valuable pasture for their oxen, horses, and mules on whose strength the wagon teams moved. When they signed on for the journey west, each pioneer was sworn to agree to strict rules of conduct and cooperation.

The business of a wagon train was movement. Ideally, people bound for California wanted to make 20 miles a day. Few maintained that pace. Some observed the Christian Sabbath, camping all day Sunday. Delays were caused by severe storms, unseasonably swollen rivers, injury, illness and the call to make repairs on equipment and wagons.

The object was to keep moving. The pioneers adjusted to the demands of the trail. The only other choice was turning back or even death, from being on the wrong stretch of the trail at the wrong time of the year.

By and large, the California emigration was a family affair. The emigrants banded together in companies of 50 to 100 people for protection and mutual assistance. At mealtime, they usually ate alone with their own families. As night approached, they circled their wagons for protection. The next day would bring more exhausting challenges from moving a hundred wagons and hundreds of cattle, horses, and mules.

Even before the streams of wagons wore deep ruts into the sod, scars that can still be seen today, the route was marked like a highway with broken furniture, empty barrels, skeletons of worn out livestock, broken down wagons and simple grave markers that signaled the end of someone's dream.

The California Trail has a colorful history of heroes, adventurers, and dreamers. These real people went West, made millions, built cities, laid railroads, broke farmland, and carved out great ranches. They dreamed, struggled, failed, or prospered against incredible odds.

There was Brigham Young with his dream to make the Great Salt Lake desert bloom; miners who discovered, prospered and faded along with Nevada's Comstock lode; the tragic Donner Party; and the brave wagon train scouts—John C. Fremont and Kit Carson.

The California Trail represents one of the great dramas in all of human history. This great highway helped settle our Nation. It linked the Atlantic and Pacific coasts in ways never imagined by our Colonial Founders. The bill I am introducing will help all Americans remember the exploration, wealth, hardships, and golden chance to build a new life in a new land. That is the legacy of the California Trail. It is worth preserving.

The completion of the transcontinental railroad in 1869 ushered in the most remarkable age of development in our Nation's history. It should be remembered, however, that the transcontinental railroad followed many of the trails blazed years before by the Pony Express and wagon trains on the California Trail. Many lives were lost on those trails that we speed over today so effortlessly by train and automobile.

The time has come to honor these pioneer heroes and acknowledge the national historical importance of the Pony Express Trail.

Mr. President, this bill reflects the congressional spirit and intent of the National Trails System Act. It promotes the recognition, protection and interpretation of our pioneer history. It would cause a comprehensive management plan to be prepared for each trail. A plan that would define the roles of Federal, State, and local agencies and private citizens. A plan that would define the specific management actions for each trail. Management actions that would include, among others: Consistent marking along each trail to make it easier for visitors to find and retrace our pioneer footsteps—literally bringing history back to life again. It would also include informative brochures, expanded research and visitor facilities to increase our knowledge of pioneer life, and needed protection for at risk sections of the trail. Access to portions of trail on non-Fed-

eral lands would be improved through the use of negotiated agreement, without raising Federal costs and displacing private landowners.

By introducing this legislation today, I intend to repay our debt to the early western pioneers, those gallant pony men and their courageous benefactors, and recognize the significance of this historical episode in our country's western expansion.

I urge my colleagues to support swift passage of this legislation.

By Mr. SIMON:

S. 802. A bill to amend title VII of the Public Health Service Act to prohibit discrimination against international medical graduates, to provide for the establishment of a National Repository of Physician Records, and for other purposes; to the Committee on Labor and Human Resources.

INTERNATIONAL MEDICAL GRADUATES ANTI-DISCRIMINATION ACT

● Mr. SIMON. Mr. President, I am introducing today, along with my distinguished colleague, Mr. LIEBERMAN, a comprehensive bill to end the discrimination that international medical graduates [IMG's] experience in medical licensure. This legislation will eliminate the differences in medical licensure requirements between internationally trained and domestically trained medical graduates and will enable the Federal Government to oversee the creation and operation of a national repository of medical credentials. It will not lower the standards of medical practice in any State. Nor will it in any way reduce the authority of any State to set and uphold standards for practice in a State.

This legislation is a response to the May 1990 General Accounting Office report entitled "Medical Licensing by Endorsement: Requirements Differ for Graduates of Foreign and U.S. Medical Schools" and to a hearing held by the Senate Labor and Human Resources Committee on July 26, 1990, on licensing requirements of international medical graduates.

The 123,000 of our Nation's 569,000 physicians are international medical graduates. IMG's represent 20 percent of medical school faculties and 25 percent of medical researchers. Eighteen international medical graduates have been awarded the Nobel Prize in medicine. International medical graduates practice in under-served areas, remote rural areas, overcrowded urban hospitals, and the back wards of State mental hospitals. Although we rely on international medical graduates to provide needed care in these areas, we must recognize that we have maintained a double standard in evaluating their competence. We have failed to provide them with equal opportunity to practice medicine in our society.

Despite studies that have demonstrated that IMG's are comparable in

medical knowledge and clinical skills to their domestically trained counterparts, and despite significant contributions to medical care in this country, they are subjected to a two-tiered system of medical licensure that often prevents them from practicing in a particular State. The additional hoops that IMG's must pass through in order to receive their license is nothing less than a vehicle for discrimination.

The hearing held by the Labor and Human Resources Committee clearly demonstrated that incidents of disparate treatment between U.S. and international medical graduates is not a rarity. Overt discrimination ranges from overly burdensome requirements that are routinely placed on IMG's for initial licensure and for licensure by endorsement in another State to outright refusal to accept IMG's into residency programs and jobs regardless of the nature of training and competence. Document retrieval is often nearly impossible for IMG's and extensive delays or minimal notice of opportunity for a hearing by a State board are not uncommon. Covert discrimination is demonstrated through decisions involving employment and promotion opportunities, access to hospital privileges and peer reviews that adversely affect IMG's.

This legislation will prohibit a State, Federal agency, or private facility from subjecting an international medical graduate who has completed a residency training in the United States to any condition or requirement that materially differs from those applied to graduates of U.S. medical schools in the areas of initial licensure and licensure by endorsement. Another important component of the bill is the establishment of a national clearinghouse, or repository, for medical credentials.

The bill would mandate that the Secretary of Health and Human Services provide for the establishment of a national repository for physician credentials. However, the bill allows the Secretary to utilize an existing facility, including any private sector initiatives, to operate this. The Secretary would create an advisory council whose purpose would be to issue recommendations to establish the repository and to monitor the operation of the repository.

Medical licensure is under the jurisdiction for the States. Each State has its own licensure requirements for physicians. Because international medical schools are not accredited by the Liaison Committee for Medical Education, State licensing boards place the burden on IMG's to prove the equivalency of his or her education. The GAO report described the difficulty that IMG's have in addressing State licensing boards' inquiries regarding their schools. Often a licensed, practicing physician must provide information to a second State licensing board that has

already been provided to one State licensing board. It frequently takes much longer for a practicing IMG to process applications for licensure by endorsement than it does for U.S. medical graduates.

As part of their report, the GAO convened a roundtable discussion of groups representing organized medicine and IMG's. These groups agreed that a clearinghouse for applicants' records would streamline the process for State-to-State licensing and would limit duplicative State efforts as well as avoiding delays for practicing IMG's who seek licensure in a second State. The repository would make it easier for IMG's who seek licensure in a second State. The repository would make it easier for IMG's and, in fact, all the graduates, to verify educational training credentials.

The GAO roundtable participants agreed to address some of the key questions regarding the repository's concept and design such as which organization would be best suited for administering the clearinghouse and what types of information it would maintain. I understand that this process is underway. Both the American Medical Association and the Educational Commission for Foreign Medical Graduates already have large data banks on the backgrounds of IMG's and could house such a repository.

The AMA has already begun a National Physicians Credentials Verification service in Mississippi, Missouri, and Oklahoma. The soon to be national service will collect, verify, and maintain documents and accreditation information for physician subscribers preparing to apply for medical licensure and hospital privileges. Under AMA's system, physicians pay a fee to set up a file and hospitals pay a fee for each information request. Although the clearinghouse should be self-supporting, this bill authorizes appropriations to start the operation of the repository.

While I commend the AMA for their initiative, their program lacks a forum for IMG's to facilitate their concerns. This legislation creates an appropriate and fair forum for IMG's as well as representatives from other appropriate organizations to make recommendations to the Secretary of Health and Human Services regarding the repository.

This measure also authorizes funding for the new U.S. medical licensing exam. This single examination pathway to licensure will be administered to all medical licensure applicants and is one positive step toward ending the two-tiered system of licensure.

Finally, the bill requires the Secretary to obtain data from 10 States on the processing of applications for licensure, postgraduate training and clinical privileges. The bill would also make it unlawful for a residency training program to deny a residency posi-

tion to a qualified international medical graduate.

Although we cannot eliminate every vestige of discrimination, we can do a lot better than we are doing right now. I urge my colleagues to support this legislation.♦

By Mr. REID:

S. 803. A bill to amend the Family Violence Prevention and Services Act to provide grants to States to fund State domestic violence coalitions, and for other purposes; to the Committee on Labor and Human Resources.

GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS

Mr. REID. Mr. President, I rise to introduce an important piece of legislation, which addresses a tragedy that threatens our society in every way. This legislation is entitled the Domestic Violence Act.

During my presentation today, as brief as it will be, 16 women in our country will be battered by their husbands or companions. Every 18 seconds, a woman in the United States is battered. This adds up to 200 women battered every hour, or almost 5,000 battered every day.

Mr. President, this is a series of episodes that takes no vacations, no time off for Christmas, New Year's, Thanksgiving, Easter, and no Sundays off. These batterings go on every second. So when you hear the stories and look at the statistics, you are going to be forced to conclude that no one is safe from domestic violence. Sadly, well over 90 percent of this violence is directed toward women.

This legislation is born out of hearings I held recently in the State of Nevada. I held hearings in Las Vegas and Reno. We heard 23 witnesses. We heard the experts as to why this legislation is necessary. We heard testimony from people who had been battered. We even heard testimony, Mr. President, from batterers, who are in the process of reforming. We heard testimony from police officers, and from a wide range of people.

But the most shocking thing I heard during these hearings was the fact that one out of every five women that visit an emergency room clinic or hospital are there as a result of being beaten by her husband or her companion. One out of every five persons—20 percent of the women—that go to the emergency room is there as a result of having been beaten by her husband or companion.

The Domestic Violence Act provides Federal funds to State coalitions on domestic violence, the nonprofit agencies which coordinate the activities.

There are other contributions this legislation will make, but it is important that we talk about this, because these coalitions will utilize their funds for further intervention in the prevention of domestic violence, will work with family law judges and other

judges and other aspects of our court system to develop appropriate responses to cases, and conduct public education campaigns to inform and educate Americans about domestic violence.

The overwhelming need for this legislation is clear. Domestic violence is a misery which does not discriminate. It knows no bounds of income class, race, or religion. These women, many, many times, Mr. president, are totally helpless.

The greater Las Vegas metropolitan area, consisting of 850,000 people, has 27 beds for domestic violence cases for women that need to get away from their situation. There are 27 beds. Remember, we are talking about beds for women and children. So if a woman comes in and has three children, it is easy to understand that there are just a few women that can be helped on any one occasion. The same is true in Reno. The problem is that it is the same everywhere in the country. We simply do not have enough domestic crisis shelters to protect these battered women.

According to the Center for Women policy studies, violence against women will occur in two-thirds of all marriages. Twenty-five percent of all women will be severely beaten at some time during their marriage.

If men were the victims of this violence something would have been done a long time ago. My legislation adds to the ongoing courageous efforts of my colleague from Delaware, the chairman of the Judiciary Committee, Senator JOSEPH BIDEN, who introduced S. 15, which I gladly cosponsor. This is entitled a Violence Against Women act. Like this legislation my bill will help women who are victims of crime. Violence against women will not be tolerated in American society. Today we begin a move toward eliminating it.

I urge my colleagues to support this legislation, and I look forward to decisive action on this bill.

By Mr. AKAKA:

S. 804. A bill to establish the Spark M. Matsunaga Renewable Energy and Ocean Technology Center and make funds available to the facility for renewable energy and ocean resources research, development, and transfer; to the Committee on Energy and Natural Resources.

SPARK M. MATSUNAGA RENEWABLE ENERGY AND OCEAN TECHNOLOGY CENTER

• Mr. AKAKA. Mr. President, next week Monday, April 15, will be the first anniversary of the death of the late Senator Spark Matsunaga. Spark was a dear friend of mine, and certainly one of the most well-liked and well-respected Senators ever to walk the halls of Congress. No doubt many of you can recall a favorite story or two when you think of Sparky.

I stand before you today to mark the anniversary of Sparky's passing and to

remember his many passions—and they were many: creation of the U.S. Institute of Peace; international cooperation in space exploration and a proposed joint United States-Soviet manned mission to Mars; redress for the thousands of Japanese-Americans interned during World War II; alternative energy research; and the list goes on.

Mr. President, one of Sparky's greatest dreams was the pursuit of renewable energy. To pay his memory the highest honor, I am introducing legislation today to establish the Spark M. Matsunaga Renewable Energy and Ocean Technology Center. Spark gave so much to our country and Hawaii. My bill is a show of gratitude for his many years of service.

Senator Matsunaga was a longstanding champion and a leading advocate for research and development in the field of renewable energy. I speak of solar and wind power, ocean thermal, biomass, hydrogen, and other sources of clean and abundant energy. Sparky spent 28 years in the House and Senate tirelessly pursuing his vision of a more energy-secure America. He convinced many others that renewable energy could provide a sustained source of nonpolluting energy—kind to the environment, a boost to the economy, and a godsend to an energy-starved world.

It was no accident, Mr. President, that Sparky made renewable energy research one of his highest priorities. He realized that our home State of Hawaii, more so than any other State in the Union, was dangerously dependent on imported fossil fuels. The greatest irony, I should point out, is that Hawaii has an incredible diversity and abundance of clean sources of power: wind, solar, ocean thermal, and biomass, for starters. We simply lack the tools to tap their full potential.

The Matsunaga Renewable Energy Center, to be located at Keahole Point, HI, would serve as a national laboratory for energy research and ocean technology development. The Center would be administered through the Department of Energy to conduct research and development in solar, hydrogen, and other forms of renewable energy as well as energy storage systems. The Center would also be the site for energy-related research in such fields as marine science, aquaculture, and ocean and global climate change.

I envision the Matsunaga Center as a mecca for our Nation's leading energy researchers and scientists. This lab would coordinate the numerous disparate projects at our universities, government agencies, and the private sector. And the center could save precious years which are lost in advancing ideas from the drawing board to the marketplace. As Energy Secretary Watkins has noted, national laboratories have traditionally been home to some of the

world's brightest and most innovative scientists and engineers.

Mr. President, the recent Persian Gulf war underscores what Sparky had long been saying—that we cannot simply "stay the course." This time we were extremely lucky. But next time, Mr. President—who can predict what lies ahead?

Spark Matsunaga had the foresight to recognize the potential of renewable energy. We can turn his vision into reality by establishing the Spark Matsunaga Renewable Energy Center. There is no higher honor we can pay to our late colleague than to say, "Sparky, you were right. Let me follow in your footsteps and pick up where you left off."•

By Mr. HELMS:

S. 805. A bill to provide for regulations to require certain consumers of newsprint to use, in their commercial operations, a certain percentage of recycled newsprint; to the Committee on Environment and Public Works.

NEWSPRINT RECYCLING ACT

Mr. HELMS. Mr. President, today I introduce legislation to promote the recycling of newsprint by requiring the major newspaper publishing companies of the United States to use 40 percent recycled newsprint by the year 2000. This will save untold millions of trees and countless thousands of cubic yards of scarce landfill space.

This legislation will not apply to publishing companies using less than 1,000 tons of newsprint annually.

Mr. President, recycling is one of the simplest ways to preserve the environment. It is just common sense. Increasing recycling makes sense for several reasons:

First, landfills are rapidly reaching their capacity. A recent report estimates that 50 percent of all landfills will close within 5 years. Every year, about 9 million tons of newspaper is dumped into landfills. If the major newspapers of the United States used 40 percent recycled paper, several million cubic feet of landfill space would be saved. Obviously, existing landfills would not fill up so fast.

Second, by using more recycled paper, millions of trees will be saved. Experts tell me that about 17 trees are cut down to produce each ton of virgin newsprint. So, if the New York Times, the Washington Post, and the Nation's other big newspaper publishing companies used more recycled paper, it would spare millions of trees.

Mr. President, in 1988, newspapers in the United States consumed about 14 million tons of paper. But only 13 percent was recycled paper. Some newspapers do even less.

In my home State of North Carolina, for example, the Raleigh News and Observer uses only 3 percent recycled paper; the Greensboro News and Record uses only 10 to 12 percent; and the

Asheville Citizen uses no recycled paper at all.

The Washington Post uses only 5 percent recycled paper. The New York Times and the Boston Globe use only 8 percent each.

One would think that newspapers would be in the forefront in trying to help the environment. These big newspapers constantly publish editorials urging that our forests be protected. It's a matter of "do as I say, not as I do" insofar as these multimillion dollar publishing companies are concerned.

If the Raleigh News and Observer, the Greensboro News and Record, and the Asheville Citizen used 40 percent recycled paper, 340,000 trees a year would be saved, not to mention the landfill space. Nationwide, if newspapers had used 40 percent recycled paper in 1988, 50 million trees would have been saved.

Perhaps it is time for newspapers to practice what they preach!

Mr. President, one of the problems that recycling programs have encountered is a lack of demand for recycled paper. The market price for old newspapers has dropped as the supply has increased. Some communities with newspaper recycling programs have found it difficult to get rid of the tons of discarded newspapers.

A North Carolina county official put it this way: "It costs us 10 times more to haul those newspapers away than the revenue we get from selling them." The same is true all across the Nation.

Requiring newspapers to use 40 percent recycled paper will increase the demand for recycled paper. This in turn will restore the incentive for communities across the Nation to recycle discarded newspapers.

Mr. President, some may wonder if the paper mills will be able to produce enough recycled paper by year 2000. Well, a report by the National Solid Waste Management Association estimates that newsprint mills will add the necessary de-inking capacity. The industry plans to add 4.6 million tons of additional capacity by 1992.

The report concludes that "recycled fiber content for newsprint manufactured in North America is expected to reach 25 percent by 1995 and 40 percent by year 2000." So the capacity to produce recycled paper will be available.

Mr. President, my legislation does not require that each of the enormous rolls of paper purchased by the newspaper must contain 40 percent recycled fiber. The legislation merely requires that there be an average of 40 percent recycled fiber in all the paper purchases in a given year.

Furthermore, the legislation provides credits for newspapers using more recycled paper than the amount required by this legislation, giving newspapers an incentive to use more recycled paper. It also allows newspaper publishers to

sell the credits to newspapers that may have difficulty in meeting the 40-percent recycling requirement.

In any event, Mr. President, the bottom line is that this legislation is good for the environment—it will save trees and scarce landfill space.

By Mr. ADAMS:

S. 806. A bill to provide for the transfer of property for the Warren G. Magnuson Park in the city of Seattle, WA, and for other purposes; to the Committee on Armed Services.

WARREN G. MAGNUSON MEMORIAL PARK

Mr. ADAMS. Mr. President, Senator Warren G. Magnuson was a mentor as well as a good friend. To the people of Washington State, he left a rich legacy measured in terms of Federal projects, personal friendships, loyalties, and memories. Today, we have an opportunity to salute that legacy and further enrich the lives of Washington residents.

Along with my colleague Representative JOHN MILLER, I am introducing legislation to transfer surplus Federal property from the Puget Sound Naval Base to the adjacent Warren G. Magnuson Park. This park, which overlooks Lake Washington and provides a beautiful view of the mountains to the east, is frequented by thousands of Washington State recreationists every year. The land transfer I propose would greatly enhance recreational opportunities in the park, which already include swimming, boating, and tennis. Furthermore, this transfer shares the enthusiastic support of the city, local community groups, and the State's entire congressional delegation.

Senator Magnuson's tremendous vision and foresight first brought this park into being in the 1970's. As the late Senator's wife, Jermaine Magnuson, recently wrote, an expanded park "would be a warm and lasting tribute to the work of my late husband." I ask my fellow Senators to join me in giving the people of Washington State a living memorial to my friend and colleague, Warren G. Magnuson.

By Mr. HATCH (for himself and Mr. GARN):

S. 807. A bill to permit Mount Olivet Cemetery Association of Salt Lake City, UT, to lease a certain tract of land for a period of not more than 70 years; to the Committee on Energy and Natural Resources.

MT. OLIVET CEMETERY LEASES

Mr. HATCH. Mr. President, the legislation I am introducing today along with my Utah colleague, Senator GARN, would allow the Mt. Olivet Cemetery Association of Salt Lake City, UT, to lease a tract of land for a period of not more than 70 years. When the Mt. Olivet Cemetery Association obtained land from the Federal Government in 1909, it was with the understanding that the land would be used

only for the burial of the dead—any other use and the land would revert to the United States.

The Mt. Olivet Cemetery has provided a valuable service to the Salt Lake community since 1909 and it will continue to do so. However, it is estimated that approximately 35 acres of cemetery property will not be needed for at least 70 years. That land is now a weeded, unattractive and insect-infested vacant lot. This legislation would allow the Cemetery Association to ensure that the property is utilized in a worthwhile manner until it is needed by the cemetery.

At this time, the Cemetery Association plans to lease the land for the development of a golf teaching and practice facility which will serve the community in a number of ways. It will provide recreational opportunities for citizens of Salt Lake City while eliminating a unsightly vacant lot. The improvements that are designed to serve the golf facility in terms of irrigation systems and landscaping will, in the future, reduce the development cost to Mount Olivet and hopefully reduce the cost of interment for the citizens of this community. I believe it will turn what is now totally unproductive land into an attractive recreational amenity.

This proposal has been endorsed by Salt Lake City, Salt Lake County, the Cemetery Association, the city planning and zoning board, the Utah Golf Association, the Salt Lake City Director of Parks, and the Utah National Guard, which shares a boundary with the existing vacant lot. Public hearings have been held and no one has expressed opposition to the proposal.

I believe this legislation is non-controversial and worthwhile. Passage would enable development that would be a real asset to Salt Lake City. However, it is contingent upon receiving approval of this body and I look forward to moving it through the legislative process.

By Mr. MURKOWSKI:

S. 808. A bill to provide for the payment of claims by United States nationals against Vietnam and to terminate certain economic sanctions against Vietnam, and for other purposes; to the Committee on Foreign Relations.

TERMINATION OF CERTAIN ECONOMIC SANCTIONS AGAINST VIETNAM

Mr. MURKOWSKI. Mr. President, I rise today to introduce legislation which calls for the lifting of the United States trade embargo against Vietnam. Our policy toward Vietnam has been frozen in time since 1975, and no longer realistically reflects our ideals in the region or our goals as a superpower.

My legislation does not call for the restoration of diplomatic relations or the full normalization of relations. Now is not the time for those moves.

But my legislation would end the period of economic isolation we impose upon the people of Vietnam, and quite frankly, which we impose upon ourselves.

CONDITIONS FOR LIFTING EMBARGO

Before the trade embargo is lifted, two conditions must be met. First, the Government of Vietnam must agree to provide access to an internationally recognized humanitarian organization for the purpose of investigating unresolved POW/MIA cases. I have worked closely with several veterans' organizations on this aspect of the legislation. It is my belief that increased access can only serve to help this situation; both through an organized program and through simple presence of U.S. business and personnel.

This does not in any way change the obligation of the U.S. Government involvement in the investigation of these cases. Today I spoke with Ann Mills Griffith, of the League of Families, and assured her of this.

Second, my legislation addresses the issue of U.S. nationals' claims against the Government of Vietnam—192 such nationals had their claims adjudicated by the United States Foreign Claims Settlement Commission in 1986. These people have been waiting for 16 years to recover the assets which our Government has fully recognized are rightfully theirs.

WHY LIFT THE EMBARGO

Mr. President, one of the clearest lessons we learned from the war in the Persian Gulf was that economic sanctions can only work under the best of conditions. One nation cannot impose an embargo alone and expect it to have any influence. But this is precisely what the United States is doing in Vietnam.

The economic sanctions which the United States placed on Vietnam 16 years ago are being upheld by the United States alone. The Europeans are leading in terms of value of foreign investment and trade with Vietnam. France, Germany, Britain, and the Netherlands all have millions of dollars of investments in Vietnam, and the pace of investment is accelerating every month.

The Japanese, although they pay lip-service to our embargo, have given permission to their banks to set up branch offices in Vietnam, and several Japanese trading houses have already established offices in-country. In total, Vietnam had over \$1.4 billion in foreign investment in 1990 alone. The figures for 1991 will greatly exceed that sum.

Mr. President, Southeast Asia is widely recognized as the region of the world with the most potential for economic growth in this century. U.S. success in the region is dependent on our ability to compete with our neighbors in developing new markets. The longer the United States keeps itself out of the markets of Southeast Asia, the

more difficult it will be to gain a foothold down the line. The biggest and best contracts—in large-scale industries where the United States is very competitive, such as construction, telecommunications, and oil development—will all be given to our competitors.

Americans are extremely worried about our trade deficit; \$101 billion in 1990. While Vietnam is still a small market, it is a buying market. This underdeveloped country—one of the poorest in the world—is in need of everything. Not only is American business losing out on the initial contracts, but we are losing out on the future. Our competitors are already establishing client relationships with the Vietnamese, and they will get the next round of contracts as well, as the market becomes more developed.

PROMOTING DEMOCRACY IN AUTHORITARIAN REGIMES

Mr. President, lifting the trade embargo furthers our foreign policy goals as well as our economic interests. Current United States policy toward Vietnam does not realistically reflect our ideals as a world power. Americans shed blood in Vietnam to protect the individual's right to a representative government, basic human rights, and a free market economy. We went to contain communism.

But America did not perform well in that war and has been suffering from the defeat ever since. Our recent outstanding successes in the Persian Gulf have caused many people to claim the Vietnam war is finally behind us; that we have rid ourselves of the guilt of the Vietnam syndrome.

Mr. President, I believe Americans need to reclaim the ideals which we are willing to go to war for and apply them to our policy in Southeast Asia. We need only look at the recent examples of Eastern Europe and the People's Republic of China to learn that we have a stake in improving the lot of peoples who suffer from authoritarian rule.

In 1989, the Berlin Wall came down and Eastern Europe stood up. The cries for democracy still echo in our ears. There can be no question that a growing and relentless Western presence in the region was the influence that caused these new democracies to emerge.

In China, throughout the 1980's the open door policy brought Western ideas of democracy and enterprise to nearly every village in the country. It was the quest for freedom to speak, freedom to work, freedom to criticize that brought the students, workers, and peasants into Tiananmen Square. The tragedy that occurred in June 1989 was not failure of democracy, it was a failure of communism. There was then, and remains today, a split in the leadership in China.

Many want to reform and continue to open to Western influence. Unfortu-

nately there are also those who fear that a continued opening to the West will bring about the same fate as the dictators of Eastern Europe suffered. These hardliners would rather keep China isolated, poor, and firmly under their control.

Well, Mr. President, the situation is not so different in Vietnam today. The bankruptcy of the Soviet Union has caused them to cut off their aid and concessional trade relations with Vietnam. The failure of the traditional client-state relationship has forced many in the Vietnamese leadership to look to the benefits that can be found in ties to the West. This is particularly obvious in Vietnam's new economic reforms and foreign investment laws.

However, it is not at all clear these reform-minded leaders have the upper hand or can even remain in power. A party conference, currently scheduled for June, could see the firming up of the hardliners position, and greater isolation for Vietnam. Vietnam has made serious overtures to the United States in the past year or so, aimed at bettering relations with America.

They have withdrawn the bulk of their troops from Cambodia, they have progressed on the question of unresolved POW/MIA cases, they have even offered to reserve lucrative oil tracts for American companies. But rather than responding positively to these overtures, the United States appears to be moving back the goalposts and making further demands.

It is my fear that the more hardline element of the Vietnamese Government will point out the unresponsiveness of the United States and urge a closed door policy. We need to have the same willingness to increase and maintain ties with Vietnam, as we find necessary in our policy toward China.

Mr. President, America owes the people of Vietnam the chance to better their lives, and exposure to the freedoms that America stands for. We may not have been able to contain communism in the 1970's, but we know from the history of the past few years that we can influence it, and we can help achieve its demise.

NOT THE TIME FOR FULL NORMALIZATION

Mr. President, the legislation I am introducing today does not advocate full normalization of relations. I am in full agreement with the administration that further progress has to be made on the POW/MIA issue, and the peace process in Cambodia before it will be time for those moves.

Opening trade relations with Vietnam will not deprive the United States of leverage to work further on these issues. The Vietnamese want diplomatic relations with the United States. The Vietnamese desperately need funding from the multilateral banks, but cannot get it without support by the United States. Vietnam would like to have a bilateral trade agreement with the

United States and most-favored-nation status. All of these moves can be made over time in accordance with progress on outstanding bilateral issues.

For the present, however, the economic embargo against Vietnam is not stopping that country from attaining foreign investment. The embargo is only serving to harm U.S. economic interests in the region, and denying U.S. firms the opportunity to compete in industries in which we excel. We must do ourselves, and the people of Vietnam, no suffer from abject poverty and an oppressive regime, the favor of moving forward with this trade relationship.

In summary, Mr. President, the difference between this legislation, my position, and that of the administration is the administration continues to utilize the theory we must use Vietnam as leverage for settlement in Cambodia. I maintain that that policy has not worked in the past. It has been 15 months since we last communicated that policy and we have seen virtually no results.

The proposal we have in this legislation is access into the country to resolve the MIA/POW issue by bringing in the Red Cross. Mr. President, I think there is a reasonable chance this approach will allow a United States presence in Vietnam and, as result of that approach, we will be able to better resolve the Cambodian situation.

Mr. President, I ask unanimous consent that certain material relative to this legislation be printed in the RECORD.

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

[From the Multinational Business Development Coalition, March 1991]
TIME TO LIFT THE VIETNAM TRADE EMBARGO
SUMMARY

With the Gulf War behind us, it is time for the United States to act on some unfinished business on our foreign policy agenda by removing the decade and one-half long ban on doing business with Vietnam. Despite Secretary of State Baker's meetings with Vietnamese Foreign Minister Thach and the support of several key Republican Senators for normalizing relations with Vietnam, the Bush administration has not removed the 16-year-old U.S. embargo on trade with Vietnam. The United States has historically made peace with old enemies and has often turned a blind eye toward objectionable behavior by nations with whom we seek trade ties. But the U.S. government seems unable to bury the hatchet with Vietnam. As a consequence, the U.S. is losing substantial trade opportunities and harming prospects for diplomatic progress.

While U.S. government officials are now willing to talk to Vietnamese authorities about POW/MIA issues, as well as achieving a comprehensive Cambodian settlement, direct talks about ending the dated U.S. trade embargo have been ruled out until a comprehensive peace settlement is reached in Paris and implemented in Cambodia.

The refusal to develop commercial and political ties with Vietnam is surprising at a time that President Bush has spelled out a

vision of a new world order in which economic competition among nations replaces military contests. U.S. stubbornness is keeping American companies out of the keen foreign competition for the Vietnamese markets. The policy is particularly unfortunate in light of Vietnam's efforts to introduce market mechanisms into its economy and to open the door to foreign investment. The reform effort was buttressed this January by final enactment of a law protecting private businesses in Vietnam.

As American business leaders, the members of the Multinational Business Development Coalition are concerned that the U.S. may once again be forfeiting valuable diplomatic and economic opportunities in Asia. We therefore urge U.S. policymakers to give serious consideration to the value to the U.S. of removing the embargo now and moving toward normal relations with the people and government of Vietnam.

We see several reasons for rescinding our sixteen-year-old objections to conducting commerce with Vietnam. As businessmen, we see the U.S. once again losing promising markets to Japan, Germany and others. The best oil tracts off the shore of Vietnam have already been bid—a disturbing development at a time when the Persian Gulf has reminded us of the need to diversify our oil supplies. It is also noteworthy that Thailand and Vietnam have begun talks about joint oil and gas production from 3,600 square miles of disputed territory in the Gulf of Thailand: the U.S. embargo could prevent American firms from helping the exploration and refining efforts.

Important banking opportunities are also being lost every month. Similarly, hotels, construction and consumer goods markets are being snapped up by foreign competition because American companies are prohibited by law from bidding.

As Americans, we see a diplomatic opportunity being forfeited. Events in Eastern Europe have demonstrated that the best way to undermine Communist influence is to have an aggressive capitalist business presence. Lifting the embargo on trade with Vietnam will encourage the modest reforms already underway in Hanoi and will help to undermine the centralized Marxist-dominated economy. Maintaining the embargo could weaken reformist elements, led by Foreign Minister Thach, who so far has little to show for his efforts.

As long-time observers of Asian politics, we believe that the current punitive U.S. policy toward Vietnam is unrealistic. In the first place, economic sanctions have a mixed history at best—and clearly do not work unless all nations support them. Most of the world is ignoring the U.S. embargo. Moreover, the U.S. insistence that Vietnam deliver a solution in Cambodia before we normalize relations with Hanoi requires Vietnam to deliver diplomatic results from their sworn enemies—the Khmer Rouge and the People's Republic of China—and effectively grants Beijing and the Khmer Rouge a veto power over U.S. policy. We should promptly move forward on U.S.-Vietnam relations because it is in America's self interest. We should not hold our economic well-being hostage to developments elsewhere in the region.

For these and other reasons, we urge Washington policymakers to move forward promptly to remove the trade embargo against Vietnam and to allow American businesses the opportunity to work in that country.

BACKGROUND

The United States has maintained an embargo against trade with Vietnam for more than a decade and a half. The two principal reasons for establishing this embargo and maintaining it over this long period have been:

1. To press Hanoi for greater cooperation on POW-MIA issues.

2. To press Vietnam to withdraw its troops from Cambodia, where they had intervened against the genocidal Khmer Rouge regime.

Vietnam has now, by all accounts, met these two U.S. conditions. While cooperation on uncovering and delivering remains of Americans still leaves much to be desired, repeated visits by senior American officials with Vietnamese authorities have demonstrated substantial progress in this area. In a letter to President Bush last October, several senior Senators including Republican stalwarts Richard Lugar of Indiana and Frank Murkowski of Alaska argued that "more access to Vietnam... will help accelerate closure of the remaining unresolved POW-MIA cases."

Furthermore, Vietnam has, by all accounts, withdrawn its ground troops from Cambodia. Despite occasional claims to the contrary, there is no evidence of a substantial Vietnamese military presence in Cambodia. (Indeed, the absence of Vietnamese troops has provided an opening that the Khmer Rouge forces have effectively exploited in the field.)

While the Bush Administration responded to the improved environment by agreeing to direct talks with Vietnam for the first time since 1975, the agenda has thus far been limited to the achievement of a comprehensive Cambodian peace settlement. This is regrettable. While the situation in Cambodia remains in a state of flux, there are a number of reasons for proceeding now on U.S.-Vietnam relations. The Cambodian conflict is a generation old and any one of several parties can block peace. The value of restoring U.S. ties with Vietnam must not be tied to this other complex and highly volatile issue.

The changes in East-West relations that are occurring across the globe have brought a new dynamic to Southeast Asia. It is clear that Thailand and Vietnam will have a crucial role to play in regional economic developments and diplomacy. We do not believe the U.S. is doing all it can to influence this course of events, especially as diplomatic relations do not even exist with one of the key nations in the region, Vietnam.

In the business world there is significant and substantial interest in Vietnam. Recent polling data suggest that a number of American businesses are interested in becoming involved in this promising market. However, the stubborn retention of the U.S. embargo since 1975 has prohibited any meaningful initiatives by U.S. companies. U.S. businessmen are forced to stand by and watch foreign competitors make crucial financial inroads. It is particularly distressing to see the U.S. losing opportunities in oil and banking given the current international and domestic developments in these industries.

At the same time that U.S. business interests are locked out, important humanitarian considerations remain unresolved. The refugee problem will not be resolved until conditions in Vietnam improve: trade and aid remain critical in this respect. It is unfair to U.S. citizens of Vietnamese descent to continue the embargo past the time necessary to achieve its strategic objectives; this embargo makes it infinitely more difficult for Vietnamese-Americans to remain in contact

with and provide support for their families still in Vietnam.

BUSINESS INTERESTS

For economic as well as diplomatic reasons, the time to dismantle the trade embargo has arrived. Sanctions are a drastic measure to be used only when the party being punished is not open to other more subtle forms of influence. Yet Vietnam has withdrawn its troops from its neighboring state and has cooperated with several of the efforts undertaken to resolve the generation-long Cambodian conflict. Vietnam has taken marked steps toward liberalization, a process that has been duly noted by both the International Monetary Fund and the World Bank. Hanoi has adopted a very forward thinking foreign investment law that provides a legal framework for foreign participation in Vietnam's reconstruction. This legislation is among the most liberal and far reaching investment laws to come out of any centrally planned economy. It provides both for joint ventures and for one hundred percent foreign ownership of local property. A subsequent law sanctions private enterprise and obligates the state to protect it. In an astonishing turnaround for a socialist state, the law on private property says that "the right to ownership of the means of production . . . as well as other legitimate rights of the owner of a private business establishment are protected by the state."

The U.S.-backed sanctions against Vietnam are also being undermined because of U.S. allies' unwillingness to honor them. Before Vietnam withdrew from Cambodia, American allies grudgingly supported the embargo. But with Vietnam's withdrawal, most countries believe that Vietnam has satisfied the fundamental requirement for new trade relations. Today the hotels and business centers in Vietnam are full of foreign business representatives who are ready and willing to do business. U.S.-based companies, however, remain totally barred from this market. As a consequence, the most promising off-shore leases have already been bid by foreign companies. The best deals on hotels, the most promising opportunities for banks, real estate, and retail outlets are being forfeited to America's competitors.

Once again we risk losing a foothold in a foreign market to Japanese and European competition. Through 1990, Vietnam had already approved 207 foreign investment projects, with the total registered capital of nearly \$1.5 billion. The most significant of these are off-shore oil drilling and exploration, which include investment projects, by Shell, British Petroleum, Enterprise Oil and Total of France signing agreements and commencing work. Sixty Hong Kong firms, eighteen French firms, six British firms, twelve Australian firms, nine Thai firms, and seventeen firms from Taiwan have completed investment agreements in Vietnam.

To assess the pent-up demand for expanding into the Vietnam market, Citibank recently commissioned a survey of 162 companies involved in commerce in Asia, of which 87 were U.S. based. The remainder were mostly European and Japanese. Seventy-five percent of the companies surveyed expressed an interest in doing business with Vietnam. Forty of the companies that expressed no immediate interest indicated a long-term interest, raising the total showing to 65 percent of those sampled eager to get into the Vietnam market. Fifty-seven of the eighty-seven U.S. companies surveyed—or more than two-thirds—indicated an interest in doing business in the future. Among U.S. respondents,

the main obstacle for doing business with Vietnam was, of course, the trade embargo.

Many veteran Asia watchers believe that over the next ten years Vietnam has an even greater market potential than the People's Republic of China. With Vietnam there is promise of building a sound foundation for future business relationships if U.S. firms can get in on the ground floor. Clearly, the primary reason that American companies want to do business in Vietnam is the potential for long-term profits. However, these firms also recognize that the systematic introduction of capitalist enterprises will help achieve other U.S. goals, including the encouragement of current liberalization trends in Vietnam and the undermining of the central planning mechanism in Vietnam's turbulent market.

GEOSTRATEGIC CONSIDERATIONS

The past two years have seen an extraordinary transformation of the face of international diplomacy. The fall of the Berlin Wall and the opening up of Eastern Europe have demonstrated that persistence in pressing American ideals of free market economics and democratic pluralism is wonderfully subversive of Marxist centrally planned economies.

We should take this lesson and apply it with vigor to Vietnam, where American interests have long been frustrated. The best way to improve people-to-people relations with Vietnam and advance America's long-term interest in openness and the free-flow of goods is simply to do business with Vietnam. While Americans are fascinated by the collapse of communism in Central Europe and elsewhere, Vietnam has been forgotten. With a modest amount of courage and foresight, Americans can get in on the ground floor in the Vietnam market. A dose of Western capitalism could hasten the erosion of communist control and guard against the danger that we will lose yet another market to foreign economic competitors.

The challenge ahead for U.S. policymakers is to develop a more sophisticated approach to regional problems. As a nation of 66 million people, Vietnam occupies a strategically critical position in Asia. It is a land rich in natural and human resources. Vietnam, along with Thailand, will be a dominant player in the Southeast Asian region. Vietnam's influence will expand even further if it achieves political and economic accommodation with the ASEAN countries.

Given these considerations, it is clearly in the interest of the United States to promote peace and stability in the region by encouraging Vietnam to move toward a free market economic system and a pluralist democracy. Helping Hanoi broaden its economic relations with neighboring countries and the West will give it a stake in regional stability. At the same time, the United States should recognize that these interests are not necessarily shared by other parties in the region, specifically China, which has preferred either to dominate Vietnam or to promote division in its southwestern neighbor to prevent a stable and vigorous adversary from developing on its southern flank. Nothing in China's recent approach to the Indochina situation would contradict this view. Barring concerted international efforts to the contrary, it remains within China's power to promote division in the region. It is therefore incumbent for the United States to prevent China from retaining a veto power—as it has, in effect, in recent months in Cambodian negotiations—over U.S. restoration of relations with Vietnam. The fact is that Vietnam and the United States share a key

common goal in Cambodia: preventing the Khmer Rouge from ever returning to power.

At one time, there was merit to the argument that the trade embargo provided the U.S. useful leverage with Hanoi. We used this embargo to press for Vietnamese withdrawal from Cambodia, to press for Vietnamese assistance on POW/MIA issues, and to press for Vietnamese cooperation for settlement on Cambodia. However, it is clear that we are at a point of diminishing returns in using this club. While events in Phnom Penh remain in constant flux, it is not in Hanoi's power to singlehandedly deliver a comprehensive settlement in the decades-old Cambodian conflict.

The present U.S. posture in the region therefore retains, in its anti-Vietnam bias, little chance for future success. We are punishing ourselves if we retain the trade embargo after Vietnam has met the conditions we set for lifting it. By refusing to normalize political and economic relations with Vietnam, the United States is missing an opportunity to influence Vietnam's development in a positive way. We should instead be bullish on the American model, pushing its attractiveness with the people of Vietnam as we undertake commercial relations with them. The U.S. presence in China had a marked effect on the young people of that country both before and after the Tiananmen Square tragedy. There can be no substitute for a vigorous American presence.

Another consideration for U.S. policy should be that a failure to act now may result in much more than a lost opportunity. The debate that continues in Hanoi regarding its future economic course will not be advanced by American refusal to act. There has been progress in opening up Vietnam's economy. Yet if the United States continues to punish Vietnam by barring trade, moderates are certain to suffer in the political infighting in Vietnam. We should use the waning of Soviet influence in Vietnam as an opening, not as a justification for maintaining our self-imposed isolation from that market. The dislocation inevitable as a socialist economy undertakes early stages of economic reform will only be exacerbated by retention of the trade embargo. Access to normal trade and capital flows can be crucial in bridging this inevitable gap. As a recent Asian Development Bank report on Vietnam stated it, "Capital inflows from foreign sources will be required to ensure the sustainability of the economic liberalization program. Without external financial assistance, the adjustment costs will be much higher and could lead to pressures to abandon the reform program."

This present U.S. policy is likely to undermine economic reform in Vietnam. For some years, U.S. policy towards Vietnam has also been influenced by the ASEAN countries which have pressed Vietnam on the Cambodia issue. Laudable as this goal is, it is also important to note that key ASEAN countries in the region—including Thailand, Indonesia, Singapore and the Philippines—have substantial and growing economic business interests in Vietnam. Thailand has unabashedly taken a lead in trying to transform Indochina from a "war zone into a trade zone." Indonesia has always maintained good trade relations with Vietnam and has a number of firms actively investing in Vietnam—including Vietnam's first joint venture bank. Singapore acts as a major entrepot for goods destined for Vietnam from Korea, Taiwan and other countries. In addition, Vietnam maintains a commercial presence in Singapore. The Philippines and Malaysia are major entry points for travelers to

and from Vietnam with weekly flights between the two countries. Thus, it seems that ASEAN with more to gain from peace has arranged to pay a lower price for that peace in terms of lost business opportunities.

HUMANITARIAN CONCERNS

The harrowing exodus of Vietnamese refugees has riveted the attention of the international community for the past 15 years. The problem of illegal Mexican immigration into the U.S., while less dramatic, is similar in its fundamental cause: the lack of economic opportunity at home. The ultimate solution to the refugee problem is for Vietnam to continue what it has started: reform its economy. This will be impossible, however, unless it can participate fully in international trade and be the recipient of loans from commercial and multilateral lending agencies. Thus, by maintaining the trade embargo, the U.S. is part of the problem, not the solution.

In addition, concern should be noted for the more than 850,000 Vietnamese refugees who have made their way to the U.S. Virtually all of them have relatives remaining in Vietnam with whom they want to communicate. In most cases, the U.S. families can provide critical financial support to relatives who are living at, or just above, the subsistence level. Due to the U.S. trade embargo, communicating with family in Vietnam and providing support is a highly restricted and cumbersome process. There are no direct communications links between the U.S. and Vietnam. As a result of the embargo, U.S. citizens of Vietnamese descent are essentially cut off from their families in their homeland. Thus, humanitarian considerations are but another reason for ending the U.S. embargo on trade with Vietnam.

[From the Christian Science Monitor, Jan. 28, 1991]

JAPAN FIRMS EYE VIETNAM—BUSINESSES CONSIDER EXPANDING INVESTMENTS DESPITE UNITED STATES TRADE EMBARGO

(By Clayton Jones)

Soured of investing in China, stiff-armed by North Korea, and wary of business in Laos or Cambodia, Japanese companies are eagerly eyeing another of Asia's communist states; Vietnam.

Japanese companies have so far made limited investments in Vietnam, less than some European nations. The government here treads carefully in dealing with the old adversary of the United States by generally supporting a U.S.-led economic blockade of Vietnam.

The U.S. has done little to restrain its allies from trading with Vietnam, but strongly discourages sizable investments. A U.S. Senate resolution helped to stop plans by Honda Motors Co. in 1987 to open a motorcycle plant in Ho Chi Minh City.

But diplomatic efforts and lobbying by some U.S. companies are slowly lifting Hanoi out of isolation, leading some Japanese leaders to wonder if it is time for Tokyo to buck the blockade.

PRECEDENT SET IN CHINA

There is a precedent. Last July, Japan broke with its Western partners and normalized economic ties with China by resuming a credit program, eroding the international sanctions imposed after the 1989 Beijing massacre.

"The go-sign for Japanese corporations to invest in Vietnam will be the time when the Japanese government decides to give economic assistance," says Teizo Taya, inter-

national expert at the Daiwa Institute of Research. "That time is coming quickly."

The U.S., which gave a wink of approval to Japan's renewed embrace of China, may look less kindly on a similar Japanese move toward the hard-line Communist regime in Hanoi.

The issue of ties with Vietnam touches deep emotions in the U.S. Washington helped organize the sanctions against Vietnam after its troops invaded Cambodia in 1978 and installed a loyal Marxist regime there, and it is withholding diplomatic recognition of Hanoi until it accounts for the remains of some 1,700 U.S. soldiers believed to be missing from the Vietnam war.

But the U.S. also has encouraged Japan to assert diplomatic leadership more in Asia, and Japan has looked for opportunities to do so. Japan especially wants to use its economic power as a force to stabilize its communist neighbors.

U.S. SENDS MIXED SIGNALS

"Normalizing relations with Vietnam before the U.S. does will be the test case for Japan on whether it can be an independent player in Asia," says Osamu Nariai, researcher at the International Institute for Global Peace.

Vietnam itself, after losing much of its economic support from Moscow and former allies in East Europe, has tried to break the embargo, with only limited success. It rejects Soviet and U.S. calls for a United Nations role in managing war-torn Cambodia until elections are held.

Hanoi's chief hope is to stop the U.S. and Japan from blocking attempts by the International Monetary Fund (IMF) to provide a financial aid package to debt-ridden Hanoi. An IMF stamp of approval would help bring Western investment.

Japanese headers point to the U.S. decision last July to open direct talks with Vietnam, and to the October visit of Vietnam Foreign Minister Hnguyen Co Thach to Washington, as encouraging signs that Japan, can likewise move closer to Vietnam, and in its own way.

Mr. Thach also stopped in Tokyo after his U.S. visit, the first time that a Vietnamese foreign minister had officially visited Japan in 12 years. As one sign of a shift by Japan, Thach was promised a grant for a national television station. He stayed for six days, visited a car plant, and met with business leaders.

In anticipation of a government green light for investment, Japanese companies began to flock to Vietnam late in 1990. With a new liberal investment law, Vietnam offers the prospects of low-wage workers, a market of 67 million people for Japanese goods, and a large source of resources, such as oil and timber. In 1987, a Japanese company was first in line to buy Vietnam's first export of oil.

Two-way trade between Vietnam and Japan jumped more than 70 percent last year, according to the Japan-Vietnam Trade Association. Japan has become the leading non-Communist trading partner for Vietnam. Japanese investments, which technically violate the embargo, remain small at \$71 million. But that amount puts Japan as the fifth largest investor, with an estimated 10 to 12 percent of total foreign investment.

Some Japanese investments announced in recent months include a \$2 million soap factory, a \$300,000 glue factory, and a fertilizer plant. Showa Shell Sekiyu, a Japanese oil company, is reported to be negotiating with Vietnam to do offshore drilling. Vietnam is making plans for 15,000 Japanese tourists this year, up from 2,000 last year.

KEEPING A LOW PROFILE

Powerful Japanese trading companies, such as Mitsubishi Corp., are opening offices in Vietnam. Some have kept a low profile in Hanoi and Ho Chi Minh City for years, laying the ground for full business relations, while trying not to jeopardize their access to the U.S. market.

The Japanese press reported that Prime Minister Toshiki Kaifu was ready to announce a resumption of aid to Vietnam in an "historic" speech during a planned tour of non-Communist Southeast Asia nations in mid-January.

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[From the New York Times, Mar. 10, 1991]

GOOD MORNING, VIETNAM

It was as if two wars, not just one, ended with the American-led coalition's quick and decisive victory over Iraq. When the guns fell silent, President Bush proudly proclaimed that "The specter of Vietnam has been buried forever in the desert sands of the Arabian Peninsula."

Postwar diplomacy concerning the Middle East has already begun. But postwar diplomacy concerning Vietnam has been mired in bitterness and recriminations for 16 years. Washington can make constructive use of America's revived international pride by now moving to normalize relations with Vietnam.

Vietnam contributed to its long diplomatic isolation by sending troops into Cambodia late in 1978 and keeping them there for almost 11 years. But Washington is also to blame. The past four Administrations have refused to acknowledge the 1975 Communist triumph in Indochina as a fact of international life.

Hanoi prevailed against American power on the battlefield. Washington has punished this affront by diplomatic ostracism, even to the point of winking at a Chinese invasion of Vietnam and, until last year, aiding a Cambodian resistance coalition incorporating the genocidal Khmer Rouge.

Victory in this new war offers an opportunity to bury the bitter legacy of an old one. True, Vietnam is neither a model democracy nor a model international citizen. Its human rights performance has recently been criticized by Asia Watch and by brave voices from within. And while Hanoi has withdrawn its troops from Cambodia, it still backs hard-liners in Phnom Penh who resist implementing the United Nations peace plan.

Yet Vietnam's policies are no more offensive to Americans than those of many other states. The U.S. rightly maintains ties with Syria, even though it sponsors terrorism and occupies much of Lebanon. The U.S. deals with China despite the massacres in Tiananmen Square and Tibet, and with the Soviet Union despite the brutal crackdown in the Baltics.

Diplomatic relations give Washington the chance to raise vexing issues and exert a moderating influence. The Vietnam War ended 16 years ago. Now it has been officially buried. It's time to banish the ghost.

[From the Washington Post, Mar. 7, 1991]

THE REAL "VIETNAM SYNDROME"

(By Mary McGrory)

If President Bush would like to formalize the defeat of the "Vietnam syndrome," which he proclaimed last Friday, he could do it in a grand way by recognizing Vietnam. He could start by lifting the trade embargo that has been in effect for 15 years.

Vietnam has been on the president's mind ever since he took office. He said rather mysteriously in his Inaugural Address that "the statute of limitations has been reached on Vietnam."

What he meant, it is plainer now, was that American presidents had been limited long enough in their use of force by the country's bitter memories of high casualties, head-down homecomings and political carnage.

While the president hailed the end of the "syndrome," others, especially women, dislike to see its demise. Men love war, as Gen. Robert E. Lee remarked, and would love it more if it were not so dreadful. The Persian Gulf War, which was a piece of cake for our troops, could make war a seductive alternative to the tedious, repetitive work of diplomacy.

But if he wants us to get over it, what better way to show it than by admitting Vietnam exists. Diplomatic recognition would say plainly that we have not only forgotten ourselves but have forgiven the enemy that improbably defeated us.

Bush could do it without the slightest difficulty. A president with a 90 percent approval rating could raise taxes with hardly a murmur. And now, having shown how tough he is, Bush could show his compassionate side.

Allowing Vietnam to take its place among the many flawed nations—including, especially, some of our gulf allies—with which we habitually do business would say it has suffered enough.

There would be no serious resistance from the country. A Time magazine poll taken last November shows that 48 percent can handle recognition. The preliminary step of ending the trade embargo wins by better than 2 to 1, 69.5 percent to 30.5 percent.

It isn't just crazy leftovers from the 60s who favor a resumption of normal trade relations—and a competitive bid against the Japanese, Australian and European businessmen who are flocking to the new market place. Sen. Richard G. Lugar, a moderate Republican from Indiana, wrote the president a letter last October saying "the time has come," arguing among other considerations that "added U.S. presence and increased commercial contacts will contribute to an improvement in human rights practices and a lessening of the repressive political ethics that still exists in the country." He had seven cosponsors.

The U.S. Chamber of Commerce is representing 35 to 40 American corporations that want to get into business. Several oil companies are among those pressing the State Department to loosen up before all the goodies are gone. Mark Van Fleet of the chamber says Foggy Bottom tells his clients that Vietnam has not joined in the "comprehensive" Cambodia peace settlement proposed by the United States and several other countries, and that insufficient progress has been made on the perennial problem of the MIAs.

The fact is that there is always an alibi for maintaining the silly status quo. The real reason is that the Vietnamese beat us—and some Americans, unfortunately several of them in Bush's inner circle, can never forget it. The real Vietnam syndrome is particularly virulent in such Kissinger alumni as Brent Scowcroft and Lawrence Eagleburger, and Karl Jackson of the National Security Council staff, who is held responsible for the hard line on Cambodia.

There is also some resistance from older Vietnamese immigrants, who maintain a powerful hostility against the government of

Vietnam, which has liberalized economically but not politically. Even so, it is hardly less democratic than Kuwait, the country we have recently liberated at such cost.

Others who might feel compelled to object are the old-line veterans organizations, the American Legion and the VFW. But it is difficult to think of veterans mounting any serious or sustained criticism against George Bush, who is being hailed by his countrymen as a combination of Henry V and Tallestrand.

Sen. Bob Kerrey (D-Nebr.), who lost a leg in Vietnam and won the Medal of Honor, is one of those who is not sure that the passing of the syndrome is an unmitigated good for the nation's soul. And he's not sure that Vietnam veterans feel all that healed by the triumph in the gulf. They might feel a pang when they see the elaborate homecoming parades for the veterans of the 42-day war against an evaporating enemy. The Vietnam vets came home to cold stares, organized their own memorial and finally, to dedicate it, held their own homecoming parade, a shattering affair that began with a file of wheelchairs pushed by men in tattered uniforms.

[From the San Francisco Chronicle, Mar. 6, 1991]

TIME IS RIGHT FOR NORMALIZING RELATIONS WITH VIETNAM (By Casimir A. Yost)

Vietnam still remains on the American national consciousness more than 15 years after the fall of Saigon. Throughout the gulf crisis, American leaders have expressed determination not to repeat the "mistakes" of the Vietnam War.

Symptomatic of our inability to come to grips with our bitter experience in Southeast Asia is the fact that to this day we do not have diplomatic relations with Vietnam. Indeed, we still maintain an economic embargo on that country.

As former U.S. Senator Dick Clark noted at an American-Vietnamese dialogue convened last month by the Aspen Institute, "We are no longer enemies but we do not have a 'normal' relationship."

The Aspen conference brought together a group of Americans, including members of Congress, journalists and academics with a counterpart group of Vietnamese government and nongovernment participants for four days of meetings in Jamaica.

This was the second such exchange organized by Aspen and, like the first, it was designed to explore, informally and off the record, barriers to normalization of relations between our two countries. Normalization, at a minimum, would entail our lifting the economic embargo on Vietnam and setting up formal diplomatic relations between Washington and Hanoi.

The United States sought to normalize relations with Vietnam in 1977, but Vietnamese demands for war reparations doomed this effort. And Vietnam's invasion of Cambodia in December 1976 pushed the normalization issue to the U.S. back burner.

The regional context today for possible normalization is very different than a decade ago. Vietnam has withdrawn its troops, if not all its advisers, from Cambodia. The Soviet Union is drastically reducing its aid to Vietnam and Cambodia and is participating in the efforts of the five permanent members of the United Nations Security Council to find a negotiated settlement in Cambodia between the four warring factions.

China no longer feels threatened from the North by the Soviet Union nor from the South by Vietnam. Vietnam's neighbors feel

less fearful of Hanoi, and, indeed are expanding trade ties with that country despite the embargo.

Vietnam now wants to normalize relations with the United States in order to have the economic embargo lifted and to diversify or balance its big power relationships. Finally, the United States has a lessened strategic interest in the region given the declining Soviet role in Southeast Asia.

VIETNAM'S PLIGHT

Vietnamese participants in the Aspen conference were forthright in describing the current economic plight faced by Vietnam. With a population of 65 million and a per capita income of \$200, Vietnam is one of the poorest countries in the world. It is plagued by unemployment, inflation and corruption.

Vietnamese admit to past economic mistakes. "We believed," said one conference participant, "the bigger the projects, the sooner we would achieve socialism." Now, Vietnamese argue, "we cannot progress without competition."

In 1986 Vietnam began to move from a command economy to a market economy, from concentration on heavy industry to concentration on agricultural production and light industry. This policy of "renovation" registered considerable success.

By 1989 Vietnam was the third biggest exporter of rice in the world. But a variety of factors have stalled Vietnam's economic progress, including the U.S.-led economic embargo, severe bureaucratic impediments, a socialist mindset, inferior infrastructure and dwindling East bloc support.

Vietnamese are aware of the political "risks" of trying to move from a command to a market economy. They are also mindful of the democratizing forces loose around the world. Vietnam is challenged by political upheavals in other Leninist societies.

Vietnamese participants in the Aspen conference argued that political change is coming to Vietnam. "People review and discuss policies," said one. "This would not have happened before." Another said that party control "does not mean that the party can do whatever it wants. This is the lesson of * * *

The Vietnamese were not explicit on their leadership succession problems but were adamant in saying that Vietnam had no intention of becoming a multi-party state. They noted the attractions of Singapore's system of authoritarian rule combined with economic openness.

The Vietnamese expressed puzzlement and frustration at the fact that the great powers that had once paid attention to them now appeared disinterested. They are worried by waning Soviet support and suspicious of rising Chinese interest in improved relations. They are convinced that our policy in the region is a function of our China interests.

One Vietnamese asked if "the United States believes that Vietnam should be kept under wraps." Vietnamese participants argued, repeatedly, that normalization is in U.S. interests because Vietnam had economic opportunities that would disappear as other countries took advantage of the Vietnamese market.

* * * * *
Vietnam, in short, faces tough choices; how far to go in economic reform, what degree of political liberalization to accommodate at home, how to balance competing interests in Cambodia, and what level of relations to press for with the major powers—China, the U.S.S.R. and the United States.

DEALING WITH THE PAST

A conference such as this brings out the diversity of views in the American body politic. Clearly some American businessmen want to put the past behind us. Some academics argue that the Vietnamese military withdrawal from Cambodia merits lifting our economic embargo. Some journalists point to the risks of a U.S. policy that countenances a role for the Khmer Rouge, whose murderous regime once ran Cambodia, in the peace process. Others argue that we should support the Vietnamese-backed government in Phnom Penh.

* * * * *

It is U.S. policy to seek a Cambodia settlement and resolution of the POW/MIA issue prior to normalization. Assistant Secretary of State Richard Solomon has said, "This is a process we see moving in stages," with normalization hinging on these two issues.

Our policy toward the region has shifted in the last few months. In July, 1990, Secretary of State James Baker announced that the United States would talk directly with Hanoi to reach a Cambodian settlement and would no longer support the three party coalition, including the Khmer Rouge, in the United Nations. He has since met with Vietnamese Foreign Minister Thach in New York and Washington.

The five permanent members of the United Nations' Security Council announced on August 28, 1990, their detailed plan for a Cambodian settlement. It was subsequently endorsed by the four Cambodian parties.

This framework for a peace process would have the United Nations play a substantial role in organizing Cambodian elections, monitoring a Cambodian cease fire, and running certain governmental institutions in the period prior to elections. It calls for the creation of an interim Cambodian authority, the "Supreme National Council." While the major parties to the conflict—the four Cambodian factions, Vietnam, and China—have accepted the so-called Perm Five framework, the devil is in the details.

Outstanding issues include the pace and scope of demobilization and positioning of Cambodian forces, who will control weapons, who will hold Cambodian sovereignty, and the precise powers of the United Nations in the pre-election period.

Vietnam and the Phnom Penh government are concerned about ceding too much authority to the United Nations and giving too great an advantage to the Khmer Rouge. They are afraid that the Khmer Rouge will return to power under the cover of elections. They have pressed for some reference to past genocidal practices.

The Vietnamese claim that there are limits as to the pressure they can put on their Cambodian friends. In the words of one, "the pepper is very tiny but very hot." The Chinese continue to demand a role for their clients, the Khmer Rouge, in the process.

The United States believes the Perm Five process provides the best possible avenue to a peaceful resolution of the conflict. We believe that any solution ultimately must have the concurrence of China and Vietnam.

We believe that we must work with China, and that our leverage is limited. We claim we will recognize if Vietnam is acting in good faith and the peace process still fails. Its success is far from assured.

Meanwhile, the POW/MIA issue continues to be another barrier to normalization. We are convinced that the Vietnamese have more to give on this issue. Indeed, a recent Library of Congress study states, "The evidence is overwhelming that the Vietnamese

are holding the remains of perhaps as many as several hundred Americans."

Some Americans argue that live POW's remain in Vietnamese hands while others maintain that the Vietnamese are bargaining with American remains. Still others maintain that we are asking of the Vietnamese far more by way of accounting than we sought after any other war. The bottom line is that the United States is not yet satisfied that Vietnam has done its best on this issue.

Normalization of U.S.-Vietnamese relations remains an elusive goal tied to what happens on the POW/MIA issue and in Cambodia. The former is entirely resolvable by the Vietnamese.

However, a positive outcome in Cambodia requires the cooperative action of a number of countries and Cambodian factions. This cooperation appears increasingly problematic. There is a real risk that the Khmer Rouge will continue to gain strength with Chinese and other support.

The day may not be too distant when we will want to abandon the linkage of a Cambodian settlement to normalization of U.S./Vietnamese relations.

We may come to see normalization between Hanoi and Washington as part of a larger, necessary response to a growing Khmer Rouge threat in Cambodia as well as a way to promote our larger interests in the region.

[From the Atlantic, March 1991]

VIETNAM: SHUT OUT
(By James Fallows)

[The U.S. embargo on Vietnam does not prevent other countries from doing business there, but it does prevent the country from rebuilding itself.]

The U.S. attempt to starve Vietnam out, through a political and economic embargo, is senseless. Most Americans are not even aware that such a campaign is under way. After all, within the past year the U.S. government has re-approved most-favored-nation trade status for China, prepared to donate food to the Soviet Union, found a way to coexist with the brutal new SLORC regime in Burma, and applied a forgive-and-forget economic policy to most nations other than Iraq. But in Vietnam the U.S. embargo remains the central fact of economic life. It makes existence undeservingly miserable for many millions of people, while doing no visible good for anyone—except, perhaps, for businessmen in Taiwan, Singapore, Australia, and Japan.

What the Vietnamese refer to as "the embargo" is really two policies. One is the U.S. government's attempt to prevent Americans from buying from, selling to, investing in, or otherwise having anything to do with Vietnam. Under prevailing Supreme Court rulings the government cannot prevent Americans from traveling to Vietnam, but it gums up other dealings with impediments large and small. AT&T and the other American phone companies will not place a call from the United States to Vietnam. (If you want to send a fax to a university or a government office in Vietnam, you send it instead to someone in Bangkok—or, for that matter, Toronto—and ask to have it passed on. The people most harshly affected by the phone ban are, of course, the million or so Vietnamese-Americans, many of whom have relatives in Vietnam.) Last year several thousand U.S. citizens, most of them Vietnamese-Americans or U.S. military veterans, traveled to Vietnam—but the Lindblad travel agency, in Connecticut, lost more than \$500,000 in fines and legal fees for daring to

organize such tours and subsequently declared bankruptcy. Tours are legally and profitably organized by several big agencies in Bangkok. Air Vietnam, which has a monopoly on flights within the country, carries passengers on a fleet of dirty and decrepit Soviet planes. Yet when the airline was angling last year to buy an Airbus from Europe, the U.S. government discouraged the sale, because the plane's engines are made by General Electric. Hotels and government shops in Ho Chi Minh City, the former Saigon, have bright new signs saying that Visa cards are accepted—but not if you are a U.S. citizen, or if the card was issued in the United States, or if it drawn on an American bank. In those circumstances the Vietnamese won't take the card, because U.S. Treasury Department regulations forbid the banks to pay. The U.S. dollar is in practice the legal tender of Vietnam. Trade contracts are denominated in dollars; hotel and restaurant prices are set in dollars; visitors from Japan, Italy, and even the Soviet Union must carry around wads of U.S. currency with which to settle their bills. Yet under the charmingly named Trading With the Enemy Act, the U.S. government behaves as if every one of those dollars were there illegitimately. The United States was intimately involved with Vietnam for more than a decade. Now Vietnam is one of only a handful of countries with which the United States attempts to prevent all diplomatic and economic interaction.

The second part of the embargo policy consists of U.S. pressure on the World Bank, the Asian Development Bank, and the International Monetary Fund to keep them, too, from dealing normally with Vietnam. Although the United States is the single biggest force in each of these organizations, on its own it cannot dictate their policies. But the Japanese representatives, who make up the second-largest voting bloc, have lined up behind the United States on this issue, and together the two countries have stonily kept most international organizations out of Vietnam. The United Nations operates a few small development-aid programs and an extensive refugee-processing system within Vietnam, but in general Vietnam must exist outside the network of loans, international credits, financial restructuring plans, and so forth that countries from Ghana to Peru to Bangladesh can participate in. (Technically, the IMF excludes Vietnam not because of the embargo but because Vietnam hasn't paid off some \$140 million in old debts. Vietnam is hardly the only Third World country in arrears. Its problem could be cleared up with bridge loans, as has been done in many other countries, if Japanese and American banks could get involved.) Apart from the Soviet Union—which has for the past decade subsidized Vietnam's economy, received tens of thousands of Vietnamese guest workers, and provided cutrate shipments of fertilizer and oil—Sweden and Finland are the only nations that have given Vietnam substantial amounts of foreign aid.

Of the two components of the embargo, the pressure on international organizations is the more important. Vietnam has what is politely referred to as an "infrastructure problem." The roads, the telephones, the electrical-power network, and the water and sewage systems are terrible or nonexistent. I asked Vo Vai Luoc, of the Institute for World Economy, in Hanoi, "Which problem is the most urgent? Transportation? Communications? Power?" He answered, "Yes"—and not because he misunderstood me. The amount of money needed to create a telephone system for 65 million people, rebuild

roads not maintained for twenty years, and renovate antique seaports and airports is more than any private investor will put up. Since the end of the Second World War mammoth infrastructure projects in many parts of the world have typically been sponsored by the World Bank or other international lending organizations; this is how Japan built its Bullet Train system in the 1960s. Other countries throughout Asia draw constantly on World Bank and Asian Development Bank advice and loans. Vietnam cannot, because the United States says no. Thailand, Cambodia, Laos, and Vietnam are inclining toward cooperation on several Mekong River projects, to cope with the environmental ruin of the Southeast Asian forests. The Mekong committee's office in Hanoi has a thick folder of requests for funding: so much to monitor water quality, so much to restock fish, so much to offset the intrusion of salt water into the Mekong Delta region. None of this can go anywhere so long as Vietnam is classified as a pariah.

Americans might say that they just don't feel like subsidizing the reconstruction of Vietnam. The U.S. government's policy goes further than that: it is an attempt to keep Vietnam from rebuilding itself. Vietnam's population is very young, and most people can barely remember when U.S. troops were in their country. It is hard to see how today's Vietnamese children bear responsibility for the wounds the United States suffered during those years. Yet policies left over from the bitter 1960s and 1970s help keep them poor.

What is the point of it all—the small-minded restrictions on Americans and the serious limitations on Vietnam? There are two ways of judging America's policy: on the basis of what it's supposed to do, and on the effect that it actually has.

The stated rationale for the embargo has shifted over the years. The Trading With the Enemy Act, enacted in 1917 as an anti-German tool, was applied to North Vietnam in 1964, when that country was in fact the military enemy. The law was extended to the country as a whole after the North Vietnamese conquest of the South (or, to put it in the terms that are officially used in Vietnam these days, after the "Liberation" that eliminated the "puppet forces"), in 1975. Since 1979, when the Vietnamese completed their invasion of Cambodia, drove out Pol Pot's Khmer Rouge regime, and established their own dependent government, U.S. policy has been tied to events in Cambodia. For ten years the United States insisted that Vietnam withdraw its occupying forces. In the opinion of most foreign governments, Vietnam did exactly that late in 1989—as Secretary of State James Baker officially acknowledged last summer. Baker acknowledged the withdrawal, however, less as an occasion for U.S.-Vietnamese rapprochement than as evidence that the hard-line policy was working; because of American implacability, the Vietnamese had finally given in.

The negotiations over Cambodia's future are of hopeless, Middle East-like complexity. The essential point is that the United States is ostracizing Vietnam for the sake of a bargaining position—not because Vietnam has outraged international standards of decency. Vietnam did invade Cambodia, and does continue to prop up and manipulate the People's Republic of Kampuchea (PRK), the nominal government of Cambodia. But China continues to prop up the Khmer Rouge, which is still directed by the same people who wrought genocide in the 1970s, and which continues to take over Cambodian territory

with Chinese guns and supplies. If the United States felt inclined to get moralistic (again) about Southeast Asia, the most appropriate target for its wrath would be not Vietnam but China, without whose sustenance the Khmer Rouge could not survive. But the Bush Administration seems to act on the assumption that ancient, mighty China cannot be swayed by outside pressure. Therefore the United States continues to squeeze Vietnam.

In a way the years of squeezing have paid off. Vietnam has grown weary enough of its exile that it has compromised on some points, especially by withdrawing its troops. But its officials have consistently made clear that they can never, ever countenance the return of the Khmer Rouge. This is not so much because they are squeamish about what might happen inside Cambodia as because when the Khmer Rouge was in power, its army kept attacking villages in Vietnam. As best I could judge from two weeks of interviews with officials in Vietnam, the emotional and logical content of their position is comparable to what Soviet leaders would now feel if Hitler were still alive and had a panzer force threatening to take control of Poland. Officially, the U.S. policy, too, is designed to keep out the Khmer Rouge. But until the Vietnamese are sure that some other, still unspecified arrangement will provide sure protection against the Khmer Rouge, they will stick with their pet PRK.

The strongest argument for continuing the embargo is that some agreement among the many squabbling Cambodian factions has seemed through the past year to be in sight. Why relax the pressure on the Vietnamese as the Soviet Union cuts back on its subsidies? But Americans could just as easily argue that now is the time to reward Vietnam for the steps it has taken, and to encourage it to take more. This is exactly the logic we have applied to China and the Soviet Union within the past year. Nguyen Co Thach, the Vietnamese Foreign Minister, is known to have argued internally that Vietnam would be rewarded for withdrawing from Cambodia and undertaking its ambitious doi moi program of economic liberalization. As long as the embargo continues, he is proved wrong.

There is, of course, a reason why Vietnam seems less lovable and forgivable than the Soviet Union of Gorbachev's reformers or the China of the Tiananmen Square demonstrators. Although U.S. policy does not explicitly link the embargo to the MIA issue, the suspicion that the Vietnamese are still locking up American prisoners, or hoarding their bones, generates considerable ill will. The Vietnamese government has not exactly helped its own cause by doling out remains two or three at a time and seeming to treat the bodies as useful bargaining chips. In 1980 a mortician who had fled Vietnam told a congressional committee that he had seen the bones or bodies of several hundred American soldiers stored in a warehouse outside Hanoi. Although the North Vietnamese Communists seemed to understand American psychology very well during the war years, the case can be made that they barely understand the United States at all. During the Carter years the Vietnamese government queered a chance for normalization by demanding reparations; only recently has the emotional power of the MIA question sunk in. Members of the American "reconciliation team" working on the POW/MIA issue say that their Vietnamese counterparts have been more cooperative in recent months.

Even if it made sense on its own big-think strategic terms, the embargo would have a

serious practical limitation: it doesn't scare away anyone but the Americans. The embargo has succeeded in stunting and distorting the Vietnamese economy, and in keeping American businesses out of Indochina; but it is more and more obviously failing to keep out businesses from other countries, or to bring the Vietnamese government to its knees.

Although many nations condemned Vietnam's invasion of Cambodia in 1979, almost no one agrees with America's embargo anymore. All other major nations have embassies in Hanoi. None imposes Trading With the Enemy-style limits on its citizens or businesses who want to trade with Vietnam. The Japanese government, with its down-the-line support of the embargo in international organizations, illustrates how shallow the enthusiasm for the embargo is. Officially it will not let Japanese firms invest in Vietnam, to avoid offending the United States. In some cases, however, Japanese banks and corporations have channeled money through front organizations in Indonesia or Hong Kong, which then invest in Vietnam. And there is no visible restriction on Japanese trade with Vietnam. This year Japan should overtake the Soviet Union as Vietnam's leading trade partner. Japanese firms sold \$300 million to \$400 million worth of manufactured products to Vietnam last year, mainly in exchange for Vietnamese crude oil. (Although Vietnam is potentially a large oil producer, it has only a few working wells now, and virtually no refineries. Therefore it exports crude oil to Japan, in exchange for machinery, and has until recently relied on the Soviet Union for refined oil. The end of the Soviet-subsidized oil supply is the most immediately pressing economic problem.) All the vehicles on Vietnam's streets which are not Soviet-made are from Japan. All the refrigerators, TVs, and VCRs that are not Japanese are Korean. In Saigon's major hotels—the Rex, the Caravelle, the Majestic, and the Continental—blocks of rooms are on long-term lease to Japanese trading firms such as Nishio Iwai and Mitsubishi. One of the malicious delights of traveling in today's Vietnam is watching Germans, Soviets, Italians, and even incredulous Frenchmen being made to conduct their business in English. The Japanese businessmen and travelers I saw were doing their business largely in Japanese.

Most other countries don't even bother to keep up appearances. The Taiwanese, who have cultural and linguistic ties to the Chinese community in southern Vietnam, see no reason to abide by the American policy. After all, the United States does not even classify Taiwan as a real country anymore. (The United States has in Taipei not an embassy but an "American Institute." U.S. diplomats who are assigned there must temporarily resign from the foreign service.) Of the foreign firms with whom Vietnam has set up some 200 joint ventures since liberalizing its foreign-investment law three years ago, the most enthusiastic seem to be from Taiwan. One of the largest, called Pan Viet, is building new apartment blocks, producing ceramic tile and paint, running an agricultural-experiment station, and even planning to develop a suburb for foreign residents, with a golf course and an international school, to be ready for Americans when they decide to come back. Companies from France, Australia, Holland, and Italy participate in other joint ventures. In all, foreign firms have invested more than \$2.2 billion in new capital.

Australia enjoys a trade surplus with Vietnam, importing fish and grains and having

sold, among other things, three large satellite dishes to handle international phone calls. ("Now I can call Paris and Bangkok," an official of the Ministry of Commerce told me in Hanoi. "The problem is calling Hanoi.") There are huge billboards from the Korean corporate giants Daewoo and Samsung near the entrances of the airports in Hanoi and Ho Chi Minh City. During my stay I met technicians from Ireland working on the telephone system, a pharmaceutical salesman from Italy, a handicrafts dealer from Holland, and a French engineer working on Vietnam's offshore oil fields. The manager of a Vietnamese shipping line gulelessly explained to me how Vietnamese handicrafts reach customers in America: first the ship goes to Vancouver, then all the documents are changed, and then it goes on to the United States. The prize for hypocrisy regarding the embargo goes easily to Singapore. Its official policy toward Vietnam is, if anything, more ferocious than that of the United States, but most of the Coca-Cola, EverReady batteries, and other Western goods stacked in markets in virtually every Vietnamese city come through merchants in Singapore. Each week passengers fly between Ho Chi Minh City and Singapore, although the flights are not listed on any schedules. Whenever an article appears describing the commercial involvement of Singapore in Vietnam, the Singapore government declares that it is simply shocked by the news.

Vietnamese officials have recently figured out that they can play on American age-of-decline insecurity in their arguments against the embargo. Shortly before the "Liberation," Mobil discovered the sizable "White Tiger" oilfield in Vietnamese waters in the South China Sea. Last year Vietnam assigned exploration rights for several sites to companies from Canada, France, Kuwait, and elsewhere, but not to U.S. firms. Mobil and Texaco, along with Citibank, have sent exploratory missions to Vietnam. The American chambers of commerce in Bangkok and Hong Kong, representing U.S. companies operating there, last year formally recommended that the embargo be lifted, to end "the continuing loss of U.S. business opportunities in Vietnam to global competitors." Raymond Eaton, an Australian businessman based in Bangkok, has become famous locally for speeches arguing that non-U.S. companies should seize the "golden opportunity" that the embargo creates and "do your very utmost to capitalize on the total inability of American companies to compete against you." (Eaton also urges the United States to eliminate the "golden opportunity" by lifting the embargo.) The manager of a building project in Hanoi told me, "We hoped very much to use American elevator equipment in our building, but, you know . . ." Vo Dai Luoc, of the Institute for World Economy, told me, "In the past the United States spent billions of dollars to establish its influence in this part of the world. It was not possible that way, but simply by permitting business relations the United States may succeed in obtaining a role in this region."

The real reason the embargo persists, of course, is that we lost the war. That is also the reason that, although we can forgive the Soviet Union and Nicaragua, we can't forgive Vietnam—even though it is a relatively well-behaved country now, with economic-reform plans as impressive as most in Eastern Europe. Shortly before I left for Vietnam, I talked with an American politician who agreed that the embargo no longer made sense. But it might continue, out of inertia,

for a long time. "It's all up to the war heroes," he said. When politicians like the senators John McCain, Robert Kerrey, and John Kerry—men who fought and suffered in Vietnam—say it is time to forgive their former enemies, he told me, then others can safely go along. But until then, he said, it is not safe or sensible even to mention the name Vietnam.

It's natural that we would prefer never to think about Vietnam again. Being involved there did us great harm. So with a kind of unconscious spite we continue a policy that hobbles an entire nation and helps us not at all, mainly because a generation ago we came to grief there. In decency we should stop.

By Mr. MCCAIN (for himself, Mr. MACK, Mr. BURNS, Mr. COATS, Mr. LOTT, Mr. CRAIG, Mr. HATCH, Mr. KASTEN, Mr. SMITH, Mr. MCCONNELL, Mr. BOND, Mr. HELMS, Mr. GARN, Mr. SYMMS, Mr. NICKLES, and Mr. ROTHE):

S. 809. A bill to require a 60-vote supermajority in the Senate to pass any bill increasing taxes; to the Committee on Rules and Administration.

TAX FAIRNESS AND ACCOUNTABILITY ACT

• Mr. MCCAIN. Mr. President, today I'm introducing the Tax Fairness and Accountability Act of 1991. This is a simple piece of legislation—it is genuine, honest, purposeful.

Mr. President, this legislation does two important things. First, it establishes that any new tax, or increases in existing taxes, requires 60 votes of the Senate for passage. And, second, it repeals that section of last year's budget bill which required 60 percent of revenue reductions—tax cuts—while requiring only a simple majority for tax hikes. That provision of the 1990 budget bill virtually assures that the Federal tax bite will only grow, and that tax reductions like those passed in the 1980's will become near impossibilities.

It's time we, in government, regained our sense of balance and respect for our own private sector. We cannot, and must not, view the incomes of our citizens, families, and businesses solely as a source of money to satisfy the apparently insatiable Federal spending appetite.

In short, Mr. President, my bill seeks to place the health and well being of our private economy above that of government.

Mr. President, I know this legislation will be opposed by some in this body, but we must recognize that our actions here change the financial relationship that exists between government and the private sector, and are among the most fundamentally important actions we must take each year.

When Congress acts to increase revenues, we send shock waves through our entire economy. No part of the private sector is ultimately immune from an increase in government taxation.

It is our responsibility, as elected officials in the Congress of the United States, to recognize that our actions

have real, tangible consequences and that the lives of our families and citizens are impacted each time we change the financial relationship between government and the private sector.

Mr. President, that alone is reason enough to pass this legislation.

It shouldn't be impossible to raise taxes—and that is not the purpose of my bill. But, it should be difficult, and should be a matter of grave debate and deep concern to all.

It should not be what it is—business as usual. The business we should be primarily concerned about is the business of America—our families and enterprises—not the Federal Government.

Mr. President, I urge my colleagues in the Senate to join with me in this unprecedented effort to begin the long process of restoring trust and partnership with American taxpayers and our private sector by supporting this important first step. I urge all in the Senate to join me in a better understanding of where our resources come from.

I want to express my thanks and gratitude to Senators MACK, BURNS, COATS, LOTT, CRAIG, HATCH, KASTEN, SMITH, MCCONNELL, BOND, HELMS, GARN, SYMMS, and NICKLES for their co-sponsorship of this bill.

I urge all in the Senate to join us in reaffirming our respect and admiration for the principles of free enterprise that have given so much to this country.

I ask unanimous consent that the Tax Fairness and Accountability Act of 1991 be printed in the RECORD immediately following my statement.

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

S. 809

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 Tax Fairness and Accountability Act of 1991.

SEC. 2. SUPERMAJORITY REQUIREMENT IN THE SENATE.

In the Senate, any bill or amendment increasing revenue shall be considered and approved only by an affirmative vote by three-fifths of the Members of the Senate, duly chosen and sworn.

SEC. 3. AMENDMENT TO THE CONGRESSIONAL BUDGET ACT OF 1974 STRIKING 60-VOTE REQUIREMENT FOR REVENUE REDUCTION.

Section 311(a) of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following: "Notwithstanding any other provisions of this Act or any other law, a bill, resolution, or amendment that reduces revenues may be considered and approved by a simple majority of the Senate."*

• Mr. BURNS. Mr. President, I rise today to offer my support of the Tax Fairness and Control Act of 1991, introduced by my good friend from Arizona, Senator MCCAIN. I was surprised and amazed, as I am sure most of my colleagues were, to learn of this unfair

language in the Budget Enforcement Act of 1990.

The American taxpayer is being played for a fool, Mr. President. Their taxes can be raised by a simple majority, 50 votes plus 1. However, in order to lower their taxes there must be a "super" majority of 60 votes.

During the entire budget debate last year, we all heard the buzzword called fairness. Well, Mr. President, the language in the budget bill tells the working class taxpayers that the Congress is not going to play fair. We have crafted the rules to favor raising taxes to solve a budget shortfall instead of cutting taxes to stimulate growth in the economy.

The Congress is looking at the wrong end of the equation. Every American, if they were aware of the language, would be angry and upset. So I commend Senator McCAIN for introducing a bill that will require a 60-vote majority for any tax increase and a simple majority of 50 votes plus 1 for a tax cut.

Tax cuts can promote economic growth, which in turn increases Federal tax revenues. Virtually all economists now agree that we are now in a recession. Recessions inevitably cause the Federal deficit to grow because Federal revenues go down while Federal expenditures go up.

Senator McCAIN's bill places a heavier burden on the U.S. Senate to control Government spending and not allow the Senate to take the easy way out and raise taxes. This bill will prove to the American taxpayers that the Senate is serious about balancing the budget without placing further burden on the working class. This body talked a good game last year about fairness, now is the time to step up and do something responsible about it.●

● Mr. COATS. Mr. President, when I voted against the budget package last October, I did so for a number of reasons. One of the most damaging portions of the package was a renewed emphasis on the old, economically devastating tax and spend philosophy which has created a huge budget deficit at the Federal level and placed extreme restrictions on the ability for our economy to realize its full growth potential.

The American family has borne the brunt of irresponsible and excessive taxes and is suffering today as a result.

Unfortunately, the structure of the budget agreement has made it very difficult for those of us who believe the Government absorbs too great a portion of the working American's paycheck; who recognize that tax cuts stimulate economic growth and activity; who are outraged over continued excessive and wasteful Government spending, to enact responsible legislation.

We would like to see changes in our current policies. Changes that restore hard earned dollars directly to the

American family through a doubling of the personal exemption. Changes such as a cut in the capital gains tax which would reinvigorate economic activity and create new jobs. Changes which make it harder for the Federal Government to increase the tax burden on the American public.

The fact that the budget agreement has made it easier to increase taxes and harder to cut them should outrage all taxpaying Americans. While only a simple majority is needed to approve a tax increase to feed an already bloated Government and sustain programs and projects in which the Government has no business being involved, a 60-vote majority is needed to approve tax cuts. A simple majority for unfair tax increases. A super majority for fair tax cuts.

Mr. President, the U.S. Congress has the power to reverse this travesty, and I believe we have a responsibility to the American people to do so.

Senator McCAIN from Arizona has had the courage and foresight to take on this mechanism which perpetuates the abuse of government power and the siphoning off of the American paycheck.

His bill, which I proudly cosponsor, will make it easier for those of us who would like to cut taxes to do so by requiring only 51 votes for passage. It will make it more difficult for the proponents of a greater tax burden by requiring a 60-vote majority for any tax increase.

It is time to put our foot down and insist that our deficit cutting efforts are focused on reducing spending, not on increased taxes. The current emphasis of tax and spend is not in the best interests of the American public. We have no business catering to an out-of-control government and sustaining special interests when they are dragging down the American family and the American economy.

It is our duty to protect American interests and Senator McCAIN's bill is a vitally important first step in achieving that goal. I urge my colleagues to join us in this effort by cosponsoring this very critical piece of legislation. It will benefit the American people we have been elected to represent and will go far in restoring some of our credibility as a responsible body of government.

Again, I thank the Senator from Arizona for his leadership on this issue and yield back the balance of my time.●

● Mr. CRAIG. Mr. President, at this particular time of the year, we Americans are all too well aware of the size of our tax burdens. And judging by my recent calls, letters, and conversations in Idaho and across the Nation, no taxpayer wants to see that burden increased.

How, then, can this body tolerate budget procedures that actually make

it more difficult to lower taxes than it is to raise them?

The answer, of course, is: We can't.

That's why I am pleased to join Senator McCAIN today in the introduction of the Tax Fairness and Accountability Act of 1991. Those who have watched the budget battles in Congress year after year will appreciate the significance of this bill's requiring a 60-vote majority for tax increases and only a 50-vote majority for tax cuts. What's more important, even those tens of thousands of taxpayers who haven't followed annual legislative maneuvering will likely feel the significance of this reform—in their pocketbooks.

The power to tax is a dangerous tool: Used unwisely and excessively, it can destroy the very individuals, families, businesses, and Nation it is supposed to benefit. It is certainly appropriate, then, to impose one more check that will ensure such a decision is made deliberately and represents the will of a true majority of the American people.

Mr. President, this reform would not strip any constitutional taxing authority from the Congress; it just slightly raises one Senate procedural hurdle in the race to impose taxes, and slightly lowers one in the struggle to cut them. I commend my colleague from Arizona for his leadership in discovering the problem and working out a measured and appropriate response, and I hope the Senate will move swiftly to enact this reform.●

● Mr. HATCH. Mr. President, I rise today to join Senator McCAIN in urging our colleagues to support the Tax Fairness and Accountability Act of 1991.

Mr. President, this country is now experiencing a recession. Based on recent reports, the economy continued to soften in February. The civilian unemployment rate jumped from 6.2 percent in January to 6.5 percent, the highest since early 1987.

During this period of need, the ability of this legislative body to do something to help is hampered by the Budget Enforcement Act of 1990 which requires 60 votes in the Senate to pass any revenue-cutting legislation. This requirement ties the hands of Congress in doing what needs to be done—pass legislation designed to spur the economy.

This problem is made worse by the static scoring system utilized in Congress today. This method of scoring often categorizes a bill as losing revenue when, in reality, it would raise revenue through increased economic activity. For example, a commentary by Warren Brooks printed in the Washington Times on February 25, 1991, discusses the effects of the Wallop/DeLay growth package. This package will likely be scored as a revenue loser, thus requiring 60 votes to pass in the Senate. The article shows that this proposal would add 1.633 million jobs and contribute \$228 billion to the GNP

by the year 1995. In looking at the effect on revenues, however, the static method of scoring this bill shows it as a revenue loser, losing \$32 billion by the year 1995. When looking at the whole picture using a dynamic approach to scoring, this bill becomes a revenue raiser, increasing taxes. We cannot ignore the relationship this legislation will have on the dynamic market.

By reversing this bias from one which focuses on tax-raising provisions to one which emphasizes tax cuts, we are making it possible for the Senate to take an aggressive role in controlling the recession. Controlling the level of taxation is a prudent budgetary tool. Economic activity is increased under lower levels of taxation. This increases total revenue and will help us out of this recession. On the other side of the question, by making it more difficult to raise the level of taxes, we are utilizing a proven tool to combat recession.

Let us allow Congress to become a driving force in combatting the recession by taking the first step toward controlling the spiraling budget deficit and the recession. I urge my colleagues to support the Tax Fairness and Accountability Act of 1991.●

● Mr. SMITH. Mr. President, Congress raised taxes in 1982, 1983, 1985, 1987, 1989, and 1990, and the Federal deficit this year will be more than \$300 billion. Clearly, tax increases are not solving our budget problems. In fact, tax increases, combined with a lack of spending discipline, are creating our budget problems.

The Tax Fairness and Accountability Act of 1991 is a necessary step toward fiscal responsibility. Most Americans would probably prefer a 70- or 80-vote requirement for raising their taxes, but 60 is a fair number, and a number with precedent in this body.

I would like to thank my colleague from Arizona, Senator McCAIN, for spearheading this effort on behalf of the American taxpayer. Senator McCAIN has been active on the spending side of the deficit equation, with his support of enhanced rescission power and the line-item veto. This legislation will help focus attention on an equally devastating budget and economic problem—congressional addiction to raising taxes.

Mr. President, tax increases stifle economic growth. To date, congressional efforts to hold the line on taxes have failed miserably. Perhaps a 60-vote requirement will change this fact. I am proud to cosponsor the Tax Fairness and Accountability Act of 1991.●

● Mr. BOND. Mr. President, I commend Senator McCAIN for his excellent work on this bill. I am very proud to be a cosponsor of the Tax Fairness and Accountability Act of 1991 because it is time Congress gave taxpayers a break. When I first came to the Senate in 1987,

many Missourians wrote to tell me they were angry their long-term savings and investment plans had been gutted by the Tax Reform Act of 1986. Many times Congress has given business owners and individual taxpayers good investment and savings incentives only to turn around and take them away after prudent investors had made long-term plans for their futures. Incentives such as the individual retirement account and lower capital gains taxes are only two of many examples where this has happened.

Business owners and individual taxpayers in Missouri are fed up with a system which makes it all too easy for Congress to raise taxes. While a good faith effort was made last fall to raise revenue and control spending, taxpayers do not believe that any spending control occurred—just a raise in taxes. As long as it is easy to get a simple majority to raise taxes, and not make any real cuts in spending, no cuts in spending will be made. That is why we need the Tax Fairness and Accountability Act of 1991.

This bill does not make it impossible to raise taxes, but it does make it more difficult. The 60-percent majority that would be required to pass a tax increase would ensure that every possible consideration would go into any decision to ask taxpayers for more money. It makes it possible for real cuts in spending to be the first consideration in controlling the deficit and it would give the taxpayers more confidence in the economy.

There can be little doubt that confidence in the U.S. economy has eroded. We are not in a recession. Unfortunately, this lack of confidence has permeated every aspect of the U.S. economy from investment to production to spending. While most economists predict an end to the recession later this year, the Congress could easily waylay it by increasing taxes or by not cutting spending.

Some in Congress may believe that cutting spending will have too negative an impact on parts of the economy. This is not necessarily true. Certainly there would be fewer Government contracts and, perhaps, a few less benefits, but these can be offset easily by leaving more money in communities from the start. This means not raising taxes and even lowering taxes in areas that promote economic growth. To raise taxes leaves little desire to invest in the economy to balance out with private funds any cuts in Federal spending.

A start to lowering taxes and increasing savings has been made this year with the introduction of the Savings and Investment Incentive Act. The next step is to make sure that, if passed, this and future savings and investment plans of American taxpayers cannot be arbitrarily ripped away, as they were in 1986, by passing the Tax

Fairness and Accountability Act of 1991.●

By Mr. HARKIN (for himself, Mr. KENNEDY, Mr. HATFIELD, Mr. METZENBAUM, Mr. DODD, Mr. ADAMS, Mr. BURDICK, Mr. LEVIN, Mr. CONRAD, Mr. KERRY, Mr. KOHL, and Mr. SHELBY):

S. 810. A bill to improve counseling services for elementary school children; to the Committee on Labor and Human Resources.

ELEMENTARY SCHOOL COUNSELING DEMONSTRATION ACT

● Mr. HARKIN. Mr. President, I rise today to introduce S. 810, the Elementary School Counseling Demonstration Act of 1991.

This legislation, which I introduced during the 101st Congress, establishes and expands counseling programs in our elementary schools, so that we can address the special needs of young people during the most critical period of their development. Currently, only 12 States require elementary counselors in their school systems, and many of these States have mandated counselor-student ratios at the unacceptable level of one counselor for every 400 to 500 students.

This bill authorizes the Secretary of Education to provide elementary school counseling demonstration grants to local school districts at an annual level of \$5 million for the next 5 years. These grants, at a maximum of \$200,000 per year, will be available to individual schools for up to 3 years. The legislation directs the Secretary to distribute these grants equitably throughout the United States, targeting rural, urban, and suburban areas. In addition, districts applying for the grants must maintain a counselor-student ratio of no more than 1 counselor per 250 students and must involve parents, business, and community groups in developing their counseling programs.

Experts in the field recommend this counselor-student ratio for providing counselors sufficient time to more effectively serve children. This ratio allows counselors to conduct small group sessions, classroom prevention programs, and consultation with teachers, administrators, and parents.

This theory has been put to practice in Iowa and it works. In 1988, the Des Moines Public School established the Smoother Sailing Pilot Program which decreased the counselor-student ratio to the recommended level. Smoother Sailing now operates in 10 Des Moines schools and provides an enhanced elementary school counseling program for students in kindergarden through fifth grade.

Early research shows increased student achievement and self-esteem while reducing the frequency and intensity of discipline problems in the 10 schools. Smoother Sailing proved to

me how important early intervention programs are to the war on drugs. To stop the spread of drugs, we must reach our children before the drug dealers do.

This legislation is critical, for the stresses inflicted on our children today are enormous. We need to reach children who are suffering from physical abuse, those who live with a drug-addicted or alcoholic parent, and many who must contend with the aftershocks of a brutal divorce. Without school counselors available to address these issues with our children daily, these pressures culminate in disruptive behavior, academic problems, and emotional disorders.

We recently celebrated National School Counseling Week, and this event highlighted the tremendous talent and enthusiasm in the counseling community today. These professionals see themselves as prevention specialists rather than therapists. They understand that, by making contact with a child early on, these students have a better chance of developing the self-esteem and problem-solving skills that will benefit them during their teenage years.

Smoother Sailing should serve as a model program for Iowa and the rest of the Nation. The Elementary School Counseling Demonstration Act expands the principles and objectives of Smoother Sailing to the entire Nation. I believe a successful demonstration project will encourage all school districts to make elementary school counseling programs a priority. We know that investing in our young people is the key to ensuring a society of healthy and educated adults. Programs such as Head Start attest to the success of this early intervention and prevention strategy. I hope my colleagues will support this bill, so that we can help our youngsters excel during their school years and in the years beyond.●

By Mr. HOLLINGS (for himself, Mr. EXON, Mr. BRYAN, Mr. BREAUX, Mr. REID, Ms. MIKULSKI, and Mr. SIMON):

S. 811. A bill to require the Secretary of Transportation to lead and coordinate Federal efforts in the development of magnetic levitation transportation technology and foster implementation of magnetic levitation and other high-speed rail transportation systems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

HIGH-SPEED RAIL TRANSPORTATION ACT

Mr. HOLLINGS. Mr. President, in 1990, President Bush issued a national transportation policy statement prepared by Secretary Skinner and the Department of Transportation [DOT]. In announcing the policy, the President spoke of the need to find means of improving the mobility of our citizens in the future. While there has been some criticism of the administration's

policy, I certainly agree that, if we are to remain competitive as a nation, we need to do a better job of transporting people.

With this in mind, I am introducing today, with Senators EXON, BRYAN, BREAUX, REID, MIKULSKI, and SIMON, a bill that will establish a comprehensive Federal policy for the development of high-speed rail, including magnetic levitation [maglev], transportation within the United States. This bill recognizes the recent advances made by the Federal Government's national maglev initiative and seeks to augment this effort by strengthening the framework for a genuine partnership between the private and public sectors. It is directed toward research, development, and implementation of high-speed rail technology in this country, promoting the goal of a domestic high-speed rail industry, rather than simply relying on foreign technology to meet United States and world needs.

The bill I am introducing will accomplish several goals. At the outset, it provides a statutory charge for DOT to lead Federal high-speed rail efforts in cooperation with other interested Federal agencies. This builds on the principles of the High-Speed Ground Transportation Act, which, since the 1960's, has set for DOT the goal of promoting advanced methods of high-speed transportation. In the Rail Safety Improvement Act of 1988, Congress further clarified the authority of the Federal Railroad Administration [FRA] within DOT to establish safety standards for maglev and other advanced rail transportation systems.

This bill also uses the provisions of the Stevenson-Wylder Technology Innovation Act to authorize the Secretary of Transportation to enter into cooperative research and development agreements with United States companies to conduct research to overcome technical and other barriers to the development and construction of high-speed transportation systems. Under the bill, \$150 million in Federal funding is authorized, over a 5-year period, for the purposes of supporting a mandated feasibility study by DOT and providing grants for research, development, and implementation of commercial, high-speed transportation in the United States. Funding awarded for grants would be matched by the private sector as part of these research agreements. This public/private sector partnership should do much to ensure a solid commitment to the development of high-speed rail transportation.

Finally, this bill establishes within DOT, and specifically the FRA, a new Office of High-Speed Ground Transportation, headed by a Director who reports to the FRA Administrator. This office is to establish national uniform standards for both high-speed rail and maglev systems, regulate the design and construction of these systems to

ensure conformity with standards of technology, safety and environmental quality, and make annual recommendations for legislative and administrative action to facilitate these projects.

All too often in transportation, we are faced with solving immediate problems, with putting out bonfires. It is rare that we have the opportunity to look forward. High-speed rail gives us the opportunity to be farsighted, to be visionary. Yet, this technology is clearly rooted in reality and, indeed, can help us meet our pressing transportation problems.

I am pleased to report that there is growing interest in high-speed rail transportation by the private sector and government. I know others share with me an interest in examining further the potential for, and, I hope, the implementation of high-speed rail transportation in this country. The legislation that I am introducing today should do much to advance this concept and move the United States and our transportation network into the 21st century. I look forward to working with my colleagues and the administration on this proposal.

Mr. EXON. Mr. President, I am pleased to join the chairman of the Commerce, Science, and Transportation Committee, Senator HOLLINGS, as an original cosponsor in the introduction of the High-Speed Rail Transportation Act of 1991. This legislation addresses the need for cooperative research and development efforts among industry, the academic community, and government if the United States is to assert its technological prowess in the area of magnetic levitation [maglev] and other high-speed rail transportation initiatives.

As those of you familiar with this technology know, U.S. scientists pioneered maglev technology in the 1960's and 1970's. The High-Speed Ground Transportation Act was passed in 1965 with the Federal Government initially providing research and development grants. In 1975, the Federal Government pulled out of the maglev race, after which Japan and Germany became the leaders in this field. Given the increasing demands being placed on our existing transportation arteries, I am encouraged that efforts are under way through the national maglev initiative to determine the appropriate Federal role in advancing energy-efficient, high-speed technology which has the potential to supplement existing transportation modes, increase system capacity, and foster economic growth.

This bill requires the Department of Transportation to lead and coordinate Federal efforts to develop high-speed technologies and foster implementation. These efforts would be advanced by entering into cooperative research and development agreements with U.S.

companies to conduct research to overcome technical and other barriers to the development and construction of these systems. This legislation also requires the Department to study the commercial feasibility of constructing one or more high-speed transportation systems in the United States. Within 18 months of enactment, the Secretary is to submit this study to the appropriate committees of the Congress. Additionally, the bill authorizes a total of \$150 million over a 5-year period, beginning with fiscal year 1992, to support the mandated study and provide grants for the research, development, and implementation of a viable U.S. commercial high-speed rail transportation industry.

The "Statement of National Transportation Policy: Strategies for Action" released in 1990 by the administration, highlighted the need to "provide seed money for research on new transportation systems and technology, and assist in assessing their feasibility." We must take this mission seriously if we hope to assure the viability and technological competitiveness of the U.S. transportation industry.

I urge my colleagues to join me as a cosponsor of the High-Speed Rail Transportation Act of 1991.

By Mr. JEFFORDS (for himself and Mr. GRAHAM):

S. 812. A bill to amend the Federal Water Pollution Control Act; to the Committee on Environment and Public Works.

AMENDMENT TO THE FEDERAL WATER POLLUTION CONTROL ACT

Mr. JEFFORDS. Mr. President, on May 21 of last year, the Supreme Court ruled that a State does not have the right to regulate the flow of water at dams within its border. The bill I am introducing today clarifies Congress' intent that a State does have control over its own water resources. Before a hydropower dam can receive a Federal permit, the dam must first comply with the laws of the State in which it proposes to operate.

The necessity for this change in law arises from a unanimous Supreme Court decision of May 21 in California versus Federal Energy Regulatory Commission (Rock Creek). The Court founded its decision on a precedent established in First Iowa Hydro-Electric Cooperative versus Federal Power Commission 46 years ago. In view of the long period of intervening time, the Court declined to revisit the interpretation of the Federal Power Act as set forth in the First Iowa decision.

Our knowledge and understanding of the environment has changed dramatically in the last 46 years. Our increasing awareness has prompted passage of the Clean Water Act; the Clean Air Act; the Resource Conservation and Recovery Act; the Comprehensive En-

vironmental Response, Compensation, and Liability Act, and many other environmental measures. I regret that the Supreme Court was not willing to reconsider the precedent set 46 years ago given the environmental awareness that existed at that time.

Mr. President, we have too many examples of the Federal Government's inability to balance environmental concerns with other interests. Our Federal Government's record of protecting the environmental quality of its own lands is poor, and now the Court has given the Federal Government the chance to do the same to State waters.

The Federal Energy Regulatory Commission has an important and difficult regulatory task. With our present and future energy needs, it is very important that we utilize our domestic resources. FERC should be given the regulatory flexibility to review and approve, if appropriate, emerging energy technologies. I agree that FERC's review process is cumbersome, inefficient, and in need of streamlining.

I honestly question, however, whether FERC has the resources and knowledge necessary to undertake the depth of review that is required in many of these applications for small hydroelectric power plants. I have much more confidence in the ability of States to protect the integrity of streams and rivers. In the past, I have proposed delegating the licensing authority to the States. I continue to support any efforts in direction.

In the interim, however, FERC must abide by State water quality standards. Streamlining the relicensing process should not come at the expense of the environment or of States' legitimate needs. Without a regulatory foothold in the application process, the States are rendered essentially powerless.

My bill is very brief and to the point, Mr. President. This bill expands section 401 of the Clean Water Act to stipulate that a "discharge" from a hydropower project includes an activity that, while it might not introduce pollution into the waterway, might still result in water quality degradation or impairment of designated uses recognized under State law. Some courts have interpreted section 401 as applying merely to numeric standards for dissolved oxygen and bacteria in the water. Other uses, such as preservation of wildlife and recreational access, are not given equal standing. This bill gives preservation of wildlife and recreational access equal standing under the law. Numerous environmental groups support this legislation. I have heard from numerous State agencies in support of this legislation, including Alabama, Arkansas, California, Kentucky, Maine, New York, New Jersey, and Idaho.

My bill is not intended to be a hindrance to the development of hydroelectric facilities. These facilities,

however, must be built and operated in a manner that is considerate of other uses of the waterway, and States that have enacted policies to balance these competing uses should have the authority to enforce their policies.

My colleague, Senator CRAIG, has introduced legislation to clarify that it is not the intent of the Federal Power Act to pre-empt State laws. The Craig bill raises legitimate issues which I hope will be promptly and thoroughly reviewed by the Committee on Energy and Natural Resources. I look forward to working with all of my colleagues who are concerned about this issue. I would also like to thank the Energy Committee for accommodating many of my concerns thus far.

Mr. President, the Supreme Court, in its decision, invited Congress to revisit and clarify its intent on the issue of State's authority to protect their water resources. Once again, it is my personal opinion that current law already provides this authority to the States. The courts have differed, and so I propose to settle the matter through enactment of this legislation. I urge my colleagues to support this legislation.

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

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

S. 812

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1341(a)(1)) is amended by inserting immediately before the period at the end of the first sentence a comma and the following: "and, in the case of a hydroelectric project under the jurisdiction of the Federal Energy Regulatory Commission that any such activity will comply with water quality standards issued under section 303 and allow for protection, achievement, and maintenance of designated uses included in such standards".

By Mr. GRASSLEY:

S. 813. A bill to establish the Federal Interagency Advisory Council and promote the use of senior citizens in the support of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

S. 814. A bill to amend the Environmental Programs Assistance Act of 1984 to provide that for purposes of liability for damage, injury or death caused by the negligence or wrongful acts or omissions of individuals authorized by such act, the United States is liable, and for purposes of access to trade secrets and confidential business information such individuals are authorized representatives of the U.S. Environmental Protection Agency; to the Committee on Environment and Public Works.

FEDERAL SENIOR CITIZEN PERSONNEL SUPPORT COUNCIL ACT AND THE ENVIRONMENTAL PROGRAMS ASSISTANCE ACT OF 1984 AMENDMENTS

• Mr. GRASSLEY. Mr. President, today I am introducing two bills, one of which would help further the employment of older workers, and one of which would enable older workers in an existing program to fully perform the duties required by their jobs. The first bill would establish a Federal interagency council to promote, and coordinate the use of, older workers in the Federal Government. This council would be called the Federal Senior Citizen Personnel Support Council.

The second bill would clarify the Government's liability for the actions of individuals performing services for the Environmental Protection Agency [EPA] in that Agency's Senior Environmental Employment Program [SEE], and would provide those workers with the same access to proprietary information needed to do their work that regular EPA employees have. I introduced both bills last year, but too late in the session for action.

The aim of the interagency council bill is to help foster programs in Federal agencies that employ retired workers. The program established by this legislation would do this in several ways:

First, it would require the interagency council to develop, and monitor implementation of, a plan to increase the employment and utilization of senior citizens as support personnel for Federal programs, and, where feasible, for State and local government programs; to exchange information between Federal agencies with respect to increasing the utilization of senior citizens; and to recommend any legislation necessary to remove obstacles which prevent employment of senior citizens by the Federal Government.

Second, it would require each Federal agency to show, through an agency plan, to be submitted to the council, how it would achieve the goals of the plan developed by the council.

Finally, the Federal Council on Aging would periodically review the progress made by the Federal Government toward employing senior citizens as support personnel in Federal agencies. This Federal Council on Aging review would look at unintended regulatory barriers to employment of older workers, determine the adequacy of announcements of program support opportunities, and identify ways to eliminate impediments and hindrances to employment of older workers.

The inspiration for this council proposal, Mr. President, is the Senior Environmental Employment Program, known as the SEE Program, at the Environmental Protection Agency [EPA]. This program employs older workers to carry out many of the regular activities of the Agency.

This program began some years ago as a demonstration project run jointly by EPA and the Administration on Aging in the then Department of Health, Education, and Welfare. The primary purpose of this original project was to demonstrate ways in which older Americans could be effectively employed in jobs relating to the prevention, abatement, and control of environmental pollution.

Several years later, in 1984, legislation was introduced by myself and Senators Stafford, Heinz, Specter, and Pell to make the program permanent. The Environment and Public Works Committee agreed unanimously to report the legislation, it passed the Senate, and the President signed what became Public Law 98-313 on June 12, 1984.

This program has been a success, and has demonstrated conclusively that older workers can make a contribution to achievement of the Agency's objectives. EPA seeks out older Americans with appropriate skills, training, and expertise to augment its permanent headquarters staff and field staff, as well as the staff of State and local government. These workers survey waste dumps, conduct surveys of hazardous waste products, study the extent to which migrant workers are exposed to pesticides, and undertake many other tasks related to the mission of EPA.

Recently, other agencies have become interested in organizing SEE-type programs. Such a program has been created at the Federal Communications Commission, and I believe that organization of such a program is under consideration at the Occupational Safety and Health Commission.

Mr. President, I believe that this interest shown in a SEE-type program in the Federal Government outside of EPA shows that there is considerable potential for such programs throughout the executive branch and State and local government. I believe that a council, of the sort envisioned by this legislation, could greatly help foster the employment of well-qualified older workers throughout the Federal Government.

The second bill I am introducing today would clarify the Government's liability for the actions of individuals performing services for the EPA in the SEE Program. The bill would also provide the SEE Program workers the same access to proprietary information needed to do their jobs that regular EPA employees presently have.

I am introducing this legislation today because there is concern at the EPA that their SEE workers might be liable to lawsuit as a consequence of work they do on behalf of EPA. What the legislation would do is cover these SEE workers under the Federal Tort Claims Act. The workers in question work under the close, direct, supervision of career EPA officials, on projects, specified by EPA officials,

which are undertaken as part of the EPA mission.

There is also concern at the EPA that the workers in question may not have the legal authority to review, in the course of their work, materials considered to contain proprietary information. This bill would make it clear that they are empowered to review such materials. Again, it is important to stress that these workers are under the close supervision of EPA officials. Furthermore, they are mature individuals with long histories of work comparable to work they would be performing for EPA. In other words, I believe that they would be able to handle such information in a responsible way.

Mr. President, I have a statement from the EPA to the effect that neither the Department of Justice nor the Office of Management and Budget have any problem with this legislation.

I ask unanimous consent that this letter be placed in the RECORD after my remarks together with the text of the two bills.

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

S. 813

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 Senior Citizen Personnel Support Council Act of 1991".

SEC. 2. PURPOSES.

The purposes of this Act are to—

- (1) advance the development of more employment programs which utilize the talents and skills of older Americans especially those who may be subject to age discrimination in the job market;
- (2) strengthen the capacity of Federal agencies to perform legislative mandates; and
- (3) increase the opportunities for senior citizens to serve the Nation in highly specialized and technical areas where their knowledge and experience can make a meaningful difference.

SEC. 3. ESTABLISHMENT.

There is established the Federal Senior Citizen Personnel Support Council (hereafter referred to as the "Council").

SEC. 4. MEMBERSHIP OF THE COUNCIL.

(a) MEMBERSHIP.—The Council shall be composed of 7 members, including—

- (1) the Administrator of the Environmental Protection Agency;
- (2) the Commissioner of the Administration on Aging of the Department of Health and Human Services;
- (3) the Secretary of Labor; and
- (4) 4 members appointed by the President, 2 of which shall be representatives of—

- (A) national aging organizations; and
- (B) senior citizens at large.

(b) CHAIRMAN.—The Administrator of the Environmental Protection Agency shall serve as the Chairman of the Council for the initial 3-year term. Thereafter, the Council shall select a Chairman from among its members.

(c) QUORUM.—Four members of the Council shall constitute a quorum.

(d) **TERM OF OFFICE.**—Each appointed member shall be appointed for a term of 3 years. A member may serve more than 1 term.

(e) **VACANCIES.**—Any vacancies in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) **INITIAL APPOINTMENTS.**—Initial appointments to the Council shall be made within 60 days after the date of the enactment of this Act.

SEC. 5. FUNCTIONS.

(A) **FEDERAL PLAN.**—The Council shall develop and monitor the implementation of a Government-wide Federal plan to—

(1) increase the employment and utilization of senior citizens as support personnel for federally sponsored programs;

(2) provide for State and local government participation;

(3) exchange information between Federal agencies to greater utilize the skills, training, and expertise of senior citizens in such programs; and

(4) recommend any legislation necessary to remove obstacles preventing implementation of plans under this Act.

(b) **FEDERAL AGENCY PLANS.**—The Council shall review the report and plan of each Federal agency submitted under section 6.

(c) **REPORT.**—No later than January 15 of each year, the Council shall submit a report to the President and the Congress on the status of the implementation of the Federal plan developed under subsection (a) for the preceding year.

SEC. 6. FEDERAL AGENCY PLANS AND REVIEW.

(a) **FEDERAL AGENCY PLANS.**—No later than January 15 of each year, each Federal agency shall submit to the Council a plan that—

(1) applies and implements the Government-wide plan developed under section 5 to the agency;

(2) sets out the objectives of the agency in implementing such plan in the upcoming year; and

(3) measures the performance of the agency in meeting the objectives of the preceding year.

(b) Federal Departments and Agencies establishing employment programs for senior citizens shall designate such programs as Senior Employment Exchange (SEE) programs with the exception of the United States Environmental Protection Agency, which has been established as the Senior Environmental Employment (SEE) program.

(c) **REVIEW OF FEDERAL AGENCY PROGRAMS.**—No later than January 1, 1995 and every 5 years thereafter, the Director of the Federal Council on Aging shall oversee a special review by each Federal agency to determine the extent to which senior citizens are given an equal opportunity to participate as support personnel in Federal programs. The review shall examine unintended regulatory barriers, determine the adequacy of announcements of program support opportunities and identify ways for eliminating impediments and hindrances.

SEC. 7. COOPERATION WITH FEDERAL AGENCIES.

(a) **FURNISHING INFORMATION.**—Each department, agency, and instrumentality of the Federal Government is authorized and directed to furnish to the Council, upon requests made by the Chairman, such data, reports, and other information not otherwise prohibited by law as the Council determines necessary to carry out its functions.

(b) **PROVISION OF SERVICES.**—The head of each department or agency of the Federal Government is authorized to provide to the Council such services as the Council requests on such basis, reimbursable or otherwise, as

may be agreed between the department or agency and the Chairman of the Council. All such requests shall be made by the Chairman of the Council.

(c) **ENVIRONMENTAL PROTECTION AGENCY SUPPORT SERVICES.**—For the initial term of the Administrator of the Environmental Protection Agency as Chairman of the Council, the head of the Office of Senior Environmental Employment of such agency shall provide support services for the Council. Thereafter the Environmental Protection Agency, the Department of Labor, and the Administration on Aging shall provide services to the Council on a rotational basis or as otherwise agreed by such agencies in the same manner as provided for under subsection (b).

SEC. 8. ADMINISTRATIVE PROVISIONS.

(a) **TRAVEL EXPENSES.**—While away from their homes or regular places of business in the performance of service for the Council, appointed members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(b) **PERSONNEL.**—The Council may appoint and fix the compensation of personnel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at a rate not to exceed the maximum rate authorized by the General Schedule. In addition, the Council may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for the maximum rate authorized by the General Schedule.

(c) **CONSULTANTS.**—The Council is authorized to negotiate and enter into contracts with private organizations and education institutions to carry out such studies and prepare such reports as the Council determines are necessary in order to carry out its duties.

(d) **COMPENSATION.**—Individuals serving under the Senior Employment Exchange program shall be considered enrollees, entitled only to those wages and other appropriate fringe benefits as provided by statute and regulation governing such programs.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Council such sums as may be necessary to carry out the provisions of this Act.

S. 814

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 "Environmental Programs Assistance Act of 1984 Amendments of 1991".

SEC. 2. AMENDMENTS TO THE ENVIRONMENTAL PROGRAMS ASSISTANCE ACT.

Section 2 of the Environmental Programs Assistance Act of 1984 (42 U.S.C. 4368a) is amended by adding at the end thereof the following new subsections:

"(d) For purposes of liability for damage, injury or death caused by the negligence or wrongful acts or omissions of an individual whose talents are authorized to be used by this section, the United States is liable for

the damage, injury or death in accordance with the provisions of the Federal Tort Claims Act where the individual was acting in accordance with the directions of or under the supervision of an authorized Federal employee.

"(e) For purposes of access to trade secrets and confidential business information, any individual whose talents are authorized to be used by subsection (a) in connection with programs administered by the Administrator of the Environmental Protection Agency, including the Solid Waste Disposal Act (42 U.S.C. 6921(b)(3)(B)(i)(II), 6927(b), and 6991d(b)); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604 (e)(2) and (e)(7)); the Clean Water Act (33 U.S.C. 1318(b) and 1369(a)(1)); the Clean Air Act (42 U.S.C. 7414(c), 7542(b), and 7607(a)(1)); and the Public Health Service Act (42 U.S.C. 300j-4(d)); shall be considered to be an authorized representative of the Administrator and the United States and eligible for such access. Such access shall be in accordance with United States Environmental Protection Agency regulations governing disclosure of confidential information to authorized representatives.

"(f) For purposes of access to trade secrets and confidential business information, any individual whose talents are authorized to be used by subsection (a) shall, while being utilized in connection with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136h(e), 136f)(2), and 136i(a)(2)(D)); the Toxic Substances Control Act (15 U.S.C. 2613 (a)(2) and (d)(2)); the Noise Control Act (42 U.S.C. 4912(b)); or under section 408(f) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 346a(f)); be considered to be an authorized representative of the Administrator and the United States and eligible for such access."

U.S. ENVIRONMENTAL
PROTECTION AGENCY,
Washington, DC, May 29, 1990.

Hon. CHARLES E. GRASSLEY,
U.S. Senate, Washington, DC.

DEAR SENATOR GRASSLEY: This letter is to inform you that the Office of Management and Budget has advised the U.S. Environmental Protection Agency (EPA) that there is no objection to the presentation of EPA's proposal cited as the "Environmental Programs Assistance Act Amendments of 1990" to Congress from the standpoint of the Administration's program.

We appreciate your continued interest in this matter.

Sincerely yours,

CHRISTOPHER P. HOFF,
Acting Director,
Legislative Analysis Division.●

By Mr. BROWN (for himself, Mr. HATCH, and Mr. DANFORTH):

S. 815. A bill to amend the Public Health Service Act to provide for the establishment of an office of medical insurance and to establish a self-insurance fund to provide coverage for successful malpractice claims filed against health service providers utilized by community and migrant health centers, and for other purposes; to the Committee on Labor and Human Resources.

COMMUNITY AND MIGRANT HEALTH CENTERS
SELF-INSURANCE ACT

● Mr. BROWN. Mr. President, I rise today to introduce legislation to save

community and migrant health centers millions of dollars and use those savings to enhance health care services for America's poorest citizens.

This bill enjoys the support of the National Association of Community Health Centers, the Association of Maternal and Child Health Programs, and the American Association of State and Territorial Health Officers. Although the latter two organizations would not directly benefit from this legislation, they understand the need to address the issue of malpractice coverage for health professionals who serve in medically underserved areas and see this as a first step in developing a wide range of new answers to old problems.

Community and migrant health centers were created in 1966 to provide high-quality health care to patients who, due to poverty, disability, or geographic location normally received little or no health care. Today there are 540 centers across the country with nearly 2,000 clinic sites.

Given the limited funding available to community and migrant health centers, and an increasing demand nationally for their services, the time has come to reduce the burden on these centers of the excessive expense for malpractice insurance.

Health care costs now account for 11.6 percent of the gross national product, and Congress is faced with the spectre of increasing costs for publically sponsored health care. Congress must examine every Federal dollar spent in the area of health care and make certain that taxpayer dollars are used wisely.

Where Federal action is necessary, Congress should be a prudent consumer and provider of health care services and learn to efficiently and effectively finance health care for America's neediest citizens. By reviewing how we currently spend health care dollars, we can find ways to restructure our system to release moneys to address pressing national concerns, such as health care for America's poor.

The exorbitant cost of malpractice insurance has centers struggling to provide primary health care for our Nation's neediest people. According to the National Association for Community Health Centers, for every one patient they serve, four more need care. Health centers are reporting that 15-28 percent of their patients have to be placed on a waiting list due to limited financial and professional resources.

Health centers are experiencing a shortage of obstetricians/gynecologists. In fact, 30-40 percent of all centers do not have staff obstetricians/gynecologists and must contract out for these services or simply not offer prenatal care. This limitation has a tremendous effect on the 1.8 million women of childbearing ages who depend on community and migrant health cen-

ters for prenatal care and family planning services.

Who depends on these centers? Six million Americans a year receive care from community and migrant health centers. Of these 6 million patients, 4 million are minorities and 2.5 million are children. Community and migrant health centers also play a key role in delivering health care services to the homeless of our society, serving over 300,000 homeless Americans.

Community and migrant health centers are a main source of primary care for this Nation's uninsured. In a report by the National Association of Community Health Centers, they estimate that 49 percent of patients treated at these health centers are uninsured Americans. The remaining 51 percent are a mixture of Medicare and Medicaid clients, and a small number of privately insured patients.

In my home State of Colorado, 243,534 patients were treated by community and migrant health centers in 1990 at an average cost of \$206 per patient; 65 percent of the patients treated at the 14 community and migrant health centers in Colorado do not have insurance; 30 percent of all patients were children under the age of 14; 12 percent were migrant and seasonal farmworkers. In my hometown of Greeley, the Sunrise Community Health Center has had to stop seeing new patients from outside of Weld County due to limited resources.

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

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

S. 815

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 "Community and Migrant Health Centers Self-Insurance Act of 1991".

SEC. 2. ESTABLISHMENT OF OFFICE OF MEDICAL INSURANCE.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by adding at the end thereof the following new section:

"SEC. 330A. OFFICE OF MEDICAL INSURANCE.

"(a) ESTABLISHMENT.—The Secretary shall establish within the Public Health Service an Office of Medical Insurance to administer the fund established under subsection (b).

"(b) SELF-INSURANCE FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the Office of Medical Insurance Self-Insurance Fund (hereafter in this section referred to as the 'Self-Insurance Fund'), consisting of such amounts as are transferred to the Self-Insurance Fund under paragraph (2) and any interest earned on the investment of amounts in such Fund under paragraph (3)(B).

"(2) TRANSFER OF AMOUNTS.—

"(A) IN GENERAL.—The Secretary of the Treasury shall transfer to the Self-Insurance

Fund an amount equal to the sum of amounts received under subparagraph (B).

"(B) AMOUNTS.—The Secretary of Health and Human Service shall make available for transfer under subparagraph (A)—

"(1) from amounts appropriated under sections 329(h), 330(g) and 340—

"(I) \$30,000,000 for fiscal year 1992;

"(II) \$25,000,000 for each of the fiscal years 1993 and 1994; and

"(III) for each of the 1995 and subsequent fiscal years, such sums as are determined necessary by the Office of Medical Insurance, based on claims filed during each of the fiscal years 1992 through 1994, to maintain the actuarial soundness of the Self-Insurance Fund; and

"(4) such sums as are received, and not otherwise utilized for administrative purposes, by the Office of Medical Insurance from assessments made under subsection (c)(2).

"(C) TRANSFERS BASED ON ESTIMATES.—The amounts required to be transferred to the Self-Insurance Fund under subparagraph (A) shall be transferred at least quarterly from the general fund of the Treasury to the Self-Insurance Fund on the basis of estimates made by the Secretary of the Treasury. Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

"(3) INVESTMENT OF FUNDS.—

"(A) IN GENERAL.—It shall be the duty of the Secretary of the Treasury to invest such portion of the Self-Insurance Fund as is not, in the judgment of such Secretary, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired—

"(i) on original issue at the issue price; or

"(ii) by purchase of outstanding obligations at the market price.

The purposes for which obligations of the United States may be issued under chapter 31 of title 31, of the United States Code, are hereby extended to authorize the issuance at par of special obligations exclusively to the Self-Insurance Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the Public Debt, except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

"(B) SALE OF OBLIGATION.—Any obligation acquired by the Self-Insurance Fund (except special obligations issued exclusively to such Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

"(C) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Self-Insurance Fund shall be credited to and form a part of such Fund.

"(4) OBLIGATIONS FROM FUND.—

"(A) IN GENERAL.—The Secretary of Health and Human Services, acting through the Office of Medical Insurance, is authorized to obligate such sums as are available in the Self-Insurance Fund (including any amounts not obligated in previous fiscal years) to—

"(i) provide coverage for successful medical malpractice claims filed against health care providers utilized by community or migrant health centers or other centers receiving assistance under section 329, 330 or 340 or their health care providers, if such claims arise from care provided by such providers pursuant to authority granted by such health centers; and

"(ii) provide coverage for successful claims filed against the Directors or officers of community or migrant health centers, or against health care for the homeless programs, receiving assistance under section 329, 330 or 340 or their health care providers, if such claims arise from any acts, errors, or omissions of the duties of such Directors or officers;

as provided for in subsection (c)(3)

"(B) CONTINGENCY FUND.—From amounts transferred into the Self-Insurance Fund under paragraph (2)(B), the Secretary of Health and Human Services shall set aside—

"(i) \$10,000,000 in fiscal year 1992; and

"(ii) \$5,000,000 in each of the fiscal year 1993 and 1994;

to establish a contingency fund, that may be invested as provided for in paragraph (3), to be utilized only upon a determination made by such Secretary that a claim made on the Self-Insurance Fund is of a catastrophic nature.

"(6) OVERSIGHT.—

"(A) EVALUATION.—Not less than once every 2 years, the Office of Medical Insurance shall conduct a review of the Self-Insurance Fund to evaluate the actuarial health and soundness of such Fund and shall track any substantial changes in total amounts claimed against such Fund during such periods.

"(B) EXCESS FUNDS.—If the Office of Medical Insurance determines that excess monies are building up in the Self-Insurance Fund as a result of investment returns or lower than expected anticipated claims against the Fund, such Office shall direct the Secretary of the Treasury to transfer such excess from the Fund to the appropriate accounts for the funding of migrant and community health centers under section 329, 330 or 340. Notification of such transfers shall be provided by the Office to the appropriate Committees of Congress.

"(C) INSUFFICIENT FUNDS.—If the Office of Medical Insurance determines that insufficient amounts are contained in the Self-Insurance Fund, the Office shall request that the President submit a budget request, either as part of the annual budget of the United States government submitted to the Congress pursuant to section 1105 of title 31, United States Code or for a supplemental appropriation, for additional funds.

"(c) ADMINISTRATIVE PROCEDURES.—

"(1) ELIGIBILITY.—To be eligible to receive coverage from the Self-Insurance Fund under subsection (b)(4), a migrant or community health center, or health care for the homeless program, that receives assistance under section 329, 330 or 340 shall—

"(A) permit any malpractice insurance contract that such center has entered into prior to the date of enactment of this section, and that has not expired by such date, to remain in effect until its normal expiration date;

"(B) notify the Office of Medical Insurance that such center has—

"(i) elected to accept malpractice insurance coverage as provided for in this section; or

"(ii) elected to retain malpractice insurance coverage under a commercial insurance contract that is demonstrated to be less expensive to such center than participation in the Self-Insurance Fund;

"(C) agree to make contributions as provided for in paragraph (2); and

"(D) agree to comply with the claim procedures described in paragraph (3).

"(2) CENTER CONTRIBUTIONS.—The Office of Medical Insurance shall, for each fiscal year for which a migrant or community health center, or health care for the homeless program, that receives assistance under section 329, 330 or 340 elects to accept malpractice insurance coverage from the Self-Insurance Fund, assess a contribution to be paid by each such center based on a pro-rata formula developed by the Office to maintain the actuarial soundness of the Self-Insurance Fund.

"(3) CLAIM PROCEDURES.—

"(A) COVERAGE.—The Self-Insurance Fund shall provide coverage, as provided for in this section, for a court ordered settlement decision, or out of court settlement agreement, concerning a medical malpractice claim that is ordered or reached after the date of enactment of this section, without regard to the date on which such claim was originally filed.

"(B) SUBMISSION AND PAYMENT OF CLAIMS.—A court ordered settlement decision or out of court settlement agreement shall be submitted by the appropriate migrant or community health center, or health care for the homeless program, to the Office for Medical Insurance for payment from the Self-Insurance Fund not later than 30 days after such decision or agreement is ordered or reached. The Office will make payment on such claim, after determining that the center has complied with the requirements of this section, during either the second or fourth quarter of the fiscal year during which such claim for payment is made.

"(C) CLAIMS MANAGEMENT.—The Office for Medical Insurance may enter into a contract with a public or nonprofit private entity for the management of claims submitted to the Self-Insurance Fund under this section.

"(d) USE OF SAVINGS.—

"(1) MIGRANT OF COMMUNITY HEALTH CENTERS.—Section 329(d)(4)(B) or section 330(d)(4)(B) shall apply to a migrant or community health center that derives any savings as a result of participating in the Self-Insurance Fund.

"(2) HEALTH CARE FOR THE HOMELESS PROGRAMS.—The Secretary shall promulgate regulations that apply provisions similar to those referred to in paragraph (1), to savings derived, as a result of participation in the Self-Insurance Fund, by health care for the homeless programs that are funded under section 340.

"(e) ADMITTING PRIVILEGES.—It shall be unlawful for any hospital to deny admitting privileges to any physician, dentist, or other health care personnel who is employed by, or under contract to, a health center, program, or other entity receiving assistance under section 329, 330, or 340 and to whom admitting privileges are available, except that such physician, dentist, or other health care personnel shall otherwise meet the professional qualification standards established by the hospital for granting such privileges and shall agree to abide by all published bylaws,

and regulations applicable to the medical staff of such hospital.

"(f) ACTUARIAL ANALYSES.—

"(1) REQUIREMENT.—Not later than September 30, 1997, the Office of Medical Insurance shall request and enter into contracts for the conduct of three actuarial analyses concerning the performance of the Self-Insurance Fund.

"(2) TYPES.—The analyses required under paragraph (1) shall include—

"(A) an analysis to be conducted by the Health Care Financing Administration;

"(B) an analysis to be conducted by the Congressional Budget Office; and

"(C) an analysis to be conducted by an independent evaluator selected by the Office through a competitive bid process.

"(3) CONTENTS.—The analyses conducted under this subsection shall be based on the claims history of the Self-Insurance Fund for at least a 36-month period and shall contain—

"(A) recommendations on the manner in which the Fund should be managed during the 4-year period beginning with fiscal year 1997;

"(B) a description of whether the Fund contains sufficient or excessive amounts of capital; and

"(C) a description of the actions that are or may be needed to ensure that the administration and capitalization of the Fund is in compliance with this section.

"(4) DATA COLLECTION METHOD.—Not later than 1 year after the date of enactment of this section, the Office of Medical Insurance shall develop a data collection method to ensure that accurate and reliable data is collected and made available concerning the Self-Insurance Fund."

By Mr. MOYNIHAN (for himself, Mr. BROWN, Mr. PELL, Mr. HELMS, Mr. LIEBERMAN, Mr. BURNS, Mr. INOUE, Mr. SIMON, Mr. KERRY, Mr. SPECTER, Mr. WALLOP, Mr. AKAKA, Mr. BRADLEY, Mr. MCCAIN, Mr. DECONCINI, Mr. COATS, Mr. D'AMATO, Mr. DIXON, Mr. RIEGLE, and Mr. SEYMOUR):

S. 816. A bill to amend the Foreign Assistance Act of 1961 to authorize the provision of medical supplies and other humanitarian assistance to the Baltic peoples to alleviate suffering; to the Committee on Foreign Relations.

BALTIC HUMANITARIAN ASSISTANCE

● Mr. MOYNIHAN, Mr. President, I rise today to introduce legislation which would provide \$20 million in humanitarian assistance to the Baltic States.

Since the signing of the illegal protocols to the Molotov-Ribbentrop nonaggression pact of 1939 that purported to grant Moscow dominion over the Baltic States, the Baltic peoples have struggled bravely for their independence.

For 50 years, the United States has championed this independence rhetorically. But we have talked at providing material aid. In the 101st Congress I introduced legislation to provide \$10 million of medical and humanitarian assistance to Lithuania, in response to the Soviet blockade and as a concrete demonstration of support for the Lithuanian people.

After the blockade was lifted I argued that Lithuania had no reserves and that the Soviets could plunge the state into crisis in a moment's notice. That these were not appropriate circumstances for genuine negotiations. More. After a half century of providing nothing but rhetoric to support the Baltic peoples, I thought it was time to provide tangible assistance.

I believe that even more strongly now. Perhaps tangible support would have helped to deter the recent crack-down in the Baltic States. To be sure, I welcome the Bush administration's belated decision to transport donated medical assistance to the Baltic States. But this is not enough. The Congress must adopt legislation to provide the Baltic States with humanitarian assistance purchased with U.S. funds.

Mr. President, I introduce this legislation today for myself, Senator BROWN, and 17 of our colleagues. I encourage others to join us in this effort, and ask unanimous consent that the text of this measure be printed in the RECORD at this time.●

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

S. 816

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) is amended by adding at the end thereof the following new section:

"Sec. 495L. BALTIC HUMANITARIAN RELIEF.—(a) The Congress recognizes that prompt United States assistance is desirable to help alleviate suffering in the Baltic republics which has caused great suffering among the Baltic peoples, especially with regard to a severe shortage of medical supplies and the basic necessities of life.

"(b)(1) The Administrator of the Agency for International Development shall—

"(A) furnish, in accordance with the authorities of this chapter, humanitarian assistance for the relief of the Estonian, Latvian, and Lithuanian people;

"(B) solicit private sector donations of humanitarian assistance for Estonia, Latvia, and Lithuania; and

"(C) cooperate with private relief agencies attempting to provide such humanitarian aid.

"(2) The Commander-in-Chief of the United States Transportation Command is authorized to provide all airlift and sealfit necessary to transport United States public and private donations of medical supplies to the Baltic peoples on a regular basis.

"(c)(1) In addition to funds authorized to be appropriated to carry out this chapter, there are authorized to be appropriated to the President \$20,000,000 to carry out subsections (b)(1) and (b)(2).

"(2) Funds appropriated pursuant to paragraph (1) are authorized to remain available until expended.

"(3) The authority contained in the Foreign Assistance Act of 1961 to transfer funds between accounts shall not apply with respect to funds appropriated pursuant to paragraph (1).

"(d) Assistance may be provided under this section notwithstanding any other provision of law other than laws referred to in section 503(b) of the Support for East European Democracy (SEED) Act of 1989.

"(e) The Congress urges the President to begin negotiations with the nations surrounding Estonia, Latvia, and Lithuania, including the Union of Soviet Socialist Republics and Poland, regarding the importation of humanitarian assistance. Pending conclusion of these negotiations, the Administrator of the United States Agency for International Development shall furnish the necessary humanitarian assistance through the International Red Cross, the Estonian, Latvian, and Lithuanian Red Cross, CARITAS, and other relief agencies, to ensure the Baltic peoples begin to receive humanitarian assistance immediately.

"(f) For purposes of this section, the term 'humanitarian assistance' includes—

"(1) oil, gas, and fuel for emergency vehicles and medical facilities;

"(2) water purification supplies, materials for immunization, and other materials needed to prevent the outbreak of contagious diseases and to safeguard public health;

"(3) medical supplies; and

"(4) food and clothing."●

● Mr. BROWN. Mr. President, today I join with my colleague from New York, Senator MOYNIHAN, to introduce the Baltic humanitarian relief bill of 1991. Almost 1 year ago, the Soviets imposed a suffocating economic blockade upon the men and women of Lithuania. These brave people had declared their independence from the Soviet empire on March 11, 1990, and though they did not realize it, they faced almost 3 months without even the basic necessities.

Since then, although the blockade of Lithuania has been lifted, the hardship experienced there has grown to include the other Baltic States of Latvia and Estonia as well. As each of these brave nations has made clear its resolve to regain its freedom, Soviet attempts to coerce them to change their course have increased in number and intensity. For instance, the number of Russian troops and tanks garrisoned in the Baltic Republics has skyrocketed within the last year. Although actual numbers are difficult to obtain, senior members of the legislative bodies of all three republics report substantial increases in the number of Soviet troops.

Food, in short supply throughout the Soviet Union, has been used by President Gorbachev as a weapon against these three tiny nations during the past winter. As the West shipped grain and other foodstuffs to aid those suffering through the tough winter, Gorbachev permitted none of it to reach the Baltic States unless they agreed to become members of the new Soviet empire.

The threat of increased Soviet repression has never loomed more ominously over the head of the Baltic Republics than now. Days ago, President Gorbachev proposed a series of anticrisis measures which include, according to an April 10 article in the

Washington Post, " * * * a tougher Kremlin stance toward rebellious Soviet republics and a moratorium on political demonstrations * * *."

This bill, which we are introducing today, is designed to act as a tangible sign of the support of the people of the United States for the freedom-loving men and women of the Baltic Republics. Just a few short weeks ago, Americans fought to liberate another tiny nation oppressed by its bellicose neighbor. We cannot now overlook the tragedy underway in the Soviet Union.

The administration's earlier decision to transport donated humanitarian supplies is a step in the right direction—and I applaud the administration for taking this action. However, as the noose around the neck of these three Baltic nations tightens, clear signals of the intent of the American people to stand behind them are essential.

The bill we have introduced today authorizes \$20 million from U.S. Agency for International Development funds to provide medical and humanitarian supplies to the people of Lithuania, Latvia, and Estonia. Longstanding United States policy does not recognize the incorporation of these three countries into the Soviet Union. Consequently, this bill includes a provision urging the President to begin negotiations with Poland and the U.S.S.R. to allow direct importation of humanitarian assistance to the Baltics. Until the negotiations are complete, the Administrator of USAID is authorized to furnish the supplies to the Baltics through recognized relief agencies operating there.

These steps, although few in number, are designed to be large in effect by sending a clear signal of the support of the American people for the courageous men and women of the Baltic Republics. I urge my colleagues to join Senator MOYNIHAN and me in providing humanitarian assistance to the Baltics—and in making evident to the world that Americans stand with the brave men and women to whom freedom is the most precious gift of all.●

By Mr. GARN (for himself, Mr. D'AMATO, Mr. GORE, Mr. GRASSLEY, Mr. JEFFORDS, Mr. PELL, Mr. SASSER, Mr. SIMON, and Mr. WARNER):

S.J. Res. 114. Joint resolution to designate May 1991 as "Neurofibromatosis Awareness Month"; to the Committee on the Judiciary.

NEUROFIBROMATOSIS AWARENESS MONTH

● Mr. GARN. Mr. President, I rise today to draw attention to a genetic disorder that very few people are aware of, but which afflicts at least 100,000 U.S. citizens, 1.5 million people worldwide, and which 1 in every 4,000 children are born with. The disorder is neurofibromatosis, or NF, and it affects all races and ethnic groups, and both sexes. It is a disorder which can

cause severe disfigurement, loss of limbs, blindness, deafness, skeletal defects, malignancies, and learning disabilities. There is no cure.

Today, I am introducing a joint resolution to designate the month of May 1991 as "Neurofibromatosis Awareness Month." I ask my colleagues to join with me in drawing national attention to this potentially disfiguring and often progressive disorder.

NF is a neurological condition which can cause tumors to grow on nerves anywhere on or in the body at any time. It affects people of all races and both sexes with varying manifestation and degree of severity. While research indicates that NF can be inherited, 50 percent of the people with NF have no family history of the disorder. Additionally, NF leads to learning disabilities. In fact, learning disabilities occur five to six times more often in NF patients than in the general population. However, recent advances in medical research bring hope to this potentially devastating disorder.

These advances in genetic research began with the discovery last summer of the gene which causes NF. Subsequently, researchers discovered the gene product and the gene function. These discoveries are very exciting and put NF research ahead 5 years. What these discoveries also do, which is of major significance, is link the NF-causing gene to the gene which causes cancer. The NF gene product is similar to that of the cancer-causing gene in that it interacts with the cell function in a similar manner. These advances in genetic research hold much hope for a future treatment and, in time, hopefully a cure for NF, as well as many forms of cancer. In fact, just 1 month ago, using what has been learned from the discovery of the NF gene, scientists discovered a gene causing colon cancer. The implications are far reaching. The future is very bright.

The Neurofibromatosis Foundation has worked extremely hard over the years to bring this disorder to the attention of the general public and to seek support for further research and further education. We can help the NF Foundation in its unwavering efforts by designating May 1991 as "Neurofibromatosis Awareness Month."

I know all of you share my deep concern for the thousands of individuals afflicted with this disorder and their families. They face a continuous struggle with not knowing what lies ahead, not knowing what course the disorder will take. I hope you will join with me in recognizing these people and also in celebrating and commemorating these remarkable breakthroughs in research and their profound significance to all of us.●

By Mr. MOYNIHAN:

S.J. Res. 115. Joint resolution to designate the week of June 10, 1991, through June 16, 1991, as "Pediatric AIDS Awareness Week"; to the Committee on the Judiciary.

PEDIATRIC AIDS AWARENESS WEEK

Mr. MOYNIHAN. Mr. President, I rise today to introduce a Senate joint resolution which when passed would designate the week of June 10 through June 16, 1991, "Pediatric AIDS Awareness Week." My colleague in the House of Representatives, Congressman JOSÉ SERRANO recently introduced identical legislation in that Chamber. Together we hope to provide the country with a week in which our thoughts and actions might turn to children who have AIDS.

We are now into the second decade of this epidemic. While the past decade has taught us much about the disease it has not given us a cure. AIDS is now a generational disease. Passed from mother to child. The virus is passed in utero or during delivery from mother to child. As mothers become infected and eventually sicken and die, many children are left orphans in the care of a foster care system already incapable of managing burgeoning caseloads in many of our urban areas.

Pediatric AIDS is particularly prevalent among minorities who have little access to appropriate health care. Approximately 70 percent of total cases reported are black or Hispanic. Without appropriate early intervention, prevention, and education little can be done to stop the further spread of AIDS. Widespread intravenous drug use continues to spread AIDS to mothers who then imperil their own children.

But as children so often demonstrate, they have a particular resilience to adversity. They offer hope not just for themselves but also for us. We know well the courageous battle Ryan White waged until his death last year. He taught us much about death but also about living. In his short life he learned about intolerance but also about compassion. Faced with dying he attacked life with a vengeance getting out of it every bit he could. He was fortunate in many ways. There are children much less so than he. But his battle was not just for himself it was for all people, particularly I think for children, who have AIDS.

I had a letter recently from a mother in Brooklyn, Mrs. Carol DiPaolo, who wrote to me of her 11-year-old son Joey. Joey has AIDS. He was infected by a transfusion of blood during heart surgery when he was 4 years old. His story is very similar to Ryan White's. Joey has chosen to turn adversity into opportunity. Confronting his school, friends, and community he has educated them about AIDS. Joey's mother and father know the pain only parents can know, but together the DiPaolo's have done more for their community than any of us could ever hope to do.

They know the extreme limitations of medical research and of our health care system in its efforts to combat the spread of the epidemic. In her letter to me she says, "Children are dying and families are disintegrating."

Together with the DiPaolo's, the Sunburst National AIDS project which is coordinating this effort, and children from all over the country who have AIDS we will rally the cause of pediatric AIDS awareness the week of June 10, 1991. I hope my colleagues will join me in moving this resolution swiftly so that we might add the full support of Congress to this effort. Our resolution is for children with AIDS and for their families and for all those whose energies are devoted to their well-being.

I would ask unanimous consent that following this statement the text of the joint resolution, a letter from Mrs. DiPaolo to me and an article from Newsday dated October 14, 1990, be printed as if read.

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

S.J. RES. 115

Whereas over 157,525 people in the United States have been diagnosed with acquired immunodeficiency syndrome (commonly known as AIDS), and 98,530 people have died from such disease;

Whereas the Public Health Service projects that there will be 365,000 AIDS cases by the end of 1992 and estimates between 1,000,000 and 1,500,000 Americans are infected with the human immunodeficiency virus (commonly known as HIV) which causes AIDS;

Whereas there is an increase in the proportion of AIDS patients who are female and an increasing number of children infected perinatally with AIDS;

Whereas pediatric AIDS refers to AIDS patients under 13 years of age at the time of being diagnosed with the disease;

Whereas the Centers for Disease Control have reported 2,734 cases of pediatric AIDS resulting in 1,423 deaths as of November 1990;

Whereas HIV-infected women can transmit the virus to their infants during pregnancy or at birth;

Whereas schools across the Nation continue to discriminate against AIDS and HIV-infected children and their families;

Whereas it is essential that early intervention and educational resources be made available to all citizens, especially adolescents, female drug abusers, and other high-risk groups to increase awareness of AIDS and the risks associated with engaging in unprotected sexual activity; and

Whereas the Health Care Financing Administration and the Public Health Service should work with appropriate State officials to help design services for children with AIDS or HIV infection; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of June 10, 1991, through June 16, 1991, is designated as "Pediatric AIDS Awareness Week" and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

BROOKLYN, NY,
October 26, 1990.

U.S. Senator DANIEL P. MOYNIHAN,
New York, NY.

DEAR SENATOR MOYNIHAN:

I am the mother of two children ages eight and eleven. Our eleven year old son does not have a promising future. The reason is AIDS.

Joey had open heart surgery at the age of four, May 23, 1984, when he was exposed to the virus during a transfusion. As a family we have turned this negative situation into a positive one. Joey very bravely revealed to his schoolmates, teachers, and the community about his diagnosis. This led to progressive education in our community.

As a parent, I can tell you firsthand what it is like to have a child with AIDS. We must contend with fear, isolation and discrimination from the general public. Pediatric AIDS research leaves much to be desired. We are offered patch-work services and at times not even being informed properly by medical personnel as to how to work the system. Children are dying and families are disintegrating. New York is one of the sixteen crisis cities.

There are two reasons for my letter to you. The first reason is the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (S.2240). The amount of the appropriated funds was drastically reduced to \$190 million. I am also concerned about the delivery of the funds. I am aware that Title XXVI—Emergency Relief grants to areas with substantial need for services will depend on the CDC report for that area. Unfortunately women and children have tremendous needs before they are classified as AIDS. Some of which are taxing our health care system even before being diagnosed. Also what will happen to the lesser number of cases in rural areas? What is or has been your position on this matter?

My second reason for writing is about the First National Pediatric AIDS Awareness Day which will be held in Lafayette Square in D.C. on June 11, 1991. I am the visionary and director for this event working with an organization called Sunburst National AIDS Project. Many numerous families have agreed to bring their infected children to D.C. on that day. It will be a day of unity, a day where all who are concerned about our nation's children, who are infected, can join us and support us. We have families from every state including Hawaii.

Senator Moynihan we need your approval and support. Please step out with us and show the nation that we want our children to have promising futures. We want our children to be respected as productive citizens. We want our children to live. We need our nation to first be aware of the rising numbers of children and teens which are becoming infected. Then we need our nation to work in unity to bring about changes both medically and socially. Will you help us? Will you be our advocate? Please let me know your position on Pediatric AIDS.

Sincerely,

CAROL DI PAOLO,
Director/Parent Representative

OPENING DOORS AND HEARTS—AIDS BOY
STANDS TALL AS A SYMBOL
(By Catherine Woodard)

Joey DiPaolo disappeared as he stepped up into the pulpit in the Cathedral of St. John the Divine to talk about AIDS last month. All the congregation could see were glimpses of the crown of the 11-year-old's head.

"I'm here today because I want to talk to you about me and the AIDS virus," Joey

said, reading carefully from the speech he had dictated to his mother. "Just because I have the AIDS virus doesn't mean that I can't run, ride a skateboard, ride a bike or play baseball or football.

"I also have lots of friends who don't have the AIDS virus. We do tons of things together," he continued in a singsong cadence. "They are not afraid of me and that makes me feel really good."

Joey is feeling really good about his decision four weeks ago to tell his school and his Brooklyn neighborhood about his infection with the human immunodeficiency virus that causes AIDS.

About a dozen parents asked the principal of Roy H. Mann Junior High School to transfer their children from Joey's classes. One child transferred to private school when the principal refused. But a rumored boycott and demonstration never materialized, and most of the reaction to Joey's disclosure has been supportive. One classmate even collected more than 100 signatures from children and parents who backed Joey's decision.

Joey's parents, Jim and Carol DiPaolo, are thankful. They weren't sure what to expect when Joey's picture appeared on the front page of New York Newsday and soon thereafter on local and national television. Just five years ago, nearly 10,000 children were yanked out of Queens schools in District 27 and District 29 to protest the enrollment of an unidentified second-grader with AIDS.

Just five years ago, Ryan White, an Indiana teenager with AIDS was told by the school board that he would have to take classes at home with a private tutor.

White, who died last spring, had to sue to get back into the classroom.

But Joey, pint-sized and energetic, grew tired of living a secret. He became infected after he received a contaminated blood transfusion during heart surgery in 1984, but doctors treating him for a variety of infections did not think to test him for HIV until four years later. Joey and his parents had kept his infection a secret until last month. They decided that disclosure would be the best way to combat the stigma associated with AIDS.

To the DiPaolos' relief, Joey's adjustment to junior high school in District 22 has been surprisingly uneventful. The district superintendent, John Comer, and Joey's principal, Patrick Timpone, have declined to comment. But health and education officials say they are hopeful that Joey's experience is a signal that the public is becoming more knowledgeable about AIDS.

"The general public knowledge is significantly higher," said city Health Commissioner Woodrow A. Myers, Jr., who was Indiana's health commissioner during the Ryan White controversy. "There are still people who believe the wrong things about how it's spread, but most people know the right ways in which it is spread."

But equally critical, he said, was a united front by school officials to treat Joey no differently than other students. Five years ago in Indiana and in Queens, health officials fought to convince school boards as well as irate parents that a child with AIDS is not a hazard in the classroom. In both cases, that assessment was unsuccessfully challenged in the courts.

"There were people who wanted very much to react as they did five years ago, but it was nipped in the bud," Myers said. "One thing you've got now is public officials who recognize that this is not an issue on which we can compromise. The data is very strong. It's not spread in school settings."

Joey's position of honor in the procession at St. John the Divine last month seemed a triumphant march. He was one of six youths who spoke at a children's service at an international children's summit convened across town at the United Nations.

Joey flashed a grin at his parents as he passed by in black jeans and gleaming new black and white sneakers. He fanned away a lingering cloud of incense and took his seat beside the Very Rev. James Parks Morton. He checked to see that his speech was still securely in his shirt pocket and shoved his hands into his pants pockets to wait through the Episcopal liturgy.

When his turn came, his message was short and to the point.

"The first thing you should all know is you can get AIDS from sexual contact, sharing needles and from blood transfusions," he said. "You can't get AIDS from kissing, touching, sweating, coughing or sneezing. You can't get it from using the same bathroom, eating out of the same dish or using the same utensils."

Some of the parents of his classmates weren't convinced of that when they asked that their children be transferred from Joey's classes. Two families even received erroneous information from pediatricians that the virus is spread in feces, including a warning that their children should not use the same bathroom as Joey.

But all but one of the 12 students whose parents requested transfers are still in the classroom with Joey.

Juliana Granton, whose daughter Kristie is in several classes with Joey, still believes that the request for a transfer should have been honored. But she is satisfied with the principal's efforts to have health personnel available to answer questions.

"I know people myself that have AIDS," she said. "It's when it is around your children you feel different. You feel as an adult that you have more control."

She agrees with school and health officials that just a few years ago a large number of parents might have been up in arms.

"It's totally different now," she said. "You hear so much more about AIDS. Now it's so much closer to us. It is hitting home base now. It is hitting our children."

Joey and his parents are determined to do what they can to further the public's awareness of AIDS. They've converted their basement to an office to organize a National Pediatric AIDS Awareness Day, scheduled for June 11 in Washington. The nonprofit Sunburst National AIDS Project is financing the organization of the project.

"Discrimination is still in epidemic proportions," Carol DiPaolo said. "People have to understand that it could be the child next door."

The surprising ease of Joey's disclosure "is just like one little needle standing up in a big haystack," DiPaolo said. She has heard too many horror stories the last two summers from other people attending a camp for children with AIDS and their families—stories of ostracism, stories about families being evicted from their apartments, stories of families afraid to tell even close relatives.

The DiPaolos have had no shortage recently of stages from which to deliver their message. Joey has been a regular on national talk shows, and for the most part he seems to relish the attention, although he admits that he gets tired of being asked if he is afraid of dying. For that question he has a standard response: "If you think about dying then you're going to die, and if you think about living then you're going to live."

He isn't shy about taking advantage of the limelight. He requested stretch limousines to ferry him to television appearances after "Good Morning America" dispatched only a black sedan.

But even Joey seemed annoyed the morning two television crews and a swarm of reporters and photographers showed up to walk with him to school. There was a rumor that morning that parents might be picketing the school in protest.

"If they are out there when I come out this afternoon, I'm not going to talk to them and maybe they will go away," he told his friend Alan Bass as they hitched on their backpacks and started toward school. The cameras quickly attracted a crowd of curious children.

Joey's cousin, Richie Carbone, a film student who was videotaping Joey, thrust the camera toward some eighth-graders and started firing questions.

"Anybody here care if a kid with AIDS is in your class?" Richie asked. No one did, although a few said the school should teach more about AIDS.

Joey stood at the side grinning at his anonymity in the middle of the circus. The older students didn't realize he was the student in question.

There is no reason they should have been able to guess. At 4-foot-4 and less than 60 pounds, Joey is smaller than many of his classmates. But there are few signs that he battles a life-threatening illness.

He is being treated at the National Institutes of Health in Bethesda, Md., with the experimental drug dideoxyinosine, DDI, which slows the spread of the AIDS virus. Recently he has developed a painful yeast infection in his esophagus, one of the opportunistic infections that define full-blown AIDS. But doctors aren't sure yet whether the infection is a sign of further deterioration of his immune system or whether it is related to antibiotics he takes because his spleen was removed in 1987.

Joey lets his mom worry about medical strategies and concentrates on more pressing concerns like improving his skateboard technique.

"I want to thank my father, my mother and my sister Lauren for letting me live like a normal kid," he said closing his speech at St. John the Divine.

The big bonus of the speech was backstage tickets for the afternoon Rally for Children in Central Park. Joey was counting on the ticket to get him close to the Teenage Mutant Ninja Turtles who dropped by as promised from their concert at Radio City Music Hall.

Joey and Brandon Negron, a Staten Island 11-year-old who spoke about racism at St. John the Divine, wiggled through the crowd at the back steps of the stage, only to be stopped at a temporary gate by a stern-looking woman holding a clipboard.

The boys leaned on the temporary fence and screamed to get the attention of the large reptiles, Raphael and Michaelangelo. "Yo, turtle," Brandon yelled. "Yo, get a hearing aid."

"What good are these passes?" Joey pleaded in frustration as the turtles began to walk away.

An adult intervened. The boys were permitted past the barrier. They raced desperately in the direction where the turtles had departed, but to no avail. Later in the afternoon, two turtles would return and Joey would take the coveted photograph. But at that moment his prospects looked pretty bleak.

Joey slammed the camera back to his father in frustration and sulked by a picnic table. "I'm just bored and I want to go home," he announced.

His parents weren't ready to leave. They had packed a huge stack of yellow fliers about National Pediatric AIDS Awareness Day to hand out to the crowd. And Carol DiPaolo was waiting to buttonhole Mayor David N. Dinkins. He had sent Joey an award for bravery and might be sympathetic to producing a proclamation for the AIDS Awareness Day.

Finally the mayor's motorcade pulled up to the back gate. Carol pressed Joey into the crowd. "This is Joey DiPaolo, the little boy from Brooklyn with the AIDS virus," she said.

"Oh, Joey, you're a brave little boy," Dinkins said. "Do you have a hug for me?"

Joey did as asked and politely turned away to scout the backstage. There was a chance the turtles might reappear.

By Mr. ROTH (for himself, Mr. GORE, Mr. CHAFEE, Mr. KASTEN, Mr. KOHL, Mr. KERRY, Mr. CONRAD, Mr. PELL, Mr. ADAMS, Mr. SANFORD, Mr. BIDEN, Mr. DODD, Mr. DURENBERGER, Mr. MOYNIHAN, Mr. WARNER, Mr. BENTSEN, Mr. LAUTENBERG, Mrs. KASSEBAUM, Mr. BURDICK, Mr. ROCKEFELLER, Mr. D'AMATO, Mr. JEFFORDS, Mr. CRANSTON, Mr. DECONCINI, Mr. FOWLER, Mr. SHELBY, Mr. HOLLINGS, Mr. SASSER, Mr. GORTON, Mr. SEYMOUR, Mr. DOMENICI, Mr. KENNEDY, Mr. REID, Mr. SARBANES, Mr. LEVIN, Mr. NUNN, Mr. WELLSTONE, Ms. MIKULSKI, Mr. COCHRAN, Mr. BINGAMAN, Mr. INOUE, Mr. BUMPERS, Mr. COHEN, Mr. MITCHELL, Mr. SPECTER, Mr. PACKWOOD, Mr. DANFORTH, Mr. PRESSLER, Mr. BOND, Mr. BAUCUS, Mr. HATCH, and Mr. GRAHAM):

S.J. Res. 116. A joint resolution to designate April 22, 1991, as "Earth Day" to promote the preservation of the global environment; to the Committee on the Judiciary.

EARTH DAY

Mr. ROTH. Mr. President, I rise today along with Senator GORE and 52 cosponsors to introduce legislation that designates this April 22 as Earth Day.

The purpose of this resolution is to promote the preservation of our global environment—perhaps the single most important responsibility we have as steward of this Earth. A similar joint resolution (H.J. Res. 144) has been introduced in the House of Representatives by Mr. DAVID OBEY.

The reason for this legislation is clear: to create an environmental awareness among our friends, families and neighbors—an awareness that is necessary if we are to meet the challenges that threaten our precious natural resources. It is heartening, the tremendous ground swell of support that we have seen recently in our schools

and communities concerning the environment, and our responsibility to care for it, but this new awakening is only a beginning. It must spread not only across our land, but throughout the world.

This resolution represents another important step toward promoting an environmental ethic that will last more than a day—more than a season—but for generations to come. Only when conservation becomes second nature and everyone participates in protecting the wind, water, plants, and animals that make up our fragile biosphere can we be satisfied. Only when Earth Day is everyday, can we rest assured that enough has been done.

But until then, I urge all of my colleagues to join with Senator GORE and me to designate April 22 as Earth Day for 1991. Because education is so vital to the creation of an environmental ethic, the designation of this special day will give our schools, colleges, and communities a cause to focus on the environment and teach our children how they can play a vital role in its preservation.

I hope that our educators and leaders will center activities and lessons around this day, even designate a week to promoting awareness and conservation. This is how we will take the successes we have seen in the last few years and stretch them into a lifetime. This is how we will raise a generation of Americans who learn to serve the environment as well as the environment serves them.

Mr. President, at this time I would also like to commend my close friend and former colleague, Senator Gaylord Nelson, on his success in making the environment a major focus in our political process. The success he has realized is one of the most heartening examples of the democratic process. It truly started as a grassroots effort back when the first Earth Day was celebrated in 1970. Because of his efforts, when it comes to protecting the environment, today we are beyond the bandwagon and into a parade.

I urge my colleagues to join me in sponsoring this legislation, and I ask unanimous consent that a copy of the legislation be placed in the RECORD.

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

S.J. RES. 116

Whereas the world faces an international crisis which demands the attention of citizens of every nation of the world, including the United States, so that alliances can be built that transcend the boundaries dividing countries, continents, and cultures;

Whereas there is a need to confront environmental problems of increasing severity, including climate change, depletion of the stratospheric ozone layer, loss of forests, wetlands, and other wildlife habitats, acid rain, air pollution, ocean pollution, and hazardous and solid waste buildup;

Whereas it is important that the next generation be guided by a conservation ethic in all of its relations with nature;

Whereas education and understanding is necessary for individuals to recognize the environmental impact of daily living and to become environmentally responsible consumers by conserving energy, increasing recycling efforts, and promoting environmental responsibility in communities;

Whereas major public policy initiatives are necessary to cure the causes of environmental degradation, such as eliminating the manufacture and use of chlorofluorocarbons, minimizing and recycling solid wastes, improving energy efficiency, protecting biodiversity, promoting reforestation, and initiating sustainable development throughout the world;

Whereas nearly 21 years ago, millions of individuals in the United States joined together on Earth Day to express an unprecedented concern for the environment, and such collective action resulted in the passage of sweeping laws to protect the air, water, and land;

Whereas the 1990's should be observed as the "International Environmental Decade" in order to forge an international alliance in response to global environmental problems; and

Whereas to inaugurate the new environmental decade, individuals should again stand together in cities, towns, and villages around the world for a day of collective action to declare a shared resolve: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that April 22, 1991 is designated as "Earth Day," and the people of the United States are called upon to observe the day with appropriate ceremonies and activities in our grade schools, high schools, colleges and local communities with the objective of making every day Earth Day.

Mr. DOMENICI. Mr. President, last April, I joined many of my esteemed colleagues in the Senate and the House in cosponsoring the resolution celebrating the 20th anniversary of Earth Day. I am pleased to have the opportunity to continue my support of this environmental awareness initiative by cosponsoring the Earth Day 1991 joint resolution.

Many Americans take for granted the clean air we breathe, the fresh water we drink, and the bountiful natural resources we enjoy in this Nation's many forests, parks, and public lands. But, these very resources were in serious jeopardy only two decades past when, as a Nation, we were teetering on the brink of environmental catastrophe. The people of this Nation and the Congress responded to the crisis at hand and mobilized to effect laws which would protect and enhance our natural resources. In the 21 years since the first Earth Day was celebrated, the Congress has passed more than 30 major environmental initiatives aimed at protecting the environment.

Much work remains to be done. In the 102d Congress, we will address issues of national significance including the long-awaited development of a National Energy Policy, global warming, clean water, Resource Conservation

and Recovery Act, wilderness designation, and multiple uses of our public lands. I am committed to ensuring that this Nation continues to protect its natural resources while allowing the orderly development and wise use of those resources in a complimentary manner.

It is because of this commitment that I have been involved in setting aside almost 1 million acres in New Mexico as wilderness, in designating the El Malpais National Historical Monument in Grants and Chaco Culture National Historical Park in McKinley County, and in protecting several of New Mexico's waterways as wild and scenic rivers. Last year, I introduced legislation in the Senate, which subsequently became law, to create the Petroglyph National Monument in Albuquerque, as well as the creation of the National Forest Foundation Act.

It is my hope that the environmental awareness this Nation has adopted in the last two decades will continue as our legacy to future generations. The annual recognition of Earth Day is certainly an appropriate time for New Mexico, the Nation, and the International Community to take time out to reflect on how far we've come on environmental issues and assess how far we've yet to go. Although we may not be where we want to be yet, we're a lot further along than we were before the first Earth Day in 1970.

Mr. COHEN. Mr. President, I am very pleased to be joining Senators ROTH, GORE, and others in cosponsoring a joint resolution to designate April 22, 1991 as "Earth Day." I would like to take this opportunity to commend Senators ROTH and GORE for their dedication to our environment and their leadership on an issue that affects us all.

I am cosponsoring this resolution because I believe the health of our environment is vital to our ability to continue as a creative and flourishing society. Earth Day is an important symbol of the global efforts to address environmental concerns. As you are well aware, last year was the first Earth Day in 20 years. The worldwide enthusiasm and support that it generated clearly demonstrates that Earth Day is an event worthy of yearly celebration.

Earth Day is a celebration of one of the noblest causes in the history of the world, the preservation of life on the planet. Today, we face a global environmental crisis that demands our attention. Depletion of the stratospheric ozone layer, deforestation, loss of wetlands, and other wildlife habitats, and the pollution that laces our oceans and surrounds our cities are but a few of the many crises confronting us. A yearly celebration of Earth Day would do much to remind us all of our immense responsibility to pass along a world in which we can all live healthy and enjoyable lives.

After the first Earth Day in 1970, Congress passed two of the most important environmental laws in this Nation's history: the Clean Air Act and the Clean Water Act. Much progress has been made as a result of such laws but clearly more needs to be done. I believe that the heightened awareness of environmental concerns that Earth Day brings also brings us closer to confronting and solving our environmental problems.

By Mr. LAUTENBERG (for himself, Mr. DASCHLE, Mr. SARBANES, Mr. LEVIN, Mr. BRADLEY, Mr. HOLLINGS, Mr. SASSER, Mr. DIXON, Mr. BUMPERS, Mr. HEFLIN, Mr. CRANSTON, Mr. MITCHELL, Mr. EXON, Mr. SIMON, Mr. NUNN, Mr. GORE, Mr. LIEBERMAN, Mr. RIEGLE, Mr. BOREN, Mr. MOYNIHAN, Mr. PELL, Mr. SANFORD, Mr. STEVENS, Mr. WARNER, Mr. D'AMATO, Mr. JEFFORDS, Mrs. KASSEBAUM, Mr. GARN, Mr. DOLE, Mr. SEYMOUR, Mr. COCHRAN, Mr. MURKOWSKI, Mr. THURMOND, Mr. HATCH, Mr. MACK, and Mr. AKAKA):

S.J. Res. 117. Joint resolution to designate December 7, 1991, as National Pearl Harbor Remembrance Day on the occasion of the anniversary of the attack on Pearl Harbor; to the Committee on the Judiciary.

NATIONAL PEARL HARBOR REMEMBRANCE DAY

● Mr. LAUTENBERG. Mr. President, today I rise to introduce a resolution designating December 7, 1991, as National Pearl Harbor Remembrance Day. This will mark the 50th anniversary of the attack on Pearl Harbor.

On December 7, 1941, the United States was victim to an unprovoked attack by the Japanese Imperial Navy and Air Force. Although negotiations were being held in Washington by Japanese and American diplomats, the Japanese deliberately and secretly planned the attack for that Sunday morning. No war warning was issued and the Pacific Fleet never suspected that an attack force was en route.

On the "date that will live in infamy," Pearl Harbor was surrounded by a dense cloud cover. Suddenly, about 360 Japanese planes broke through the clouds and raided the island. The Japanese bombarded American military installations and Army aircraft located at Hickam and Wheeler Fields. Then the Japanese units attacked the battleships moored at Ford Island.

Concentrating mainly on planes and ships, the Japanese did little damage to the submarine base and repair facilities. Fortunately, all of the American aircraft carriers stationed at Pearl Harbor were on missions away from the base. However, the Pacific Fleet lost eight battleships, three light cruisers,

three destroyers, and four vessels within 2 hours.

The American military bravely fought back to defend their base. Heroism was displayed by the sailors, the soldiers, the flyers, and the gunners as they manned their stations under the most severe conditions. However, all of the service people were caught off guard; many were even sleeping. The resistance of the Americans was not strong enough to fight off the large and prepared Japanese attacking force.

When the surprise and unprovoked attack ended, the Japanese left 2,403 Americans dead and 1,178 wounded. Innocent civilian lives accounted for some of the lost. Additionally, the attack crippled American air defense and undermined our position in the Pacific.

That Sunday morning, more than Hawaii was attacked; our Nation's isolationism was broken. This was the first time in U.S. history that we had been attacked first. Americans were indignant and wanted to avenge the lives that the Japanese had taken. The country became unified and stood behind the President as he signed a declaration of war at 4:10 p.m., Monday, December 8, 1941.

The service people and civilians who were there during the attack deserve a day of remembrance. This resolution requests the President to issue a proclamation asking the people of the United States to observe this solemn occasion with appropriate ceremonies, and to remain eternally vigilant in protecting our Nation from future aggression.

As "Remember Pearl Harbor" was the rallying cry during World War II, we must remember all of those who lost their lives during the tragedy, and commit ourselves to never being caught unprepared again.

I want to commend all the New Jersey members of the Pearl Harbor Survivors Association for their active and strong support of this resolution. The 10,000 member national organization is fortunate to have Lee Goldfarb as its vice commander. Mr. Goldfarb has spent many years assuring that Pearl Harbor will not be forgotten. I thank him and his association for not letting anyone forget the events that occurred for 2 hours at Pearl Harbor 50 years ago.

I ask unanimous consent that a copy of the joint resolution be printed in the CONGRESSIONAL RECORD, and I urge my colleagues to support this joint resolution.

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

S.J. RES. 117

Whereas on the morning of December 7, 1941, the Imperial Japanese Navy and Air Force launched an unprovoked surprise attack upon units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii;

Whereas over two thousand four hundred citizens of the United States were killed in

action and one thousand one hundred and seventy-eight were wounded in this attack;

Whereas President Franklin Delano Roosevelt referred to the date of the attack as "a date that will live in infamy";

Whereas the attack on Pearl Harbor marked the entry of this Nation into World War II;

Whereas the people of the United States owe a tremendous debt of gratitude to all members of our Armed Forces who served at Pearl Harbor, in the Pacific Theater of World War II, and in all other theaters of action of that war; and

Whereas December 7, 1991, will mark the fiftieth anniversary of the unprovoked attack;

Whereas the veterans of World War II and all other people of the United States will commemorate December 7, 1991, in remembrance of this tragic attack on Pearl Harbor; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 7, 1991, the anniversary of the attack on Pearl Harbor, is designated as "National Pearl Harbor Remembrance Day" and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States—

(1) to observe this solemn occasion with appropriate ceremonies and activities; and

(2) to pledge eternal vigilance and strong resolve to defend this Nation and its allies from all future aggression.■

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 15, a bill to combat violence and crimes against women on the streets and in homes.

S. 21

At the request of Mr. CRANSTON, the names of the Senator from Maryland [Ms. MKULSKI] and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 21, a bill to provide for the protection of the public lands in the California desert.

S. 68

At the request of Mr. THURMOND, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 68, a bill to amend title 10, United States Code, to authorize the appointment of chiropractors as commissioned officers in the Armed Forces to provide chiropractic care, and to amend title 37, United States Code, to provide special pay for chiropractic officers in the Armed Forces.

S. 127

At the request of Mr. CRANSTON, the name of the Senator from Washington [Mr. ADAMS] was added as a cosponsor of S. 127, a bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to amend title 38, United States Code, to improve veter-

ans' compensation, health-care, education, housing, and insurance programs; and for other purposes.

S. 140

At the request of Mr. WIRTH, the names of the Senator from Nebraska [Mr. KERREY], the Senator from Virginia [Mr. WARNER], the Senator from Oregon [Mr. HATFIELD], the Senator from North Carolina [Mr. SANFORD], the Senator from Idaho [Mr. CRAIG], the Senator from California [Mr. CRANSTON], the Senator from Wyoming [Mr. SIMPSON], the Senator from South Dakota [Mr. PRESSLER], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 140, a bill to increase Federal payments in lieu of taxes to units of general local government, and for other purposes.

S. 152

At the request of Mr. COATS, the names of the Senator from Utah [Mr. GARN] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 152, a bill to amend the Internal Revenue Code of 1986 to increase the personal exemption to \$4,000.

S. 168

At the request of Mr. CONRAD, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 168, a bill to implement certain recommendations of the Garrison Unit Joint Tribal Advisory Committee regarding the entitlement of the Three Affiliated Tribes and the Rock Sioux Tribe to additional financial compensation for the taking of reservation lands for the site of the Garrison Dam and Reservoir and the Oahe Dam and Reservoir, and for other purposes.

S. 246

At the request of Mr. LOTT, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 246, a bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of members of the National Guard or Reserve units of the Armed Forces will be allowable in computing adjusted gross income.

S. 250

At the request of Mr. FORD, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 250, a bill to establish national voter registration procedures for Federal elections, and for other purposes.

S. 256

At the request of Mr. DASCHLE, the name of the Senator from California [Mr. CRANSTON] and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 256, a bill to clarify eligibility under chapter 106 of title 10, United States Code, for educational assistance for members of the Selected Reserve.

S. 257

At the request of Mr. METZENBAUM, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor

of S. 257, a bill to amend title 18, United States Code, to require a waiting period before the purchase of a handgun.

S. 267

At the request of Mr. REED, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 267, a bill to prohibit a State from imposing an income tax on the pension or retirement income of individuals who are not residents or domiciliaries of that State.

S. 308

At the request of Mr. MITCHELL, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 308, a bill to amend the Internal Revenue Code of 1986 to permanently extend the low-income housing credit.

S. 339

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 339, a bill to enhance the Federal Government's authority and ability to eliminate violent crime committed by out-law street and motorcycle gangs.

S. 420

At the request of Mr. SARBANES, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 420, a bill to increase to \$50,000 the maximum grant amount awarded pursuant to section 601 of the Library Services and Construction Act.

S. 492

At the request of Mr. SIMON, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of S. 492, a bill to amend the National Labor Relations Act to give employers and performers in the live performing arts, rights given by section 8(e) of such act to employers and employees in similarly situated industries, to give to such employers and performers the same rights given by section 8(f) of such act to employers and employees in the construction industry, and for other purposes.

S. 493

At the request of Mr. KENNEDY, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Alabama [Mr. SHELBY] 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. 499

At the request of Mr. LUGAR, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 499, a bill to amend the National School Lunch Act to remove the requirement that schools participating in the School Lunch Program offer students specific types of fluid milk, and for other purposes.

S. 514

At the request of Ms. MIKULSKI, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 514, a bill to amend the Public Health Service Act, the Social Security Act, and other Acts to promote greater equity in the delivery of health care services to women through expanded research on women's issues, improved access to health care services, and the development of disease prevention activities responsive to the needs of women, and for other purposes.

S. 573

At the request of Mr. CRANSTON, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of S. 573, a bill to amend the Foreign Assistance Act of 1961 to condition the availability of security assistance for a foreign country on that country's compliance with fundamental guarantees of international humanitarian law applicable in situations of armed conflict, and for other purposes.

S. 574

At the request of Mr. CRANSTON, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 574, a bill to amend the Civil Rights Act of 1964 to prohibit discrimination on the basis of affectional or sexual orientation, and for other purposes.

S. 576

At the request of Mr. DECONCINI, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 576, a bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for employers who provide on-site day-care facilities for dependents of their employees.

S. 597

At the request of Mr. DODD, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 597, a bill to amend the Public Health Service Act to establish and expand grant programs for evaluation and treatment of parents who are abusers and children of substance abusers, and for other purposes.

S. 614

At the request of Mr. DASCHLE, the names of the Senator from Nebraska [Mr. EXON], the Senator from Illinois [Mr. SIMON], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 614, a bill to amend title XVIII of the Social Security Act to provide coverage under such title for certain chiropractic services authorized to be performed under State law, and for other purposes.

S. 619

At the request of Mr. BRADLEY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 619, a bill to establish a Link-up for Learning Demonstration Grant Pro-

gram to provide coordinated services to at-risk youth.

S. 623

At the request of Mr. SIMON, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 623, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to maintain the current Federal-State funding ratio for the Justice Assistance Grant Program.

S. 651

At the request of Mr. GARN, the names of the Senator from Hawaii [Mr. INOUE] and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of S. 651, a bill to improve the administration of the Federal Deposit Insurance Corporation, and to make technical amendments to the Federal Deposit Insurance Act, the Federal Home Loan Bank Act, and the National Bank Act.

S. 658

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 658, a bill to provide law enforcement scholarships and recruitment incentives.

S. 665

At the request of Mr. THURMOND, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 665, a bill to amend the Tariff Act of 1930 to require that certain revenues attributable to tariffs levied on imports of textile machinery and parts thereof be applied to support research for the modernization of the American textile machinery industry.

S. 720

At the request of Mr. KENNEDY, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 720, a bill to provide financial assistance to eligible local educational agencies to improve urban education, and for other purposes.

S. 775

At the request of Mr. CRANSTON, the names of the Senator from Maryland [Mr. SARBANES] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 775, a bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

S. 776

At the request of Mr. KENNEDY, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 776, a bill to require that humanitarian assistance to Cambodia be provided through international organizations and private and voluntary organizations and to prohibit assistance to combat forces seeking to overthrow the Government of Cambodia.

S. 781

At the request of Mr. SARBANES, the name of the Senator from Rhode Island

[Mr. CHAFFEE] was added as a cosponsor of S. 781, a bill to authorize the Indian American Forum for Political Education to establish a memorial to Mahatma Gandhi in the District of Columbia.

S. 786

At the request of Mr. MOYNIHAN, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 786, a bill to amend the Foreign Assistance Act of 1961 to authorize the provision of medical supplies and other humanitarian assistance to the Kurdish peoples to alleviate suffering.

SENATE JOINT RESOLUTION 8

At the request of Mr. BURDICK, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from Indiana [Mr. COATS], the Senator from Mississippi [Mr. COCHRAN], the Senator from North Dakota [Mr. CONRAD], the Senator from Connecticut [Mr. DODD], the Senator from Utah [Mr. GARN], the Senator from Hawaii [Mr. INOUE], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Rhode Island [Mr. PELL], the Senator from Arkansas [Mr. PRYOR], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Joint Resolution 8, a joint resolution to authorize the President to issue a proclamation designating each of the weeks beginning on November 24, 1991, and November 22, 1992, as "National Family Week."

SENATE JOINT RESOLUTION 42

At the request of Mr. RIEGLE, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of Senate Joint Resolution 42, a joint resolution expressing the support of the United States for the independence of Lithuania, Latvia, and Estonia.

SENATE JOINT RESOLUTION 49

At the request of Mr. SARBANES, the name of the Senator from Utah [Mr. GARN] was added as a cosponsor of Senate Joint Resolution 49, a joint resolution to designate 1991 as the "Year of Public Health" and to recognize the 75th anniversary of the founding of the Johns Hopkins School of Public Health.

SENATE JOINT RESOLUTION 69

At the request of Mr. RIEGLE, the names of the Senator from Florida [Mr. GRAHAM] and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of Senate Joint Resolution 69, a joint resolution to designate the week commencing May 5, 1991, through May 11, 1991, as "National Correctional Officers Week."

SENATE JOINT RESOLUTION 70

At the request of Mr. LIEBERMAN, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of Senate Joint Resolution 70, a joint resolution to establish April 15, 1991, as "National Recycling Day."

SENATE JOINT RESOLUTION 78

At the request of Mr. BENTSEN, the names of the Senator from Kentucky [Mr. FORD], the Senator from New York [Mr. D'AMATO], the Senator from Arizona [Mr. MCCAIN], the Senator from Virginia [Mr. WARNER], the Senator from Vermont [Mr. JEFFORDS], the Senator from Illinois [Mr. DIXON], the Senator from Iowa [Mr. GRASSLEY], the Senator from Hawaii [Mr. INOUE], the Senator from Minnesota [Mr. DURENBERGER], the Senator from North Dakota [Mr. CONRAD], the Senator from Washington [Mr. GORTON], the Senator from Maine [Mr. MITCHELL], the Senator from North Dakota [Mr. BURDICK], the Senator from New York [Mr. MOYNIHAN], the Senator from Oklahoma [Mr. BOREN], the Senator from South Carolina [Mr. HOLLENGS], the Senator from Florida [Mr. MACK], the Senator from Alabama [Mr. SHELBY], the Senator from Florida [Mr. GRAHAM], the Senator from Ohio [Mr. GLENN], the Senator from Mississippi [Mr. COCHRAN], the Senator from Illinois [Mr. SIMON], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of Senate Joint Resolution 78, a joint resolution to designate the month of November 1991 and 1992 as "National Hospice Month."

SENATE JOINT RESOLUTION 85

At the request of Mr. KASTEN, the name of the Senator from Utah [Mr. HATCHE] was added as a cosponsor of Senate Joint Resolution 85, a joint resolution authorizing and requesting the President to appoint Gen. Colin L. Powell and Gen. H. Norman Schwarzkopf, Jr., U.S. Army, to the permanent grade of General of the Army.

SENATE JOINT RESOLUTION 86

At the request of Mr. GARN, the names of the Senator from New Jersey [Mr. BRADLEY], the Senator from Arkansas [Mr. BUMPERS], the Senator from North Dakota [Mr. BURDICK], the Senator from New York [Mr. D'AMATO], the Senator from Illinois [Mr. DIXON], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Utah [Mr. HATCHE], the Senator from Hawaii [Mr. INOUE], the Senator from Vermont [Mr. JEFFORDS], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maine [Mr. MITCHELL], the Senator from Arkansas [Mr. PRYOR], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Joint Resolution 86, a joint resolution designating April 21 through April 27, 1991 and April 19 through April 25, 1992, as "National Organ and Tissue Donor Awareness Week."

SENATE JOINT RESOLUTION 91

At the request of Mr. KENNEDY, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor

of Senate Joint Resolution 91, a joint resolution expressing the sense of the Congress regarding the political and human rights situation in Kenya.

SENATE JOINT RESOLUTION 92

At the request of Mrs. KASSEBAUM, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Missouri [Mr. DANFORTH], the Senator from California [Mr. SEYMOUR], the Senator from Georgia [Mr. NUNN], the Senator from New York [Mr. MOYNIHAN], the Senator from Hawaii [Mr. AKAKA], the Senator from Ohio [Mr. GLENN], and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of Senate Joint Resolution 92, a joint resolution to designate July 28, 1992, as "Buffalo Soldiers Day."

SENATE JOINT RESOLUTION 102

At the request of Mr. ROCKEFELLER, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Texas [Mr. BENTSEN], the Senator from Idaho [Mr. CRAIG], the Senator from Mississippi [Mr. COCHRAN], the Senator from Arizona [Mr. DECONCINI], the Senator from Wisconsin [Mr. KOHL], the Senator from Virginia [Mr. ROBB], the Senator from North Dakota [Mr. CONRAD], the Senator from Florida [Mr. GRAHAM], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Utah [Mr. GARN], the Senator from California [Mr. CRANSTON], the Senator from Tennessee [Mr. SASSER], the Senator from Maine [Mr. MITCHELL], the Senator from Alabama [Mr. HERFLIN], the Senator from New Hampshire [Mr. RUDMAN], the Senator from Arkansas [Mr. PRYOR], the Senator from Florida [Mr. MACK], the Senator from Rhode Island [Mr. PELL], the Senator from Idaho [Mr. SYMMS], the Senator from California [Mr. SEYMOUR], the Senator from Maine [Mr. COHEN], the Senator from Illinois [Mr. DIXON], the Senator from Michigan [Mr. RIEGLE], the Senator from Kansas [Mr. DOLE], the Senator from Alaska [Mr. STEVENS], the Senator from South Carolina [Mr. THURMOND], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of Senate Joint Resolution 102, a joint resolution designating the second week in May 1991 as "National Tourism Week."

SENATE JOINT RESOLUTION 105

At the request of Mr. D'AMATO, the names of the Senator from Maryland [Mr. SARBANES], the Senator from South Dakota [Mr. PRESSLER], the Senator from Kansas [Mr. DOLE], the Senator from Florida [Mr. GRAHAM], the Senator from North Dakota [Mr. CONRAD], the Senator from Ohio [Mr. METZENBAUM], the Senator from Iowa [Mr. GRASSLEY], the Senator from Hawaii [Mr. INOUE], the Senator from Arizona [Mr. DECONCINI], the Senator from Illinois [Mr. SIMON], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Michigan [Mr.

LEVIN], the Senator from Minnesota [Mr. WELLSTONE], the Senator from North Dakota [Mr. BURDICK], the Senator from South Dakota [Mr. DASCHLE], the Senator from Rhode Island [Mr. PELL], the Senator from Delaware [Mr. ROTHE], the Senator from Illinois [Mr. DIXON], the Senator from Connecticut [Mr. DODD], the Senator from Utah [Mr. GARN], the Senator from Washington [Mr. GORTON], the Senator from Maine [Mr. COHEN], the Senator from Oregon [Mr. PACKWOOD], the Senator from Florida [Mr. MACK], the Senator from South Carolina [Mr. HOLLINGS], the Senator from California [Mr. SEYMOUR], the Senator from Alabama [Mr. HEFLIN], the Senator from Mississippi [Mr. COCHRAN], the Senator from Vermont [Mr. JEFFORDS], the Senator from Massachusetts [Mr. KERRY], the Senator from Tennessee [Mr. GORE], and the Senator from Ohio [Mr. GLENN] were added as cosponsors of Senate Joint Resolution 105, a joint resolution to designate April 14, 1991, to April 21, 1991, and May 3 to May 10, 1992, as "Jewish Heritage Week."

SENATE JOINT RESOLUTION 110

At the request of Mr. MOYNIHAN, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of Senate Joint Resolution 110, a joint resolution expressing the sense of the Congress that the United States and the Soviet Union should lead an effort to promptly repeal U.N. General Assembly Resolution 3379 (XXX).

SENATE JOINT RESOLUTION 112

At the request of Mr. SARBANES, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of Senate Joint Resolution 112, a joint resolution to designate the week of April 21, 1991, through April 27, 1991, as "Big Brothers/Big Sisters of America Appreciation Week."

SENATE CONCURRENT RESOLUTION 16

At the request of Mr. MACK, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Rhode Island [Mr. CHAFFEE], the Senator from South Carolina [Mr. THURMOND], the Senator from Vermont [Mr. JEFFORDS], the Senator from Oklahoma [Mr. NICKLES], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Senate Concurrent Resolution 16, a concurrent resolution urging Arab States to recognize, and end the state of belligerency with, Israel.

SENATE RESOLUTION 41

At the request of Mr. LIEBERMAN, the name of the Senator from Texas [Mr. BENTSEN] was added as a cosponsor of Senate Resolution 41, a resolution to establish April 35, 1991, as "National Recycling Day."

SENATE RESOLUTION 93

At the request of Mr. MITCHELL, his name was added as a cosponsor of Senate Resolution 93, a resolution commending the University of Tennessee

Women's Basketball Team on their third NCAA title.

SENATE CONCURRENT RESOLUTION 26—RELATIVE TO ENVIRONMENTAL PROTECTION OF ANTARCTICA

Mr. KERRY (for himself, Mr. LEVIN, Mr. AKAKA, Mr. KENNEDY, Mr. JEFFORDS, Mr. INOUE, Mr. LIEBERMAN, Mr. HARKIN, Mr. DASCHLE, Mr. PELL, and Mr. GORE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 26

Whereas Antarctica, like the great oceans and the atmosphere, is part of the global commons;

Whereas Antarctica is the Earth's last near-pristine continental wilderness and is, thus, a critical area in the study of global change;

Whereas the exploitation of minerals resources in Antarctica could severely degrade the Antarctic environment and threaten its fragile marine ecosystem;

Whereas the Antarctica Protection Act of 1990 (Public Law 101-594) and Public Law 101-620 call for an indefinite prohibition on all Antarctic minerals activities and for the permanent protection of the Antarctic environment;

Whereas significant progress was made toward achieving these goals at the special consultative meeting of parties to the Antarctic Treaty in November 1990; and

Whereas the upcoming consultative meetings of parties to the Antarctic Treaty provide opportunities for the United States to exercise leadership toward the protection and sound management of Antarctica: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That (a) it is the sense of the Congress that Antarctica, as a global ecological commons, should be subject to a new agreement of protocol among the Antarctic Treaty Consultative Parties which would supplement the Antarctic Treaty (signed at Washington on December 1, 1959; 12 UST 795 et seq.) by providing for comprehensive environmental protection of Antarctica and by establishing Antarctica as a region closed, for an indefinite period, to commercial minerals development and related activities, unless a consensus is reached among the parties to the Treaty to modify its terms for such purposes.

(b) Such agreement would also—

(1) conserve and protect permanently the natural environment of Antarctica and its associated and dependent ecosystems;

(2) grant Antarctica special protective status as a world park dedicated to wilderness protection, international cooperation, and scientific research; and

(3) would include other comprehensive measures for the protection of the Antarctic environment.

(c) The prohibition on all minerals activities in Antarctica in such a new agreement would fully support and strengthen the Antarctic Treaty's fundamental objective of keeping Antarctica free of international discord and activities of a military nature.

(d) It is further the sense of the Congress that, at the upcoming special consultative meeting of parties to the Antarctic Treaty, April 22 through 27, 1991, in Madrid, Spain, the President should support efforts to con-

clude the international agreement described in subsection (a).

• Mr. KERRY. Mr. President, Antarctica plays an important and unique role in our global ecosystem and it must be protected. I rise today to submit a concurrent resolution urging U.S. representatives at the upcoming meeting of the Antarctic Treaty negotiators to carry out the intentions of legislation introduced last year by myself and the Honorable Silvio Conte, which calls for an indefinite halt to all mineral mining in Antarctica. Later this month, on April 22, Earth Day, members of the Antarctic Treaty Consultative parties will be meeting in Madrid, Spain, to finalize the negotiations on a new environmental Protocol to the Antarctic Treaty.

The concurrent resolution which we are submitting today urges the U.S. negotiating team to follow the directive of Congress last year to provide comprehensive environmental protection of Antarctica and prohibit commercial mining development on the continent. These measures, Public Law 101-594 introduced by the late Honorable Silvio Conte and myself and Public Law 101-620 introduced by Senator GORE and Congressman OWENS, direct the United States to pursue an indefinite prohibition on all mineral exploration and development and to reject the Convention on the Regulation of Antarctic Mineral Resource Activities [CRAMRA], because it does not guarantee protection to the fragile Antarctic environment.

What would be more fitting to the memory of our great friend, Sil Conte, than to honor him for his work on the environment by having our negotiators push for the effort Sil Conte worked on tirelessly over the past few years. What is now the law of our land should be the language of the new international treaty on Antarctica.

Mr. President I am very concerned at reports I have been hearing out of the State Department that at the upcoming Antarctic Treaty meeting, the U.S. negotiators have been directed to pursue a policy which would ultimately result in the opening up of Antarctica for mineral mining explorations and development. This could not be further from the intentions of Congress when we passed the two laws last year and we hope the President recognizes the meaning of the legislation that he signed into law last fall.

It is my understanding that despite the clear mandate of the Kerry-Conte law negotiators have been told to support a ban on mining that would last only 20 to 40 years. Our law calls on the Secretary of State to negotiate a new agreement for Antarctica that would "prohibit or ban indefinitely" mining activities. I discussed this issue at length last year with the State Department and made it clear then that 20 to

40 years does not constitute an indefinite ban. By introducing this resolution we are attempting to remind the administration of the support that exists in Congress for a long-term ban on mining of at least 99 years, and the support for a more comprehensive environmental shield over the continent.

Our resolution urges an indefinite ban on the mining issue unless a consensus is reached among the parties to the treaty to modify the treaty in a way that would provide comprehensive environmental protection to the area. There is no doubt in my mind that this is a fair and equitable approach to address the issue.

Mr. President, the Antarctic ecosystem is precious and fragile and it is imperative that we negotiate a treaty that will protect it from any future development which may be hazardous to its long-term health.

Equally important to the minerals prohibition, is the rejection of CRAMRA. It is my understanding that the State Department plans to push for an agreement that would permit CRAMRA to enter into force after a time limited prohibition on mining. Congress was totally clear on its rejection of CRAMRA last year, and the State Department is clearly violating our intention if it pushes for CRAMRA. To date several other treaty nations have already dismissed CRAMRA and I urge the U.S. negotiators to follow the lead of countries like France, Australia, and New Zealand on this matter.

Mr. President, Antarctica is precious for many reasons. Chief among them, however, is its near pristine wilderness which serves as a perfect laboratory for studying global warming trends. Many scientists believe that development is likely to cause ice caps to melt, which would not only cause sea levels to rise, but would also reduce the ocean's capacity to absorb carbon dioxide—one of the main greenhouse gases. Altering this ability of our ocean to absorb CO₂, is clearly counterproductive to the findings in the report issued yesterday by the National Academy of Science on global warming trends. If the Antarctic environment gets sullied, we will lose a perfect testing ground for measuring global change and other critical scientific issues.

In closing Mr. President, let me reiterate my belief that the upcoming meeting in Madrid provides the United States with a great opportunity to take a leadership role in the protection of Antarctica and I urge the negotiators to put forth a strong position which reflects the laws passed by Congress last year.●

SENATE CONCURRENT RESOLUTION 27—URGING THE ARAB LEAGUE TO TERMINATE ITS BOYCOTT AGAINST ISRAEL

Mr. LAUTENBERG (for himself and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 27

Whereas since 1948 the Arab countries have maintained a primary boycott against Israel, refusing to do business with Israel;

Whereas since the early 1950's the Arab League has maintained a secondary and tertiary boycott against Israel, preventing Arab countries from doing business with third parties that trade with or invest in Israel;

Whereas the boycott seeks to coerce American firms by blacklisting those that do business with Israel;

Whereas Arab countries submitted 12,668 boycott-related requests to American firms in fiscal year 1989;

Whereas the boycott causes economic damage and isolation to Israel;

Whereas many American firms may be denied contracts by the Kuwaiti Government because they conduct business with Israel;

Whereas the United States has a longstanding policy opposing the Arab League boycott and United States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

Whereas two of the anti-Iraq coalition partners, Saudi Arabia and Kuwait, refuse to renounce the Arab boycott in the wake of a war in which Americans sacrificed their lives to ensure the independence and security of those nations;

Whereas Syria, another anti-Iraq coalition partner, continues to implement the Arab boycott and the Arab League's Central Boycott Office has been located in Damascus since 1951;

Whereas, Arab League countries refuse to accept passports from United States diplomats and citizens if they have an Israeli entrance stamp;

Whereas the Arab boycott against Israel greatly hinders the Middle East peace process and regional stability, to which this country is committed; and

Whereas the lifting of the Arab boycott against Israel would provide a gesture of good faith and represent a confidence-building measure between the Arab States and Israel, greatly enhancing the prospects for an Arab-Israeli peace: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the Arab League should immediately terminate the primary, secondary, and tertiary boycott against Israel; and

(2) the President should—

(A) vigorously encourage Arab League countries to terminate the primary, secondary, and tertiary boycott against Israel, including a reversal of the longstanding policy of not accepting passports with an Israeli entrance stamp, as a confidence-building measure; and

(B) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

● Mr. LAUTENBERG. Mr. President, I rise to submit a concurrent resolution calling for an end to the Arab League boycott of Israel and companies that

do business with Israel. I am pleased that Senator HATCH is joining me in introducing this resolution.

The Arab League has maintained a primary economic boycott against Israel since 1948, refusing to do business with any individual or business in that country. Since the early 1950's, the Arab League has maintained a secondary and tertiary boycott against Israel and her trading partners. Under the terms of the secondary boycott, the Arab League demands companies worldwide to refrain from trading with or investing in Israel. If a company does trade with Israel, it is blacklisted by the Arab League. Arab League countries will not trade with any blacklisted company. They also will not trade with any company that does business with a blacklisted company. This is known as the tertiary boycott.

The Arab boycott doesn't hurt only Israel. It harms America as well. Longstanding U.S. policy on the boycott has been clear. We don't accept it. We won't stand by and let American firms be threatened and coerced. We won't tolerate or cooperate with these outrageous barriers to trade. That's why U.S. law bars American companies from providing certain information to Arab countries to demonstrate compliance with the boycott.

America's Arab coalition partners in the gulf war must move quickly to end the boycott against Israel and companies that trade with Israel. American soldiers sacrificed their lives to protect the independence and security of Saudi Arabia and Kuwait. After all that America has done for them, these countries continue to wage economic war against American business. American companies that trade with Israel may even be denied contracts by the Government of Kuwait—a government that exists today because Americans fought to restore it. Syria, another anti-Iraq coalition partner, also shows no sign of changing its policy on the boycott and is the home of the Arab League's Central Boycott Office.

Mr. President, Israel and its friends in America and around the world are isolated not only economically, but politically as well. Our Arab League coalition partners must finally reverse their policy of political isolation. They must be encouraged to reverse their longstanding policy of denying entrance visas for visitors if they have an Israeli entrance stamp in their passport.

Because of this outdated policy, I had to be issued an entirely new diplomatic passport by the State Department before I could get a visa from the Saudi Arabian and Kuwaiti Governments for a recent trip to the Middle East. My existing diplomatic passport had an Israeli entrance stamp from a previous visit to Israel and I would have been denied entrance if I tried to use it.

It was the height of absurdity that the Governments of Saudi Arabia and Kuwait were prepared to refuse a United States Senator a visa for a congressional delegation visit because his diplomatic passport had an Israeli entrance stamp. In maintaining their visa policies, Saudi Arabia and Kuwait are sending a clear but disturbing message to all Americans. American soldiers prepared to fight to restore security in the region are welcome. But, Americans who have ever visited Israel are not. Would the Saudis and Kuwaitis have denied an American soldier entry if he or she had visited Israel?

This policy is a sad reminder that despite all the developments of recent months, Arab nations except for Egypt still pursue a far-reaching policy of rejection of Israel. The policy is an impediment to peace and must be reversed. I wrote to Secretary Baker urging him to lodge a formal complaint about the visa matter with the Governments of Saudi Arabia and Kuwait and to place it high on the agenda as the United States continues to search for ways to bring peace to the Middle East.

I also raised it personally on a recent trip to Egypt, where I had the opportunity to meet with President Hosni Mubarak and Egyptian Foreign Minister Ahmed Esmat Abdel Meguid, who was nominated by Mubarak to be head of the Arab League. In my meetings, I called on President Mubarak and Foreign Minister Meguid to ask the Arab League to repeal the economic boycott against Israel and her trading partners. I called on them to seek a reversal of the longstanding policy of rejecting anyone who shows evidence of even visiting Israel.

Mr. President, the time has come for the Arab League countries—particularly our coalition allies—to end their economic boycott of Israel and companies that do business with Israel. The time has come to stop isolating Israel politically. Lifting the boycott against Israel and her trading partners would provide an important gesture of good faith and a critical confidence building measure between the Arab States and Israel. It would be a positive first step toward the goal of achieving a longlasting Arab-Israeli peace.

The resolution we introduce today seeks to move the Arab League countries in that direction. It calls on the Arab League to immediately terminate the primary, secondary, and tertiary boycott against Israel and companies that do business with Israel. It calls on the President to vigorously encourage Arab League countries to terminate the economic boycott against Israel and those who trade with Israel, and to end its policy of rejection of anyone who shows evidence of even visiting Israel. And, it calls on the President to encourage our allies and trading partners to enact laws prohibiting businesses from complying with the boy-

cott and penalizing companies that do comply.

Mr. President, if Arab countries and the Arab League agreed to reverse this policy, it would be a positive step toward recognizing Israel's right to exist. It would give hope to the Israelis that her neighbors are serious about acknowledging her permanence. It would bring hope to many that Arab nations will one day formally end their state of war with Israel and enter direct negotiations for peace agreements with that country. I urge my colleagues to support this resolution. ●

SENATE RESOLUTION 97—RELATIVE TO THE DEATH OF JOHN GOODWIN TOWER, A FORMER SENATOR FROM THE STATE OF TEXAS

Mr. GRAMM (for himself, Mr. BENTSEN, Mr. DODD, Mr. DOLE, and Mr. BOND) submitted the following resolution; which was considered and agreed to:

S. RES. 97

Whereas the Honorable John Goodwin Tower served the people of Texas and America in the United States Senate with pride and distinction from 1961 to 1985;

Whereas John Tower's leadership in matters related to military and foreign affairs helped prepare the foundations for America's recent successes in the Persian Gulf War;

Whereas the death of John Tower's daughter, Marian, is a monumental loss to all who knew and loved her; and

Whereas John Tower's tragic passing has deprived Texas and America of an extraordinary person and valued leader: Now, therefore, be it

Resolved, That the Senate expresses the profound regret of the membership on the death of its former colleague, John Goodwin Tower of Texas, and of his daughter, Marian;

That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the Senator; and

That when the Senate recesses today, it recess as a further mark of respect to the memory of former Senator John Tower.

SENATE RESOLUTION 98—RELATIVE TO OIL IMPORT FEES

Mr. PELL (for himself, Mr. CHAFEE, Mr. KENNEDY, Mr. KERRY, Mr. DODD, Mr. BRADLEY, Mr. LAUTENBERG, Mr. COHEN, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. RUDMAN, and Mr. MITCHELL) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 98

Whereas a fee on imported crude oil and refined petroleum products, whether in the form of a levy for general revenues, a levy to fund specific programs, or an in-kind storage requirement of a percentage of imported crude oil and refined petroleum products, and whether fixed or variable, would directly increase the costs of production and manufacturing for industries that use petroleum products;

Whereas the increased production costs resulting from such a fee, levy, or diversion

would impair the ability of industries to compete in international markets;

Whereas such a fee, levy, or diversion would directly increase the costs to other users of petroleum products, including those dependent on oil and oil products to heat their homes and those who use electricity generated from oil; and

Whereas the increased costs to industry and to homeowners from such a fee, levy, or diversion would not be uniformly distributed among geographic regions or economic sectors, but would be borne disproportionately by the regions and economic sectors that are most dependent on petroleum products: Now, therefore, be it

Resolved, That it is the sense of the Senate that neither the President nor the Congress should impose fees, levies, or diversion requirements on imported crude oil and refined petroleum products.

Mr. PELL. Mr. President, I speak today on behalf of myself and Senators CHAFEE, KENNEDY, KERRY, DODD, COHEN, LAUTENBERG, BRADLEY, and JEFFORDS to introduce a Senate resolution expressing disapproval of an import fee or levy on imported crude oil or refined petroleum products. I do so because although Congress has rejected the concept of an oil import fee on various occasions in the past, proposals have surfaced once again which, albeit in different language, call for what is essentially an oil import fee.

One such proposal calls for the imposition of an oil security premium on imported crude oil and refined petroleum products. This proposal would require importers to provide the U.S. Government free of charge a portion of the crude oil and refined oil products brought into this country. The Government would in turn use this oil for the purposes of increasing the amount of oil in the strategic petroleum reserve with a target of adding some 220,000 barrels per day. The effect of this oil security premium, however, would be to impose an oil import fee, payable in oil rather than dollars, at a level of approximately between 9 and 10 percent of the value of the crude oil and refined petroleum products brought into this country.

Mr. President, as we finally begin to address America's long-neglected need for a comprehensive national energy policy, it is important that we develop precisely that—a national energy policy and not one that either adversely affects or unfairly benefits certain regions of this country more than others. Unfortunately, an oil import fee, or as in this case, an in-kind storage requirement of imported petroleum, does just that. It adversely affects oil-consuming regions of the country, in particular New England and the upper Midwest, and provides a subsidy to oil-producing regions at the expense of consumers nationwide. While the goals of energy security and increasing the strategic petroleum reserve are laudable, using the oil security premium as a mechanism to achieve these goals is patently

unfair as well as costly to taxpayers and consumers alike.

I would like to point out some of the basic objections to the concept of an oil import fee or in-kind storage requirement. First, such a levy would impose an added cost on all U.S. manufacturers who use oil and would place U.S. industry at a disadvantage in competing with other countries. In this time of recession, American industry can ill afford any additional burden on its manufacturing competitiveness.

Second, such a levy would place an unfair economic burden on those regions of the country that are particularly dependent on oil for heating, industrial processes, and electric power generation. In some States in these regions, and in particular the Northeast, oil accounts for nearly two-thirds of total energy consumption compared with a national average of 40 per cent. For workers, homeowners, and businesses in States heavily dependent on oil for energy, many of which are currently in the midst of a severe economic downturn, an oil import levy would spell economic disaster.

Third, such a levy would provide a subsidy to oil-producing States, six of which produce over 70 percent of this country's oil, at the expense of the oil consumer nationwide who would face higher gasoline, home heating, and consumer product costs as a result of its imposition.

Fourth, such an import levy would hurt friendly nations such as Mexico, Canada, and Venezuela that have been reliable and secure suppliers of oil and some of whom already face international debt problems.

Finally, as a financing mechanism for increasing the strategic petroleum reserve, an in-kind storage requirement of imported petroleum is hardly cost-effective. Using the latest U.S. Department of Energy estimates, the eventual cost to the consumer of this proposal to increase the amount of oil in the strategic petroleum reserve would be over \$40 per barrel. Simply hiding this cost behind the guise of an in-kind storage requirement of imported crude will do nothing for the consumers and industries of this country that will be adversely affected.

In conclusion, I would like to say that for these and other reasons, Congress has resisted oil import fees in the past. This time around, Congress is being presented with a slightly different proposal than a direct import fee but make no mistake about it, the effect of the oil security premium as I outlined earlier would be precisely the same as an oil import fee. Notwithstanding the need for a comprehensive national energy policy and, in particular, an adequately stocked strategic petroleum reserve, this oil security premium is not the means by which these should be achieved. Moreover, while such policy is unfair and costly in the

best of economic times, it is especially dangerous in this time of recession when industries and consumers are being pressed to their limits.

Accordingly, I urge my colleagues to support this resolution and join me in working to eliminate the imposition of any kind of fee or levy on imported crude oil or refined petroleum products.

SENATE RESOLUTION 99—CONCERNING THE PROTECTION OF REFUGEES IN IRAQ

Mr. MOYNIHAN (for himself, Mr. D'AMATO, Mr. GORE, Mr. PELL, Mr. LEAHY, Mr. SANFORD, Mr. MITCHELL, Mr. DOLE, Mr. PACKWOOD, Mr. CRANSTON, and Mrs. KASSEBAUM) submitted the following resolution; which was considered and agreed to:

S. RES. 99

Whereas Kurds, Shiites and others throughout Iraq began an armed uprising against the government of Saddam Hussein;

Whereas since the uprising began Iraqi forces have employed indiscriminate force against civilian populations throughout the country, including the use of weapons such as napalm and phosphorous, and have killed thousands, and displaced and put at risk of starvation perhaps one million people;

Whereas the United Nations Security Council on April 5, 1991 adopted Resolution 688 which condemns the repression of Iraqi civilians and states that this repression threatens international peace and security in the region, demands that the Iraqi government immediately end its repression of civilians, insists that Iraq allow immediate access by international humanitarian organizations to those in need of assistance and demands that Iraq cooperate with the Secretary General to address urgently the critical needs of the refugees;

Whereas the United Nations and the United States, as the leader of the international coalition opposing Iraqi aggression, have a unique responsibility and ability to address the plight of the Iraqi refugees: Now, therefore, be it hereby

Resolved by the Senate, That the Senate strongly condemns Iraq's continuing military atrocities, its slaughter of thousands of innocent civilians, and its blatant violations of international standards of human rights and the Fourth Geneva Convention of 1949;

The Senate calls for a United States policy in support of democracy and respect for human rights and international law in Iraq;

The Senate believes that the United States has a moral obligation to provide sustained humanitarian relief for Iraqi refugees and urges the President to continue his efforts to garner international support for those fleeing Iraqi repression;

The Senate notes the assistance Turkey and Iran have provided to Iraqi refugees, encourages them to continue to assist the refugees in every appropriate manner, and pledges United States assistance to international relief efforts for the refugee populations;

The Senate calls upon the President immediately to press the United Nations Security Council to adopt effective measures to assist Iraqi refugees as set forth in Resolution 688 and to enforce, pursuant to Chapter VII of the United Nations Charter, the demand in Resolution 688 that Iraq immediately end its

repression of the Iraqi civilian population. Such measures could include: (1) establishing temporary enclaves to provide sanctuary to those fleeing Iraqi troops, (2) developing procedures to verify the full implementation of any Iraqi government offer of amnesty to Iraqi citizens, (3) maintaining economic sanctions against Iraq, and (4) using effective means to protect refugees pursuant to Article 42 of the United Nations Charter.

SENATE RESOLUTION 100—COMMENDING DUKE UNIVERSITY FOR WINNING THE 1991 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S BASKETBALL CHAMPIONSHIP

Mr. SANFORD (for himself, Mr. HELMS, and Mr. MITCHELL) submitted the following resolution; which was considered and agreed to:

S. RES. 100

Whereas, for the first time in the history of the university, the Duke University Blue Devils won the National Collegiate Athletic Association Men's Basketball Championship; and

Whereas Duke University has consistently maintained one of the top basketball programs in the country; and

Whereas the Duke Blue Devils have reached the NCAA Final Four nine times, and the current head coach Mike Krzyzewski and his staff have led the Blue Devils to the Final Four five out of the last six years; and

Whereas Coach Krzyzewski holds the highest winning percentage among active coaches in the NCAA tournament with a 27 to 7 record; and

Whereas Coach Krzyzewski was also named NCAA Coach of the Year; and

Whereas the senior cocaptains of the Duke basketball team became the first players to go to the NCAA Final Four each of their four years; and

Whereas three members of the Duke team made the NCAA All-Tournament team, one was named first team All-American, one honorable mention All-American, and one freshman All-American; and

Whereas the Blue Devils, before defeating Kansas in the final game, beat the University of Nevada-Las Vegas Running Rebels and ended their 45 game winning streak: Now, therefore, be it

Resolved, That the Senate commends the Duke University Blue Devils for winning the 1991 National Collegiate Athletic Association Men's Basketball Championship.

SENATE RESOLUTION 101—AUTHORIZING TESTIMONY OF CERTAIN SENATE EMPLOYEES

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 101

Whereas, in the case of United States v. Kim Peoples, No. M771-90, pending in the Superior Court for the District of Columbia, the United States Attorney has caused subpoenas for testimony at trial to be served upon Frances Marcus and John Mashburn, employees in the office of Senator Jesse Helms;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under

the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Frances Marcus, John Mashburn, and any other Senate employee whose testimony may be necessary, are authorized to testify at the trial of United States v. Kim Peoples.

NOTICES OF HEARINGS

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

Mr. FORD. Mr. President, I would like to announce a change in time for a hearing that has been scheduled on April 16, 1991, before the Subcommittee on Energy Research and Development of the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the Department of Energy's Superconducting Super Collider Program.

The hearing will take place on Tuesday, April 16, 1991, at 2 p.m. instead of 9:30 a.m. as originally scheduled. It will be held in room SD-366 of the Dirksen Senate Office Building, First and C Streets NE, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, attention: Paul Barnett.

For further information, please contact Paul Barnett of the committee staff at 202/224-7569.

SUBCOMMITTEE ON WATER AND POWER

Mr. BRADLEY. Mr. President, I would like to announce for the public that further hearings have been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources to receive testimony on S. 484, the Central Valley Project Improvement Act.

The first hearing will take place on Thursday, May 2, 1991, in Sacramento, CA. The exact time and location will be announced at a later date.

The second hearing will take place on Wednesday, May 8, 1991, beginning at 2 p.m., in room SD-366 of the Senate Dirksen Office Building, Washington, DC.

Due to the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit written testimony to be included in the printed hearing record is welcome to do so. Those persons wishing to submit written testimony

should mail five copies of the statement to the Subcommittee on Water and Power, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC, 20510.

For further information, please contact Tom Jensen, counsel for the subcommittee at (202) 224-2366 or Anne Svoboda at (202) 224-6836.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, TRADE, OCEANS AND ENVIRONMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Trade, Oceans and Environment of the Foreign Relations Committee be authorized to meet during the session of the Senate on Thursday, April 11, at 2:30 p.m. to hold a hearing on U.S. development assistance programs.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE AND PEACE CORPS AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere and Peace Corps Affairs of the Foreign Relations Committee be authorized to meet during the session of the Senate on Thursday, April 11, at 2:30 p.m. to hold a hearing on issues relating to a bilateral free trade agreement with Mexico.

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

SUBCOMMITTEE ON CONSERVATION AND FORESTRY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Conservation and Forestry of the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on April 11, 1991 at 9 a.m. to hold a hearing on below cost timber sales and forestry management.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Foreign Relations Committee be authorized to meet during the session of the Senate on Thursday, April 11, at 10 a.m. to hold a hearing on the effects of the continued diplomatic stalemate in Cambodia.

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on

April 11, 1991, at 1:30 p.m. on S. 218, Emerging Telecommunications Technologies Act of 1991.

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 full committee of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, at 2 p.m., April 11, 1991, to receive testimony on S. 343, a bill to provide for continued U.S. leadership in high performance computing.

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

SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Education, Arts and Humanities of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Thursday, April 11, 1991, at 10 a.m., for a hearing on "Reauthorization of the Higher Education Act: Secretary of Education Lamar Alexander."

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 in open session on Thursday, April 11, 1991, at 2:30 p.m., to receive testimony on U.S. military strategy and its relationship to the fiscal years 1992-93 national defense authorization request and the fiscal years 1992-97 Future Year Defense Program.

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 hold a business meeting during the session of the Senate on April 11, 1991, at 10 a.m.

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

SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary be authorized to meet during the session of the Senate on April 11, 1991, at 1:30 p.m., to hold a hearing on Patents and Trademark Office authorization.

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, April 11, 1991, at 2 p.m.,

to hold a hearing on "The Environmental Consequences of the Drug Epidemic."

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

ADDITIONAL STATEMENTS

WEST VIRGINIAN RAE MCKEE 1991
TEACHER OF THE YEAR

• Mr. ROCKEFELLER. Mr. President, I am proud to take a moment to congratulate an extraordinary West Virginia teacher, Rae Ellen McKee.

Rae McKee is a remedial reading teacher at Slanesville Elementary School in Hampshire County, WV. This is a chapter I school in a very rural county of my State. But its students are lucky because they are taught by Rae, a dedicated and inspiring teacher.

This week, Rae was selected as the 1991 "National Teacher of the Year." Yesterday, President Bush and Education Secretary Alexander were in West Virginia to visit Slanesville Elementary School and to honor Rae McKee.

It is an honor she truly deserves. Rae is committed to the profession of teaching and comes from a family of educators. She has taught for 11 years, and I know she has encouraged many West Virginia children. By teaching them to read, Rae has been able to open the window of opportunity for her students.

In the Senate, we talk a great deal about improving education and I am committed to this vital goal. Federal support for chapter I, handicapped education, literacy programs and all of our educational initiatives are essential. But the role of teachers is unique. Each of us remembers a special teacher who exposed us to the joys of reading, or unraveled the mysteries of mathematics, during our elementary school years.

Teachers, like Rae McKee, inspire children to learn and develop to their full potential. I am proud that Rae and West Virginia will be honored by the National Teacher of the Year Program. Throughout the next year, Rae will be an eloquent speaker on behalf of education and she will carry an important message across our country.

It was a pleasure to meet Rae earlier this year, and I was enormously impressed by her enthusiasm and commitment. I was also touched by her modesty and wisdom. I want to share some of her thoughts on education. In a West Virginia interview in February about this national program, Rae said, "My only regret is that the people I work with can't be recognized because they all deserve it. It's a shame that one person has to be singled out, because the education of children can never be an individual effort."

I agree with Rae McKee. Dedicated teachers in West Virginia and around the country deserve our admiration and support. By honoring Rae, we honor the teaching profession. Rae is also right that many people are involved in the education of a child. Teachers are the leaders in the classroom, but parents, neighbors and every one in the community can—and should—contribute to the education of our next generation. Rae McKee will be an inspiring example for all of us.●

GLASGOW, KY

• Mr. MCCONNELL. Mr. President, I rise today to recognize a unique Kentucky town called Glasgow.

But where in the world is Glasgow? It is an hour and a half equidistant between Louisville and Nashville. East of Bowling Green. South of Elizabethtown. West of Campbellsville. And just north of Tompkinsville. To quote Assistant Principal Jim Nelson:

We're an hour and a half from either center for the arts, but we're far enough away to be insulated from some of the grime and crime that we read about.

In addition to its geographical singularity, Glasgow boasts many of Kentucky's firsts. Approximately 72,000 head of cattle graze the Glasgow area farmland. The city is also the home of the State's largest Wal-Mart, best-managed school system, the 1968 State high school basketball championship, the State's largest producer of hay and milk, and one of the Nation's 10 safest cities.

Even with all of these reasons to be proud, there are still a few complaints here and there. Perhaps those concerns are best addressed by Sandie Claywell, a Glasgow native who studies elementary education at the Western Kentucky University extension campus there.

I think the problem is a lot of people who're not from Glasgow take Glasgow too seriously . . . I hear people say it doesn't offer everything. It's got everything I want.

What else does Glasgow offer? Surprisingly, an impressive cable television system. With competition brewing between two cable television operators, Glasgow cable viewers can get more for \$9 than they can for \$20 in Louisville.

Mr. President, I salute this Kentucky town with character, achievements, and an excitement all its own. And I ask that the text of the attached Courier-Journal article be inserted in the RECORD.

The articles follow:

GLASGOW
POPULATION, 1990
Glasgow, 12,351.
Barren County, 34,001.

BIG JOBS
Manufacturing, 4,437 employees.
Wholesale/retail, 2,708.
Services, 2,104.

State/local government, 1,349.
Contract construction, 981.

BARREN COUNTY PER CAPITA INCOME, 1988
\$11,230 or \$1,582 below the state average.

EDUCATION

Public School Systems: Glasgow Independent (2,284 students); Barren County (3,171 students); Caverna Independent (1,050 students from two counties) Colleges: Western Kentucky University-Glasgow (951 students) Largest vocational school: Barren County Area Vocational Education Center (average enrollment 460).

MEDIA

Newspapers: Glasgow Daily Times (daily except Saturday); Barren County Progress (weekly); Glasgow Republican (weekly) Radio: WCDS (country); WCLU (rock-era oldies); WHHT (rock); WOVO (rock); WFXR (country) Television; Cable offerings include stations from Louisville, Bowling Green, Campbellsville and Nashville, plus "superstations" from Atlanta, Chicago and New York.

TRANSPORTATION

Air; Moore Field (one 4,000-foot runway); Nearest scheduled airline service: Nashville International Airport, 79 miles.

Rail: CSX, Truck: 26 truck lines serve Glasgow.

Water: No commercial river traffic.

LARGEST COMPANIES, 1991

R.R. Connelley & Sons (magazine printers), 1,400 employees.
Eaton Corp. (axles) 700 employees.
SKF USA (bearings) 333 employees.
Aerovox M (electrolytic capacitors) 300 employees.

TOPOGRAPHY

Rolling, rolling, rolling. The land looks like waves of earth.

FAMOUS FACTS AND FIGURES

Glasgow has the biggest Wal-Mart in Kentucky, at more than 110,000 square feet.

Every Esquire, Town and Country, Bazaar, and Sassy magazine is printed in Glasgow, at R.R. Donnelley & Sons, an outfit so big the U.S. Postal Service has its own shop there.

Famous Folks from Glasgow; Bandleader Billy Vaughn, journalists Diane Sawyer and Arthur Krock, NBC chairman Julian Goodman, Gov. Louie Nunn.

Barren County has more registered farm trucks than any other country in the state (2,669 in 1988)—and 2.11 cows for every person (more cattle than any other Kentucky county.)

Glasgow had Kentucky's first black mayor, Laska Twyman, who served from 1968-85.

Preston Hopkins Leslie of Glasgow was governor of two States—Kentucky, from 1871-75, and Montana, while it was still a territory, from 1887-89.

COWS, FACTORIES AND CABLE VIEWERS ALL DO BETTER THAN THAT FRENCH RESTAURANT* WITH THE CORKING FEE

(By C Ray Hall)

The first white settlers here saw vast, treeless stretches and called them "barrens," as if nothing would ever grow there. Perhaps it was such dim prospects that caused two of the very first settlers to open taverns.

As it turned out, though, just about everything will grow here—from trees to tobacco to factories, which dot the rolling hillsides. About the only thing that won't grow is taverns. Too dry.

Pollution? Not much, unless you count methane from cow belches. Barren County

has about 72,000 cattle—more than any other county in Kentucky. It produces more hay and milk than anyplace else in the state. And as to a nod to city slickers, Glasgow produces every Esquire, Bazaar, Town and Country and Car and Driver magazine in the world. (Plus 115 others at the R. R. Donnelley and Sons plant.)

It seems a year can't go by without folks here discovering they've been declared No. 1 in something else. Many towns claim to have the biggest Wal-Mart in the state; Glasgow really does. A couple of years back, the Glasgow school system was cited as the state's best-managed. Glasgow High won the state basketball championship in 1968. The Barren County cheerleaders won a couple of national championships in the '80s. A decade ago, Glasgow was declared one of the nation's 10 safest cities, based on crime figures compiled by the FBI.

"That's not to say we have no crime here," says the mayor, Charles Honeycutt. "We've had some very successful undercover drug operations that show that."

All in all, though, the place is just sort of overwhelming in its pleasantness, like a breeze blowing through honeysuckle. There's an industrial park that actually looks like a park. (And one that doesn't.) A long, stately stretch along South Green Street is somewhat like Lexington's Ashland Park, only with bigger yards and smaller mortgages.

Glasgow might be the only place in Kentucky where you could find the mayor wearing both a beard and a skirt. Charlie Honeycutt, below, dons a kilt for the Highland Games.

There aren't many places where you could lay down a marble without having it roll away and hit a cow or a factory, or somebody talking about making Glasgow more globally competitive. (A volume in the mayor's office: "Japanese Business Etiquette.")

Glasgow is probably the only place in Kentucky where you could find the mayor wearing both a beard and a skirt. The mayor dons his kilts for the Highland Games, a big late-spring festival that draws Scottish clans.

Honeycutt followed Luska Twyman into the mayor's office. Twyman, who served from 1968-85, was Kentucky's first black mayor. Both were high school principals. Honeycutt is also a former high school band director who played a bit with Billy Vaughn, one of several folks with Glasgow ties and national recognition.

"We have enough people like that to give us the confidence we can compete on a national level—and globally," says Jim Nelson, assistant principal at Glasgow High School. Like a lot of people, Nelson points out that Glasgow is about equidistant between Louisville and Nashville. "We're an hour and a half from either center for the arts," he says, "but we're far enough away to be insulated from some of the grime and crime that we read about."

Glasgow's crime-free, grime-free town square has the requisite courthouse with white clock and Confederate statue, and locals who lane-hop in eerie slow motion.

All in all, it's a place that values peace and harmony so much that it's not unusual for a church to take 18 months to hire a preacher.

This is why it's surprising, perhaps, when a preacher breaches the peace. The gadfly in the ointment that otherwise soothes Glasgow's self-image is Father Daniel Sheehan, a 68-year-old priest at St. Helen's, a Catholic church built with fieldstones supposedly carried by parish women in their aprons. Sheehan wishes Glasgow's wealthier folks would take up the burden of the poor, like those women carrying stones in their aprons.

Relief agencies, including his own church's fund for the poor, he says, are "overwhelmed."

Within 15 minutes, two people knocked at the priest's door. One was a woman who had been laid off from her job asking for help with her light bill. "It's a lot," she said, "\$167." She had a shut-off notice. So did the old man who stopped by minutes later.

Unemployment, which was in double digits in the mid-1980s, dipped to 4.6 percent last November. But it's headed up, apparently, with two plant closings expected to cost upwards of 300 jobs.

One retreat from such disheartening consideration is a corner of the town square occupied by the George J. Ellis Drug Store, where coffee is the social lubricant, George J. doesn't dispense here anymore. Tom Holmes, who bought him out in '83, does.

"I was looking for a place to get into debt," Holmes says. "And this worked out fine."

It's not just a drug store. It's not just a restaurant that starts serving before sunup. It's not just a place where you can snatch a volume of The American Encyclopedia off the shelf next to the canned corn and Ajax cleanser. It's a social center where the fatal mistake is taking yourself seriously.

"You gotta be thick-skinned in here," says Les Settle, the city clerk. "If you bleed easily, you better not come in."

For example: A townsman somewhat shy of teeth took note of an undertaker's ring one day and cracked, "D'you get that off one of your customers?"

"No," the undertaker deadpanned, "but I got some teeth for you."

Holmes is a gnomelike presence who always seems to be enjoying a private joke. Maybe he is.

"I wouldn't come in here if I didn't have to work here," he grumps. "And I wouldn't blame other people if they didn't come in."

Faced by such Tom Sawyerian logic, they come in droves, naturally. They spend a lot of time matching coins for coffee. One unlucky soul recently had to pick up the tab for 13 coffee drinkers.

Across the square, at Bernards clothing store, the humor is kinder and gentler. Father John Agapito, a young priest, entered.

"What can I do you for?" asked Berky Sloan, the owner.

"Coupla pair of pants."

"Black?"

Sloan's store, which has been there 55 years, is one of many holdouts on the square, resisting the lure of the suburban strip. Some people think it'll be swell if the proposed coast-to-coast highway, I-66, snuggles up to Glasgow along the Cumberland Parkway. Sloan isn't so sure.

"I think one of the worst things we ever did was building the Cumberland Parkway," he says. "It just made it easier for everybody to get to Bowling Green. . . . People, when they have a little extra money to spend, local's not good enough. They've got to go to Bowling Green or Nashville."

Or to The Biggest Wal-Mart in the State, Sloan calls it "The Forbidden City," not just because of its vastness ("It takes you 15 minutes to go through there") but because of its voracity. ("They put out three drug stores and two dime stores. The next thing they're working on is tire stores.")

Wal-Mart even put itself out. Across the bypass from the gleaming new Wal-Mart is the old one, an empty monument to consumption.

Glasgow had another monument to consumption—a French restaurant called

L'Auberge du Champs. In 1983, it opened across from the airport with great fanfare. Ultimately, it had more fare than fans. Everybody called it "that French restaurant." "It didn't do well because it intimidated everybody," says Kim Pryor, a banker.

Her mother, Jill Bailey, a music teacher, recalls a trip with a friend: "We took a \$3 bottle of wine out there and they charged us \$5 to unscrew the lid. Corking fee. . . . The maitre d', what was his name Henri? He was pretty slick. But country people. . . ."

The latest incarnation at "that French restaurant" is the Beaver Creek Inn, which opened March 1. The owners, Glenn and Marg Henderson, used to run The Feed Shed, a popular place over at Marrowbone. Despite its location next to the volunteer fire department, The Feed Shed burned. Something about a barbecue pit run amok.

For Glasgow folks, who generally brag about only one other restaurant, Bolton's Landing, the Beaver Creek Inn may be just what the country doctor ordered. Servers bring big bowls and platters of home-cooked meals to your table for what Henri would call prix fixe. The prix is fixed at \$19.95. Which is pretty cheap by the hour.

"If they want to sit there and eat two hours," says Marg Henderson, "we'll keep bringing the stuff to them."

Everybody has a bottom line on Glasgow's French flirtation. Some see a larger lesson. Sandie Claywell, who is studying elementary education at the Glasgow campus of Western Kentucky University, says, "I think the problem is a lot of people who're not from Glasgow take Glasgow too seriously. . . . I hear people say it doesn't offer this or it doesn't offer that. Small towns weren't meant to offer everything. It's got everything I want."

Especially since Western Kentucky University came to town three years ago with its extension campus, which now has 351 students. It's gotten so big and, presumably, impersonal that some computer entrepreneurs have put together listings to help students "find your 10 most compatible people."

One astonishing thing Glasgow offers: an impressive cable-TV system. Competition seems to be the culprit. A couple of years back, Glasgow's Electric Plant Board fired up its own cable operation. TeleScripps, the entrenched system, responded by doubling its channels and cutting its prices by a third. In Glasgow, cable viewers can get more for \$9 than they can for \$20 in Louisville.

Glasgow wears down the resistance of even the most recalcitrant newcomers, Don Doty, a Tennessee native and plant manager at Eaton Corp., explains:

"When they first come, anything that they were used to having. . . . that they don't find here, why, they'll bitch about that. 'You can't get a drink here.'

There's nothing to do."

"I think the cycle usually goes, the first year they bitch about all these things. The second year, it's quiet and leveled out. And then after that the only time you hear any bitching is when they get transferred out." ♦

HOW ABOUT PUERTO RICO'S SELF-DETERMINATION?

♦ Mr. SIMON. Mr. President, one of the great mistakes that has been made by a Senate committee was made recently when one of our committees declined to pass out Senator BENNETT JOHNSTON'S bill providing the people of

Puerto Rico with the right to vote for self-determination.

It is a decision that must be reversed. We cannot say that we are for self-determination around the world but not for the people of Puerto Rico.

Two letters to the editor appeared in the New York Times that I think would be of interest to our colleagues. One was written by Mr. Lester Aponte-Parsi of Los Angeles, and the other was written by Mr. Kenneth G. Gruber of Puerto Rico.

The letters are of interest, also, because Mr. Lester Aponte-Parsi, with at least a part-Hispanic name, comes from Los Angeles, while Kenneth Gruber, with a name that is obviously of Germanic background, comes from Puerto Rico.

I urge my colleagues to read these two letters if they did not see them when they appeared in the New York Times.

The letters follow:

HOW ABOUT PUERTO RICO'S SELF-DETERMINATION?

TO THE EDITOR: The Senate's failure to act on Senator J. Bennett Johnston's referendum bill for Puerto Rico is shameful ("America's Captive Nation," editorial, Feb. 22). When Puerto Rico was invaded by United States forces in 1898, their commander, Gen. Nelson A. Miles, proclaimed that those forces had come to "bring the blessings of liberty and democracy" to "a people who have long been oppressed."

On numerous occasions, the White House and Congress have proclaimed a commitment to Puerto Rico's right to self-determination. A joint resolution of Congress passed Aug. 3, 1979, expressed Congress's "commitment to respect and support the right of the people of Puerto Rico to determine its political future by means of a peaceful, open and democratic process."

Is Congress now saying all men are created equal except those whose culture does not blend? The thousands of Puerto Ricans serving in the Persian Gulf may do well to ask what they were fighting for. If this country is willing to fight for Kuwait's right to self-determination, why is it not willing to afford its own citizens the same right?

LESTER APONTE-PARSI,
President, Southern Calif. Chapter, National Committee for Puerto Rican Statehood, Los Angeles, March 4, 1991.

HIDDEN WEALTH

TO THE EDITOR: As a former New Yorker who lives in Puerto Rico, I believe Tom Wicker's Feb. 9 column on statehood for Puerto Rico lacked basic facts about its political and social situation. I will discuss but one of his premises.

Mr. Wicker writes of the relatively low per capita income in Puerto Rico compared with the rest of the United States. There is poverty in Puerto Rico, though perhaps (since our total population is only three million) not so much as in New York City. Even by the official statistics, Puerto Rico has the highest per capita income in Latin America (that is, third behind the United States and Canada for the Western Hemisphere).

Mr. Wicker also describes Puerto Rico as the most important market for United States exports in Latin America, buying more goods than Argentina, Brazil and Chile combined. If three million Puerto Ricans im-

port more United States products than 200 million people in South America (even given the high level of poverty in South America), there may be a problem with the per capita income statistic for Puerto Rico.

Few "mainlanders" know of the tax situation in Puerto Rico, which could contribute to this potential contradiction. Residents of Puerto Rico do not pay Federal taxes, but do pay a local income tax administered by the Commonwealth. It is well known that there is massive tax fraud in Puerto Rico. As an example, the average income for physicians or lawyers is \$20,000 to \$30,000 a year. This statistic was recently rejected by a jury in a Federal Court suit, and a figure closer to \$150,000 a year was used to calculate a judgment. Similar disparities almost certainly exist.

In the United States, having a reported income disproportionate to your life style or the average income of your profession is a guaranteed way of producing an Internal Revenue Service investigation. This is not so in Puerto Rico.

Anyone who visits Puerto Rico and sees high-rise apartments and housing developments being built and sold at prices from \$150,000 to \$600,000 would be hard pressed to think this island has an economy vastly weaker than Mississippi's. This is to say nothing of the many Mercedeses, BMW's and other luxury cars commonly seen on our roads.

Another interesting statistic is that the highest-grossing stores in the Sears and J.C. Penney chains are in Puerto Rico. This is not a statistic you would associate with an economically depressing region.

There are also legal ways to defer a much larger percent of your total income in Puerto Rico than under I.R.S. regulations. For example, when I worked on the mainland, my ability to defer income was limited to a relatively small percent, while at my job in Puerto Rico I can defer up to 100 percent of my income. Thus, comparing per capita income figures calculated under two tax codes is mixing apples and oranges.

A more objective approach to the economic strength of Puerto Rico might be to calculate the per capita consumption of retail goods and services sold on the island, and compare this with other regions of the United States. You might find we are not so far from the rest of the United States as the per capita income figure would suggest.

KENNETH A. GRUBER,
Condado, P.R., March 1, 1991. •

TRIBUTE TO HARRY "BUD" SMITH

• Mr. REID. Mr. President, I rise today to honor Harry E. Smith, known to his friends as "Bud."

Bud has always served as an example to those around him. The kind of commitment to hard work, family and community Bud has demonstrated throughout his life is what made our country great.

Bud graduated from Sparks High School in 1931 and went to work for the Southern Pacific Railroad. He retired in 1975.

He married his wife, Dorothy, on October 28, 1935. Together, they raised four children. And, today, they have been married more than half a century.

Bud has been active in the Masonic orders of northern Nevada since 1942,

and has achieved the degree of master Mason.

He is also active in the Order of the Eastern Star and Kerak Shrine Temple.

Bud has passed on his love for community service to his sons and nephews. When they became old enough, he initiated them into the Masonic order.

Many old and young northern Nevadans have benefited from Bud's commitment to his community.

It is my privilege to honor him here on the Senate floor today. •

A TRIBUTE TO PAGOSA SPRINGS

• Mr. WIRTH. Mr. President, I would like to take this opportunity to recognize the 100th birthday of one of Colorado's oldest and most interesting communities, the town of Pagosa Springs.

April 13 marks the 100th birthday of this remarkable town. Pagosa Springs is located at the base of the scenic San Juan Mountain range, and the residents have every reason to be proud of their town's unique western heritage and mountain splendor.

The Anasazi Indians, or "ancient ones," were among the first inhabitants of Archuleta County and present-day Pagosa Springs. The Anasazi cliff dwellers were followed by the Ute tribes, who revered the hot mineral springs of the area for spiritual and healing powers.

Spanish explorers and missionaries followed, and when the United States acquired this part of the Colorado territory after the 1848 War with Mexico, Fort Lewis was established as a military post to encourage settlers. The town of Pagosa Springs developed around Fort Lewis and was finally incorporated in 1891.

Today, visitors from around the world come to Pagosa Springs. Hunting, fishing, and outdoor recreational pursuits abound in this scenic part of the Colorado Rockies. For those interested in native American history, Pagosa Springs and the nearby Southern Ute Indian Reservation are very special locations. Some of the most beautiful pottery in North America is produced in this part of Colorado, and the archeological wonders of places like Chimney Rock are unique reminders of a spectacular native American culture that is centuries old.

Mr. President, I am pleased to join in wishing Pagosa Springs a very happy 100th birthday, and take pride in this special centennial celebration for one of Colorado's greatest communities. •

ARMS SALES HEAVEN

• Mr. SIMON. Mr. President, we should all be concerned by the constant stockpiling of arms by countries around the world, including the poor countries of the world.

Far too much money is spent on arms that end up destabilizing the world rather than meeting the needs of people.

Leslie H. Gelb had a column in the New York Times that summarizes the situation well. While it talks only about the Middle East, where our attention is focused right now, a similar column could be written about Central America and other regions of the world.

I hope the administration will apply a little greater rationality than has been shown up to this point, and I hope Congress can serve as a restraining force, though our record is not a good one.

At this point, I ask to insert the Leslie Gelb column into the RECORD.

The column follows:

ARMS SALES HEAVEN

Syria, Egypt, Iraq and Turkey each have more main battle tanks than Britain or France. Syria, Iraq and Egypt each fly nearly as many combat aircraft as Germany or France or Britain.

Egypt, Iran, Iraq, Kuwait, Libya, Saudi Arabia and Syria have purchased from abroad about \$125 billion in arms since 1983. This accounts for more than half the worldwide arms trade.

Why are they doing this? Can President Bush do anything to bring the situation under control?

These nations are not buying all those arms to fight for a Palestinian homeland. They treat Palestinians the way Americans treated Indians.

Nor do they arm themselves so heavily because they think Israel will grab their territory or oil. Not even the most paranoid Arab fears that.

There are two simple and powerful reasons for Mideast Muslims making their territories look more like arsenals than countries. First, most of them hate and distrust each other. They have killed hundreds of thousands of their brethren in wars over the last 40 years. Second, they hate Israel, and most would like to destroy it. Israel intruded into their established world and humiliated them in battle many times. Even today they know that Israel, itself an armed camp, could defeat any two of them simultaneously.

These Arab states and Iran have very little incentive to accept limits on their arms purchases. They live in constant fear that one of their Muslim brothers will gain the upper hand and attack. Also, stopping the arms race would guarantee Israel's continued superiority in military technology and its monopoly in nuclear weapons. Thus the arms race spirals upward and the wars become more terrible.

The arms exporters understand all this full well. But only on the rarest occasions have they denied arms requests from their oil suppliers. The industrialized world simply wants to keep the oil countries happy and buying arms to help offset the oil bills.

No one understands this mutual dependency better than the Mideast oil producers, who also know that oil money is their best weapon against Israel.

Israel cannot afford to compete with its neighbors in arms imports over the long run. It is already strapped with an enormous defense budget. That burden and the goal of keeping military superiority explain why Is-

rael now calls for sharp cuts in arms exports to the Middle East.

To manage these eye-crossing interests and maneuvers over arms, the Bush Administration has developed the following approach:

Ban sales of chemical, biological and nuclear arms and related know-how, and the long-range missiles capable of delivering such weapons.

(Reasonable, but many Mideast nations already have some of these capabilities. Also missile exporters—North Korea and China, for example—will not abide by limits.)

Consider setting limits on sales of aircraft, tanks, artillery and smart missiles, but in the meantime sell what buyers want—"to see to it that they're secure," as Defense Secretary Cheney put it.

(As long as other suppliers do not restrain their sales, there is no sense putting ourselves at a competitive disadvantage.)

Argue that Iraq's defeat has diminished the biggest threat to all and that all can now safely buy less.

(A solid tactic, but the Administration already expects a substantial increase in demand from the victors.)

Negotiate confidence-building measures like Arabs dropping their economic boycott against Israel and Israel providing better treatment for Palestinians.

(Sensible, but it will not reduce arms demands.)

Seek peace settlements between Arabs and Israel and between Israel and the Palestinians.

(An essential ingredient for eventual arms restraint on the Arab-Israeli front, but it does not deal with the inter-Arab quarrels, which also trigger demands for arms.)

CAN BUSH RESTRAIN THE MIDEAST?

The Administration's plan is practical and realistic. Too much so.

It is weighed down by business-as-usual realism. There seems nothing in it to exploit the death of the Soviet threat and the diminished value of Soviet arms sales. It contains little to suggest building on the victorious anti-Iraq coalition molded by Mr. Bush—or escaping the tragic history of Mideast arms races.

Mr. Bush is in a strong position to press other arms exporters for joint limits on sales and to link arms sales creatively with peace diplomacy. But to surmount this arms quagmire, he has to think bigger than his aides and put his new prestige on the line. ●

LIONS CLUB AWARENESS WEEK

● Mr. BRADLEY. Mr. President, the month of April is Lions Club Awareness Month in New Jersey. I ask my colleagues to join me in saluting the Lions Club for enriching the quality of life in communities across the country.

The Lions Clubs are an integral part of our communities. For 70 years, the Lions Club of New Jersey have touched the lives of thousands of citizens. As society changes, the Lions Clubs have evolved to confront new challenges. In New Jersey, they work to fight drug abuse through drug education. And since they were founded, the Lions Club has pioneered the effort to help the visually impaired to live up to their full potential.

Comprised of members of the business community, Lions Club members

donate their time, energy and skills to help improve the lives of others. They answer the question, "What do I owe another human being?" with the most generous response. They deserve our respect and our gratitude as they mark 70 years of service and dedication. ●

ANNIVERSARY OF INDEPENDENCE OF BYELORUSSIAN DEMOCRATIC REPUBLIC

● Mr. METZENBAUM. Mr. President, I join Byelorussians throughout the United States and the world in celebrating the 73d anniversary of the independence of the Byelorussian Democratic Republic. We recently marked this milestone on March 24, 1991.

In 1918, the Byelorussian people proclaimed their freedom and right to self-determination by declaring an independent Byelorussian Democratic Republic. Their aspirations for freedom have survived for over 70 years, and have endured the hardest of economic and political hardships.

As the people of Byelorussia continue to fight for cultural independence and political integrity, it is important to remember the vision and commitment which have preserved the democratic movement in Byelorussia.

It is especially important to remember that the people of Byelorussia continue to fight for democracy and freedom. The recent political turmoil in the Soviet Union and the repression of regional democratic movements have threatened Byelorussian independence. The scourge of totalitarian repression has silenced the cultural, religious, and ethnic identity of too many nations for too long. Byelorussians worldwide have refused to be silent.

I salute the proud people of Byelorussia on the anniversary of their declaration of independence, with the hope that their dream of freedom will soon be realized. ●

TRIBUTE TO THURMAN PARSONS, RENO, NV.

● Mr. REID. Mr. President, I rise today to honor Thurman Parsons of Reno, NV. Thurman is the very essence of what makes our country great, a hard-working family man with a strong sense of community.

In 1920, at the age of 14, Thurman worked as a call boy for the Southern Pacific Railroad. Thurman retired from the Southern Pacific Railroad, 51 years later, having become the chief clerk of the freight office.

Thurman and his wife, Carol, had the pioneering spirit. When they built a home in South Reno, they had no running water. Chickens and rabbits ran in their yard. They worked hard, dug a well, and raised their children, Karen and Harry, in the dusty desert at the foot of the Sierras.

For most, this adventure would have been daunting. But not for Thurman. He felt he had been blessed and looked to share his gifts with his community.

Since 1945, Thurman has been active in the Masonic groups in northern Nevada, and has achieved the degree of master Mason. He is also active in the Order of the Eastern Star for the State of Nevada and has held the offices of worthy patron and grand sentinel. Thurman has also given his time to the Kerak Shrine Temple.

Many young and old northern Nevadans have benefited from Thurman's commitment to his community.

It is my privilege to honor him here on the Senate floor today.●

A GOOD STUDENT STRUGGLING

● Mr. SIMON. Mr. President; we have been hearing from many students who face serious problems because of the way student aid has slipped in this country.

It is a tragic loss of resources.

I am inserting at the end of this statement a statement made to our subcommittee at a hearing in Chicago by James M. Bromfield, a student at Illinois Institute of Technology.

You will see the struggle that he goes through. This is an above-average student.

When reading his statement, you can also see why so many fall through the cracks.

We simply cannot continue to tolerate this as a nation.

I ask to insert his statement into the RECORD, and I urge my colleagues to read it.

The statement follows:

TESTIMONY OF JAMES M. BROMFIELD

Thank you Senator Simon and members of the panel for giving me the opportunity to testify today. College financial aid is something that I feel very strongly about.

My name is Jim Bromfield. I'm a senior at Illinois Institute of Technology majoring in electrical engineering. I went to Bolingbrook High School in the suburbs of Chicago and did very well. I graduated 19th in a class of 423. I was in the honors track, and my grade-point average was 4.0 on a 4.0 scale. Without financial aid, I probably would not have been able to go to a four year university. My family income is between \$40,000 and \$50,000, and there are three children after me.

If I had not been able to get financial aid, I would have probably had to get a full-time job and attend junior college. As it is, I work at least 15 hours a week plus all summer. Financial aid has covered more than half of my education, but a good part of that aid has been loans. When I graduate in May, I will face the prospect of paying back debts totaling \$17-18,000.

When I started college, tuition was just below \$10,000. It's gone up about \$500-\$600 every year since. For four years, the total comes to something on the order of \$40-\$45,000—without housing. With housing, the total gets up to \$55-\$60,000.

IIT gave me a dean's scholarship for \$2,000 a year and, because of my grades, I was eligible for some financial aid through IIT en-

dowed scholarships. I was also an Illinois State Scholar. That probably was the biggest help.

My first two years I also received federal money from the Pell Grant. The first year, it was \$1,850. But the next year it was decreased to \$650.

My junior year and senior years, I didn't get a Pell Grant. It was especially scary this year because the Illinois Student Assistance Commission initially told me that I was not eligible for any money from the state either. I wasn't sure what to do at that point because there was no way that my parents could help out. Paying for school has been my responsibility and will continue to be my responsibility after I graduate.

My freshman year, about \$4,000 of my financial aid was a loan. It was about the same for my sophomore year. My junior year loan jumped to about \$5,000. This year, I could only get \$4,000 in loans. But because my housing and tuition expenses increased and my grants and loans did not, I am looking into other loan sources.

I'm not the only one who has a problem like this. Two of my fraternity brothers were ready to drop out of school because they didn't have the money. They were good students and they wanted to get their degrees. It was strictly an issue of finances.

I know I'm going to make it, but it's been a headache and something that's been on my mind. A lot of time and energy has been devoted to worrying about my financial situation.

I've worked summer jobs all along: One summer in the kitchen of Homerun Inn. Two summers as a day camp counselor. Last summer, because of my coursework and experience at IIT, I was able to get a job with GM's Electro-Motive Division. They paid me substantially, and I thought that I had saved very well. I had hoped to have enough money for the entire year so I wouldn't have to work so much. I knew I was going to be taking a very heavy courseload of 20 credit hours in the fall. Twelve hours is considered full-time.

I was hoping that—since it was my senior year—I could devote my spare time to looking for a job and maybe taking it a little bit easier. I thought maybe I would even have some money to spend on other things. That didn't happen. I used up all my savings last semester for tuition and housing. Financial aid was so poor that when I got my award, I was just shocked. I didn't have any choice about what I would spend my savings on.

Since my freshman year I've also had to work during the academic year. I've probably been working an average of about 15 hours a week, but sometimes it gets up to 30 or 40. My first job was at the student union. After that I was a lab assistant in computer-aided drafting. When a job opened up in the admissions/financial aid office, I worked there for two years. I enjoyed encouraging students to go on with their education. Now, I'm working as a teaching assistant in our freshman computer literacy program.

Teaching is something that I wanted to look more seriously into—either at the college or high school level. I enjoy the feeling that I get when I can relate some of the things that I have learned. I like being able to help someone out, being in a position to encourage them to stretch further than they would have expected to go themselves.

But as far as jobs are concerned, when I graduate, I'm going to have to get a job that will enable me to pay back those loans. Once I make enough money, then I can maybe look into and go into teaching. I'm inter-

ested in graduate school, but I never really considered it a possibility because of the amount of money that I owe right now.

I've had good grades here in college, so I think I am in a fairly good position to find a job. I have probably more opportunity than most people at this point, but it is still kind of tentative, and I'm really feeling the pressure of finances. Things would have been a lot easier if I'd had more support.

I never expected a free ride, but I worked very hard, and when I get out I'm going to face a big debt. I'm glad I was able to manage, and that I had people to encourage me, but I think there has to be a better way to help people like me get their education.●

MIDDLE EAST RELIEF EFFORTS

● Ms. MIKULSKI. Mr. President, I would like to speak in support of a more aggressive relief effort in the Middle East.

I do not want to discuss today the policy of whether or not we actively support the insurrection in Iraq. Or whether we support a separate Kurdistan or the separatist movements in Africa. Those are complicated issues for another time.

Starvation is not a complicated issue. Neither is death from exposure.

As Americans, we cannot stand by and ignore the pictures of Kurdish refugees or the starving millions in Somalia, Ethiopia, and the Sudan.

Today we have tons of equipment in the region that can help these people. Tents, food, aircraft, generators.

We do not need a consultant to make a "needs assessment." We do not have time for studies.

We know what they need. We know what we have close by. The only question is how to deliver it.

I call on officials in the Agency for International Development and the Department of Defense to use all the creativity, resourcefulness, and common sense at their disposal to find a quick, efficient way to deliver desperately needed goods to these people.●

LEE IACocca TO RECEIVE ENGINEERING SOCIETY OF DETROIT'S 1991 LEADERSHIP AWARD

● Mr. LEVIN. Mr. President, I am pleased that Lee Iacocca has been chosen to receive the Engineering Society of Detroit's 1991 Leadership Award. This honor is awarded to individuals for their significant contributions to the engineering profession, as well as support of education and research activities. Lee Iacocca is most deserving of this award. Lee's contributions range from helping educate disadvantaged children to improving our international competitiveness.

Lee's contributions to the State of Michigan are well known. He has helped revitalize the auto industry, creating jobs and bringing income to the State. He has also headed job creation and economic development commissions for the State. In addition to