

# HEINONLINE

Citation: 128 Cong. Rec. S15885 1982



Content downloaded/printed from  
HeinOnline (<http://heinonline.org>)  
Tue Mar 24 15:12:07 2015

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 97<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 128

WASHINGTON, TUESDAY, DECEMBER 21, 1982

No. 154

## Senate

(Legislative day of Monday, December 20, 1982)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

### PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Gracious, patient God, merciful Heavenly Father, we thank Thee for Thy forgiving love. We have worked hard, under great tension of controversy and pressure of time. We have done some things that ought not to have been done and we have failed to do some things we ought to have done, but they cannot be changed now. We have felt some things and said some things about each other that have been less than loving and we pray that they may not be a source of alienation.

In the spirit of this holiday which celebrates love and peace, may we be forgiven and may we forgive and forget, as we anticipate a new Congress, with fresh opportunity to fulfill our promises to the people and the responsibilities mandated by our positions.

We pray for our families who have already suffered more disappointment than they should. Help each of us to give them priority and grant dear God, that the frustrations of these last weeks will have no effect on a joyous family experience. We pray this in the name of Him whose birth brought God's promise of peace. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

### ORDER DESIGNATING A PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order there be a period for the transaction of routine morning business of not longer than 1 hour in length in which Senators may speak for not more than 10 minutes.

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

[Later the following occurred:]

Mr. BAKER. Mr. President, let me change the unanimous-consent order on morning business for a moment.

I ask unanimous consent that the time for the transaction of routine morning business commence after the time allocated the two leaders under the standing order and extend not past the hour of 1:30 p.m. under the same terms and conditions.

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

[Conclusion of later proceedings.]

### NOTICE

The last issue of the daily Congressional Record for the Ninety-seventh Congress will be published not later than December 29, 1982. Interim issues of the Record may be printed at the direction of the Joint Committee on Printing.

None of the material printed in the Congressional Record after adjournment may contain subject matter, or relate to any event, which occurred after the date Congress officially adjourned.

No provision herein shall be construed to supersede the two-page limitation rule.

All material must be signed by the Member and delivered to the respective Office of the Official Reporters of Debates, Room H-134 or S-220 of the Capitol, Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m., through Wednesday, December 29, except Friday, December 24.

Members of Congress desiring to purchase reprints of material submitted for Record printing during the adjournment may do so through the Congressional Printing Management Division located at the Government Printing Office. That office may be reached by telephoning 275-2226 between the hours of 8:00 a.m. and 4:30 p.m. daily, except Friday, December 24.

By order of the Joint Committee on Printing.

CHARLES McC. MATHIAS, JR., *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

## ORDER OF PROCEDURE

Mr. BAKER. Mr. President, there may be items that are cleared for action by unanimous consent. I have not checked our folders. We will do those as and when they are cleared for action. There are conference committees that are meeting. It is possible that we will have conference reports during the course of the day.

The remainder of the day I cannot describe with any more particularity. I do not anticipate at this moment that the day will be an extraordinarily long day. I do not anticipate that.

I will try to have further advice for the Senate as we proceed during the course of the day.

Mr. President, I have no need for the remainder of my time under the standing order. Could I inquire if the assistant majority leader has need for time?

Mr. STEVENS. Mr. President, I will seek recognition during morning business.

Mr. BAKER. Mr. President, I see no Senator seeking recognition during the standing order time.

Does the minority leader have any requirement for additional time?

Mr. ROBERT C. BYRD. Mr. President, I do not think I will need the remainder of the majority leader's time. I thank the majority leader for his offer.

Mr. BAKER. Mr. President, I yield back the remainder of my time.

RECOGNITION OF THE  
MINORITY LEADER

The PRESIDING OFFICER (Mr. ARMSTRONG). The minority leader is recognized.

EIGHT THOUSAND CONSECUTIVE  
VOTES CAST BY SENATOR  
PROXMIRE

Mr. ROBERT C. BYRD. Mr. President, I would like to announce that last week, on Wednesday evening, Senator PROXMIRE cast his 8,000th consecutive vote. I do not think that is a matter that should go unnoticed here or in the country. It is a remarkable record. I know of no other Senator who has ever achieved such an outstandingly extraordinary record of casting consecutive votes. In the other body that may very well be the case but not here.

I congratulate Senator PROXMIRE for his spartan dedication to duty. I frankly do not see how he has been able to do it.

I like to pride myself on the fact that I have cast nearly 10,000 votes in my 30 years in the Congress, only to be exceeded by my senior colleagues, Senator RANDOLPH and Senator JACKSON, insofar as I know.

I am proud of the fact that I have a 100-percent rollcall attendance record

during this year which was a campaign year for me, and a 98-percent rollcall attendance record for the 24 years I have spent in the Senate. But those achievements pale by comparison with the record that has been achieved by the Senator from Wisconsin—8,000 consecutive rollcall votes without missing a single vote in that time.

Mr. PROXMIRE. Will the leader yield?

Mr. ROBERT C. BYRD. Yes.

Mr. PROXMIRE. Mr. President, I want to thank my leader. I appreciate so much his calling attention to this fact that I have not missed a vote in 18 years, 8,000 consecutive votes. But in the last campaign, to put it in the perspective of my opposition, one of my critics said we would have a lot better country if I had missed them all. [Laughter.]

Mr. ROBERT C. BYRD. What happened to your opponent?

Mr. President, I yield to the Senator from Ohio.

Mr. METZENBAUM. Mr. President, I would like to join in commending the Senator from Wisconsin. To have cast 8,000 consecutive votes is an unbelievable record. Sometimes I wonder how he does it, particularly when I know that some of us have been on the floor and have occasionally forgotten to vote even though we were here. It has taken a great deal of attentiveness on his part, indeed.

But to me, there is something else that ought to be added. That is that the Senator from Wisconsin, in those 8,000 votes, has always concerned himself, to the best of my knowledge, as to the public need, and he has not hesitated to speak out on issues of concern, though he was a lone voice in the wilderness. He has been a very unusual Member of this body, in that not only has he been diligent and has seen to it that he voted 8,000 times in a row, but he has also been very diligent in being concerned about the people of this country.

The Senator is one of those who I feel, day in and day out, has recognized the difference between legislation for special interests and legislation for the people's interests.

I commend the Senator for his record of 8,000 consecutive votes, but also for his concern for his constituents as well as the people of this country.

Mr. PROXMIRE. Mr. President, if the Senator from Ohio will yield, there is no one from who I would rather receive that kind of accolade than the Senator from Ohio, the unchallenged champion of the public interest. We had a session one year in the past that became known as the John Williams session. John Williams was the Delaware Senator who stood up again and again to protest and successfully expose waste and extravagance. That particular year was a banner year for him. I think this 1982 session, because of the great job the Senator from Ohio has done in stop-

ping special interest legislation, should become known as the Howard Metzner session, no question about it.

Mr. ROBERT C. BYRD. Mr. President, I have 1 more minute remaining. I yield that time to my colleague (Mr. RANDOLPH).

Mr. RANDOLPH. Mr. President, how much time is remaining?

The PRESIDING OFFICER. There are 5 minutes remaining.

Mr. ROBERT C. BYRD. I yield that time to the distinguished Senator.

Mr. RANDOLPH. I thank my able leader.

Mr. President, there are times in the Senate when we do things that are not absolutely world shaking, or sometimes even necessary. Oftentimes, it turns out that there are things we do that should not have been done. However, this colloquy about the diligent Senator from Wisconsin (Mr. PROXMIRE) is a deserved tribute. Our colleague has achieved a remarkable record.

I saw a motion picture, "Chariots of Fire." When I left the theater, I realized that the hero of the film was determined to do something extraordinary, through the discipline of his body and his mind, and he did it. It is a tremendous picture. It made me want to do a little more, even at my age.

In the case of our colleague from Wisconsin, I often wonder why does he sit there by that center door? You know, people are coming in and out constantly. They are talking, there is disturbance. But I realized that he is a man who wants to be near and with people. Over and over again, I have looked at him and ask myself why he is not upset at the disturbance that occurs as Members come in and out and staff members move around and our guests from the House come over to check on us. But there he is, ready to discuss the issues with Senators, vote yes or no on the issues. The unparalleled record he has compiled is an inspiration to all of us.

I recall the reports of money spent in election races throughout the country, as of last November, for Senate seats. I ask my friend if he would tell us how much he spent in his reelection to the Senate?

Mr. PROXMIRE. I thank my friend. I spent \$145.10.

Let me say to my friend from West Virginia, because I cannot tell him how deeply I appreciate his words. I have only been here 25 or 26 years and have known my good friend from West Virginia. He has not changed a bit. The remarkable thing is that I think he is the greatest example of all these crazy food faddists who say you have to be slim and trim to be in good shape. They should see how gloriously the not-exactly-sylphlike JENNINGS RANDOLPH has thrived.

You look the same, you have the same marvelous verve and humor. JEN-

nings, bless your heart, and thank you.

Mr. RANDOLPH. Mr. President, the Senator from Wisconsin (Mr. PROXMIRE) is very kind. I am indeed grateful.

He makes reference to being slim and trim. Whether or not I am portly, I try to be friendly. That is natural with me. There was one Member of this body, Chauncey Depew, of New York, who had a fine career in the Senate. He was a brilliant man, but a very large man. His friends said, "Chauncey, if you don't lose weight or take exercise, you are going to die." He would respond, "I am over 80. I feel fine." They would argue, "But you must exercise." He replied, "I take exercise. Yes, I exercise." They asked, "Tell us how you exercise?" He said, "I serve as a pallbearer for my friends who do."

There is no formula for everyone. You know, there is no formula for an ALAN CRANSTON, a METZENBAUM or a PROXMIRE or anyone in this body.

I conclude with part of a poem quoted from memory.

*"There is a way and ways;  
Some choose the high way, some the low.  
And in between the misty flats,  
The crowds drift to and fro.  
But to every man is opened the way his life  
shall go."*

You have chosen your life and it is a shining example. Bless you for your service to our Nation and the Senate.

#### ROUTINE MORNING BUSINESS

Mr. STEVENS. Mr. President, has the leader's time expired?

The PRESIDING OFFICER. The leader's time has expired. It is time for morning business under the previous order.

Does the Senator from Alaska seek recognition?

Mr. STEVENS. I do seek recognition in morning business, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

#### WHEN SENATORS DIFFER

Mr. STEVENS. Mr. President, last evening I held the floor for a few minutes in an effort to help resolve the problems related to the highway bill. During that time, I moved to take the House-passed railroad bill, which contains the Alaska Railroad bill, from the desk and place it on the calendar—admittedly, that action was done facetiously, since it was obvious that an objection would be made. This bill was held at the desk on a routine request from the Commerce Committee because a companion measure is on the calendar.

The Senator from Ohio has repeatedly objected to the unanimous-consent request to take the railroad bill from the desk. My motion was not to take up the railroad bill; that would not have been in order since we were in postcloture on the highway bill. If the

House-passed railroad bill could be moved to the calendar, a debatable motion could be made to take it up.

During the time we were in session after that episode, my good friend from Louisiana (Mr. LONG) tried to mediate our dispute on the railroad bill. Senator LONG has told me that I have not realized the depth of resentment the Senator from Ohio feels because of my previous remarks.

I know the Senator from Ohio realizes how deeply I feel about this and other bills which he has blocked this year.

Mr. President, the record will show that in 14 years, this Senator has never blocked another Senator's bill by a parliamentary procedure. As long as we are talking about records around here, I think that is a record. I have never once held so as to prevent a passage of a bill of another Senator.

But, Mr. President, despite these differences, as the Senator's remarks last evening disclose, our differences have been professional, and we have even made light of our differences—such as when he offered to trade the Alaska Railroad bill for my daughter Lily and I replied that offer shows that he overstates the value of the railroad.

But, Senator LONG's comments caused me last evening, and early this morning, to review my past comments. I have often said that the Senate is like a family—and I remember so well what my grandmother, who raised our family, said about our family: We could argue as much as we wanted at home, but when we were in public we should do our best to not criticize one another because there were too few of us to take on the rest of the community if we were divided.

I want to apologize to the Senator from Ohio for the remarks I have made which have caused this resentment. In this position which we each hold—that of a U.S. Senator—we get many insults. Even this past few days, I have been the recipient of remarks, made in anger, which have offended me—remarks which should not have been made, but at least they were not made publicly in a manner to cause permanent resentment. And I do not hold permanent resentment for them. The remarks I did make to the Senator were made in public, but they were not made, and I believe had not been interpreted by him, to indicate any personal malice or offense to him.

The Senator from Ohio and I have been in many battles, almost daily, for several years. I think it was 6 or 7 years we battled over the Alaska lands legislation. For months we battled over the waiver package on the Alaska natural gas pipeline. We have had arguments over the timber bill, without which the timber operations of Alaska will soon cease. There is one mill operating still. Our mills are completely dependent upon timber from Federal forests, and that situation does not exist in any other State. And over the shipping bill, which the Senator has

blocked. Alaska has half the coastline of the United States. We are completely dependent upon ocean shipping for our survival. We are more affected by this shipping bill than Hawaii because years ago Congress made exceptions for Hawaii.

We have had many other bills, and I could recite them, where we have had our disagreements, and many of those are still blocked. But even during all these arguments—and there have been many more acrimonious, in my opinion, than those of recent date—the Senator from Ohio and I did not get into the situation in which I felt either of us held a personal resentment for what had been said or what had transpired. And as I said, I regret if Senator METZENBAUM feels that resentment, and I again apologize for what I have said or done to cause that.

He will note that last night after others had left, as a matter of fact after everybody had left, I re-read my remarks again and deleted those that I thought might add to that resentment because of the statement that was made to me by the Senator from Louisiana. I hope he will take that as an indication that the conversation I had with the Senator from Ohio and others led me to believe that he had some doubt about my respect for him as a Senator. And I want him to know that my respect for him and this institution is sincere.

May I add that the Senator from Louisiana has demonstrated again, I think, his great devotion to the Senate, which we all know comes from his and his family's long tradition of public service. He obviously had the best interests of the Senate in his heart when he sought me out last night, and he has shown once again I think that he is a true friend of this Senator.

I yield the floor.

Mr. METZENBAUM. Mr. President, is there some matter from which I may obtain some time? May I be recognized in my own right?

The PRESIDING OFFICER. The Senate is considered in morning business, and under the rules the Senator may be recognized for 10 minutes.

Mr. METZENBAUM. Mr. President, let me say that I very much appreciate the apology of the Senator from Alaska. I accept it, and I bear him no ill will. I understand that oftentimes in the heat of debate, in the heat of a particular moment, one does let loose with language that sometimes we all might wish we could put back in our mouth. And so I accept his apology. I think that he does a superb job of fighting for those issues of concern to him. I try to do a good job on issues of concern to me.

I want the Senator to understand that I am very pleased to put our relationship back to what I consider to be a proper one, and that is each of us dedicated to our own concerns, each of



us trying to do that which we think is right for our own constituency.

On a matter of personal privilege—and I do want the Senator from Alaska to pay particular attention to these words—I say to the Senator from Alaska that I exercise my right of personal privilege of behalf of Lily. I think saying that Lily is not worth as much as the Alaska Railroad is very offensive to the daughter of the Senator and my friend, and therefore I raise that point of privilege only to say I think she is worth far more than the Alaska Railroad.

Having said that, let me say that there are matters pending here in disagreement on which I have had a hold. I did that which I thought I should do, and I have no apologies to make for that, but I also want to point out that while the Senator from Alaska was on the floor speaking about the Alaska Railroad last evening, his staff, according to my information was on the way to the floor with an agreed upon amendment that would have resolved this matter.

I am not certain that it had been finalized, but the fact is that my own staff had spent about 3 days in connection with that subject and certainly not a matter of major moment to my own constituency in Ohio. But we have been trying to work out a resolution of the matter and had been working with the representative of the Governor of Alaska, the junior Senator from Alaska, and the senior Senator from Alaska.

I think that that matter is still pending, and I am not at all certain whether or not it can be or will be resolved, but I certainly am not unwilling to—

Mr. STEVENS. Will the Senator yield there?

Mr. METZENBAUM. Certainly.

Mr. STEVENS. I thank the Senator for his remarks.

I want to assure the Senator that the remarks I made were not directed toward the possibility that the Senator would withdraw his hold. As a matter of fact, the latest draft of the bill as drawn by our mutual staffs is not acceptable to our Governor, it is not acceptable to my colleague, and it is not acceptable to me. So I did not make those remarks on the basis that I thought it would clear up the differences, but I do thank the Senator for his remarks.

Mr. METZENBAUM. I appreciate the comments of the Senator from Alaska, and I do hope he appreciates the fact that at least an effort was made, although perhaps it was not satisfactorily resolved.

I want to point out one other matter in connection with the Alaska railroad bill and the shipping bill, and in this connection I do not wish to identify the Senator from Alaska with that which has transpired because, as far as I know, he has not been involved.

Mr. STEVENS. Will the Senator yield again?

Mr. METZENBAUM. Surely.

Mr. STEVENS. Before remarks are made that might be misinterpreted, again I want the Senator to be assured I was involved, although I was not to be a conferee, with the action to try to return the railroad and shipping bills to this body in a manner that would not require a unanimous-consent request to take the bill from the desk.

Those bills are back here now as a result of an amendment passed in the House. I knew they were coming back. I think all those working on the bill knew they were coming back. It is an effort to get around the unanimous-consent request that is required to take those bills from the desk. It would not have eliminated debate. As a matter of fact, it would not have eliminated the ability of the Senator to block the bills, but it would have allowed us to raise the bills to the level of debate by virtue of the fact it would have been a privileged motion to take up the message from the House, either the conference report or the House-passed bill. As a matter of fact, the House-passed bill is at the desk and it, too, is a privileged matter to take it up. It is debatable. So that the point of order that I was trying to avoid yesterday no longer is effective against this bill because it is now a House-passed bill along with the shipping bill. It is on the desk and it is, as I understand it—the Parliamentarian can correct me if I am wrong—it does not take the unanimous consent to take that House-passed bill from the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. So that the maneuver that I facetiously mentioned last night is no longer necessary because the bill is not subject to a point of order now. A motion to take it up—as a matter of fact, I think it can be called up without debate, although the motion would be voted upon. Am I correct? What would be the procedure to call up that House-passed bill now, Mr. President?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that a motion is not required. The Chair may simply lay before the Senate a message from the House.

Mr. STEVENS. In any case, the result of what has transpired is to eliminate one level of potential filibuster against those two bills. And I would say to my good friend that those who are involved in those bills knew about it and participated in it.

I do not think it is unethical or in any way violates the Rules of the Senate to arrange for the House to send us back these bills in a form that would eliminate the first level of objection the Senator from Ohio may raise in the event it is cleared by the majority leadership for us to attempt to raise those bills to the level of debate before the Senate.

But I wanted the Senator to understand, before he said that he knew I was not involved, that I was not going

to be a conferee but I was fully advised of what was going on.

Mr. METZENBAUM. So that Senators may understand what the Senator from Alaska and I have been talking about, about 1 a.m. last night, actually after the Senator from Alaska had addressed himself to the Alaska railroad bill, there came to my attention, not officially but unofficially, by someone who had picked it up, that in a bill (H.R. 3420), the Natural Gas Pipeline Safety Act, and the Hazardous Liquid Pipeline Safety Act of 1979, Congressman FLORIO, as I understand it, had seen fit to attach to that bill two amendments, one of which is the Alaska railroad bill and the other one of which is the exemption from the antitrust laws for the shipping industry of this country.

I am frank to say that no one told me about it. No one told my staff about it. And had someone not brought the subject to my attention it is reasonable to conclude that H.R. 3420 and the appointment of conferees would have gone through this body and we would have, in effect, passed the Alaska railroad bill and the exemption from the Shipping Act in all probability without any Member of this body knowing about it.

I must say I really do not believe that that is the way that legislation should be handled, that it comes through in the dead of night without any prior notice, that the House attaches extremely controversial measures to a measure having not at all to do with the two measures that are being attached.

I always thought that Monday night football usually concluded by about 11 p.m., but apparently in this instance there was one sneak play that was still available around 1 a.m. in the morning.

I believe that I was entitled to be notified. I believe that any other Member who would have had an interest in a controversial matter of this kind would have been entitled to be notified.

I am not at all certain that I would have been notified.

Suffice it to say that when and if the matter comes to the floor, I certainly intend to exercise my right to discuss the subject and intend to continue my efforts to defeat those two measures.

I think it highly inappropriate that they were attached to a bill having nothing at all to do with the prime subject. I think it is highly unusual for them to be attached without notice being given to those who have a concern about the two matters at issue.

Mr. STEVENS. Mr. President, will the Senator yield there?

Mr. METZENBAUM. I yield to the Senator from Alaska.

Mr. STEVENS. I hope we are not going to get back in another dispute. If the Senator is going to use the rules to prevent those bills from coming off the desk, those of us who want the

bills to come before the Senate are entitled to get them in a position where they cannot be prevented from coming off the desk by the Senator's objection to the unanimous request.

I see nothing wrong—again I say I have not participated in anything illegal or unethical or contrary to the rules in insisting that the bills come back to the Senate so the Senate can debate them. They are here now. If the session prolongs I hope they will be debated.

I think if the Senate ever addressed those bills there would be a different conclusion by a lot of people who now think there is something wrong with them; they are very much in the national interest.

The Senator is entitled to his position; I am entitled to mine.

I do want the RECORD to indicate there are many other people involved in insisting to get those back so the point of order will not lie against taking the bills off the desk.

To my knowledge I have never known in 14 years for anyone to hold a bill at the desk, to kill a bill, by objecting to the unanimous-consent request to take it off the desk.

There are other ways to prevent a bill from coming up. Even the highway bill that came over here was held at the desk. And the Senators who have just gone through this extensive debate did not object to taking it off the desk.

I wish the RECORD to show that is is an extraordinary movement to block the procedural request to take a bill off the desk which does require unanimous consent.

I have used my time. I do not want to get back into another acrimonious discussion. But there are many people working to try to find a way that we can get these bills up to debate.

I shall continue to try to get them up to debate.

Mr. METZENBAUM. Mr. President, will the Senator from Alaska yield for one simple question?

Mr. STEVENS. I yield.

Mr. METZENBAUM. Will the Senator from Alaska agree the Senator from Ohio was entitled to some notice of the status of this matter at the desk knowing the opposition of the Senator from Ohio to these measures? Does the Senator not think that fair play?

Mr. STEVENS. Mr. President, if the Senator from Ohio cared to inquire, he would find out that I left word that they were not to be called up in a manner that would not give the Senator his right to exercise his rights under the rules.

I agree the Senator had a right, that if we called them up to have it disclosed that they were in the conference report. But he has no right to perceive his position to prevent debate.

He has no right to prevent me or anyone else from using the rules to get the bills into position where he cannot exercise his objection to a unanimous-

consent request that puts him in the position as one Senator in blocking a series of bills because of an antiquated rule that I hope the Senate will repeal, or at least limit starting next session.

I intend to do my best to try to raise that question in interpreting the rules at the beginning of next session because as it is, in fact, a single Senator may object to taking the bill off the desk and once it is held there by unanimous consent, the Parliamentarian can correct me again, but as I understand it takes unanimous consent to take it off the desk if it is held there by unanimous consent.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. So one Senator controls taking the bill off the desk, although it was held there for the convenience of all Senators because there is a companion measure for each one of these bills on the Senate Calendar. It means we can do all we want to act on the Senate Calendar bills but when we finish them we still have to ask unanimous consent to take the House passed bill off the desk in order to delete all but the enacting clause and put the Senate version in the House-passed bills so we can have a conference.

I do believe there are other people who say that they need routine morning business. I do not want to belabor this, I do not apologize to anyone for having helped to bring those bills back so they may be called up without objection to a unanimous-consent request.

Again I state, and the Senator can check with my staff, I told them that we would notify the Senator from Ohio before attempting to move that bill across the floor in a manner that would prevent him from using his other rights to debate under the rules.

#### DR. MARTIN LUTHER KING, JR.

Mr. MATHIAS. Mr. President, this is the season of reconciliation, a season in which we reflect upon some of the positive and enduring values of the human spirit.

I am glad to say that there is good news in that realm of reconciliation and positive spirit, and that good news comes from the unlikely source of the U.S. Senate because we have just agreed to a resolution which will honor the memory of Dr. Martin Luther King, Jr., a man who did so much to reconcile differences and divisions that had existed in American society and that are now less serious strains on our society than they were before he gave his work, his example, and indeed his life.

It has been an arduous job to finally pass the resolution which would authorize the establishment of a memorial to Dr. King within the U.S. Capitol, the placing of a bust or a statue of Dr. King in the Halls of Congress.

That job has been accomplished as the work of many hands, and I par-

ticularly salute the junior Senator from Virginia, Mr. WARNER, a member of the Rules Committee, who has taken a particular interest and particularly active part in the resolution that was agreed to by the Senate.

I salute in the other body Representative BINGHAM, who over period of years has taken an active part.

I salute all those who contributed to the resolution that was agreed to by the Senate which will finally provide a fitting memorial for Dr. King in the Capitol.

I first met Dr. King in Selma, Ala., at the time that he was in jail exercising his leadership and paying the penalty for civil disobedience in jail. He came out of jail in Selma and went on to the great ministry in which he led the American people, black and white, to a Nation that conformed more nearly to the dream that he expressed, a Nation that is not perfect in its acceptance of differences among ourselves but a Nation that is more nearly conforming to the ideal of the American dream.

I would like to yield at this point to the Senator from Virginia, who has played such an important role in bringing us to this moment.

Mr. WARNER. I thank my distinguished colleague.

Mr. President, the Senator from Maryland has indeed provided the leadership. While we participated, we more or less have been the followers of his leadership.

Mr. President, House Concurrent Resolution 153, a resolution authorizing a bust or statue of the late Reverend Dr. Martin Luther King, Jr., to be placed in the U.S. Capitol has been agreed to by the Senate.

I support this resolution which will be engrossed today, and believe that such action is most appropriate.

Dr. King was a man who, indeed, was a catalyst of consciousness in America, a man with vision whose dream opened all Americans' eyes to a dichotomy in this Nation. His adult life was dedicated to the noble principles of freedom and equality for all men and women regardless of race, creed, or color.

These principles, the very foundation upon which our Nation was built, are basic. They were and are the law of the land but not always followed.

Dr. King's peaceful efforts to bring about change continue to serve as an example to all. The Nobel Peace Prize stands as recognition from the world. His life and death will always serve as a reminder to all that it is not enough to have laws enacted if these laws are not practiced.

His bust in the Nation's Capitol, together with the other Americans who are regarded as American heroes, will recognize Dr. King's courage and great personal sacrifice.

As a former member of the governing board for the Washington Cathedral, on which my distinguished col-

league from Maryland served with me, I was strongly supportive of Dean Sayre's invitation to Dr. King to deliver a sermon from the pulpit in the great shrine in the Nation's Capital, which I attended.

This week I telephoned the former dean of the Washington Cathedral, Francis Sayre, to corroborate my recollections regarding the circumstances leading up to the historic last sermon in a church given by Dr. King before his untimely death. Dean Sayre recollected the events very clearly and added that Dr. King visited the dean and his family in the dean's home before and after his sermon. Further, at Dean Sayre's recommendation, the governing board of the cathedral approved the placing of a statue in one of the Gothic enclaves in the cathedral. The work on this statue has not been completed, but I received assurances from the cathedral that it is still a goal and, when achieved, it will represent the only contemporary statue of an individual who once preached in the Washington Cathedral.

It is my hope and prayer that a statue of Dr. King in the U.S. Capitol will be a national reminder that the pursuit of our constitutionally guaranteed freedoms can be fulfilled through peaceful actions.

I again thank my distinguished colleague from Maryland.

Mr. MATHIAS. I thank the Senator from Virginia. I think the recollection he brings to us today of that last great sermon of Dr. King at the Washington Cathedral is an important one.

As this final action is taken by Congress, I think we can all say we have acted in the spirit in which Martin Luther King addressed the American people.

He said, "I have a dream." Now I think it is proper to say that we have a dream, that same dream that black and white in America can live together in complete harmony, complete equality, and in a positive relationship which will never again be scarred by the kind of problems we have experienced in the past.

I yield to the Senator from Ohio.

Mr. METZENBAUM. I thank the Senator from Maryland.

I want to commend him publicly for his leadership. At one point there was some question raised about putting the statue of Martin Luther King in the capitol. Through his diligent efforts and leadership, and the support of many of us, including myself, it is now an accomplished fact.

I had the privilege of marching in Selma with Dr. Martin Luther King, and it certainly was a historic day for me and unquestionably a historic day for this Nation. It was a day in which a lady, Viola Liuzzo was shot for no reason at all, except that she had come down from Detroit to also indicate her support for that march.

I think that historians will undoubtedly note that Martin Luther King was probably one of the five most out-

standing figures of the 20th century in the world. I am pleased that this Congress has now seen fit to honor that memory by his statue in the Capitol, the bust that is to be erected in the Capitol.

Mr. MATHIAS. I thank the Senator from Ohio not only for his assistance in passing this measure, gaining for Dr. King the recognition for which his lifework served, but also because I witnessed the Senator from Ohio's devotion and steadfast position on civil rights throughout the years.

Mr. METZENBAUM. I thank the Senator.

Mr. GRASSLEY. Mr. President, under the rules of morning business how much time can I have?

The PRESIDING OFFICER. The Senator will be recognized for 10 minutes.

#### RESHAPING ECONOMIC POLICIES AND STRATEGIES: ECONOMIC DUNKIRK II

Mr. GRASSLEY. Mr. President, this lameduck was called and urged by the President so that Congress could do what it should have done last summer—pass appropriations bills and what should have occurred was an all-out assault on this Nation's economic ills.

Instead, we have passed a budget-busting continuing resolution, achieving only 75 percent of targeted savings, according to the Budget Committee.

We could have accomplished those savings and more, if we had implemented the across-the-board budget freeze I proposed last spring. I want to announce today my intention to reintroduce such a spending freeze in the next Congress.

The economy is undergoing dramatic structural changes. Heavy industry is giving way to less labor-intensive high-tech industries. That, combined with a disinflating economy, is causing unemployment to rise significantly.

This is an indication, Mr. President, that the present high rate of unemployment is by no means merely a cyclical phenomenon. Yet we are doing nothing to address the problem.

The reason why we are still engaged in the current recession is that we are caught in a structural transition zone. We are not quite out of the old economy, and not yet into the new.

The delay has been caused by the Federal Government's misinterpretation of how the economy is changing.

As a result, monetary and fiscal policies have been inappropriate for the economy, and have been incompatible with each other. The economy has been denied the flexibility it needs to cope with the changes it is undergoing.

We have yet to deal with this problem effectively, Mr. President. And time is running out.

It is time to declare an economic offensive, an all-out assault on the ills of

the economy. And the place to start this assault is on the Federal budget.

With deficits approaching \$200 billion a year for the foreseeable future, the economy can tolerate nothing less than an across-the-board spending freeze.

There is no other alternative.

We spend nearly half a billion dollars a day more than we take in. If deficits continue to expand at such a rate, the national debt—already a breathtaking \$1.2 trillion—will double in just 6 years.

During this recession, Mr. President, businesses and households learned to cut costs and debt, and to become more competitive and creative. It was necessary for their survival.

The problems facing the Federal Government are similar, but on a national scale.

Yet Congress is still spending money as if we were still in an inflationary environment. Inflation this year has been running about 5 percent. But the budget will grow this year by about 7 percent. Meanwhile, the economy is producing no new wealth.

A budget freeze, Mr. President, would force the Congress and Federal agencies to do what businesses, family households, and State and local governments have had to do.

It would force us to be more responsible and creative in managing taxpayer dollars. By implementing a dollar-ceiling on what the Government can spend, we would be getting more "bang for the buck." That is precisely what it will take to survive in a disinflationary environment.

It is a necessary step, Mr. President. It is part of the solution for a successful transition to tomorrow's economy.

It seems to me, Mr. President, that the seriousness and the extent of our budget and economic problems were miscalculated by this Congress. The fact is that we are on the brink of global disaster, and we are teetering over the edge.

Our own economy reflects that predicament. Take a look at our budget and our balance of payments. We are facing record budget deficits of up to \$200 billion, and a record balance-of-payments deficit this year of about \$45 billion.

Next year's payments deficit could double. Taken together, these deficits could total between \$250 and \$300 billion.

That is the amount of capital that would be denied an already weak U.S. economy. With so little capital available, how are we going to produce our way out of this recession? And producing our way out of the recession is the only way to have a viable economy in the decade of the eighties.

Last year, I proposed a 2-year, across-the-board freeze on Federal spending, showing how Congress could balance the budget by 1985. Congress did not buy the idea of a freeze, but

millions of commonsense Americans did.

This year, I predict that Congress will realize the necessity of this approach. Mr. President, there is simply no other alternative.

If we had frozen spending last year, we could have narrowed the deficit this year by \$50 billion. We could save roughly the same amount next year by freezing the 1984 budget at the 1983 level. And in the process, we would continue to provide for the needs of all our citizens.

On the other side of the budget equation, we are faced with a contracting revenue base, which also contributes to the size of the deficits. There are three reasons for this contraction:

First, the economy is simply not producing.

Second, there are too many preferences and loopholes in the Tax Code.

And third, there is a growing number of refugees seeking asylum in the underground economy avoiding paying taxes on their income.

Congress must find ways to reverse these symptoms. The Nation's taxable base must be strengthened and expanded, and the rates of taxation on the base lowered.

The Tax Code has been used, over the last 40 years or more, to build up the economy as it is presently structured. But now the structure is changing. Under such changing conditions, asset values tend to be altered, sometimes drastically. Industries also tend to be altered, some downsizing, other exploding.

An equilibrium of changing values and industries cannot be established unless the changes are allowed to take place unrestricted. Otherwise, distortions will persist.

Our present Tax Code has built into it biases against income sources, business activities, and individual financial decisions. It is not tax neutral, in other words, and will therefore cause continued distortions in the economy unless reformed.

Mr. President, the new Congress in January must address our entire economic policy. We should use the next 5 weeks to contemplate the changes needed before we reconvene for serious business on January 25.

Those changes must be bold, decisive, and purposeful. We can wait no longer to freeze Federal spending, or to expand our revenue-producing economic base.

We must implement flexible budget and tax policies.

We must devise training and retraining programs to assist in the transition to tomorrow's economy.

We need a modern international trade policy.

And we need a monetary policy that will accommodate the changing faces of finance and technology.

These are big steps, Mr. President. But we cannot avoid taking them if we are to advance our economy to meet the challenges ahead. We must tilt the

odds in our favor in the war against global recession.

This is a crucial time in our history, and in the history of the world. A successful transition will depend on the courage and wisdom of our political leaders, those of us in this body included.

Mr. President, I hope we can make enormous strides toward these goals when the new Congress convenes next month. Our future depends on it.

#### "SOPHIE'S CHOICE": A TRAGIC TALE OF GENOCIDE

Mr. PROXMIER. Mr. President, almost every day when the Senate has been in session for the last 13 years I have come before this body to call for the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. I have employed legal, political, economic, and, of course, moral arguments to support the convention and its final passage through the Senate. We alone have to ratify it; the other House does not. Each President since President Truman has called upon us to ratify this convention.

The proponents of this historic document have brought witness after witness to discuss its merits and to alleviate whatever concerns may have been raised on the floor. We have defended the document on both philosophic and pragmatic grounds, yet obviously, some 33 years later, some doubt still persists as to the real need and meaning of the Genocide Convention. Nevertheless, I do not wish to draw your attention today to any new testimony or study in support of the convention, which has been before us so long. No, today I would like to draw your attention to a cinematic rather than an academic work that approaches the subject of genocide in a most interesting and provocative way. It is hard to get the attention of the country through a speech or what happened in the United Nations, but sometimes a movie can do it.

"Sophie's Choice," a recent Universal release, which is very popular is based on the best-selling novel that tells the story of a young Polish woman who is attempting to piece her life back together after being released from the infamous Nazi death camp Auschwitz. Sophie acts almost as a microcosm of the age itself; filled with curious paradoxes and unanswered questions. She wrestles with her own identity which seems inextricably linked to Auschwitz and attempts to explain to her young friend, Stingo, the source of her deep, overpowering sadness. It is precisely this sadness that compels her to fall in love with Nathan, a schizophrenic whose colorful, offbeat disposition seems to give her a temporary escape from the horrors locked away in her mind.

This picture is not a documentary on genocide or a historical drama. If it were, it probably would not be as pow-

erful a work as it has turned out to be. "Sophie's Choice" is a story of one woman's view of Auschwitz and the trauma that such places leave within a survivor that is all but undiscernible for the rest of us. Toward the end of the movie, the viewer realizes that Sophie had not survived Auschwitz at all but was simply dying at a different rate; by a more painful process. Her experience continued to spot and kill whatever she touched until the only person compatible for her was Nathan, a mental patient who, like her, existed outside the normal realm of thought. The bitter reality she once had to face was lost in Nathan's existence of pure fantasy and delusion. Together they lived their perverse lives that seemed to give them continuity with the excesses of their past lives.

For Sophie, the greatest injury that the Nazis inflicted upon her was their forcing her to be a part of the machine that destroyed her life. Serving as a secretary to her father—a pro-Nazi professor of law, who was later gassed in the chambers he helped construct—and then in the same capacity for the commandant of Auschwitz, she worked for a machine that claimed her father, husband, and two children. Even the decision to chose which of her two children was to be gassed was left up to her, so that her hate for the Nazis inevitably became self-hate and a sense of shared guilt. The Nazis had deprived her of her identity as a victim by making her a partner in her own destruction and that of others.

"Sophie's Choice" is a remarkable film that explores the tortured lives that many survivors of the death camps must live and the sort of metaphysical wounds that make the physical injuries look almost trivial by comparison. This moving account illustrates in the most personal terms just what the costs of genocide are and how impossible it is to erase even the residue of the act once it has been committed.

This film takes us from the general, theoretical treatment of genocide and places us on the individual level of a victim. This is the true argument of the Genocide Convention as only a survivor can tell it. As the Genocide Convention moves into its 33d year of waiting for this body's advise and consent, I hope that my colleagues who remain ambivalent on this issue will take the time to see "Sophie's Choice." It is important that genocide be considered out of the abstract and in terms that we can all understand and identify with. Perhaps then the Senate will see the urgent need for ratification of the Genocide Convention, a convention that has been accepted by virtually every developed country on the face of the Earth; a convention where only we, as a matter of fact, who proposed at the United Nations, are virtually the sole holdout. The convention has been reported to the floor of the Senate by the Foreign

Relations Committee four times. It is a convention that certainly should be ratified at long last.

Mr. METZENBAUM. Will the Senator from Wisconsin yield for a moment?

Mr. PROXMIRE. I am delighted to yield.

Mr. METZENBAUM. Mr. President, I know that for years the Senator from Wisconsin has continually attempted to bring this matter to the floor. Could the Senator from Wisconsin apprise the Senator from Ohio as to why this matter cannot be brought forward for a vote on the floor of the Senate? I am aware of parliamentary procedures, and so forth, which are available. Has the Foreign Relations Committee refused to act or have they acted?

Mr. PROXMIRE. Let me say to the Senator that over the 33 years the resolution has been pending it has been brought to the floor four times. Filibusters were threatened. There was a fear on the part of the leadership that it could not be passed and it was not actually called up for a vote on the floor of the Senate.

For years the American Bar Association opposed it. They reversed that position. Now they are enthusiastic supporters of the Genocide Convention.

The opponents, in the public frankly are a small group of rightwing zealots, including the Liberty Lobby, the John Birch Society, and a few other far out groups.

It is supported overwhelmingly, as I say, by the American Bar Association, by every labor group, by religious groups, the Protestant, Catholic, Jewish groups. There is no significant opposition on the outside.

The Carter administration was about to push this treaty through but they were afraid that it would be used as a vehicle for blocking the SALT II ratification. When they finally decided to go ahead in spite of that, because SALT II was dead because of the invasion of Afghanistan, it was just too late in the year.

Now the Reagan administration is considering it. The position the Foreign Relations Committee takes now is that they will report it when the Reagan administration recommends it.

Alexander Haig, when he appeared before the committee, after he was nominated and before he was confirmed, indicated that this was a terrible embarrassment to us, that we had not ratified it. He indicated clearly his own personal support for it, but the administration itself has not told the Foreign Relations Committee to go ahead.

I understand they are considering it now. There is a chance, I think a pretty good chance, that it may be recommended by the administration next year. If that is the case, I think we will be able to ratify it quite quickly.

Mr. METZENBAUM. I do hope the administration puts its support behind

the ratification of the Genocide Convention. It seems to me that if they do not—and, as I say, I hope they will—under any circumstances, I hope the Senator from Wisconsin will force the issue to the floor and let those who would be in support of genocide let this record be made.

I think there are so many of us who feel so strongly about this subject that, if it has been to the floor four times in the past, I think it ought to come back again and hopefully they may be able to see the light.

In the 7 years I have been here I have not had an opportunity to vote on the issue, or I do not recollect that I did. I hope we will have the opportunity to vote on it. Let us smoke out the opposition. It would be far more preferable if we can get the administration to provide its backing for the ratification.

Mr. PROXMIRE. I thank the Senator. He is absolutely right. This new administration would be in the strongest possible position to win confirmation on the floor of the Senate.

Mr. LEVIN. Will the Senator yield for a moment?

Mr. PROXMIRE. I yield.

Mr. LEVIN. I commend the Senator from Wisconsin for his dogged determination, his constancy. I have been here now for 4 years and I do not know how many times I have personally heard the Senator speak on the subject of genocide. I know he does just about every time he comes to the floor, one way or another. Today, he made reference to a movie about it, "Sophie's Choice." I commend the Senator. I know that some day that convention is going to be ratified by the Senate. When it does, I know that the Senator from Wisconsin will be on the floor. I believe in my heart that the resolution of confirmation will have his very strong support continuously.

Mr. PROXMIRE. I thank the Senator.

I might say that perhaps the most brilliant Senator who served here in the years I have been here was a real champion. He will certainly deserve whatever credit there is in ratifying the convention. That is Jake Javits. He urged the ratification of the treaty for many, many years. It is tragic that he is not here to carry on because he was such a tremendous supporter of the treaty.

#### NUCLEAR WEAPONS-FREE ZONES WHAT PRECEDENTS?

Mr. PROXMIRE. Mr. President, recently the Prime Minister of Sweden reopened the issue of nuclear free zones. In addition, the State Department has indicated an interest in a nuclear free zone in the Middle East.

This combination of renewed activity is a most promising sign of vitality in a concept that has laid dormant for far too long.

Nuclear free zones are not a pipe dream or exercise in intellectual curiosity. The concept is contained in at least four major international treaties—the Outer Space Treaty of 1967; the Antarctic Treaty of 1979; the Sea Bed Treaty of 1971; and the Treaty of Tlatelolco of 1967.

The latter in some ways is the most interesting of the four since it covers populated areas. In fact, it is the only such treaty in existence.

The treaty prohibits the development, production, testing, or deployment of nuclear weapons in the territory of any signatory and it requires that all parties to the treaty submit existing and planned nuclear facilities to the International Atomic Energy Agency inspection.

While this is all well and good, the effectiveness of the treaty has been greatly diminished by the decision of four nations not to sign—Argentina, Brazil, Chile, and Cuba. Perhaps it is no coincidence that these four nations are estimated to have the greatest potential for developing nuclear devices or, as in the case of Cuba, have a special relationship with a foreign nuclear power.

On the plus side, the five nuclear powers—United States, U.S.S.R., Great Britain, France, and Peoples Republic of China—have agreed to respect the decision of the 22 Latin signatories and thereby keep nuclear weapons out of that region.

The value of the Treaty of Tlatelolco rests with its example. The Director of the Arms Control and Disarmament Agency, Eugene V. Rostow, last August indicated that his agency had "started preliminary diplomatic talks on a Middle East nuclear free zone" based on the Treaty of Tlatelolco.

Undoubtedly this will be a substantial task given the strong possibility of Israel development of nuclear weapons and the interest expressed by Iraq and Pakistan in nuclear technology.

Over the years there have been proposals for a nuclear free zone in Africa, in Europe, around the Mediterranean, in the Indian Ocean area, and in the South Pacific. Each region poses its own distinct set of problems and issues.

Mr. President, I urge the Arms Control and Disarmament Agency to redouble its efforts—not only in the Middle East but also with regard to the other regions I just mentioned. Even small nuclear free zones would be a step forward—areas that could be expended over time. Without such a worldwide effort, time will slip by and the emerging nuclear nations will make the use of this concept difficult if not impossible to achieve.

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

The PRESIDING OFFICER (Mr. COCHRAN). The clerk will call the roll.

The legislative clerk preceded to call the roll.



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

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

#### THE CONTINUING APPROPRIATIONS RESOLUTION

Mr. ROBERT C. BYRD. Mr. President, I will ask the distinguished majority leader a question. I know that he can only answer this question to the very best of his understanding and based on conversations that he is in a position to have with the White House and with the President and the President's assistants.

But on yesterday, some of us raised the concern borne of having read in the media that the President was holding the conference report on the continuing resolution hostage to the passage of the gas tax bill. That question was raised on the floor, and I participated in raising that question. At that time the distinguished majority leader said the following. I do not want to misquote him.

He said:

Madam President, the conference report is now on its way to the President. I expect the President will act on that, I hope tonight, I expect tonight. In any event, I expect him to act on it promptly.

May I say I have seen wire service reports that he might wait "a day or two." I have talked to the President. That is not the case. He did not say that. He expects to act on it promptly and I hope—I want everybody to know that I have personally talked to the President. I make that representation on my own authority, based on my own conversation, which was less than 30 minutes ago.

The rest of what the majority leader said pertained to other matters.

Now, there are reports I hear that have come through the media that the President is still holding up signing the conference report on the continuing resolution until he sees what happens on the gas tax. And I read in this morning's Washington Post an excerpt from a story which is subheaded as follows: "Reagan Ready To Sign Measure."

President Reagan will sign the stopgap spending measure sent to him early today even though he has deep reservations about restrictions imposed by Congress on development of the MX missile, high administration officials said.

But then another excerpt reads as follows:

But the president withheld any announcement of his decision yesterday in order to keep pressure on the Senate to complete approval of two measures that he regards as high priority—the 5-cent-a-gallon gasoline tax increase and legislation allowing duty-free imports that is part of his Caribbean Basin Initiative.

Now, I have had conversations with the distinguished majority leader, whom I trust without any question, and I know that the majority leader would never knowingly misrepresent anything to the Senate. But I would

like to know whether or not the President, in the opinion of the majority leader, is going to sign that continuing resolution, whether he is going to sign it promptly or is he going to hold that continuing resolution hostage to the gas tax or the Caribbean Basin Initiative or anything else. If the President is going to do that, I think we ought to know it. And I trust the majority leader to tell us to the best of his knowledge what his up-to-the-minute information is on that matter.

Mr. BAKER. I thank the minority leader.

Mr. President, I want to guard my words now because I do not want to offend my friends in the press, but I honestly believe I know more about this than they do. I do not believe the President ever intended to hold the CR hostage to anything. Indeed, he has represented to me that he does not and did not, and that he intends to sign the bill. I had expected it to be signed last night.

I just now talked to Mr. James Baker, the President's chief of staff, and I urged him to go ahead and get that signed. He once again assured me there were no conditions, there were no restrictions, except one, and the restriction was he was standing outside the State dining room with the document in hand waiting for the President to conclude a State luncheon with King Hussein of Jordan; that as soon as the President was out of that luncheon, which should be in the next few minutes, he would hand that document to the President, and that the President would sign it. They have notified the press office that the signing statement will be available at 2:30. He is going to call me the moment the President's pen leaves the paper, after inscribing his signature.

But, once again, I assure the Senator there is no condition. It is not being held hostage to anything; it has got to be signed, but I believe that Jim Baker is correct that he is not going to interrupt that luncheon with King Hussein in order to get it done.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader. The only thing I can say is that I wish he were the President of the United States right at this moment.

Mr. BAKER. Mr. President, if I make any remark at all there is some danger that both the minority leader and I might be indicted for treason.

Mr. METZENBAUM. Will the majority leader yield for a comment that I would like to make at this point to him?

Mr. BAKER. Yes.

Mr. METZENBAUM. I say to the majority leader that we have been here until 2:30 in the morning 3 nights this week. We stayed 1 night overnight. I have remained on the floor through all of that period. It seems to me that we stayed in session over the weekend for the purpose of dealing with two matters. One was the continuing resolution and the other was

the 5-cent-a-gallon tax. The majority leader knows that I have supported him on every cloture vote and, although I voted against him with respect to the 5-cent-a-gallon tax, I have not used any parliamentary procedures to frustrate the effort to move forward in connection with that matter. At the very same time, I continue to be concerned that in some manner some of the measures that I have spent my time attempting to defeat are coming in through the back door, one of which is H.R. 3420, which contains within it two amendments, one of which contains the antitrust exemption for the shipping industry, and the other one of which contains a matter that I am sure is unknown to the majority leader but it is sometimes referred to as the Alaska Railroad.

It is necessary because I was not apprised that that would be in there, and I only learned it by happenstance. That being the case, I do not think any Member should be taken by surprise at this time at this point in the session. I know that many Members have left for home. I wish to be very open and above board with the majority leader. I would not care if the 5-cent-a-gallon tax went down to defeat.

But I will use parliamentary procedures, including a quorum call and requiring it to go live, unless I can get some assurance that the majority leader is not going to press forward with H.R. 3420 or any other Member is going to be accorded the opportunity to bring up a controversial piece of legislation in the dead of the morning or afternoon, or whatever it is, when this body is, obviously, not here and not on the floor.

We are all aware of the fact that any one Member can stand up and ask unanimous consent. If the floor is not protected, he can pass a bill within 20 seconds, as I saw happen the other evening. It was a noncontroversial measure. There was no reason for it not to pass. But I feel it is time now for the majority leader to give us assurances that we are going to deal with the 5-cents-a-gallon tax, assuming he can get that matter to a vote with respect to some of those on his side who have created the problem, or with respect to any other Member in this body who has concerns about it, but I am not saying that it should or should not come up. I saw the minority leader starting to rise.

What I am saying is that I think only that measure should be before this body and we should have some assurance that nothing else unless it be unanimously agreed to will be brought onto the floor.

I feel that we are entitled to that assurance and I do not desire to put this body into a parliamentary snag but I have no reservations about doing so if that be the only way that I can protect my own concerns.

Mr. BAKER. Mr. President, I do not recall a single time, if I could have the

attention of the Senator from Ohio—

Mr. PRYOR. Mr. President, while waiting may I just ask would the majority leader advise us say at 2:30 or 3 p.m. if the President is afflicted possibly with writer's cramps?

Mr. BAKER. I intend to advise the Senate in any event.

Mr. PRYOR. The majority leader has always been honest with us and forthright. I hope he will advise us as to that condition.

Mr. BAKER. I will indeed.

Mr. President, I cannot remember a single time when I have done anything that took the Senator from Ohio by surprise. I really cannot think of a single time that I have ever done that.

Mr. METZENBAUM. I totally agree. My point is that sometimes the majority leader is not on the floor and when he is not on the floor the floor is under the control of others, and I cannot say that I have quite that same comfort or confidence.

As a matter of fact, last night I was not on the floor. We were aware of what occurred, and I do not wish to rehash that situation. But the fact is that had two Members on this side, no one on that side, two Members on this side not objected unanimous consent would have been granted.

Mr. BAKER. No, it would not have been granted. I do not mean to dispute with the Senator, but I accept at face value the remarks that were made by the Senator from Alaska where not made seriously. They would not have gone through. Had I known about it I would have stopped it.

I was off the floor trying to make an arrangement on another bill.

There is no way I can give the assurance the Senator asks because I am one Senator. The one assurance I have always given Senators is that I will try in my capacity as leader to deal forthrightly and directly and never by subterfuge of by surprise. I believe I have performed on that. I have tried to, and that assurance I freely make to the Senator from Ohio.

Mr. METZENBAUM. I have full confidence in the leader.

Mr. BAKER. But, Mr. President, surely in these waning moments the Senator is not going to put me to a restrictive request of that sort. I simply cannot make it.

But I will make the assurance that I always make, that I am not going to do anything in my capacity as leader nor willingly permit anyone to do anything that is going to take the Senate by surprise.

We treat with measures directly and fairly and all Senators who have indicated an interest in those things are going to be apprised of it, and I am not trying to say anything to the Senator except what I have said—my words have no meaning beyond their obvious import.

Mr. ROBERT C. BYRD. Mr. President, will the majority leader yield to me?

Mr. BAKER. I yield.

Mr. ROBERT C. BYRD. Mr. President, the majority leader and I deal with each other as friends, not enemies. We obviously have to disagree at times. But I have no better friend in this body than HOWARD BAKER.

Mr. METZENBAUM. Mr. President, I cannot hear the Senator.

Mr. ROBERT C. BYRD. I know of no better friend that I have than HOWARD BAKER. We deal with each as friends and not enemies and he lays it right on the table. I try to do the same.

He cannot commit himself at this moment, but before he proceeds he will consult with me and others, and I assure the distinguished Senator from Ohio that there were not only two objections ready to be made last night. I was sitting in the chair right there. There were two others who objected so why should I object?

Mr. METZENBAUM. I agree.

Mr. ROBERT C. BYRD. I was right here. I would have objected:

So there was plenty of protection.

Mr. METZENBAUM. The Senator from Virginia has constantly protected the Senator from Ohio.

Mr. ROBERT C. BYRD. He need not be concerned. I will do everything I can to protect my colleagues on this side of the aisle as the majority leader protects those on his side of the aisle and as he consults and tries to be protective, fair and generous to Members on this side.

I merely wanted to be sure that the President was not playing games, I cannot be indicted for treason for anything I say on this floor. If that is reasonable then I am guilty. And the best way I knew to get that assurance was to ask the majority leader and he has given that assurance.

I do not know of anything more I can say or he can say, but I assure the distinguished Senator from Ohio that he can count on me as the leader of his party to do everything I can to protect all our Democrats, and I do not think I will have to protect them against surprises from the majority leader, but I will do everything I can to protect them, to put them on adequate notice of any vote that is going to arise.

We are in a difficult point in this session right now. Some of our Members have gone home, although we have a good many Members left. But I hope that we could let the matter rest at that point.

Mr. METZENBAUM. As I understand the majority leader indicated that he or his representative will provide adequate notice. Is that a fair interpretation.

Mr. BAKER. That is fair.

Mr. President, what I will do as a practical matter is advise the minority leader if there is some measure that I intend to move to as I always do.

Let me say, by the way, that I wish to reciprocate absolutely in the remarks the minority leader has made.

We deal every day in the course of a week on hundreds, maybe some weeks even on thousands of matters, and some of them very sensitive, and we have a clearance process set up on our respective staffs that functions magnificently. In my judgment, they are the most dedicated staff people I have ever known on both sides, and they, too, handle hundreds of items, carefully collating and noting the desires and wishes of Senators on both sides of the aisle.

Those two staffs working together forthrightly and directly confer constantly in the course of the day on the floor and off the floor. We have set up a system here, the minority leader and I, that works, and the system is I never clear anything until I go to my calendar staff and say, "Senator so and so wants to do so and so. Is it cleared on our side?" If I get past that I say, "Would you please see if the Democrats have cleared it." If it is I go to Senator BYRD and I say, "This is a matter I want to take up." Sometimes he says, "No," but more often he says, "Yes," because the calendar people have already gone through it and worked out the details.

It is a monumental undertaking to make sure we deal directly and forthrightly with each other, but there is nothing more important to the Senate, in my view, than that we have the absolute confidence of each other on both sides of the aisle. I can say without any reservation I have never failed to have less than absolute confidence in the representations of the minority leader to me, and I have never failed to have absolute certainty he was going to protect the interests on his side. I will add to that I will not do anything nor have I ever done it knowingly that is going to catch the minority leader by surprise.

Mr. ROBERT C. BYRD. May I say one more thing, then I will yield to the Senator from Ohio.

Mr. METZENBAUM. Go ahead.

Mr. ROBERT C. BYRD. I am satisfied with the answers the majority leader gave to me about the signing of that conference report. But if that is not signed—at what time was it?

Mr. BAKER. It will be in the press room at 2:30.

Mr. ROBERT C. BYRD. 2:30 I will be back on the floor asking the majority leader what has happened.

Mr. BAKER. I will tell you what. If that is not by 2:30, I will be well in advance of your inquiry finding out what happened.

Mr. ROBERT C. BYRD. Because I think if the President is holding the conference report on the continuing resolution hostage, the other House is entitled to know that.

Mr. BAKER. The President is not.

Mr. ROBERT C. BYRD. We are entitled to know that. I am perfectly satisfied by the assurance the majority leader has given. But if the pen is not



off that paper by that given hour, I am going to be back here asking again.

Mr. BAKER. I yield to my friend from Maryland.

Mr. SARBANES. I thank the majority leader.

Mr. President, I was on my way to the floor and missed the majority leader's response to the minority leader's inquiry about when the President would sign the continuing resolution. I understand it, the majority leader has informed the Senate that the President does indeed intend to sign the continuing resolution and will do so by 2:30 this afternoon?

Mr. BAKER. That is quite right. What I said was the President has announced his intention to sign the bill; that the documentation has been completed, including the signing statement; that James Baker, the President's chief of staff, advised me on the phone a moment ago that he will physically deliver that document to the President for his signature as soon as the State Luncheon for the King of Jordan is concluded. He has estimated it will be at 2 o'clock. The 2:30 number comes about because he also told me that they will have copies of the signed statement and, of course, the bill itself in the press room.

Mr. SARBANES. I thank the majority leader for that statement and for his repeated efforts with respect to this matter for quite a period of time. I think the majority leader has done his best to move the continuing resolution forward, and I am very appreciate of that.

Mr. President, I want to point out that a crisis with respect to the continuing operation of the Government was provided by the administration in November 1981, when we were also considering a continuing resolution. The GAO did a study of the much-publicized shutdown of the Government which marked that crisis and concluded that the shutdown which the executive branch instituted at that time cost the taxpayer in wasted money over \$50 million.

This time, we have gone a day and a half into the regular work week—actually the continuing resolution expired on midnight of last Friday—however, in this instance, because apparently it suited the executive branch's purposes, the Government continued to work and the administration did not provoke a comparable crisis to the one which occurred last November, although apparently some of the President's advisers were considering doing so.

There is a story in the morning paper indicating that—and let me just quote it—

As the bill made its way through Congress yesterday, Federal workers received confusing and sometimes contradictory instructions on what they should do today. If the President had vetoed the spending bill by this morning, employees in agencies and departments where budgets have not already been approved were instructed to stay home. But earlier in the day the Office of

Personnel Management told Federal employees to come to work today—meaning Tuesday—

No matter what and wait for any official word about possible furloughs.

OMB countered that decision late yesterday despite OPM's contention that employees should get the word, whatever it is, in an organized fashion and not run the risk of further confusion about what to do.

Although many Federal agencies and departments technically ran out of money at midnight last Friday, Government employees worked through the day yesterday while waiting to see what Congress and Reagan would do with the funding measure. The last time a partial shutdown resulted from a spending bill veto the costs of shutting the Government down were more than \$50 million, according to the General Accounting Office.

I did not think what transpired the last time was necessary. I am very frank to say it was a staged extravaganza on the part of the executive branch.

What is occurring now helps to prove that point. We have gone much longer now without a continuing resolution and yet no comparable crisis. Even if the President had vetoed the continuing resolution either late last night or the first thing this morning, given the assurances of prompt action on a new measure by the Congress, he would now have a stripped down version before him; in other words, we could have acted on a new continuing resolution before the President signed the resolution that was sent to him since he has simply been holding it down there.

I hope the lesson is very clearly understood—what the Government went through on that previous occasion was not necessary. You will recall that the President, appeared on the morning television programs vetoing the continuing resolution. Then the Government came to a halt. People were given furlough notices, pandemonium reigned across the country. Regional offices were closing down, people could not get the services which they were entitled to receive from their Government. Everything was supposed to come to a screeching halt. I quote from a Congressional Quarterly description of the shutdown:

The stop-payment shutdown—the second ever of a federal agency, the first of such broad scope—made an impressive show: Thousands of federal workers were sent home on furlough. The Statue of Liberty and Washington Monument were closed. The Constitution and Declaration of Independence were lowered into vaults below their public display cases in the National Archives. Trips, speeches and congressional testimony were canceled. A tape-recorded message at the White House told callers that "the White House is involved in an orderly phasedown . . . No one is here to answer your call."

That has not happened this time, and obviously it has not happened because it suits the purposes of the executive branch to proceed in the manner in which they have been proceeding.

I do not think we should have had that shutdown a year ago. It was part of a staged event; a political melodrama at the expense of the proper functioning of the Government and at a cost to the American people, as estimated by the General Accounting Office, of in excess of \$50 million. That was money just wasted, lost. Furthermore, dedicated and able Federal employees were treated without any regard for their professionalism and their commitment.

I hope in light of how the current situation has been handled, that it is apparent to all that last November's melodrama was a staged event—unnecessary and harmful to the effective operation of our Government.

I thank the majority leader for yielding.

Mr. BAKER. Mr. President, I was reluctant to interrupt the Senator from Maryland, but I was emboldened to do so, had he not stopped at this point, to tell him I was called to the telephone just now by the President of the United States who, no doubt, was aware of the concerns of the Senator from Maryland and others, to say that he had at that moment finished signing the continuing resolution and that it is signed.

He also pointed out that it was the first cut-and-paste bill to be signed by any President of the United States since 1895, and I accept part of the responsibility for that in urging him to do so as promptly as possible, and he did it, and I am grateful and I wish to express my appreciation to the President for taking account of the concerns of the Senate in that respect.

He also wished me to point out, of course, that obviously that meant everyone in the Senate now will vote for everything he wanted for the remainder of this session. I expressed some doubt about that, but I promised to convey the message.

Now, Mr. President, the CR is signed. It is the law of the land.

ORDER THAT TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS BE EXTENDED UNTIL 3 P.M. TODAY

Mr. BAKER. Mr. President, I think we might profit the Senate by having additional time for the transaction of routine morning business. I ask unanimous consent that it be extended until no later than 3 p.m. today.

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

Mr. ROBERT C. BYRD. Mr. President, I thank the majority leader for his announcement, which certainly relieves the concerns of myself and several other Senators that that matter has been put to rest.

How long would the majority leader like to proceed before he takes up any business?

Mr. BAKER. Mr. President, I am prepared to take up any business available. I will check with our clearance staff.

Mr. RIEGLE. Will the Senator yield?

Mr. BAKER. I will yield to the Senator in a moment. I would like to ask the minority leader if there are some items, such as the agriculture PIK bill or the Montana wilderness bill, which have been called to my attention, that we might see if we can clear for action.

Mr. ROBERT C. BYRD. Neither of those matters is cleared for action at this point. May I say to the distinguished majority leader, we will continue to explore the possibility here. My only reason for asking the question that I asked was that I have a speech which I can make now or I can make next year, but I would only want to make it when the Senate does not have business ready to transact. I think the Senator from Michigan does have a statement to be made in morning business.

Mr. RIEGLE. If the Senator will yield, I do, and I would like to be recognized at an appropriate point for that purpose.

Mr. BAKER. Mr. President, I yield the floor so the Senator may be recognized.

Mr. RIEGLE. I thank the majority leader.

The PRESIDING OFFICER. The Senator from Michigan.

#### THE GAS TAX INCREASE

Mr. RIEGLE. Mr. President, I wish to now at this time express my thoughts as to why I voted last night against the gas tax increase. That decision was based on the following factors:

First, the 5-cents-a-gallon tax is a regressive tax that will be a new cost burden for rank and file citizens who are under increasing financial strain with shrinking disposable income. Working families will feel this added cost not only at the gas pumps—but in the increasing cost of products they consume that will carry the higher transportation costs in the form of higher product prices.

I find it profoundly unfair and unwise, that the Government will be extracting the gas tax with one hand from low- and middle-income people, senior citizens, and others of modest circumstance, while, in mid-1983, the Government will be distributing a large tax cut to individuals at high income levels who neither deserve nor need this large personal tax cut.

The net effect of these two tax actions will be to accelerate the redistribution of money from the people of modest means to those of great wealth. Taken together, this 5-cents-a-gallon gas tax increase and the third year of the Reagan income tax cut is a clear case of taking from the poor to give to the rich.

There is no justification for this tax redistribution. It is hurtful national economic policy and it is grossly unfair. I will not be a party to it.

I cosponsored an amendment to this bill that would have financed the road bill by deferring the 3d year of the income tax cut for those above \$65,000 in annual income, and with a reduced tax cut for those with incomes from \$50,000 to \$65,000. That amendment was defeated at the instruction of the Reagan White House. Had that amendment passed, I would have supported this measure despite its other defects.

Also, I do not think we should be imposing across-the-board tax increases at a point of such serious national economic recession. I think it will deepen and prolong the downturn.

Second, I do not believe this bill will have a significant job-creating impact either in overall amount or immediacy. We have 12,000,000 officially unemployed Americans today—and another 8,000,000 who are discouraged workers or persons substantially underemployed. Various independent studies, including one by the Wharton School, forecast that this legislation will actually cost jobs in 1983—and add an estimated 119,000 over the entire life of the program. Other estimates range as high as 300,000 over a period of years. While any job stimulus is welcome, this amount is so small as to be relatively meaningless when measured against the need for some 20,000,000 jobs at this time. And while I strongly support the need to rebuild our roads, highways, and bridges, this package is insufficient to the task and flawed in its focus and priorities.

Moreover, I am concerned that passage of this measure will give the false impression that the Reagan administration and the Congress have now dealt with the jobs problem by passing this legislation. Its passage will lessen the sense of urgency about the unemployment crisis—and will diminish pressure for stronger action by creating a false hope that many people will be employed by this program.

It is largely due to the flawed lame-duck legislative process—that too little time is given to urgent problems—and a proposal can be hurriedly constructed in an attempt to show some sign of action, when the actual legislative produce is poorly crafted and inadequate in meeting our true needs.

In terms of developing an overall national economic policy response that can put people back to work, I think this now requires an immediate top-priority effort by the new Congress that will convene January 3. The gas tax bill is a hurried piecemeal proposition that is the product of hasty consideration and undue political pressure in the rush to enact it hours before the Christmas holidays.

In 2 weeks time we will have a new Congress convene with some 85 newly elected members who could, with proper deliberation, put together the comprehensive economic package the Nation needs. Were these matters taken up in January, I believe we would do a much better job of tailor-

ing the gas tax/roads bill as an integral part of that overall package.

Third, the State of Michigan historically has done poorly under the distribution formulas of these programs—contributing far more dollars into the national pot than we receive in return on any fair-share basis. While Michigan is to be guaranteed an 85 cent return on each dollar contributed, that still is expected to drain \$60 million from Michigan workers and the Michigan economy at a time when we desperately need that money. And while some provisions of the legislation were designed to meet the problem of Michigan lacking the necessary money to provide the State matching share—the remedy is inadequate and will severely strain Michigan's ailing economy.

Fourth, I joined with others to try to insert a "buy American" provision in the bill that would have insured that American steel, cement, and other materials would be used in these road construction projects. I am sad to report that amendment was defeated—and now many of the jobs to be created will go to workers in Japan, Korea, and other foreign lands. I think that is wrong.

Fifth, along with Senator BRADLEY of New Jersey, I offered an amendment to rebate the annual gas tax to those working families earning less than \$10,000 a year in the form of an offsetting increase in the earned income tax credit. While I received 42 votes in favor, when the opponents moved to table the amendment—this vital improvement in the legislation was rejected. The working poor cannot and should not be asked to bear this new tax.

Sixth, I am also greatly concerned about the impact of these new tax burdens on the trucking industry at this time. Intense competition brought on by trucking deregulation, plus ever higher costs for trucks, tires, and other operating expenses have pushed many truckers to the brink of bankruptcy. No adequate assessment was made of the economic impact on truckers of these new costs due to the extreme haste with which this legislation was initiated. While higher fees from truckers may be justified, it is essential that these costs be considered in terms of the industry's ability to pay.

Seventh, I was deeply distressed during recent days to observe the fate of the continuing resolution, the other major legislative package of the lame-duck session.

While both the Senate and House passed a jobs section in their respective versions of the continuing resolution, the Senate/House Conference Committee surrendered to President Reagan's veto threat, and completely dropped the jobs section of the bill. Thus, not \$1 was provided for jobs, despite the mounting unemployment crisis in our country. When that sec-

tion was abandoned—it removed as well a \$50 million program to provide emergency funding to soup kitchens and emergency feeding programs across America which are desperately short of money as they try to feed the increasing number of homeless and hungry people. The elimination of that part of the bill was cruel and unwarranted.

At the same time, in the same continuing resolution, the House of Representatives increased its own pay and the amount of outside income that could be earned by House Members, and the Senate removed completely a cap on outside earnings, despite my opposition and vote to the contrary.

I am deeply troubled by the appearance and the fact of a double standard when one views the roads bill and the continuing resolution as companion measures passing back to back in the lameduck session.

Taken as a whole, we see the Congress and the Reagan administration failing to deal with the jobs crisis—and yet moving ahead with a pay increase for Members of Congress while simultaneously imposing a new 5 cent a gallon gasoline tax which will fall hardest on working families, the working poor, unemployed persons, and senior citizens.

When we take these legislative initiatives together, they show an appalling insensitivity and lack of equity that I find shameful. I find the sum total of it all to be bad national policy—and miserably unfair to boot. We are widening the disparities in America—and I find that unjustified and an increasing danger to people's faith in Government and even our ability to preserve civil order. Tremendous economic damage is being done to America and to our people. These two companion measures mock these problems and put the Federal Government, as the guardian of the national interest, in the poorest possible light.

I regret these actions and, having fought hard in a losing cause to change them, I want to clearly disassociate myself from them.

Finally, it should also be noted that the legislative package had one key redeeming feature that will provide a further period of extended unemployment benefits to jobless persons. Senator LEVIN sponsored the amendment, and I and others were cosponsors. We all fought hard for its approval and we won that fight. I am proud of that success in an otherwise inadequate legislative package, and I withheld my vote against the entire package, in deference to this single amendment, until it was clear the votes for passage were clearly achieved before finally casting my vote against the entire package.

Assurances had also been given by the Senate Finance Committee Chairman Senator DOLE and others that another legislative vehicle would be found where passage in the lameduck session could be assured, even if the gas tax bill were defeated. These as-

surances were part of the reason why an effort was not made to attach the unemployment compensation extension to the continuing resolution.

The lameduck session has done very little to help the country—and that responsibility must be shared by a visionless Reagan administration and a self-interested Congress that gave every appearance of feathering its own nest while the Nation's urgent problems were pushed to the back burner.

It is for these reasons that I could not in good conscience support the gas tax increase.

Mr. ZORINSKY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

#### PAYMENT IN KIND

Mr. ZORINSKY. Mr. President, I support the general concept of payment in kind as beneficial in the effort to reduce our excessive stocks of wheat, corn, rice, and cotton. However, I am concerned that the bill gives no assurance that market prices will be strengthened in 1983.

I feel it will be another alternative available upon the volition of a farmer to choose whether it will benefit his operation or whether he feels or she feels that it will do absolutely nothing.

There is an urgent need to give Nebraska wheat and feed grain producers something to take to the bank as they plan financing in 1983. Many are strapped with indebtedness they cannot repay on schedule and more farmers cannot give assurance to their creditors that they can repay loans made for operating expenses for the 1983 crops. I hope that any PIK program will help insure survival of farmers the next 12 months.

The Secretary's presentation to the Senate Agriculture Committee on December 9 left much to be desired in explaining how the program would be administered. The administration apparently views the program as a means to entice farmers to cut production without new budget outlays. Legitimate questions are being raised as to whether the Government or producers benefit the most. It is becoming apparent that the administration is transferring its inability to export surplus grain onto the backs of the farmers. The payment-in-kind program, for example, would result in responsibility for costs of storage, interest, transportation, and other costs being shifted from the Government to farmers. There is only the vague hope that the grain would somehow find a use that would remove it from the open market. The administration's endorsement of the program is a tacit admission of the failure to regain our export markets lost through embargoes and other repressive trade measures which have had the same effect as outright embargoes.

The PIK concept in buying land out of production is not new. Such a pro-

gram was in effect in the early sixties. Before that time, such a program was authorized for cotton in the Agricultural Adjustment Act of 1983. These earlier programs generally had farmer support with incentive for participation which resulted in sharp reductions in supplies at end of harvest. For example, in the 1961 feed grain PIK program, 25.2 million acres were taken out of production with 40 percent of farm participation in the program.

But the other parts of the program were vastly different. Most farmers in the 1961 program asked CCC to market their certificates helping to cushion the impact of freeing stocks from a market-insulating position. In sharp contrast to the present, price support loans were pegged at no lower than 65 percent of parity. This was not considered high in 1961. However, consider the fact that the national average November 15 market price for corn was 44 percent of parity.

But the most that can be hoped for without a higher price support loan rate is more grain loaded onto the farmer's backs uninsulated from the reserve program and the price support loan program.

Questions over how the program will impact on the rural business community are for the most part unanswered. As I understand the administration's intent in this regard, no more than 50 percent of the commodity base acreage would be diverted within a county. This would provide some protection for agribusinesses that depend on farmers for their survival. The caution note is clearly that of awareness of the need to structure a program that will not undermine the farm-rural economy.

The tradeoff initially asked for by the Secretary of Agriculture that would freeze target prices at the 1983 level is unacceptable to me. Other members of the committee also rejected the Secretary's recommendation. There is little enough for farmers faced with continued increases in the cost of fuel, chemicals, fertilizer, and other production items in the target price increases Congress approved in the 1981 farm bill.

But at least there is recognition of the inflationary pressures on farmers in the target price increases. The 1983 target price is adjusted upward in the 1981 Farm Act to \$3.03 per bushel in 1984 and \$3.18 per bushel in 1985—very modest increases which the Secretary would deny farmers.

I am also concerned by the proposal that would permit the Secretary to sell stocks marketed for producers out of CCC inventory at prices below levels established in present law. CCC can sell corn currently at no less than 110 percent of the loan—\$2.55 per bushel. This is an established provision which protects farmers from CCC dumping feed grains.

It would break precedent with traditional and historic actions of the Con-

gress to prevent farmers from having to compete with the Commodity Credit Corporation.

In summary, with the existing weak market situation, there is cause for further concern in the shifting of stocks insulated from the market under the reserve program and in CCC inventory. There is a strong possibility that present low prices would be further depressed. At the earliest, price depressing stocks will not be reduced until after the next harvest. They will not go away by a change in ownership with producers becoming liable for storage and other costs.

The statement of the Senate Agriculture Committee accompanying this bill to the floor clearly indicates the support of the committee for continuing CCC storage payments on commodities received by producers until the commodity is sold or through the end of the marketing year, whichever occurs first.

Staggering the issuance of certificates to coincide with harvest periods, also supported by the Committee statement, would also be in the interest of orderly marketing.

Mr. President, there is urgent need as this program is developed to give attention to questions such as:

First. What could be the market impact if farmers receiving certificates were to sell them within a short time?

Second. What are essential measures to protect farm-related businesses who depend on farmers for their livelihood?

Third. What will be necessary in payment per bushel to get farmers to participate? And what percent of the acreage base will be covered?

Fourth. What is the administration's objective for reduced bushel carryover in 1983, and in 1984?

Fifth. What specific changes in existing law are required for authorizing a PIK program?

Sixth. Over and above the cost to the CCC of the stocks to be made available in payment for acreage reduction, what is the projected budget outlay for each of the commodities involved?

Seventh. If the program is to be designed to help farmers obtain operating credit, is an increase in price supports anticipated? If so, at what level?

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### A SUBSIDY FOR AMERICAN SHIPBUILDERS

Mr. METZENBAUM. Mr. President, regardless of the hour, regardless of

the day, there are forces in this arena who are ever persistent extremely stubborn. There is a conference report at the desk that would provide for American ships to be built overseas in various and sundry countries—Taiwan, Korea, Japan, and a number of other places. It would provide that the American subsidy that is paid for operating those ships would continue to be paid.

Think of it, Mr. President; we are going to provide a subsidy to American shipowners who have their ships built overseas.

There are 1,200 workers normally employed at Lorain, Ohio, in the American Shipbuilding Co. There are about 68 working at the present time. I believe that the American shipbuilding industry is a very vital part of our entire defense effort, but the American shipbuilding industry cannot continue operable, cannot keep its doors open, if we are going to permit indirectly with American dollars, ships to be built overseas. What kind of absurdity is this?

I do not rise to speak against this bill because I just want to make a speech. I rise to speak against this bill because the conference committee report is one of those matters that I have been holding at the desk. It is one of those that I have made it clear I am prepared to oppose and continue opposing, because I do not believe that we ought to have American shipowners build their ship overseas and then give them a subsidy for the purpose of operating.

Now there is a new development. The new development is that I just got word that one of the Senators is proposing in the conference committee report on 6211 that they add a provision. And, lo and behold, what is the provision? The same language that is provided in the conference report that is sitting at the desk.

Mr. President, I want it understood that I am opposed to this measure, have been opposed to it. I do not believe that we ought to be spending American taxpayers' dollars to build ships overseas. And so I want one and all to know that if that provision is included in the bill when it comes back, then I am prepared to fight the passage of the bill. I do not believe that is the way to legislate, to do indirectly what you cannot do directly. I tell those Members of the Senate who are meeting in conference at the moment that if the measure comes back with the maritime provisions in it, then be prepared to discuss the subject so the American people will understand that we are doing several things at the same time: We are raising their taxes a nickel a gallon; we refuse to put a "Buy American" provision in the bill with respect to the steel and the cement used for the highways and the infrastructure that is to be built with the nickel-a-gallon; we are increasing jobs 300,000 or more, according to Martin Feldstein, and then to cap off

this glorious piece of legislation we are going to put something in to provide for buying ships overseas. No way. No way. I say to those who are at the Longworth Building meeting now that I hope my words carry loud enough and clear enough to them—do not bring back the maritime subsidy for foreign built ships or be prepared to see this Senator make every effort to defeat the total piece of legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. METZENBAUM. Mr. President, in order that my colleagues may be fully apprised with respect to this subject, let me put in the RECORD at this point the details of these ships that are to be built overseas. These are maritime newly approved section 615 applications:

Aeron Marine Shipping Co., for the construction or acquisition of one or two new bulk vessels of about 63,000 deadweight tons each. I am frank to say I am not certain where that company is located;

Delta Steamship Lines, Inc., in conjunction with Crowley Maritime Corp., for the construction of up to 10 self-sustaining containerships, each with some break-bulk capacity. They would be built in Japan or another foreign country, and at a cost of about \$35 million each;

Equity Maritime, Inc., for the construction of six Panamax-type ore/bulk/oil carriers of approximately 80,000 deadweight tons each. Three vessels are to be built at Hitachi Zosen, Japan, and three at Hyundai Corp., Korea. The total cost of the project is \$168 million;

First American Bulk Carrier Corp., for the construction of two 40,000 deadweight tons bulk/container cargo vessels. Samsung Shipbuilding Co., Ltd., Korea, was named as the builder, at a total cost of \$69.1 million;

Moore McCormack Bulk Transport, Inc., for the reconstruction of three tankers—the Mormacstar, Mormacsun, and Mormacky—including retrofitting to meet requirements of the 1978 Port and Tanker Safety Act. A/S Nye Fredrikstad Mek. Verksted, Norway, was named as the prime turnkey contractor, with a total cost of approximately \$7,350,000;

Phoenix Bulkship II, Inc., in conjunction with El Paso Columbia Tanker Co., to reconstruct the liquefied natural gas (LNG) carrier *El Paso Columbia* as a combination dry-bulk/oil carrier. Hyundai Mipo Dockyard Co., Ltd., Korea, was named as the shipyard to perform the work, at a cost of

\$23 million. The Board had approved the project along with the reconstruction of the LNG carriers *El Paso Savannah* and *El Paso Cover Point* last February. However, no contract had been signed for the work on the *El Paso Columbia*.

United States Lines, Inc., for the reconstruction of the *Astral Moon* from a barge-carrying vessel to a container-ship. Hyundai Mipo Dockyard Co., Ltd., and Hyundai Corp., South Korea, were named as the shipyards, at a cost of \$4.2 million.

Previously announced section 615 approvals included permission for American President Lines, Ltd., to reconstruct three container-hips—*The Presidents Grant*, *Hoover*, and *Tyler*—in Japan; for Margate Shipping Co. to retrofit three tankers—*Cherry Valley*, *Chelsea*, and *Coronado*—in Portugal to meet provisions of the Port and Tanker Safety Act; for Ogden Marine, Inc., to build two dry-bulk carriers in Japan; for United States Lines to build 14 jumbo econship container vessels in South Korea; and for the Phoenix LNG conversion project noted above.

In addition, permission which had been granted to Delta Steamship Lines, Inc., to reconstruct six *Santa Lucia*-type vessels in the United Kingdom was withdrawn by Delta on September 2.

Section 615 permits recipients of or applicants for operating-differential subsidy to build, reconstruct, or acquire vessels in foreign shipyards upon certification from the Maritime Administration that funds are not available in the agency's construction-differential subsidy account and approval of an application to "build foreign."

This provision became law as part of the Omnibus Budget Reconciliation Act of 1981, enacted August 13, 1981, which I might say, rather significantly, Mr. President, is a good indication of how we do legislating on the budget legislation.

I might also point out that if they include this language in the bill, it would be subject to a point of order as being beyond the scope of the conference because it certainly does not reflect a matter in disagreement between the House and Senate. Suffice it to say, the bottom line is this Senator does not want any American-owned ships built overseas if we are going to provide an operating subsidy for those same ships. Those ships should be built in this country with American workers who are presently unemployed, and I hope that the Senate conferees on 6211 will not see fit to put into that bill part of a measure that is presently pending at the desk in a conference report. If the conference report cannot fly, and I certainly will make every attempt to keep it from passing, then I do not believe it ought to be put into H.R. 6211.

I yield the floor.

#### RECENT EVENTS IN CENTRAL AMERICA

Mr. DODD. Mr. President, two events have occurred in the last several days affecting Central America which on their face might seem contradictory.

One was a report of a day ago that Nicaraguan forces and insurgent groups operating from the Honduran border had been engaged in sporadic combat over the past 4 or 5 days and at least, according to a Washington Post article, the Nicaraguan military forces had repulsed those insurgents from the northwestern part of Nicaragua. That is the first event.

The second event, of course, was the decision of yesterday by the Nicaraguan Ambassador resigning his post because of what he had described as a very seriously deteriorating condition in Nicaragua and the threat that the directorate there poses in terms of the leftist dictatorship which could be taken over in Nicaragua.

Mr. President, last Saturday I offered an amendment in the Chamber calling for a curtailment of financial support for paramilitary groups operating in Central America.

I wish for a few moments this morning to discuss that amendment again in light of these two events that have occurred in the last 72 hours.

I realize that raising this issue at this hour I raise the question that some have regarded as frivolous material, but I must return once again to the question posed on Saturday morning.

Obviously, I realize as well the hour is late. I realize there is a growing impatience with matters of an extraneous nature, and I realize that nothing I am going to say here this afternoon is going to change much if anything at all.

But the fact of the matter is this: The situation in Central America is rapidly deteriorating and I believe it is rapidly deteriorating because of our efforts to support paramilitary groups which are hellbent on overthrowing the Government of Nicaragua. And in the meantime, this body refuses to deal, I think, with the issue in a serious fashion.

It is a sad day indeed when "the world's greatest deliberative body" decided it does not have time to focus on questions of war and peace, and I fear that is what we are facing in Central America. That is what I believe is at stake today, and the role of the United States is a decisive one.

How does this body respond? Unfortunately, because of time constraints we only devoted a total of 30 minutes to the brief discussion and at the end of that brief discussion we delivered a decision which I think provides this administration and others with a green light to do whatever it pleases in Central America.

At the risk of sounding like an alarmist or what Lyndon Johnson used to refer to as the "nervous Nelly"

I wish to make my position as clear as possible.

The decision rendered on Saturday by this body, first, may well do for Central America what the Tonkin Gulf decision did for Southeast Asia. And that decision will not be undone by accepting the Boland language as part of the continuing resolution.

Of course, the stated purpose of our policy in Central America is not to overthrow the Government of Nicaragua. And, of course, the stated purpose of our policy in Central America is not to provoke a conflict between Honduras and Nicaragua. And if we are honest about this matter, we will recognize that the Boland language does nothing more than states the obvious. In many respects it is the legislative equivalent of "blue smoke and mirrors," and we should not have any illusions about it.

Mr. President, as I tried to explain on Saturday, my concern about U.S. policy toward Central America has nothing to do with defending the Government of Nicaragua. I will not defend that government. And I have the greatest respect for Ambassador Fiallos in reaching what must have been an extremely difficult decision for him to resign his post in light of the evidence that is overwhelming that the Directorate in that country is leading that country to a Marxist state. In fact, I join with Ambassador Fiallos, or former Ambassador Fiallos, as the case may be now, in sharing his concerns about the actions and direction of the Managua-based government. But I know that the courageous action he has taken will be interpreted by some to suggest that he agrees with U.S. policy, that he believes the Sandinistas must be driven from power, in one way or another and particularly in the way that we seem to be supporting at the present time.

I spent about an hour and a half with Ambassador Fiallos yesterday, and he could not be more clear to me. He was clear as well in the press conference he held about his deep concern for the present administration policies in supporting the Somoza forces along the Honduran border, and just as concerned as he is about the direction that the Sandinista government is going he is just as equally concerned about our support for the old guardia forces, the Somoza forces. There is a growing number of people in Nicaragua who are deeply disappointed and opposed to the policies of the Sandinistas. But it would be a serious mistake to assume that they are readily going to return to the very forces that they helped overthrow only a few short years ago.

In fact, if we want to contribute to what the Sandinistas are trying to do to the detriment of those forces inside Nicaragua who are trying to change policy in that country, then we are handing the Sandinistas a vehicle and giving them the tools which they



would not otherwise be able to achieve on their own, in effect, by supporting the very forces that these people who are opposed to the Sandinistas fear even more, the Somozistas.

I know, also, however, from my conversations that the Ambassador is deeply distressed with the present policy that would encourage these Somoza guardia forces on the Honduran border. It would be a serious mistake to believe that those disagreements constitute an endorsement of U.S. policy, let alone support for the Somozista paramilitary groups operating along the border.

Mr. President, when it comes to the issue of U.S. support for paramilitary groups along the Honduran-Nicaraguan border, Ambassador Fiallos and I are in total agreement. Both of us understand that gunboat diplomacy is no more popular in Central America today than it was at the turn of the century.

Mr. President, I ask unanimous consent to have printed in the RECORD an article from yesterday morning's Washington Post entitled "Nicaragua Says It Repulsed Rebel Incursion In North," along with a New York Times article of today which is entitled "Nicaragua's Ex-Envoy Called Leftist Dictatorship A Threat."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 20, 1982]

**NICARAGUA SAYS IT REPULSED REBEL  
INCURSION IN NORTH**  
(By Edward Cody)

**JALAPA, NICARAGUA.**—The Nicaraguan Army, in five days of sporadic combat ending last week, has broken up what it describes as a major attempt by U.S.-backed counterrevolutionary guerrillas to occupy part of Nicaragua and declare it a liberated zone.

The fighting 135 miles north of Managua involved mortar exchanges, artillery fire from Army gunners and the first open deployment of Managua's Soviet-made T55 tanks and BTR60 armored personnel carriers since the guerrillas stepped up attacks against the three-year-old Sandinista government last summer, Army officers said.

It came in response to what Sandinista commanders here portrayed as coordinated approaches by three counterrevolutionary units totaling 900 men. This would be an unusually large force in what heretofore has been a series of harassment raids and sabotage by commando teams from hideaways inside Nicaragua and across the border in Honduras.

The State Department has refused to comment on widespread reports that the Reagan administration is providing direct and indirect assistance to the anti-Sandinista forces, saying that is it against policy to comment on intelligence matters.

The Jalapa regional commander, Capt. Rodrigo Gonzalez Garcia, said one group of about 250 men was discovered moving in from the east near the Arenal de Yali River. A second group was encountered moving west in the rugged border hills of Jesus, he said, and a third of 150 was found farther south, well inside Nicaragua, with the apparent mission of cutting off the region's only all-weather road linking Jalapa with the rest of the country.

Their aim, Gonzalez said, was to take Jalapa and make it the capital of a liberated zone in this northern-most salient of Nueva Segovia province. Although Jalapa has only 9,000 inhabitants and the area comprises mostly hillside coffee farms, occupying even a small piece of Nicaraguan territory would be a major advance for the anti-Sandinista guerrillas.

Gonzalez declared that all but a few dispersed bands were driven back into Honduras in five days of fighting that ended Tuesday, proving, in his eyes, that they are unable to remain inside Nicaragua. But he acknowledged that part of one unit came as close as two miles from Jalapa before being discovered and forced back in three days of shooting at the village of Santa Fe.

This means the guerrillas were able to advance four miles from the border hills undetected. A Sandinista officer said his men discovered more than 1,500 yards of trenches in the hills near Cerro el Agulla, suggesting the counterrevolutionaries had been inside Nicaragua some time before making their move.

A half dozen mules and ponies were seen wandering around mountain trails just under Cerro el Agulla, left behind by the retreating guerrillas. Sandinista officers said the pack animals had been used to bring guerrilla supplies across the steep slopes from Honduras, including 60 mm mortars, M60 machine guns, ammunition and food.

The counterrevolutionary units lost more than 30 men in the clashes that led to the dispersal, Gonzalez said. His own forces suffered seven killed, including two officers, and twice that many wounded, he added.

The Sandinista Army used artillery and 81 mm mortars to dislodge some guerrilla positions, an officer said. Although a few T55 tanks and BTR60 armored vehicles were deployed around Jalapa to protect it from attack, they were not used in combat, according to the Army spokesman, Capt. Roberto Sanchez.

Their deployment marked a change in Sandinista policy, however, since previously the tanks and APCs had been kept hidden from view at sites near Managua. One BTR60 seen parked at Army headquarters here was missing two of its eight wheels, apparently disabled in the rough terrain.

Foreign Minister Miguel D'Escoto dispatched two protest notes to the Honduran government Thursday, charging that the guerrillas had come from and retreated back to Honduran territory despite pledges from President Roberto Suazo Cordova's government that they would be controlled. D'Escoto named what he said were several guerrilla camps inside Honduras and added that the Sandinista leadership "is running out of patience."

Some counterrevolutionary camps along the border were shut down about six weeks ago by the Honduran Army. Honduran military sources and Nicaraguans involved with the guerrillas said some of the units had gone to new bases inside Nicaragua while others had been taken to sites within Honduras for more training.

The latest fighting suggests the Honduran Army's decision to relocate camps amounted to an effort to gain more control and keep guerrilla activities out of public view rather than a move to halt cross-border movements.

[From the New York Times, Dec. 21, 1982]

**NICARAGUA'S EX-ENVOY CALLS "LEFTIST  
DICTATORSHIP" A THREAT**  
(By Bernard Weinraub)

**WASHINGTON, December 20.**—Francisco Fiallos Navarro, who was removed over the weekend as Nicaraguan Ambassador to the

United States, said today that his nation was threatened by a "leftist dictatorship" that censored the press and limited political freedoms.

At the same time, Mr. Fiallos said that the policy of the Reagan Administration in Central America was wrong and that the United States should stop supporting covert military activities against Nicaragua.

At times as the 36-year-old diplomat spoke at a news conference at the Ambassador's official residence, his eyes grew moist.

"The love for my people, the reverence for my country and the most elemental sentiment of personal dignity could not allow me to go on representing a Government that has forbidden me to express my ideas and my feelings to the Nicaraguan people," he said quietly.

Mr. Fiallos was removed by the Sandanist Government after an interview with La Prensa, an opposition newspaper in Managua, in which the envoy called for a "dramatic change" in the direction of the Nicaraguan Government and urged "free, just and honest elections." The interview was censored out of the Dec. 10 issue of the newspaper, and Mr. Fiallos said he offered his resignation soon afterward.

Calling reporters to his residence before moving out, Mr. Fiallos said the Nicaraguan revolution was irreversible but added, "We have to avoid going from a rightist dictatorship to a leftist dictatorship."

"To overthrow a rightist dictatorship does not give us the right to repress our people, to forbid the press to publish anything they want," Mr. Fiallos, a Harvard-trained lawyer and economist, said. "We must preserve the liberties, the freedoms of the people."

Asked about the Reagan Administration's policies, which seek to encourage anti-Sandinist forces, including some aligned with the old Somoza dynasty, Mr. Fiallos said: "I think the policy of the Reagan Administration toward Nicaragua is wrong. The worst thing they can do is help the Somozistas. The Nicaraguan problem should be solved between Nicaraguans and between Sandanistas. It has to be democratic. It has to be pluralistic. The problem of Nicaragua should be solved by Nicaraguans." Mr. Fiallos urged the Reagan Administration "to accept the Nicaraguan revolution as irreversible."

**HE OPPOSES FOREIGN TROOPS**

He added that all foreign forces had to leave the entire Central American region. "We have to get out the Cubans, the Soviets, the Americans, the Bulgarians, anybody," he said.

Mr. Fiallos, who has served here less than a year, indicated that he was unsure about returning to Nicaragua with his wife, Elsie, who stood silent several feet away as he spoke.

"For the moment I want to rest and think and then I will decide what course to take," he said. At another point Mr. Fiallos said, "I hope I will be going to Nicaragua."

Mr. Fiallos is the second Nicaraguan envoy to the United States to leave his post in disagreement with the leftist leaders in Managua. His predecessor, Arturo Cruz, resigned in late 1981 and remained in the United States.

A spokesman at the Nicaraguan Embassy said there would be no comment on Mr. Fiallo's statements but noted that his removal came as the Nicaraguan Government announced changes in diplomatic assignments to the Dominican Republic, Belgium, Ecuador, Algeria and El Salvador as well as the United States. Mr. Fiallo's successor has not been named.

## TALKS WITH EXILES PROPOSED

In his comments today, Mr. Fiallos urged Nicaragua's leaders "to have a dialogue with the opposition and the Sandanistas who are not in agreement with some measures that the revolution has taken."

Many Sandanistas who fought the Somazo Government that was toppled in July 1979 have left Nicaragua, disillusioned with the revolution.

Mr. Fiallos urged Nicaragua's leaders to meet with Edén Pastora Gómez, a hero of the Nicaraguan revolution and now a leading opponent who lives in exile in Costa Rica. "I feel he should be part of the political process, the Government should have a conversation with him," Mr. Fiallos said. The envoy said there was a possibility he would see Mr. Pastora.

"I think he is a Sandanista," Mr. Fiallos said. "He is a patriotic man. He should be part of the process within the revolutionary movement."

Besides seeking an end to press censorship, Mr. Fiallos said he and a majority of Nicaraguans wanted free elections and a nonaligned foreign policy. "We are trying to save the revolution, to make it better," the diplomat said.

The envoy said he was a moderate, and added that "some elements" of the Nicaraguan leadership leaned toward the Soviet bloc.

Mr. DODD. Mr. President, I conclude by saying that it is my sincere hope that we will not find during our recess period that begins today and extends pretty much to the end of next month that kind of expanded conflict in Central America. We hope it does not occur. I hope that is not the case.

I am deeply distressed, however, by these most recent events.

Ambassador Fiallos is deeply distressed that events are moving very, very quickly and before the month is out we may find an expanded conflict in Central America far beyond the turmoil and terror that we see raging in El Salvador and Guatemala today.

I hope I am incorrect in that. I hope the administration will convey to the people involved in Honduras and to others who have been I think goading the insurgent paramilitary forces along the Honduran border to cease that activity.

We are not doing ourselves, the region, or the issue of peace or dealing with the legitimate threats that I believe we now face in Nicaragua in the most intelligent way. In fact, we may end up serving the Sandinistas all too well in their cause to achieve something other than a democratic pluralistic society in their own country.

I yield back the floor.

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

The PRESIDING OFFICER (Mr. LUGAR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

## THE PAYMENT-IN-KIND PROGRAM

Mr. EXON. Mr. President, we are, hopefully, in the waning hours of this session of Congress. We all know that there is a great deal going on at the present time, much of it centered around whether or not the gas tax increase is going to be passed, and tied in with that is the push by the administration additionally to pass the so-called Caribbean Initiative.

Now, as important as those two programs are, and with the strongly held views on both sides of those questions, I am very fearful that we are going to lose sight of one of the real problems in America today and that is the ever-increasing disaster that is facing the agricultural sector and the agribusiness sector of our economy.

If I understand the situation correctly, as of now H.R. 7439, as passed by the House of Representatives, is at the desk, and if it were the will of the Senate and if we would not become bogged down in filibusters on this issue, we could indeed pass H.R. 7439 as sent over by the House of Representatives.

I am afraid there are conflicting opinions as to what H.R. 7439 has done as sent over to us from the House. The first correction I would like to make, and I have checked this with Members of the House whom I consider to be experts in agriculture, H.R. 7439 was not, as advertised in the news media, an endorsement of the PIK program as advanced by the President and the Secretary of Agriculture. To the contrary, and the discussion that took place on the House floor, before H.R. 7439 was passed and sent over here, was that it was not an endorsement of the PIK program for several reasons: many of us who are very much concerned about and involved in the agricultural sector have questions about the PIK program. What are the details? How will it work? The Secretary of Agriculture, in testimony before the appropriate committees, was unable to spell that out at the present time.

It seems to me, Mr. President, that in addition to the other things that are of paramount interest today, we should be cautious indeed in the U.S. Senate by allowing adjournment of the Congress without at least taking some action on the PIK program.

Again I would emphasize that this Senator is not totally sold on PIK, but certainly it is something, with the crisis that is facing family-sized farmers today, we should give some attention to, and we should not by action or inaction, in the opinion of this Senator, simply lay back and do nothing.

It seems to me one way out of the dilemma that presently confronts us—and that dilemma is that with all of the arrangements and back room discussions that are taking place we might indeed adjourn this session of Congress without doing anything at all on PIK by allowing nothing to

happen on the floor of the United States Senate—is not to allow H.R. 7439, which is presently at the desk, to die.

It seems to me that those of us who have reservations on PIK should heed the advice that has been given to us by our colleagues in the House of Representatives. H.R. 7439, as it was dispatched to the Senate, does not under any circumstance endorse the PIK program. In fact, the extended discussions that took place on this on the floor of the House of Representatives indicate there was grave concern expressed as to how the program might work, what the details would be, as the Secretary of Agriculture and the administration proceed with the development of the program.

It was very clear that the House of Representatives, in passing this bill, reserved the right to come back in the new Congress and to make or approve any changes that they feel are necessary to make that program workable and fair as it affects the farm producers of this Nation.

Mr. President, it seems to me that the House Members have adequately expressed the fears and the concerns and have not endorsed the PIK program with H.R. 7439. I am suggesting to my colleagues that, while many people are sidetracked on the other important issues that face the Congress before adjournment, at least a recognition of the despair, the economic despair that affects American farmers today, should receive some attention.

Therefore, while I endorse and believe that the alterations through amendments that were suggested to the PIK program by the Senate Agriculture Committee are in order, I think the Agriculture Committee of the U.S. Senate had made some good suggestions for appropriate amendments to the PIK program. I also understand that there are forces at work that will prevent all of the amendments suggested by the Senate Agriculture Committee from passing, indeed, probably not even coming to a vote in these closing hours.

Therefore, I would throw out the suggestion to my colleagues who are listening to me on the floor of the U.S. Senate right now and those who hopefully are listening over our communications system to the offices and the Senate buildings and their staffs, that the Senator from Nebraska is calling for at least consideration of the passage of H.R. 7439 as it presently rests at the desk as the minimum that we should do with regard to the PIK program.

It would seem to me that we could develop some type of a consensus on this. It certainly does not address any of the fears of most of us with regard to PIK, but certainly if we give the authority that the administration has requested—and I would simply outline that, as I understand H.R. 7439, and I



believe I am correct, it does not endorse PIK, it simply waives the \$50,000 limit that is presently in the agriculture bill and it does one other thing. Second, it would allow the administration the authority to plan a program and not have to deal with the present 110-percent limit with regard to the storage of certain grains in the reserve program.

I would simply say to my colleagues that if the administration comes forth with a program now and before the beginning of the next Congress or during that Congress, if we believe that the program they have advanced is not workable, is not reasonable and would further harm the agriculture sector of our economy, then I would suggest that we have the ample means to deal with that at that particular time. If we could simply pass H.R. 7439, then we are not endorsing PIK and we are not signing off that the administration has the right to go ahead and promulgate any rules and regulations and bureaucratic red tape that they want.

We are simply saying, "We give you, the administration and the Secretary of Agriculture, the right to proceed as you have requested." And, if I understand what the administration has requested, they say that all that they need to do now in legislation is for us to enact H.R. 7439 that contains the two provisions that I have outlined.

Therefore, it seems to me that with all of the other difficulties that we have, and if we are not successful in getting the Senate to accept the worthy amendments that have been offered by the Senate Agriculture Committee, as a minimum, if we cannot do anything else, we should pass H.R. 7439, with the clear understanding of the reservations that this Senator has expressed.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislation clerk proceeded to call the roll.

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

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

#### DEATH OF BARTHOLOMEW HLA-pane

Mr. DENTON. Mr. President, I am saddened and shocked to learn of the death of Mr. Bartholomew Hlapane, a former member of the African National Congress (ANC) and the South African Communist Party, who was murdered in his home on December 16, 1982, in Soweto by assassins with AK-47 assault rifles. Based on the modus operandi and the choice of the weapon, it appears that these people were ANC terrorists. I am also informed that his wife, who was critically wounded, passed away in a hospital the following morning.

On March 25, 1982, Mr. Hlapane courageously testified before the U.S. Senate Subcommittee on Security and Terrorism about the clandestine role of the South African Communist Party in the ANC and in the formation of the ANC's terrorist wing, Umkonto We Sizwe, "The Spear of the Nation." Prior to giving that testimony, Mr. Hlapane met with the other witnesses, former members of the ANC and the South West Africa People's Organization (SWAPO), to discuss the possible consequences of their testimony. Mr. Hlapane and the other witnesses, knowing they would be marked for assassination, each made an individual decision to tell his story and to expose the role of the Soviet Union and other Communist countries in subverting and exploiting the ANC and SWAPO to accomplish their own foreign policy objectives. Those brave witnesses believed that someone had to tell the world the truth about what is really happening in Southern Africa. They said that if they did not do it, the real story would probably never be told.

Mr. Hlapane told his story. He has now paid the supreme price for his courage and truthfulness. It is my fervent hope that the tragic death of Mr. Hlapane and his wife will not pass unnoticed, but will serve to strip away from the ANC any vestige of legitimacy and expose its brutally terroristic nature for all the world to see. As another witness testified at the hearing, one does not resign from the organization—there is only one way out.

Mr. President, every member of this body should express his or her revulsion at the cruel and unwarranted act of vengeance against a Senate witness and his wife. If we make the mistake of ignoring this incident, we will indirectly sanction the killing of an important witness. We will signal others who may be inclined to testify that, once they have testified, our Government will not attempt to prevent those who are offended by the testimony from exacting the full measure of retribution.

Mr. President, the brutal murders are not only heinous offenses against two innocent people, but are in all out effort by a terrorist gang to intimidate the Senate itself.

I ask unanimous consent that the testimony given by Mr. Hlapane before the Subcommittee on Security and Terrorism on March 25, 1982, be placed in the RECORD immediately following my statement.

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

#### TESTIMONY OF BARTHOLOMEW HLA-pane

Mr. HLA-pane. I was born on August 24, 1918, in the Ficksburg District of the Orange Free State, South Africa. I became interested in politics in 1948 and joined the African National Congress (ANC) as an ordinary branch member. In 1952, I was appointed the branch secretary of the Jabavu Branch of the African National Congress, and in 1955 I was elected an ordinary

member of Transvaal Executive Committee, at the same time being appointed an organizer of the Eastern Transvaal and East Rand regions of the African National Congress. I served in this position until 1959.

The African National Congress' aims and objects were to achieve democratic rights for the African people through peaceful means, and the organization's structure is as follows.

The lowest organ of the African National Congress is a branch, above which are regional committees, provincial committees and, at the top, control is exercised by the National Executive Committee.

The National Executive decided on matters of policy and instructed its organs to carry them out. Members of the African National Congress were recruited and given membership cards, and any African who wanted to join the African National Congress was allowed to do so.

During 1960, the African National Congress was banned and a state of emergency was declared by the South African Government. Almost all the members of the National Executive of the ANC were detained. The only exception was Moses Kotane. I was not detained.

I was then appointed to the National Executive of the African National Congress together with Moses Kotane, Ruth Matswane, Gordon Magote, and a woman by the name of Sebeko. Moses Kotane, Ruth Matswane, and myself also constituted the National Secretariat of the African National Congress.

The above-mentioned committee functioned only up to the end of the emergency. When the emergency ended, the old National Executive took over. A formal meeting of the National Executive was held and the new committee handed over to the old committee.

Moses Kotane, J. B. Marks, Duma Nokwe, Dan Tloome, and Walter Sisulu were all members of the old committee which took over from us and who had to decide whether the African National Congress had to go underground and if the activities had to continue or not. Subsequently, it was decided that the African National Congress would continue its activities underground.

I was then appointed to the Johannesburg Regional Committee of the African National Congress. A meeting consisting of delegates of the African National Congress, the Communist Party, Congress of Democrats, and the Indian Congress was held in Johannesburg during the first part of 1961 to discuss the formation of Umkonto We Sizwe, the military wing of the African National Congress.

Mr. Chairman, here I would say, if you would permit me, Umkonto We Sizwe, in English, was understood to be the "Spear of the Nation."

Senator DENTON. The "Spear of the Nation?"

Mr. HLA-pane. This is correct.

Senator DENTON. Thank you.

Mr. HLA-pane. I did not attend this meeting, but learned after the meeting that there was serious disagreement amongst the delegates and that no decision had been taken. Shortly after this meeting, Umkonto We Sizwe was formed, at the sole decision of the African National Congress and the Communist Party.

In 1955, I was recruited by Joe Slovo, Mr. Chairman, again, if you would allow me, before I get to that, I think I should explain how the membership of the Communist Party was recruited. I have dealt with the membership of the African National Congress and how it was recruited, but I did not

explain how the Communist Party recruited its membership.

Being a Communist, Mr. Chairman, we did not take anybody who wanted to join the Communist Party; its membership was strictly selective. It was a standing rule of the Communist Party that all its memberships go out to all mass organizations or even community organizations to find out about people who are influential, who are clever, and who could be recruited as members of the party, first of all getting these people interested in the party by giving them pamphlets and some literature concerning the party, and later on getting them into some discussions, and then if we are satisfied that they have interest, get them into some lecture rooms.

I will say now what Joe Slovo did with me. In 1955, I was recruited by Joe Slovo and became a member of the South African Communist Party. Slovo was my tutor and taught me the principles of communism, and later I was placed in a cell of the Jabavu Branch of the South African Communist Party, which at that time had already been proscribed and was operating illegally.

The structure of the South African Communist Party was as follows. The lowest organ of the organization was a cell, then a branch, a district committee, and eventually the central committee. A cell is an organ functioning in an area and composed of not less than three or more than five members. Its main purpose was to work amongst members of national organizations, trade unions and community organizations in order to influence their members to advance the aims and objects of the Communist Party.

The functions of a branch of the Communist Party were to coordinate the functions of the various cells and report to the district committee, which in turn was in charge of the province.

At the beginning, I was only an ordinary member of a cell consisting of five members, one of these being our contact with the branch committee, through whom we got instructions on how to organize and direct the African National Congress, and to recruit members for the Communist Party.

It is a standing rule that members of the South African Communist Party must along belong to a mass organization, such as the African National Congress or the South African Congress of Trade Unions. The idea was to get members to infiltrate any organization described as reactionary, to undermine the leadership and ultimately gain control of such organizations.

Between 1955 and early in 1960, I belonged to various cells of the South African Communist Party because of reorganization within the party, and during this period I was co-opted into the branch committee of the Communist Party. In October 1961, I was co-opted into the Johannesburg District Committee of the Communist Party, and at the same time was appointed a full-time functionary—that is, organizing secretary—with a fixed salary and given a car. All the organs of the South African Communist Party falling under the Johannesburg District Committee were under my control.

The main functions of the district committee were: (A) to carry out the instructions of the central committee and, in turn, to convey them to the lower organs of the South African Communist Party; (B) to receive reports from lower organs, discuss them, make decisions, and instruct the lower organs as to what action to take; (C) to supervise the branch committees and cells.

At this stage, Joe Slovo was a member of the central committee of the South African

Communist Party and was our contact with the central committee.

After being co-opted into the Johannesburg District Committee of the South African Communist Party, I became a link between the National Executive of the African National Congress and the Transvaal Executive of the ANC.

I was also placed in charge of the African Area Committee of the South African Communist Party Johannesburg District Committee. Andrew Kumene and John Molsabi served with me on this area committee. The various area committees were: the African Area Committee, Trades Unions Area Committee, the Indian Area Committee, and the European Area Committee.

The above area committees, in turn, were responsible to the district committee of the South African Communist Party, and they were similarly directed by the said district committee.

The functions of these area committees were mainly the following: (A) to carry out the instructions of the district committee; (B) to supervise the cells or units; (C) other organizational matters.

I was in charge of the African Area Committee. Joe Slovo was representing the district committee on the central committee of the South African Communist Party.

At this stage, 1961, Ben Turok handled the party's finances. The finances for party purposes were derived from the following sources: (A) advances by the Soviet Union; (B) advances by Communist China; (C) by way of subscriptions by ordinary members of the party; (D) advances by the Communist Party of England.

Finances were mainly used for the following purposes: (A) paying of salaries to all organizers and other paid officials; (B) printing and propaganda matters; (C) purchasing of literature from overseas; (D) transport; (E) to assist other organizations, such as the African National Congress, the South African Congress of Trade Unions, Congress of Democrats and the Indian Congress, and also for the Federation of South African Women; (F) to pay for the defense of persons arrested for offenses under the Suppression of Communism Act and like offenses.

The Defense and Aid Fund, which at this juncture already existed, was extensively used for the purposes of the South African Communist Party. In turn, cash advances toward the fund were made by the South African Communist Party.

I was co-opted onto the central committee of the South African Communist Party toward the end of 1962 at a national conference of the South African Communist Party. All the Africans were members of the African National Congress, and most of them were members of the National Executive Committee of the African National Congress. And in this way, the South African Communist Party was able to influence and control the African National Congress.

Two resolutions were passed at this national conference concerning: (A) the program of action of the South African Communist Party—this was distributed in pamphlet form; (B) plans to organize and step up the activities of Umkonto We Sizwe. It was emphasized that we were embarking on the second phase. Joe Slovo represented Umkonto We Sizwe at this national conference.

Shortly after the national conference, I attended my first meeting of the central committee of the South African Communist Party. Not long after this meeting, Moses Kotane was placed under house arrest by the South African police, and we decided that he ought to leave the country. He went

first to Bechuanaland, then on to Dar-es-Salaam.

During May 1963, Joe Slovo and J. B. Marks also left South Africa on the advice of the central committee. We decided that they would be based in London, from where they would contact organizations sympathetic to the African National Congress cause, give prominence to the activities of the African National Congress and Umkonto We Sizwe, and thus further the objectives of the freedom cause.

I was detained for questioning by the South African police on June 24, 1963, and released on December 13, 1963. During my detention on July 11, 1963, the police raided Lilliesleaf, a small holding at Rivonia, and arrested the members of the high command of Umkonto We Sizwe. These arrests led to the so-called Rivonia trial.

After my release by the police, I was suspended from both the ANC and South African Communist Party until April 1964. This was standard practice in both movements to ascertain whether or not a person who had been detained had not perhaps decided to become an informer while in detention.

Shortly before Christmas in 1963, I was, however, told by Dan Tloome to meet Hilda Bernstein at the offices of the Defense and Aid Fund in Kerk Street, Johannesburg. I kept this appointment and met Hilda Bernstein. She grilled me for about 2 hours on the questions put to me by the police while under detention and the answers I gave to them. She did not intimate to me whether she was satisfied with the answers I gave her or not.

I am convinced that there was suspicion against me for having disclosed the whereabouts or existence of Rivonia, and I attribute my long suspension to this.

During March 1964, I was approached by Gabula Mahlasela. He informed me that due to other duties which had been imposed upon him, he could no longer carry out his duties on the regional committee of the African National Congress, and he nominated me to replace him on this committee.

Before Mahlasela could, however, introduce me to the regional committee, he was detained and I was once again left very much in the dark.

Early in April 1964, I was approached by Mike Dingaka. He informed me that I was to act on the regional committee of the African National Congress, as informed by Mahlasela prior to his arrest. He instructed me to report at the house of Letoane in Westcliff Extension on a given evening to meet the members of this Committee. Soon thereafter, I went to Letoane's house, as instructed.

I acted on this regional committee in a supervisory capacity and did not represent an area. At these and subsequent meetings of the regional committee, we discussed the program of the African National Congress in an attempt to find means of effectively reorganizing it.

Soon thereafter, as part of the reorganization, I was co-opted onto the national secretariat of the African National Congress, where I served with Mike Dingaka, Levy Soloro, Nkonyana, and Mike Ngobenl.

At this stage, Dan Tloome and Alfred Nzo had left the Republic. Dan Tloome had been sent to Northern Rhodesia—Northern Rhodesia is today Zambia—in an effort to organize the establishment of a new headquarters for the African National Congress.

The Lukasa prospect of new headquarters was abandoned. Alfred Nzo was a member of the National Executive of the African National Congress, but because of hardships which he had suffered, it was felt that he

had taken much punishment and that he should leave South Africa.

Bri Bri (Wilton Makwal) was solely responsible for their departures, as he was handling all such matters because he had the necessary pilots and contacts which minimized the risks pertaining to the organizing of escapes to Bechuanaland. Both Dan Tloome and Alfred Nzo are still outside of South Africa, and I understand that Nzo is now secretary-general of the African National Congress and Tloome deputy secretary-general.

I was detained by the police again on September 2, 1964, not long after my co-optation onto the National Executive Committee of the African National Congress, on which I served with Bri-Bri (Wilton Makwal), Mike Dingaka, and Gabula Mahlasela.

During the 5 months between April 1964 and my detention on September 2, 1964, I was also brought back into the South African Communist Party. In April, I was approached by Mike Dingaka and informed that the district committee of the Communist Party had decided that I should serve on the African Area Committee of the party. I was subsequently introduced by Mike to the members of the African Area Committee.

We discussed various matters concerned with the African National Congress and the Communist Party. It was decided that I would also be drafted into an African cell of the Communist Party.

We held the first meeting of the cell at the house of Beauty Magote. We discussed the African National Congress and the Communist Party. The main program was the reorganization of the party and the African National Congress.

Toward the end of May 1964 and about a week before Dan Tloome left the country, I was summoned to his office. Dan Tloome informed me that I had been co-opted to the central committee of the Communist Party, as he was about to flee the country.

Dan told me that I would have to take over the finances in his absence. He told me also who my contacts were. He said I would be informed as to the origin of such funds by the central committee.

During June 1964, I was approached by Mike Dingaka, who said that I would be met by an Indian called Mack. I would find Mack seated on a certain day in the Kapitan Cafe in Kort Street, Johannesburg. I was to approach this Indian by saying, "Are you Mack?" And when he said "yes," I would introduce myself as Arthur.

I carried out instructions as outlined above on the prearranged day, and there I met Mack for the first time. Mack informed me that a meeting of the Communist Party would take place on a Saturday soon thereafter. Mack said that he would pick me up in his car for this meeting.

On the Saturday morning in question, Mack collected me and took me to a block of flats in Berea. In the flat which Mack indicated, I found Hilda Bernstein and Ivan Schermbucker. Mack then joined us. Later in the morning, Abraham Fischer joined us and took the chair.

Among other matters, we discussed my position as treasurer. I was told that Mack was to be my contact and that wherever I needed cash, Mack would obtain it from Plet Beyleveld and Ivan Schermbucker. Mack and I were to meet once a week to check up and to find out if there were any emergencies.

Second, we discussed the position of the African National Congress. I was not in possession of all the facts and the issue was left over for the next meeting.

Next, we discussed the position of Mack. He was asked whether he had severed all his

connections with all other committees, including the Umkonto. This, however, included the district committee of the South African Communist Party, of which Mack was a member. Mack reported that he had not as yet finalized his association with such other committees and was still tied up to the Umkonto group. He was instructed to finalize these issues.

Next, we discussed the code system which would be handled by Hilda Bernstein. She explained that she had written to an address in London. All correspondence for any other center beyond the borders of the Republic were sent directly to London, from where it was readdressed to the persons and places intended. This London address—

Senator DENTON. Mr. Hlapane, excuse me, sir. You are the most experienced witness we have in the ANC and in the South African Communist Party.

Since we have your full prepared statement, which has been distributed, and since we are short on time, I would ask your permission to proceed to the questions, with the understanding that your entire statement will be included in the record.

Would you agree to that, sir?

Mr. HLA-pane. I have no objection, sir.

Senator DENTON. Thank you, sir.

You have presented us with remarkable narrative of your involvement in politics, of your experience and participation in the African National Congress, and of your experience and membership in the South African Communist Party.

You were a high official; you were involved as an individual in some of the most important events in the modern history of South Africa, indeed of Africa and, to a degree, of the entire world. So, I would like to ask you some questions in order to draw further from that valuable experience.

Would you please tell us why you decided to leave the ANC and the South African Communist Party?

Mr. HLA-pane. I decided to part with the African National Congress and the Communist Party, first, as result of their treatment of my family. Every time I got locked up, promises that were made to my family were never fulfilled; promises that were made to all the people that were locked up in jail were never fulfilled.

Many men were locked up; women and children were starving. All the promises that had been made that they would provide food for them were never fulfilled. And those who had been arrested, we promised to pay for them in jail or even to defend them. Those promises were never fulfilled.

I personally found that the Communists were dishonest and most of them had run out of the country and left us in this mess. And the families of many people who were never released came to my house and demanded now to get food and help from me. I was left with this baby in my hands and I did not know where to turn to.

I discovered that the African National Congress policy had now been changed. Now, the Umkonto We Sizwe was brought into the picture; that was not the original policy of the African National Congress. I joined this organization under the understanding that whatever we are doing, we are going to achieve democratic rights by peaceful means, but we were now changing to violence and we intended now overthrowing the state of the Republic of South Africa: That was not the original aim.

And when people like Chief Luthuli pulled out in 1961 and said, "Now that you are entering in violence"—1961 was when Umkonto We Sizwe was formed—I felt that we no longer followed, really, what we told the people of South Africa.

And I started thinking about all the presidents of the African National Congress. I can name them: Reverend Tansi, Dr. Moroka, and Chief Luthuli; none of them ever supported a policy of violence.

And these are the matters that come to me strongly when I kept on going into jail and finding that the Communists were dishonest and they misled us. And to come to the rescue of many people, I decided to pull out and openly cooperate with the police, because innocent people were being arrested and did not know that the Communist Party had, in fact, captured the leadership of the African National Congress. And the African National Congress could not do what they wanted, except to get permission from the Communist Party.

Those are some of the things that influenced me to pull out of it.

Senator DENTON. That is not only an informative answer but, if I may say so, sir, a very statesman-like answer. I am very happy for the free world that you are no longer on the side of those who would undo it.

You have been given a list of the members of the National Executive Committee of ANC. Please look at that list and tell us if you see any names of people whom you know or who you believe to be members of the South African Communist Party.<sup>1</sup>

Mr. HLA-pane. May I understand the question clearly, sir?

Senator DENTON. Yes.

Mr. HLA-pane. Would you like me to mention names of people I know here, or only those of the Communist Party.

Senator DENTON. Those whom you know to be members.

Mr. HLA-pane. For instance, we have Oliver Tambo there right on top. I know him, but I do not know him as a Communist.

Senator DENTON. Yes; those whom you know to be members of the Communist Party.

Mr. HLA-pane. Dan Tloome.

Senator DENTON. Dan Tloome.

Mr. HLA-pane. Josiah Jele, Joe Slovo, Reginald September, Thabo Mbeki, Stephen Dlamini, John Nkadimeng. I think that is all, sir.

Senator DENTON. Who was the one sir, after John Nkadimeng? Did you mention another name after him?

Mr. HLA-pane. I beg your pardon?

Senator DENTON. John Nkadimeng is the last one you mentioned as a Communist, or did you mention one more?

Mr. HLA-pane. John Nkadimeng.

Senator DENTON. That is the last one you mentioned?

Mr. HLA-pane. Yes, that is the last one I mentioned.

Senator DENTON. All right, sir; thank you. Seven out of 22; one-third of the National Executive Committee are known Communists.

As you have pointed out, the aims of the African National Congress were originally peaceful. As you stated, the aims were to achieve democratic rights for the African people through peaceful means.

What were the aims and objectives of the South African Communist Party?

Mr. HLA-pane. The short-term policy of the South African Communist Party was to achieve democratic rights for the African people, like all other organizations, which was the first step. The second step was to go forward and establish a socialist state; that is the long-term policy.

Senator DENTON. All right, sir. That is consistent with all of the testimony we have

<sup>1</sup> The chart Mr. Hlapane was given appears on p. 34 of the March 22, 1982, hearing record.

previously received. The short-term stage is liberalization in the sense that the ANC wanted it," but by violent means; then, the second stage is clearly the establishment of a socialist state.

In your opinion, does the ANC, as it is presently composed and operating, represent the will of the people of South Africa?

Mr. Hlapane. I would not say so at the present moment. There was a stage when the African National Congress represented the feelings of the people of South Africa, the blacks.

Senator DENTON. Yes.

Mr. Hlapane. That was before it was banned; that was before it embarked on the policy of violence. That was at the stage when the people even in the countryside, some of them—the chiefs, and so on—supported the policy of the African National Congress.

For instance, the coming of Chief Luthuli to become the president of the African National Congress does show the interest that the people in the countryside had in the policy of the African National Congress.

But I think a parting of the ways started when the Communist Party applied pressure on the leadership of the African National Congress to embark on a violent policy. We can now go further and say their position in South Africa is now different from what is used to be.

You have what we call these separate developments. That was the intention of the South African government, though I do not really say I agree with that. But they have done something, and whether we like it or not, the situation is there.

They have got this separate development, you know; they have got each tribal group in a position. For example, you take the Transkei, you take Bophuthatswana, you take Zululand, and you take other tribal groups—Basotho, and so on. They placed them in their own areas where they say, "Well, you can make laws to govern yourselves and you can do this for yourselves, and your own people control you," and so on. "We have the whites out of you," and so on.

And the chiefs have taken this up, and I can assure you, you will find it difficult if you go to South Africa today to try and say that the Prime Minister of South Africa is wrong by so doing. Some people may find it, you know, wrong to divide South Africa into portions and call them states.

I agree with them to some extent, but it is there. What do you do? These people now support the government of South Africa. In fact, if I may call upon my friend, Mr. Tambo, to go back to South Africa and try and say that he is a member of the African National Congress and he will be sending the ANC and doing away with all these legal things—say, for instance, "Now, Matanzima (phonetic), you do away with this nonsense; we want you to fall under the African National Congress." He would be killed on the spot.

I think that is the situation we are facing in South Africa, and, as a result, one would definitely say that the African National Congress today has not much support amongst the black people of South Africa.

Senator DENTON. Thank you, sir. I will ask you a question now from Senator EAST, who is another member of this subcommittee.

You have mentioned Joe Slovo as one of those who is a communist. Did you know Joe Slovo's wife?

Mr. Hlapane. I know his wife, Ruth Slovo, her maiden name being Ruth First.

Senator DENTON. Her maiden name is Ruth what?

Mr. Hlapane. First, F-I-R-S-T.

Senator DENTON. Ruth First?

Mr. Hlapane. That is right. She is the daughter of Mr. First, who owned a carpentry factory in an area called Industria in Johannesburg; that is what her father owned.

Senator DENTON. Would you describe what you know of her activities in the South African Communist Party?

Mr. Hlapane. I know her to have been a member of the Communist Party, and she was a reporter for a newspaper of the Communist Party, called *Advance*, and I think it was called *New Age* later when it was finally banned.

Senator DENTON. Under the original constitution of the ANC, were the members permitted to resign?

Mr. Hlapane. You were allowed to resign as you wished.

Senator DENTON. Why and how was Umkonto We Sizwe formed?

Mr. Hlapane. I do not follow you.

Senator DENTON. The organization Umkonto We Sizwe—I think you have already established that that was formed by the ANC and SACP only. Is that correct?

Mr. Hlapane. That is correct.

Senator DENTON. Did all funds for that organization—"the Spear for the Nation," in English—did all funds for it reach the movement through the South African Communist Party? Did they receive all their funds from the South African Communist Party?

Mr. Hlapane. They received all their funds from the Communist Party of South Africa.

Senator DENTON. Is there anything that you have not stated about the purposes of Umkonto We Sizwe that you would like to express now?

Mr. Hlapane. I do not have anything at the moment.

Senator DENTON. What was the Freedom Charter, and what role did Joe Slovo play in its creation?

Mr. Hlapane. The Freedom Charter is a document adopted at a conference held in Kliptown by the Congress Alliance. Let me go further to explain that it consisted of organizations such as the African National Congress, the Congress of Democrats, the South African Congress of Trade Unions, Colored People's Organization, and the Indian Congress.

It is a document that I came to know about just having been drafted by Joe Slovo at the request of the central committee, and finally approved by the central committee of the Communist Party and sent down as a document that embodied all the demands of the people, as they were collected from all areas. It was placed before them for adoption, and finally it was adopted there.

Senator DENTON. In your written statement, which has been submitted for the record but which you did not reach in your verbal testimony, you say that when you were treasurer of the South African Communist Party, you had to pay large sums of money each month to Bri-Bri, Tiny Nokew and Mike Dingaka. What were these funds for?

Mr. Hlapane. I think it would be correct to say these were sort of departments that I dealt with. Bri-Bri was responsible for Umkonto We Sizwe, and to carry out his work he needed money for all the activities of Umkonto We Sizwe—for transporting, paying out functionaries, and other matters. The same applies to the others.

Senator DENTON. Thank you, sir. Have any threats or promises been made to you by anyone with respect to your testimony before this subcommittee?

Mr. Hlapane. I had no promises made to me.

Senator DENTON. How about threats?

Mr. Hlapane. I beg your pardon?

Senator DENTON. Any threats made to you?

Mr. Hlapane. No threats at all. I am doing this freely.

Senator DENTON. Yes, sir. We have a series of documents supporting your testimony which we will include in the record—the constitution of the ANC adopted in January 1958 and chapter 15 of the book "An African Explains Apartheid," by Jordan K. Kgubane, which is entitled "African Nationalism Sabotaged." Mr. Ngubane explains clearly, as you did, how the SACP gained control of the ANC. The final document is the "Constitution and Rules" of the SACP which was originally adopted in 1921.

I thank you again. You could give me lessons in the English language, as well as in international relations and many other fields. I express my admiration for you, Mr. Hlapane, and I wish you a long, healthful and successful life.

Mr. Hlapane. Thank you, sir.

[The prepared statement of Mr. Hlapane follows:\*

PREPARED STATEMENT OF BARTHOLOMEW Hlapane

I was born on the 24th August, 1918 in the Ficksburg District of the Orange Free State, South Africa. I completed ten years of schooling and received my Standard Eight certificate.

I became interested in politics in 1948, and joined the African National Congress (ANC) as an ordinary branch member. In 1952 I was appointed the branch secretary of the Jabavu Branch of the ANC and in 1955 I was elected an ordinary member of the Transvaal Executive Committee, at the same time being appointed as organizer of the Eastern Transvaal and East Rand regions of the ANC. I served in this position until 1959.

The ANC's aims and objects were to achieve democratic rights for the African people through peaceful means, and the organization's structure is as follows:

The lowest organ of the organization is a branch, above which are regional committees, provincial committees and at the top control is exercised by the National Executive Committee.

The National Executive decided on matters of policy and instructed its organs to carry them out. Members of the ANC were recruited and given membership cards and any African who wanted to join the ANC was allowed to do so.

During 1960 the A.N.C. was banned and a State of Emergency was declared by the S.A. Government. Almost all the members of the National Executive of the A.N.C. were detained. The only exception was MOSES KOTANE.

I was not detained.

I was then appointed to the National Executive of the A.N.C. together with Moses Kotane, Ruth Matswane, Gordon Magote and a woman by the name of SEBEKO.

Moses Kotane, Ruth Matswane and myself also constituted the National Secretariat of the A.N.C.

The abovementioned committee functioned only up to the end of the emergency.

When the emergency ended the old National Executive took over. A formal meeting of the National Executive was held and the new committee handed over to the old committee.

Moses, Kotane, J. B. Marks, Duma Nokwe, Dan Tloome and Walter Sisulu were all members of the old committee which took over from us and who had to decide wheth-

\* The chart Mr. Hlapane was given appears on p. 34 of the March 22, 1982, hearing record.

er the A.N.C. had to go underground and if the activities had to continue or not.

Subsequently it was decided that the A.N.C. would continue its activities underground.

I was then appointed to the Johannesburg Regional Committee of the A.N.C. together with Andrew Mlangeni, Philemon Matole, Abel Mtambu, John Motshabi, Tom Nkobi, Alfred Nzo, Stephen Segale and David Mahopo.

A meeting consisting of delegates of the A.N.C., the Communist Party, Congress of Democrats and the Indian Congress was held in Johannesburg during the first part of 1961 to discuss the formation of Umkonto We Sizwe, the military wing of the ANC.

I did not attend this meeting but learnt after the meeting that there was serious disagreement amongst the delegates and that no decision had been taken.

Shortly after this meeting Umkonto We Sizwe was formed, at the sole decision of the A.N.C. and the S.A. Communist Party.

In 1955 I was recruited by Joe Slovo and became a member of the SA Communist Party. Slovo was my tutor and taught me the principles of Communism, and later I was placed in a cell of the Jabavu branch of the SACP, which at that time had already been proscribed and was operating illegally.

The structure of the SACP was as follows:

The lowest organ of the organization was a Cell, then a Branch a District Committee and eventually the Central Committee. A Cell is an organ functioning in an area and composed of not less than three or more than five members. Its main purpose was to work amongst members of national organizations, trade unions and community organizations in order to influence their members to advance the aims and objects of the Communist Party.

The functions of a Branch of the Communist Party were to co-ordinate the functions of various cells and report to the District Committee which in turn was in charge of the province.

At the beginning I was only an ordinary member of a Cell consisting of 5 members, one of these being our contact with the Branch committee, through whom we got instructions on how to organize and direct the ANC and to recruit members for the Communist Party. It is a standing rule that members of the SACP must also belong to a mass organisation, such as the ANC or the SA Congress of Trade Unions. The idea was to get members to infiltrate any organisation described as reactionary, to undermine the leadership and ultimate gain control of such organisations.

Between 1955, and early in 1960 I belonged to various Cells of the SACP because of reorganization within the party, and during this period I was co-opted into the branch committee of the Communist Party. In October 1961 I was co-opted into the Johannesburg District Committee of the SACP, and at the same time was appointed a full-time functionary, i.e. Organizing Secretary, with a fixed salary and given a car. All the organs of the SACP falling under the Johannesburg District Committee were under my control.

The following persons served with me on the District Committee:

Bob Hepple, Ben Turok, Esther Barsel, Andrew Kunene, Ahmed Kathrada, and Joe Slovo.

The main functions of the District Committee were:

(a) To carry out the instructions of the Central Committee and in turn to convey them to the lower organs of the SACP.

(b) To receive reports from lower organs, discuss them, make decisions, and instruct the lower organs as to what action to take.

(c) To supervise the branch committees and cells. At this stage Joe Slovo was a member of the Central Committee of the SACP and was our contact with the Central Committee. The ANC was proscribed during 1960 and it decided to go underground. We then found it difficult to operate as an organization on its own, and had difficulty in getting people who could be employed as full-time organizers and have offices that were not known to the police. Most of the leading members had also gone underground and found it difficult to make contact with the ordinary ANC members.

After being co-opted into the Johannesburg District of the SACP I became a link between the National Executive of the ANC and the Transvaal Executive of the ANC.

I was also placed in charge of the African Area Committee of the SACP Johannesburg District Committee. Andrew Kumene and John Motsabi served with me on this Area Committee. The various Area Committee were:

- The African Area Committee.
- The Trade Unions Area Committee.
- The Indian Area Committee.
- The European Area Committee.

The above area committees were in turn responsible to the District Committee of the S.A. Communist Party and they were similarly directed by the said District Committee.

The functions of these area committees were mainly the following:

- (A) To carry out the instructions of the District Committee.
- (B) To supervise the cells or units.
- (C) Other organizational matters.

At the same time I served in the Secretariat of the District Committee, with Bob Hepple, Ben Turok, and Ahmed Kathrada.

Kathrada was in charge of the Indian Area Committee, Bob Hepple was in charge of the Trade Unions Area Committee, Ben Turok was in charge of the European Area Committee.

I was in charge of the African Area Committee.

Joe Slovo was representing the District Committee on the Central Committee of the S.S. Communist Party.

At this stage, 1961, Ben Turok handled the Party's finances. The finances for Party purposes were derived from the following sources:

- (A) Advances by the Soviet Union.
- (B) Advances by Communist China.
- (C) By way of subscriptions by ordinary members of the Party.
- (D) Advances by the Communist Party of England.

Finances were mainly used for the following purposes:

- (A) Paying of salaries to all organizers and other paid officials.
- (B) Printing and propaganda matters.
- (C) Purchasing of literature from overseas.
- (D) Transport.

(E) To assist other organisations, such as A.N.C., S.A.C.T.U., Congress of Democrats and the Indian Congress and also for the Federation of South African Women.

(F) To pay for the defence of persons arrested for offences under the Suppression of Communism Act and the like offences.

The Defence and Alf Fund which at this juncture already existed, was extensively used for the purposes of the S.A. Communist Party. In turn, cash advances towards the fund were made by the S.A. Communist Party.

I was co-opted onto the Central Committee of the SACP towards the end of 1962, at a National Conference of the SACP attended by the following members, among others:

Moses Kotane, M. P. Naiker, Joe Matthews, Ruth Slovo, J. B. Marks, Fred Carneson, Ahmed Kathrada, Govan Mbeki, Michael Harmel, Duma Nokwe, Bob Hepple, Billy Nair, Walter Sisulu, Joe Slovo, Dan Tloome, Rusty and Hilda Bernstein, Stephen Dlamini and Mark Shope.

All the Africans were members of the ANC and most of them were members of the National Executive Committee of the ANC and in this way the S.A. Communist Party was able to influence and control the ANC.

Two resolutions were passed at this National Conference concerning:

(A) The Programme of Action of the S.A. Communist Party. This was distributed in pamphlet form.

(B) Plans to organise and step up the activities of Umkonto We Sizwe. It was emphasised that we were embarking on the second phase. Joe Slovo represented Umkonto We Sizwe at this National Conference.

Shortly after the National Conference, I attended my first meeting of the Central Committee of the S.A. Communist Party. The following members were present:

Moses Kotane, Duma Nokwe, J. S. Marks, Walter Sisulu, Joe Slovo, Rusty Bernstein, Bob Hepple, Michael Harmel, Abraham Fischer, Ruth Slovo, and Bartholomew Hlapani.

Not long after this meeting, Moses Kotane was placed under house arrest by the South African police and we decided that he ought to leave the country. He went first to Bechuanaland, then on to Dar-es-Salaam.

During May 1963 Joe Slovo and J. B. Marks also left South Africa on the advice of the Central Committee. We decided that they would be based in London from where they would contact organizations sympathetic to the ANC cause, give prominence to the activities of the ANC and Umkonto We Sizwe and thus further the objectives of the Freedom Cause.

I was detained for questioning by the South African Police on 24 June 1963 and released on 13 December 1963. During my detention on 11 July 1963 the police raided "Lilliesleaf", a smallholding at Rivonia, and arrested the members of the High Command of Umkonto We Sizwe. These arrests led to the so-called "Rivonia trial". After my release by the police I was suspended from both the ANC and the S A Communist Party until April 1964. This was standard practice in both movements to ascertain whether or not a person who had been detained had not perhaps decided to become an informer while in detention.

Shortly before Christmas in 1963 I was, however, told by Dan Tloome to meet Hilda Bernstein at the offices of the Defence and Aid Fund in Kerk Street, Johannesburg.

I kept this appointment and met Hilda Bernstein. She grilled me for about two hours on the questions put to me by the police, while under detention and the answers I gave to them. She did not intimate to me whether she was satisfied with the answers I gave her or not.

I am convinced that there was suspicion against me for having disclosed the whereabouts or existence of Rivonia and I attribute by long suspension to this.

During March, 1964, I was approached by Gabula Mahlasela. He informed me that due to other duties which had been imposed upon him, he could no longer carry out his duties on the Regional Committee of the A.N.C. and he nominated me to replace him on this Committee.

Before Mahlasela could however introduce me to the Regional Committee, he was



detained and I was once again left very much in the dark.

Early in April, 1964, I was approached by Mike Dingaka. He informed me that I was to act on the Regional Committee of the A.N.C. as informed by Mahlasela, prior to his arrest. He instructed me to report at the house of Letoane in Westcliff Extension on a given evening to meet the members of this Committee. Soon thereafter I went to Letoane's house as instructed.

There I met the members of the Regional Committee, who were the following:

Letoane, Jerry Joe, Molefe, Nkosi Bovu, Shumo, and Mohale.

At this meeting, only organisational matters were discussed.

I acted on this Regional Committee in a supervisory capacity and did not represent an area.

At these and subsequent meetings of the Regional Committee we discussed the programme of the ANC in an attempt to find means of effectively reorganizing it. Soon thereafter as part of the reorganisation, I was co-opted into the National Secretariat of the ANC where I served with Mike Dingaka, Levy Soloro, Nkonyana, and Mike Ngobenl.

At this stage Dan Tloome and Alfred Nzo had left the Republic. Dan Tloome had been sent to Northern Rhodesia in an effort to organise the establishment of a new Headquarters for the A.N.C.

As it was felt that the time had arrived to move the organisation Headquarters to a friendly neighbour State. When this scheme became known beyond the borders of our country, it was criticised and turned down as impractical and undesirable, as it was felt to be creating the impression of a Government in exile.

This issue was finalised by way of correspondence from overseas and the Lusaka prospect of new Headquarters was abandoned.

Alfred Nzo was a member of the National Executive of the ANC but because of hardships which he had suffered, it was felt that he had taken much punishment and that he should leave South Africa.

BRI-BRI (Wilson Makwal) was solely responsible for their departures, as he was handling all such matters, because he had the necessary Pilots and contacts which minimized the risks pertaining to the organising of escapes to Bechuanaland. Both Dan Tloome and Alfred Nzo are still outside of South Africa and I understand that Nzo is now Secretary-General of the A.N.C. and Tloome Deputy Secretary-General.

Since the Rivonia trial the National Executive of the A.N.C. had given BRI-BRI a free hand in all matters concerning Umkonto We Sizwe which had by then become a fully independent organisation. This decision, to my mind, was taken because the National Executive could not meet as a unit, for the detention of members and in some cases the freeing of others. Since Rivonia, the National Executive had given no directives as to what targets to be attacked by Umkonto We Sizwe.

I was detained by the police again on 2 September 1964, not long after my cooption onto the National Executive Committee of the A.N.C. on which I served with BRI-BRI (Wilton Makwal) Mike Dingaka, Gabula Mahlasela.

During the five months between April 1964 and my detention on 2 September 1964, I was also brought back into the S.A. Communist Party.

In April I was approached by Mike Dingaka and informed that the District Committee of the Communist Party had decided that I should serve on the Africa Area Committee of the Party. I was subsequently in-

troduced by Mike to the members of the African Area Committee, which consisted of the following persons: myself, Mike Dingaka, Josiah Jele, and Rasmetsi.

We discussed various matters concerned with the A.N.C. and the Communist Party. It was decided that I would also be drafted into an African cell of the Communist Party. The names of the other cell members were: Levy Soloro, Beauty Magote, Gordon Magote, Euphemia Hlapane, and Loabile.

We held the first meeting of the cell at the house of Beauty Magote. We discussed the A.N.C. and the Communist Party. The main programme was the reorganization of the Party and the ANC.

Towards the end of May, 1964, and about a week before Dan Tloome left the country, I was summoned to his office.

Dan Tloome informed me that I had been co-opted to the Central Committee of the Communist Party, as he was about to flee the country.

Dan told me that I would have to take over the finances in his absence. He told me also who my contacts were. He said I would be informed as to the origin of such funds by the Central Committee. I had to pay R1,270,000 to BRI-BRI monthly, R600.00 to Tiny Nkwe (wife of Duma Nkwe), R400.00 to Mike Dingaka, R160.00 to myself, which included salary and travelling expenses and a balance for emergency uses. Should further monies be required I would be told at the meeting of the Central Committee how it would be made available. Dan Tloome gave me R600.00 as part deposit to purchase a car for use by me. He then arranged for me to meet him on the corner of Kerk and Rissik Streets, Johannesburg on a certain afternoon at 3 p.m. from where he would take me to the place where the Central Committee meeting would be held.

Dan Tloome however failed to keep the appointment and when I saw him later he explained that the proposed place was tipped off. Dan Tloome told me that I would be approached for the next meeting of the Central Committee. No name of any contact in this connection was mentioned.

During June, 1964, I was approached by Mike Dingaka, who said that I would be met by an Indian called Mack. He described Mack to me as a person with a tiny face, chin beard, similar to that worn by General Smuts. I would find Mack seated on a certain day in the Kapitan Cafe in Kort Street, Johannesburg. I was to approach this Indian by saying: "Are you Mack", and when he says, "Yes", I would introduce myself as Arthur.

I carried out instructions as outlined above, on the pre-arranged day and there I met Mack for the first time. Mack informed me that a meeting of the Communist Party would take place on a Saturday soon thereafter. Mack said that he would pick me up in his car for this meeting.

On the Saturday morning in question Mack collected me and took me to a block of flats in Berea. In the flat which Mack indicated I found Hilda Bernstein and Ivan Schermbrucker. Mack then joined us. Later in the morning Abraham Fischer joined us and took the chair.

Among other matters we discussed:

(1) My position as Treasurer. They wanted to know whether Dan Tloome had given me the necessary information on the distribution of funds and whether I had the necessary contacts with the Africans concerned. After the Committee was satisfied I was told that Mack was to be my contact and that whenever I needed cash, Mack would obtain it from Piet Beylveid and Ivan Schermbrucker. Mack and I were to meet once a

week to check up and to find out if there were any emergencies.

(2) The position of the A.N.C. I was not in possession of all the facts and the issue was left over for the next meeting.

(3) The position of Mack. He was asked whether he had severed all his connections with all other committees including the Umkonto. This however included the District Committee of the S.A. Communist Party of which Mack was a member. Mack reported that he had not as yet finalised his association with such other committees and was still tied up to the Umkonto group. He was instructed to finalise these issues.

(4) The Code System which would be handled by Hilda Bernstein. She explained that she had written to an address in London. All correspondence for any other centre beyond the borders of the Republic were sent directly to London, from where it was re-addressed to the persons and places intended. This London address was however not mentioned and was never disclosed.

New Code books were thus awaited from London and in fact a letter had already been received, which could not be de-coded, because it appears to have been written on a new code book. As soon as the new code book arrived it would be passed onto Mack together with a letter to decode. Later on I received a letter from Mack for the A.N.C. This came from Dar-Es-Salaam, via London. This letter was in fact already de-coded by Mack. Mack gave me to understand that the new code book had now been received and it was clear to me that there were two code books. One for the A.N.C. and one for use by the Communist Party. I myself am not in a position to explain the code system.

5. Propaganda. It was decided that no pamphlets were to come out under the name of the Communist Party as the Freedom Fighter which is in fact a covert Communist bulletin, appears to be serving the desired purpose and Mack had to see that this bulletin was to appear regularly once a month. Propaganda discussions did not cover a field beyond the Freedom Fighter.

6. Finances. Funds were running low and Hilda Bernstein was instructed to write to London to appeal for funds.

Abraham Fischer reported that some R36,000.00 was with Joe Matthews in Basutoland. I was given to understand that this was in fact funds sent for the Party to him and that he thus far failed to pay over anything. Fischer said that all attempts so far made to get this money had failed. He later on admitted that R8,000.00 had been received from Joe Matthews. It was said that the late Mrs. Molly Fischer had made various trips to Bloemfontein in an effort to obtain this money.

Towards the end of July, 1964, I was informed that I must meet Abraham Fischer at the same address in Berea, at 4 p.m. I kept the appointment and met Abraham Fischer and Eli Weinberg.

Discussions centred around the present position of the A.N.C. At this stage Rusty Bernstein and Hilda Bernstein had left South Africa. I was in a position to give a detailed report on the A.N.C. covering the following fields:

(A) The weaknesses in the National Secretariat, which obviously was no longer in touch with other centres except Johannesburg.

(B) The Regional Committees which were quite unable to assist in re-organising the organisation.

(C) The set-up of the entire organisation, which covered the National Secretariat, the Regional Committees and Area Committees. These Committees in my opinion were uselessly inadequate and nothing could seem to

be done about the situation. My report on the A.N.C. no doubt, was a disturbing revelation. They were clearly shocked and it was evident that Dan Tloome had concealed this deteriorating position from them. Fischer and Weinberg could offer no solution, but suggested that I should make every endeavour to pull the position straight.

This meeting which lasted one hour was the last meeting of the Central Committee of the Communist Party which I attended.

After Mack was detained in June 1964, I was called upon to handle the finances due to the A.N.C. section. Towards the end of July, 1964, I obtained from Abraham Fischer R4,900.00 in cash, which was for wages, transport expenses and for the Umkonto movement. This money was to cover all such expenses for July and August, 1964.

Fischer asked me to request Tiny Nokwe to compile a list of names and addresses of all persons she paid and to make same available to Fischer. This action seemed proper as we knew that Tiny Nokwe was to leave South Africa by the end of July. She actually did leave the Republic at the end of July, 1964 in the company of Regina Nzo, the wife of Alfred Nzo and Mike Dingaka.

Fischer was going to arrange that all the persons who were normally paid by Tiny Nokwe would be paid directly from London. This again was a security measure, as it was felt that I was not to be used in this connection, whereby my position might become known to the police to the detriment of the A.N.C. and other organisations with which I was associated.

Issy Hayman also passed R2 450,000 to me at this time which he said was from Ivan Schermbrucker. This was for wages and transport for the various officials of the A.N.C. and Umkonto We Sizwe and Communist Party. He subsequently passed on to me R1,600.00 also from Ivan Schermbrucker. This was for BRI-BRI and his Umkonto We Sizwe commitments. Later Issy Hayman gave me a message to meet Ivan Schermbrucker at the Johannesburg Municipal Market. I kept this appointment and was met by Ivan Schermbrucker, who handed me R400.00. This was cash advanced to me for emergency uses.

During the period that I served in the ANC and the S.A. Communist Party, no major decision could be taken by the ANC without the concurrence and approval of the Central Committee of the S.A. Communist Party. Most major developments were in fact initiated by the Central Committee. Among examples of this, I would cite the following:

(A) At a mass meeting of the people at Kliptown in June 1965 the Freedom Charter was officially adopted as the Charter of the Congress Alliance. The Congress Alliance consisted of the ANC, SA Congress of Trade Unions, Coloured Peoples Organization, Congress of Democrats and the SA Indian Congress. The Freedom Charter was however, drawn up by Joe Slovo on instructions from the Central Committee of the SACP, and approved by the SA Communist Party before it was submitted to the ANC and the other members of the Congress Alliance.

(B) The military wing of the ANC, also known as Umkonto We Sizwe, was the brainchild of the SACP and after the decision to create it had been taken, Joe Slovo and J. B. Marks were sent by the Central Committee of the SACP to Moscow to organize arms and ammunition and to raise funds for Umkonto We Sizwe.

(C) Joe Slovo was the representative of the Central Committee of the SACP in the High Command of Umkonto We Sizwe, and was in fact originally the Commander-in-Chief of Umkonto We Sizwe.

The South African Communist Party acted independently of Moscow on the operations level, while I was a member I.E. it made its own decisions and did not need to get approval from Moscow on each decision. When the split between Moscow and Peking occurred, the SACP decided to follow the Moscow line. Although the SACP was operationally independent, it was, of course, influenced by Moscow and also supported financially, materially and ideologically by the Communist Party of the Soviet Union.

#### NUCLEAR FREEZE MOVEMENT

Mr. DENTON. Mr. President, Tuesday, December 7, 1982, was the 41st anniversary of the attack on Pearl Harbor. Its commemoration sharply reminds us of our responsibility to insure that the United States will never again so weaken its defense as to invite a major, devastating attack. The Japanese miscalculated, and attacked in a considered but erroneous belief that we would not be able to react with the speed, determination, and effectiveness to render their attack disastrous to them.

Today, in spite of the stark reminder, there is afoot in our Nation a mood, expressed in political activities such as the so-called nuclear freeze movement, that is spreading rapidly toward the point of inviting the Soviet Union to deliver another surprise attack on us. Only this time, the devastation and loss of life would look miniscule the losses inflicted at Pearl Harbor and, indeed, all of the losses of World War II or of any other war.

I am opposed to the nuclear freeze because it is not "liberal" and "antiwar" enough. Our goal should be the reduction, not the freezing, of nuclear arms, and a significant relaxation in the tensions which might spark a nuclear war.

The "movements" that sponsor and promote that freeze mood are well organized and already effective enough to have prompted articles and editorials in the New York Times and the Washington Post crying out, in agreement with some in this body, "shame on you," not only in reference to me but also in reference to the President of the United States, for opposing them. Indeed, that label of "shame" would, by extrapolation, apply to all of our ex-Presidents since World War II, who have, without exception, opposed the erroneous assumptions and simplistic means the movement promotes to achieve perfectly legitimate aims that those Presidents and this Senator share with them.

Further to illustrate their progress, recently a benefit was held in the Kennedy Center, where the crowd laughed and applauded when the so-called peace play being presented had an American child tell our President that he was playing games to destroy our planet, that the United States is equally guilty with the Soviet Union, and that if our President and his friends want to play games they should find less dangerous ones.

I have recently publicly announced my current and enduring intention to oppose those movements, to support this and previous Presidents. My efforts will not be praised in Moscow, but they are designed to respond to the interests and the sentiments of the people of the United States.

I will not emphasize that the number one goal of the Soviet "actives measures" KGB campaign is the development of the nuclear freeze movement in Western Europe and the United States.

I do not want to establish or imply guilt by association for those involved in the move toward exemplary unilateral disarmament, nuclear freeze, or similar measures.

I do want to suggest well-meant error through innocence. It is the issues, and the errors in identifying and analyzing them, that I will emphasize.

One critical issue that patriotic innocence has failed to identify is that the Soviet Union now possesses the capability to attack and destroy 90 percent of our land-based missile force with only one-quarter of its currently available ICBM force.

Another issue which is insufficiently understood is one that may not have been clearly enough communicated by the "Great Communicator" in his speech of November 22, 1982, on this subject. On television, in an effort to clarify the critical problem we face, our courageous President showed red columns (U.S.S.R.) and blue columns (U.S.) to illustrate the shifting balance of ballistic missile power. In his last visual aid, he showed the current situation in which the red-Soviet-column was substantially higher than the blue-American-column.

The President was right as far as he went, but he did not stress the vital point that the missile force that could counterattack the U.S.S.R. is not the blue column, our peacetime missile arsenal, but the small part of it that would be left after this Nation absorbed an all-out preemptive attack. And the effective delivery of even that small portion of our missiles might be further reduced because of damage to launch, guidance, or other systems—damage inflicted preflight or en route.

During the past 20 years, while we have allowed our defense to decline, our sworn and active adversaries have carefully and relentlessly built their offensive strength toward the point where they may be tempted into delivering a preemptive nuclear attack to cripple and defeat the United States. The Soviet Union has also greatly increased its conventional forces to directly threaten the security of our allies and friends in Europe, the Middle East, and Asia.

Unlike U.S. defensive deployments, Soviet nuclear forces are deployed in an offensive posture principally directed at the United States. They are supported by an extensive civil defense or-



ganization and structure designed not to protect against a first attack upon the Soviet Union but to shield key leaders, military forces, and industry from a retaliatory attack.

Additionally, massive Soviet conventional forces are in offensive dispositions directed against their satellite nations in Eastern Europe, against our Western European Allies, and toward the Middle East and Asia. We have seen that offensive orientation and capability effectively employed in Hungary, Poland, Czechoslovakia, and Afghanistan.

Our nuclear and conventional forces are deployed defensively. Our walls of defense are to resist attack. Their walls point inward to contain the oppressed of Eastern Europe, Central Asia and Siberia, and Southeast Asia. They hold people and territory by force and terrorism. They expand their influence and control by the same means.

A day-by-day growing Soviet bloc military superiority has gained Moscow territory and enslaved peoples to build the capacity to gulp up more of both. They are developing toward a capacity to overwhelm the United States by increasing intimidation, threats, and blackmail in successive crises, or by the ultimate horror—a preemptive nuclear strike. It is the prospect of this last eventuality, surprise nuclear attack, that we simply must address effectively to earn, even to deserve, survival.

Our goal is not to fight a nuclear war; it is to prevent one. We can do that only by having retaliatory power strong enough to deter the Soviet Union from attacking us. That means the Soviet leaders must be aware that we possess and sustain a truly operable capacity to inflict unacceptable damage to the Soviet Union if they choose to deliver a preemptive first strike upon us.

Our goal is not only to survive our individual collective mortal lives but to survive our freedoms, and to survive our potential for supporting and extending freedom and justice for the benefit of all humankind.

Our goal is not to freeze ourselves into a disadvantage but to bring about a reduction in nuclear weapons by both sides. That has been the goal of many successive administrations. It has been the goal of President Reagan and his administration from their first day in office.

The vast majority of those who support the so-called nuclear freeze movement are well meaning, patriotic, and legitimately concerned. They, in my opinion, are justifiably alarmed because they may have been persuaded that the United States has adopted the goal of fighting and "winning" a nuclear war. Perhaps the statements that gave rise to that misperception stem from some official spokesman's poor choice of rhetoric, or more likely those statements were taken out of context. No responsible person could

believe that fighting an all out nuclear war is desirable or that such a war would be truly "winnable."

Even so, many of the people who support a "freeze" cannot sincerely and soundly conclude that a freeze would effectively diminish the chance of war, or serve to promote the goals I mentioned earlier, or serve to advance mankind's most important interests.

Even if the Soviet Union's leaders say they would agree to a balanced and mutual freeze, we would lock ourselves into the current position of dangerous inferiority and vulnerability. We would also certainly invite deceitful widening of the gap of disadvantage because of delayed or doubtful verification, while making it even more difficult to negotiate an effective agreement for an actual and truly verifiable reduction in nuclear weapons.

The fact of deceit, explicit and demonstrable in our adversary's dealings, simply cannot be over-emphasized to those extremely earnest but, I must say, naive advocates of a freeze as the answer to difficult problems. "A day that will live in infamy" is the way President Roosevelt referred to the "sneak attack" on Pearl Harbor. At the very moment when Japanese forces were deploying to attack, Japanese representatives in Washington were maintaining their desire to negotiate and find a peaceful resolution of the differences between the two nations.

Similarly, we recently marked the 20th anniversary of the greatest crisis of the nuclear age, the Cuban missile crisis of October 1962. That crisis came about because our adversary clandestinely introduced weapons with an offensive nuclear capability into Cuba. It came about because the Soviet leaders and their representatives in Washington lied to us about what they had done. They said they had no missiles in Cuba.

The record of our adversary is replete with instances of duplicity and deceit. But even with such a deceitful adversary, mutual and truly verifiable nuclear arms reductions are not wholly impossible. Such a result is more difficult to achieve than deterrence, but it is theoretically possible.

The only way, however, to achieve mutual and truly verifiable arms reduction is to render that kind of arms reduction agreement advantageous from the point of view of the Soviet leaders. The only means by which to instill that essential perception is for the United States to pursue a considered and measured program of continuously strengthening as necessary our defense position, while striving with clear sincerity to negotiate toward mutually reducing arms and defense expenditures.

Anyone, any group, who believes that we can achieve an arms control agreement that will truly reduce the risk of nuclear war and also preserve our security and our freedoms, without showing that staunch resolve, is

what Lenin comfortably referred to as a "useful idiot."

Today we face a fundamental test of will, of determination, of our ability to assess reality. We must continually communicate to the American people the truth about the strategic balance, about the policy of the President and our country, about the nature of our adversary, and about the things that are really required if we are to preserve and insure our national security.

Today we must manifest that we have the requisite understanding and will to pay the price for security. If we continue to pay that price and render pointless the increasing Soviet expenditures on offensive weapons, there is a rational hope that the leaders of the Soviet Union will decide it is better for them to desist and agree to the kind of sincere and forthcoming negotiations and reductions that will really work.

I believe that our people, given the facts and allowed to evaluate the realities of the world, will recognize the essentials for preserving peace and security. Although many of our citizens endorse the concept of a nuclear weapons freeze as a way to reduce the prospect of a horrible nuclear war, polls consistently show that an overwhelming majority of Americans oppose any freeze that would leave the United States at a disadvantage. Indeed, all things considered, a freeze now would leave the United States at a disadvantage and render nuclear war more likely.

We can change that situation, increase our security, diminish the possibility of war, and make productive negotiations more likely. Our people, and the Congress, continually face specific decisions on the development, production, and deployment of new strategic weapons systems. Those include the MX missile, the B-1 bomber, Cruise missiles, the Trident submarine, and intermediate range weapons to support our forces and those of our allies in Europe. There has been healthy discussion and debate about all those programs, and many misperceptions remain.

For example, many Americans think that the production of new weapons systems will increase the numbers of missiles and bombers the United States has deployed. In fact, however, the new weapons are not additive to our forces, but replace old and obsolete weapons that no longer serve adequately as part of our deterrent.

Few Americans realize that we have frozen the number of our ICBM's since 1967. We have frozen the number of our submarine-launched missiles since 1973. We have greatly reduced the size of our strategic bomber force. We have reduced the number of our nuclear missile submarines. We are now deactivating obsolete Titan missiles.

We have, it is true, upgraded many of our existing weapons as much as we can. But even with new seat covers an

old car is still an old car. By contrast, while we have frozen or decreased the size of our forces, the Soviet Union has vastly increased its own forces, improved their quality, and introduced many entirely new weapons systems.

Few Americans understand that the replacement of old weapons systems with new ones is vital to the stability that maintains the peace. I am in full sympathy with many of the goals advocated by those bishops of the Catholic Church who strongly support the draft pastoral letter that has been so much in the news of late. Yet, in their commendable desire to insure peace, many bishops advocate policies that would, in some cases, have the opposite effect.

I believe it is correct to oppose a policy of strategic nuclear deterrence that relies on what is called "mutual assured destruction," the capability to destroy civilian populations to deter an attack, most of the bishops consider immoral a policy that relies upon the ability to kill millions of civilians, and I agree with them.

At the same time, however, many bishops oppose the development of new weapons systems such as MX. They do not realize that the failure to deploy new weapons will leave us with little alternative to "mutual assured destruction." Our older weapons are so inaccurate that they cannot be used to attack the specific military targets that should be our real concern. They can be used only to attack large general targets like cities.

Certainly, bishops of the Catholic Church, indeed all clergymen, are more than most people entitled, indeed obligated, to address questions involving great cost of human life. I emphasize this point because I have recently been misquoted or quoted out of context on public statements I made about the bishops' deliberations. Though entitled, like any citizens, to study and comment on this issue, religious leaders should, like any citizens, become knowledgeable in all aspects of the issue before resorting to a defiant judgment of the successive Presidents of the Nation that permits and encourages their free practice of religion and of free speech. Until they do this, one would hope that they will study further and meditate on what Jesus said about rendering unto Caesar what is Caesar's.

In an era when the willingness to possess deterrent power requires courage as well as enlightened humanity, the proponents of a freeze fail to see that this is not the time to emphasize an undermining of the courage required to adhere to a policy consistently followed by many administrations. When we have a half million of our young men who have failed to fulfill their minimum obligations as citizens by registering for the possibility of national service, it is inconsistent to attack the alleged "immorality" of our leaders who continue to implement nationally responsible policies.

If we wish to do away with mutual assured destruction, to move, now that we can, away from a policy that relies for its effectiveness on the ability to destroy millions of civilians, then we must have the new, refined, accurate weapons that present a threat to the weapons of our adversary, not just to the great mass of his citizens.

One such new weapon is the MX missile, an excellent missile that the President proposes to deploy in the so-called Dense Pack. The defensive nature of the President's proposal is shown by the fact that the emphasis is on deploying a weapon that is designed not for a first attack upon an enemy but to survive an attack upon us. It will contribute to deterrence in the most effective way, by making it impossible for an enemy to attack us without the certainty that we will retain the capability to inflict unacceptable damage upon him.

The Dense Pack concept is appealing, and it deserves a great deal of study and analysis. While we do that, however, we must insure that we have developed and will preserve the options to shift to other even more effective, deployment modes should our research and development effort identify them, or even to shift to other weapons systems altogether.

In my view, it is unfortunate that the MX decision has been interpreted so starkly as "Dense Pack or nothing." It is vitally important that we realize that we are simply proceeding with a long-overdue but essential program of upgrading and modernizing our forces, not just for its own sake but so that the Soviet Union will recognize that the American people, and their elected officials, have the collective will and determination to preserve their own security. Only when the Soviet leaders perceive that our country is truly dedicated to that course will there be any real prospect of successful negotiations to reduce nuclear arms.

We are really talking about whether we can and will ante up enough to insure our survival. At a time when our economy is stagnant and when the expectations for a continued high level of social spending and entitlement programs condition our political and practical alternatives, the perceived competition between the requirements of national security and those of the domestic welfare puts us in a difficult situation. Yet our first obligation is to insure the security of our country. That is the essential prerequisite to promoting the economic and social welfare of our citizens.

We will not solve our economic problems, the demands of our poor and disadvantaged, or our alarming budget deficits by cutting our defense. There simply is not enough money there to do it. And defense means jobs to many jobs, as every Congressman or Senator finds out when there is a proposal to reduce or eliminate a program in his district or State.

We can, as many argue, save money by cutting nonessential or overly generous social programs. We can also save money in our defense establishment, and it is that upon which I want to dwell for a moment.

I am convinced that we can save a great deal of money without cutting into the bone and muscle of our military strength.

We can save money by recognizing and addressing the waste that occurs perforce in any large program. We in Congress and the administration have talked a lot about that, but I am not sure that our actions measure up to our rhetoric.

We can save money by identifying and addressing the waste that is imposed by "the system" as it now exists.

We need to see whether the large bureaucracy in the Department of Defense is really essential.

We need to look at how our military services are organized.

We need to insure that our contracting system minimizes rather than maximizes costs.

We need the Congress to recognize that its reluctance to commit itself to long-term programs and its propensity to review and change every program every year are expensive luxuries that we can no longer afford.

National defense and national security are not partisan matters. They are vital to the survival of our country and the political system that makes partisanship possible. It does a great disservice to portray the vital issue of survival in partisan terms. Those who believe that President Reagan and the Republicans have unreasonably increased defense expenditures should recall that the amount of money we are likely to appropriate for defense in fiscal year 1983 will be no greater, and may be less, than that projected for the same year by the Democratic administration of President Carter. Nor does all this exclude my acknowledgment that with careful study we can still find ways to save a great deal of Defense Department expenditures without cutting the essential of our military strength.

It will be critical in the decisions we will make in the days ahead that we, in public positions, assist all Americans by clearly presenting the facts and by stimulating our citizens to consider carefully what we should and must do. Only when we all are able to make our policy decisions on the basis of reality, not emotion or wishful thinking, will our country, our lives, and our salvation be assured.

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

Mr. RUDMAN. Mr. President, will the Senator withhold?

Mr. DENTON. I do.

**GERALD CARMEN, ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION**

Mr. RUDMAN. Mr. President, I rise to acknowledge the outstanding work Gerald Carmen has performed as Administrator of the General Services Administration. In these austere budgetary times, it is refreshing indeed to observe a superior administrator such as Mr. Carmen be able to take control of his agency, drag it out from under a cloud of scandal, and mold it into a streamlined model of efficiency and productivity. He is to be saluted for his efforts. I ask unanimous consent that the text of an article which appeared in today's Wall Street Journal reflecting his fine work at the GSA be entered into the RECORD.

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

**REAGAN'S HEAD OF THE GSA IMPRESSES MANY BY STREAMLINING AND CLEANING UP AGENCY**

(By Timothy D. Schellhardt)

WASHINGTON.—Can a former auto-parts dealer from New Hampshire get a bureaucratic behemoth under control?

White House recruiters didn't think so in early 1981 when they opposed naming Gerald Carmen, a Reagan loyalist from Manchester, to head the scandal-marred General Services Administration. The \$5 billion-a-year agency is Uncle Sam's landlord, housekeeper and supply sergeant. "We felt we needed a big corporate exec. not a small businessman, at GSA," says a former presidential headhunter.

But Mr. Carmen's political ties helped him land the job, and he has turned many of the skeptics around. "Jerry has erased our doubts," says the recruiter. Ralph Nader, never an easy man to please, calls the GSA chief "the most impressive" of President Reagan's appointees.

And some observers have been downright surprised by his performance, as his credentials were mainly political. Mr. Carmen managed the Reagan campaign in New Hampshire. A Reagan backer long before that, he had served as the state Republican chairman and as a delegate to national GOP conventions. He operated as a wholesale distributor of auto parts for 20 years before selling the business in 1979 and starting work on the Reagan campaign. He once was chairman of the New Hampshire Housing Authority, and he served on the Reagan transition team after the election. But until now he never headed any organization even remotely approaching the GSA in size.

**TAINT OF CORRUPTION FADES**

Mr. Carmen, a wiry, intense worker, can point to several early achievements at GSA, although it's too soon to gauge just how close he will get to his goal of transforming the agency into the government's "business manager instead of its janitor."

Gone are the headlines about pervasive fraud and corruption among some of the GSA's 30,000 employees. In the decade before Mr. Carmen took charge, more than 140 GSA employees and contractors had been convicted of bribery and other wrongdoing. From 1977 through last year, the GSA was under steady investigation by the Internal Revenue Service and the Justice Department. But Mr. Carmen has laid down a strict code of ethics, and the taint of corruption has faded.

The GSA chief is winning praise, too, for cutting costs and improving management.

In the past two years, the agency's work force has shrunk by more than 7,000 employees, or roughly 20%, through a hiring freeze and attrition rather than through layoffs. Officials calculate the saving at \$150 million a year.

During the same period, the GSA has reduced government office space by 22%, exceeding Mr. Carmen's goal of a 20% cut. The agency has consolidated offices and squeezed more people into the same space. Mr. Carmen aims to shrink the space allotted to a typical federal worker to 135 square feet from the current 170 to 175 square feet; congressional experts say that would save about \$100 million a year. Mr. Carmen himself shuns the cavernous administrator's office at GSA headquarters here, using instead a smaller office nearby.

Furthermore, the GSA chief has cut the average time for delivering supplies to customer agencies to less than seven days from the previous average of 41 days. To streamline the system for moving supplies, he has closed four distribution depots. And he has reduced the average time needed to negotiate building leases to about 200 days from 366 days.

At the White House, they're calling Mr. Carmen President Reagan's "Cousin Cheap," a nickname given to Hugh Carter, who was President Carter's cousin and a penny-pincher in that administration. The GSA chief does seem equally frugal. He has frozen purchases of new carpets, draperies and office equipment for his agency. He has opened a workshop to renovate old office equipment. He aims to cut the GSA's expenditures for magazine subscriptions and travel by 50%. "If you take care of the pennies, the dollars take care of themselves," he says.

His efforts are attracting attention outside government. Robert Scott, vice president of administration at Harvard University, says Mr. Carmen has a "knack for applying common sense business practices to complex government organizations." George Waters, a senior adviser at American Express Co., who has served for a number of years on an outside advisory group to the GSA, calls him "a rare individual who can pull people together and get results." He adds: "You certainly wouldn't expect that, looking at his resume with his limited business experience."

President Reagan has noticed, too, and he singles out the GSA chief for praise. Appointees like Mr. Carmen, he says, "are going to make a difference in the cost of government and the kind of government." He has asked Mr. Carmen to head an inter-agency group examining ways to cut costs all through the federal establishment.

But Mr. Carmen has his critics. Some of them spoke up earlier this year when it was disclosed that he had received a \$425,000 Small Business Administration loan and hadn't reported it to a Senate committee considering his nomination. He called the omission an oversight and quickly sold the property for which he had obtained the loan. The GSA chief also has drawn fire for giving several choice GSA posts to Republican friends, including an aide to presidential counselor Edwin Meese.

Moreover, James Jones, a labor-relations specialist at the American Federation of Government Employees, complains that Mr. Carmen is bent on contracting with private companies whenever possible for such jobs as guarding and maintaining government buildings. The GSA chief replies that the practice saves money.

Rep. Patricia Schroeder (D., Colo.), a frequent GSA critic, favors abolishing the agency. "I don't think there's a need for GSA. Let every department and agency pick

out its own buildings, buy its own supplies and equipment. Remember, the whole world went to electric typewriters before GSA did," she says.

**POLITICAL AMBITIONS**

Mr. Carmen, and outspoken Reagan supporter, often disarms his critics. When he recently appeared before a Senate panel that oversees the GSA, he brought along two dozen officials, filling the hearing room; committee members called the officials "Carmen's army." But their attendance seemed to help the GSA chief, and committee members conceded that they were impressed by Mr. Carmen's grasp of the GSA's manifold activities.

What's still unclear is how effectively Mr. Carmen has attacked some long-standing GSA problems. Congressional investigators say that the GSA has been bled by private landlords from whom it rents space, and that it is years behind the times with its computer technology. Mr. Carmen has complained to his business advisory council that it has been difficult to control every part of the huge agency.

The GSA chief makes it clear that he prefers the political arena. "I enjoy politics very much and I think I'm very good at it," he says. He's had his eye on the New Hampshire governorship for a long time, but the recent election of Republican John Sununu dims his chances for landing that post any time soon.

American Express's Mr. Waters thinks Mr. Carmen would be a good governor. "I think running a small state would be easier than the job he has now," he says.

**PRESIDENTIAL PARADOXES**

Mr. RUDMAN. Mr. President, in the New York Times of December 19, 1982, this past Sunday, there appeared an article entitled, "Presidential Paradoxes," authored by our colleague, Senator WILLIAM S. COHEN, of Maine.

It is an unusual article but not unusual for BILL COHEN. It contains the kind of intellectual, thought-provoking series of logical conclusions that we have come to expect from BILL COHEN.

I ask unanimous consent that this article from the New York Times of Sunday, December 19, 1982, be printed in the RECORD.

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

[From the New York Times, Dec. 19, 1982]

**PRESIDENTIAL PARADOXES**

(By William S. Cohen)

WASHINGTON.—A majority of voters in 1980 supported the proposition that the United States had to modernize its strategic and conventional forces if we were to avoid having to choose one day between conflict or capitulation. But something happened on the road to redemption.

Perhaps it was all the loose talk of firing a nuclear shot across the Soviet bow, confining a nuclear war to European soil, preparing for and surviving a long nuclear conflict, or throwing a shovel full of dirt on an underground shelter for every household in America. Maybe it was a sense of betrayal that we experienced in discovering we had elected a President who was putting into practice the very things he promised as a candidate.

Whatever the reason, it is clear that a new consensus evolved during 1982 that said sig-

nificant defense cuts could and should be made. It was not that the world had become less dangerous, that the Soviet Union was not still butchering innocent people in Afghanistan, that Gen. Wojciech Jaruzelski was cutting the pressure of his water cannons in Poland, that the skies of Cambodia were not quite so yellow with poison, that the Middle East was any less volatile or Persian Gulf oil more secure. Rather, we concluded that President Reagan's military program was no longer affordable or desirable—that we must reduce our deficits and rebuild our domestic economy before our military capability, and should refuse to build systems that the Soviet Union would see as threatening and destabilizing.

By noting the radical shift in public opinion within a two-year time span, I do not seek to denigrate the perceptions or wishes of the electorate. Nor do I suggest that the defense budget should be sacrosanct or immune from a surgeon's knife. Defense cuts can be made, although they should not be so substantial as to move us immediately within field-goal range of a balanced budget.

The shift in public opinion represents a political phenomenon more deeply rooted than fear or fickleness. It suggests that conservative Republican Presidents (moderates or liberals need not apply) may be able to open doors to China and secure support for arms control treaties yet be unable to sustain a significant or even stable growth in military spending.

By contrast, liberal or moderate Democratic Presidents may be able to secure support for strategic and conventional modernization (few questioned the need for the MX, Stealth aircraft, Trident submarine, or a Rapid Deployment Force under Jimmy Carter) but will be less able to obtain ratification of arms control treaties.

Ronald Reagan is viewed by many as being overly aggressive in word and deed—too likely to produce war rather than preserve peace. By contrast, if Jimmy Carter had proposed an MX "dense pack" or hardened silos reinforced by ballistic-missile defense, he would have stood a better chance of achieving Congressional approval. Mr. Carter was a self-proclaimed peace candidate who wanted to abolish nuclear weapons from the face of the earth. He was a religious man who prayed daily and publicly. Paradoxically, the perception of his weakness in the face of Soviet aggression would have provided the basis of bipartisan Congressional support for arms modernization. With Ronald Reagan, just the opposite appears to be the case—rearmament is seen by an increasing number of people as being unnecessary, unaffordable or dangerous.

Shortly before the November elections, the Kremlin revealed that it would welcome a new Congress that would be more moderate in character. It would be logical to conclude that it would also welcome a change in the occupant of the White House in 1984. But Yuri V. Andropov may possess a subtler turn of mind. He may prefer President Reagan to run as a peace candidate in 1984 with a ratified arms control treaty in hand. In the long run, Mr. Andropov may see the wisdom of having a Republican President with a treaty and without an arms buildup rather than a Democratic President with an arms buildup but without an arms control treaty.

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

The PRESIDING OFFICER (Mr. Symms). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended to 3:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### A WORD OF CAUTION

Mr. ARMSTRONG. Mr. President, as the lameduck session careens to its conclusion, I cannot help drawing the attention of anyone who may read the RECORD of this proceeding to the fact that, as we have rushed past many, many pieces of legislation, we have also considered numerous committee reports and numerous statements of floor managers. I want to note again today, as I have periodically, that for the most part, these are not valid expressions of the intent of Congress; that by and large, they are never read by Members of the Senate; that by and large, they are not written by Members of the Senate; that they are generally written by some anonymous person who is a member of the staff of the committee in the Senate or the House.

I am distressed to note periodically that agencies of the executive branch and courts will rely upon such statements as valid expressions of the intent of Congress in enacting legislation.

This is a particularly timely word of caution just now because, during the last several days, we have considered literally hundreds of pieces of legislation, many of which have had lengthy statements of this type appended to them.

I just want to reflect, as one Senator, that these statements for the most part have never been considered by the Senate and they are not subject to amendment by the Senate. Therefore, I urge utmost caution to anyone using them as a basis for interpretation.

I thank the Chair.

Mr. President, unless anyone seeks recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### THE CALENDAR

Mr. BAKER. Mr. President, I have a number of items that may be dealt

with by unanimous consent, I believe, and I should like to go through this list for the consideration of the minority leader and other Senators.

#### PUBLIC EMPLOYEES' APPRECIATION DAY

Mr. BAKER. Mr. President, I propose to move to discharge the Committee on the Judiciary so that the Senate may proceed to the immediate consideration of House Joint Resolution 691, if the minority leader has no objection.

Mr. ROBERT C. BYRD. Mr. President, I have no objection.

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the matter and the Chair lay it before the Senate for immediate consideration.

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

The joint resolution will be stated by title.

The legislative clerk read as follows:

A resolution (H. J. Res. 681) designating January 19, 1983 as "Public Employees' Appreciation Day."

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

Mr. ROBERT C. BYRD. There is no objection.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BAKER. Mr. President, I yield to the Senator from Virginia on this measure.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, as one of the sponsors of this resolution, I am pleased that it is acted on on this day by the Senate. In view of the stress and strain to which we put so many of our faithful Government employees during the course of the deliberation of the continuing resolution, I think it is most fitting that the Congress of the United States now recognize their services and designate this day as a day set aside in appreciation. I would like to thank G. Jerry Shaw, president of the Senior Executive Service, for this guidance and assistance regarding this legislation.

I thank the majority leader.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 691) was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

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

The motion to lay on the table was agreed to.

### REINSTATEMENT AND VALIDATION OF U.S. OIL AND GAS LEASE

Mr. BAKER. Mr. President, I would propose to ask the Chair to lay before the Senate H.R. 5826, if that is cleared on the other side.

Mr. ROBERT C. BYRD. That bill is cleared on this side.

Mr. BAKER. I thank the minority leader.

Mr. President, I ask unanimous consent that the Chair lay before the Senate Calendar Order No. 954, H.R. 5826.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 5326) to provide for the reinstatement and validation of U.S. oil and gas lease numbered W-24153.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on third reading and passage of the bill.

The bill (H.R. 5826) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill passed.

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

The motion to lay on the table was agreed to.

### NATIONAL PARK SYSTEM VISITOR FACILITIES FUND ACT

Mr. BAKER. Mr. President, next I propose to call up H.R. 7316, if the minority leader will agree.

Mr. ROBERT C. BYRD. Mr. President, I have no objection on this side.

Mr. BAKER. Then, Mr. President, I ask unanimous consent that the Chair lay before the Senate Calendar Order No. 1009, H.R. 7316, for the consideration of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 7316) to establish the National Park System Visitor Facilities Fund.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 7316) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill passed.

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

The motion to lay on the table was agreed to.

### RELIEF OF ARTHUR J. GRAUF

Mr. BAKER. Mr. President, H.R. 4350 is cleared on this side. May I inquire of the minority leader if he is prepared to proceed to its consideration?

Mr. ROBERT C. BYRD. Mr. President, the measure is cleared for passage by unanimous consent on this side.

Mr. BAKER. I thank the minority leader.

Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 4350, Calendar Order 1026.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 4350) for the relief of Arthur J. Grauf.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 4350) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill passed.

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

The motion to lay on the table was agreed to.

### SERVICE OF PROCESS BY MAIL

Mr. BAKER. Mr. President, I now ask that the Chair lay before the Senate a message from the House on H.R. 7154, an act to amend the Federal Rules of Civil Procedure.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 7154) entitled "An act to amend the Federal Rules of Civil Procedure with respect to certain service of process by mail, and for other purposes," with the following amendment:

In lieu of the matter proposed to be inserted by said amendment, insert:

Sec. 6. Section 951 of title 18, United States Code, is amended by striking out "\$5,000" and inserting in lieu thereof "\$75,000".

Mr. BAKER. I move that the Senate concur in the House amendment.

The motion was agreed to.

### COLLECTION OF FEDERAL ROYALTIES AND LEASE PAYMENTS

Mr. BAKER. I have another message from the House, Mr. President, if the minority leader is prepared to consider it. That is a message on H.R. 5121.

Mr. ROBERT C. BYRD. Yes, Mr. President, this side is ready to proceed.

Mr. BAKER. I thank the minority leader.

I ask the Chair lay before the Senate a message from the House on H.R. 5121, the Federal Oil and Gas Royalty Management Act of 1982.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the amendment of the House to the bill (H.R. 5121) entitled "An Act to improve the collection of Federal royalties and lease payments derived from certain natural resources under the jurisdiction of the Secretary of the Interior, and for other purposes", with the following amendment:

In lieu of the matter inserted by said amendment, insert:

### NONCOMPETITIVE OIL AND GAS LEASE ROYALTY RATES

SEC. 114. (a) Subsection 17(c) of the Mineral Leasing Act of 1920 (30 U.S.C. 226(c)) is amended by inserting the words "not less than" after the words "payment by the lessee of a royalty of" and by inserting the words "nor more than 16% per centum" after the word "per centum".

(b) Subsection 17(c) of the Mineral Leasing Act of 1920 (30 U.S.C. 226(c)) is amended by changing the period to a colon and adding the following: "Provided, That the royalty rate shall be not more than 12% per centum unless the Secretary finds that an increase in the royalty rate will not adversely affect the exploration, development or production of oil or gas or the overall revenue to the Federal Government generated by such activity."

(c) The amendments made by subsections (a) and (b) shall take effect one year after completion and submission to Congress by the Secretary of a thorough study of the effects of a change in the royalty rate under section 17(c) of the Mineral Leasing Act of 1920 (1) on the exploration, development, or production of oil or gas and (2) on the overall revenues generated by such change. Such study shall be completed and submitted to Congress on the date one year after the date of enactment of this Act.

Mr. BAKER. Mr. President, I move that the Senate disagree to the House amendments.

The motion was agreed to.

### ORDER DISCHARGING THE COMMITTEE ON THE JUDICIARY FROM FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION 265

Mr. BAKER. Mr. President, I would next propose to discharge the Committee on the Judiciary from further consideration of Senate Joint Resolution 265 so that the Senate may proceed to its consideration.

May I inquire of the minority leader if he is prepared to agree to that?

Mr. ROBERT C. BYRD. Yes, Mr. President, I will not object. I am a little concerned by the great numbers of bills that are being discharged from committees at the last minute. This is not a thing unheard of, that some bills be discharged from committees, but it seems to me that committees ought to



do their work on these pieces of legislation so that we would not have to take this extraordinary procedure of discharging committees. There is nothing in this request that there is any objection to.

Mr. BAKER. Mr. President, I agree with the minority leader. I have noted that of late it seems to me the unanimous-consent calendar is loaded with requests for the discharge of committees and the immediate consideration of measures, and I am prepared to do that. I inquired of our calendar staff how we go about the clearance process on that, and it appears satisfactory, that is, the chairman of the committee and the executive director are both involved in that process and, presumably, that covers all members of the committee who have an interest in that measure. But I do continue to view it as an extraordinary way of proceeding and urge committees to act in the manner prescribed by the rules to the extent that it is feasible.

Having said that, Mr. President, and based on the statement of the minority leader that he will not interpose an objection to this measure, I do then ask unanimous consent that the Judiciary Committee be discharged from further consideration of Senate Joint Resolution 265, which is a resolution to authorize and request the President to proclaim 1983 as National Year of Voluntarism.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### NATIONAL YEAR OF VOLUNTARISM

Mr. BAKER. Mr. President, I ask that the Senate proceed to the immediate consideration of Senate Joint Resolution 265.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S.J. Res 265) to proclaim 1983 as the National Year of Voluntarism.

The Senate proceeded to consider the joint resolution.

Mr. DENTON. Mr. President, I rise to move the adoption of Senate Joint Resolution 265, designating 1983 as the National Year of Voluntarism. I introduced this resolution along with my distinguished colleagues, Senators HARRY F. BYRD, JR., HELMS, JEPSEN, MATTINGLY, and NICKLES. In addition, the resolution is now cosponsored by Senators BOSCHWITZ, CANNON, CHAFEE, DOMENICI, DOLE, EAST, GARN, HAWKINS, HAYAKAWA, HEFLIN, HUDDLESTON, INOUE, LAXALT, LEVIN, LUGAR, NUNN, REIGLE, SPECTER, STENNIS, SYMMS, THURMOND, TOWER, and WARNER.

The generosity of the American people has been a noted characteristic of our Nation since its very inception. From its founding days, our Nation was known as one in which neighbor lent a hand to neighbor and families banded together to help one another in times of adversity. Alexis de Toque-

ville remarked, in his 1831 book, "Democracy in America," on the fascinating way in which Americans solved problems without the intrusion of Government. De Toqueville wrote:

I must say that I have often seen Americans make great and real sacrifices to the public welfare; and I have noticed a hundred instances in which they hardly ever failed to lend faithful support to one another.

It is that kind of generosity and service that built our country and provided our prosperity. I believe that the time has come to encourage and promote the inclination of our citizens to turn to one another in time of need and to help each other.

The designation of a National Year of Voluntarism will support and encourage efforts of Americans. In even the best of times we cannot rely solely on Government to provide remedies to all of our national ills. The solution lies, to a large degree, in the involvement of private individuals and businesses. We must learn to see ourselves, as individuals and as groups, as essential parts of the solution. President Reagan has called for an increase in citizen participation in all areas. Likewise, we in the Senate have a responsibility to urge more active cooperation and mutual support from individuals. It is the stark reality, in this time of such great need, that our social service delivery system is changing dramatically. More private initiative in this area will insure that community and individual needs continue to be met when Government dollars are not available.

Our country has more than adequate human potential to accomplish the challenge that lies before us. A 1979 Gallup poll estimated that 70 percent of Americans are willing to volunteer their time for worthy causes and projects, but it is estimated that only a fourth of those people actually perform voluntary activity. It is clear that, if they understand that their time and skills are needed, more people will contribute and participate.

I urge my colleagues to join me in proclaiming 1983 as the National Year of Voluntarism. To quote the February 1981 report of the National Steering Committee on Voluntarism:

If citizen participation and voluntary initiative are important to our effectiveness as a society, then the Federal Government, as the ultimate representative of the people, has a responsibility to be certain everything possible is done to encourage just such participation and initiative.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and to be read a third time. The joint resolution was read the third time and passed.

The preamble was agreed to.

The joint resolution (S.J. Res. 265) together with its preamble is as follows:

#### S.J. Res. 265

Whereas voluntarism is the cornerstone of the American way of life and a fundamental characteristic of our American heritage;

Whereas voluntary service, a proud American tradition dating to colonial times, can and should be utilized throughout the United States today, as it was utilized then, to address local community needs; and

Whereas there is a need for greater emphasis on developing more volunteer community leaders to encourage voluntary service in organizational activities; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating 1983 as the "National Year of Voluntarism" and calling upon the people of the United States and interested groups and organizations to observe the National Year of Voluntarism with appropriate activities of voluntary service.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### LANDS HELD IN TRUST FOR RAMAH BAND OF NAVAHO INDIANS

Mr. BAKER. Mr. President, I have another discharge request, I say to the minority leader. I propose now to discharge and I ask unanimous consent that the Indian Affairs Committee be discharged from further consideration of H.R. 5916, the Ramah Band of Navaho Indians, and I ask, further, upon discharge that the Senate proceed to the immediate consideration of that measure.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. ROBERT C. BYRD. Mr. President, there will be no objection.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 5916) to declare certain Federal lands acquired for the benefit of Indians to be held in trust for the Tribes of such Indians.

There being no objection, the Senate proceeded to consider the bill.

Mr. DOMENICI. Mr. President, I am most pleased that we are finally able to consider a piece of legislation that is necessary to complete actions that were started in the 1930's and 1940's. At that time lands were acquired for the Ramah Band of Navajo Indians in what is now Cibola County, N. Mex. The bill before us today, H.R. 5916, will transfer 4,807 acres of land to the Ramah Band of Navajos. This land and all the underlying minerals will be held in trust for this tribe. The estimated fair market value, according to testimony by the Deputy Assistant Secretary for Indian Affairs of the Department of the Interior, is \$480,000. The area in question is completely sur-

rounded by existing reservation lands of Ramah Band.

I believe, Mr. Chairman, that the record is complete. The administration has expressed its support. We are, in effect, removing the doubts about the status of this land that have clouded previous improvements and future plans. By endorsement of this bill, we are completing the intent of the Federal Government to make this land available to the Ramah Band of Navajo Indians. The field solicitor states in his report that the land in question should have been published in the Federal Register on Friday, March 31, 1950, along with the other parcels that were declared to be held in trust on that date. He calls the omission an oversight and finds nothing "in the records to evidence an intent to omit the lands conveyed by the two warranty deeds or other lands that may have been acquired under the authorities of the emergency relief appropriation acts for needy Ramah Navajo Indians."

The facts have not changed, Mr. Chairman, since my bill was introduced in the 96th Congress (S. 1730) to achieve the same goals. Therefore, I am pleased that we now have the full record available to substantiate our contention that we are simply correcting an oversight that is limiting the ability of the Ramah Navajo Indians to have full use of land that has been intended for their use. I thank the Chair and my colleagues for their support, and I urge immediate passage of H.R. 5916.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 5916) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote for which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### THE DON H. CLAUSEN FISH HATCHERY

Mr. BAKER. Mr. President, I now ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 7420, a bill to designate the Warm Springs Dam component of the Russian River, Dry Creek, in California, as the "Don H. Clausen Fish Hatchery," and upon discharge I ask the Senate to proceed to the immediate consideration of that measure.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. ROBERT C. BYRD. Mr. President, there is no objection being interposed on this side as far as I know.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

The bill (H.R. 7420) to name the fish hatchery at the Warm Springs Dam component of the Russian River, Dry Creek, California project as the Don H. Clausen Fish Hatchery.

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 7420) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### TENNYSON GUYER FEDERAL BUILDING

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from another measure, and that is H.R. 6538, a bill to designate the Federal Building in Lima, Ohio, as the "Tennyson Guyer Federal Building," and upon discharge I ask that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. ROBERT C. BYRD. There is no objection.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 6538) to designate the Federal Building in Lima, Ohio, as the "Tennyson Guyer Federal Building."

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 6538) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### B. F. SISK FEDERAL BUILDING

Mr. BAKER. Mr. President, I now ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 5029, a bill to designate the Federal building at 1130 O Street, Fresno, Calif., as the "B. F. Sisk Federal Building," and upon discharge I ask the Senate to turn to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. ROBERT C. BYRD. Mr. President, there is no objection.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 5029) to designate the Federal Building in Fresno, California, as the "B. F. Sisk Federal Building".

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 5029) was ordered to a third reading, was read the third time, and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### FISHERIES MANAGEMENT— CONFERENCE REPORT

Mr. BAKER. Mr. President, there is a conference report which will accompany H.R. 5002 that is here and available. If the minority leader is prepared to do so, I am prepared to ask the Senate to proceed to the consideration of that measure.

Mr. METZENBAUM. Mr. President, reserving the right to object.

Mr. BAKER. I have not made the request yet.

Mr. METZENBAUM. Would the majority leader be good enough to tell us what that is?

Mr. BAKER. Yes, Mr. President, I am happy to. The notation I have here is that it is the conference report to accompany H.R. 5002, the fisheries consultation bill.

Mr. METZENBAUM. I have no objection.

I thank the majority leader.

Mr. ROBERT C. BYRD. There is no objection.

Mr. BAKER. I thank the minority leader and the Senator from Ohio.

Mr. President, I submit a report of the committee of conference on H.R. 5002 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:



The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5002) to improve fishery conservation and management, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 21, 1982.)

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### ORDER OF PROCEDURE

Mr. BAKER. Mr. President, there are certain items of Executive Calendar business that can be considered according to my marked calendar, and I ask the minority leader if he is prepared to agree that the Senate may go into executive session for the purpose of considering nominations on today's calendar and also the WARC Treaty.

I may say before the minority leader replies that it is not my intention to ask for a record vote on the nominations. I have been advised by the distinguished Senator from New Hampshire (Mr. HUMPHREY) that while he previously had indicated a wish for a rollcall vote on one nomination he no longer has a requirement for a rollcall vote. He wishes to insert a statement on this subject in the RECORD.

I believe the Senators from New Mexico are here in the Chamber and ready to proceed.

Other than that, I believe the nominations will be routine.

Mr. President, on the treaty, if the minority leader thinks well of the idea, I am agreeable to considering the treaty by division vote instead of by rollcall vote.

Mr. ROBERT C. BYRD. Mr. President, I have no objection on this side.

Mr. BAKER. I thank the minority leader.

Mr. ROBERT C. BYRD. I understand that there is one nomination and one treaty to which the distinguished majority leader refers.

Mr. BAKER. Only one treaty, that the requirement for a division vote is only for the treaty.

Mr. ROBERT C. BYRD. Yes.

Mr. BAKER. There is no longer a requirement for a rollcall or a division on the nomination.

Mr. ROBERT C. BYRD. On the one nomination?

Mr. BAKER. Yes.

Mr. President, let me advise the minority leader, then, that I am about to propound a request which would begin that would go into executive session for the purpose of considering nominations beginning with Calendar Order No. 1014 on page 3 under Department of State, continuing through the nominations on the remainder of that page, all of the nominations on pages 4, 5, 6, and on 7 with the exception of the first nomination, which is Calendar Order No. 1129, on page 8, on page 9, on page 10, on page 11, on page 12, on page 13, and the nominations placed on the Secretary's desk in the Marine Corps, the Navy, and the Public Health Service on page 15.

Those are the items that I propose to consider at this time, and before I propound the unanimous-consent request could I inquire of the minority leader if he is prepared to agree to that?

Mr. ROBERT C. BYRD. Mr. President, in response to the inquiry by the distinguished majority leader, the minority is ready to proceed with the following Calendar Order No. 1013 on page 3 and No. 1071 on page 3 and beginning with 1125, Department of Defense, on page 3, and going through the remainder of the calendar through page 15.

#### THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, I thank the minority leader for sharing with me the information on his position with respect to approval for consideration of these nominees by unanimous consent.

Let me see if I can put together a request now that will embody those nominations that he can clear and that I can clear; that is, that have been cleared on both sides.

#### EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering these nominations.

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

Mr. BAKER. On page 3, Calendar Order Nos. 1071, 1125, and 1126, three nominations on page 3, all the nominations on page 4, all of the nominations on page 5, all of the nominations on page 6, the nominations appearing on page 7 beginning with Calendar Order No. 1130, which would except and exclude Calendar Order 1129 on page 7, all of the nominations on page 8, all of the nominations on page 9, all of the nominations on pages 10 and 11, all of the nominations on page 12.

Mr. President, I ask unanimous consent that when item Calendar Order No. 1167 is reached that the distinguished Senator from New Hampshire (Mr. HUMPHREY) may place a statement in the RECORD in connection with the consideration of this nomination, and that the distinguished Senators

from New Mexico (Mr. DOMENICI and Mr. SCHMITT) may be recognized to speak.

Mr. DOMENICI. Mr. Leader, we do not intend to speak unless somebody is here to speak in opposition.

Mr. BAKER. Very well. The right will be preserved in any event.

All nominations on page 13, and all of the nominations placed on the Secretary's desk in the Marine Corps, Navy, and Public Health Service on page 15.

Mr. ROBERT C. BYRD. Mr. President, there is no objection on this side to proceeding with the nominations which have just been enumerated by the distinguished majority leader.

On the treaty we would want a division vote.

Mr. BAKER. Yes, Mr. President. I include in my request then on the treaty considered in executive session that there be a division vote.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent that the nominees just identified be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The nominees are considered and confirmed en bloc.

The nominees considered and confirmed en bloc are as follows:

#### DEPARTMENT OF JUSTICE

Daniel F. Lopez Romo, of Puerto Rico, to be U.S. attorney for the district of Puerto Rico for the term of 4 years, vice Raymond L. Acosta.

#### DEPARTMENT OF DEFENSE

Thomas Edward Cooper, of Virginia, to be an Assistant Secretary of the Air Force, vice Alton Gold Keel, Jr., resigned.

#### IN THE AIR FORCE

The following officers for appointment in the U.S. Air Force to the grade of brigadier general, under the provisions of chapter 38, title 10 of the United States Code:

#### To be brigadier general

Col. Marcus A. Anderson, 533-36-8770FR, Regular Air Force.

Col. Charles W. Bartholomew, 516-36-6587FR, Regular Air Force.

Col. Philippe O. Bouchard, 024-24-4547FR, Regular Air Force.

Col. Charles P. Cabell, Jr., 577-44-3605FR, Regular Air Force.

Col. James S. Cassidy, Jr., 439-48-5272FR, Regular Air Force.

Col. Larry D. Church, 519-32-2391FR, Regular Air Force.

Col. Gaylord W. Clark, 232-38-4913FR, Regular Air Force.

Col. John A. Corder, 542-42-3055FR, Regular Air Force.

Col. Donald R. Delauter, 217-28-6201FR, Regular Air Force.

Col. Robert F. Durkin, 273-30-5085FR, Regular Air Force.

Col. Anthony J. Farrington, Jr., 021-28-8799FR, Regular Air Force.

Col. Edsel R. Field, 472-32-9068FR, Regular Air Force.

Col. Richard F. Gillis, 150-26-5856FR, Regular Air Force.

Col. David M. Goodrich, 457-52-7103FR, Regular Air Force.

Col. Samuel J. Greene, 079-26-2232FR, Regular Air Force.  
 Col. William J. Grove, Jr., 217-30-7213FR, Regular Air Force.  
 Col. Michael D. Hall, 549-44-3979FR, Regular Air Force.  
 Col. Trevor A. Hammond, 047-28-6974FR, Regular Air Force.  
 Col. Paul A. Harvey, 273-32-3381FR, Regular Air Force.  
 Col. Richard G. Head, 483-40-5186FR, Regular Air Force.  
 Col. William K. James, 432-64-2098FR, Regular Air Force.  
 Col. James D. Kellim, 431-60-1763FR, Regular Air Force.  
 Col. Peter T. Kempf, 554-44-9125FR, Regular Air Force.  
 Col. Michael C. Kerby, 124-28-7886FR, Regular Air Force.  
 Col. Albert L. Logan, 448-32-9161FR, Regular Air Force.  
 Col. Donald A. Logeals, 473-34-7703FR, Regular Air Force.  
 Col. John M. Loh, 577-50-2768FR, Regular Air Force.  
 Col. Alan P. Lurie, 276-28-1179FR, Regular Air Force.  
 Col. Donald L. Marks, 285-32-3303FR, Regular Air Force.  
 Col. Charles A. May, Jr., 579-46-2046FR, Regular Air Force.  
 Col. Robert P. McCoy, 302-28-9547FR, Regular Air Force.  
 Col. Charles C. McDonald, 391-30-8426FR, Regular Air Force.  
 Col. Willard L. Meader, 183-26-9994FR, Regular Air Force, Medical.  
 Col. Charles D. Metcalf, 480-34-7946FR, Regular Air Force.  
 Col. Donald C. Metz, 535-34-1839FR, Regular Air Force.  
 Col. Fred R. Nelson, 385-30-1562FR, Regular Air Force.  
 Col. Thomas R. Olsen, 462-44-7344FR, Regular Air Force.  
 Col. Cecil W. Powell, 455-58-3031FR, Regular Air Force.  
 Col. Robert R. Rankine, Jr., 333-28-6974FR, Regular Air Force.  
 Col. Billy J. Rhoten, 524-40-6306FR, Regular Air Force.  
 Col. Horace L. Russell, 242-46-7875FR, Regular Air Force.  
 Col. Richard L. Stoner, 217-32-6206FR, Regular Air Force.  
 Col. Luther E. Thweatt, 315-30-2161FR, Regular Air Force.  
 Col. Norman R. Thorpe, 333-26-0193FR, Regular Air Force, Judge Advocate.  
 Col. Richard J. Toner, 027-26-2521FR, Regular Air Force.  
 Col. Richard J. Trzaskoma, 365-38-1271FR, Regular Air Force.  
 Col. David S. Watrous, 043-28-1105FR, Regular Air Force.  
 Col. Charles N. Wood, 461-56-5973FR, Regular Air Force.  
 Col. Larry D. Wright, 577-50-0313FR, Regular Air Force.  
 Col. Ronald W. Yates, 410-60-4280FR, Regular Air Force.

#### IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

#### To be lieutenant general

Lt. Gen. Robert Charles Kingston, 012-22-3429, U.S. Army.

#### IN THE NAVY

The following-named officer under the provisions of title 10, United States Code, section 601, to be reassigned to a position of

importance and responsibility designated by the President under title 10, United States Code, section 601:

#### To be vice admiral

Vice Adm. Kenneth M. Carr, 573-24-5868, /1120, U.S. Navy.

Donald Barr, of Connecticut, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982, vice Helen S. Astin.

Carl W. Salsler, of Oregon, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1983, vice Maria B. Cerda.

J. Floyd Hall, of South Carolina, to be a member of the National Council on Educational Research for a term expiring September 30, 1983, vice Alonzo A. Crim, term expired.

Donna Helene Hearne, of Missouri, to be a member of the National Council on Educational Research for a term expiring September 30, 1983, vice Catharine C. Stimpson, term expired.

George Charles Roche III, of Michigan, to be a member of the National Council on Educational Research for a term expiring September 30, 1983, vice Harold Howe II, term expired.

M. Blouke Carus, of Illinois, to be a member of the National Council on Educational Research for a term expiring September 30, 1984, vice Barbara S. Uehling, term expired.

Onalee McGraw, of Virginia, to be a member of the National Council on Educational Research for a term expiring September 30, 1984, vice Jon L. Harkness, term expired.

Penny Pullen, of Illinois, to be a member of the National Council on Educational Research for a term expiring September 30, 1984, vice Tomas A. Arciniega, term expired.

Elaine Y. Schadler, of Pennsylvania, to be a member of the National Council on Educational Research for a term expiring September 30, 1984, vice Harold L. Enarson, term expired.

Donald Barr, of Connecticut, to be a member of the National Council on Educational Research for a term expiring September 30, 1985. (Reappointment.)

Paul Copperman, of California, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982, vice Joseph J. Davis, Jr.

James Harvey Harrison, Jr., of Virginia, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982, vice Timothy S. Healy.

Wallie Cooper Simpson, of New York, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1982, vice John S. Shipp, Jr.

Paul Copperman, of California, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985. (Reappointment.)

James Harvey Harrison, Jr., of Virginia, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985. (Reappointment.)

Wallie Cooper Simpson, of New York, to be a member of the National Council on Educational Research for the remainder of the term expiring September 30, 1985. (Reappointment.)

#### NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

John E. Juergensmeyer, of Illinois, to be a member of the National Commission on Li-

braries and Information Science for a term expiring July 19, 1987, vice Frances Healy Naftalin.

Jerald Conway Newman, of New York, to be a member of the National Commission on Libraries and Information Science for a term expiring July 19, 1987, vice Joa. Helene Gross.

Julia Li Wu, of California, to be a member of the National Commission on Libraries and Information Science for a term expiring July 19, 1987, vice Clara Stanton Jones.

Byron Leeds, of New Jersey, to be a member of the National Commission on Libraries and Information Science for a term expiring July 19, 1986, vice Horace E. Tate, term expired.

#### HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Richard J. Fitzgerald, of Illinois, to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1985, vice Elliott D. Marshall, term expired.

Truman McGill Hobbs, of Alabama, to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1985, vice Walter E. Craig, term expired.

Margaret Truman Dandel, of New York, to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1987. (Reappointment.)

Gloria Ann Hay, of Alaska, to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1987, vice John Portner Humes, term expired.

#### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Richard V. Backley, of Virginia, to be a member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 1988 (reappointment), to which position he was appointed during the last recess of the Senate.

L. Clair Nelson, of Virginia, to be a member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 1988, vice Marian Pearlman Nease, resigned, to which position she was appointed during the last recess of the Senate.

#### NATIONAL SCIENCE FOUNDATION

Charles E. Hess, of California, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice William F. Hueg, Jr., term expired.

John H. Moore, of California, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice Raymond L. Bisplinghoff, term expired.

Norman C. Rasmussen, of Massachusetts, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice Alexander Rich, term expired.

Roland W. Schmitt, of New York, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice Lloyd Miller Cooke, term expired.

Robert F. Gilkeson, of Pennsylvania, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice Herbert D. Doan, term expired.

William F. Miller, of California, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice John R. Hogness, term expired.

William A. Nierenberg, of California, to be a member of the National Science Board, National Science Foundation, for a term expiring May 10, 1988, vice Joseph Mayo Pettit, term expired.

#### FEDERAL COUNCIL ON THE AGING

Edmund T. Dombrowski, of California, to be a member of the Federal Council on the Aging for a term expiring June 5, 1985, vice Aaron E. Henry, term expired.

#### NATIONAL COUNCIL ON THE HANDICAPPED

Nanette Fabray MacDougall, of California, to be a member of the National Council on the Handicapped for a term expiring September 17, 1984. (Reappointment.)

#### ACTION AGENCY

Betty H. Brake, of Oklahoma, to be Deputy Director of the ACTION Agency, vice Winifred Ann Pizzano.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

David L. Slate, of California, to be General Counsel of the Equal Employment Opportunity Commission for a term of 4 years, vice Michael Joseph Connolly, resigned.

#### NATIONAL INSTITUTE OF EDUCATION

Manuel J. Justiz, of New Mexico, to be Director of the National Institute of Education, vice Edward A. Curran, resigned.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Allen Drury, of California, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice Willard L. Boyd, term expired.

Celeste Holm, of New York, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice Theodore Bikel, term expired.

Raymond J. Leary, of New York, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice William H. Eells, term expired.

Samuel Lipman, of New York, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice Martina Arroyo, term expired.

George L. Schaefer, of California, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice Harold Prince, term expired.

Robert Stack, of California, to be a member of the National Council on the Arts for the term expiring September 3, 1988, vice J. C. Dickinson, Jr., term expired.

C. Douglas Dillon, of New Jersey, to be a member of the National Council on the Arts for a term expiring September 3, 1988, vice Franklin J. Schaffner, term expired.

William Laurens Van Alen, of Pennsylvania, to be a member of the National Council on the Arts for a term expiring September 3, 1988, vice Geraldine Stutz, term expired.

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE MARINE CORPS, NAVY, PUBLIC HEALTH SERVICE

Marine Corps nominations beginning Stephen P. Freiherr, and ending Donald L. Halrston, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of December 10, 1982.

Navy nominations beginning Anthony P. Battaglia, and ending Henryk Bronislaw Zaleski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of December 15, 1982.

Public Health Service nominations beginning David W. Anderson, and ending Kevin S. Yesky, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of December 14, 1982.

#### NOMINATION OF MANUEL J. JUSTIZ, OF NEW MEXICO, TO BE DIRECTOR OF THE NATIONAL INSTITUTE OF EDUCATION

Mr. BAKER. Mr. President, I ask the distinguished Senators from New Mexico if they wish to speak at this point to the nomination.

Mr. DOMENICI. Mr. Leader, I do not intend to speak.

Mr. SCHMITT. Mr. Leader, it is not necessary to speak other than to say that I am very pleased, as I know my distinguished colleague is, to see that this distinguished Hispanic, Mr. Justiz, and whose origins are other than those of his country of choice, has reached such a high position. I thank the leader for his courtesy.

Mr. BAKER. I thank the Senator.

Mr. DOMENICI. Mr. President, I am convinced Dr. Manuel Justiz is one of the most capable young men in the State of New Mexico. He knew at an early age what he wanted. He wanted to teach at a university, and in particular, he wanted to teach at our university—the University of New Mexico. To accomplish his goal he attended and succeeded at universities in Kansas and Illinois. Manuel is a doctor of philosophy in higher education administration from the Southern Illinois University in Carbondale, Ill. At the University of New Mexico in Albuquerque, Dr. Justiz is director of Latin American programs in education and associated professor in the college of education.

He has become the pride of many in the State of New Mexico. His reputation as an educational researcher is sterling. His credentials are superb.

We are very proud of him as a leader, as an educator.

Frankly, as I look at our country, there is no doubt that the role of our national government in education is changing, but the one role that continues to remain in the minds of almost everyone is that of educational research. And I am convinced that he will do a superb job.

I highly recommend him. I think we must get on with filling this position. I would not be here if I did not think Dr. Justiz is the man for the job.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominees were confirmed en bloc.

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

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent to these nominations.

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

#### RADIO REGULATIONS (GENEVA, 1979) AND FINAL PROTOCOL

Mr. BAKER. Mr. President, I ask unanimous consent that the Chair lay before the Senate Executive Treaty Document No. 97-21, the Treaty on International Radio Frequencies (WARC-79).

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider Treaty Document No. 97-21, Radio Regulations (Geneva, 1979) and Final Protocol, which was read the second time.

Mr. BAKER. Mr. President, I ask unanimous consent that the treaty be advanced through its various parliamentary stages up to and including the presentation of the resolution of ratification, and that the resolution shall be deemed to include the reported reservations and the condition from the committee, as specified in Executive Report No. 97-61, and that no other reservation, understanding, condition, proviso, declaration, or statements be in order, with the exception of the following proviso which I send to the desk on behalf of Senator SCHMITT.

The PRESIDING OFFICER. Without objection, the treaty will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which the clerk will state:

The assistant legislative clerk read as follows:

*Resolved*, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of The Radio Regulations (Geneva, 1979) and a Final Protocol signed on behalf of the United States at Geneva, December 6, 1979, with several reservations; provided that in the implementation of this treaty for the United States, the introduction of a Direct Broadcasting Satellite Service into the 12.2-12.7 GHz band shall be carried out in a manner which minimizes unreasonable disruptions to existing uses in that band.

Mr. BAKER. I send the proposed text of the resolution of ratification, as amended by paragraph 2, and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

*Resolved* (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of The Radio Regulations (Geneva, 1979) and a Final Protocol signed on behalf of the United States at Geneva, December 6, 1979, with several reservations, provided:

(1) that in the implementation of this treaty for the United States, the introduction of a Direct Broadcasting Satellite Service into the 12.2-12.7 GHz band shall be carried out in a manner which minimizes unreasonable disruptions to existing uses in that band; and

(2) that the Secretary of State shall take expeditious action to strengthen and improve the coordination of United States international communications and information policy, including consideration of appropriate changes in the organization of the Department of State for this purpose.

Mr. SCHMITT. Mr. President, the Final Acts of the General World Administrative Radio Conference (WARC-79), which are now before the Senate for advice and consent to ratifi-

cation, reflect growing world tensions over the effective use of spectrum and orbit resources. A study done for the Committee on Commerce, Science, and Transportation by the Congressional Office of Technology Assessment concluded:

Many of the important consequences of WARC-79 were derived from resolutions and recommendations approved by the conference and from reservations and declarations by individual countries, indicating a refusal to be bound by a particular decision of the conference or agreeing to undertake certain actions in order to conform to a decision.

The study pointed out that 87 resolutions and 90 recommendations were adopted by WARC-79, many of which can have far-reaching consequences for the United States. These resolutions and recommendations will be referred to specialized world or regional administrative radio conference.

The United States found it necessary to take formal protocol exception and not to be bound by certain decisions in the Final Acts through six reservations covering several issues, service, and frequency bands. Also, the United States entered a formal declaration of intent regarding designation of certain frequency bands for fixed satellite service which are now used by the United States for military radars and radiolocation services. Other nations entered additional reservations on a variety of subjects. Moreover, the table of frequency allocations set by WARC-79 has almost 500 footnotes in which countries took exception to the table and proposed to operate different or additional services.

The basic objective of WARC-79 was to provide uniformity and certainty in the table of allocations so that countries may effectively plan for their telecommunications needs. Clearly, that objective was not accomplished. Nor did WARC-79 resolve the major issues that face the United States and the other 157 member countries of the International Telecommunication Union (ITU) regarding the future use of the spectrum and geostationary satellite orbit. Resolution of these issues was postponed until later ITU conferences.

Recent events indicate that the developing countries, through the exercise of their numerical majority, could force decisions in those conferences which will be inimical to U.S. interests. For example, decisions made at the ITU Plenipotentiary Conference held in Nairobi, Kenya, this fall were frequently based on political considerations. Although the U.S. delegation worked closely with the delegations of other developed countries to defeat politically motivated proposals to radically restructure the ITU, our appeals were disregarded and, when votes were counted, we ended up on the losing side. One particularly unfortunate example of this departure from traditional procedures was the plenipotentiary's decision to elect the directors of the international consultative commit-

tees at plenipotentiary conferences. In the past, these committees have been concerned with technical, not political, matters, and, before the Nairobi meeting, their directors were elected at the plenary meetings of the consultative committees. This change in the ITU Convention will inevitably draw these technical committees into the highly charged political environment of the plenipotentiary conferences.

The specialized conferences scheduled throughout the decade are likely to reach decisions that will make it difficult, if not impossible, for the United States to meet its future telecommunications needs.

In June 1983, a conference of Western Hemisphere nations will meet in Geneva to determine the future of broadcast satellite services in this hemisphere. If the results of broadcast satellite conferences in the other ITU regions are any precedent, this Western Hemisphere conference could inhibit the growth of U.S. broadcast satellite services by limiting the radio frequency and orbital slots needed for our purposes.

A World Administrative Conference on high frequency broadcasting is scheduled for January 1984. Principles will be agreed to and decisions will be made at that conference which could adversely affect the ability of the Voice of America, Radio Free Europe, and Radio Liberty to continue their operations.

The Space World Administrative Radio Conference, scheduled to convene in 1985, will be important to the future of satellite communications. Adoption of the principle of a rigid a priori allotment scheme, similar to the model agreed to at the 1977 broadcast satellite conference, would inhibit the United States and other countries from utilizing new technologies to satisfy national needs.

My fear is that the United States will not be able to effectively advocate and protect our Nation's future telecommunications needs at these conferences.

We must recognize that competing national interests are leading to growing differences over the allocation of frequencies and satellite orbits. Nations traditionally allied with the United States on other matters may join developing nations to protect their own communications interests. As a result, there will be definite winners and losers at these conferences. To place continued reliance on achieving consensus decisions would be misplaced.

Thus, I propose that the Senate place a declaration in the treaty, mandating expeditious and thorough review of executive branch coordination of international communications and information policy. For several years, I have sought to focus attention on the need to develop a systematic mechanism that will further U.S. interests. Little has been accomplished. In my judgment, it is absolutely neces-

sary that the President revise Executive Order No. 12046. That order established the National Telecommunications and Information Administration (NTIA) and assigned certain responsibilities to the Department of State.

In doing so, the Executive order confused the roles of the State Department, NTIA, and the FCC, and resulted in ad hoc coordination planning and representation. Without a clear line of authority, there is no individual in the executive branch who can exercise leadership and act as the spokesman on international communications and information policy. This situation is puzzling to the private sector, which does not know where to turn for assistance and information; to foreign governments, who already are perplexed by the division of responsibility among executive branch agencies and the FCC; and to the Congress, which is concerned with the maintenance of U.S. leadership in international telecommunications matters. No progress can be made to bolster the U.S. position until we clarify the respective roles of those agencies, and reorganize the Department of State.

The United States must develop long-range communications and information goals that will protect and promote our national interests and must formulate the strategies that will insure that we successfully achieve those goals. As part of this overall effort, Congress has directed NTIA to conduct a comprehensive study of the goals, policies and strategies necessary to promote U.S. interests in international communications and information forums.

We cannot continue to rely on a disjointed ad hoc approach to international telecommunications policy development. Ratification of this treaty containing clear instructions to the Secretary of State to strengthen and improve U.S. coordination of international communications and information policy is another important step in achieving our long-term national objectives.

Mr. PERCY. Mr. President, I urge the Senate to give its advice and consent to ratification of treaty document 97-21, an international agreement which embodies the results of the World Administrative Radio Conference (WARC) of 1979. The Committee on Foreign Relations conducted a public hearing on May 18 and approved this treaty unanimously on September 21 with a report that is available to all Members.

Mr. President, the Committee on Foreign Relations is not aware of any opposition to the ratification of this treaty by the United States from any individuals, groups, or companies. On the contrary, it has been widely supported by Government and industry, as well as thousands of amateur radio operators who wish to make use of the

additional radio spectrum allocations made available under this treaty.

The WARC Treaty represents the successful outcome of the enormous and highly complex World Administrative Radio Conference held in Geneva in 1979. Despite fears that this conference would become an ideological battleground between developed and developing countries, it proved to be a highly professional and pragmatic negotiation resulting in a reasonable accommodation on most issues which protects or advances important interests of the United States. Much of that success is a tribute to the preparation and skill of the U.S. delegation to the WARC Conference, headed by Glen O. Robinson, former Commissioner of the Federal Communications Commission and now a professor of law at the University of Virginia. I commend Ambassador Robinson for his able leadership. The success of the 1979 conference is also a credit, however, to the businesslike attitude of the other delegations in Geneva. I would hope that this atmosphere, and not the more political tone of the recent conference of the International Telecommunications Union in Nairobi, will characterize future negotiations on these issues.

Members of the Senate will note that the report of the Foreign Relations Committee includes the text, on pages 4 to 6, of a series of reservations entered by the United States to the agreement at the time of signature. It is not necessary in this case for the Senate to include such reservations in the resolution of ratification since they have already been entered by the United States, but in approving this treaty we take note of the reservations and proceed on the assumption that they will continue to condition U.S. ratification and participation in this treaty.

In addition, the Committee on Foreign Relations proposes one further condition relating to the implementation of the treaty within the United States. That condition is a proviso to the effect that "the introduction of a Direct Broadcasting Satellite Service into the 12.2-12.7 GHz band shall be carried out in a manner which minimizes unreasonable disruptions to existing uses in that band." It is my understanding that the Federal Communications Commission has already taken initial steps to alleviate the concerns which prompted this proviso, so it is not expected to create any difficulties.

I do wish to note, however, that we are not suggesting by this proviso that the 12 GHz band should be entirely devoted to the direct broadcast satellite service (DBS). I understand that this part of the band may also be usable in part terrestrially to transmit high definition television, which offers a dramatic technical improvement in picture quality. The FCC will certainly want to consider this and other poten-

tial uses of the band in question as it proceeds with its allocation decisions.

While I am on the subject of provisos, let me explain to my colleagues what this term means for those who are not familiar with it. The Senate can place a range of different kinds of conditions on a treaty to which it gives its advice and consent. It can require amendments to the language of a treaty prior to its entry into force, it can insist upon reservations which otherwise change obligations assumed under a treaty, it can insist upon understandings which control the interpretation of certain parts of a treaty, it can make declarations with respect to the position of the United States on collateral matters, or it can place conditions on ratification which relate to the domestic implementation of the treaty or concern other matters affecting the relationship of the Senate and the executive branch with respect to matters raised by the treaty. All of these conditions are binding upon the President, in the sense that he may proceed with the ratification of the treaty only if he accepts the conditions included by the Senate in its resolution of ratification. However, the final category of conditions to which I alluded, those with domestic or inter-branch implications, are what we have recently come to call provisos. They do not involve the international obligations or diplomacy of the United States and, therefore, are not matters of direct concern to the other government or governments who are parties to the treaty in question. For that reason, they need not be included in the instruments of ratification which are formally deposited or exchanged with other governments in the act of bringing the treaty into force. But, as I said earlier, they are nevertheless fully binding upon the President and the executive branch if he chooses to go forward with ratification.

With this description in mind, I would note the second proviso included in the resolution of ratification at the initiative of Senator HARRISON SCHMITT. Senator SCHMITT has repeatedly expressed his concern that the Department of State is not effectively organized to deal with the long-range policy questions raised by this treaty. Initially, he requested that the Senate take no action until after the meeting of the International Telecommunications Union in October. We have clearly complied with that request. The Senator has also asked that we include language reflecting his concern in the resolution of ratification, and that is the purpose of the second proviso.

I think the Senator's point is well taken. The importance of these issues has grown enormously during the past several years in both economic and political terms. Telecommunications has become one of our leading growth industries and a major source of export earnings and jobs. It will also be a subject of major international negotiations during the next decade. I can

assure Senator SCHMITT that the Foreign Relations Committee will continue to take a particular interest in this field and that we will follow closely the efforts of the Department of State—as called for in this resolution of ratification—and the executive branch in general to strengthen our capabilities in this area. I know we can look forward to close cooperation with the Commerce Committee on these matters.

Mr. President, the WARC treaty is an important and valuable agreement. I urge my colleagues to join me in giving it their advice and consent.

Mr. HOLLINGS. Mr. President, although I support ratification of the World Administrative Radio Conference treaty of 1979, I am extremely concerned about our ability to succeed in future meetings before the International Telecommunications Union (ITU) and other international telecommunications bodies. We have gone from a dominating force in international telecommunications to a Nation always on the defensive. We cannot afford to muddle through here when our telecommunications and information needs are so great.

Prior to the boom in telecommunications, the meetings of the ITU were primarily technically oriented. In such an atmosphere, our engineering skill served us well, and we were successful in obtaining what we needed. However, in the past few years, the entire tenor of this and other international telecommunications bodies has changed: A premium is now placed on political matters. In a one country-one vote situation, our problems are obvious.

This, of course, does not mean these problems are insuperable. It does mean that we will have to work much harder to be successful. Unfortunately, our Government has not reoriented itself fully to operate in this new environment.

Proof of our lack of sufficient commitment in these international arenas is not difficult to find. One only has to look at how we fared at the just completed ITU Plenipotentiary in Nairobi. Our delegation, while certainly technically talented, was far too new to international telecommunications diplomacy. In addition, the time given to prepare for this meeting was woefully short. Despite the hard work of this delegation, we lost several key votes, defeats that could likely have been prevented.

It is all too evident that a change is required. We in the Senate and my colleagues in the House have indicated time and time again that a further commitment by the Federal Government to protecting our telecommunications and information interests overseas is essential. The executive branch should take the resolution by Senator SCHMITT as a strong signal that something must be done.



The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification on treaty document No. 97-21, Radio regulations (Geneva, 1979), and final protocol, as amended. (Putting the question.)

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, as amended, is agreed to.

#### LEGISLATIVE SESSION

Mr. BAKER. Now, Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

#### EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until no later than 4:30 p.m. under the same terms and conditions as previously ordered.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Mr. (HAYAKAWA). Without objection, it is so ordered.

#### MEASURES ON THE CALENDAR

Mr. BAKER. Mr. President, there are two measures that are cleared on this side for action by unanimous consent. May I inquire of the minority leader if he is ready to consider them on that basis? One is a House message on Senate Joint Resolution 271, making technical corrections in banking statutes which the chairman of the Banking Committee and the ranking member have no objection to. The other is establishing dates for submission of the Budget and Economics Report.

Mr. ROBERT C. BYRD. There is no objection on this side.

Mr. BAKER. I thank the Senator.

#### TECHNICAL CORRECTIONS IN BANKING STATUTES

Mr. BAKER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate Joint Resolution 271.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the resolution from the Senate (S.J. Res. 271) entitled "Joint resolu-

tion to make technical corrections in certain banking and related statutes," do pass with the following amendments:

(1) Page 2, line 13, strike out "[a)]."  
(2) Page 2, strike out lines 18 through 28, inclusive.

(3) Page 15, strike out lines 6 through 32, inclusive, and insert:

Sec. 18. The last proviso of section 5136 Seventh of the Revised Statutes (12 U.S.C. 24 Seventh), as amended by section 404(b) of Public Law 97-320, is amended by striking out "10 per centum of its" and inserting in lieu thereof "10 per centum of the association's".

(4) Page 19, strike out all after line 31 over to and including line 18 on page 20.

(5) Page 20, line 19, strike out "[34.]", and insert: "33".

Mr. PROXMIRE. Mr. President, I would like to address a question to the distinguished manager of the bill and the chairman of our committee. It is my understanding that the House of Representatives, for some inexplicable reason, has deleted a provision authorizing so-called banker's banks chartered by the Federal Government to provide services to bank-holding companies as well as to depository institutions. This deletion is most unfortunate and will place needless restrictions in banker's banks in at least six States where they have been chartered including Wisconsin, Colorado, Texas, Nebraska, Ohio, and Minnesota. I would like to ask the chairman what action he foresees we might take on this matter.

Mr. GARN. I share the Senator's disappointment, and that of Senators TOWER and ARMSTRONG and other colleagues, that this provision was deleted from the bill. To my knowledge, there is no controversy with regard to this provision, nor is there any opposition. I simply cannot understand why the House deleted it. Unfortunately, because we will be adjourning within the next few hours, there is little we can do but to accept the House action. However, it would be my intention to attach this provision to the first available vehicle reported by the Banking Committee next year.

Mr. PROXMIRE. Mr. President, I thank the Senator for his concern and support.

Mr. GARN. Mr. President, I regret that these changes were made in the House version, but at this late date, we have no alternative but to accept them.

Mr. BAKER. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

#### ESTABLISHMENT OF DATES FOR SUBMISSION OF BUDGET AND ECONOMIC REPORT

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of House Joint Resolution 635, establishing the dates for submission of the budget and accounting report.

The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

A House joint resolution (H.J. Res. 635) establishing the dates for submission of the Budget and Economic Report.

The PRESIDING OFFICER. Without objection, the joint resolution will be considered as having been read the second time by title.

Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H.J. Res. 635) was considered, ordered to a third reading, read the third time, and passed.

Mr. BAKER. I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

#### EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended not past the hour of 5:30 p.m. under the same terms and conditions.

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

#### PROPOSED CUTBACKS IN NUTRITION PROGRAMS

Mr. LEAHY. Mr. President, I was dismayed, although not surprised, to read in the Washington Post last week that the Department of Agriculture has submitted proposals for deep, new reductions in the food stamp and child nutrition programs to the Office of Management and Budget as part of its fiscal year 1984 budget plan. While these proposals do not represent the last word on the President's budget for fiscal year 1984, it is unlikely they will improve once OMB completes its review of them. Thus, I think we can safely expect that the President's fiscal year 1984 budget will once again propose food and nutrition reductions well in excess of \$1 billion.

I cannot condemn these proposals in strong enough terms. At a time when reports of human hunger and suffering across the country are reaching epidemic proportions, the Reagan administration appears ready to again take from those who can afford it the least. Even as Congress now adds additional funding into the continuing resolution to meet emergency food and shelter needs, the Reagan administration is preparing legislation to slash benefits for these same people a few months hence. Such proposals show an incredible insensitivity to the real needs of recession plagued Americans.

Food and nutrition programs have already been hard hit by the budget cutbacks of the past 2 years. In 1981, the food stamp program was cut \$2.3 billion or about 20 percent. Child nu-

trition was cut \$1.5 billion or 30 percent. In 1982, food stamp reductions of \$1.9 billion over a 3-year period were enacted on top of the 1981 changes.

The administration's proposals are nothing new. Virtually all, or a variation thereof, have been rejected by the Congress in the past 2 years. These are tired, misdirected proposals that do not improve with repetition.

In food stamps, USDA's major cut-back proposal is to cut benefits across the board for a savings of about \$650 million. Virtually all households, including those with incomes well below the poverty line, would be hurt. No doubt many persons now waiting in soup lines around the Nation because their food stamp benefits do not go far enough would lose several dollars more a month under this proposal.

Another food stamp proposal in the USDA plan is elimination of the \$10 minimum benefit. This proposal was flatly rejected by Congress this year. Of the roughly 200,000 households that would have their benefits eliminated under this proposal, about 80 percent include an elderly or disabled member. Many have gross incomes well below the poverty line.

In the child nutrition area, the administration hopes to achieve several hundred million dollars in savings by putting the child care food, summer food service, and school breakfast programs in a block grant at sharply reduced funding. These are the very child nutrition programs with the highest concentration of low income participants. These programs were already cut sharply in the 1981 legislation, and it is highly inappropriate to slash them further now.

In the coming weeks, we will learn more of the details of the President's budget. As ranking minority member of the nutrition subcommittee, I hope to keep my colleagues informed about what is being proposed and what its impact will be. It is my own view that nutrition programs have been given sufficient scrutiny in the 97th Congress that they would benefit from benign neglect in the next year or two. Other than to perhaps meet the burgeoning demand for assistance spawned by the deepening recession, I would hope to avoid major legislative changes in the current Federal nutrition programs during the 98th Congress.

I ask unanimous consent that a copy of the December 15 article in the Washington Post describing USDA's budget proposals be printed in the RECORD.

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

[From the Washington Post, Dec. 15, 1982]  
BLOCK SAID TO PROPOSE \$1 BILLION CUT IN  
FISCAL 1984 FOOD STAMP PROGRAM  
(By Spencer Rich)

Agriculture Secretary John R. Block has proposed cutting the food stamp program by another \$1 billion in fiscal 1984, sources said yesterday.

In a Sept. 17 letter to the Office of Management and Budget, Block also proposed folding a number of child-feeding programs, including school breakfasts, the summer feeding program and the Child Care Food Program, into a single block grant.

In addition, Block suggested eliminating food aid to day care facilities in private homes, as well as canceling his department's funding of school nutrition programs operated by the Defense Department and the Interior Department's Bureau of Indian Affairs.

These cuts could reduce outlays for child nutrition programs by several hundred million dollars, unless they are made up by other agencies, according to program experts.

The new food stamp cuts would be on top of substantial reductions that Congress has approved in the program over the past three years. Congress has tentatively approved a fiscal 1983 budget for the program of \$10.8 billion, or about 20 percent below the level before President Reagan took office, according to one expert.

The OMB refused to discuss any details of the Block proposal, but one source said, "There has been an awful lot of discussion since Sept. 17," and Block's proposals may have been altered substantially since then.

The biggest cut proposed by Block would increase the "benefit reduction rate" from 30 percent of a recipient's net income to 33.3 percent. Under this proposal, a family's current annual benefits would drop by an amount equal to 3.3 percent of its net income, after certain deductions are made.

A family of three with an annual gross income of \$6,100 would see their monthly allotment of \$99 worth of stamps cut to \$88; an elderly couple with \$475 a month in Social Security income, now getting \$264 a year in stamps, could be cut to \$120 a year.

Although Block did not cite any savings figure, one expert estimated that the proposal would reduce benefits by at least \$650 million.

A second proposal would simplify and combine certain deductions from income now allowed in the program, and, according to Block, provide "some benefit reductions."

A third would give states a fixed block grant for administering the program at the local level, thus saving the federal government added expenditures if state administrative costs exceeded the grant.

A fourth suggestion would eliminate any benefit under \$10 a month, a proposal that the Reagan administration made last year but Congress has failed to approve. Block said this would affect only households at the upper end of the eligibility scale. However, experts said that under certain conditions, it could mean a person with income as low as \$285 a month could lose all his benefits and it could hit elderly and disabled persons heavily.

A fifth proposal would give persons on Supplemental Security Income cash in lieu of food stamps.

#### FEDERAL NUTRITION PROGRAMS

Mr. LEAHY. Mr. President, before the Senate adjourns, I would like to briefly comment on Senate Concurrent Resolution 121. Basically, this resolution expresses the sense of Congress that the current array of Federal nutrition programs should be maintained at their current levels of support. I am both pleased and gratified that 54 Senators have joined Senator

DOLE and myself as cosponsors of this resolution.

I think that this resounding display of support for Senate Concurrent Resolution 121 indicates how strongly Members of the Senate believe that there should be no turnback of child nutrition programs to the States. Only the lack of time and our hectic schedule prevented the Senate from officially ratifying this resolution in the closing days of this session.

I should point out that the Senate expressed approval of the thrust of Senate Concurrent Resolution 121 when it passed the conference report on the Agriculture appropriations bill, H.R. 7072. The statement of managers to that conference report adopted language very similar to Senate Concurrent Resolution 121:

The conferees feel that: (1) national efforts to reduce hunger and malnutrition should continue; (2) a national commitment to vital nutrition programs should continue; (3) the Federal Government should retain primary responsibility for child nutrition programs; and (4) State and local governments should be given increased responsibility for formulation and implementation of regulations governing such child nutrition programs.

Similarly, the House has approved House Concurrent Resolution 384, which states in even stronger terms that current Federal nutrition programs should be neither turned back to the States nor converted to block grants. Thus, both Houses of Congress have clearly and unequivocally expressed their positions on this issue.

I might add, for those concerned about this issue, that support for retention of Federal nutrition programs is not inconsistent with a belief that States and localities should gain increased control over education programs. While programs like school lunch and breakfast do greatly enhance the educational process in our schools, they really are not educational programs per se. When the Department of Education was established several years ago, the child nutrition programs remained within USDA jurisdiction. State and local educators and parents are not clamoring for greater control over school lunch. It is not the same issue as controlling the local school curriculum. There already is a great deal of flexibility at the local level as to how to organize feeding programs and what menus to serve. The real issue in child nutrition programs is a stable source of resources to operate effective programs.

I sincerely hope that the President, the Governors, and other State and local officials concerned with developing New Federalism proposals will take note of Congress position on these programs. The inclusion of child nutrition programs in any turnback proposal would be pointless and could be counterproductive to the passage of any New Federalism initiative. I respectfully suggest that those involved in formulation such a package make a

realistic assessment of congressional will on child nutrition programs and revise their plans accordingly.

#### FREE THE SENATE 100

Mr. LEAHY. Mr. President, the meeting of the Free the Senate 100 Committee this afternoon will be delayed until right after the Free the Press Corps 195 Committee meets this afternoon.

Mr. BAKER. The Senate should know, however, Mr. President, that the Sergeant at Arms has been alerted to the possibility of a jail break.

Mr. LEAHY. It was reported that there was a rope of knotted sheets hanging out of the caucus room window. The Sergeant at Arms should go up there because some of us are thinking very seriously of escaping. He should be alerted to that, too.

Mr. BAKER. I thank the Senator for his warning.

#### JUNTA PATRIOTICA CUBANA STATEMENT TO THE ORGANIZATION OF AMERICAN STATES

Mr. SYMMS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement presented to the Organization of American States by the Junta Patriotica Cubana regarding OAS policy toward Cuba, the Symms amendment, and Radio Marti.

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

JUNTA PATRIOTICA CUBANA,  
(CUBAN PATRIOTIC BOARD),

Washington, D.C., November 15, 1982.

HONORABLE CHAIRMAN OF THE TWELFTH SESSION PERIOD OF THE GENERAL ASSEMBLY OF THE ORGANIZATION OF AMERICAN STATES (OAS),

HONORABLE MINISTERS FOR FOREIGN AFFAIRS, HONORABLE AMBASSADORS, REPRESENTATIVES OF THE AMERICAN STATES.

DISTINGUISHED REPRESENTATIVES OF THE AMERICAS: We take pleasure in addressing you, in the exercise of a legitimate right, and in your capacities of Representatives of Member States, in this Twelfth Session Period of the General Assembly, and through your mediation we address the governments and peoples of the Americas, in our condition as representatives of the Cuban Patriotic Board, an entity that encompasses the majority of Cuban organizations, which guarantees its representative capacity, and we respectfully state to you:

That the Cuban State, from which we proceed, is a part of the Inter-American System and a member of the Organization of American States (OAS), which in turn is an organization made up by States, not by governments. What is excluded, in accordance with the stipulations in the Reciprocal Assistance Treaty (also known as "Treaty of Rio") and by the Resolution passed by the Eighth Consultative Meeting of Ministers of Foreign Affairs, assembled at Punta del Este, Uruguay, in 1962, is the present Marxist-Leninist government of Cuba, because of it having been declared incompatible with the Inter-American System.

The Cuban State has signed, together with the American States that you represent, the treaties, covenants, agreements and resolutions presently in force within the Inter-American System. You and we

have "freely agreed, but become bound by the agreement"—Pacta Sunt Servanda—as stated by the Father of International Law, P. Francisco de Vittoria. We, in the name of the Cuban State, come to request the compliance with those obligations. "We are the Voice for Those Who Have No Voice".

You, gentlemen who are the Representatives of the Americas, so zealous for the application of the Treaty of Rio to the case of the Malvinas, are expected to be as zealous for the application of same Treaty of Rio to the case of Cuba, in order to be consistent with the history and tradition of the Americas and faithful to its national heroes.

The extra-continental power that threatens the peace and security of the Americas is the Soviet Union, that has subjugated and enslaved the people of Cuba, through the action of a surrogate government and the use of armaments and terror.

The Cuban State is one and indivisible, and its rights must be protected by the other Member States of the Organization of American States (OAS), according to stipulations in the treaties, covenants, agreements and resolutions presently in force.

The following was stated at the Seventh Consultative Meeting of the Ministers for Foreign Affairs of the Americas, assembled in accordance with the Treaty of Rio, at San José, Costa Rica:

"1. The intervention or threat of intervention, including the conditional ones, on the part of an extra-continental power, in the internal affairs of any American Republic, is hereby condemned by us, and we underline that acceptance of a threat of intervention by an extra-continental power, on the part of any American State, endangers the solidarity and security of the Americas, which forces the Organization of American States (OAS) to condemn it and to reject it with a similar energetic posture."

Nobody doubts that Castro's satellite government has "accepted the threat of intervention by an extra-continental power" (the Soviet Union) and that it has "endangered the solidarity and security of the Americas." That "acceptance", that "threat" and the intervention by an extra-continental power (the Soviet Union) are now greater, more militant and much more serious than at the time when that agreement was taken.

The above situation, that is certain regarding Cuba, is happening in an accelerated manner regarding Nicaragua, which proceeds in the direction of a Marxist-Leninist totalitarian regime, subservient to that of the Soviet Union. Both countries serve as bases for the ideological, political and military subversion, for terrorism and for the destabilization of other American States, such as El Salvador, Guatemala, Honduras, Costa Rica, Colombia and Peru, among others.

The Eighth Consultative Meeting of Ministers for Foreign Affairs, assembled in Uruguay in accordance with the Treaty of Rio, passed Resolution VI, which declared that "Marxist Doctrine is incompatible With the Inter-American System." And that stated incompatibility has not been revoked, it is presently in force. If we wish to be respected throughout the world, we must enforce our treaties and Resolutions.

At the Ninth Consultative Meeting of Ministers for Foreign Affairs, convoked in accordance with the Treaty of Rio and assembled in Washington, in 1964, the following was agreed upon:

"1. That the present government of Cuba, since its installation in 1959, has developed, supported and conducted in several manners a policy of intervention in the Continent of the America, with methods, propaganda, provision of funds, training for sabotage and guerrilla operations, supply of armaments

and aiding those movements tending to the subversion of national institutions, through the use of force, in order to install communist regimes. . ."

"That the assistance to subversion generally adopts the form of a political aggression. . ."

The Ninth Consultative Meeting agreed upon the following:

"a. To condemn the present government of Cuba as an aggressor and because of its intervention in the internal affairs of other States, violating their territories and their sovereignty. . ."

That condemnation against the present government of Cuba is still in force, and is now even more obvious than it was then the necessity of its compliance, because the satellite regime of Cuba has ridiculed the American States and has continued intervening in the internal affairs of other States of America and violating their sovereignty. To the sanctions that were applied then—among others the economic embargo, that must be maintained—there must be added the extreme measures contemplated in the Treaty of Rio: "The use of armed force", if we want to be consistent with our own destinies.

Cuba is presently a Soviet arsenal, a base for subversion, a satellite of the Soviet Union, which unabashedly attacks and threatens the American States. It exports communist subjugation, because the very nature of its regime and its goals, that it has not hidden, are those of enslaving the peoples of this Hemisphere, submitting them to the Soviet imperialism.

The Soviet Union has delivered to Cuba, during the past year, over 64,000 tons of armaments, which not only have served to arm one million of Cuban militiamen, but for export to Nicaragua, Grenada and the communist guerrillas in El Salvador, Guatemala, Honduras and Colombia, as well as other countries in the Americas.

Cuba has a base for nuclear submarines at Cienfuegos Bay, where Soviet submarines have already been repaired. It also has over 200 Mig-23 & Mig-27 warplanes, submarines and warships of other kinds, and modern combat stations, staffed by Soviet personnel, to interfere and detect communications in the Americas.

Thousands of Soviet military personnel are stationed in Cuba, in an organized brigade made up by elite Soviet military forces.

Cuba utilizes its naval facilities for drug trafficking and uses contraband vessels to transport armaments for Colombian and other guerrillas in the Hemisphere, as it has already been proven.

The objective of the Soviet Union, an extra-continental power, through its satellites in Cuba and Nicaragua, is seizing power in each of the American nations. And this is an objective that is not negotiable or susceptible for settlement. Because of tactical conveniences, it might agree upon "peace" in Central America, in the same fashion that Hitler did at Munich, and American Chamberlains will not be lacking, ready to let themselves be deceived, thus betraying the destinies of their peoples and the future of the Americas.

José Martí, the Apostle of Cuban Independence, said: "Witnessing a crime in silence is equivalent to committing it."

Human rights are universal values, indivisible in their force, maintenance and defense, and no discrimination can be committed—in denouncing violations of same.

Human rights violations in Cuba have been institutionalized; they are consecrated in its constitution and its laws, and are daily practice throughout the country, but most especially in the communist dungeons,

where a "cruel, inhuman and degrading" treatment is applied, which has been stated by the Inter-American Commission on Human Rights, that has been and still is competent to continue dealing with violations of human rights in Cuba.

The present political imprisonment in Cuba is the longest and most cruel that has been recorded in the Americas. Those political prisoners who are called "Plantados" (those who have stood up to the government by not submitting to communist indoctrination) are submitted to physical and psychic tortures. A majority of them is kept in walled-up cells, at the section termed "the End of the World", at the prison of Boniato, province of Oriente. Thirty-three of them have declared a hunger strike and their lives are endangered. If appropriate measures are not taken to prevent their deaths. We hope that this Assembly will listen to the outcry from those men and women of America who are fighting for mankind's dignity & freedom, in our hemisphere and throughout the world.

Cuba is nothing but a prison, and there are thousands of Cuban men and women in prisons and concentration camps, at forced labor. There is one million Cubans in exile. All of them expect from their American brethren the indispensable cooperation in order to return independence and freedom to Cuba.

We finally state:

That the Tenth Inter-American Conference, held at Caracas, Venezuela, in 1954, agreed upon Resolution XCIII, reading as follows:

"The domination or control of political institutions in any American State by the International Communist Movement, extending into this Hemisphere the political system of the extra-continental power, shall constitute a threat to the sovereignty and political independence of American States; it endangers peace in the Americas and would force us to convoke a Consultative Meeting in order to consider the adoption of an appropriate action, in accordance with the existing treaties."

That the Charter of the Organization of American States, passed in Bogota, Colombia, on May 2, 1948, Article 19, reads thus:

"Those measures taken for the maintenance of peace & security, in accordance with treaties in force, are not constitutive of violations of the principles stated on Articles 15 and 17." (That is, these measures do not infringe upon the principle of non-intervention).

And we request:

1. The convocation of a Consultative Meeting of Ministers for Foreign Affairs of the Americas, in accordance with the Treaty of Rio, in order for said Treaty to be applied to Cuba, most especially its Article 8, that authorizes "the use of armed force."

2. That the incompatibility of Marxism-Leninism with the Inter-American System be maintained. "Communism is not negotiable in this Hemisphere."

3. That this organization, the Cuban Patriotic Board (Junta Patriotica Cubana) be recognized and accepted as the legitimate representative of the Cuban State, since the present government of Cuba is excluded from the Inter-American System and the Organization of American States.

4. That the Institutional and Factual violations of human rights in Cuba be denounced, in accordance with the American Declaration of Rights and Duties of Man.

5. That the satellite regime of Cuba be declared as a participant and culprit in the trafficking of narcotics in America.

6. That the year 1983 be declared as the Year of the Fight in the Americas Against

Communism, and for Freedom and Democracy.

7. That the economic embargo against Cuba be maintained and enforced by all American Nations, as it was accorded for he compliance with the Treaty of Rio.

8. That the Organization of American States designate from within itself a Committee for Decolonization of Cuba, in order to free the Island from Soviet colonialism.

9. That the Soviet Union be forced to withdraw its occupation troops from the territory of an American State (Cuba), and that it also withdraw all armaments introduced in Cuba, Nicaragua & other American countries.

10. That the Organization of American States designate a Commissioner for Political Refugees, since this problem affects already millions of persons in the Americas.

11. That the Organization of American States declares that there cannot be freedom for the whole (the Americas) while freedom does not exist in each one of its components, such as Cuba, submitted to the colonialism of an extra-continental power (the Soviet Union).

12. That the Organization of American States declares that there cannot be independence for the whole (the Americas), unless there will be independence in each one of its components, such as Cuba.

13. That it be declared by the Organization of American States, that there is no freedom of the press, nor religious, nor that for the organization of labor unions, nor for expression, nor for travel, and that liberty, integrity and life of persons are not respected in Cuba.

14. That it be declared by the Organization of American States that coexistence with the satellite regime of Cuba is contrary to the principles and values of the Inter-American System.

15. That it be declared by the Organization of American States that Cuba is a country aligned with the Soviet Union and a satellite of same.

16. That it be declared by the Organization of American States that Cuba is not a signatory to the Treaty of Tlatelolco against proliferation of nuclear armaments, because it maintains its territory open to Soviet nuclear arms, as it did publicly in 1962 during the so-called Nuclear Missile Crisis, in which opportunity it endangered the peoples of Cuba and the Americas.

17. That it be declared by the Organization of American States that the communist government of Cuba continues to execute its political opponents. On October 1st, 1982, Armando Hernandez, 35, and Ramon Toledo, 41, as well as 27 other political prisoners, were executed at the execution wall in the Fortress of La Cabana, La Habana, and executions are going on unabated. We demand from this General Assembly to ask the Castro regime to stop executing its political adversaries.

18. That the Organization of American States cooperate to the compliance with the Joint Resolution of the United States Congress (the Symms Resolution) in which it is expressed that "the United States is committed to fight, together with the Organization of American States and with freedom-loving Cubans, to attain self-determination for the Cuban people."

19. That the Organization of American States cooperate and welcome to the installation of "Radio Marti", to convey the truth to the Cuban People.

We place our demands in your hands, distinguished Ministers for Foreign Affairs of the Americas, Ambassadors and other representatives. We have fulfilled and shall continue to fulfill our duties, and we expect of you to fulfill yours, in keeping with the tra-

dition and history of the Americas, for the peace and security of the Americas and the liberation of Cuba.

We sign in representation of the Cuban Patriotic Board.

DR. MANUEL A. DE VARONA,  
President.

DR. EMILIO A. BROUWER,  
MANUEL ALONSO,

DR. CLAUDIO F. BENEDI,  
Washington, D.C., Area Representative.

LUIS PAGES,  
FEDERICO MORALES,  
DR. EDILBERTO REYNALDO.

## GOODBY AGAIN—AND SOMEHOW WE ARE OLDER

Mr. SYMMS. Mr. President, I have often been an outspoken critic of the media, because I do believe that many members of the Fourth Estate are sometimes out of touch with reality and the mood of the country, permitting their own biases to interfere with the objective reporting of the news. But I also have great respect and admiration for members of the media who observe the high standards of their profession, always striving to be accurate and fair.

Steve Ahrens, political editor and columnist for the Idaho Statesman in Boise, is one of the best journalists I have ever known and dealt with. Over the last 15 years he has covered every major political story in my State, always enlightening and entertaining his readers, sharing the information and knowledge he has acquired without slanting the story or twisting the facts.

I have not enjoyed all of the stories Steve has written, but he has never been guilty of a distortion or a cheap shot. I am going to miss his byline in the Statesman as he moves on to a new career in corporate public affairs. I join his friends and colleagues in wishing him well, and I ask that the following article—a "goodby" tribute by Tim Woodward of the Statesman—be placed in the RECORD.

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

[From the Idaho Statesman, Dec. 2, 1982]

GOODBYE AGAIN—AND SOMEHOW WE ARE OLDER

(By Tim Woodward)

A chapter is closing here at The Statesman. Soon, for the first time in most of our memories, there won't be a Steve Ahrens aboard this train.

For those of you who missed the announcement in Tuesday's paper, Ahrens is leaving journalism for corporate politics. He was the political editor and columnist here for seven years. Before that he was the news editor, and before that he was the city editor, and before that he was the state editor, and before that I don't know. He was state editor when I came aboard, 11 years ago.

Ahrens did many things during his 15 years here, but one accomplishment towers above the rest. It was the focal point of his career at The Statesman, the surpassing glory of his years in the Fourth Estate, and the thing for which history will honor him

above all else he did or will do in his years on this Earth. He hired me.

Aside from this achievement, which speaks for itself, I will refrain from mentioning his professional abilities. We haven't worked together in a decade. When I was a rookie in the Canyon County bureau, though, Ahrens was my boss. On my first day, he drove me to Nampa and Caldwell and personally introduced me to the government officials whose offices I would be infesting. Each week he meticulously critiqued my stories. If a story pleased him, he put a note of approval on the wire. If it didn't, we discussed it privately.

When he learned that I needed a protective case for my camera, he bought one and wouldn't let me pay him back. I had been on the job only a short time when he, the boss, invited me and my wife to dinner. In the months ahead he invited us to picnics, sports events, parties, he got me my first promotion, fought for my early pay raises.

A funny thing happened during that time in Canyon County, a thing I still like to kid him about. One day he sent a wire directing the bureau reporters to be on the lookout for weather pictures. (Bureau reporters doubled as photographers.) That afternoon I noticed two elderly men playing golf in a blizzard. The snowflakes were the size of half dollars. I took the pictures, shipped the film to Boise, and confidently waited to see the results in the morning paper. A week passed without a sign of them. Then I got the negatives back in the mail. Attached to the negatives was a note:

"Tim: These are nice pictures of these golfers, but we can't use them. There are black spots all over the negatives."

He had mistaken my prodigious snowflakes for defects in the film. I mention this primarily for the benefit of his future employers, so they will have something in reserve in the event that his exalted new position makes him uppity.

In looking back on those days, it is difficult in one way to believe that they were as long as they were. In one way the memories seem only a few years old—five or six at most. In another way, they seem to belong to another century.

In the computer age, the machine Ahrens used to send his wires is but a moldering dinosaur. The old bureau has long since been converted to an insurance office. Its successor was destroyed by fire, and even that calamity seems part of the distant past. Most of the people we worked with and caroused with and called our friends are gone. A few are in their graves.

In the 11 years since Ahrens risked his reputation for sanity on the new man in Canyon County, we have watched more than a hundred people go out the door for the last time. Of these, four have retired and four are dead. Of the remainder, four have unequivocally improved their situations, in my opinion. Mindy Cameron is an editor at the Seattle Times. Bill Burnett is an editor at the San Francisco Examiner. Two others are editors at the Chicago Tribune. Many have left journalism for better-paying jobs in related fields. For some this has constituted an improved situation. For others it has constituted a slow death.

A hundred people gone! Where are they now, those gray heads we turned to with our youthful questions? Where are the John Corletts, the Walter Johnsons, the Bob Lorfimers? Of the crew that grappled with the news in my rookie days, only eight are left. Of 57 people on the current roster, I am senior to all but seven. It's odd; I don't feel senior at all.

And now Steve Ahrens, who gave me my start and would always be around, is saying

his goodbyes. Somehow it makes the rest of us seem older. Not senior, just older.

Enough. I'll hobble home now, to my rocker and my warm milk.

#### HOUSE CONCURRENT RESOLUTION 153, AUTHORIZING A BUST OR STATUE OF DR. MARTIN LUTHER KING, JR., TO BE PLACED IN THE CAPITOL

Mr. KENNEDY. Mr. President, I commend my colleagues on the adoption of the concurrent resolution authorizing a bust of Dr. Martin Luther King, Jr., to be placed in the Capitol.

This tribute to Dr. King is especially timely now, when fundamental rights, such as the right to open housing and the right to intergrated schools—issues for which Dr. King literally gave his life—are threatened more seriously than at any time in the recent history of this land. In the struggle of this time, let us recall the words of Dr. King himself:

However difficult the moment, however frustrating the hour, it will not be long, because truth pressed to Earth will rise again.

In Dr. King's last address, the day before his death, he said that he had been "to the mountain top." He spoke of his vision that true equality for all people in America could be achieved.

In commemorating Dr. King with a place of honor in the Capitol, we bring his vision a little closer to fulfillment. This recognition of Dr. King will foster a greater national awareness of his life and a greater national commitment to the achievement of his dream. He belongs to the ages, and his bust belongs in the Capitol, beside the other giants of our history.

#### CONTRACT SERVICES FOR DRUG DEPENDENT FEDERAL OFFENDERS ACT AMENDMENT OF 1981

Mr. KENNEDY. Mr. President, the enactment of H.R. 3963 is a significant step forward in the continuing war against crime. The act contains the Justice Assistance Act, which is an important demonstration of Congress commitment to assist States and localities in their struggle against the rising tide of violent crime.

The magnitude of the crime problem in the neighborhoods of our Nation is staggering. In Massachusetts, the epidemic of violent street crimes in some neighborhoods is so serious that law-abiding residents are prisoners in their own homes, paralyzed with fear. I recently received an impassioned plea from the residents of Dorchester and Roxbury, who are being victimized by the activities of a sophisticated drug ring in their neighborhoods. The reduced budgets of the local police and the effective organization of a well-financed drug trafficking operation have combined to create a sharp increase in violent crime in these neighborhoods.

Mothers are afraid to leave their homes to buy groceries for their families. Older residents are reluctant to answer the doorbell, for fear of being shot and killed, as one of their neighbors was recently. Young persons are corrupted by drug dealers who will pay \$200-400 per week to any youth who will act as a lookout and warn the pushers of approaching police.

Between January 1981 and October 10, 1982, a single street in Roxbury was the scene of 4 murders, 15 assaults, 12 burglaries, 20 street robberies, 21 thefts from cars, and 27 stolen cars.

This act authorizes much-needed Federal financial assistance to develop effective anticrime programs to deal with crime outbreaks such as those in Dorchester and Roxbury. It is an essential part of a war on crime, and I urge the administration to assure that the funds authorized by the act are appropriated.

The act also strengthens the sanction of criminal forfeiture as a penalty for drug trafficking and racketeering, and establishes a "drug czar" to develop policy and coordinate Federal drug enforcement. Also included are provisions of the Armed Career Criminal Act, which expands Federal jurisdiction to cover robberies and burglaries which violate State law. We should be cautious about expanding Federal crime jurisdiction, because of the enormous responsibilities placed upon Federal law enforcement by current law and the charges of interference with local law enforcement. However, the problem of violent crime in America is so serious and the evidence of the high percentage of violent crime perpetrated by career criminals is so compelling that I support these armed career criminal provisions, which include the amendment I offered to require that Federal jurisdiction can be exercised only upon the request or concurrence of the local prosecutor.

Finally, the bill responds to the recent horrifying episodes involving contamination of Tylenol by creating a new Federal antitampering offense.

This act contains several important law enforcement tools. But the act is also significant for the needed law enforcement tools which it does not contain. Foremost among these are bail reform and sentencing reform. On September 30, 1982, the Senate passed S. 2572, the Violent Crime and Drug Enforcement Improvements Act of 1982, by a vote of 95 to 1. This bill contains reforms of Federal bail and sentencing laws which I have worked on for several years with my colleagues on the Judiciary Committee.

In my view, the sentencing reform contained in S. 2572 is the most important reform we can make in Federal criminal law. It would replace the existing nonsystem of sentencing with a rational scheme including certainty of sentencing, guidelines to eliminate dis-



parate sentences, abolition of parole, and appellate review of sentences.

With respect to bail, S. 2572 also contained essential reforms. For the first time, judges would be permitted to consider the dangerousness of the defendant in establishing conditions of bail release, and to detain a defendant who poses a threat to the safety of the community. At the same time, S. 2572 prohibits the common practice of detaining a defendant by setting money bail at a level which the defendant cannot meet.

Bail and sentencing laws have been debated by Congress for years. As the Senate has demonstrated again this year, the needed reforms are not too complicated to legislate. I have received assurances from the distinguished chairman of the House Judiciary Committee, Mr. ROBINO, that the House Committee will act early next year to resolve these pressing criminal law reform issues. With those assurances, I look forward to enactment of long overdue reforms in the Federal law of bail and sentencing in the next Congress.

#### LABOR RACKETEERING ACT OF 1982

Mr. HATCH. Mr. President, the fight to protect thousands of honest union members and the general public from union corruption and racketeering has been lost for this year. Unfortunately, one of the most important pieces of labor legislation before Congress this year, the Labor Racketeering Act of 1982, has been buried in the House of Representatives.

Initially, there was every indication that this much-needed bill would pass through Congress quickly. It was unanimously approved by the Senate Labor and Human Resources Committee following months of negotiation among Senators KENNEDY, NUNN, NICKLES, and me. Each of its provisions was checked with representatives from AFL-CIO, and the bill was endorsed by the federation's president, Lane Kirkland. It even passed the full Senate, unanimously, on two separate occasions.

The bill's provisions were designed to provide better protection for union members and their health and welfare plans. They would have strengthened the prohibitions against racketeering and increased the penalties found in the principal labor laws that regulate labor relations and employee benefit plans—the Taft-Hartley Act, the Landrum-Griffin Act, and ERISA.

The underlying need for such legislation is unmistakable. For example, Alan Dorfman was convicted last week of defrauding the Central States Teamsters pension fund. Since S. 1785 did not pass, he will be able to continue to collect, through his company, Amalgamated Insurance Agencies Services, Inc., \$900,000 a month in fees from the fund as long as he appeals his conviction, because of a loophole in

current law. Since the appellate process can take 2 to 3 years, this sum might ultimately exceed \$30 million. Under the proposed bill, this money would have been paid into an escrow account until the appellate process is resolved, in order to protect the interests of both the convicted official and the members of the pension plan.

In 1975 the Department of Justice launched an investigation of racketeering on our east and gulf coasts, culminating in the conviction of over 100 top officials in the International Longshoremen's Union as well as shipping company officials. The Senate's Permanent Subcommittee on Investigations held hearings 6 years later in 1981, and found that racketeering and the presence of organized crime was still as prevalent as before. Today, payoffs are considered an expected cost of business in many ports—an expense that is routinely passed on to consumers.

During hearings I conducted before the Senate Labor and Human Resources Committee, it was also revealed that Federal enforcement of existing labor laws has been lacking. For example, witnesses testified that local officials of the International Boilermakers Union had been selling union membership cards or books, that unqualified welders were able to buy these books, and that these unqualified welders who had bought their way into the union have been working on boilers for nuclear powerplants in Pennsylvania and Ohio. Despite possession of this startling information, Government agencies have yet to bring suit to stop these practices.

The Labor Racketeering Act of 1982 could have stopped these and other abuses of our Federal labor laws and strengthened Federal enforcement. Undoubtedly, its effectiveness is what its opponents feared most, for it is clear that only corrupt union and management officials will benefit from Congress failure to pass this legislation.

By enacting the Labor Racketeering Act of 1982, Congress could have demonstrated once again its commitment to honest and equitable collective bargaining and a union movement dedicated to serving its members. By failing to do so, however, it sends a different and very distressing signal to American workers—that so far as this Congress is concerned, union corruption and racketeering are conscionable and unalterable facts of life in the American work force. This failure must be rectified next year.

#### FURTHER CONTINUING APPROPRIATIONS

Mr. MATTINGLY. Mr. President, I want to congratulate the majority and minority leaders as well as the distinguished chairman and ranking member of the Appropriations Committee for their efforts in obtaining passage of House Joint Resolution

6211, the bill which will provide continuing appropriations for Federal activities through fiscal year 1983.

Without the depth and degree of commitment by these leaders and by Members on both sides of the aisle, this resolution would not have passed; or if it had, it would probably not have been in a form which would have merited the President's signature and avoided the crises and further ado that would have been precipitated by a veto. The American people would not have benefited from a further, protracted fight over this resolution and I am pleased that we have been able to resolve the many differences that existed over the content of this bill.

The total spending figures in the resolution compare well with the targets that Congress agreed to when it passed the budget resolution. I am pleased that we were able to exercise the self-control needed to come close to staying within these spending ceilings.

More importantly, the resolution will fund the activities covered under its provisions for the entire fiscal 1983 cycle. This will allow the Congress, when it reconvenes in January, to concentrate on specific policy and spending decisions.

We will not have to waste time in constant wrangling over another continuing resolution. The increasing use of the continuing resolution has become, and properly so, a matter of growing concern to me and, I know, to many of my colleagues as well.

The use of such a vehicle does a disservice to the traditional authorization/appropriations process. It provides a convenient opportunity for Congress to avoid casting many of the difficult but vitally important votes that are necessary when the traditional appropriations process is adhered to.

When it returns, Congress should take a look at the budget process. Originally created to bring a sense of order and restraint to the appropriations process, it has become so unruly that it threatens to worsen the very problems that it was set up to correct.

We should continue to strive to meet the goals of the Budget Act but the mechanism needs to be fine tuned. Such reform measures should emphasize the need to return to the use of appropriation bills and discard the use of the continuing resolution except in times of true emergency.

The totals in the bill for defense spending will result in an approximate 6 percent increase in defense spending after inflation. This is needed. Despite the fervent hopes and prayers for peace of people around the world, our Earth continues to hold much danger and uncertainty. The peace we seek can best be achieved through a strength that is second to none.

The most controversial item in the defense section, and the most impor-

tant in the bill, is funding for the MX missile. I am not pleased with the decision of the conferees to eliminate all production money and place even greater limitations than the Senate had approved on research and development funds.

However, given the troubled history of this system, the result does not surprise me. Certainly, it is significant that there has been such a lengthy and involved debate over the appropriate basing mode for this weapon.

I believe that Congress should seize the enforced delay and use it as an opportunity to take a close look at the possibility of deploying the so-called common missile.

This resolution directs the President to conduct technical assessments of alternatives to the MX and among these should be a review of the advanced D-5 missile that is now being developed for deployment in late 1980's on the Ohio class Trident submarines.

The time may be upon us when we can resolve the problem of the MX with a renewed look at the common missile approach.

Finally, Mr. President, while I yield to no one in my concern for and in my desire to assist those who enter this holiday season without a job, I believe it was best that title II was deleted from both versions of the continuing resolution.

Passage of this so-called jobs section would have done absolutely nothing to assist those who most need our help. Such legislation, in fact, would have been counterproductive because its passage would have enabled Congress to point to such action as evidence that it was addressing this most serious of problems when in fact, this type of legislation activity would be meaningless.

Most importantly, passage of a jobs title drawn attention from the need to address the root causes of unemployment and make the difficult decisions that will be required to actually bring relief to those who are suffering.

So, Mr. President, while I supported the resolution as the best that could be done under the circumstances, I am looking forward to the next Congress when we will hopefully be able to reform some of our current legislative procedures and do even better in our efforts to resolve the problems faced by our Nation.

#### PRODUCT TAMPERING

Mr. LEAHY. Mr. President, I am glad that the 97th Congress has adopted legislation to respond to the rash of product tampering that followed the tragic adulteration incidents in Chicago earlier in the year. It was essential that we should deal firmly with this most insidious threat, and we have acted.

The original Senate version of this legislation dealt not only with actual tampering but with false information that is maliciously spread about tam-

pering. Tampering is an offense that harms people and our society through fear as well as deed, and I felt that the false information section was a vital one.

I did have some reservations about the language in the first Senate draft, and I proposed amendments which were adopted by the Senate to narrow the false information section. I wanted to prevent excessive penalties where no tampering was actually committed and the false information caused no harm. It was my hope that as amended, the bill would be favorably received by the House.

But the bill adopted by the House and approved by the Senate today does not contain any section dealing with malicious false information, even where the result of that event is a product recall causing the loss of millions of dollars. Members of the House concerned with this legislation have assured me that the false information provision was not included because it was felt that hearings were needed to determine scope and extent of that problem. Hearings on a bill including a false information section are promised for early in the next session, and I hope that this body will act with similar speed on a comprehensive bill.

While we have passed a statute that takes a very good first step, we need to proceed with permanent and effective legislation in the next Congress, and I intend to start early and work very hard toward that end.

#### COL. ERNIE COLEMAN

Mr. SYMMS. Mr. President, 2 months ago, my good friend Air Force Col. Ernie Coleman, suffered crippling injuries in an F-111 accident. Ernie, who was wing commander of Mountain Home Air Force Base, may never walk again, and because of his injuries he has prematurely retired from the service.

But when I visited him recently in the hospital, he was as cheerful as ever, determined to overcome his new handicaps and to live a full and active life. There was not a trace of self-pity or pessimism in his voice. He could only see the challenges and opportunities ahead.

Colonel Coleman and his story of "True Grit" is an inspiration I want to share with my colleagues. I ask unanimous consent that the following article, "Crippled F-111 Pilot Fights Back," published recently in the Idaho Statesman, be printed in the RECORD:

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

[From the Idaho Statesman, November 25, 1982]

#### CRIPPLED F-111 PILOT FIGHTS BACK (By Ken Burrows)

Ernie Coleman isn't one to smother himself in self-pity when tragedy strikes.

On the contrary, the 44-year-old Air Force colonel seems to have a huge helping of "the right stuff," the combination of cour-

age, talent, destiny and determination described by Tom Wolfe in his best selling book about test pilots and astronauts, *The Right Stuff*.

Coleman, who suffered crippling injuries in an F-111 accident last month, is at home with his family this Thanksgiving counting his blessings and looking forward to what is perhaps the greatest challenge of his life.

Coleman's chances for complete recovery seem slim. He has had little or no feeling from the chest down since an escape capsule jettisoned him and another flier from the disabled jet which smashed into the Elmore County desert on Oct. 8.

"They (doctors) won't give me any hope," Coleman said in an interview this week at the Elks Rehabilitation Hospital, where he is undergoing treatment. "The prognosis is that I will probably be paralyzed."

Yet, Coleman talks about making a comeback; about someday walking again; about skiing and bird hunting; and, perhaps most important, about climbing into a cockpit and flying again.

Wrapped in a plastic brace extending from the top of his head to his waist and dressed in a T-shirt with the wording, "I got this way from playing basketball," Coleman was in good spirits as he recounted the events leading up to the aircraft accident.

"I got the aircraft airborne and quickly developed flight control problems," he said.

Realizing his dilemma, Coleman yelled to the weapons systems operator in the seat next to him that "it was hopeless to eject at this low altitude."

Coleman knew he had to gain altitude in order for the two men to eject safely.

"The aircraft was in a 50- or 55-degree nose-high position and it had stalled (no longer flying) when we punched out," he said.

The escape capsule "separated nicely from the airplane," he recalled. Then something went wrong.

A failure in the ejection system's impact bags caused the escape capsule to slam into the ground, inflicting severe injuries on Coleman's back. Weapons systems officer Scott Springer suffered less severe back injuries.

"I was conscious through the "entire thing," Coleman added. "I knew I was really hurt bad. I didn't have any feeling in either leg."

Still seated in his cockpit seat inside the capsule, Coleman took one hand off his knee to release his harness and "the whole upper half of my body just fell over."

It took 90 minutes for a rescue crew to remove him from the capsule.

He was transported by helicopter to the St. Alphonsus Regional Medical Center in Boise, where he underwent surgery to prevent further damage to the spine.

Later, Coleman was transferred to a medical center in Texas, but decided to return to Idaho to continue therapy.

Although the Air Force is still studying his case, Coleman said he's sure he will be retired. Wing commander of the base at the time of the accident, he was replaced on Oct. 26 by Col. Loren Eastburn.

Asked if he would hold any bitterness or antagonism toward the military if he was placed on the inactive list, Coleman said, "If a guy wears a blue suit, he's got to be able to go to war. They can't have one rule for the Air Force and another for Ernie Coleman."

Military discipline probably has had a lot to do with Coleman's attitude. The odds against suffering such a disabling injury after ejection are high but the fighter-pilot fraternity is well prepared for such an eventuality.

"I've never had a bad airplane in 22 years of military service," said Coleman, who has logged 3,300 flying hours in F-100s, F-4s, and F-111s.

Coleman's wife, Ann, and three children, Lee Ann, 22, Scott, 21, and Todd 17, are still living at their air base home. He said the accident has "pulled his family together. It has strengthened their love for one another and their love for God."

Coleman's immediate goal is to strive for independence. "I'm learning to get in and out of bed by myself, to dress myself, to drive a car," and, on the lighter side, he said, "I'm learning to control this wheel chair so that I can do wheelies."

"The hardest part is trying to move your legs. They weigh at least a 1,000 pounds a piece," he said.

But "I'm a real determined fellow," Coleman said. "When I blink my eyes or twitch, I feel some internal feeling to the tailbone."

Coleman, an avid outdoorsman until the accident, said he hopes someday to resume such activities as hunting.

"I've thought about constructing a swivel seat on the front of a four-wheel drive so that I can hunt birds," he said.

But Coleman knows he probably will never fly another fighter plane.

"Sure, I won't fly again for the Air Force, though there are numerous success stories about paraplegics, and my love for flying will drive me back to that," he said.

"I have every intention of walking again," he added. "But right now, I'm taking one day at a time."

#### CORRECTION OF THE RECORD

Mr. DODD. Mr. President, there are errors in my CONGRESSIONAL RECORD statement of December 8, 1982. The first error is in paragraph No. 2.

The correct language is:

Hazardous waste is a byproduct of many industrial processes. Today, over 750,000 facilities produce hazardous waste in some form. In fact, each day American industry produces enough waste to fill the New Orleans Superdome—floor to ceiling—five times over. Almost 90 percent of this waste is hazardous. From Love Canal to the Valley of the Drums, history has shown us that the safe disposal of hazardous waste is a problem we cannot afford to ignore.

The second error is in paragraph 22:

The correct language is:

As I mentioned earlier, EPA lists wastes as hazardous. Generally, the listing process is a general screening to determine that a kind of waste typically can cause harm to human health and the environment if mismanaged. The delisting process allows petitioners, and/or individual hazardous waste generators, the opportunity of showing that their wastes are significantly different—because of treatment, or because they are generated in a different process—from listed wastes of the same type. Consequently, they should be excluded—delisted—from the hazardous waste lists. EPA will delist those wastes which do not, or no longer, meet the criteria for which the waste was listed.

The third error is in paragraph 24:

The correct language is:

In my own home State of Connecticut, for example, a temporary delisting

was granted to a facility for a sludge pile resulting from a treatment process at a facility. Although the temporary delisting was ultimately revoked on technical grounds, it since has been discovered that the sludge contained PCB's and organics. Neither was the reason why the sludge pile was originally listed. If the pile had been given a final delisting, these hazardous wastes possible could have ended up in a Connecticut sanitary landfill.

The fourth error is in paragraph 30:

The correct language is:

No matter what approach we take to the safe handling of hazardous wastes, there are costs involved. There is cost for industry, for government, for individual citizens. Our only choice is when to incur those costs, and how to invest money to insure protection of both health and the environment.

The final error is in paragraph 32:

The correct language is:

The choice is ours. By investing now in a more credible delisting procedure and in a plan to identify and list hazardous wastes, I believe we are making a sound investment for the years ahead.

The PRESIDING OFFICER. The permanent RECORD will be so corrected.

#### TRIBUTE TO HARRISON SCHMITT

Mr. MOYNIHAN. Mr. President, Senator HARRISON SCHMITT entered the Senate in 1977 on the same day as did I, so there is a certain kinship that I feel for him as he departs this institution.

Much has been written—indeed some of the best of that writing has been done by JACK SCHMITT, himself—about the Apollo 17 mission to the Taurus-Littrow Valley on the Moon. The enormity of the scientific information we gained, as a people, from that mission and others of the space program would have qualified JACK SCHMITT for a special place in our history. He was, after all, the only geologist ever to bring the training of his discipline to the U.S. space program so his contribution was, at the outset, special.

Yet it is a mark of the man that this singular achievement would not satisfy him entirely. He desired a place in public service and we have been better for it. His understanding of technology, of scientific inquiry, and of devotion to detail is something we need more of in the Senate. And JACK SCHMITT's assets in those regards will be difficult to replace.

I have come to know him as a fellow member of the Select Committee on Intelligence, where his conscientiousness and expertise were valued as highly as his sensitivity to the complex questions of national security we considered.

He is a man with a now considerable range of experiences and as he leaves the Senate, we say—simply—that we

hope these talents will serve him well in the years ahead.

#### TRIBUTE TO SENATOR HAYAKAWA

Mr. President, the Senate class of 1976 contained many Members of distinction, none more illustrious in intellectual achievement than SAM HAYAKAWA. I have spent many years in academia, and know well the enormous dedication and talent required to secure the respect of academic colleagues across the globe. SAM HAYAKAWA entered the U.S. Senate, simply stated, as a semanticist of world renown.

At its best, the U.S. Senate is a body devoted to the careful examination of public ideas through free debate. No one is better qualified to contribute to this examination and shape this debate than SAM HAYAKAWA. He also brought with him the insights and skills developed through managing a large institution, for he came as president of San Francisco State University. These insights and skills informed all his many contributions to our debate on the operations of Government, and surely helped direct his splendid work as chairman of the Subcommittee on Advocacy and the Future of Small Business of the Small Business Committee.

While most of SAM HAYAKAWA's academic work has focused on the use and misuse of language, his work in two other fields has also made itself felt in his tenure in the Senate. As an editor of a collection of Oliver Wendell Holmes' prose and poetry, SAM HAYAKAWA brought a profound sense of justice and reflection to the Senate. And as the author of many articles on the history of the American musical form, jazz, and a collector of old jazz recordings, he informed our deliberations with an improvisational and puckish wit which will be sorely missed.

It is my privilege to have served with him in the Senate, and we will all await his future contributions to the academic and political debates of our time.

#### TRIBUTE TO HARRY F. BYRD, JR.

Mr. President, there are but four Senators in this Chamber who represent a family tradition in the Senate, which is to say that they can claim a parent who served here in years past; though we can, indeed, expand the definition to in-laws to include our distinguished majority leader, Mr. BAKER.

Yet no family tradition has been quite so lasting or indelible as that of the Byrds of Virginia. When our distinguished colleague HARRY F. BYRD, JR., departs us in but a few short days, it will be the first time since March 4, 1933, that the Senate has not been favored by the presence of a Virginia Byrd—our colleague having succeeded his father, Harry F. Byrd. Fifty years of continuous service in the Senate is something worth boasting about and well it is that the Senate should take note.

Mr. President, Senator BYRD's 17 years in this Chamber has given him insights and judgment that we shall sorely miss. Charles McDowell, that careful and astute observer of this Capital, took note of Senator BYRD's acumen in a column he wrote for the Richmond Times-Dispatch, reprinted in the Journal newspapers of northern Virginia on November 30, 1982:

• • • Even the most admiring supporters of Byrd might wonder what he knows about presidential politics. And it would be fair to ask how a man so conservative could be credibly objective about the subject. Well, Harry Byrd, Jr. has followed national politics since he was a boy, as some people follow major league baseball. He is a fan with a good eye, a good ear, a good memory and much pride in not letting his conservative rooting interest in events do much to his view of the events themselves. He is one of the three or four best political predictors I know.

Mr. President, that is uncommon praise in a town that thrives, indeed exists, on political wisdom. And it is a mark of the man that he should be so regarded not only by the press, but by his colleagues here in this Chamber.

It is customary on these occasions, Mr. President, to recount the achievements of a departing Senator and wish him well as he or she leaves. That I would be honored to do, but others have cataloged the service of HARRY F. BYRD, JR., better than would I. I would say, simply, that as a colleague, and as a fellow member of the Senate Finance Committee, Senator BYRD has always been the most courteous of Senators—giving justice to the word that best describes him: "gentleman."

But I would wish to share with my colleagues the following: Senator BYRD's own poignant farewell to the citizens of Virginia. His final newsletter to the people he has so ably represented is touching in its sincerity yet useful to all Senators who desire a better understanding of this place, which Senator BYRD has clearly come to know so well.

Mr. President, I ask unanimous consent that excerpts from Senator BYRD's farewell newsletter to Virginia, volume XVI, No. 2, be printed at this point in the RECORD.

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

EXCERPTS FROM FINAL NEWSLETTER OF HON. HARRY F. BYRD, JR., VOLUME XVI, No. 2, DECEMBER 1982

As I noted earlier, I was in a philosophical minority when I first took my seat in the Senate. But as a Democrat, I was at the same time in the party majority. That situation has reversed itself to some extent. While I now find myself in a philosophical majority on many issues, I am only the second independent in nearly 200 years to be elected to the Senate—and the only Senator twice elected as an independent.

I have found the designation, which I have held since 1970, to be desirable. I can work closely with both Democrats and Republicans; both know I am not seeking to harass either political party, or to advance the cause of one to the disadvantage of the other • • •

I am asked frequently, as one of the few three-term senators, if the Senate has changed dramatically during my years in Washington. My response must be that it has changed in some ways and in other ways remained the same.

The workload has mushroomed along with federal programs, as evidence by this figure: In 1965, there were 259 recorded votes in the Senate; in 1980, there were 546, more than double the earlier count.

(In 1981 and 1982, the total of roll-call votes declined somewhat, but this resulted largely from a trend toward packaging many measures in omnibus bills. Legislative activity did not actually drop off significantly.)

The complexity of the work has grown to a comparable degree; larger staffs both for the legislative committees and for individual senators have become commonplace. Larger staffs lead to more legislation; I feel we already have too much legislation.

The pattern has been that the executive branch grows enormously—and then the legislative branch follows suit. Soon afterwards, growth comes to the judicial branch. Indeed, in 1977 Congress doubled the number of federal judges almost overnight. Thus, the cost of government balloons • • •

Trusting as I do in the collective judgment of the American people, I feel the people will lead the politicians—not the other way around—to the philosophy that has guided Virginia from Thomas Jefferson's day to our own and has been the beacon I have followed throughout my career.

I end, my dear fellow Virginian, by again expressing to the people of Virginia my deep and lasting appreciation for the opportunity, the honor and the responsibility of representing you in the United States Senate.

These thoughts, Mr. President, are part of the Byrd legacy to the Senate. They are instructive, compelling. And they will be for those who study this Senate and its process for years to come. And above all, they represent what is noble and grand about public service.

#### TRIBUTE TO SENATOR BRADY

Mr. President, it is not the case that the Senator among us with the least amount of time in this Chamber is a Senator with a short list of achievements as a Member of this body.

Senator NICHOLAS F. BRADY has, among other things well served the dignified process that makes this an orderly institution, an institution of deliberation and of procedure. He came to us from New Jersey after a difficult experience. Yet he came, in part, because he understood the meaning of continuity in the Senate, the need for effective and uninterrupted representation in the Senate. In doing so, he has done a splendid service to the people of New Jersey, the people of the Nation, and the Senate itself.

Mr. President, I have had an opportunity to make use of Senator BRADY's knowledge of the private sector on several occasions and his counsel and wisdom both as a business executive and as a personable colleague has been invaluable. I should say, too, that we were once trapped on an airplane bound for New York and, of a sudden, found ourselves "deplaning," as the airline folks would say, in Baltimore—

an experience that would have been far more frustrating than it turned out to be, largely because Senator BRADY's genial company made the time pass quickly.

In but a short time, Mr. President, Senator BRADY has proven a diligent and thoughtful spokesperson for New Jersey, a compliment borne out by the measures and causes he has advanced as a member of the Committee on Banking, Housing, and Urban Affairs, a committee, I should note, of incalculable importance to States like his New Jersey and my New York. And he has been a reflective member of the Committee on Armed Services at a time when we should well reflect on the role of defense in the Nation's security and economy.

Moreover, Mr. President, it would not be overly partisan for me to note that he has done our colleagues on the other side of the aisle an extraordinary, if unrecognized, service through his advise and personal relationship with the President of the Senate, Vice President BUSH. We are fond of saying that the Vice President's duties are secondary to his role as the President of the Senate; Senator BRADY's assistance to the Vice President and the insights he has provided has no doubt lent some credence to the case.

Finally, Mr. President, I should say that Senator BRADY has recognized that the citizens of the Northeast share certain common concerns and face certain common dilemmas. In this respect, he has been a valuable ally, a good neighbor, and a colleague that I, for one, shall miss.

Mr. President, if we associate with the American West the qualities of determination, perseverance, and toughness, then there are few Senators who are more singularly representative of their region than HOWARD W. CANNON.

Senator CANNON, through 24 years of service with us here in this Chamber, has exemplified that which is perhaps the most important talent one can bring to this institution: A thorough understanding of from whence he came, and an ability to translate that understanding into legislation for an entire nation.

His service with us, his chairmanship of one of our most vital committees, his considerable legislative record, is the mark of a Senator who knows how things here are done and knows how to do them.

He began his career in local government, working for the Utah State Senate, and subsequently, as a county attorney. His military record during our Second World War is the sort of story that inspires; a story that is worth repeating to anyone who doubts that there are heroes, still, who serve this Nation.

His return to Nevada following the war, and his successful law practice, led to his first campaign for Senate in 1958 and—in a class distinguished by names like Ed Muskie, Phillip Hart,

ROBERT BYRD, and Frank Moss—Senator CANNON gained a role of responsibility and leadership in the Senate that few could match. In his roles as chairman and then ranking member of the Commerce Committee and a senior member of the Armed Services Committee, Senator CANNON became a principal spokesman for deregulation in the Senate and contributed more to legislation passed by Congress on that subject than perhaps any other Member. His understanding of tactical air warfare has made him the Senator, with the possible exception of the senior Senator from Arizona, with the greatest expertise in that crucial area of military strategy.

But finally, Mr. President, Senator CANNON's earnest manner, his candor, and his frank explanations of his views makes him a colleague who will be sorely missed. We wish him well as he departs the Senate.

#### DR. MARTIN LUTHER KING, JR. BUST OR STATUE

Mr. MATTINGLY. Mr. President, I want to commend my colleagues for the unanimous adoption earlier today

of House Concurrent Resolution 153 that provides for the placing of the bust or statue of Martin Luther King Jr., in the U.S. Capitol.

This is an honor rarely bestowed on those who have never served in the U.S. Government. But in the case of Dr. King, it is an honor and a tribute that is appropriate and deserved.

The contributions of Dr. King on behalf of justice and freedom are well known. I do not have to remind my colleagues that the efforts of this man almost singlehandedly brought a new era of social justice, hope, and promise to all Americans.

A native of Atlanta, Ga., Dr. King courageously confronted established injustice; not in a spirit of acrimony and violence, but in the Christian spirit of charity and nonviolence. His legacy is one that will be etched in the history of the last half of this century and will stand as a beacon to all people seeking to further the cause of human dignity and social justice.

Mr. President, I also want to mention that portion of the 1983 Interior appropriations bill now on President Reagan's desk that will set aside \$1.5 million for the acquisition and restora-

tion of Dr. King's home and the church where he served as pastor in Atlanta. I am proud to say I was a part of the effort to preserve this great heritage, not only for Georgia, but for all Americans. The recognition of Dr. King's rightful place in our history is the long culmination of the efforts of many people in my State and around the country who seek to carry on the work that Dr. King began.

Again, I commend my colleagues for this honoring of a truly great American. Thank you.

#### CERTAIN CONTINUING APROPRIATIONS, 1983

##### LINE ITEM AGREEMENTS FOR DEFENSE

(Note: In the RECORD of yesterday, December 20, 1982, at page S15693, the tables referred to by Mr. STEVENS relating to line item agreements for defense covered in the conference report were not printed due to mechanical limitations. The tables referred to are set forth below, and in the permanent RECORD they will be printed at the location where the request was made.)

#### TITLE I.—MILITARY PERSONNEL

The conferees agree to the following amounts for the military personnel accounts:

(In thousands of dollars)

	Budget	House	Senate	Conference
SUMMARY				
MILITARY PERSONNEL, ARMY	15,363,700	14,478,149	14,023,827	14,454,848
MILITARY PERSONNEL, NAVY	11,275,300	10,566,028	10,230,678	10,537,408
MILITARY PERSONNEL, MARINE CORPS	3,496,300	3,700,000	3,221,394	3,293,277
MILITARY PERSONNEL, AIR FORCE	12,857,800	12,112,952	11,748,721	12,099,850
RESERVE PERSONNEL, ARMY	1,302,000	1,247,450	1,224,800	1,247,250
RESERVE PERSONNEL, NAVY	683,500	657,125	641,300	657,125
RESERVE PERSONNEL, MARINE CORPS	175,500	170,925	165,900	170,900
RESERVE PERSONNEL, AIR FORCE	372,300	358,925	350,900	358,925
NATIONAL GUARD PERSONNEL, ARMY	1,792,500	1,695,150	1,669,200	1,698,800
NATIONAL GUARD PERSONNEL, AIR FORCE	583,600	549,553	534,100	548,425
TOTAL, MILITARY PERSONNEL	47,902,500	45,136,265	43,810,320	45,066,808

#### MILITARY PERSONNEL, ARMY

The conferees agree to the following amounts for military personnel, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
END STRENGTH	13,156,478	13,109,170	13,078,478	13,109,170
DEACT. EUR. BRIGADE	42,000	42,000		42,000
CAREER BAS.	5,208	8		
ENLISTMENT BONUS	142,943	110,143	122,843	115,000
REENLISTMENT BONUS	121,303	91,103	92,603	92,603
LUMP SUM TERM. LEAVE	101,319	101,319	96,254	101,319
OVERSEAS EXT. PAY	4,800	4,800	3,800	4,800
TEMPORARY LODGING EXPENSE	55,200	13,800		
MEMBER MILEAGE ALLOWANCE	14,000	3,500		
DEPENDENT MILEAGE ALLOWANCE	21,900	5,475		
HOUSEHOLD GOODS WEIGHT ALLOWANCE	27,500	6,675		
CLASSIFIED PROGRAM	1,600	-68		-68
FY 1983 PAY RAISE	962,600	360,175		360,175
ITEMS NOT IN CONFERENCE	706,849	629,849	629,849	629,849
TOTAL, MILITARY PERSONNEL, ARMY	15,363,700	14,478,149	14,023,827	14,454,848

#### MILITARY PERSONNEL, NAVY

The conferees agree to the following amounts for military personnel, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
END STRENGTH	9,786,957	9,726,677	9,710,857	9,710,857
CAREER BAS.	32,240	40		



	Budget	House	Senate	Conference
PERMANENT CHANGE OF STATION.....	333,862	272,262	256,862	272,262
ENLISTMENT BONUS.....	16,493	8,093	13,093	10,400
REENLISTMENT BONUS.....	265,500	205,300	180,300	205,300
LUMP SUM TERM, LEAVE.....	73,231	73,231	69,566	73,231
SELECTIVE REENLISTMENT BONUS (5%).....	14,000	14,000		
TEMPORARY LODGING EXPENSE.....	23,800	5,950		
MEMBER MILEAGE ALLOWANCE.....	15,072	3,747		
DEPENDENT MILEAGE ALLOWANCE.....	5,070	1,245		
HOUSEHOLD GOODS WEIGHT ALLOWANCE.....	12,275	3,125		
CLASSIFIED PROGRAM.....	400	16		16
RECRUITING ADVERTISING.....		-6,000		-6,000
FISCAL YEAR 1983 PAY RAISE.....	696,400	258,342		258,342
<b>TOTAL, MILITARY PERSONNEL, NAVY.....</b>	<b>11,275,300</b>	<b>10,566,028</b>	<b>10,230,678</b>	<b>10,537,408</b>

**MILITARY PERSONNEL, MARINE CORPS**

The conferees agree to the following amounts for military personnel, Marine Corps.

(In thousands of dollars)

	Budget	House	Senate	Conference
PERMANENT CHANGE OF STATION.....	136,320	115,520	130,320	115,520
ENLISTMENT BONUS.....	14,360	11,760	13,160	11,760
SELECTIVE REENLISTMENT BONUS.....	69,219	59,219	58,519	59,219
SELECTIVE REENLISTMENT BONUS (5%).....			-3,500	
LUMP SUM TERM, LEAVE.....	25,519	25,519	24,244	25,519
CAREER BAS.....	5,987	-13		
TEMPORARY LODGING EXPENSE.....	9,774	2,424		
MEMBER MILEAGE ALLOWANCE.....	8,345	2,120		
DEPENDENT MILEAGE ALLOWANCE.....	2,800	700		
HOUSEHOLD GOODS WEIGHT ALLOWANCE.....	5,025	1,500		
CLASSIFIED PROGRAM.....	100	33		33
FY 1983 PAY RAISE.....	220,200	82,575		82,575
ITEMS NOT IN CONFERENCE.....	2,998,651	2,998,651	2,998,651	2,998,651
<b>TOTAL, MILITARY PERSONNEL, MARINE CORPS.....</b>	<b>3,496,300</b>	<b>3,300,008</b>	<b>3,221,394</b>	<b>3,293,277</b>

**MILITARY PERSONNEL, AIR FORCE**

The conferees agree to the following amounts for military personnel, Air Force:

(In thousands of dollars)

	Budget	House	Senate	Conference
END STRENGTH.....	9,727,224	9,665,904	9,630,924	9,665,004
CAREER BAS.....	11,004	4		
REENLISTMENT BONUS.....	118,962	115,762	105,562	115,762
LUMP SUM TERM LV/SEP ALLOW.....	65,473	59,273	62,198	62,198
TEMPORARY LODGING EXPENSE.....	33,000	8,250		
MEMBER MILEAGE ALLOWANCE.....	10,200	2,550		
DEPENDENT MILEAGE ALLOWANCE.....	8,900	2,225		
HOUSEHOLD GOODS WEIGHT ALLOWANCE.....	13,800	3,450		
CLASSIFIED PROGRAM.....	1,420	500	920	952
FY 1983 PAY RAISE.....	826,400	307,317		307,317
ITEMS NOT IN CONFERENCE.....	2,040,517	1,948,617	1,948,617	1,948,617
<b>TOTAL, MILITARY PERSONNEL, AIR FORCE.....</b>	<b>12,857,800</b>	<b>12,112,952</b>	<b>11,748,221</b>	<b>12,099,850</b>

**RESERVE PERSONNEL, ARMY**

The conferees agree to the following amounts for Reserve personnel, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
TEMPORARY LODGING EXPENSE.....	800	200	800	
SELECTED RESERVE INCENTIVE PROGRAM.....	23,157	19,457	23,157	19,457
DOUBLE SLOTTING.....		-2,000		-2,000
FY 1983 PAY RAISE.....	77,200	28,950		28,950
ITEMS NOT IN CONFERENCE.....	1,200,843	1,200,843	1,200,843	1,200,843
<b>TOTAL, RESERVE, PERSONNEL, ARMY.....</b>	<b>1,302,000</b>	<b>1,247,450</b>	<b>1,224,800</b>	<b>1,247,250</b>

**RESERVE PERSONNEL, NAVY**

The conferees agree to the following amounts for Reserve personnel, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
FY 1983 PAY RAISE.....	42,200	15,825		15,825
ITEMS NOT IN CONFERENCE.....	641,300	641,300	641,300	641,300
<b>TOTAL, RESERVE PERSONNEL, NAVY.....</b>	<b>683,500</b>	<b>657,125</b>	<b>641,300</b>	<b>657,125</b>

## RESERVE PERSONNEL, MARINE CORPS

The conferees agree to the following amounts for Reserve personnel, Marine Corps:

(In thousands of dollars)

	Budget	House	Senate	Conference
TEMPORARY LODGING EXPENSES.....	100	25	100	
AIRCRAFT UNITS DEPLOYMENT SUPPORT.....		1,500		1,500
FY 1983 PAY RAISE.....	9,600	3,600		3,600
ITEMS NOT IN CONFERENCE.....	165,800	165,800	165,800	165,800
<b>TOTAL, RESERVE PERSONNEL, MARINE CORPS.....</b>	<b>175,500</b>	<b>170,925</b>	<b>165,900</b>	<b>170,900</b>

## RESERVE PERSONNEL, AIR FORCE

The conferees agree to the following amounts for Reserve personnel, Air Force:

(In thousands of dollars)

	Budget	House	Senate	Conference
FY 1983 PAY RAISE.....	21,400	8,025		8,025
ITEMS NOT IN CONFERENCE.....	350,900	350,900	350,900	350,900
<b>TOTAL, RESERVE PERSONNEL, AIR FORCE.....</b>	<b>372,300</b>	<b>358,925</b>	<b>350,900</b>	<b>358,925</b>

## NATIONAL GUARD PERSONNEL, ARMY

The conferees agree to the following amounts for National Guard personnel, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
CONV. OF CIV. TECH.....	11,300	-3,700		
TEMPORARY LODGING EXPENSE.....	200	50	200	
SELECTED RESERVE INCENTIVE PROGRAM.....	51,683	41,183	51,683	41,183
DOUBLE SLOTTING.....		-3,000		-3,000
M-1 BATTALION.....		1,300		1,300
FY 1983 PAY RAISE.....	112,000	42,000		42,000
ITEMS NOT IN CONFERENCE.....	1,617,317	1,617,317	1,617,317	1,617,317
<b>TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....</b>	<b>1,792,500</b>	<b>1,695,150</b>	<b>1,669,200</b>	<b>1,698,800</b>

## NATIONAL GUARD PERSONNEL, AIR FORCE

The conferees agree to the following amounts for National Guard personnel, Air Force:

(In thousands of dollars)

	Budget	House	Senate	Conference
CONV. OF CIV. TECH.....	10,500	1,053		
TEMPORARY LODGING EXPENSE.....	300	75		
FY 1983 PAY RAISE.....	39,000	14,625		14,625
ITEMS NOT IN CONFERENCE.....	533,800	533,800	533,800	533,800
<b>TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....</b>	<b>583,600</b>	<b>549,553</b>	<b>534,100</b>	<b>548,425</b>

## TITLE II.—RETIRED MILITARY PERSONNEL

The conferees agree to the following amounts for retired military personnel:

(In thousands of dollars)

	Budget	House	Senate	Conference
RECONCILIATION ACT 1983.....		-260,000	-266,000	-260,000
PROGRAM REESTIMATE.....		-180,000	-180,000	-180,000
ITEMS NOT IN CONFERENCE.....	16,510,800	16,594,800	16,594,800	16,594,800
<b>TOTAL, RETIRED MILITARY PERSONNEL.....</b>	<b>16,510,800</b>	<b>16,154,800</b>	<b>16,228,800</b>	<b>16,154,800</b>

## TITLE III.—OPERATION AND MAINTENANCE

The conferees agree to the following amounts for the operation and maintenance accounts:

(In thousands of dollars)

	Budget	House	Senate	Conference
OPERATION AND MAINTENANCE, ARMY.....	17,086,142	15,754,766	15,931,700	15,847,425
ARMY STOCK FUND.....	221,138	221,138	221,138	221,138
ARMY CONVENTIONAL AMMUNITION WORKING CAPITAL FUND.....	1,000			
OPERATION AND MAINTENANCE, NAVY.....	22,314,253	21,050,862	21,043,400	21,079,712
NAVY STOCK FUND.....	354,372	354,372	354,372	354,372
OPERATION AND MAINTENANCE, MARINE CORPS.....	1,500,371	1,472,371	1,403,900	1,481,671
MARINE CORPS STOCK FUND.....	11,812	11,812	11,812	11,812
OPERATION AND MAINTENANCE, AIR FORCE.....	18,138,363	16,765,279	17,071,200	16,915,766
AIR FORCE STOCK FUND.....	161,600	161,600	161,600	161,600
OPERATION AND MAINTENANCE, DEFENSE AGENCIES.....	5,838,103	5,664,678	5,665,800	5,715,778
DEFENSE STOCK FUND.....	160,500	160,500	160,500	160,500
OPERATION AND MAINTENANCE, ARMY RESERVE.....	699,184	707,784	692,200	705,584
OPERATION AND MAINTENANCE, NAVY RESERVE.....	656,707	622,207	662,200	637,507
OPERATION AND MAINTENANCE, MARINE CORPS RES.....	48,494	51,094	51,115	51,094
OPERATION AND MAINTENANCE, AIR FORCE RESERVE.....	778,635	765,035	766,300	765,735
OPERATION AND MAINTENANCE, ARMY NATL GUARD.....	1,152,317	1,179,617	1,157,800	1,195,067

	Budget	House	Senate	Conference
OPERATION AND MAINTENANCE, AIR NATL GUARD.....	1,787,814	1,799,703	1,832,600	1,822,603
NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY.....	875	875	875	875
CLAIMS, DEFENSE.....	172,500	147,500	172,500	147,500
COURT OF MILITARY APPEALS, DEFENSE.....	3,271	3,271	3,210	3,271
<b>TOTAL, OPERATION AND MAINTENANCE.....</b>	<b>71,087,451</b>	<b>66,894,464</b>	<b>67,363,622</b>	<b>67,279,010</b>

**OPERATION AND MAINTENANCE, ARMY**

The conferees agree to the following amounts for operation and maintenance, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
FUEL COST REESTIMATE.....	563,752	471,452	538,952	471,452
CURRENCY REVALUATION.....	1,651,426	1,062,326	1,309,926	1,062,326
FORCE MODERNIZATION.....	1,438,000	1,313,000	1,250,500	1,281,750
POW/MIA.....	210,000	178,000	177,900	177,900
REAL PROPERTY MAINTENANCE.....	2,439,384	2,539,384	2,439,384	2,539,384
BACHELOR HOUSING FURNITURE.....	42,900	52,900	42,900	47,900
RECRUITING/ADVERTISING.....	205,970	164,970	180,970	164,970
CIVILIAN PERS-BORR MIL MANPOWER.....	276,240	196,240	176,240	176,240
INTELL REDUCTION.....	915,400	911,633	912,700	911,633
FLYING HOURS.....	306,272	306,272	272,672	286,272
EXECUTIVE TRAINING.....	8,954	8,954	6,154	6,154
LUXEMBOURG STORAGE.....	20,400	20,400	15,500	15,500
DARCOM REORGANIZATION.....	7,200	7,200	1,200	1,200
CONSULTANTS, STUDIES & ANALYSES.....	102,904	92,904	95,804	92,904
TRAVEL.....	410,716	409,916	395,916	395,916
LOGISTICS SUPPORT.....	19,774	19,774	8,774	14,774
SECURITY SUPPORT.....	8,500	8,500	3,600	3,600
SERVICE-WIDE SUPPORT.....	482,042	482,042	474,142	474,142
INTELLIGENCE COMMAND REORGANIZATION.....	4,700	3,700		
EUROPEAN FORCE STRUCTURE.....	5,066	-3,234	866	866
MILITARY SUPPORT.....	35,900	35,900	900	900
UNIT TRAINING—P2M.....			10,000	
PERSONAL SECURITY CLEARANCE PROCESSING.....		-5,300		-5,300
WEST GERMAN RESERVE SUPPORT.....		-6,000		-6,000
SLIC CHARGES.....		-15,400		-15,400
PATIENT CARE FUNDING REALIGNMENT (TRANSFER).....		-32,000		-32,000
ENERGY CONSERVATION.....		-15,000		-15,000
STOCK FUND CASH.....		-100,000		-100,000
INDUSTRIAL PLANT EQ CHG.....		-50,000		-50,000
ARMY GUARD M-1 BATTALION (TRANSFER).....		-6,800		-6,800
FHS SURCHARGE.....		-25,000		-12,500
HANDGUN SPARES.....		-1,000		-1,000
OVERSEAS BANKING.....		-1,500		-1,500
ARMY TRANSITION 90.....		-3,500		-3,500
BASE OPS (UNAUTHORIZED COMMISSARY SUPPORT).....		-10,000		-10,000
REDUCE 4 BATTALIONS.....	15,000	9,591		5,000
JCS EXERCISES.....	11,800	11,800		
RAPID DEPLOYMENT FORCE.....	7,200	7,200		7,200
NONFOREIGN COLA.....		-4,000		
LEGISLATIVE LIAISON.....		-200		-200
PER DIEM EQUITY.....		-7,200		
DEPOT MAINTENANCE.....		-25,000		-12,500
INDUSTRIAL WORKLOAD CARRYOVER.....		-21,000		-10,500
PUBLIC AFFAIRS.....		-500		-500
ARMY HOUSEHOLD GOODS INCREASE.....		-1,400		-1,400
COMMUNICATIONS.....		-3,000		-3,000
PAY RAISE.....	270,042	162,042		162,042
PERSHING II.....			7,615,700	30,000
ITEMS NOT IN CONFERENCE.....				7,615,700
<b>TOTAL, OPERATION AND MAINTENANCE, ARMY.....</b>	<b>17,086,142</b>	<b>15,754,766</b>	<b>15,931,700</b>	<b>15,847,425</b>

**OPERATION AND MAINTENANCE, NAVY**

The conferees agree to the following amounts for operation and maintenance, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
CURRENCY REVALUATION.....	360,613	253,513	237,413	253,513
FLEET COMMAND & STAFF.....	225,610	220,610	211,910	211,910
SHIP/A/C MAINT & MOD.....	3,104,208	3,000,708	2,950,608	2,950,608
INTELL.....	940,102	925,711	937,202	925,711
FUEL COST REESTIMATE.....	2,504,937	2,204,937	2,348,537	2,204,937
RECRUITING & ADVERTISING.....	93,530	77,030	78,530	77,030
BASE OPERATIONS.....	614,727	594,727	605,227	599,727
REAL PROPERTY MAINTENANCE.....	690,396	720,396	690,396	720,396
EUROPE FORCE STRUCTURE.....			-10,200	
SERVICE-WIDE TRANSPORTATION.....			10,400	
AIR LAUNCHED WEAPONS REWORK.....			1,700	
TRIDENT SUB MISSION SUPPORT.....	163,521	163,521	142,321	142,321
TRIDENT WEAPON SYSTEM SUPPORT.....	162,455	162,455	147,455	147,455
PACIFIC FLEET SUB MISSION SPT.....	18,212	18,212	15,412	18,212
BASE OPS (UNAUTHORIZED COMMISSARY SUPPORT).....		-4,700		-4,700
S-3 FLYING HOURS.....	53,035	53,035	44,835	44,835
FLYING HOURS.....	1,671,200	1,746,200	1,646,200	1,696,200
OTHER SEA SUPPORT.....	43,409	43,409	40,409	40,409
COMPONENT CALIBRATIONS.....	80,100	80,100	74,600	74,600
TECHNICAL SUPPORT.....	131,541	131,541	126,441	126,441
TRANSFER OF LKA SHIPS.....			4,600	
NAVY MATERIAL COMMAND.....	23,500	23,500	21,500	21,500
CONSULTANTS, STUDIES & ANALYSES.....	345,195	320,195	295,595	320,195
TRAVEL.....	291,772	290,872	262,572	262,572
RAPID DEPLOYMENT FORCE.....			-34,200	
PERSONNEL SECURITY CLEARANCE PROCESSING.....		-7,000		-7,000
SLIC CHARGES.....		-19,200		-19,200
PATIENT CARE FUNDING REALIGNMENT (TRANSFER).....		-32,000		-32,000
ENERGY CONSERVATION.....		-15,000		-15,000
STOCK FUND CASH.....		-100,000		-100,000

	Budget	House	Senate	Conference
INDUSTRIAL PLANT EQ CHG.....		-70,000		
NONFOREIGN COLA.....		-8,000		
LEGISLATIVE LIAISON.....		-200		-200
INDUSTRIAL WORKLOAD CARRYOVER.....		-26,600		-26,600
PUBLIC AFFAIRS.....		-500		-500
KCS EXERCISES.....	2,900	2,900		
NAVY REMOTE WAR GAMING.....		-200		-200
TAGOS SLIPPAGE.....		-2,600		-2,600
END STRENGTH TAIL.....		-8,000		-8,000
PER DIEM EQUITY.....		-13,600		
SHORESTAMPS.....		5,600		5,600
ID CARD SLIPPAGE.....		-2,400		-2,400
COMMUNICATIONS.....		-3,000		-3,000
FMS SURCHARGE.....		-35,000		-35,000
PAY RAISE.....	281,253	168,753		168,753
ITEMS NOT IN CONFERENCE.....	10,512,037	10,190,937	10,190,937	10,190,937
<b>TOTAL, OPERATION AND MAINTENANCE, NAVY.....</b>	<b>22,314,253</b>	<b>21,050,862</b>	<b>21,043,400</b>	<b>21,079,712</b>

## OPERATION AND MAINTENANCE, MARINE CORPS

The conferees agree to the following amounts for operation and maintenance, Marine Corps:

(in thousands of dollars)

	Budget	House	Senate	Conference
FUEL COST REESTIMATE.....	50,694	44,694	50,694	44,694
CURRENCY REVALUATION.....	101,889	72,489	64,789	72,489
REAL PROPERTY MAINTENANCE.....	225,793	245,793	225,793	245,793
RECRUITING & ADVERTISING.....	56,089	49,589	51,089	49,589
CIVILIAN PERSONNEL.....			-1,500	
LVI-7 REPAIRS.....	6,840	6,840	40	6,840
HOUSEHOLD GOODS STORAGE.....	2,230	2,230	430	2,230
EMERGENCY LEAVE.....	220	220	20	220
CONSULTANTS, STUDIES & ANALYSES.....	31,166	21,166	19,866	21,166
TRAVEL.....	67,148	67,148	56,648	67,148
MARINE CORPS TRUCK RETROFIT.....		-500		-500
PERSONNEL SECURITY CLEARANCE PROCESSING.....		-500		-500
PER DIEM EQUITY.....		-6,000		
ENERGY CONSERVATION.....		-5,000		-5,000
INDUSTRIAL PLANT EQ CHG.....		-2,800		
BASE OPS (UNAUTHORIZED COMMISSARY SUPPORT).....		-300		-300
PUBLIC AFFAIRS.....		-100		-100
MARINE CORPS O&M SHORTFALL.....		33,500		33,500
DISABILITY COMPENSATION.....		-700		
LAV SLIPPAGE.....		-2,200		-2,200
PAY RAISE.....	18,571	11,171		11,171
ENVIRONMENTAL AND MORALE LEAVE.....	200	200		
ITEMS NOT IN CONFERENCE.....	939,531	935,431	935,431	935,431
<b>TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS.....</b>	<b>1,500,371</b>	<b>1,472,371</b>	<b>1,403,300</b>	<b>1,481,671</b>

## OPERATION AND MAINTENANCE, AIR FORCE

The conferees agree to the following amounts for operation and maintenance, Air Force:

(in thousands of dollars)

	Budget	House	Senate	Conference
CURRENCY REVALUATION.....	657,457	430,857	491,857	430,857
C-140B REPLACEMENT LEASE.....	9,000	9,000	6,000	6,000
FUEL COST REESTIMATE.....	3,227,768	2,827,768	2,968,768	2,827,768
RECRUITING & ADVERTISING.....	51,335	41,335	51,335	41,335
AIR FORCE ACADEMY.....	29,274	27,222	27,274	27,222
BASE OPERATIONS.....	2,510,326	2,490,326	2,483,926	2,483,926
REAL PROPERTY MAINTENANCE.....	1,232,798	1,232,798	1,212,798	1,232,798
B-52D "FLYABLE STORAGE".....	2,000			
INTELL & COMM.....	1,417,492	1,412,805	1,417,492	1,414,992
WWMCCS JOINT PROG.....	1,979	1,979	-21	-21
CONTRACT RANGE.....	34,415	34,415	24,815	24,815
CIVIL ENGINEERING SQUADRONS.....	9,490	9,490	5,490	5,490
ENVIRONMENTAL & MORALE LEAVE.....	533	533	33	33
CONSULTANTS, STUDIES & ANALYSES.....	275,612	235,612	227,312	235,612
TRAVEL.....	433,293	432,493	396,693	396,693
EUROPE FORCE STRUCTURE.....	1,308,900	1,308,900	1,290,400	1,308,900
RAPID DEPLOYMENT FORCE.....	1,095	1,095	-19,405	1,095
PERSONNEL SECURITY CLEARANCE PROCESSING.....		-5,700		-5,700
WEST GERMAN RESERVE SUPPORT.....	1,000		1,000	1,000
PATIENT CARE FUNDING REALIGNMENT (TRANSFER).....	620,933	591,933	620,933	620,933
SLUC CHARGES.....	15,878	14,078	15,878	14,078
ENERGY CONSERVATION.....		-15,000		-15,000
STOCK FUND CASH.....		-100,000		
INDUSTRIAL PLANT EQ CHG.....	58,600	3,600	58,600	58,600
FMS SURCHARGE.....		-35,000		-35,000
PROGRAM 9.....		-4,900		-4,900
ALCONBURY ENGLAND DORMITORY.....		4,100		4,100
BASE OPS (UNAUTHORIZED COMMISSARY SUPPORT).....	165,635	155,635	165,635	155,635
NONFOREIGN COLA.....		-8,000		
LEGISLATIVE LIAISON.....	1,800	800	1,000	800
INDUSTRIAL WORKLOAD CARRYOVER.....	2,838,500	2,822,000	2,838,500	2,822,000
C-5 CABIN LOAD.....	157,810	142,810	157,810	142,810
PUBLIC AFFAIRS.....	2,936	2,436	2,936	2,436
PER DIEM EQUITY.....		-20,900		
COMMUNICATIONS.....	235,945	232,945	235,945	232,945
DORMITORY FURNITURE.....	11,100	7,800	11,100	7,800
C-130 SIMULATORS.....	2,300	2,300		
HOUSEHOLD GOODS STORAGE.....	100	100		100
EMERGENCY LEAVE.....	3,200	3,200		3,200
END STRENGTH TAIL.....	10,945		9,445	
DEPOT MAINTENANCE.....	83,757	72,357	83,757	72,357
PAY RAISE.....	193,663	116,163		116,163
ITEMS NOT IN CONFERENCE.....	2,534,294	2,283,894	2,283,894	2,283,894

	Budget	House	Senate	Conference
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE .....	18,138,363	16,765,279	17,071,200	16,915,766

**OPERATION AND MAINTENANCE, DEFENSE AGENCIES**

The conferees agree to the following amounts for operation and maintenance, defense agencies:

[In thousands of dollars]

	Budget	House	Senate	Conference
FUEL COST REESTIMATE .....	6,992	6,992	6,792	6,992
CURRENCY REVALUATION .....	138,898	91,098	106,198	91,098
INTELLIGENCE PROGRAM .....	1,421,779	1,397,354	1,401,879	1,397,354
CIVILIAN PERSONNEL .....	2,030,079	2,010,379	2,000,479	2,010,379
CONSULTANTS, STUDIES & ANALYSIS .....	80,871	65,871	70,971	65,871
TRAVEL .....	136,475	137,475	125,675	131,075
CHAMPUS .....	1,079,560	1,059,560	1,199,560	1,199,560
PERSONNEL SECURITY CLEARANCE PROCESSING .....		-1,800		-1,800
SLUC CHARGES .....	45,119	41,019	45,119	41,019
PATIENT CARE FUNDING REALIGNMENT (TRANSFER) .....		93,000		
FMS SURCHARGE .....		-5,000		-2,500
OVERSEAS SCHOOLS .....	537,949	523,949	537,949	530,949
LEGISLATIVE LIASON .....	2,118	2,018	2,118	2,018
PUBLIC AFFAIRS .....	1,683	1,183	1,683	1,183
CREATION OF DOD IG .....		4,000		4,400
COMMUNICATIONS .....		-1,000		-1,000
PAY RAISE .....	83,203	72,203		72,203
ITEMS NOT IN CONFERENCE .....	273,377	167,377	167,377	167,377
TOTAL, OPERATION & MAINTENANCE, DEFENSE AGENCIES .....	5,838,103	5,664,678	5,665,800	5,715,778

**OPERATION AND MAINTENANCE, ARMY RESERVE**

The conferees agreed to the following amounts for operation and maintenance, Army Reserve:

[In thousands of dollars]

	Budget	House	Senate	Conference
REAL PROGRAM GROWTH .....		2,300		2,300
FUEL COST REESTIMATE .....	24,410	24,410	23,510	24,410
TRAVEL .....	51,420	51,420	46,420	48,920
INDUSTRIAL PLANT EQ CHG. .....		-300		
PAY RAISE .....	12,784	7,684		7,684
ITEMS NOT IN CONFERENCE .....	610,570	622,270	622,270	622,270
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE .....	699,184	707,784	692,200	705,584

**OPERATION AND MAINTENANCE, NAVY RESERVE**

The conferees agree to the following amounts for operation and maintenance, Navy Reserve:

[In thousands of dollars]

	Budget	House	Senate	Conference
INDUSTRIAL PLANT EQUIPMENT .....	900		900	900
FUEL COST REESTIMATE .....	175,218	166,718	175,218	166,718
A/C MOD INSTALLATION .....	5,862	5,862	14,562	14,562
TRANSFER OF LKA SHIPS .....	23,600		19,000	
C-9 LEASE PROGRAM .....			6,300	6,300
TRAVEL .....	8,074	8,074	6,874	7,474
PAY RAISE .....	3,707	2,207		2,207
ITEMS NOT IN CONFERENCE .....	439,346	439,346	439,346	439,346
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE .....	656,707	622,207	662,200	637,507

**OPERATION AND MAINTENANCE, MARINE CORPS RESERVE**

The conferees agree to the following amounts for operation and maintenance, Marine Corps Reserve:

[In thousands of dollars]

	Budget	House	Senate	Conference
FUEL PRICES .....		-1,100		-1,100
ADP SUPPORT .....		1,000		1,000
PAY RAISE .....	79	79		79
ITEMS NOT IN CONFERENCE .....	48,415	51,115	51,115	51,115
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RES. ....	48,494	51,094	51,115	51,894

**OPERATION AND MAINTENANCE, AIR FORCE RESERVE**

The conferees agree to the following amounts for operation and maintenance, Air Force Reserve:

[In thousands of dollars]

	Budget	House	Senate	Conference
INDUSTRIAL PLANT EQUIPMENT .....	700		700	700
FUEL COST REESTIMATE .....	159,438	151,438	159,438	151,438
PAY RAISE .....	12,335	7,435		7,435



	Budget	House	Senate	Conference
ITEMS NOT IN CONFERENCE.....	606,162	606,162	606,162	606,162
TOTAL, OPERATION & MAINTENANCE, AIR FORCE RESERVE.....	778,635	765,035	766,300	765,735

## OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conferees agree to the following amounts for operation and maintenance, Army National Guard:

[In thousands of dollars]

	Budget	House	Senate	Conference
MINOR CONSTRUCTION.....	6,000	6,000	10,570	10,500
FUEL COST REESTIMATE.....	71,643	57,643	68,943	68,943
REPAIR PARTS.....	113,107	116,007	115,907	115,907
TRAVEL.....	13,586	13,586	12,086	12,836
ARMY GUARD M-1 BATTALION.....	5,500	5,500	4,900	5,500
INDUSTRIAL PLANT EQ CHG.....	—	500	—	—
BUFFALO ARMORY FIRE.....	3,900	—	—	3,900
MILITARY TECHNICIAN CONVERSION.....	15,000	—	—	15,000
PAY RAISE.....	28,417	17,017	—	17,017
ITEMS NOT IN CONFERENCE.....	919,564	945,464	945,464	945,464
TOTAL, OPERATION, MAINTENANCE, ARMY NATL GUARD.....	1,152,317	1,179,617	1,157,800	1,195,067

## OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conferees agree to the following amounts for operation and maintenance, Air National Guard:

[In thousands of dollars]

	Budget	House	Senate	Conference
INDUSTRIAL PLANT EQUIPMENT.....	1,700	—	1,700	1,700
SELFRIDGE PARKING APRON.....	—	6,000	—	6,000
FUEL COST REESTIMATE.....	544,832	507,732	544,832	513,732
COLD WEATHER EQUIPMENT.....	5,248	5,248	8,248	8,248
CHEMICAL DEFENSE EQUIP.....	—	—	8,200	8,200
JT3D REENGINEING.....	—	50,000	59,600	54,000
DEPOT MAINTENANCE.....	289,637	284,437	289,637	284,437
MILITARY TECHNICIAN CONVERSION.....	26,014	10,289	—	10,289
PAY RAISE.....	26,014	15,614	—	15,614
ITEMS NOT IN CONFERENCE.....	920,383	920,383	920,383	920,383
TOTAL, OPERATION & MAINTENANCE, AIR NATL GUARD.....	1,787,814	1,799,703	1,832,600	1,822,603

## TITLE IV.—PROCUREMENT

The conferees agree to the following amounts for the procurement accounts:

[In thousands of dollars]

	Budget	House	Senate	Conference
SUMMARY				
<b>ARMY:</b>				
AIRCRAFT.....	2,745,914	2,514,900	2,444,522	2,506,572
MISSILES.....	2,846,600	2,287,600	2,611,600	2,287,000
WEAPONS, TRACKED COMBAT VEHICLE.....	5,024,485	4,488,815	4,451,016	4,551,946
TRANSFER FROM OTHER ACCOUNTS.....	—	(198,200)	(140,900)	(198,200)
AMMUNITION.....	2,625,684	2,675,394	2,123,694	2,122,394
OTHER.....	4,625,791	4,148,804	4,207,891	4,123,404
TOTAL ARMY.....	17,868,474	15,515,513	15,838,723	15,591,316
TRANSFER FROM OTHER ACCOUNTS.....	—	(198,200)	(140,900)	(198,200)
TOTAL FUNDING AVAILABLE.....	17,868,474	15,713,713	15,979,623	15,789,516
<b>NAVY:</b>				
AIRCRAFT.....	11,582,300	10,616,546	10,650,100	10,416,107
WEAPONS.....	3,901,600	3,644,060	3,506,300	3,561,700
SHIPS.....	18,648,300	15,973,000	16,848,800	16,076,700
REAPPROPRIATION.....	—	—	(176,200)	176,200
TRANSFER FROM OTHER ACCOUNTS.....	—	(35,000)	(35,000)	(35,000)
OTHER.....	3,969,356	3,825,301	3,877,280	3,727,075
MARINE CORPS.....	2,300,700	2,008,432	2,047,855	2,008,083
TOTAL NAVY.....	40,402,256	36,067,339	36,930,335	35,789,665
REAPPROPRIATION.....	—	—	176,200	176,200
TRANSFER FROM OTHER ACCOUNTS.....	—	(35,000)	(35,000)	(35,000)
TOTAL FUNDING AVAILABLE.....	40,402,256	36,102,339	37,141,535	36,000,865
<b>AIR FORCE:</b>				
AIRCRAFT.....	17,834,800	17,588,600	17,575,500	17,658,500
TRANSFER FROM OTHER ACCOUNTS.....	—	(254,800)	(170,000)	(170,000)
MISSILES.....	6,795,900	4,681,700	5,904,800	4,941,100
TRANSFER FROM OTHER ACCOUNTS.....	—	(15,000)	—	(15,000)
OTHER.....	5,836,200	5,320,136	5,556,437	5,563,777
TRANSFER FROM OTHER ACCOUNTS.....	—	(17,072)	—	(4,963)
TOTAL AIR FORCE.....	30,466,900	27,790,436	29,036,737	28,163,377
TRANSFER FROM OTHER ACCOUNTS.....	—	(286,872)	(170,000)	(189,963)
TOTAL FUNDING AVAILABLE.....	30,466,900	28,077,308	29,206,737	28,353,340
DEFENSE AGENCIES.....	879,284	832,845	830,884	828,145
NATIONAL GUARD AND RESERVE COMPONENTS.....	—	—	200,000	125,000
GENERAL REDUCTION, IR&D AND B&P.....	—	-386,000	—	-386,000

	Budget	House	Senate	Conference
TOTAL NOA	89,616,914	79,820,133	83,012,879	80,287,703
TRANSFER FROM OTHER ACCOUNTS		(520,072)	(345,900)	(423,163)
TOTAL FUNDING AVAILABLE	89,616,914	80,340,205	83,358,779	80,710,866

**AIRCRAFT PROCUREMENT, ARMY**

The conferees agree to the following amounts for the aircraft procurement, Army account:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>AIRCRAFT PROCUREMENT, ARMY</b>				
<b>AIRCRAFT</b>				
<b>FIXED WING:</b>				
AIRPLANE, CARGO, C-12	11,000	21,000		21,000
AIRPLANE, RECON, RC-12D (GR PIP BUY)	41,200	41,200	41,200	41,200
<b>ROTARY:</b>				
HELICOPTER, ATTACK, AH-1S (COBRA/TOW)		53,900		53,900
HELICOPTER ELECTRONIC EH-60A (QUICKFIX) (AP-CY)	33,300	25,400	25,400	25,400
AH-64 ATTACK HELICOPTER	760,300	695,300	710,000	695,300
AH-64 ATTACK HELICOPTER (AP-CY)	116,500	115,000	115,000	115,000
UH-60A (BLACK HAWK) (HYP)	508,600	423,000	423,000	423,000
UH-60A (BLACK HAWK) (HYP) (AP-CY)	207,600	145,900	145,900	145,900
<b>TOTAL, AIRCRAFT</b>	<b>1,1678,500</b>	<b>1,520,700</b>	<b>1,460,500</b>	<b>1,520,700</b>
<b>MODIFICATION OF AIRCRAFT:</b>				
AIRPLANE, SURVEILLANCE, OV-1 (MOHAWK)	16,900	16,900	16,900	16,900
AIRPLANE, RECON, RC12D (GR PIP MOD)	8,700	8,700	8,700	8,700
AIRPLANE, RECONNAISSANCE, RV-1 (MOD)	9,900	9,900	9,900	9,900
HELICOPTER, ATTACK AH1S (COBRA-TOW) (MOD)	32,714	32,714	29,500	29,500
HELICOPTER CARGO CH-47 (CHINOOK)	261,300	261,300	261,300	261,300
AIRPLANE, CARGO, C-12 (MODS)	400	400	400	400
HELICOPTER, OBSERVATION, OH-58 (KIOWA) (MOD)	4,300	4,300	1,772	1,772
ARMY HELICOPTER IMPROVEMENT PROGRAM (AHIP)	45,100	28,700	28,700	28,700
AIRBORNE AVIONICS	5,000	5,000	5,000	5,000
MODIFICATIONS UNDER \$900,000 (AIRCRAFT)	100	100	100	100
ACFT 99W	21,200	21,200	21,200	21,200
UNDISTRIBUTED REDUCTION		-3,214		
<b>TOTAL, MODIFICATION OF AIRCRAFT</b>	<b>405,614</b>	<b>386,000</b>	<b>333,472</b>	<b>383,472</b>
<b>SPARES AND REPAIR PARTS</b>	<b>482,500</b>	<b>448,200</b>	<b>436,250</b>	<b>448,200</b>
<b>SUPPORT EQUIPMENT AND FACILITIES</b>				
<b>OTHER SUPPORT:</b>				
AVIONICS SUPPORT EQUIPMENT	34,100	34,100	34,100	34,100
COMMON GROUND EQUIPMENT	90,600	82,300	75,600	75,600
INDUSTRIAL FACILITIES	31,000	21,800	31,000	21,800
WAR CONSUMABLES	6,400	6,400	6,400	6,400
HELLFIRE LAUNCHERS	17,200	17,200	17,200	17,200
<b>TOTAL, SUPPORT EQUIPMENT AND FACILITIES</b>	<b>179,300</b>	<b>161,800</b>	<b>164,300</b>	<b>155,100</b>
<b>INDUSTRIAL PLANT EQUIPMENT</b>		-900		
<b>PERSONNEL SECURITY CLEARANCES</b>		-900		-900
<b>TOTAL, AIRCRAFT PROCUREMENT, ARMY</b>	<b>2,745,914</b>	<b>2,514,900</b>	<b>2,444,522</b>	<b>2,506,572</b>

**MISSILE PROCUREMENT, ARMY**

The conferees agree to the following amounts for missile procurement Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>MISSILE PROCUREMENT, ARMY</b>				
<b>OTHER MISSILES</b>				
<b>SURFACE-TO-AIR MISSILE SYSTEM:</b>				
U.S. ROLAND	61,300	61,300	61,300	61,300
PATRIOT (SAM D)	805,100	779,100	687,300	779,100
STINGER	214,600	214,600	172,100	214,600
<b>AIR-TO-SURFACE MISSILE SYSTEM:</b>	<b>249,200</b>	<b>249,200</b>	<b>249,200</b>	<b>249,200</b>
LASER HELLFIRE SYSTEM				
<b>ANTI-TANK/ASSAULT MISSILE SYSTEM:</b>				
TOW (BGM-71A), (BTM-71A)	145,200	134,700	132,000	134,700
PERSHING	498,300		498,300	
MULTIPLE LAUNCH ROCKET SYSTEM (MYP)	368,900	368,900	368,900	368,900
MULTIPLE LAUNCH ROCKET SYSTEM (MYP) (AP-CY)	53,200	53,200		53,200
OTHER MISSILE SUPPORT	4,500	4,500	4,500	4,500
<b>TOTAL, OTHER MISSILES</b>	<b>2,400,300</b>	<b>1,865,500</b>	<b>2,173,600</b>	<b>1,865,500</b>
<b>MODIFICATION OF MISSILES</b>				
<b>MODIFICATIONS:</b>				
CHAPARRAL MODIFICATIONS	32,500	32,500	32,500	32,500
TWO MODIFICATIONS	58,400	58,400	58,400	58,400
LANCE MODIFICATIONS	1,500	1,500	1,500	1,500
MODIFICATIONS LESS THAN \$900,000	600	600	600	600
<b>TOTAL, MODIFICATION OF MISSILES</b>	<b>93,000</b>	<b>93,000</b>	<b>93,000</b>	<b>93,000</b>
<b>SPARES AND REPAIR PARTS</b>	<b>233,300</b>	<b>233,300</b>	<b>208,000</b>	<b>233,000</b>
<b>SUPPORT EQUIPMENT AND FACILITIES:</b>				
AIR DEFENSE TARGETS	12,100	12,100	9,100	9,100
ITEMS LESS THAN \$900,000 (MISSILES)	4,800	4,800	4,800	4,800
PRODUCTION BASE SPT	69,300	57,700	89,300	58,700

	Budget	House	Senate	Conference
OTHER PRODUCTION CHARGES.....	33,800	33,800	33,800	33,800
TOTAL, SUPPORT EQUIPMENT AND FACILITIES.....	120,000	108,400	137,000	106,400
PERSONNEL SECURITY CLEARANCES.....		- 900		- 900
INDUSTRIAL PLANT EQUIPMENT.....		- 1,400		
TOTAL, MISSILE PROCUREMENT, ARMY.....	2,846,600	2,287,600	2,611,600	2,287,000

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conferees agree to the following amounts for Procurement of Weapons and Tracked Combat Vehicles, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEH				
TRACKED COMBAT VEHICLES:				
CARRIER, COMMAND POST LIGHT, FT, M577A2.....	23,500			
CARRIER, PERSONNEL, FT, ARM, M113A2.....	92,000	92,000	92,000	92,000
BRADLEY FIGHTING VEHICLES.....	793,300	783,300	783,300	783,300
BRADLEY FIGHTING VEHICLES (AP-CY).....	49,200	49,200	49,200	49,200
TRAINING DEVICES F/AFV/CFV.....	38,800	38,800	38,800	38,800
FIELD ARTILLERY AMMO SUPPORT VEHICLE.....	106,400		61,000	30,000
RECOVERY VEHICLE, MED, FT, M88A1.....	151,600	151,600	157,800	151,600
M1 ABRAMS TANK.....	1,457,000	1,360,400	1,211,800	1,360,400
TRANSFER.....		(198,200)	(140,900)	(198,200)
M1 ABRAMS TANK (AP-CY).....	432,300	380,900	363,900	380,900
M60 SERIES TANK TRAINING DEVICES.....	12,600	12,600	12,600	12,600
TRAINING EQUIPMENT FOR M-1 SERIES TANK.....	58,200	58,200	58,200	58,200
LIGHT ARMORED SQUAD CARRIER.....	51,700			
MOBILE PROTECTED GUN-CANNON VEHICLE.....	51,900	25,000	25,000	25,000
MOBILE PROTECTED GUN-RECOVERY VEHICLE.....	7,700			
MODIFICATION OF TRACKED COMBAT VEHICLES:				
CARRIER, MOD, ROLL.....	41,000	41,000	27,200	27,200
IMPROVED TOW VEHICLE (ITV) (MOD).....	81,900	60,700	60,700	60,700
FIST VEHICLE (MOD).....	63,800	40,000	40,000	40,000
HOWITZER, MED SP FT 155 MM M109 SER (MOD).....	2,100	2,100	2,100	2,100
HOWITZER, HV SP FT 8-IN M110 SER (MOD).....	26,800	26,800	26,800	26,800
TANK, COMBAT FT 105MM GUN M60 SER (MOD).....	162,900	162,900	162,900	162,900
SUPPORT EQUIPMENT AND FACILITIES:				
SPARES AND REPAIR PARTS.....	383,469	374,869	371,000	375,900
FAASV.....	(4,600)		(1,031)	(1,031)
M-1.....	(135,700)	(133,200)	(127,800)	(133,200)
LIGHT ARMORED SQUAD CAR.....	(1,300)		(300)	
LIGHT ARMORED RECOVERY VEH.....	(200)		(200)	
ITEMS LESS THAN \$900,000 (TCV-WTCV).....	900	900	900	900
PRODUCTION BASE SUPPORT (TCV-WTCV).....	105,470	122,900	147,170	122,900
TOTAL, TRACKED COMBAT VEHICLES.....	4,194,539	3,784,169	3,692,370	3,801,400
WEAPONS AND OTHER COMBAT VEHICLES:				
DIVAD GUN.....	521,100	437,100	471,100	471,100
DIVAD GUN (AP-CY).....	74,400	74,400	74,400	74,400
ARMOR MACHINE GUN, 7.62MM M240 ROLL.....	26,400	26,400	26,400	26,400
SQUAD AUTOMATIC WEAPON (SAW) 5.56MM.....	10,500	10,500	9,400	9,400
LAUNCHER, SMOKE GRENADE.....	3,400	3,400	3,400	3,400
MORTAR, 81MM, XM252.....	10,600			
PERSONAL DEFENSE WEAPON, 9MM.....	4,400			
VEHICLE RAPID FIRE WEAPON SYSTEM.....	33,400	26,000	33,400	33,400
MAGNETIC HEADING SET.....	3,700			
MHS-CYRO GROUP.....	1,500			
MODIFICATION OF WEAPONS AND OTHER COMBAT VEH: MODIFICATIONS UNDER \$900,000 (WOCV-WTCV).....	900	900	900	900
SUPPORT EQUIPMENT AND FACILITIES:				
SPARES AND REPAIR PARTS.....	107,946	107,946	107,946	107,946
ITEMS LESS THAN \$900,000 (WOCV-WTCV).....	2,600	2,600	2,600	2,600
PRODUCTION BASE SUPPORT (WOCV-WTCV).....	29,100	21,000	29,100	21,000
TOTAL, WEAPONS AND OTHER COMBAT VEHICLES.....	829,946	710,246	758,646	750,546
INDUSTRIAL PLANT EQUIPMENT.....				
		- 5,600		
TOTAL, PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEH.....	5,024,485	4,488,815	4,451,016	4,551,946
TRANSFER FROM OTHER ACCOUNTS.....		(198,200)	(140,900)	(198,200)
TOTAL FUNDING AVAILABLE.....	5,024,485	4,687,015	4,591,916	4,750,146

PROCUREMENT OF AMMUNITION, ARMY

The conferees agree to the following amounts for items in conference in procurement of ammunition, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
PROCUREMENT OF AMMUNITION, ARMY				
CARTRIDGE, 7.62MM, ALL TYPES.....	52,700	45,300	51,700	45,300
CARTRIDGE, CAL. 45, ALL TYPES.....	4,600		4,600	
CARTRIDGE, CAL. 50, ALL TYPES.....	93,600	68,900	92,600	68,900
CARTRIDGE, 30MM (ADEN/DEFA), ALL TYPES.....	64,100	9,000	64,100	64,100
CARTRIDGE, 4.2 INCH, ALL TYPES.....	35,300		12,800	24,100
CARTRIDGE, 105MM (APFSDS-T/TP) ALL TYPES.....	154,800	129,700	100,300	129,700
CARTRIDGE, 120MM, ALL TYPES.....	10,900		10,900	
PROJECTILE, 155MM HE RAP.....	17,700	45,700	17,700	45,700
FUZE, FOR ARTY & MORTAR, ALL TYPES.....	108,000	108,000	98,600	108,000
VIPER, ALL TYPES.....	113,700	36,000		
ITEMS LESS THAN \$900,000 (MISC-AMMO).....	14,500	12,000	14,500	12,000
GENERAL REDUCTION.....		- 7,700		- 7,700
MANUFACTURING TECHNOLOGY PROGRAM.....	24,400		24,400	
INDUSTRIAL PLANT EQUIPMENT.....		- 3,800		
ITEMS NOT IN CONFERENCE.....	1,911,384	1,632,294	1,632,294	1,632,294
TOTAL, PROCUREMENT OF AMMUNITION, ARMY.....	2,625,684	2,075,394	2,123,694	2,122,394

OTHER PROCUREMENT, ARMY

The conferees agree to the following amounts for items in conference in other procurement, army:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>OTHER PROCUREMENT, ARMY</b>				
SMALL UNIT SUPPORT VEHICLE (SUSV)	28,700		28,700	28,700
PRODUCTION BASE SUPPORT (TAC)	8,200	900	8,200	900
LOG PERIODIC AMT, DE-314 ( )/GRC	3,800	3,800	5,800	3,800
SMALL UNIT TRANS AN/PRC-68	7,100	7,100	2,000	2,000
BASE COMM (EUCOM)	35,000	35,000	10,000	10,000
BASE COMM (PACOM)	7,900	4,300	7,900	4,300
MOB IN SER EQ (INT SPT)	58,600	46,600	46,300	46,600
SOFTCOPY IMAGERY TRAINING DEVICE	6,500		6,500	
INTELLIGENCE DATA HANDLING SYSTEM (IDHS)	8,500	5,913	6,000	5,913
DARCOM FIVE YEAR ADP PROGRAM	15,000	14,000	10,000	10,000
DECENTRIZED AUTO SER SUP SYS (DASA3)	33,700	26,700	33,700	26,700
DIV LEVEL DATA ENTRY DEVICE (DLDED)	24,600		10,400	
JAMMER, HAND EMPLACED, EXPENSABLE	5,900		5,900	
GROUND LASER LOCATOR DESIGNATOR (GLLD)	45,400		45,400	
NIGHT SIGHT, INFRARED, AN/TAS-5	28,000	28,000	27,000	28,000
SPARES AND REPAIR PARTS	209,500	189,500	184,500	184,500
SPARES AND REPAIR PARTS	154,164	132,064	145,164	133,064
PRODUCTION BASE SUPPORT (C-E)	22,100	5,000	22,100	5,000
GENERAL REDUCTION		-7,600		
DECONTAMINATE APP PWR DR LT WT KM17	400	400	1,700	400
DETECTION, WARNING SYSTEM, BIOLOGICAL	6,200		6,200	
DISPENSER, MINE, XM128 (GMSS)	8,500	8,200	11,500	8,200
DIVING EQUIPMENT	1,200	1,200	2,000	1,200
PROT OUTFIT, MICROCLIMATE CONTROLLED	3,300	3,300	3,900	3,300
TACTICAL WATER DISTR SYS	17,900	17,900	18,300	17,900
ITEMS LESS THAN \$90,000 (CS EQ-OTH)	21,700	21,700	24,600	21,700
SMALL EMPLACEMENT EXCAVATOR (SEE)	3,800		4,900	
RAILWAY CAR, FLAT, 140 TON	11,100	8,300	8,100	8,100
QUICK RETURN ON INVESTMENT PROGRAM	33,800	33,800	18,800	18,800
PROD ENHANCING CAPITAL INVEST PRGM	10,900	10,900	5,900	5,900
PRODUCTIVITY INVESTMENT PRGM	5,900	5,900	7,100	5,900
BASE LEVEL COM'L EQUIPMENT	50,800	50,800	40,800	45,800
PRODUCTION BASE SUPPORT (OTH)	31,000	13,000	31,000	13,000
GENERAL REDUCTION	-23,800	-29,200		-29,200
INDUSTRIAL PLANT EQUIPMENT		-1,600		
CLASSIFIED PROGRAM, BUDGET AMENDMENT	95,400	95,400		95,400
ITEMS NOT IN CONFERENCE	3,645,027	3,417,527	3,417,527	3,417,527
<b>TOTAL, OTHER PROCUREMENT, ARMY</b>	<b>4,625,791</b>	<b>4,148,804</b>	<b>4,207,891</b>	<b>4,123,404</b>

AIRCRAFT PROCUREMENT, NAVY

The conferees agree to the following amounts for aircraft procurement, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>AIRCRAFT PROCUREMENT, NAVY</b>				
<b>COMBAT AIRCRAFT:</b>				
A-6E (ATTACK) INTRUDER (MYP)	247,700	246,400	224,100	235,200
A-6E (ATTACK) INTRUDER (MYP) (AP-CY)	13,300	8,300	8,300	8,300
EA-6B (ELECTRONIC WARFARE) INTRUDER (MYP)	289,900	289,900	289,900	289,900
EA-6B (ELECTRONIC WARFARE) INTRUDER (MYP) (AP-CY)	26,700	17,600	17,600	17,600
AV-8B (V/STOL)	677,100	702,100	742,900	702,100
AV-8B (V/STOL) (AP-CY)	73,900	61,600	73,900	61,600
F-14A (FIGHTER) TOMCAT	915,300	901,700	819,300	875,000
F-14A (FIGHTER) TOMCAT (AP-CY)	202,400	202,400	202,400	202,400
F-18 (FIGHTER) HORNET	2,443,900	2,136,100	2,233,900	2,136,100
F-18 (FIGHTER) HORNET (AP-CY)	283,700	248,200	252,700	248,200
CH-53E (HELICOPTER) SUPER STALLION (MYP)	255,600	205,600	233,600	205,600
CH-53E (HELICOPTER) SUPER STALLION (MYP) (AP-CY)	33,500	2,900	2,900	2,900
AH-1T (HELICOPTER) SEA COBRA (AP-CY)	17,200			
SH-60B (ASW HELO) SEAHAWK	856,400	476,100	616,700	576,100
SH-60B (ASW HELO) SEAHAWK (AP-CY)	137,000	58,000	102,000	58,000
P-3C (PATROL) ORION	280,600	242,600	253,900	242,600
P-3C (PATROL) ORION (AP-CY)	48,800	48,800	48,800	48,800
E-2C (EARLY WARNING) HAWKEYE	316,200	274,100	307,500	274,100
E-2C (EARLY WARNING) HAWKEYE (AP-CY)	21,300	21,300	21,300	21,300
SH-2F (ASW HELO) SEASPRITE	169,000	150,000	165,400	150,000
SH-2F (ASW HELO) SEASPRITE (AP-CY)	20,400	13,400	20,400	13,400
<b>TOTAL, COMBAT AIRCRAFT</b>	<b>7,331,900</b>	<b>6,407,100</b>	<b>6,637,500</b>	<b>6,369,200</b>
<b>AIRLIFT AIRCRAFT</b>				
<b>BA-2 AIRLIFT AIRCRAFT:</b>				
C-9 SKYTRAIN II	16,200	16,200	16,200	16,200
C-2 (MYP)	218,900	218,900	218,900	218,900
C-2 (MYP) (AP-CY)	48,900	48,900	48,900	48,900
<b>TOTAL, AIRLIFT AIRCRAFT</b>	<b>284,000</b>	<b>284,000</b>	<b>284,000</b>	<b>284,000</b>
<b>TRAINER AIRCRAFT:</b>				
T-34C	34,400	34,400	34,400	34,400
TH-57	23,200	23,200	23,200	23,200
<b>TOTAL, TRAINER AIRCRAFT</b>	<b>57,600</b>	<b>57,600</b>	<b>57,600</b>	<b>57,600</b>
<b>OTHER AIRCRAFT:</b>				
EC-1300 (TACAMO) HERCULES	36,800	36,800	36,800	36,800
EC-130R (TACAMO) HERCULES		30,000		30,000
<b>TOTAL, OTHER AIRCRAFT</b>	<b>36,800</b>	<b>66,800</b>	<b>36,800</b>	<b>66,800</b>
<b>MODIFICATION OF AIRCRAFT:</b>				
A-3 SERIES	7,300	7,300	7,300	7,300
A-4 SERIES	31,100	24,723	31,100	24,723
A-6 SERIES	184,400	175,345	184,400	175,345
EA-6 SERIES	91,100	85,177	91,100	85,177

	Budget	House	Senate	Conference
A-7 SERIES	105,400	105,400	105,400	105,400
AV-8A	10,800	10,900	10,900	10,900
F-4 SERIES	22,700	22,700	22,700	22,700
RF-4 SERIES	9,900	51,970	9,900	29,470
F-14A	166,800	152,198	166,800	152,198
F-8 SERIES	1,200	1,200	1,200	1,200
F-5 SERIES	200	200	200	200
DV-10A	1,700	1,700	1,700	1,700
F-18 MODS	17,800	4,981	17,800	4,981
H-46 SERIES	51,000	51,000	51,000	51,000
H-53 SERIES	29,200	29,200	29,200	29,200
H-1 SERIES	18,900	18,900	18,900	18,900
H-2 SERIES	3,900	3,900	3,900	3,900
H-3 SERIES	20,600	20,600	20,600	20,600
EP-3 SERIES	28,200	28,200	28,200	28,200
P-3 SERIES	119,800	117,090	119,800	117,090
S-3	27,200	26,152	27,200	26,152
US-3A COO	2,700	92	2,700	92
E-2 SERIES	48,100	48,100	48,100	48,100
T-34	1,500	1,500	1,500	1,500
T-44	200	200	200	200
T39	1,500	1,500	1,500	1,500
TH-57	300	300	300	300
T-2	100	100	100	100
C9B SERIES	1,400	1,400	1,400	1,400
C-1A	200	200	200	200
UC-12B	200	200	200	200
EC-130 SERIES	62,700	54,779	62,700	54,779
C-130 SERIES	16,200	16,200	16,200	16,200
C-135	36,800	36,800	36,800	36,800
C-131 SERIES	100	100	100	100
VARIOUS	10,800	10,800	10,800	10,800
POWER PLANT CHANGES	11,700	11,700	11,700	11,700
MISC FLT SAFETY/OPTR NECESSITY CHANGES	5,400	5,400	5,400	5,400
COMMON ECM EQUIPMENT	153,800	153,800	153,800	153,800
COMMON AVIONICS CHANGES	8,100	8,100	8,100	8,100
GENERAL REDUCTION			-103,000	-51,500
<b>TOTAL, MODIFICATION OF AIRCRAFT</b>	<b>1,311,100</b>	<b>1,290,107</b>	<b>1,268,100</b>	<b>1,216,107</b>
<b>SPARES AND REPAIR PARTS</b>	<b>2,080,900</b>	<b>2,047,039</b>	<b>2,005,900</b>	<b>2,005,900</b>
<b>AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES</b>	<b>415,200</b>	<b>415,200</b>	<b>366,000</b>	<b>366,600</b>
COMMON GROUND EQUIPMENT	24,400	24,400	24,400	24,400
AIRCRAFT INDUSTRIAL FACILITIES	9,300	9,300	9,300	9,300
WAR CONSUMABLES	31,100	31,100	31,100	31,100
OTHER PRODUCTION CHANGES				
<b>TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES</b>	<b>480,000</b>	<b>480,000</b>	<b>431,400</b>	<b>431,400</b>
<b>PERSONNEL SECURITY CLEARANCES</b>			-3,700	-3,700
<b>INDUSTRIAL PLANT EQUIPMENT</b>			-2,600	
<b>CONSULTANTS, STUDIES, AND ANALYSES</b>			-9,800	-11,200
<b>TOTAL, AIRCRAFT PROCUREMENT, NAVY</b>	<b>11,582,300</b>	<b>10,616,546</b>	<b>10,650,100</b>	<b>10,416,107</b>

**WEAPONS PROCUREMENT, NAVY**

The conferees agree to the following amounts for weapons procurement, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>WEAPONS PROCUREMENT, NAVY</b>				
<b>BALLISTIC MISSILES:</b>				
UGM-73A (C-3) POSEIDON	9,700	9,700	9,700	9,700
UGM-96A (C-4) TRIDENT I	699,500	685,300	633,700	633,700
UGM-96A (C-4) TRIDENT I (AP-CY)	43,300	36,300	36,300	36,300
MODIFICATION OF MISSILES: UGM-73 A (C-3) POSEIDON MODS	7,500	7,500	7,500	7,500
<b>SUPPORT EQUIPMENT AND FACILITIES:</b>				
SPARES AND REPAIR PARTS	1,100	1,100	1,100	1,100
MISSILE INDUSTRIAL FACILITIES	2,600	2,600	2,600	2,600
ASTRONAUTICS	12,800	12,800	12,800	12,800
<b>TOTAL, BALLISTIC MISSILES</b>	<b>776,500</b>	<b>755,300</b>	<b>703,700</b>	<b>703,700</b>
<b>OTHER MISSILES</b>				
<b>STRATEGIC MISSILES:</b>				
BGM-109 TOMAHAWK	271,000	237,300	173,000	229,800
BGM-109 TOMAHAWK (AP-CY)	21,163	19,223	6,663	6,663
<b>TACTICAL MISSILES:</b>				
AIM/RIM-7 F/M SPARROW	132,800	131,100	132,800	131,100
AIM-9L/M SIDEWINDER	41,471	40,771	41,471	40,771
AIM-54A/C (PHOENIX)	222,100	212,500	182,600	212,500
AIM-54A/C (PHOENIX) (AP-CY)	34,200	34,200	30,200	34,200
AGM-84A HARPOON	236,136	219,736	225,136	219,736
AGM-88A HARM	176,800	127,100	95,800	127,100
RIM-66B STANDARD MR (MYP)	192,300	191,300	192,300	191,300
RIM-66B STANDARD MR (MYP) (AP-CY)	60,300			
RIM-66C STANDARD MR	122,800	122,100	122,800	122,100
RIM-67B STANDARD ER	302,800	301,000	302,800	301,000
LASER MAVERICK	33,100	32,400	33,100	32,400
OTHER MISSILE SUPPORT	5,300	5,300	5,300	5,300
AERIAL TARGETS	76,600	75,700	76,600	75,700
<b>MODIFICATION OF MISSILES:</b>				
AIM/RIM-7E/F SPARROW MOD	7,690	7,690	7,690	7,690
AIM-9 SIDEWINDER MOD	46,200	46,200	46,200	46,200
AIM-54A/C PHOENIX MOD	6,600	6,600	6,600	6,600
AGM-84A HARPOON MOD	8,100	8,100	8,100	8,100
RIM-66B STANDARD MR MOD	2,600	2,600	2,600	2,600
RIM-67A STANDARD ER MOD	3,000	3,000	3,000	3,000
<b>SUPPORT EQUIPMENT AND FACILITIES:</b>				
SPARES AND REPAIR PARTS	103,540	103,540	90,840	90,840
WEAPONS INDUSTRIAL FACILITIES	11,800	11,800	11,800	11,800
ENERGY CONSERVATION	2,700	2,700	2,700	2,700
FLEET SATELLITE COMMUNICATIONS	231,300	231,300	231,300	231,300



	Budget	House	Senate	Conference
TOTAL, OTHER MISSILES.....	2,352,400	2,173,260	2,031,400	2,140,500
<b>TORPEDOES AND RELATED EQUIPMENT:</b>				
TORPEDO MK-48.....	124,300	119,300	124,300	119,300
TORPEDO MK-46 (MYP).....	105,700	89,200	105,700	89,200
TORPEDO MK-46 (MYP) (AP-CY).....	35,500	35,500	35,500	35,500
MK-60 CAPTOR.....	151,400	133,200	151,400	133,200
MOBILE TARGET MK-30.....	19,400	19,400	19,400	19,400
MK-38 MINI MOBILE TARGET (A).....	2,300	2,300	2,300	2,300
ASROC.....	10,100	10,100	10,100	10,100
<b>MOD OF TORPEDOES AND RELATED EQUIP:</b>				
MOBILE MINE MK-67.....	22,900	22,900	22,900	22,900
TORPEDO MK-46 MODS.....	28,400	15,600	28,400	15,600
TORPEDO MK-48 MODS.....	35,600	35,600	35,600	35,600
CAPTOR MODS.....	2,400	2,400	2,400	2,400
<b>SUPPORT EQUIPMENT:</b>				
TORPEDO SUPPORT EQUIPMENT.....	36,000	36,000	36,000	36,000
ASW RANGE SUPPORT.....	17,800	17,800	17,800	17,800
SPARES AND REPAIR PARTS.....	13,100	13,100	13,100	13,100
TOTAL, TORPEDOES AND RELATED EQUIPMENT.....	604,900	552,400	604,900	552,400
<b>OTHER WEAPONS</b>				
<b>GUNS AND GUN MOUNTS:</b>				
MK-15 CLOSE IN WEAPONS SYSTEM.....	118,740	118,740	118,740	118,740
MK-75 76MM GUN MOUNT.....	10,700	10,700	10,700	10,700
MK-19.....	400	400	400	400
20MM GUN MOUNT.....	400	400	400	400
9MM HANDGUN.....	400			
<b>MODIFICATION OF GUNS AND GUN MOUNTS:</b>				
CHWS MODS.....	4,400	4,400	4,400	4,400
5' /34 GUN MOUNT MODS.....	9,000	9,000	9,000	9,000
3' /50 GUN MOUNT MODS.....	3,500	3,500	3,500	3,500
MK 75 76MM GUN MOUNT MODS.....	2,300	2,300	2,300	2,300
MODS UNDER \$300,000.....	500	500	500	500
<b>SUPPORT EQUIPMENT:</b>				
GUN SUPPORT EQUIPMENT.....	400	400	400	400
SPARES AND REPAIR PARTS.....	17,060	17,060	17,060	17,060
TOTAL, OTHER WEAPONS.....	167,800	167,400	167,400	167,400
PERSONNEL SECURITY CLEARANCES.....		-1,200		-1,200
INDUSTRIAL PLANT EQUIPMENT.....		-3,100		-3,100
CONSULTANTS, STUDIES, ANALYSES.....			-1,100	-1,100
TOTAL, WEAPONS PROCUREMENT, NAVY.....	3,901,600	3,644,060	3,506,300	3,561,700

SHIPBUILDING AND CONVERSION, NAVY

The conferees agree to the following amounts for shipbuilding and conversion, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>SHIPBUILDING AND CONVERSION, NAVY</b>				
<b>FLEET BALLISTIC MISSILE SHIPS:</b>				
TRIDENT (NUCLEAR).....	2,241,100	1,428,600	1,462,600	1,462,600
TRIDENT (NUCLEAR) (AP-CY).....	243,900	81,300	81,300	81,300
TOTAL, FLEET BALLISTIC MISSILE SHIPS.....	2,485,000	1,509,900	1,543,900	1,543,900
<b>OTHER WARSHIPS:</b>				
CVN AIRCRAFT CARRIER (NUCLEAR).....	6,795,300	6,559,500	6,795,300	6,559,500
SSN-688 CLASS SUBMARINE (NUCLEAR).....	1,027,400	1,004,200	1,027,400	1,004,200
SSN-688 CLASS SUBMARINE (NUCLEAR) (AP-CY).....	416,000	416,000	416,000	416,000
BATTLESHIP REACT.....	323,400	300,800	323,400	300,800
BATTLESHIP REACT (AP-CY).....	94,000	94,000		
CV SLEP.....	536,500	517,300	536,500	536,500
CV SLEP (AP-CY).....	163,000	163,000	163,000	163,000
CG-47 AEGIS CRUISER.....	3,112,200	2,901,700	3,062,600	2,901,700
CG-47 AEGIS CRUISER (AP-CY).....	22,200		22,200	
TOTAL, OTHER WARSHIPS.....	12,490,000	11,956,500	12,346,400	11,881,700
<b>AMPHIBIOUS SHIPS:</b>				
LSD-41 LANDING SHIP DOCK.....	379,200	377,800	379,200	377,800
LSAD-41 LANDING SHIP DOCK (AP-CY).....	37,800	37,800	37,800	37,800
LHD-1 (AP-CY).....	55,000	55,000	55,000	55,000
TOTAL, AMPHIBIOUS SHIPS.....	472,000	470,600	472,000	470,600
<b>MINE WARFARE AND PATROL SHIP</b>				
<b>BA-4 MINE WARFARE AND PATROL SHIPS:</b>				
FFG GUIDED MISSILE FRIGATE.....	666,400	666,400	631,400	646,300
(TRANSFER FROM FY82).....		(35,000)	(35,000)	(35,000)
MCM MINE COUNTERMEASURES SHIP.....	371,600		371,600	100,000
TOTAL, MINE WARFARE AND PATROL SHIPS.....	1,038,000	666,400	1,003,000	746,300
<b>BA-5 AUXILIARIES, CRAFT AND PY PROG COSTS</b>				
<b>AUXILIARIES AND CRAFT:</b>				
TAO (MYP).....	210,200	179,600		173,000
TAO (MYP) (AP-CY).....	109,800			
AGOS SWATH SHIP (AP-CY).....	24,300			
ARS.....	74,000		74,000	50,000
ARC.....	10,000		10,000	
FAST LOGISTICS SHIP (TAKRX) (CONV).....	322,600			
FAST LOGISTICS SHIP (TAKRX) (CONV) (AP-CY).....		44,000	44,000	44,000
TAHX.....	300,000	300,000	300,000	300,000
SERVICE CRAFT.....	79,000	78,100	79,000	79,000
LANDING CRAFT.....	83,100	65,300	72,500	65,300
OUTFITTING.....	136,400	136,400	136,400	136,400
POST DELIVERY.....	168,300	158,300	168,300	168,300

	Budget	House	Senate	Conference
SHIP CONTRACT DESIGN.....	97,200		97,200	
COST GROWTH—ESCALATION ON PRIOR YEAR PROGRAMS.....	523,400	439,900	536,900	458,900
MANUFACTURING TECHNOLOGY.....	25,000			
<b>TOTAL, BA-5 AUXILIARIES, CRAFT AND PY PROG COSTS.....</b>	<b>2,163,300</b>	<b>1,401,600</b>	<b>1,518,300</b>	<b>1,474,900</b>
<b>ACQUISITION, CONSTRUCTION AND IMPROVEMENTS:</b>				
INDUSTRIAL PLANT EQUIPMENT.....		- 5,100		
PERSONNEL SECURITY CLEARANCES.....		- 5,900		- 5,900
CONSULTANTS, STUDIES, AND ANALYSES.....		- 21,000	- 34,800	- 34,800
<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY.....</b>	<b>18,648,300</b>	<b>15,973,000</b>	<b>16,848,800</b>	<b>16,076,700</b>
REAPPROPRIATION (FY77 PROGRAM COMPLETION).....			176,200	176,200
TRANSFER FROM OTHER ACCOUNTS.....		(35,000)	(35,000)	(35,000)
<b>TOTAL FUNDING AVAILABLE.....</b>	<b>18,648,300</b>	<b>16,308,000</b>	<b>17,060,000</b>	<b>16,287,900</b>

**OTHER PROCUREMENT, NAVY**

The conferees agree to the following amounts for items in conference in other procurement, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>OTHER PROCUREMENT NAVY</b>				
STEAM PROPULSION IMPROVEMENT PROG.....	15,524	15,524	13,524	13,524
HIGH PRESSURE AIR COMPRESSOR.....	3,607	3,607	1,607	1,607
ELEC CYRO NAV SYS.....	16,974	4,200	16,974	4,200
SEALIFT SUPPORT EQUIPMENT.....	22,007	15,207	15,007	15,007
SMALL BOATS.....	14,987	14,987	13,587	13,587
AN/SLO-17.....	21,857	21,857	22,657	21,857
NCCS ASHORE.....	6,573	4,573	6,573	4,573
AN/SSO-77 (VLAD).....	53,308	42,552	53,308	42,552
GENERAL PURPOSE BOMBS.....	18,402	2,600	18,402	2,600
MARINE LOCATION MARKERS.....	6,438	5,100	6,438	5,100
JATOS.....	14,873	12,873	14,873	12,873
5 /54 AMMO COMPONENTS.....	28,046	28,846	28,046	28,846
GUN FIRE CONTROL EQUIPMENT.....	11,698	11,698	9,798	9,798
AEGIS CSEDS.....	43,957		43,957	
SURFACE TOMAHAWK SUPPORT EQUIPMENT.....	144,847	104,564	144,847	104,564
SUBMARINE TOMAHAWK SUPPORT EQUIPMENT.....	31,398	14,699	31,398	14,699
SMALL ARMS AMMO.....	15,486	12,312	12,286	12,286
PRODUCTIVITY INVESTMENT FUND (PIF).....	4,655	4,655	1,555	1,555
NAVY PRODUCTIVITY PROGRAM (COOR).....	6,726	6,726	3,426	3,426
SPECIAL ACTIVITIES.....	16,074	12,534	8,974	12,534
TRAINING SUPPORT EQUIP.....	14,079	14,079	7,579	7,579
INTELLIGENCE SUPPORT EQUIPMENT.....	23,964	21,808	21,964	21,808
MANUFACTURING TECHNOLOGY.....	33,830	41,830	33,830	33,830
UNDISTRIBUTED REDUCTION.....			- 12,400	- 12,400
UNDISTRIBUTED REDUCTION.....			- 7,400	- 7,400
INDUSTRIAL PLANT EQUIPMENT.....		50,000		
ITEMS NOT IN CONFERENCE.....				
<b>TOTAL, OTHER PROCUREMENT NAVY.....</b>	<b>3,400,046</b>	<b>3,366,470</b>	<b>3,366,470</b>	<b>3,366,470</b>

**PROCUREMENT, MARINE CORPS**

The conferees agree to the following amounts for items in conference in procurement, Marine Corps:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>PROCUREMENT, MARINE CORPS</b>				
M2 CUTTER CTG ACT REEF LINE 2-SEC DEL.....	1,288	1,288	788	788
LINEAR CHARGE, PRACTICE.....	16,443	16,443	10,443	10,443
CARTRIDGE, 9MM BALL.....	649	649		
PROJECTILE, 155MM, SMOKE HC-BE.....	15,363	14,063	10,066	10,066
PROJECTILE, 155MM, ICM(DP).....	131,714	131,714	73,731	73,731
CHARGE PROPELLING, 155MM, WHITE BAG.....	50,948	50,948	27,089	27,089
PROJ 155MM HE 107.....	46,193	46,193	44,388	44,388
CHARGE, PROPELLING, 8 INCH, WHITE BAG.....	11,311	11,341	8,341	8,341
PROJECTILE, 155MM, ADAM.....	57,176	28,876	24,427	24,427
PROJECTILE, 155MM, RAAM.....	38,131	28,931	28,191	28,191
PROJECTILE, 155MM, CLGP COPPERHEAD.....	20,884	20,884		
FUZE MECHANICAL TIME.....	19,633	19,633	1,950	19,633
GENERAL REDUCTION, 155MM.....		- 160,200		
ITEMS LESS THAN \$900,000.....	4,068	4,068	3,868	3,868
LV17A1 (AP-CY).....	151,513	124,753	151,513	124,753
LV17A1 (AP-CY).....		25,800		25,800
LV17 SERVICE LIFE EXT PROG (SLEP).....	157,240	131,400	141,840	116,000
LV17 SERVICE SOURCE EST. PROG. (AP-CY).....		25,800		25,800
MACHINE GUN, 50 CAL M2.....	2,983	2,512	2,983	2,512
STINGER MISSILE SYSTEM.....	115,593	99,500	115,593	99,500
RADIO SET AN/PRC-( )/UHF.....	17,818	17,818	14,718	14,718
RADIO SET AN/PRC-75A (TEL).....	83	83		
RADIO SET AN/PRC-77.....	4,391	4,391	3,091	3,091
ANTENNA PROCESSOR CP-1380/VRC.....	3,897	3,897	3,497	3,497
AUTO, ATMOSPHERIC SNOG, SET.....	4,545		4,545	
TOW NIGHT SIGHT TAS-4.....	24,434	24,434	10,234	10,234
MOD UNIV LASER EQUIP-MULE (MVP).....	35,214	37,314	35,214	37,314
MOD UNIV LASER EQUIP-MULE (MVP) (AP-CY).....	12,600		12,600	
TRUCK CARGO 5 TON.....	63,817	62,117	63,817	62,117
5 TON RETROFIT.....	6,787	5,787	3,787	3,787
REFRIGERATION UNIT.....	2,158	1,058	2,158	1,058
REFRIGERATION BOX.....	1,346	246	1,346	246
COMMAND SPT EQUIP.....	25,220	10,000	11,520	10,000
SHELTER FAMILY.....	19,426		19,426	
ITEMS NOT IN CONFERENCE.....				
<b>TOTAL, PROCUREMENT, MARINE CORPS.....</b>	<b>2,300,700</b>	<b>2,008,432</b>	<b>2,047,655</b>	<b>2,008,083</b>

AIRCRAFT PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for Aircraft Procurement, Air Force:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>				
<b>COMBAT AIRCRAFT</b>				
<b>STRATEGIC OFFENSIVE:</b>				
B-1B.....	3,393,100	3,393,100	3,393,100	3,393,100
B-1B (AP-CY).....	475,000	475,000	475,000	475,000
<b>TACTICAL FORCES:</b>				
A-10A/B.....	357,300	357,300	357,300	357,300
F-5E/F.....	28,500	28,500	28,500	28,500
F-15A/B/C/D/E.....	1,296,800	1,240,400	1,240,400	1,240,400
F-15A/B/C/D/E (AP-CY).....	305,400	162,000	162,000	162,000
F-16A/B.....	1,735,400	1,711,600	1,711,600	1,711,600
F-16A/B (AP-CY).....	223,300	223,300	223,300	223,300
<b>OTHER COMBAT AIRCRAFT:</b>				
KC-10A (ATCA).....	474,000	354,000	354,000	354,000
TRANSFER.....		(120,000)	(120,000)	(120,000)
KC-10A (ATCA) (AP-CY).....	441,000	441,000	441,000	441,000
KC-130H.....		38,300	38,300	38,300
E-3A.....	114,900	114,900	140,600	114,900
E-3A (A-CY).....	25,700	25,700	25,700	25,700
<b>TOTAL, COMBAT AIRCRAFT.....</b>	<b>8,870,400</b>	<b>8,565,100</b>	<b>8,590,800</b>	<b>8,565,100</b>
<b>AIRLIFT AIRCRAFT</b>				
<b>STRATEGIC AIRLIFT:</b>				
C-5N.....	700,000	697,500	650,000	700,000
C-5N (AP-CY).....	100,000	102,500	100,000	100,000
TRANSFER.....		(50,000)		
<b>TACTICAL AIRLIFT:</b>				
C-130H.....		72,500	145,000	72,500
C-130 SKI EQUIPPED.....		106,500		106,500
WIDE BODIED CARGO AIRLIFT.....		60,000	94,800	94,800
TRANSFER.....		(84,800)	(50,000)	(50,000)
<b>EUROPEAN DISTRIBUTION AIRCRAFT.....</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>
<b>TOTAL, AIRLIFT AIRCRAFT.....</b>	<b>805,000</b>	<b>1,044,000</b>	<b>989,800</b>	<b>1,078,800</b>
<b>OTHER AIRCRAFT:</b>				
TR-1A.....	145,800	145,800	145,800	145,800
TR-1A (AP-CY).....	10,700	10,700	10,700	10,700
<b>TOTAL, OTHER AIRCRAFT.....</b>	<b>156,500</b>	<b>156,500</b>	<b>156,500</b>	<b>156,500</b>
<b>MODIFICATION OF IN-SERVICE AIRCRAFT</b>				
<b>STRATEGIC AIRCRAFT: B-52.....</b>	<b>554,600</b>	<b>521,600</b>	<b>530,500</b>	<b>532,200</b>
<b>TACTICAL AIRCRAFT:</b>				
A-7.....	41,500	41,500	90,500	90,500
A-10.....	92,300	92,300	92,300	92,300
F/RF-4.....	127,300	120,000	120,200	120,000
F-5.....	3,400	3,400	3,400	3,400
F-15.....	36,200	36,200	36,200	36,200
F-16.....	40,100	40,100	40,100	40,100
F-111.....	96,000	96,000	96,000	96,000
EF-111.....	203,600	203,600	203,600	203,600
TR-1A.....	2,300	2,300	2,300	2,300
T/AT-37.....	7,800	7,800	7,800	7,800
<b>AIRLIFT AIRCRAFT:</b>				
C-5.....	231,000	231,000	231,100	231,100
C-141.....	33,900	33,900	33,900	33,900
<b>TRAINER AIRCRAFT:</b>				
T-38.....	8,000	8,000	8,000	8,000
T-39 AIRCRAFT SYSTEM.....	8,100	8,100	8,100	8,100
<b>OTHER AIRCRAFT:</b>				
C-130.....	154,800	154,800	154,800	154,800
C-135.....	613,700	558,700	558,600	558,700
CFM56.....		(- 115,000)	(- 115,000)	(- 115,000)
B707.....		(60,000)	(59,900)	(60,000)
E-3.....	150,500	150,500	150,500	150,500
E-4.....	7,500	7,500	7,500	7,500
OV-10 AIRCRAFT SYSTEM.....	3,500			
<b>OTHER AIRCRAFT.....</b>	<b>81,500</b>	<b>81,500</b>	<b>81,500</b>	<b>81,500</b>
<b>OTHER MODIFICATIONS: CLASSIFIED PROJECTS.....</b>	<b>102,300</b>	<b>102,300</b>	<b>102,300</b>	<b>102,300</b>
<b>CIVIL RESERVE AIRLIFT FLEET (CRAF): UNDISTRIBUTED REDUCTION.....</b>	<b>- 4,500</b>	<b>- 4,500</b>	<b>- 4,500</b>	<b>- 4,500</b>
<b>TOTAL, MODIFICATION OF IN-SERVICE AIRCRAFT.....</b>	<b>2,600,000</b>	<b>2,496,700</b>	<b>2,554,700</b>	<b>2,556,300</b>
<b>SPARES AND REPAIR PARTS.....</b>	<b>3,645,600</b>	<b>3,581,900</b>	<b>3,518,000</b>	<b>3,544,100</b>
<b>AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES</b>				
<b>COMMON GROUND EQUIPMENT.....</b>	<b>330,600</b>	<b>310,600</b>	<b>313,000</b>	<b>310,600</b>
<b>INDUSTRIAL RESPONSIVENESS (AP-CY).....</b>	<b>147,400</b>	<b>147,400</b>	<b>147,400</b>	<b>147,400</b>
<b>WAR CONSUMABLES.....</b>	<b>137,800</b>	<b>112,300</b>	<b>125,300</b>	<b>125,300</b>
<b>OTHER PRODUCTION CHARGES (AP-CY).....</b>	<b>955,400</b>	<b>993,900</b>	<b>993,900</b>	<b>993,900</b>
<b>NATO AEW/C.....</b>	<b>186,100</b>	<b>186,100</b>	<b>186,100</b>	<b>186,100</b>
<b>TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES.....</b>	<b>1,757,300</b>	<b>1,750,300</b>	<b>1,765,700</b>	<b>1,763,300</b>
<b>INDUSTRIAL PLANT EQUIPMENT.....</b>		<b>- 300</b>		
<b>PERSONNEL SECURITY CLEARANCE PROCESS.....</b>		<b>- 5,600</b>		<b>- 5,600</b>
<b>TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.....</b>	<b>17,834,800</b>	<b>17,588,600</b>	<b>17,575,500</b>	<b>17,658,500</b>
<b>TRANSFER FROM OTHER ACCOUNTS.....</b>		<b>(254,800)</b>	<b>(170,000)</b>	<b>(170,000)</b>
<b>TOTAL FUNDING AVAILABLE.....</b>	<b>17,834,800</b>	<b>17,843,400</b>	<b>17,745,500</b>	<b>17,828,500</b>

## MISSILE PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for missile procurement, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
<b>MISSILE PROCUREMENT, AIR FORCE</b>				
<b>BALLISTIC MISSILES:</b>				
MINUTEMAN UPGRADE AND EXPANSION.....			15,000	
ADVANCED ICBM (M-X).....	1,446,400		988,000	
<b>TOTAL, BALLISTIC MISSILES</b> .....	<b>1,446,400</b>		<b>1,003,000</b>	
<b>OTHER MISSILES</b>				
<b>STRATEGIC:</b>				
AIR LAUNCH CRUISE MISSILE.....	621,500	509,500	496,500	509,500
AIR LAUNCH CRUISE MISSILE (AP-CY).....	43,000	38,700	43,000	38,700
GRD LAUNCH CRUISE MISSILE.....	490,300	416,800	432,300	431,500
GRD LAUNCH CRUISE MISSILE (AP-CY).....	29,600	18,500	24,600	21,500
<b>TACTICAL:</b>				
AIM-7F/M SPARROW.....	198,600	198,600	198,600	198,600
AIM-9L/M SIDEWINDER.....	114,700	114,700	114,700	114,700
AGM-65D MAVERICK.....	342,600		244,900	244,900
AGM-BBA HARM.....	159,800	112,500	80,800	112,500
RAPIER.....	98,900	148,900	148,900	148,900
TARGET DRONES: TARGET DRONES.....	40,200	40,200	40,200	40,200
<b>TOTAL, OTHER MISSILES</b> .....	<b>2,139,200</b>	<b>1,598,400</b>	<b>1,834,500</b>	<b>1,861,000</b>
<b>MODIFICATION OF IN-SERVICE MISSILES</b>				
CLASS IV: CLASS IV.....	62,419	45,219	47,419	45,219
CLASS V:				
LGM-30F/G MINUTEMAN II-III.....	35,500	35,500	35,500	35,500
AIR LAUNCH CRUISE MISSILE.....	50,800			
<b>UPDATE:</b>				
AIM-7F/M SPARROW.....	7,691	7,691	7,691	7,691
GRD LAUNCH CRUISE MISSILE UPDATE.....	3,590	3,590	3,590	3,590
<b>TOTAL, MODIFICATION OF IN-SERVICE MISSILES</b> .....	<b>160,000</b>	<b>92,000</b>	<b>94,200</b>	<b>92,000</b>
<b>SPARES AND REPAIR PARTS</b> .....	<b>274,000</b>	<b>212,800</b>	<b>206,400</b>	<b>209,600</b>
<b>OTHER SUPPORT</b>				
<b>SPACE PROGRAMS:</b>				
SPACEBORNE EQUIP. (COMSEC).....	13,077	13,077	13,077	13,077
GLOBAL POSITIONING (MYP).....	102,000	102,000	102,000	102,000
SPACE LAUNCH SUPPORT.....	87,600	87,600	87,600	87,600
SPACE LAUNCH SUPPORT (AP-CY).....	68,200	68,200	68,200	68,200
SATELLITE DATA SYSTEM.....	22,518	22,518	22,518	22,518
DEF METEOROLOGICAL SAT PROG.....	137,200	137,200	137,200	137,200
DEF METEOROLOGICAL SAT PROG (AP-CY).....	30,700	30,700	30,700	30,700
DEFENSE SUPPORT PROGRAM.....	407,500	407,500	407,500	407,500
DEFENSE SATELLITE COMM SYSTEM.....	192,900	182,900	182,900	182,900
AF SATELLITE COMM SYSTEM.....	28,600	28,600	28,600	28,600
SPACE BOOSTERS.....	3,500	3,500	3,500	3,500
SPACE BOOSTERS (AP-CY).....	67,600	67,600	67,600	67,600
SPACE SHUTTLE.....	135,954	135,954	135,954	135,954
INDUSTRIAL FACILITIES: INDUSTRIAL FACILITIES.....	27,200	27,200	27,200	27,200
<b>SPECIAL PROGRAMS:</b>				
OTHER PROGRAMS.....	15,600	15,600	15,600	15,600
FOREST GREEN.....	3,508	3,508	3,508	3,508
IONDS.....	22,455	22,455	22,455	22,455
<b>SPECIAL PROGRAMS:</b>				
SPECIAL UPDATE PROGRAMS.....	1,151,800	1,140,700	1,111,700	1,140,700
TRANSFER.....	258,388	283,888	298,888	283,888
		(15,000)		(15,000)
<b>TOTAL, OTHER SUPPORT</b> .....	<b>2,776,300</b>	<b>2,780,700</b>	<b>2,766,700</b>	<b>2,780,700</b>
<b>PERSONNEL SECURITY CLEARANCE PROCESSING</b> .....		-2,200		-2,200
<b>TOTAL, MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>6,795,900</b>	<b>4,681,700</b>	<b>5,904,800</b>	<b>4,941,100</b>
TRANSFER FROM OTHER ACCOUNTS.....		(15,000)		(15,000)
<b>TOTAL FUNDING AVAILABLE</b> .....	<b>6,795,900</b>	<b>4,666,700</b>	<b>5,904,800</b>	<b>4,956,100</b>

## OTHER PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for items in conference in other procurement, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
<b>OTHER PROCUREMENT, AIR FORCE</b>				
30 MM API.....	65,612	61,802	64,612	61,802
CBU-87 (CEM).....			25,000	25,000
TRUCK CARGO 5T M-923, M-925.....	15,824	14,210	15,824	14,210
25K A/C LOADER.....	9,636	8,310	9,636	8,310
GLCH COMMUNICATIONS.....	10,772		10,772	10,772
AIR BASE DEFENSE SYSTEM.....	26,699	25,303	26,699	25,303
RANGE IMPROVEMENTS.....	74,149	54,149	68,400	54,149
RADAR BOMB SCORER.....	20,675	20,675	5,000	20,675
COMBAT SUPPLY SYSTEM.....	7,581		7,581	
CONSOLIDATED SPACE OPS CENTER.....	20,736	20,736	6,736	20,736
COMM-ELECTRONICS CLASS IV.....	49,510	49,510	44,000	49,510
GENERAL REDUCTION.....			-12,109	
BASE MECHANIZATION EQUIPMENT.....	14,645	14,645	12,000	12,000
PALLET, AIR CARGO, 108" X 108".....	14,766	14,766	12,000	21,000
PRODUCTIVITY ENHANCEMENT.....	13,829	13,829	11,000	11,000
PHOTO PROCESSING/INTERPRETATION SYS.....	11,125	6,525	9,925	9,925
SELECTED ACTIVITIES.....	2,526,523	2,423,187	2,426,700	2,423,687
GENERAL REDUCTION.....		-20,072		-7,563
INDUSTRIAL PLANT EQUIPMENT.....		-100		
ITEMS NOT IN CONFERENCE.....				
<b>TOTAL, OTHER PROCUREMENT, AIR FORCE</b> .....	<b>2,954,118</b>	<b>2,812,661</b>	<b>2,812,661</b>	<b>2,812,661</b>
<b>TOTAL, OTHER PROCUREMENT, AIR FORCE</b> .....	<b>5,836,200</b>	<b>5,520,136</b>	<b>5,556,437</b>	<b>5,563,777</b>
TRANSFER FROM OTHER ACCOUNTS.....		(17,072)		(4,563)
<b>TOTAL FUNDING AVAILABLE</b> .....	<b>5,836,200</b>	<b>5,537,208</b>	<b>5,556,437</b>	<b>5,568,740</b>

PROCUREMENT, DEFENSE AGENCIES

The conferees agree to the following amounts for items in conference in procurement, defense agencies:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>PROCUREMENT, DEFENSE AGENCIES</b>				
ITEMS LESS THAN \$900,000 EACH.....	30,277	30,277	20,277	28,577
QUICK RETURN INVESTMENTS PROGRAM.....	2,420	2,420	1,420	1,420
OTHER CAPITAL EQUIPMENT.....	19,627	19,627	15,627	19,627
VEHICLES.....	6,313	6,313	4,313	4,313
CLASSIFIED PROGRAMS.....	753,289	706,850	721,889	706,850
ITEMS NOT IN CONFERENCE.....	67,358	67,358	67,358	67,358
<b>TOTAL, PROCUREMENT, DEFENSE AGENCIES.....</b>	<b>879,284</b>	<b>832,845</b>	<b>830,884</b>	<b>828,145</b>

NATIONAL GUARD AND RESERVE EQUIPMENT

The conferees agree to the following amounts for Reserve and National Guard:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>NATIONAL GUARD AND RESERVE COMPONENTS</b>				
ARMY RESERVE.....			70,000	15,000
ARMY NATIONAL GUARD.....			40,000	50,000
NAVAL RESERVE.....			30,000	15,000
MARINE CORPS RESERVE.....			15,000	15,000
AIR FORCE RESERVE.....			20,000	15,000
AIR NATIONAL GUARD.....			25,000	15,000
<b>TOTAL NATIONAL GUARD AND RESERVE COMPONENTS.....</b>			<b>200,000</b>	<b>125,000</b>

TITLE V.—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conferees agree to the following amounts for the research, development, test and evaluation accounts:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>RECAPITULATION</b>				
TOTAL, RDTE, ARMY.....	4,533,778	3,822,842	3,820,690	3,879,683
TOTAL, RDTE, NAVY.....	6,246,705	5,864,412	6,013,153	5,965,751
TOTAL, RDTE, AIR FORCE.....	11,298,748	10,246,361	10,835,468	10,650,661
TOTAL, RDTE, DEFENSE AGENCIES.....	2,259,663	2,125,439	2,152,673	2,153,189
TOTAL, RDTE, DIRECTOR OF TEST AND EVALUATION.....	60,000	55,000	55,000	55,000
<b>TOTAL, RDTE.....</b>	<b>24,398,894</b>	<b>22,114,054</b>	<b>22,876,984</b>	<b>22,704,284</b>

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conferees agree to the following amounts for research, development, test and evaluation, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
<b>RESEARCH DEVELOPMENT TEST + EVAL, ARMY TECHNOLOGY BASE</b>				
IN-HOUSE LAB INDEPENDENT RESEARCH.....	21,902	21,902	21,902	21,902
DEFENSE RESEARCH SCIENCES.....	199,921	180,000	184,000	182,000
MATERIALS.....	9,615	9,615	9,615	9,615
ATMOSPHERIC INVESTIGATIONS.....	5,045	5,045	5,045	5,045
FUZE/NUCLEAR WPNS EFFECTS/FLUIDICS.....	6,532	6,532	6,532	6,532
AIRCRAFT WEAPONS TECHNOLOGY.....	2,492	2,492	2,492	2,492
AIRCRAFT AVIONICS TECHNOLOGY.....	8,389	7,389	7,389	7,389
AERONAUTICS TECHNOLOGY.....	24,349	22,349	22,349	22,349
AIRDROP TECHNOLOGY.....	1,688	1,688	1,688	1,688
MISSILE TECHNOLOGY.....	37,651	32,651	32,651	32,651
HIGH ENERGY LASER TECHNOLOGY.....	31,327	32,327	45,000	42,000
TANK AND AUTOMOTIVE TECHNOLOGY.....	19,925	17,000	19,925	17,000
SMALL CAL AND FIRE CNTRL TECHNOLOGY.....	9,902	9,000	9,902	9,500
BALLISTICS TECHNOLOGY.....	21,637	21,637	21,637	21,637
CHEMICAL MUNITIONS/CHEMICAL CMBT SPT.....	14,829	14,829	12,829	12,829
JOINT SERVICE SMALL ARMS PROGRAM (JSSAP).....	3,706	3,706	3,706	3,706
COMMUNICATIONS TECH.....	9,719	8,719	8,719	8,719
CMBT SURV TARGET ACQ/ID.....	2,918	2,918	2,918	2,918
MIL ENVIRONMENTAL CRITERIA DEV.....	2,584	2,584	2,584	2,584
ELECTRICAL AND ELECTRONIC DEVICES.....	17,725	17,725	17,725	17,725
CHEM BIOLOGICAL DEF/GEN INVEST.....	29,589	27,589	29,589	28,589
MAPPING—GEODESY.....	6,830	6,500	6,830	6,500
NIGHT VISION INVESTIGATIONS.....	14,101	14,101	14,101	14,101
HUMAN FACTORS ENGR IN SYS DEV.....	9,173	9,173	9,173	9,173
HUMAN PERFORMANCE EFFECT/SIMULATION.....	3,581	3,581	3,581	3,581
MOBILITY AND WEAPONS EFFECTS TECH.....	8,410	7,000	7,500	7,500
ENVIRONMENTAL QUALITY TECH.....	8,706	8,706	8,706	8,706
MANPOWER/PERSONNEL/TRAINING.....	7,370	6,070	6,370	6,070
CLOTHING EQUIP AND SHELTER TECH.....	6,970	6,300	4,800	6,000
JT SVC FOOD SYS TECH.....	5,595	5,595	5,595	5,595
COMPUTER AND INFORMATION SCIENCE.....	1,966	1,966	1,966	1,966
NON-SYSTEM TRAINING DEVICES.....	2,900	2,900	2,900	2,900
COLD REGIONS ENGINEERING TECHNOLOGY.....	6,666	6,000	6,100	6,000
MILITARY FACILITIES ENGINEERING TECHNOLOGY.....	4,250	4,250	4,250	4,250
RPV SUPPORTING TECHNOLOGY.....	1,588			
MOBILITY EQUIPMENT TECHNOLOGY.....	11,278	11,278	11,278	11,278
MED DEFENSE AGAINST CHEM AGENTS.....	26,865	26,865	26,865	26,865



	Budget	House	Senate	Conference
TACTICAL ADP TECH.....	7,076	7,076	7,076	7,076
MILITARY DISEASE HAZARDS TECH.....	24,979	23,712	23,712	23,712
COMBAT CASUALTY CARE TECH.....	6,682	6,682	6,682	6,682
COMBAT MAXILLOFACIAL INJURY.....	2,619	2,022	2,022	2,022
SYSTEMS HEALTH HAZARD PREVENT TECH.....	18,066	16,000	16,500	16,500
ENERGY TECH APPL FOR MILITARY FACIL.....	1,891	1,891	1,891	1,891
CLASSIFIED PROGRAMS.....	30,700	28,700	30,700	28,700
<b>TOTAL, TECHNOLOGY BASE.....</b>	<b>699,701</b>	<b>653,065</b>	<b>676,895</b>	<b>665,938</b>
<b>ADVANCE TECHNOLOGY DEVELOPMENT</b>				
MATERIALS SCALE-UP.....	7,478	5,478	7,478	6,478
FUELS AND LUBRICANTS.....	1,871	1,871	1,871	1,871
AIRCRAFT POWER PLANTS AND PROPULSION.....	4,660	4,660	4,660	4,660
AIRCRAFT WEAPONS.....	5,581	424	200	200
AIRCRAFT AVIONICS EQUIPMENT.....	4,494	4,494	4,494	4,494
AIR MOBILITY SUPPORT.....	3,784	3,784	3,649	3,649
ROTARY WING CONTROL/ROTORS/STRUCTURES.....	33,809	33,809	33,809	33,809
SYNTHETIC FLIGHT SIMULATORS DEVELOPMENT.....	3,522	3,522	3,522	3,522
AIRDROP EQUIP AND TECHNIQUES.....	1,688	1,688	1,688	1,688
LIGHT HELIC ADVAN TECH DEMONSTRATION.....	944			
NDE AVIATION AND NAVIGATION EQUIPMENT.....	1,899	1,899	1,899	1,899
TERMINALLY GUIDED PROJECTILES.....	6,814	6,814	6,814	6,814
MSL/ROCKET COMPONENTS.....	9,181	9,181	9,181	9,181
HI-ENERGY LASER COMPONENTS.....	33,116			
HIGH TECHNOLOGY TEST BED.....	10,711	7,300	7,300	7,300
ADVANCED LAND MOB SYSTEMS CONCEPTS.....	7,767	7,767	7,767	7,767
LANDMINE WARFARE/BARRIER DEV.....	9,324	9,324	9,324	9,324
JOINT SERVICE SMALL ARMS PROGRAM (JSSAP).....	3,466	2,716	3,466	2,716
COMBAT VEHICLE PROPULSION SYS.....	12,918	12,918	12,918	12,918
COMBAT VEH TURRET AND CHASSIS SUBSYS.....	11,146	11,146	11,146	11,146
COMBAT VEHICLE ARMOR/ANTI-ARMOR.....	10,888	10,888	8,888	8,888
NIGHT VISION ADVANCED DEVELOPMENT.....	30,224	30,224	30,224	30,224
REMOTELY PILOTED VEHICLES/DRONES.....	4,166	4,166	4,166	4,166
MANPOWER AND PERSONNEL.....	9,747	8,747	6,360	7,500
COMBAT ENGINEERING SYSTEMS.....	2,730	1,730	1,730	1,730
HUMAN FACTORS IN TNG/OPER EFFECT.....	3,755	3,755	3,755	3,755
ADV ELECTRONIC DEVICES DEV.....	4,006	4,006	4,006	4,006
EDUCATION AND TRAINING.....	9,764	9,764	9,764	9,764
TRAINING SIMULATION.....	2,790	2,790	2,790	2,790
ADV DEV OF AUTOMATIC TEST EQ/SYS.....	11,335	7,000	5,330	7,000
TECHNICAL VULNERABILITY REDUCTION.....	10,198	10,198	10,198	10,198
DEMILITARIZATION CONCEPTS.....	12,766	12,766	12,766	12,766
ELECTRONIC WARFARE FEASIBILITY DEVELOPMENT.....	4,995	4,995	4,995	4,995
INDUSTRIAL BASE BIO WRFR VACCINES/DRUGS.....	4,951		4,951	4,951
NONTACTICAL ADP TECHNOLOGY.....	495			
CLASSIFIED PROGRAMS.....	13,545	13,545	13,545	13,545
<b>TOTAL, ADVANCE TECHNOLOGY DEVELOPMENT.....</b>	<b>314,528</b>	<b>257,369</b>	<b>258,654</b>	<b>260,714</b>
<b>STRATEGIC PROGRAMS</b>				
BMD ADVANCED TECHNOLOGY.....	143,243	143,243	143,243	143,243
BALLISTIC MSL DEF SYS TECH.....	727,311	377,311	377,311	377,311
MOBILE COMMAND CENTERS.....	4,961	4,961	4,961	4,961
CLASSIFIED PROGRAMS.....	43,486	43,486	43,486	43,486
<b>TOTAL, STRATEGIC PROGRAMS.....</b>	<b>919,001</b>	<b>569,001</b>	<b>569,001</b>	<b>569,001</b>
<b>TACTICAL PROGRAMS</b>				
JOINT SURVIVABILITY INVESTIGATIONS.....	1,103	1,103	1,103	1,103
SPECIAL ELECTRONIC MISSION AIRCRAFT-X.....	498			
HIGH-TO-MEDIUM AIR DEFENSE DEV.....	27,172	19,572		10,000
SURF-TO-SURF MSL ROCKET SYS.....	16,407	6,400	6,400	6,400
ADVANCED ROCKET CONTROL SYSTEM.....	27,869			
CORPS SUPPORT WEAPON SYSTEM.....	6,103	6,103	6,103	6,103
LIGHT WEIGHT AIR DEFENSE SYSTEM.....	3,466			
RATTLER.....	17,900	5,000	5,000	5,000
LETHAL CHEMICAL MUNITIONS CONCEPTS.....	13,733		11,000	
LANDMINE/BARRIER SYS.....	4,595	4,595	4,595	4,595
COMBAT SUPPORT MUNITIONS.....	2,700	2,700	2,700	2,700
FIELD ARTILLERY AMMO DEV.....	23,951	23,951	23,951	23,951
DIVISION SUPPORT WEAPONS SYSTEM.....	8,941	8,941	8,941	8,941
TANK AND MORTAR AMMUNITION DEVELOPMENT.....	9,053	9,053	9,053	9,053
MOBILE PROTECTED GUN.....	37,354	10,354	12,354	10,354
ELECTRIC POWER SOURCES.....	2,998	2,998	2,998	2,998
PHYSICAL SECURITY.....	5,452	5,452	5,452	5,452
IDENTIFICATION-FRIEND OR FOE DEV.....	6,146	6,146	6,146	6,146
AIRCRAFT SURVIVABILITY EQUIPMENT.....	3,563	3,563	3,563	3,563
ADDS-ARMY DATA DISTRIBUTION SYSTEM.....	32,886	32,886	32,886	32,886
EW VULN/SUSC.....	25,164	24,939	25,164	24,939
CHEMICAL DEFENSE MATERIEL CONCEPTS.....	26,542	16,542	26,542	16,542
COMMAND AND CONTROL.....	22,133	20,000	20,000	20,000
COMBAT SUPPORT EQUIPMENT.....	8,113	8,113	8,113	8,113
COMBAT MEDICAL MATERIAL.....	224	224	224	224
DIV AIR DEFENSE COMD/CTRL.....	4,399	4,399	4,399	4,399
SINGLE CHANNEL GRD/ABN RADIO SUB SYS.....	17,862	17,862	17,862	17,862
SOLDIER SUPPORT/SURVIVABILITY.....	2,251	2,251	2,251	2,251
DRUG AND VACCINE DEVELOPMENT.....	8,796	8,796	8,796	8,796
MEDICAL DEFENSE AGAINST CHEM WARFARE.....	2,924	2,924	2,924	2,924
BATTLEFIELD DATA SYSTEMS.....	1,891	2,000		2,000
MEDICAL CHEM DEFENSE LIFE SUPPORT MAT.....	36,189	36,189	36,189	36,189
AIRCRAFT WEAPONS.....	686	686	686	686
AIR MOBILITY SUPPORT EQUIPMENT.....	2,245	2,245	2,245	2,245
UH-60A BLACKHAWK.....	6,708	5,664	5,664	5,664
ADVANCED ATTACK HELICOPTER.....	33,725	33,725	33,725	33,725
COBRA TOW.....	12,245	12,245	12,245	12,245
AIRCRAFT PROPULSION SYSTEMS.....	1,007			
SYNTHETIC FLIGHT TRAINING SYSTEMS.....	30,951	30,951	30,951	30,951
AIRDROP EQUIP DEVELOPMENT.....	3,136	3,136	3,136	3,136
ARMY HELICOPTER IMPROVEMENT PROG.....	75,811	75,811	65,811	73,811
SURVEILLANCE SYSTEM.....	12,868	12,868	12,868	12,868
JOINT SERVICE ROTARY WING AIRCRAFT DEVEL.....	49,765	30,000	30,000	30,000
AIRCRAFT COMPONENT IMPROVEMENT PROGRAM.....	10,996	8,000	8,000	8,000
STINGER.....			4,000	
PATRIOT (SAM-D).....	47,076	47,076	47,076	47,076
HELIBORNE MISSILE-HELLFIRE.....	19,327	16,300	16,300	16,300
PERSHING II.....	111,301	111,301	111,301	111,301
GRASS BLADE.....	17,117	17,117	17,117	17,117
MULTIPLE LAUNCH ROCKET SYS.....	23,215	23,215	23,215	23,215
DIVISION AIR DEFENSE GUN.....	10,918	10,918	10,918	10,918
INFANTRY SUPPORT WEAPONS.....	5,601	5,601	5,601	5,601
COMBAT SUPPORT SYSTEMS.....	2,640	2,640	2,640	2,640

	Budget	House	Senate	Conference
COUNTERMINE AND BARRIERS.....	5,692	5,272	6,192	5,500
FIGHTING VEHICLE SYS.....	50,488	46,000	46,000	46,000
LANDMINE WARFARE.....	9,701	9,701	9,701	9,701
TANK SYSTEMS.....	11,961	11,961	11,961	11,961
COPPERHEAD.....	2,075			
HIGH MOBILITY MULTI-PURPOSE VEHICLE.....	2,743	2,743	2,743	2,743
FIRE INTEGRATION SPT TEAM VEH.....	6,926	6,926	6,926	6,926
TANK GUN COOPERATIVE DEVELOPMENT.....	54,342	54,342	54,342	54,342
FLD ARTY-AMMUNITION.....	2,573	2,573	2,573	2,573
105MM TANK AMMUNITION.....	1,059	1,059	1,059	1,059
COMM ENGINEERING DEV.....	11,705	11,705	11,705	11,705
JOINT TACTICAL INFO DISTRIBUTION SYSTEMS.....	14,556	14,556	14,556	14,556
UNATTENDED GROUND SENSORS.....	4,135	4,135	4,135	4,135
MODULAR INTEGRATED COMM AND NAVIGATION SYS.....	14,754	14,754	14,754	14,754
RADIOLOGICAL DEFENSE EQUIPMENT.....	838	838	838	838
IDENTIFICATION—FRINED OR FDE EQ.....	2,660	2,660	2,660	2,660
NIGHT VISION DEVICES.....	4,931	4,931	4,931	4,931
AIRCRAFT SURVIVABILITY EQUIPMENT.....	20,335	20,335	20,335	20,335
TACTICAL C3 SYSTEMS ENGINEERING.....	14,900	14,900	14,900	14,900
COMBAT FEEDING, CLOTHING AND EQUIPMENT.....	2,574	2,574	2,574	2,574
TACTICAL ELECTRICAL POWER SOURCES.....	1,805	1,805	1,805	1,805
GENERAL COMBAT SUPPORT.....	5,967	5,967	5,967	5,967
PHYSICAL SECURITY.....	5,099	5,099	5,099	5,099
EDUCATION AND TRAINING.....	995	500		
BIOLOGICAL DEFENSE MATERIEL.....	391	391	391	391
CHEMICAL DEFENSE MATERIEL.....	26,017	26,017	23,517	25,000
COMMAND AND CONTROL.....	13,650	10,600	10,600	10,600
REMOTELY PILOTTED VEHICLES.....	77,949	77,949	77,949	77,949
AUTOMATIC TEST SUPPORT SYSTEMS.....	2,940	2,940	2,940	2,940
BATTLEFIELD DATA SYSTEMS.....	27,858	26,000	15,000	26,000
JT INTEROPERABILITY TAC COMD/CNTRL.....	30,066	30,066	30,066	30,066
JOINT CB CONTACT POINT AND TEST.....	1,451	1,451	1,451	1,451
HV ANTI-TANK ASSAULT WPN SYS (TOW).....	1,981	1,981	1,981	1,981
ADV FIELD ARTY TAC DATA SYS.....	7,224	7,224	7,224	7,224
CHAPARRAL.....	26,381	26,381	26,381	26,381
SAM HAWK/HAWK IMP PROG.....	37,971	37,971	37,971	37,971
COMBAT VEHICLE IMPROVE PROG.....	46,785	46,785	46,785	46,785
AM/TSQ-73 MODIFICATIONS.....	1,025	1,025	1,025	1,025
MANEUVER CONTROL SYSTEM (MCS).....	14,947	14,947	14,947	14,947
COMMUNICATIONS SYSTEM ENGINEERING PROGRAM.....	1,485			
JT TACTICAL COMM PROG.....	47,184	47,184	47,184	47,184
EUCOM C3 SYSTEMS.....	527	527	527	527
CLASSIFIED PROGRAMS.....	174,087	150,487	168,387	150,487
LIGHT ANTITANK WEAPON TESTING AND EVALUATION.....				10,000
<b>TOTAL, TACTICAL PROGRAMS.....</b>	<b>1,678,459</b>	<b>1,493,418</b>	<b>1,498,290</b>	<b>1,491,557</b>
<b>INTELLIGENCE AND COMMUNICATIONS</b>				
MAPPING AND GEODESY.....	3,424	3,424	3,424	3,424
AIRCRAFT AVIONICS.....	3,799	3,799	3,799	3,799
NAVSTAR GLOBAL POS SYS (USER EQ).....	11,911	11,911	11,911	11,911
STRATEGIC ARMY COMMUNICATIONS.....	812	812	812	812
LONG-HAUL COMMUNICATIONS (DCS).....	7,578	7,578	7,578	7,578
SATCOM GROUND ENVIRONMENT.....	35,545	35,545	35,545	35,545
CLASSIFIED PROGRAMS.....	9,987	9,987	9,987	9,987
<b>TOTAL, INTELLIGENCE &amp; COMMUNICATIONS.....</b>	<b>73,056</b>	<b>73,056</b>	<b>73,056</b>	<b>73,056</b>
<b>DEFENSEWIDE MISSION SUPPORT</b>				
NON-SYSTEM TNG DEVICES ENGR.....	8,645	8,645	8,645	8,645
METEOROLOGICAL EQUIPMENT SYSTEMS.....	2,172	2,172	2,172	2,172
TRADOC STUDIES AND ANALYSES.....	3,287	1,487	1,487	1,487
AVIATION ENGINEERING FLIGHT ACTIVITY.....	5,791	5,791	5,791	5,791
KWALALEIN MISSILE RANGE.....	152,140	152,140	152,140	152,140
SUPPORT OF DEVELOPMENT TESTING.....	43,180	43,180	43,180	43,180
MATERIEL SYSTEMS ANALYSIS.....	13,166	13,166	13,166	13,166
EXPLOITATION OF FOREIGN ITEMS.....	2,021	2,021	2,021	2,021
SUPPORT OF OPERATIONAL TESTING.....	50,106	50,106	47,038	48,500
DEFENSE SYSTEMS MANAGEMENT COLLEGE.....	202			
PROGRAM-WIDE ACTIVITIES.....	70,101	65,000	65,000	65,000
INTL COOPERATIVE RESEARCH AND DEV.....	1,041	1,041	1,041	1,041
TECHNICAL INFO ACTIVITIES.....	5,249	5,249	5,249	5,249
DARCOM MAJOR RANGE/TEST FACIL.....	300,671	300,671	295,671	298,671
MUNITIONS-STANDARDIZATION EFFECT AND SAFETY.....	8,047	8,047	8,047	8,047
DOD HIGH ENERGY LASER SYSTEMS TEST FAC.....	34,030	34,030	34,030	34,030
MAINSITE.....	17,119	3,000	3,000	3,000
PRODUCTIVITY INVESTMENT FUNDING.....	34,139	34,139	14,139	20,000
INSTL AUDIOVISUAL SPT (R/D).....	2,344	2,344	2,344	2,344
MGT HQ (RESEARCH/DEVELOPMENT).....	45,304	45,304	45,304	45,304
MM&T/MACI.....				50,000
<b>TOTAL, DEFENSEWIDE MISSION SUPPORT.....</b>	<b>798,755</b>	<b>777,533</b>	<b>748,794</b>	<b>809,117</b>
GENERAL REDUCTION.....		-500		-500
PAY RAISE ABSORPTION.....	30,278			
CONSULTANTS, STUDIES & ANALYSES.....		-7,800	-4,000	-7,800
PERSONNEL SECURITY CLEARANCE PROCESSING.....		-1,400		-1,400
INDUSTRIAL PLANT EQUIPMENT CUSTOMER CHARGES.....		-10,900		
CLASSIFIED PROGRAM, BUDGET AMENDMENT.....	20,000	20,000		20,000
<b>TOTAL, RESEARCH DEVELOPMENT TEST &amp; EVAL, ARMY.....</b>	<b>4,533,778</b>	<b>3,822,842</b>	<b>3,820,690</b>	<b>3,879,683</b>

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conferees agree to the following amounts for research, development, test and evaluation, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
<b>RESEARCH DEVELOPMENT TEST PLUS EVAL, NAVY</b>				
<b>TECHNOLOGY BASE</b>				
IN-HOUSE LAB INDEPENDENT RESEARCH.....	23,337	23,337	23,337	23,337
DEFENSE RESEARCH SCIENCES.....	290,051	181,000	285,000	283,000
AIRCRAFT TECHNOLOGY.....	27,414	27,414	27,414	27,414
MISSILE PROPULSION TECHNOLOGY.....	9,616	9,616	9,616	9,616
STRIKE WARFARE WEAPONRY TECHNOLOGY.....	29,808	27,000	29,808	27,000

	Budget	House	Senate	Conference
<b>NUCLEAR PROPULSION TECHNOLOGY</b>	53,624	53,624	53,624	53,624
SHIPS/SUBS/BOATS TECH	44,156	30,100	30,000	30,000
UNDERSEA WARFARE WEAPONRY TECHNOLOGY	25,064		25,064	25,064
UNDERSEA TARGET SURVEILLANCE TECH	37,966	37,966	37,966	37,966
SURF/AEROSPACE TARGET SURVEIL TECH	35,016	35,016	35,016	35,016
COMMAND/CONTROL TECHNOLOGY	30,577	30,577	30,577	30,577
COUNTERMEASURES TECHNOLOGY	29,144	29,144	29,144	29,144
HIGH ENERGY LASER TECH	53,210	58,000	53,210	61,000
HUMAN FACTORS/SIMULATION TECH	8,055	8,055	8,055	8,055
BIOLOGICAL TECHNOLOGY	8,996	8,996	8,996	8,996
OCEAN/ATMOSPHERIC SUPPORT TECHNOLOGY	20,557	20,557	20,557	20,557
LOGISTICS TECHNOLOGY	14,177	14,177	14,177	14,177
MATERIALS TECHNOLOGY	33,019	33,019	33,019	33,019
ELECTRONIC DEVICE TECHNOLOGY	27,134	27,134	27,134	27,134
PERSONNEL & TRNG TECH	7,259	7,259	7,259	7,259
CHEM/BIOLOGICAL/RADIOLOGICAL DEFENSE TECH	1,789	1,789	1,789	1,789
ENERGY AND ENVIRONMENTAL PROTECTION	6,451	6,451	6,451	6,451
LAB INDEPENDENT EXPLORATORY DEV	12,091	12,091	12,091	12,091
<b>Directed Energy Technology</b>	14,916	10,000	14,916	12,000
<b>TOTAL, TECHNOLOGY BASE</b>	853,427	817,526	833,820	824,126
<b>ADVANCE TECHNOLOGY DEVELOPMENT</b>				
AVIONICS	9,822	3,822	3,822	3,822
ENVIRONMENTAL APPLICATIONS	7,094	6,000	6,345	6,000
ADV A/C PROPUL SYS	10,113	10,113	10,113	10,113
AIRBORNE LIFE SUPPORT SYSTEMS	3,483	3,483	3,483	3,483
ADVANCED AIRCRAFT SUBSYSTEMS	4,928	4,928	4,928	4,928
AIRCRAFT SYSTEMS	3,430		3,000	1,000
ERASE SYS TECHNOLOGY	5,849	5,849	5,849	5,849
ADV A/L ASM SYSTEMS	4,011			
A/A MSL ADV TECH DEMOS	2,923	2,923	2,923	2,923
SHIP PROPULSION SYSTEM	20,457	20,457	25,000	20,457
ADV COMPUTER TECH	3,272	3,272	3,272	3,272
ELECTRIC DRIVE	9,767	9,767	7,267	7,267
SURFACE LAUNCHED MUNITIONS	4,331	4,331	4,331	4,331
JT SERV EXPLOSIVE ORD DEV	4,957	4,957	4,957	4,957
HUMAN FACTORS ENG DEV	2,604	2,604	2,604	2,604
OCEANOGRAPHIC INSTRUMENTATION DEV	2,999	2,999	2,999	2,999
MEDICAL DEVELOPMENT	8,384	8,384	8,384	8,384
MNPWR CONTROL SYS DEV	3,511	3,300	1,805	1,805
ADVANCED MARINE BIOLOGICAL SYSTEM	3,980	3,980	3,980	3,980
MAN-MACHINE TECHNOLOGY	1,365			
OCEAN ENGINEERING TECH DEVELOPMENTS	13,194	13,194	13,194	13,194
EDUCATION AND TRAINING	3,496	3,496	2,898	2,898
ENVIRONMENTAL PROTECTION	8,151	8,151	8,151	8,151
NAVAL SPECIAL WARFARE	6,037	8,287	6,037	8,287
NAV TECH INFO PRESENT SYS	1,453	1,253	1,253	1,253
MANUFACTURING TECH	3,339	3,339	3,339	3,339
MC ADV MANPOWER TRAINING SYS	1,509	1,509	1,509	1,509
TRAINING DEVICE TECH	7,399	6,200	6,200	6,200
ARBN ELECTRO-MAG/OPT SYS	8,790	8,790	8,790	8,790
<b>TOTAL, ADVANCE TECHNOLOGY DEVELOPMENT</b>	165,122	155,388	156,433	151,795
<b>STRATEGIC PROGRAMS</b>				
FLEET BALLISTIC MISSILE SYSTEM	32,947	32,947	32,947	32,947
SSBN SECURITY PROGRAM	36,691	36,691	36,691	36,691
TRIDENT I	90,565	64,000	74,000	69,000
EXTREMELY LOW FREQUENCY COMM	49,827	49,827	49,827	49,827
NAVY STRATEGIC COMM	69,314	65,000	65,000	65,000
NAV SPASUR	501	501	501	501
NEECN	10,673	10,673	10,673	10,673
TRIDENT II MISSILE SYS	366,701	366,701	366,701	366,701
SSBN SUB-SYSTEM TECHNOLOGY	4,899			
WWMCCS ARCHITECTURE	903	903	903	903
STRATEGIC TECHNICAL SUPPORT	5,919	5,919	5,919	5,919
<b>TOTAL, STRATEGIC PROGRAMS</b>	668,939	633,162	643,162	638,162
<b>TACTICAL PROGRAMS</b>				
ABN ELECTRONIC WARFARE EQUIPMENT	10,490	10,490	10,490	10,490
VTX TS	9,654	9,654	8,000	8,000
TACAIR IR C/M	1,493	1,493	1,493	1,493
HELICOPTER IR C/M	5,732	5,732	5,732	5,732
TAC COMD/CNTRI/COMM C/M	7,258	7,258	7,258	7,258
ADV A/C ARMAMENT SYS	6,541	6,541	6,541	6,541
TILT FAN VSTOL	36,284			
CV ASW MODULE	4,162	4,162	4,162	4,162
AIR ASW	13,994	13,994	13,994	13,994
V/STOL ACFT DEV	6,700	6,700		6,700
ACUSTIC SEARCH SENSORS	8,622	8,622	8,622	8,622
AIRBORNE MINE COUNTERMEASURES	21,566	21,566	21,566	21,566
TACTICAL AIRBORNE RECONNAISSANCE	5,670	5,670	5,670	5,670
ACFT SURVIVABILITY/VULNERABILITY	10,864	10,864	10,864	10,864
COMBAT IDENTIFICATION SYS	6,694	6,694	6,694	6,694
IR MAVERICK	4,922			
ARMY/NAVY SAM TECH	14,169	14,169	14,169	14,169
COMMON ASW STDOFF WPN	41,999	41,999	38,000	40,000
TOMAHAWK II	19,900	19,900	4,900	19,900
BGAAWC	6,458	6,458	6,458	6,458
REACTOR PROPULSION PLANTS	5,783	5,783	5,783	5,783
SURFACE MCM	31,572	31,572	31,572	31,572
ACUSTIC COMMUNICATIONS	2,741	2,741	2,741	2,741
SUBMARINE SONAR DEV	18,371	18,371	18,371	18,371
SURFACE SHIP TORP DEF	2,447	2,447	2,447	2,447
NEW SHIP DESIGN	4,911	4,911	4,411	4,411
SHIPBOARD SYS COMPONENT DEVELOPMENT	15,452	15,452	15,452	15,452
SHIPBOARD DAMAGE CONTROL	23,659	23,659	23,659	23,659
ADVANCED IDENTIFICATION TECHNIQUES	2,247	2,247	2,247	2,247
ADVANCED COMMAND DATA SYSTEMS	4,412	4,412	4,412	4,412
PILOT FISH	93,823	93,823	93,823	93,823
NON-ACUSTIC ASW	11,533	11,533	11,533	11,533
ADV ASW TARGET	3,919	3,919	3,919	3,919
SHIPS SYSTEMS ENGINEERING STANDARDS	1,749	1,749	1,749	5,000
RETRACT SILVER	94,365	94,365	94,365	94,365
RETRACT AMBER	13,017	13,017	13,017	13,017
SURFACE ASW	4,408			
SUBMARINES	44,413	44,413	44,413	44,413
SUB TACTICAL WARFARE SYS	7,032	7,032	7,032	7,032
SHIP CONFORM	18,810	15,810	15,810	15,810
AMPHIB ASSAULT CRAFT	10,437	10,437	13,437	12,000

	Budget	House	Senate	Conference
COMBAT SYSTEMS ARCH	2,785			
ATTACK SUBMARINE DEV	10,959	10,959	10,959	10,959
ADV REACTOR COMPONENTS/SYS DEV	11,536	11,536	11,536	11,536
SHIPBOARD PHYSICAL SECURITY	6,560	6,560	6,122	6,122
CHALK EAGLE	6,401	6,401	6,401	6,401
AAW/AUG NUCLEAR PROP PLANT	12,238	12,238	12,238	12,238
D2W NUCLEAR PROP REACTOR	9,337	9,337	9,337	9,337
COMBAT SYSTEM INTEGRATION	17,138	8,000	8,000	8,000
DDGX	138,595	138,595	138,595	138,595
WIDE APERTURE ARRAY ADV	23,614	23,614	23,614	23,614
MINE DEVELOPMENT	5,555	5,555	5,555	5,555
ALMT ADV	56,784	56,784	56,784	56,784
MC ASSAULT VEHICLES	52,514	29,000	73,414	40,000
TAC NUCLEAR WEAPON DEV	3,464	3,464	3,464	3,464
MC GRD COMBAT/SPT ARMS SYS	7,812	7,812	7,812	7,812
MX-48 ADCAP (ADV)	20,483	20,483	20,483	20,483
OCEAN ENGINEERING SYS DEVELOPMENT	2,320	2,320	2,320	2,320
LOGISTICS	3,339	3,339	3,339	3,339
ANTI-SUB WARFARE SIGNAL PROCESSING	5,202	5,202	5,202	5,202
FLEET TAC D/E PROGRAM	4,551	4,551	4,551	4,551
COMMAND AND CONTROL SYSTEMS	24,106	24,106	24,106	24,106
CONTAINER OFLOAD/TRANSFER SYS	6,067	6,067	6,067	6,067
NAVY ENERGY PROGRAM	21,504	21,504	21,504	21,504
FACILITIES IMPROVEMENT	5,919	5,919	4,913	4,913
MERCHANT SHIP NAVAL AUG PROG (MSNAP)	5,773	5,773	5,773	5,773
MC COMBAT SERVICE SPT	4,410	4,410	4,410	4,410
MC INTEL/ELEC WARFARE SYS	7,024	7,024	7,024	7,024
MC COMD/CNTRL/COMM SYS	2,753	2,753	2,753	2,753
LINK HAZEL	42,760	1,000	16,000	1,000
ITSS	17,834	7,834	17,834	12,834
ASW SURVEILLANCE (C)	1,284	1,000	1,000	1,000
LRAP	12,578	12,578	12,578	12,578
SPECIAL PROCESSES	72,523	72,523	72,523	72,523
RDS	19,312	19,312	19,312	19,312
AVIONICS DEVELOPMENT/VAST	8,960	4,000	4,000	4,000
AIMS/ATCRBS/MARK XII	6,228	6,228	6,228	6,228
LAMP III	8,977	8,977	8,977	8,977
HELICOPTER DEVELOPMENT	26,560	10,262	15,300	13,300
AV-8B AIRCRAFT	114,071	114,071	133,571	114,071
SUPPORT EQUIPMENT	8,700	8,700	8,700	8,700
S-3 WEAPONS SYS IMPROVEMENT	78,344	63,000	63,000	63,000
ENVIRONMENTAL SYSTEMS	356	356	356	356
AIRBORNE ASW DEV	25,539	25,539	25,539	25,539
ACFT IR SIGNATURE SUPPRESSION	1,495	1,495	1,495	1,495
P-3 MODERNIZATION PROG	21,598	21,598	21,598	21,598
ASP	29,331	29,331	29,331	29,331
HARPOON MODIFICATION	1,940	1,940	1,940	1,940
SH-60 CV VARIANT	9,868			
AIR ELECTRONIC WARFARE	13,394	13,394	13,394	13,394
CH-53E	11,201	11,201	11,201	11,201
ACOUSTIC SEARCH SENSORS	14,600	6,172	14,600	10,000
HXH	9,522	5,000	5,000	5,000
F/A-18	109,224	109,224	109,224	109,224
LIFE SUPPORT EQUIP	6,902	6,902	6,902	6,902
ADV SIGNAL PROCESSOR	3,525			
AWG-9 UPDATE	6,978	6,978	6,978	6,978
ACFT ENGINE COMPONENT IMPROVE PROG	89,486	89,486	89,486	89,486
MX-92 FCS UPGRADE	9,628	24,628	9,628	24,628
AEGIS	8,158	8,158	8,158	8,158
CSEDS	12,232	12,232	12,232	12,232
PENGUIN COMBAT DEV	1,523			
CG-47 AEGIS PRODUCT IMPROV	45,147	43,647	45,147	43,647
AMRAAM	4,714	4,714	4,714	4,714
SURFACE LAUNCHED WEAPONRY SYS TECH	3,413	3,413	3,413	3,413
VERTICAL LAUNCHING SYSTEM	33,878	33,878	33,878	33,878
AIR/AIR MSL SYS ENGR	23,844	22,844	22,844	22,844
CLOSE-IN WPN SYS (PHALANX)	1,387	1,387	1,387	1,387
HIGH-SPEED ANTI-RADIATION MSL	1,932	1,932	1,932	1,932
NATO SEA SPARROW	1,067	1,067	1,067	1,067
SM-2	18,810	18,810	18,810	18,810
STANDARD MISSILE IMPROVEMENTS	50,789	50,789	50,789	50,789
TOMAHAWK CRUISE MSL	78,934	78,934	78,934	78,934
5/ ROLLING AIR FRAME MSL	16,290	16,290	16,290	16,290
SSN-688 VLS	35,362	35,362	35,362	35,362
HELLFIRE	9,815	9,815	9,815	9,815
NEW THREAT UPGRADE	41,881	41,881	41,881	41,881
SUBMARINE COMMUNICATIONS	5,584	5,584	5,584	5,584
SUBMARINE SONAR DEV	41,770	41,770	41,770	41,770
AIR CONTROL	9,251	9,251	9,251	9,251
CW COUNTERMEASURES	8,357	8,357	8,357	8,357
EMSP	14,497	13,097	10,000	13,097
RADAR SURVEILLANCE EQ	10,488	10,488	10,488	10,488
COMMUNICATIONS SYSTEMS	4,693	4,693	4,693	4,693
INTELLIGENCE SYSTEMS	2,478	2,478	2,478	2,478
SHIP SURVIVABILITY PROTOTYPES	4,775	4,775	4,385	4,385
CIC CONVERSION	27,014	18,414	18,414	18,414
SUBACS ENG	85,937	78,537	85,937	81,000
SURFACE ELEC WARFARE	6,673	6,673	6,673	6,673
SUBMARINES	1,950	1,000	1,000	1,000
SUB TACTICAL WARFARE SYS	32,598	32,598	32,598	32,598
ACOUSTIC COMMUNICATIONS	4,696	4,696	4,696	4,696
SHIP SUBSYS DEV/LBTS	24,430	24,430	24,430	24,430
NATO SEA GNAT	6,589	6,589	6,589	6,589
SHIPBOARD ELECTRONIC WARFARE IMPROV	14,974	14,974	14,974	14,974
TAX EMBEDDED COMPUTER PROG	21,704	21,704	21,704	21,704
AN/SQS-53C	35,980	34,180	45,980	35,980
INFLUENCE MGM	5,820	5,820	5,820	5,820
MINE DEVELOPMENT	12,712	12,712	12,712	12,712
GUN AMMUNITION IMPROVEMENT	755	755	755	755
UNGUIDED CONV AIR LAUNCHED WEAPONS	7,978	7,978	6,482	6,482
CHEMICAL WARFARE WEAPONS	8,066	8,066	8,066	8,066
ELECTRO OPTICS SENSOR DEV	10,422			
A/H SAL OPTICS	995	995	61,000	16,000
COMMON BOMB FUZE	1,306	1,306	1,306	1,306
ALMT (ENG)	58,365			
GUN FCS IMP PROG	10,969	10,969	10,969	10,969
IT SERV EXPLOSIVE ORD DEV	2,926	2,926	2,926	2,926
MC ASSAULT VEHICLES	15,810		2,000	1,000
MC GRD COMBAT/SPT ARMS SYS	10,724	10,724	10,724	10,724
MX-48 ADCAP (ENG)	166,271	139,671	166,271	160,000
NAVY ENERGY PROGRAM	18,704	18,704	18,704	18,704
COMMAND AND CONTROL SYSTEMS	15,505	14,505	15,705	14,505
TACTAS AN-SOR 19	9,882	9,882	9,882	9,882

	Budget	House	Senate	Conference
AIR WARFARE TNG DEV	20,089	17,000	17,000	17,000
SURFACE WARFARE TNG DEV	32,838	32,838	32,838	32,838
SUBMARINE WARFARE TNG DEV	3,226			
MC COMBAT SERVICE SPT	3,009	3,009	3,009	3,009
MC INTELL/ELEC WARFARE SYS	2,736	2,736	2,736	2,736
MC COMD/CNTRL/COMM SYS	27,888	27,888	27,888	27,888
TACAIR OPER CENTRAL DS	12,736	12,736	12,736	12,736
INTELLIGENCE	13,092	13,092	13,092	13,092
MEDICAL DEVELOPMENTS	2,314	2,314	2,314	2,314
JINTACCS	6,395	6,395	6,395	6,395
JINTACCS MC	1,699	1,699	1,699	1,699
FLEET TACTICAL DEV/EVAL	18,316	18,316	18,316	18,316
MANAGEMENT AND TECHNICAL SUPPORT	11,685	11,685	11,685	11,685
TACTICAL ELECTRO SUPPORT	4,005			
C2 SURVEILLANCE/REDUN SPT	2,820	1,968	2,820	1,968
TAC EXPLOITATION OF NATL CAPABILITY	360	360	360	360
A-6 SQUADRONS	4,725	4,725	4,725	4,725
EARLY WARNING ACFT SQUADRONS	52,291	52,291	42,291	52,291
AVIATION SPT CWN	7,968	7,968	7,968	7,968
FLEET TELECOMMUNICATIONS (TAC)	21,140	21,140	20,640	20,640
SUBMARINES	6,464	6,464	6,464	6,464
MINES/MINE SUPPORT	1,481	1,481	1,481	1,481
UNDERSEA SURVEILLANCE SYS	49,649	49,649	49,649	49,649
SURFASS	7,070	7,070	7,070	7,070
SPECIAL PROJECTS	6,720	6,720	6,720	6,720
COVER AND DECEPTION PROGRAM	14,312	14,312	14,312	14,312
ELECTRONIC WARFARE SPT PROJECTS	8,014	8,014	8,014	8,014
C3 COUNTER-MEAS DEVEL	11,533	11,533	11,533	11,533
JIDS	100,330	100,330	91,330	91,330
ASW COMBAT SYSTEMS INTEGRATION	16,135	16,135	16,135	16,135
SURT SHIP SONAR MODERNIZATION	8,003	8,003	8,003	8,003
AW/SOR-18 IMPROVEMENT	4,939	4,939	4,939	4,939
ACFT EQ REL/MAINT PROG	7,067	7,067	7,067	7,067
SUBMARINE SILENCING	9,283	9,283	9,283	9,283
MODULAR GUIDED GLIDE WYIN IMP	5,260	5,260	5,260	5,260
LAB FLEET SUPPORT	4,669	4,669	4,669	4,669
ACFT PROPULSION EVAL GENERAL	2,835	2,835	2,835	2,835
ACFT FLIGHT TEST GENERAL	953	953	953	953
F-14A	14,724	14,724	14,724	14,724
TACTICAL INTELL PROCESSING	1,942	1,942	1,942	1,942
EW COUNTER RESPONSE	12,653	12,653	12,653	12,653
OPERATIONAL REACTOR DEV	2,855	2,855	2,855	2,855
MARINE CORPS TELECOMMUNICATIONS	2,266	2,266	2,266	2,266
MC CRD COMBAT/SPT ARMS SYS	3,093	3,093	3,093	3,093
MC COMBAT SERVICE SPT	376	376	376	376
MC INTELL/ELEC WARFARE SYS	779	779	779	779
MC COMD/CNTRL/COMM SYS	18,447	18,447	18,447	18,447
MC TAC SPT C/C SYS	2,798	2,798	2,798	2,798
YOMAHAWK CRUISE MISSILE	18,010			
TRI-TAC MC	15,543	15,543	15,543	15,543
TRI-TAC NAVY	9,374	9,374	9,374	9,374
ANTI-RADIATION SEEKER TECHNOLOGY		4,000		4,000
SUBROC			11,000	
CLASSIFIED PROGRAMS	9,547	9,547	9,547	9,547
SH-2F SEASPRITE PROD, IMP	9,000			
<b>TOTAL, TACTICAL PROGRAMS</b>	<b>3,657,185</b>	<b>3,323,922</b>	<b>3,525,744</b>	<b>3,420,081</b>
<b>INTELLIGENCE &amp; COMMUNICATIONS</b>				
ADVANCED NAVIGATION DEVELOPMENT	476	476	476	476
NAVIGATION SYSTEMS	3,820	3,820	3,820	3,820
EHF SATCOM	43,826	43,826	43,826	43,826
NAVSTAR	39,822	39,822	39,822	39,822
ELECTROMAGNETIC SPECTRUM MGT	4,589	4,589	4,589	4,589
C2 SYS PLANNING/ENGINEERING SPT	5,060	5,060	5,060	5,060
PRAIRIE SCHEDULER	5,072	5,072	5,072	5,072
TECHNICAL RECONNAISSANCE AND SURVEILLANCE	4,073	4,073	4,073	4,073
SATELLITE COMMUNICATIONS	1,632	1,632	1,632	1,632
LONG HAUL COMMUNICATIONS (DCS)	1,965	1,965	1,965	1,965
SPECIAL ACTIVITIES	120,380	134,038	134,038	134,038
CLASSIFIED PROGRAMS	17,091	17,091	17,091	17,091
<b>TOTAL, INTELLIGENCE &amp; COMMUNICATIONS</b>	<b>247,806</b>	<b>261,464</b>	<b>261,464</b>	<b>261,464</b>
<b>DEFENSEWIDE MISSION SUPPORT</b>				
RANGE INSTRUMENTATION SYS DEV	12,392	12,392	12,392	12,392
TARGET SYSTEMS DEV	43,901	43,901	43,901	43,901
TRAINING DEVICES PROTOTYPE DEV	6,575	6,575	6,575	6,575
PROTO MIPWR/PERSONNEL SYS	2,152	2,152	2,152	2,152
STUDIES AND ANALYSIS SUPPORT (MC)	2,148	2,000	2,000	2,000
STUDIES AND ANALYSIS SUPPORT (NAVY)	7,899	5,000	5,000	5,000
MCDAG	2,754	2,754	2,754	2,754
CENTER FOR NAVAL ANALYSIS (NAVY)	12,445	12,445	12,445	12,445
WAR CORPS OPERATIONAL TEST/EVAL	3,350	3,350	3,350	3,350
TECHNICAL INFORMATION SERVICES	1,665	1,665	1,665	1,665
AUTED	45,658	45,658	45,658	45,658
DEVELOPMENT CENTER SUPPORT	3,598	3,598	3,598	3,598
INTERNATIONAL ROT/F	1,935	1,935	1,935	1,935
MOBILE SEA RANGE	3,229	3,229	3,229	3,229
ROTE LAB/TAC MGT SPT	59,101	59,101	59,101	59,101
ROTE INSTRUMENTATION/MATERIAL SPT	31,707	31,707	31,707	31,707
ROTE SHIP AIRCRAFT SPT	69,847	69,847	69,847	69,847
TEST EVALUATION SPT	274,106	274,106	265,000	265,000
OPERATION TEST EVAL CAPABILITY	6,772	6,772	6,772	6,772
STRATEGIC SYSTEMS TEST SUPPORT	17,658	17,658	17,658	17,658
PRODUCTIVITY INVESTMENT	4,410	4,410	4,410	4,410
LONG RANGE PLANNING SUPPORT	1,281	1,000		
WEATHER SERVICE	1,186	1,186	1,186	1,186
SECURITY/INVESTIGATIVE ACTVS	689			
DEF METEOROLOGICAL SATELLITE PROG	1,316	1,316	1,316	1,316
CIVILIAN EDUCATION/TRAINING/DEV	1,157			
<b>TOTAL, DEFENSEWIDE MISSION SUPPORT</b>	<b>618,921</b>	<b>619,050</b>	<b>601,651</b>	<b>604,944</b>
GENERAL REDUCTION		-20,900		-20,900
CONSULTANT SERVICES			-9,121	-9,121
PAY RAISE ABSORPTION	35,305			
SHIP CONTRACT DESIGN		97,200		97,200
PERSONNEL SECURITY CLEARANCE PROCESSING		-2,000		-2,000
INDUSTRIAL PLANT EQUIPMENT CUSTOMER CHARGES		-20,400		



	Budget	House	Senate	Conference
TOTAL, RESEARCH DEVELOPMENT TEST + EVAL, NAVY.....	6,246,705	5,864,412	6,013,153	5,965,751

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conferees agree to the following amounts for research, development, test and evaluation, Air Force:

(In thousands of dollars)

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST + EVAL, AIR FORCE				
TECHNOLOGY BASE				
IN-HOUSE LAB INDEPENDENT RESEARCH.....	13,124	12,624	13,124	12,624
DEFENSE RESEARCH SCIENCES.....	165,838	155,000	155,000	155,000
GEOPHYSICS.....	37,780	37,780	37,780	37,780
MATERIALS.....	46,174	46,174	46,174	46,174
AEROSPACE FLIGHT DYNAMICS.....	61,219	61,219	61,219	61,219
AEROSPACE BIOTECHNOLOGY.....	41,718	39,000	41,718	40,500
AEROSPACE PROPULSION.....	58,645	53,000	53,000	53,000
AEROSPACE AVIONICS/VHSI CIRCUITS.....	67,652	67,652	67,652	67,652
TRAINING/SIMULATION TECH.....	18,545	16,000	18,545	17,000
ROCKET PROPULSION.....	37,072	37,072	37,072	37,072
ADVANCED WEAPONS.....	44,471	44,471	44,471	44,471
CONVENTIONAL MUNITIONS.....	37,416	37,416	37,416	37,416
COMMAND/CONTROL/COMMUNICATION.....	69,840	69,840	69,840	69,840
PERS UTILIZATION TECH.....	7,194	6,000	6,500	6,500
TOTAL, TECHNOLOGY BASE.....	706,708	683,248	689,511	686,248

ADVANCE TECHNOLOGY DEVELOPMENT

ADVANCED AIRBORNE RADAR DEVELOPMENT.....	3,475			
ACFT PROPULSION SUBSYS INTEGRATION.....	21,468	21,468	21,468	21,468
ADV AVIONICS FOR ACFT.....	18,201	17,201	18,201	17,201
FLT VEHICLE TECHNOLOGY.....	7,301	7,301	7,301	7,301
RECON SENSORS/PROCESSING TECHNOLOGY.....	6,383	4,600	6,383	4,600
AEROSPACE STRUCTURES/MATERIALS.....	23,545	23,545	23,545	23,545
AVIATION TURBINE FUEL TECHNOLOGY.....	8,699	8,699	8,699	8,699
ADV TURBINE ENGINE GAS GENERATOR.....	30,979	30,979	30,979	30,979
DOD COMMON PROG LANGUAGE (ADA) ADV DEV.....	6,930	6,930	6,930	6,930
ADVANCED SIMULATOR TECHNOLOGY.....	10,739	10,739	10,739	10,739
CREW SYSTEMS TECHNOLOGY.....	4,055	2,000	4,055	3,000
ADV FIGHTER TECH INTEGRATION.....	10,967	10,967	10,967	10,967
LINCOLN LABORATORY.....	23,079	23,079	23,079	23,079
ADVANCED SYSTEM INTEGRATION DEMO.....	16,421	16,421	16,421	16,421
CARTOG APPLICATIONS—TAC & STRAT SYS.....	890			
ADV MSLE PROPULSION.....	894			
HYPERVELOCITY MISSILE.....	992	992	992	992
SPACE SYS ENVIRON INTERACTIONS TECH.....	1,583	1,000	1,000	1,000
VERY HIGH SPEED INTEGRATED CIRCUITS.....	66,004	66,004	66,004	66,004
CONVENTIONAL WEAPONS.....	20,017	20,017	20,017	20,017
SPACE LASER PROGRAM.....	40,561			
ADVANCED RADIATION TECH.....	95,120	85,120	95,120	90,120
CIVIL/ENVIRONMENTAL ENGR TECH.....	4,502	4,502	4,102	4,102
ADVANCED COMPUTER TECHNOLOGY.....	4,957	3,457	3,457	3,457
ELECTRO-OPTICAL WARFARE.....	15,927	14,000	14,000	14,000
COUNTER/COUNTERMEASURES—ADV DEV.....	7,041	7,041	7,041	7,041
INNOVATIONS IN EDUCATION/TRAINING.....	3,073	2,800	3,073	2,800
COMD/CNTRL/COMM ADV DEV.....	18,295	18,295	18,295	18,295
TOTAL, ADVANCE TECHNOLOGY DEVELOPMENT.....	472,098	407,057	418,868	412,757

STRATEGIC PROGRAMS

COMMON STRATEGIC ROTARY LAUNCHER (T).....	64,078	64,078	64,078	64,078
ADVANCED STRATEGIC MISSILE SYSTEMS.....	49,737	47,737	49,737	49,737
ADVANCED CONCEPTS.....	60,000	60,000	60,000	60,000
ADVANCED TECHNOLOGY CRUISE MISSILE.....	26,782	26,782	26,782	26,782
MSL SURVEILLANCE TECH.....	9,745	9,745	9,745	9,745
ADVANCED WARNING SYSTEMS.....	20,808		20,808	10,000
POST-ATTACK RECONNAISSANCE.....	9,919			
SPACE SURVEILLANCE TECHNOLOGY.....	40,285	20,285	20,285	20,285
WWMCCS ARCHITECTURE.....	15,110	15,110	15,110	15,110
B-1B.....	753,500	753,500	753,500	753,500
TANKER TRANSPORT BOMBER TRNG SYS.....	560			
M-X.....	2,759,332	2,509,332	2,449,352	2,509,332
AIR LAUNCHED CRUISE MISSILE.....	186,838	186,838	186,838	180,000
SPACE DEFENSE SYS.....	211,764	211,764	231,764	211,764
SYSTEMS SURVIVABILITY (NUC AFFECTS).....	13,948	13,948	13,948	13,948
B-52 SQUADRONS.....	121,767	90,000	90,000	90,000
KC-135 SQUADRONS.....	28,950	28,950	28,950	28,950
MINUTEMAN SQUADRONS.....	12,857	12,857	12,857	12,857
POST ATTACK COMD/CNTRL SYS.....	24,034	24,034	24,034	24,034
SAC COMMUNICATIONS.....	28,096	28,096	28,096	28,096
WWMCCS ADP-NORAD/ADCOM.....	6,232	6,232	6,232	6,232
NORAD CCG.....	25,378	25,378	25,378	25,378
BALLISTIC MSL TAC WNG/ATR ASSES SYS.....	1,283	1,283	1,283	1,283
JOINT SURVEILLANCE SYSTEM.....	1,187	1,187	1,187	1,187
SURVEILL RADAR STATIONS-SITES.....	1,147	1,147	1,147	1,147
DEW RADAR STATIONS.....	7,995			
CONUS OVER-THE-HORIZON RADAR.....	79,175	70,000	79,175	79,175
BALLISTIC MSL EARLY WNG SYSTEM.....	10,262	10,262	10,262	10,262
SPACE TRACK.....	5,542	5,542	5,542	5,542
DEFENSE SUPPORT PROGRAM.....	120,447	120,447	120,447	120,447
SLBM RADAR WARNING SYSTEMS.....	2,570	2,570	2,570	2,570
INTEG OPERATIONAL NUDETS DETECT SYS.....	19,885	19,885	19,885	19,885
SPACE DEFENSE OPS.....	6,470	6,470	6,470	6,470
MINIMUM ESSENTIAL EMER COMM NETWORK.....	49,606	49,606	49,606	49,606
WWMCCS INFORMATION SYSTEM.....	8,366	8,366	5,000	5,000
AIR FORCE SAT COMM SYS.....	50,901	50,901	50,901	50,901
MIL STRATEGIC TACTICAL & RELAY SYS.....	79,784	117,784	79,794	117,784
SATELLITE DATE SYSTEM.....	7,886	7,886	7,886	7,886
CLASSIFIED PROGRAMS.....	50,784	50,784	50,784	50,784
TOTAL, STRATEGIC PROGRAMS.....	4,973,010	4,640,786	4,609,413	4,669,757

TACTICAL PROGRAMS

NEXT GENERATION TRAINER ACFT.....	52,365	52,365	52,365	52,365
ADVANCED TACTICAL FIGHTER.....	27,338	23,000	23,000	23,000

	Budget	House	Senate	Conference
ADV TACTICAL AIR RECONNAISSANCE SYS.....	4,006		4,006	
ACFT NON-NUCLEAR SURVIVABILITY.....	2,011	2,011	2,011	2,011
NIGHT ATTACK PROGRAM.....	4,491	4,491	4,491	4,491
ADV ATTACK WEAPONS.....	17,999	17,999	17,999	17,999
DOD PHYSICAL SECURITY EQ-EXTERIOR.....	3,911	3,911	3,911	3,911
ELECTRONIC WARFARE TECHNOLOGY.....	18,724	15,350	15,350	15,350
FIBER OPTICS DEVELOPMENT.....	2,864	2,864	2,864	2,864
ADVANCED COMMUNICATIONS TECHNOLOGY.....	6,106	6,106	6,106	6,106
COMBAT IDENTIFICATION TECHNOLOGY.....	17,486	17,486	17,486	17,486
CHEMICAL WARFARE DEFENSE.....	4,877	4,877	4,877	4,877
PAVE DROVER.....	2,003	2,003	2,003	2,003
ACFT AVIONICS EQUIPMENT DEVELOPMENT.....	21,237	17,137	17,137	17,137
AIRCRAFT EQUIPMENT DEV.....	1,864	1,864	1,864	1,864
ENGINE MODEL DERIVATIVE PROG.....	10,254	8,254	64,254	38,254
EW COUNTER RESPONSE.....	27,335	22,000	22,000	22,000
NUCLEAR WEAPONS SUPPORT.....	2,298	2,298	2,298	2,298
ALTERNATE FIGHTER ENGINE.....	94,125	94,125	94,125	94,125
MODULAR AUTOMATIC TEST EQUIPMENT.....	34,580	34,580	34,580	34,580
NIGHT PRECISION ATTACK.....	103,758	100,000	100,000	100,000
ACFT ENGINE COMPONENT IMPROVE PROG.....	120,472	120,472	120,472	120,472
ADV MED RANGE AIR-TO-AIR MSL.....	207,601	207,601	207,601	207,601
JOINT TACTICAL FUSION PROGRAM.....	5,280	5,280	9,908	5,280
CRD LAUNCHED CRUISE MSL.....	28,581	28,581	28,581	28,581
C/B DEFENSE EQUIPMENT.....	16,339	16,339	16,339	16,339
ARMAMENT ORDNANCE DEVELOPMENT.....	20,648	20,648	20,648	20,648
CONVENTIONAL STANDOFF WEAPON.....	38,858	32,500	32,500	32,500
WIDE-AREA ANTI-ARMOR MUNITION.....	8,503	18,503	8,503	18,503
CLOSE AIR SUPPORT WEAPONS SYSTEM.....	5,412	5,412	5,412	5,412
LOW LEVEL LASER GUIDED BOMB.....	3,016	3,016	3,016	3,016
MEDIUM RANGE AIR-TO-SURFACE MISSILE.....	42,682	42,682	42,682	42,682
CONSOLIDATED CRUISE MISSILE PROGRAM.....	42,682	42,682	42,682	42,682
AIR-LAUNCHED ASSAULT BREAKER.....	29,328	29,328	29,328	29,328
LIFE SUPPORT SYSTEM.....	12,417	12,417	12,417	12,417
OTHER OPERATIONAL EQUIPMENT.....	16,553	16,553	16,553	16,553
RECONNAISSANCE EQUIPMENT.....	7,695	7,695	7,695	7,695
DOD PHYSICAL SECURITY EQ-EXTERIOR.....	18,595	18,595	18,595	18,595
TAC C3 COUNTER-MEASURES.....	18,976	18,976	18,976	18,976
COMBAT IDENTIFICATION SYSTEMS.....	20,552	19,000	19,000	19,000
SURFACE DEF SUPPRESSION.....	4,740	4,740	4,740	4,740
AIRBORNE SELF-PROTECTION JAMMER.....	46,726	46,726	46,726	46,726
PROTECTIVE SYSTEMS.....	110,234	110,234	110,234	110,234
TACTICAL PROTECTIVE SYSTEMS.....	28,093	28,093	28,093	28,093
APPL FOR INFO PROCESSING TECH.....	4,697	4,697	4,697	4,697
PRECISION LOCATION STRIKE SYSTEM.....	98,859	78,859	98,859	78,859
INTELLIGENCE EQUIPMENT.....	18,468	12,869	12,869	12,869
COMBAT HELICOPTER MODERNIZATION.....	32,347	27,347	27,347	27,347
IT TAC INFO DIST SYS.....	52,513	52,513	52,513	52,513
SIDE LOOKING AIRBORNE RADAR (SLAR).....	27,192	27,192	27,192	27,192
IT INTEROPERABILITY TAC CMD/CTRL.....	3,837	3,837	3,837	3,837
F-111 SQUADRONS.....	39,290	39,290	39,290	39,290
F-15 SQUADRONS.....	125,318	113,018	113,018	113,018
A-10 SQUADRONS.....	6,488	5,000	5,000	5,000
F-16 SQUADRONS.....	86,142	72,142	66,142	73,642
F-4G WLD WEASEL SQUADRONS.....	21,472	21,472	18,000	20,000
TACTICAL ACGM MISSILES.....	4,790	4,790	4,790	4,790
TACTICAL SURVEILLANCE SYS.....	285	285	285	285
OVERSEAS AIR WEAPON CONT SYS.....	3,486	3,486	3,486	3,486
TACTICAL AIR CONTROL SYSTEM.....	5,422	5,422	5,422	5,422
TAC AIRBORNE CMD/CTRL SYS.....	78,852	71,000	63,000	67,000
ADV COMM SYS.....	78,210	10,889	10,889	10,889
TAC AIR INTELL SYS ACTYS.....	8,253	8,253	8,253	8,253
SEEK SPINNER.....	26,900	26,900	26,900	26,900
IT TACTICAL COMM PROG (TRI-TAC).....	52,875	52,875	42,875	47,875
ELECTROMAGNETIC COMBAT INTEL SPT.....	2,623	2,623	2,623	2,623
C-130 AIRLIFT SQUADRONS (IF).....	688	688	688	688
C-141 AIRLIFT SQUADRONS (IF).....	1,282	1,282		
C-5 AIRLIFT SQUADRONS (IF).....	8,077	8,077	8,077	8,077
OPERATIONAL SUPPORT AIRLIFT.....	2,557	2,557		2,557
CLASSIFIED PROGRAMS.....	151,221	144,521	148,021	144,521
C-17 PROGRAM.....		1,000	200,000	60,000
<b>TOTAL TACTICAL PROGRAMS.....</b>	<b>2,213,302</b>	<b>2,010,314</b>	<b>2,255,737</b>	<b>2,085,060</b>
<b>INTELLIGENCE &amp; COMMUNICATIONS</b>				
SPACE COMMUNICATIONS.....	52,349	34,149	52,349	39,949
NAVSTAR GPS USER EQUIPMENT.....	122,837	122,837	122,837	122,837
MISSILE AND SPACE TECH COLLECTION.....	651	651	651	651
TECHNICAL SENSOR COLLECTION.....	2,000	2,000	2,000	2,000
FOREST GREEN.....	31,802	31,802	31,802	31,802
INTEG OPERATIONAL NUDETS DETECT SYS.....	1,996	1,996	1,996	1,996
DEF SATELLITE COMM SYS.....	53,126	53,126	53,126	53,126
LONG-HAUL COMMUNICATIONS (DCS).....	9,537	9,537	9,537	9,537
ELECTROMAG COMPATIBILITY ANAL CTR.....	7,251	7,251	7,251	7,251
COMMUNICATIONS SECURITY.....	1,621	1,621	1,621	1,621
SPECIAL ACTIVITIES.....	1,186,200	818,300	1,126,200	1,126,200
TRAFFIC CTRL/APPROACH/LANDING SYS.....	5,060	4,360	4,360	4,360
CLASSIFIED PROGRAMS.....	1,583	1,583	1,583	1,583
<b>TOTAL INTELLIGENCE &amp; COMMUNICATIONS.....</b>	<b>1,476,013</b>	<b>1,089,213</b>	<b>1,415,313</b>	<b>1,402,913</b>
<b>DEFENSEWIDE MISSION SUPPORT</b>				
CONCEPT DEVELOPMENT.....	984			
SPACE VEHICLE SUBSYSTEMS.....	4,339	4,339	4,339	4,339
SPACE TEST PROGRAM.....	62,573	62,573	62,573	62,573
ADV MRL SPACEFLIGHT CAPABILITY.....	2,670			
SATELLITE SYS SURVIVABILITY.....	22,525	22,525	22,525	22,525
WEATHER SYSTEMS.....	3,438	3,438	3,438	3,438
ADV AERIAL TARGETS DEV.....	13,856	13,856	13,856	13,856
FLIGHT SIMULATOR DEVELOPMENT.....	5,439	5,439	5,439	5,439
SPACE SHUTTLE.....	355,629	355,629	405,629	355,629
WEATHER SYSTEMS.....	4,064	4,064	4,064	4,064
RANGE IMPROVEMENT.....	25,311	25,311	25,311	25,311
ELECTROMAG RADIATION TEST FACIL.....	7,487	7,487	7,487	7,487
IMPROVED CAPABILITY FOR DT + E.....	46,478	46,478	31,478	31,478
PROJECT AIR FORCE.....	16,231	16,231	16,231	16,231
ADV/CMD SPT—TELECOM.....	4,764	4,764	4,764	4,764
RANGH HAND II EPIDEMIOLOGY STUDY.....	840	840	840	840
AIRCRAFT NAVIGATION SYS VERIF.....	15,590	15,590	15,590	15,590
ACQUISITION AND COMMAND SUPPORT.....	269,229	267,000	267,000	267,000
TEST AND EVALUATION SPT.....	354,273	354,273	354,273	354,273
ADV SYS ENGINEERING/PLAN.....	5,443	3,500	3,500	3,500
PRODUCTIVITY IMPROVEMENT.....	2,201	2,201		

	Budget	House	Senate	Conference
INSTL AUDIOVISUAL SPT (R/D)	5,622	5,622	5,622	5,622
MGT HQ (RESEARCH/DEV)	35,341	35,341	33,341	34,341
SATELLITE CONTROL FACILITY	60,219	60,219	60,219	60,219
SPACE BOOSTERS	15,011	15,011	15,011	15,011
CONSOLIDATED SPACE OPERATIONS CENTER	32,116	32,116	23,400	28,000
DEF METEOROLOGICAL SATELLITE PROG	27,751	27,751	27,751	27,751
SPACE LAUNCH SUPPORT	16,419	16,419	16,419	16,419
INDUSTRIAL PREPAREDNESS	1,977	1,977	1,977	1,977
UTAH TESTING + TRAINING RANGE	2,080	2,080	2,080	2,080
PRODUCT/RELIABLE/AVAIL/MAINTAIN PROG	9,681	9,681	9,681	9,681
INTERNATIONAL ACTIVITIES	2,788	2,788	2,788	2,788
<b>TOTAL, DEFENSEWIDE MISSION SUPPORT</b>	<b>1,432,369</b>	<b>1,424,543</b>	<b>1,446,626</b>	<b>1,402,226</b>
GENERAL REDUCTION		-4,700		-4,700
PAY RAISE ABSORPTION	25,248			
PERSONNEL SECURITY CLEARANCE PROCESSING			-3,600	-3,600
INDUSTRIAL PLANT EQUIPMENT CUSTOMER CHARGES			-500	
<b>TOTAL, RESEARCH DEVELOPMENT TEST + EVAL, AIR FORCE</b>	<b>11,298,748</b>	<b>10,246,361</b>	<b>10,835,468</b>	<b>10,650,661</b>

Note.—Senate floor amendment made a ceiling on expenditures for the following: C-17 Aircraft, \$100,000,000. Senate floor amendment also made a ceiling on obligations and expenditures of \$10,735,468,000 for this appropriation.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE AGENCIES

The conferees agree to the following amounts for Research, Development, Test and Evaluation, Defense Agencies:

[In thousands of dollars]

	Budget	House	Senate	Conference
<b>RESEARCH DEVELOPMENT TEST AND EVAL, DEF AGENCIES</b>				
<b>TECHNOLOGY BASE</b>				
DEFENSE RESEARCH SCIENCES	112,100	101,000	101,000	101,000
IN-HOUSE LAB INDEPENDENT RESEARCH	1,800	1,800	1,800	1,800
TECHNICAL STUDIES	3,300	1,000	1,000	1,000
STRATEGIC TECHNOLOGY	151,900	151,900	171,900	161,900
TACTICAL TECHNOLOGY	93,900	93,900	93,900	93,900
PARTICLE BEAM TECHNOLOGY	31,000	31,000	33,000	33,000
INTEGRATED COMD/CONTROL TECH	55,300	45,300	55,300	45,300
EXPERIMENTAL EVAL MAJ INNOVATIVE TECH	268,500	258,500	253,500	253,500
MATERIALS PROCESSING TECH	15,400	15,400	15,400	15,400
NUCLEAR MONITORING	17,300	17,300	17,300	17,300
DEFENSE NUCLEAR AGENCY	326,600	315,500	315,500	315,500
<b>TOTAL, TECHNOLOGY BASE</b>	<b>1,077,100</b>	<b>1,032,600</b>	<b>1,059,600</b>	<b>1,039,600</b>
<b>STRATEGIC PROGRAMS</b>				
WHMCCS ARCHITECTURE	1,262	1,262	1,262	1,262
WHMCCS-WIDE SUPPORT	7,906	7,906	7,906	7,906
WHMCCS ADP-JTSA	23,355	23,355	23,355	23,355
WHMCCS SYSTEM ENGINEER	43,732	43,732	43,732	43,732
MINIMUM ESSENTIAL EMER COMM NETWORK	9,845	9,845	9,845	9,845
<b>TOTAL, STRATEGIC PROGRAMS</b>	<b>86,100</b>	<b>86,100</b>	<b>86,100</b>	<b>86,100</b>
<b>INTELLIGENCE &amp; COMMUNICATIONS</b>				
CINC C2 INITIATIVES	700	700	700	700
MAP/CHART/GEODESY INV/PROTOTYPE DEV	17,863	17,863	17,863	17,863
MAP/CHART/GEODESY ENGR DEV/TEST	10,082	10,082	10,082	10,082
LONG-HAUL COMMUNICATIONS (DCS)	18,935	18,935	18,935	18,935
SUPPORT OF THE NCS	1,990	1,990	1,990	1,990
CLASSIFIED PROGRAMS	982,830	915,850	903,430	931,430
<b>TOTAL, INTELLIGENCE &amp; COMMUNICATIONS</b>	<b>1,032,400</b>	<b>965,420</b>	<b>953,000</b>	<b>981,000</b>
<b>DEFENSEWIDE MISSION SUPPORT</b>				
TECHNICAL SUPPORT TO USDR/E	16,649	12,000	12,000	12,000
GENERAL SUPPORT FOR PA/E	3,712	2,000	2,000	2,000
SUPPORT TO POLICY	4,419	4,419	3,589	3,589
GENERAL SUPPORT FOR NET ASSESSMENT	4,006	3,500	3,500	3,500
GENERAL SUPPORT FOR MIRA/L	3,014	2,000	2,000	2,000
DEFENSE TECHNICAL INFO CENTER	17,500	16,000	16,000	16,000
INFORMATION ANALYSIS CENTERS	5,140	4,000	4,000	4,000
MGT HQ (RESEARCH/DEVELOPMENT)	8,100	8,100	8,100	8,100
TECH TRANSFER CONTROL UNIT		2,000	2,000	2,000
<b>TOTAL, DEFENSEWIDE MISSION SUPPORT</b>	<b>62,600</b>	<b>54,019</b>	<b>53,189</b>	<b>53,189</b>
SPECIAL FOREIGN CURRENCY			784	
PAY RAISE ABSORPTION	1,463			
CONSULTANTS, STUDIES & ANALYSIS		-12,000		-6,000
PERSONNEL SECURITY CLEARANCE PROCESSING		-700		-700
<b>TOTAL, RDT&amp;E, DEFENSE AGENCIES</b>	<b>2,259,663</b>	<b>2,125,439</b>	<b>2,152,673</b>	<b>2,153,189</b>
<b>DIRECTOR OF TEST &amp; EVALUATION, DEFENSE</b>				
FOREIGN WEAPONS EVALUATION	11,600	11,600	11,600	11,600
TEST AND EVALUATION	48,400	43,400	43,400	43,400
<b>TOTAL, DIRECTOR OF TEST &amp; EVALUATION, DEFENSE</b>	<b>60,000</b>	<b>55,000</b>	<b>55,000</b>	<b>55,000</b>

**THE PAYMENT-IN-KIND PROGRAM**

Mr. EXON, Mr. President, a couple of hours ago this Senator from Nebraska suggested a possible workable compromise on H.R. 7439, which is at the desk, in regard to the PIK pro-

gram. Since that time I have talked with several Members of the Senate and several Members in the House of Representatives in whom I have great confidence with regard to agricultural matters.

Unfortunately, for a number of reasons, we seem to be at a total impasse. There are holds on the bill. The ex-

tended filibuster debate on the gas proposal has so tied up the U.S. Senate that we are nearing that bewitching hour once again, or maybe we are already past it, where compromise and understanding have been almost eliminated with regard to trying to bring about something that I

think is potentially good for the Farm Belt of America.

Mr. President, I just want to echo and emphasize once again that I have grave reservations about the PIK program for the reasons that none of the details have been spelled out. But it seems to me, with the extreme difficulties that are facing the American family-sized farmer today, the agricultural sector of our economy in toto and in particular, and the agribusiness part of our society that is closely aligned therewith, the devastating effect that this is having on the individual entrepreneur up and down Main Street, U.S.A., that we should at least go along with H.R. 7439 as it came over to us from the House of Representatives, with the clear understanding that this does not mean an enforcement of PIK and with the understanding that the Agriculture Committee of the Senate would hold appropriate oversight hearings on the rules, regulations, and direction that the program is supposed to take when they are spelled out by the administration.

Mr. President, it seems to me that we are making a mistake in not taking up H.R. 7439, but it also seems very clear to this Senator that because of the filibuster on the gas tax bill, which has sharpened the debate here beyond a point where we can have a chance to get together, that, unfortunately, H.R. 7439 will likely die on the Senate desk as a result thereof. I am not sure that this is proper. I am not sure that it is in the best interest of the American farmer. But at this late hour, because of the interruptions that we have had to the normal flow of business as I have outlined, it seems that we will have to at least set this over until the 98th Congress.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### PIK PLAN STILL A BAREBONES PROPOSAL

Mr. MELCHER. Mr. President, the opportunity to use payment in kind (PIK) as a method for cutting down on surplus grain, cotton, and rice stocks in Government ownership is a proposal that deserves wide consideration by agricultural producers, agribusiness, and Congress.

Secretary of Agriculture John Block's announcement of his intention to proceed vigorously with securing adequate legislation to implement the program is encouraging, but it is essential to recognize that consideration of it entails more than just a barebones formula leaving gaps to be filled in by

the Secretary's broad authority under existing law.

Commodity producers and particularly wheat producers need to evaluate what the effects of PIK with the use of warehouse receipts will mean on market prices for this coming crop. There has not been a clear statement by the Secretary of Agriculture as to his intentions for reserve stocks of grain owned by farmers which under present law would be held off the market until the price received by the farmer equaled a specified trigger price. That trigger or release price is well above current levels. In other words, what wheat and grain farmers must ponder now is "Would the PIK plan force large supplies of grain on the market to further depress prices for the 1983 crop?"

With net agricultural income at the lowest levels since the worst times of the Depression, this is not the time for taking lightly the risk of a new agricultural program that could further aggravate farm cash receipts to even a lower point. It is a question of survival for a good share of grain farmers. During this current marketing year, the prices received by grain farmers on the cash market have only been 60 to 65 percent of the cost of production and some forced sales for lack of storage were even lower.

As a result, grain farmers have taken advantage of the current farm program of "farmer-owned reserves." Secretary of Agriculture John Block has made it known that if that reserve program is continued for the 1983 crops the price will be reduced considerably.

For example, farmers for the 1982 crop can receive a Government loan of \$4 per bushel on wheat placed under the reserve program. Secretary Block now proposed that those reserves be made available for the PIK program as payment in kind for farmers who will take a corresponding amount of their land out of production. Those farmers that do so would receive a payment in kind or a warehouse receipt which could be readily cashed at the rate of about \$2.68 per bushel to equal the amount of their average production. That means, as an example, for every acre the wheat farmer takes out of production that has an average yield of 30 bushels, the PIK payment would be 30 times \$2.68 or \$80.40 payment for each acre set aside or soil banked.

That in itself provides an opportunity for grain farmers to retire part of their land over the next 2 or 3 years and to receive a portion of their needed income in order to survive. What about the price on the crop they do produce? Will there be a continuation of the farmer-owned reserve program to permit some of the wheat farmers' crop to be eligible for the \$4 per bushel loan? The answer is apparently "No." The Secretary does not say what he will do. It is his discretion. That leaves a big doubt. The farmer,

under law, will have the opportunity to receive a Government guaranteed loan based on the rate of \$3.65 per bushel in the regular longstanding loan rate program.

The PIK plan as recommended by Secretary Block clearly indicates a lower market for the 1983 crop. The fear that readily occurs to wheat farmers is that the cash market may be even lower than what it currently is under the PIK program unless there are safeguards to cushion the probable effect of wheat farmers who enter the program and receive warehouse receipts which they will need to cash in for income which will bunch grain on the market causing a drop in price. That is the fear that seems very real to a great number of wheat growers.

I believe some cushion should be incorporated into the bill either by raising the loan rates to at least \$3.85 per bushel or mandating the farmer-owned reserves for the 1983 crop at or near the \$4 per bushel, like the 1982 program, \$4 is nowhere near the cost of production and those costs in 1983 are likely to be 5 percent or more higher than in 1982.

A second shortcoming that is obvious in the PIK plan is a lack of direction for conservation of the vast acreage taken out of production.

Leaving the land idle with no conservation practices would be shortsighted.

For more than 10 years we have been shortsighted in good, sound conservation practices. The cost-sharing programs that have proven very effective during the fifties and sixties have been shortchanged during the seventies and into these first years of the eighties. PIK should be made available to finance conservation practices. Cost sharing on conservation practices in programs where the Federal Government pays an incentive for the farmer to practice sound and acceptable conservation on idle land benefits all of us now and all generations to come. Our land base is our greatest national asset.

The PIK plan as proposed lacks specific safeguards for the farm operator who either rents, leases or share-crops. In days past, agricultural programs have required specific regulations which are still available and in place and any PIK plan that is adopted should incorporate those same regulations as requirements to safeguard farmers who operate but do not own the land. We have faced this problem earlier in the soil bank program and prevented by these regulations a landlord making a determination to set aside his land and receive government payments and disregard the effects that that decision has on the farmer who is renting or share-cropping the land. I believe the Secretary of Agriculture would want to implement those regulations on the basis of equity.

The problem that arises when the poorest land is taken out of production and receives Government payments must be alleviated by making the payment only on the basis of what the crop yields would be if it were farmed. The average yield for the entire farm would be higher than on the poorest land on that farm. The payment on the poorer land on a farm must be adjusted to the actual rate of the production from the land that is idled.

PIK can be used to subsidize foreign sales in agricultural products. Actual stocks of grain or other agricultural products produced in this country and owned by the Government in the Commodity Credit Corporation could be a method of encouraging and expediting foreign sales.

Bonus payments to exporters of U.S. grain or other commodities could be made available free to make U.S. products at prices competitive in the world market with countries who are already subsidizing their agricultural exports.

This is a policy that must be determined by Congress itself. It is a policy that deviates from the present U.S. practice and it deserves adequate and thorough consideration by all of the people and then action by Congress if we implement such a policy.

On these points that I raise, there has not been sufficient attention allowed for this quickly-conceived legislation. There certainly has not been evidence of general agreement here in the Senate on all of these points and perhaps some will never receive a majority vote in the Senate or in the House, but they are certainly legitimate considerations in the legislative process of enacting the PIK bill. They are certainly legitimate considerations for the agricultural community and for the public at large. I hope that we can have prompt action over the next 6 to 8 weeks with input, with advice, and with suggestions from the millions of Americans who are affected directly by a major shift in U.S. agricultural policies. Beyond that, all Americans are impacted by success or failure of our agricultural economy.

The recession has been aggravated by the decline in agricultural prices followed by the decline in purchasing power by agricultural producers. If the Department of Agriculture and the administration can quickly formulate their proposals to fill the gaps that I have mentioned or other gaps that others find in the PIK proposal, I believe we can act promptly next year for passage of the program into law and make it available for farmers for their 1983 crops.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum called be rescinded.

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

#### EXPRESSION OF APPRECIATION TO THOSE WHO WORK ON CAPITOL HILL

Mr. WARNER. Mr. President, there is a strong likelihood that the Congress will recess sine die before the close of this day, and each year it is my privilege to say a few words as one Member of the Senate in heartfelt appreciation to all of those who work on Capitol Hill and make our life more comfortable and more safe. That ranges from the guards, to the cafeteria workers, to the elevator operators, and, of course, the Senate staffs, plus many others.

I wish to express my heartfelt appreciation to these many people and wish them a Merry Christmas and a Happy New Year. I look forward to resuming our activities the beginning of the new year.

#### RECESS UNTIL 6:30 P.M.

Mr. BAKER. Mr. President, it does not appear that there is any business that can be transacted at this time that has been cleared on both sides. The conferees on the highway bill are still in conference. As long as that is so, I think we should wait and find the result of that effort.

I ask unanimous consent, therefore, that the Senate now stand in recess until the hour of 6:30 p.m., this evening.

There being no objection, the Senate, at 5:28 p.m., recessed until 6:30 p.m., whereupon the Senate reconvened when called to order by the Presiding Officer (Mr. RUDMAN).

The PRESIDING OFFICER. The majority leader.

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

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BRADY). Without objection, it is so ordered.

#### DR. MARTIN LUTHER KING, JR.

Mr. NUNN. Mr. President, I am pleased that the Senate has approved legislation providing for the placement of a bust or statue of the late Dr. Martin Luther King, Jr., in the Capitol Building.

Dr. King's lifelong devotion to the civil rights movement made an indelible imprint upon our Nation and the world. This Georgian's courageous leadership broke down legal barriers which separated our Nation's citizens. His principles of nonviolence set a clear example for all those who wish to bring about change through nonvio-

lent means and earned for Dr. King a Nobel Prize for Peace.

I hope that the placement of a bust or statue in the Capitol will recall for all Americans Dr. King's dreams for an equal, just and peaceful society.

When the history of this century is written, Dr. King will be recorded as a great leader of our people. It is fitting that his image stand in our Capitol along with other great Americans who, throughout history, have shared this man's courage, wisdom, and commitment to equal justice for all.

#### PIPELINE SAFETY ACT

Mr. BAKER. Mr. President, I have a stunning announcement to make. I do not believe my colleagues will believe it on first reading, so I may have to repeat it. I wish to say that it gives me a great deal of pleasure to say—and it gives me a great deal of pleasure to say it—that apparently, the differences between my friend, the assistant majority leader, TED STEVENS, and my friend, the Senator from Ohio, HOWARD METZENBAUM, with respect to the Alaskan railroad have been worked out. I have to confess that I shall believe that when I see it. But hoping that that will be the case—

Mr. ROBERT C. BYRD. Will the Senator pause for a moment?

Mr. BAKER. Yes.

Mr. ROBERT C. BYRD. Mr. President, so do we take a deep, deep breath.

Mr. BAKER. Now, Mr. President, before anything else happens, I ask that the Chair lay before the Senate a message from the House on H.R. 3420, the Pipeline Safety Authorization Act of 1982.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendments of the Senate to the bill (H.R. 3420) entitled "An Act to authorize appropriations for fiscal year 1982 for carrying out the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, and for other purposes", with an amendment; it insists upon its amendments to the amendments of the Senate to the bill (H.R. 3420) entitled "An Act to authorize appropriations for fiscal year 1982 for carrying out the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, and for other purposes", asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference.

*Ordered*, That Mr. JONES of North Carolina, Mr. BIAGGI, Mr. RODINO, Mr. SNYDER, and Mr. McCLOSKEY be the managers of the conference on the part of the House for title I of the amendment of the House to the text of the bill.

*Ordered*, That Mr. DINGELL, Mr. FLORIO, and Mr. LENT be the managers of the conference on the part of the House for titles II through VIII of the amendment of the House to the text of the bill and modifications committed to conference.



(The amendment of the House is printed in part II of the RECORD of December 20, 1982.)

Mr. BAKER. Mr. President, I move that the Senate concur in the House amendment with the further Senate amendment.

I yield to the Senator from Ohio that he may offer that amendment.

Mr. METZENBAUM. Mr. President, the amendment that I send to the desk is the result of untold number of hours of work on behalf of the Senator from Alaska, as well as the junior Senator from Alaska, and my own staff.

UP AMENDMENT NO. 1586

Mr. President, I send an amendment to the desk in the nature of a substitute.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. METZENBAUM) proposes an unprinted amendment numbered 1586.

Mr. METZENBAUM. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of the matter proposed to be inserted by the House engrossed amendment to the Senate engrossed amendment to the text of H.R. 3420, insert the following: That titles II through VII of this Act may be cited as the "Rail Safety and Service Improvement Act of 1982".

Mr. METZENBAUM. The issue has had to do with the question of the State of Alaska purchasing the Alaska Railroad and the question of what price would be paid for it. The amendment that I sent to the desk will provide a means of determining what that value is, based on fair market value. Thereafter, the parties in the State of Alaska and the Federal Government would be in a position to conclude a transaction on the basis of that price.

The determination of the value would be made by the U.S. Railway Association and I think that it is a move that satisfies the concerns of the Senator from Ohio and, I believe, satisfies the concerns of the Senator from Alaska.

I should further point out that this is the same measure that was pending at the desk. That language having to do with the exemption of the shipping industry from the Antitrust Act would be deleted in its entirety.

There are a number of other provisions in the measure having to do with benefits for approximately 10,000 railroaders. Without this legislation, those 10,000 railroaders would be unemployed, and this will preserve their rights. Therefore, I am pleased to join with the Senator from Alaska, whose staff has worked zealously in an effort to bring this about, in offering this amendment, and I think that the Senator from Alaska and I are in accord on it.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I want to thank the Senator, and I know that he has returned from dinner, once our respective staffs and the staff of the Commerce Committee worked this bill out, in order that the matter could be handled expeditiously and sent to the House in time for action prior to sine die adjournment.

The Senator is correct that the Northeast corridor improvement project is included in the bill and affects some 10,000 people in New Jersey. It has been in the railroad bill all along, and it is quite important that it be passed before the end of the year.

I think that we are indebted to the people who have kept pressing us on all sides of that project in order to reach this point.

I am grateful to the Senator and his staff. I want to thank Doug Lowenstein, David Springer, Peter Harris, and Marge Baker, for working with our staff; the Commerce Committee staff: Kevin Curtin, Pamela Garvey, Linda Morgan, and Mary McAuliff, who have now been working for 2 years on this bill.

They have been working around the clock this last week with my staff: Bill Phillips, and Mark Schneider. In addition, Lynn Sutcliffe has added his able assistance to the State of Alaska along with a young man that many people have just gotten to know, Dave Walsh. He has been a friend of mine for years and he has had a distinguished record as a member of the Anchorage City Council. Dave has been here representing our new Governor, Bill Sheffield, and has been here working with the staff, in an attempt to insure passage of this legislation.

I have to say to the Senator that this is a matter of faith. Neither one of us has had time to make certain that the understandings that he and I expressed are in this document. I have absolute confidence in the staff that has worked on it, though, and I believe the statements made by the Senator are correct. The shipping act is not in this bill. It is in the position of a privileged matter when it returns to the House, so by virtue of the action that has been taken I am confident that we should be able, if the House stays in session long enough, to take care of the problem of the Northeast corridor improvement project, after this appraisal making the railroad available to my State on what seems to be a reasonable proposition. They will have no obligation to take it, of course, but, assuming the price is right, we may be in the railroad business soon.

Since this bill was reported by the committee, the committee has modified it in a number of important respects relating to the procedure used to convey the real property of the Alaska Railroad to the State and the nature of the interest the State is to receive in the Denali National Park and Preserve. In the committee-report-

ed bill, the State received, on the date of transfer, all right, title and interest to the rail properties of the Alaska Railroad, including the real property. Adjudication of pending claims of valid existing rights would follow with the State being required to reconvey interests adjudicated in favor of other parties. The substitute provides a different process which involves withholding fee title to lands subject to unresolved claims of valid existing rights pending expedited adjudication. On the date of the transfer, the State would be granted fee title to lands not subject to such claims and, with respect to lands so subject, an operating license to insure that operations of the railroad are not affected in any way by the new process.

The concept of an exclusive use easement also is introduced in the substitute. This defined interest represents the minimal interest the State is to receive in the Alaska Railroad right-of-way following completion of the expedited adjudication process. Of course, completion of the process may also result in the conveyance of more than just the easement. It also is the interest the State will receive through the Denali National Park and Preserve. In other areas, where the right-of-way crosses land owned in fee by the Federal Government, the full fee title to the right-of-way will be transferred to the State.

Because the exclusive use interest is a new concept, further description of its characteristics seems warranted. Essentially, it is defined to insure that the State-owned railroad will receive exclusive and complete control over land traversed by the right-of-way. Except as specifically qualified in provisions regarding the easement through the Denali Park, the exclusive use easement, at minimum, vests in the State-owned railroad the following rights:

First. To have complete freedom to add to or delete from the land any structures, roadbeds, adjacent rocks, or gravel or to recontour the land as necessary;

Second. To move track within the right-of-way or to add or delete track;

Third. To provide loading and unloading facilities for railroad customers or for railroad purposes;

Fourth. To add structures as may be necessary for operation;

Fifth. To remove any vegetation which may be required to operate or expand the railroad's services;

Sixth. To fence the right-of-way;

Seventh. To operate any and all trains over the right-of-way;

Eighth. To restrict or grant access to persons or vehicles as it sees fit;

Ninth. To construct and maintain any drainage facilities necessary to preserve the right-of-way;

Tenth. To make any provisions necessary to protect the perational capability of the right-of-way even if this requires access to and control of lands

beyond the normal right-of-way limits (for example, avalanche, flood control);

Eleventh. To take such action as may be necessary to safely operate in situations where conflicts with other transport modes may exist; and

Twelfth. To place all necessary communications and signal devices within the right-of-way or to maintain separate rights-of-way for these items where necessary.

Where appropriate the State may also use its police power to regulate activities on the right-of-way and other rail properties.

Other related changes have been made in the substitute which are self-explanatory. I note that a definition of right-of-way has been included to insure that the State receives at least the minimum width necessary to continue to operate the railroad. Modifications have been made in the future rights-of-way section to clarify that current law governs processing of applications for future rights-of-way subject to a description of the interest the State is to receive which is based on the act of March 12, 1914, the Alaska Railroad's organic statute and conforms, that a minimum, to the new definition of an exclusive use easement contained in this bill. As I mentioned, the rail properties within the Denali Park have been treated differently and although the State now receives an exclusive use easement rather than title, this interest is defined to be sufficient to sustain unimpaired, continued operation of the State-owned railroad through the park.

The reversion section also has been changed to provide for reversion in the event the State discontinues use of the railroad for a continuous 18-year period. "Use" is carefully described in the section to include any purpose authorized under the transfer legislation. In addition to special treatment of lands within the Denali Park, the substitute reversion section also specifically deals with lands in the Chugach National Forest. Another provision has been added to provide for Federal recapture of "profits" from the sale of all or substantially all of the State-owned railroad to an entity other than an instrumentality of the State. The proceeds of any such sale are to be reduced by liabilities and obligations assumed in the transfer of the railroad to the State and subsequent State investment in the railroad.

Mr. President, I ask unanimous consent to have printed in the RECORD, a pertinent table.

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

<i>Alaska Railroad—Estimated deferred maintenance and delayed capital projects</i>	
Roadbed and track:	<i>Millions<sup>1</sup></i>
Tie replacement (assuming 37 yr life cycle).....	\$12.0
Ballast.....	10.8
Subgrade.....	1.3

Bank widening.....	8.0
Turnout renewal.....	3.8
Rail replacement, repair.....	24.0
Block work.....	.5
<b>Subtotal, roadbed and track.....</b>	<b>60.4</b>
<b>Structures:</b>	
Tunnels.....	2.7
Bridges, culverts.....	6.8
Yards.....	7.9
Healy Canyon reroute.....	50.4
<b>Subtotal, structures.....</b>	<b>67.8</b>
<b>Total.....</b>	<b>128.2</b>

<sup>1</sup> 1982 dollars.

Source: ARR general manager.

Mr. STEVENS. I would like to clarify the basic intent of the new provision requiring a value determination of the Alaska Railroad by the United States Railway Association that my staff has worked out with the Senator from Ohio.

It is my understanding that the USPA will perform an independent determination of the fair market value of the Alaska Railroad as an operating railroad, including full consideration of the terms and conditions of the transfer legislation. The relevant standard is a determination of what a prospective buyer would compensate the United States, if at all, were they to acquire the Alaska Railroad for purposes of continuing operations.

This provision specifically requires the USPA to include consideration of all obligations imposed by this title and other applicable law upon the operation and ownership of the Alaska Railroad. The outstanding claims against railroad, including those land entitlement selections filed by Alaskan Native Corporations, should very definitely be factored into any determination of fair market value. It is conceivable that a significant portion of the railroad's more valuable undeveloped holdings could be lost to these groups. Furthermore, the specific provisions contained in the reversion clause should be considered in any land appraisal since they greatly restrict the State's options with respect to using rail properties for nonrailroad related purposes.

It is my understanding this includes a complete accounting of all deferred maintenance, delayed capital reinvestment requirements, employment protection obligations, passenger service subsidies, OSHA compliance requirements, real value of fixed assets, and potential cash flows. There should also be some consideration of intangibles such as the railroad coming under full jurisdiction of the Interstate Commerce Commission, Federal antitrust statutes, and potential tax liabilities. The USRA should work closely with the Alaska Railroad, the Federal Railroad Administration, and the State in order to utilize the most accurate financial information on the railroad, much of which is to be generated during the concurrent 9-month period for preparation of the closing report. I would further point out that this

latter point is reflected within the amendment language.

I thank the Senator from Ohio, and I thank the leadership.

Mr. METZENBAUM. I should point out, Mr. President—and I think the Senator from Alaska has stated it well—neither of us has had a chance to read the language that our staffs have been working on. We both have an understanding that should there be in error in draftsmanship, we know the intent of what we are trying to do.

If it is necessary to provide some clarification or provide some correction in the next session, we will work together on that action.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment (UP No. 1586) was agreed to.

The PRESIDING OFFICER. The question is on the motion to concur in the amendment of the House with a further amendment.

The motion was agreed to.

Mr. BAKER. I move to reconsider the vote by which the motion was agreed to, Mr. President.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I am very pleased, as is I am sure, the distinguished Senator who is presiding in the chair, with the resolution of the Alaskan railway issue, because, as the Senator knows, there is also in that provision a rail link between Philadelphia and Atlantic city. So on this eve of Christmas and in the depths of a recession, that railway offers hope to thousands who will travel to that mecca of the East, Atlantic City, expecting they will return across that causeway to the mainland of New Jersey a wealthy and successful tourist.

I appreciate the resolution of this issue. I thank the Senator from Ohio and the Senator from Alaska for opening the horizons again to thousands who in recent history had to leave the country or travel west to seek their fortune and who now have that opportunity just a short train ride away from Philadelphia. We all know what W. C. Fields said about Philadelphia.

Mr. President, let me again express appreciation to my colleagues and the Chair for presiding over this historic act for the Senate as an institution and for the State of New Jersey.

Mr. D'AMATO. Mr. President, I am very pleased that my very good friend from Alaska has been able to reach an accommodation with the Senator from Ohio, and I am hopeful that this accord will result in viable rail service in Alaska.

Let me only add that this measure also contains some funds—\$2 million—for the rehabilitation or relocation of the present Amtrak rail passenger station at Syracuse, N.Y. The Syracuse station served over 79,000 passengers in the first 9 months of fiscal year 1982 and in fiscal year 1983, Syracuse expects a 9.3-percent increase over the previous year. The funds in this bill will be used to improve this station, which serves as a vital link in the upper New York State Empire Service.

Mr. President, I commend the Senate Commerce Committee members and staff who have worked so tirelessly on this measure.

Mr. WEICKER. Mr. President, included in this bill is \$75 million in new authorization for Conrail Commuter Transition Assistance. I commend Senator Packwood and the Commerce Committee staff for their efforts on this important matter. This new authority will provide the necessary funding to effect a smooth and effective transition of Conrail's Commuter Rail obligations to the Northeastern Commuter Rail Authorities. This provision is particularly appropriate in light of recent action by the Senate Appropriations Committee to provide \$75 million in fiscal year 1983 Transportation Appropriations for the Conrail Commuter Transition. This additional funding, which I had requested, has been approved by the committee and the administration and is now included in H.R. 7019, a bill making appropriations for the Department of Transportation and Related Agencies for fiscal year 1983.

In an effort to make Conrail an efficient rail freight system, Congress in the Northeast Rail Service Act (NERSA) directed that Conrail be relieved of its commuter rail operations by January 1, 1983. Congress provided assistance to insure that either commuter agencies or the Northeast Commuter Services Corporation (NCSC), formerly Amtrak Commuter Services Corporation, could take over existing operations without disrupting service to the many communities and cities in the Northeast that depend on commuter operations. To effect this transition, Congress authorized \$50 million in transition assistance for costs incurred by either the commuter agencies or NCSC. However, earlier this year, the Connecticut Department of Transportation (ConnDOT) and the Metropolitan Transportation Authority (MTA) as well as other authorities expressed their grave concern that funding made available under the Northeast Rail Service Act would be insufficient to meet the many administrative costs of the transition. MTA and ConnDOT also have a unique con-

tract agreement under which ConnDOT and MTA currently lease service from Conrail. Congress made special recognition of this contract with Conrail in stating under section 1139(b) of NERSA.

In providing for the distribution of such funds, the Secretary shall consider any particular adverse financial impact upon any commuter authority that results from the termination of any lease or agreement between such commuter authority and Conrail.

In addition to costs associated with Connecticut's contract with Conrail, commuter agencies must also purchase inventories, supplies, equipment, and certain facilities currently owned by Conrail, as well as computer systems to handle payroll, materials, and service contracts. Total costs alone for Connecticut and MTA's takeover of service from Conrail is about \$70 million. The Federal Government should provide the \$75 million in addition to \$50 million already made available thus far to insure that these mandated costs to Connecticut and New York, as well as the other three States, will be adequately met.

Mr. President, insuring a smooth transition of Conrail's commuter activities to the respective commuter agencies is vitally important to my State of Connecticut; 40,000 commuters daily rely on commuter rail service on the New Haven line between New Haven, Conn., and New York City. This translates into an annual ridership of 23 million—more than the entire Amtrak System! Although no disruption in service is anticipated during the transition process, this continual shifting of rail service in this country between the private and public sector cannot help but create uncertainty in the minds of commuters. For the last two decades Connecticut commuters have seen commuter service vacillate between Penn Central, Conrail, and now the authorities themselves. ConnDOT Commissioner William Burns, in testimony before the House Energy and Commerce Committee, summarized the instability of commuter rail operations in saying:

During the late 1960's, the Connecticut Department of Transportation worked very closely with the Metropolitan Transportation Authority (MTA) to develop a plan to save the Commuter Rail Service on the New Haven, Harlem, and Hudson lines. The service agreement was developed with the Trustees of the Penn Central Corporation to assure the viability of the service for the long term. Not only was the right-of-way in Connecticut leased by the Department for 60 years, but a service agreement was developed which was renewable each five years for the 60 year term. This assured the stability of this vital commuter service in the long term. When the Penn Central properties were merged with other Northeastern Railroads to form Conrail in 1976, a smooth transition occurred because the railroads were being merged. Today we see that organization being torn apart requiring new relationships to be developed.

Establishing new relationships does not happen overnight. ConnDOT and

MTA have chosen to take over this service, but must complete labor negotiations, administrative transitions, and implementing operations, like computer systems by January 1, 1983. All of this is supposed to happen on top of daily frustrations which commuters in Connecticut and New York currently experience: Equipment that does not always work, an antiquated generating power source, and other uncertainties that prevail in the commuter rail business. Therefore I will not accept any additional uncertainty placed on the backs of the commuters of my State. I hope this transfer of operations will be the beginning of dependable rail service provided by a stable authority.

Since Congress and the Federal Government are responsible for initiating this transfer of commuter rail's obligations, the Congress and the Federal Government are responsible for providing adequate funding to cover the costs of the transition. Therefore, I urge my colleagues to approve this essential authority for commuter rail transition costs, and I thank my colleagues on the Commerce Committee for addressing this important issue.

Mr. BRADLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair thanks the Senator from New Jersey for his kind words.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(During the quorum call Mr. BRADY occupied the chair.)

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

The PRESIDING OFFICER. (Mr. MATTINGLY). Without objection, it is so ordered.

Mr. NUNN. Mr. President, I ask unanimous consent that Randy Nuckolls of my staff be accorded the privileges of the floor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### REDUCTION, SUSPENSION, AND EXTENSION OF CERTAIN DUTIES

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 4566.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives: