



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142

WASHINGTON, TUESDAY, JANUARY 30, 1996

No. 12

Senate

The Senate met at 11 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, we say with the author of Hebrews, "This hope we have as an anchor of the soul."—Hebrews 6:19.

Thank You for the anchor of hope in You we have for the storms of life. We lower our anchor and it holds in the bedrock of Your faithfulness in spite of the billows of adversity and the blasts of conflict. We can ride out the storms of difficulties and discouragement because we know You will sustain us. We share the psalmist's confidence, "I wait for the Lord, my soul waits, and in His word I do hope. For in You, O Lord, I hope; You will hear, O Lord my God."—Psalms 130:5, 38:15.

Our hope is not in the reliability of people, the predictability of circumstances, or the security of human power. Our hope is in Your grace and truth. You will neither leave nor forsake us. Keep us anchored today so we may not drift from our commitment to serve You. We claim Your destiny for our Nation. Throughout this day may we feel the tug of the anchor and know that we are secure. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today there will be a period for morning business until the hour of 1 p.m., with the time equally divided between the two parties. No rollcall votes are expected during the day today.

For the information of all Senators, the Senate is expected to reconvene on

Wednesday with the expectation that the session will be largely devoted to morning business, and rollcall votes would not be anticipated on Wednesday.

Senators should be aware that on Thursday the Senate will be attending a joint meeting of Congress starting at 11:45 a.m. to hear an address by French President Jacques Chirac. Following that joint meeting, the Senate is expected to debate and vote on cloture on or in relation to the Lugar-Dole farm bill.

Additional votes could occur during the day on Thursday, and even possibly on Friday. As we get additional agreements or information on that, we will advise the Members.

MEASURE READ THE SECOND TIME—S. 1541

Mr. LOTT. Mr. President, I understand there is a bill on the calendar that is due for its second reading, which is the farm bill.

The PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1541) to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

Mr. LOTT. Mr. President, I object to further consideration of this matter at this time.

The PRESIDING OFFICER (Mr. INHOFE). Objection having been heard, the bill will be placed on the calendar.

Mr. LOTT. Mr. President, there will probably be some action that will be suggested or offered with regard to the farm bill in a few minutes.

At this time, 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. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

If the Senator from Alaska will withhold for a moment?

Mr. MURKOWSKI. Certainly.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business until the hour of 1 p.m., with the time equally divided between the two leaders.

The Senator from Alaska.

AMTRAK'S DECISION TO CHANGE TRAIN NAMES

Mr. MURKOWSKI. Mr. President, I am a bit of a railroad buff, and there have been some recent changes relative to the operation of Amtrak that I would like to bring to the attention of my colleagues this morning.

I think it is fair to say that it is important that we consider our traditions, and how our traditions have really brought us together as a nation and preserved the fabric of our culture.

It has been 30 years ago that we switched our telephones from exchange names to all-digit dialing. I think it is fair to say that while it increased the efficiency, it lost some of its personality. I recall we had Black 789, White 243, Green 910. We had an operator who

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S543

would occasionally talk to you if you had a problem. Yet, this change was necessary because of the expansion of telephone service and it produced economic efficiencies.

However, Mr. President, I note with sadness the decision of Amtrak to stop using the historical and traditional names for train service in the Northeast corridor. Last week, the Wall Street Journal reported that Amtrak had decided that, for the Yankee Clipper, along with the train called the Mohawk, the train called the Mayflower, the train called the Connecticut Yankee, the overnight train to Boston, the Night Owl, and nearly all the other traditional names will no longer be used. In their place, nearly all of Amtrak's Northeast corridor trains will be referred to as the Northeast Direct, followed by a number such as 142, 147, 148. I really cannot understand this decision because I cannot see where it necessarily affects the efficiency or service to the public.

A spokeswoman for Amtrak was quoted as saying these names are a colorful part of the past but really not helpful today. According to the spokeswoman, "If you hear 'the Catskill,' it doesn't really tell you where you're going," and that may be true, but certainly the Northeast Direct 147 tells travelers even less. At least the Connecticut Yankee suggests the train is headed to New England; the Northeast Direct 147 really tells you nothing. You do not know where it is headed.

Mr. President, yesterday I wrote to the president of Amtrak, Mr. Tom Downs, and urged Amtrak to reconsider this decision. Again, I appeal to Amtrak in the sense that these are names that are part of the American heritage. I think it is a heritage and tradition that is partially a public trust, if you will. Unilaterally deciding to change these names, I guess, would be equivalent, perhaps, to having the Interior Department redesignate Yellowstone and Yosemite National Parks as Western Park 1, Western Park 2, and perhaps Acadia National Park as Eastern Park 4.

Since 1971, Amtrak has received about \$13 billion in Federal funding to help cover its operating and labor costs. Legislation which is currently on the Senate calendar, S. 1395, would establish an intercity passenger rail trust fund. The lion's share of whose funds would go to Amtrak. The proposal calls for Amtrak to receive more than \$2 billion over the next 4 years.

In my opinion, Amtrak has made a mistake in changing the names of the historic trains of the Northeast corridor by replacing them with numbers. I urge Amtrak to reverse this decision.

Mr. President, I ask unanimous consent that a copy of the letter which I sent to Amtrak's president be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, January 29, 1996.

Mr. THOMAS DOWNS,
President, Amtrak, 60 Massachusetts Avenue
NE, Washington, DC.

DEAR MR. DOWNS: The Thursday, January 25 edition of the Wall Street Journal reports that Amtrak has decided to stop using the traditional names for train service in the Northeast corridor. In conversations with Amtrak officials, my staff has confirmed that Amtrak has decided that the "Yankee Clipper," "The Mohawk," "Mayflower," "Connecticut Yankee," the overnight to Boston, "The Night Owl," and nearly all the others, will no longer be used.

It appears that nearly all of Amtrak's Northeast corridor trains will be referred to as "Northeast Direct" followed by a number such as 142 or 147. Quite frankly, I cannot understand this decision.

A spokeswoman for Amtrak was quoted as saying that these names were colorful, but not helpful. According to this spokeswoman, "if you hear 'the Catskill,' it doesn't really tell you where you're going." That may be true. But certainly, Northeast Direct 147 tells travelers even less. At least, the Connecticut Yankee suggests the train is headed to New England. Northeast Direct 147 tells you nothing.

Mr. Downs, I urge you immediately reconsider this decision. These names are part of tradition. And it is a tradition that is partially a public trust. It is nearly equivalent to having the Interior Department redesignate Yellowstone and Yosemite National Parks as Western Parks 1 and 2.

As you know, since 1971, Amtrak has received \$13 billion in federal funding to help cover its operating capital and labor costs. Legislation that is currently on the Senate calendar (S. 1395) would establish an Intercity Passenger Rail Trust Fund, the lion's share of whose funds would go to Amtrak. The proposal calls for Amtrak to receive more than \$2 billion over the next four years.

I believe Amtrak has made a mistake and I believe you ought to fix it immediately.

Thank you for your immediate attention to this matter.

Sincerely,

FRANK MURKOWSKI,
U.S. Senator.

INCREASE IN THE DEBT CEILING

Mr. MURKOWSKI. Mr. President, I would like to talk briefly about another matter that this body is going to be asked to address in the very near future, and that is to increase the debt ceiling.

As the President and my colleagues know, the authorization to issue debt is limited with a cap. And that cap is \$4.9 trillion. It is a debt so inconceivable that no one can comprehend how large \$4.9 trillion is.

Currently, Mr. President, we are looking in the fiscal year just ended at a deficit of about \$165 billion. That is a significant figure. But we cannot stop there because there is a further application of interest, and the interest cost on the \$4.9 trillion is about \$235 billion. And it should be noted that currently interest rates are relatively low. The effective rate of interest is probably somewhere in the area of 5.5 to 6.5 percent on this \$4.9 trillion.

Back in December 1980, the prime rate in the United States was 20.5 percent. One can only visualize what the

interest cost would be. And this interest has to be paid because the individuals who hold Treasury notes, instruments of debt issued by the Government, have to be paid not only principal but interest. But to suggest that we are currently paying an effective rate of somewhere between 5 or 6 or 6.5, or thereabout—the fact is that interest rates could rise as they have in the past, which would have a disastrous effect on the economic vitality of this Nation.

So, if we look at the accumulated debt that we are carrying, the \$4.9 trillion, recognizing that each year we spend more than we generate in revenues, and add to that, we are faced with the reality that within a relatively short period of time we are going to have to increase that the debt ceiling. We are going to have to increase that authorization somewhere, we are told, of up to \$5.3, or \$5.4, or \$5.5, or \$5.6 trillion for a term of perhaps 18 months, and then we are going to have to do it again.

So my point is we are continuing to increase the indebtedness of this Nation. I am told that for a person being born today, his or her share of the debt is somewhere in the area of \$150,000, to \$175,000. That is going to increase unless we do something drastic and turn it around.

We have been talking for a long time about a balanced budget. Everybody, including the White House, supports a balanced budget, a mandatory balanced budget, a process that will get us there. And we have talked about a 7-year ascension. We have had, I think, five proposals from the administration. The first one did not get one vote in the U.S. Senate. The last one really makes the lion's share of the cuts in the sixth and seventh years. That is pretty hard to accept because we know that Congress is not going to have the self-discipline in 6 or 7 years to make those draconian cuts. We know that President Clinton, even if he were to be re-elected is not going to be in office in 2001 and 2002 when reality will hit.

So we are going into this period of debate on increasing the debt from \$4.9 trillion at a time when we are adding \$165 billion in deficits each year, and we do not have a way out. When I say "a way out," we do not have a commitment to a real balanced budget in 7 years because the last proposal by the White House was not real. The press and the public do not seem to accept that it was not real in terms of all the cuts in the sixth or seventh year as opposed to proportional reductions in each of the 7 years.

It is like taking medicine, Mr. President. You have to take it anyway. If you take it up front and get it over with through the process, why, hopefully, you can reach a cure. If you have to take it when you get too sick, sometimes it might not cure you.

Furthermore, I think it is fair to say that during the extended debate to try to reach a balanced budget, the Republicans were blamed for shutting down

the Government. For reasons that I find a little hard to understand, there was not a recognition that this was a shared responsibility. It was as much the responsibility of the White House as it was Members of Congress because the President vetoed the reconciliation package which would have basically kept the Government going. He vetoed about six of the appropriations bills and signed the others. Those would have funded the Government.

So the responsibility is very much that of the executive branch—the President and the White House—as we reflect on the last attempt at a fiscally responsible effort to try to address what the public wants, what we know is good for the country, and that is the realistic balanced budget process. Unfortunately, that process, in the opinion of the Senator from Alaska, has failed as a consequence of the inability of the administration to recognize that we simply have to reduce the rate of growth of Government. That does not mean we have to cut programs. We simply reduce the rate of growth.

That was so evident in the debate over Medicare. We are not cutting Medicare payments. Medicare payments would increase each year. But the rate of growth would be reduced from nearly 10 percent to somewhere in the area of 6 percent.

So, Mr. President, again as we reflect on where we are, and the coming crisis with the debt ceiling, it is a responsibility of the administration and the President to recognize that it is not in the interest of the country to proceed with a debt ceiling increase without a realistic way to address a process that will achieve a balanced budget in 7 years.

So I urge my colleagues to reflect on just where we are going and the significance that. If we all believe in a balanced budget and we still do not have the self-discipline in the process to recognize that somehow we are going to have to achieve a balanced budget in a meaningful way and we have at the same time the obligation to increase the debt authorization of this country—there is a direct connection between the two. If we believe in a balanced budget, we should know that to increase the debt authorization without a realistic way of balancing the budget is basically irresponsible in the long-term for the fiscal and monetary policy of this country.

Our debt has to be brought under control and the spiral of its increase has to be reversed. And we run the risk of increased interest rates on that debt. So, Mr. President, we should make the necessary corrections now by having as part of the debt ceiling increase a realistic accord on a balanced budget process that is meaningful and achievable.

Mr. President, I ask unanimous consent that all quorum calls during the designated period for morning business be equally divided.

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

Mr. MURKOWSKI. Mr. President, I yield the floor.

The PRESIDING OFFICER. Does the Senator from Alaska suggest the absence of a quorum?

Mr. MURKOWSKI. 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.

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

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

Mrs. FEINSTEIN. Mr. President, I ask that I be recognized to speak as if in morning business.

The PRESIDING OFFICER. The Senator is advised that we are currently in morning business until 1 o'clock with the time divided between the two leaders.

Mrs. FEINSTEIN. I thank the Chair. (The remarks of Mrs. FEINSTEIN and Mr. D'AMATO pertaining to the introduction of S. 1547 and S. 1548 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT REQUEST

Mr. DORGAN. Mr. President, I rise today on behalf of the minority leader and our Democratic caucus to ask unanimous consent that the Senate proceed to the immediate consideration of the bill to increase the debt limit. I will explain in just a moment my intention and the reason I offer this unanimous-consent request.

All of us understand what we have just been through in this past year. We have been through a pretty difficult time. We have struggled as between different philosophies on a range of issues, and we have seen Government shutdowns on two occasions. We have seen and heard people boast about potentially not extending the debt limit and causing a default on the debt. So we have been through a very difficult period.

I think most Members on both sides of the aisle would like very much never to see that repeated. I do not know of anyone who has a continued appetite to see another Government shutdown. I frankly do not know of anyone who, at this point, thinks it would be a good idea if this country were to default on its debt. And yet, we are now at about February 1 and at the end of this month, the Secretary of the Treasury indicates that he will not have the re-

sources with which to meet the requirements to repay the bonds that exist, and there would be a default unless the debt limit is extended.

Some say, "Well, let us wait until the end of February, until we have done certain things to find a way to reach an agreement between this party and the other party." I understand that, and I understand the reason why some would like to postpone this for a while.

On the other hand, there are others of us who are anxious that we move as quickly as we can to get something into a conference so we have some movement on extending the debt limit, so we can tell the people of this country that we are working on it and making progress on it. To wait for the final 3, 4 days or the final week prior to the need for a debt limit extension, prior to default, does, it seems to me, given the circumstances of the last year, create a condition that could provide some risk. That is why some of us feel that this would be the time to move a piece of legislation that would increase the debt limit and move that into a conference.

So with that purpose in mind, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill, now at the desk, to increase the debt limit, that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. COATS). Is there objection?

Mr. LOTT. Reserving the right to object.

The PRESIDING OFFICER. The assistant majority leader and Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, I certainly understand why the distinguished Senator from North Dakota would make this effort at this time. I point out, I still believe, I still hope that there is an opportunity for a budget agreement. I am an incurable optimist. The President has indicated he is willing to continue that effort. I know there are informal discussions going on at the staff level.

The problem with debt limits, as the Senator well knows from his days in the House in particular, even in the Senate, is that there are some Senators and some Congressmen who would prefer not to vote for a debt limit going over \$5 trillion for the first time in history until there is some guarantee that there is going to be fiscal restraint, that there is some budget agreement that will control the rate of growth of spending, control the annual deficits and the debt.

If there is any hope that we might get an agreement, then certainly a good place to consider putting that would be on the debt limit. Plus, there also continues to be an effort across the aisle in a bipartisan way, in the House and Senate, to come to a bipartisan coalition agreement. It looks to me like good progress has been made in that area.

I have looked at the numbers from the coalition group and the numbers in the House and both of them are actually better than the results of the discussions between the President and the leaders in Congress from both sides of the aisle.

That may be the way to do this: Get a budget No. 3 that we can vote on that would have broader bipartisan support than we had earlier. Once again, maybe put it on the debt limit and move it forward. Or in addition to that, I do know the House is meeting this week and they are looking at other alternatives as to how that might be considered.

So, in an effort to get it through the House and get it through the Congress and get it to the President, we want to make sure we thought it through carefully, have done it right. We do not want to go through a futile exercise of getting something to the President he will veto.

I assume there is a time sensitivity, although the Secretary of the Treasury indicated there were going to be real problems last November, and while he was working to avoid those problems, now we do not really know where the problem does develop. Is it the middle of February, the first of March, middle of March, or can we go on indefinitely by actions of the Secretary of the Treasury?

I do not think he can go on indefinitely, but I do know that the intention of the majority leader is that we act on this in a timely fashion, and the House and the Speaker are acting on some legislation that will allow us to act probably the week of February 26, maybe before that. If we can come to some sort of agreement, maybe we can do it before that.

But I think just to move it here at this point would be a futile exercise and maybe even would be unhelpful in trying to get an agreement.

So at this point, Mr. President, I object to the request.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, the Senator from Mississippi is absolutely correct that a logical place to increase the debt limit would be in a budget agreement, and if there is a budget agreement—and I hope there is—then obviously the debt limit should be increased in that agreement.

The dilemma is, the Moody's organization last week served notice publicly, because of the potential of a default, because of the potential that perhaps the debt limit will not be extended, because of the potential that there might be some who want to use the debt limit as leverage, and the ultimate leverage, of course, being default if there is not a budget agreement, because of that, Moody's has indicated they are taking a look at whether to downgrade the creditworthiness of U.S. Government bonds.

It seems to me that ought to be a warning to all of us that we ought not fool around with this question of the grading of Government bonds and the creditworthiness of Government bonds.

This is a very important issue. The Senator from New York, Senator MOYNIHAN, has spoken at some length on it. I say to the Senator from Mississippi, I know that Senator DOLE is not in any way suggesting that he would want to default. In fact, I do not think Senator DOLE felt that the Government shutdowns were the way to run the Government. So I am not suggesting that there are those whom we are discussing at this point who believe this would be a wise course. I think there are some in the Congress who probably have said in the past, "It does not matter to us if we do not pay the bondholders 30 or 60 days afterward," the implication of that suggesting that default certainly is an option as one of the pieces of learning we will use in the negotiations.

So many of us feel that rather than waiting until it is too late, let us start early here and be offering some UC requests to see if we cannot move this along. I know the minority leader has indicated that when the Senate is in session during this month, he feels that we should be offering requests. I am offering this on his behalf today to extend the debt limit. And, again, I understand the reasons for the objection today. My hope would be that in the days ahead we will find a way to advance this through the Senate and go to conference so we can send a message to the country and the world that no one around here will play with the creditworthiness of this country. No one will use the issue of default as leverage in this context. I think most of us believe that would be terribly, terribly risky, and a very unsatisfactory outcome.

So I understand the point the Senator from Mississippi has made. I hope he understands why I have offered this today. He would expect to see it offered again in the days ahead when the Senate is in session.

I would like to, if I might, Mr. President, propound a question to the Senator from Mississippi. Although we are in session today—

Mr. LOTT. If the Senator will yield first, because I think he is fixing to change the subject, I want to get this into the RECORD.

I think there is some question, also, just for the information of the Senators, about the Senate acting first on a clean debt ceiling, whether this is a revenue effort under those conditions and therefore subject to a point of order. I make that observation. I am not pursuing it at this point.

For the information of the Senate, I ask unanimous consent to have printed in the RECORD at this point the history, going back to 1984 through 1990, of how debt ceilings were extended and the riders that were added to those debt ceiling bills in order for them to be

able to complete and go through the process.

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

LEGISLATIVE RIDERS ON PAST DEBT LIMIT
EXTENSIONS
1990—H.R. 5355

Passed by the House, but not by the Senate. Would have increased the debt ceiling by \$322 billion to \$3.444 trillion. Rider: Amended the rules on sequestration to exempt Social Security.

1989—H.R. 3024

Increased the debt ceiling by \$70 billion for the period from August 7, 1989, through October 31, 1989. Rider: Made changes regarding the current accrual value of certain obligations issued on a discount basis.

1989—H.J. RES. 280

Increased the debt ceiling to \$3.1227 trillion. Rider: Repealed Section 89 of the Internal Revenue Code (relating to health benefits provided under certain discriminatory employee benefit plans).

1987—H.J. RES. 324

Increased the debt ceiling to \$2.8 trillion. Rider: Gramm-Rudman II, which contained provisions relating to sequestration, overall budget caps, and budget process reform.

1986—H.J. RES. 668

Increased the debt ceiling by \$189 billion for the period from October 21, 1986, through May 15, 1987. Rider: This debt limit was attached to the Omnibus Budget Reconciliation Act of 1986.

1985—H.J. RES. 372

Increased the debt limit to \$2.0787 trillion. Rider: Gramm-Rudman Deficit Control Act, which contained provisions relating to sequestration and set overall budget caps.

1985—H.R. 3721

Increased the debt ceiling to an amount no greater than \$1.9038 trillion for the period from November 14, 1985, to December 6, 1985. Rider: Contained riders that delayed the effective dates of the following provisions by one month: Tax increase on cigarettes; section 285 of the Trade Act of 1974; section 10(d) of the Railroad Unemployment Insurance Act and, section 5(c) of the Emergency Extension Act of 1985.

1984—H.R. 5692

Increased the debt ceiling by \$30 billion to \$1.520 trillion. Riders: Allowed the Treasury to hire experts or consultants as contract employees. Reimburse the State Department for health and medical services provided to overseas employees; maintain uniforms provided to Treasury employees; provide athletic services for students at the Federal Law Enforcement Training Center in Glynco, Georgia; install fencing, guard booths, lighting, and other maintenance for Treasury Department facilities and enter into reciprocal assistance with state and local law enforcement agencies.

Mr. LOTT. Now I will respond to another question.

Mr. DORGAN. I think it might be worthwhile to put in the RECORD the reports of last week by the Moody's organization about the evaluation of the potential downgrading of Federal bonds. That might describe in some more detail the issue of the risks that some of us are concerned about. I ask unanimous consent that the report I cited be printed in the RECORD.

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

U.S. DEBT RATING THREATENED

Alarmed by the protracted budget brawl in Washington, a venerable Wall Street credit rater is threatening to downgrade America's prized triple-A rating if the deadlock forces the government to default on its debts for the first time.

The unprecedented warning Wednesday from Moody's Investors Service, which has been judging borrower credit worthiness for nearly a century, would mark a stunning blow to the U.S. government's credit standing and sully the pristine status of \$397 billion in Treasury debt with interest due in coming months.

The warning marked the bluntest negative reaction from the financial world so far to the possibility that Uncle Sam might renege on a pledge to repay borrowed money, which has never happened and has helped make U.S. government IOUs the safest and most coveted securities in the world.

"This is a wake-up call," said Mike Casey, an international economist at Ramirez Capital Consultants Inc., a New York investment research firm.

Moody's said it was obliged to make the warning because "the positions being taken in the current debate over the budget and the debt ceiling have significantly increased the risk of a default on the above-mentioned security obligations."

It said the possible downgrade doesn't reflect "any underlying deterioration in the fiscal position of the United States Government, but rather from the peculiar circumstances surrounding the present political controversy over the direction of federal economic and social policy."

Some congressional Republicans have threatened to allow the government to default if the Clinton administration doesn't capitulate on spending cuts in the battle to balance the federal budget. The administration has said Congress must raise the \$4.9 trillion debt limit by March 1 or a default could result.

Although most economists say the possibility of default remains extremely remote, many still regarded the Moody's warning as a sobering reminder that it's not possible.

"In a sense it's like nuclear warfare," said Robert Brusca, chief economist at Nikko Securities International in New York. "If it happens it's a terrible problem. But nobody thinks it's going to happen."

The Moody's warning coincided with conciliatory moves in the budget battle, and House Speaker Newt Gingrich said he wanted to avoid a default. But it was unclear whether Gingrich also was speaking for more militant Republicans, many of them freshmen in the House, who have used the threat of default as a bargaining tactic.

After a meeting with Gingrich Wednesday evening, one freshman congressman, Rep. David McIntosh, R-Ind. said his class was "pretty much on board" with the speaker.

Moody's said it was placing Treasury bonds and notes with interest payments due Feb. 29 and April 1 "on review for possible downgrade."

The rating agency didn't make clear what these securities would be downgraded to. But the loss of triple-A status could make it more expensive for the Treasury to borrow, adding billions of dollars in extra interest to the government's overall debt and reverberating throughout the economy with pressure for higher interest rates.

Bond prices were sharply lower by midday today, continuing a slide that began late Wednesday afternoon as word of the Moody's announcement spread. But traders said prices were falling for other reasons as well.

Standard & Poor's Corp., another leading debt-rating service, made similar warnings

on Nov. 10, when the issue of a possible default first arose in the budget negotiations. Still, the wording of the Moody's announcement was far more blunt and specific, referring to particular groups of medium- and long-term Treasury bonds that would be affected.

S&P said a spokesman that it is examining the spillover effects of a potential default of U.S. Treasury securities and expects to make an announcement about that in the next several days.

Treasury Secretary Robert Rubin responded to the Moody's announcement with a brief statement expressing his belief that the debt impasse will be resolved by the end of February.

Some Wall Street economists theorized that Moody's made the warning partly because of sensitivity to the credit-rating industry's past failures to forewarn of brewing financial debacles.

Just in the past few years, for example, both Moody's and Standard & Poor's have been rebuked for failing to sound the alarm on impending crises in Mexico and Orange County, Calif., which cost investors huge losses.

"Moody's and S&P have caught a lot of grief in the past," said Casey. "They have lot of history of locking the barn door after the cows have gone."

Mr. DORGAN. Let me ask the Senator from Mississippi a question about something that will come up later this week that I know is important to many of us, including the Senator from Mississippi. We are in session today on Tuesday and we do not have recorded votes and will not have recorded votes Wednesday. We will have recorded votes on Thursday. My understanding, from the discussion I had with the majority leader last Friday, was that on Thursday of this week we would be turning to the issue of the farm bill. I am very concerned about trying to get us to move a piece of farm legislation.

I know there are people with very different views about what kind of farm bill would best serve the interests of family farmers in this country in the future. Some say, the so-called Freedom to Farm Act must be passed, or else. Others say that there is the Farm Security Act's marketing loans, and other things. In your part of the country, in Mississippi, we are in the circumstance where farmers are ready to go into the fields at some point soon. I confess that, as of an hour ago when I last talked to somebody in North Dakota, there is not anybody close to starting up a tractor and going into a field today because it is awfully cold there today. But down south people are close to starting to want to do spring's work. In our part of the country, farmers want to talk to bankers and to their agribusinesses about the farm plan. They want to know under what conditions will they plant this spring, and what will the farm program be? We were supposed to have passed a 5-year plan last year. There was one put in the reconciliation bill, which everybody knew would be vetoed. We have nothing at this point.

My hope is that we can work together, Democrats and Republicans, and if we need to demonstrate a burst

of bipartisanship here, there is no place better to do that than on a farm bill. Your farmers have the same needs as mine. I have strong feelings about what we ought to do, and I know others do as well. Especially, we owe them an answer. I hope very much that, come Thursday—I think we will have a couple of cloture votes on a couple of different plans, and perhaps we will not invoke cloture on either. If that is the case, I hope we can find a way Thursday to advance some kind of basic farm plan in order to put it into conference so we can work hard in the next week or so and finally move a farm plan out of the Congress. Farmers deserve that. We owe that to them.

I ask the Senator from Mississippi his view on the urgency of this, and whether he thinks that we are going to be able to move forward Thursday with some dispatch to deal with this issue.

Mr. LOTT. Mr. President, in responding to the Senator from North Dakota, he brought back memories of bipartisan efforts in the past on the farm bill. I think it was maybe 1982. I remember that at the time I was in the House and I was the minority whip. At that time, the majority whip was a fellow named Tom Foley. We were working on the farm bill. It was very delicate and tedious. Everybody wanted a farm bill, but some of the people did not necessarily want to go on record voting for that particular version. I remember even exchanging vote counts with the majority whip. We managed to get a pretty good farm bill through, but one that was pretty evenly divided between the two parties. So that is always the way it should be done. I think usually that is the way agriculture policy is developed, in a bipartisan way.

I do agree that there is an urgency, too. During the years I have been a Member of Congress, I never had to go back home in February—that is when we start going into the field in my State—to tell farmers that we do not have a farm bill. They do not know what to expect. There has never been an instance where I recall where we let existing law expire, which opens the door to utilizing outdated, expensive, and ineffective 1938 and 1949 so-called permanent laws. That is what is about to happen. If we do not do something on this, we are going to revert back to the so-called permanent law. That causes all kinds of confusion not only for the farmers, but the lenders and the suppliers, which are an important part of the economy in my State and, I know, in your State. Even the Secretary stated that reversion to the permanent law has all kinds of problems. Authorization for wheat, feedgrains, and rice programs under current law have already expired. So there is an urgency.

I know the Senator from North Dakota knows that an effort is underway now where Senators and their staffs are working on what is the best approach. We did have the farm bill that was in the reconciliation package, as

the Senator said. It was vetoed by the President. Some of us would like to look at that as a base and maybe make some changes. I know the Senator has a different approach. We are working on what is the best procedure to get an agreement, and we are going to try to have some understanding worked out later on today—hopefully very shortly—as to exactly what votes will occur Thursday on or in relation to agriculture legislation. We are going to be very careful to be fair in how we proceed and give those who have different views a chance to make their case, and have one or more cloture votes, but try to make an effort to get this issue moving in such a way that maybe we can get into conference and work out an agreement that we can get to the President in the shortest possible period of time. So we are working right now on a unanimous-consent agreement that would get us into consideration on Thursday that would allow for a vote or votes to occur and try to find a way to move it forward.

Mr. DORGAN. Mr. President, I thank the Senator from Mississippi.

One of the dilemmas here is that the farm bill, which was placed in the reconciliation bill and passed last year and vetoed, would have eliminated the permanent law, the 1949 act. Many of us had great concern about that. There are new and innovative ways to deal with the issue of payments, and other approaches in the short term. But in the long term we feel strongly that the needs of a network of family farms will only be met if we retain some kind of permanent authority for farm legislation. But I guess the point I was making—and I am comforted some by the Senator's comments—I think at the end of Thursday we need to have found a way to reach agreement on something that we can move into conference that builds a bridge between the various proposals that now exist. I think we have not seen much bipartisanship in the last year or so. In fact, it has been some while beyond that, I guess. If ever we need a burst of strong bipartisanship, it is to find a way to move this farm legislation forward.

I look forward to working with the Senator. There is an effort underway; we have a lot of staff people on a bipartisan basis searching for some common ground. Perhaps that will result in the ability to move something on Thursday. Time is very short. It is very urgent that we provide farmers an answer about what will be the conditions under which they plant this spring, what kind of a farm program will exist in this country.

Mr. LOTT. Mr. President, for the information of all Senators, we also still hope there is the possibility that we would have a vote or votes this week on the telecommunications issue. That has not been clarified yet.

Speaking of bipartisan efforts, that is one where last year a lot of work went into that legislation. It is a very important piece of legislation. I believe it

passed by a vote of something like 81 to 18. It is on the verge of being ready to come out of conference. We hope we can get an agreement worked out on that also sometime today. If we can, we would hope maybe we could have a vote on that also on Thursday.

We could have at least two or three votes on Thursday, both of them on very, very important issues: agriculture and telecommunications. That is almost a year's work. Time is short on both of them. We are going to work very hard to try to get an agreement worked out.

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

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

TRIBUTE TO THE LATE LT. COL. RICHARD SAKAKIDA

Mr. AKAKA. Mr. President, I want to take the floor of the U.S. Senate to tell my colleagues and the people of Hawaii and the country about a Hawaii-born unsung hero of World War II. His extraordinary story has never been fully told.

In a description of Colonel Sakakida's wartime activities, it is written that today Richard Sakakida is alive and well and living in California.

I was deeply saddened by the death last week of Lt. Col. Richard Sakakida near his home in Fremont, CA, after a lengthy illness. Colonel Sakakida, one of America's genuine war heroes, faced death with the same stoicism and dignity as he displayed in facing the dangers of war and the constant pain of his war injuries.

Colonel Sakakida will be mourned by the many who knew him personally or by reputation, including the thousands of Japanese-Americans who followed his footsteps to serve in their country during the Second World War.

He is survived by his beloved wife of many years, Cherry, to whom I offer my deepest condolences.

Colonel Sakakida was a true hero, one whose contributions, tragically, have never fully been recognized by his own Government. His was one of the most amazing stories to come out of World War II.

As a United States Army undercover agent and prisoner of war of the Japanese in the Philippines 50 years ago, he endured isolation, privation, disease, shrapnel wounds, the constant threat of discovery, and unspeakable physical torture in carrying out daring intelligence missions for his country. His sacrifices not only resulted in the advancement of the Allied cause during the Second World War, they reflected a

great sense of duty and personal courage rarely seen even in that great conflict.

As one of the very first Nisei recruited to the United States military service, Colonel Sakakida also helped to pave the way for the thousands of other Japanese-Americans who would make their own contributions to the war effort as members of the famed 100th/442d Regimental Combat Team and the lesser known Military Intelligence Service. Later, though he modestly would have denied this, Colonel Sakakida's achievements opened doors of opportunity in the military and society at large for subsequent generations of Japanese-Americans and other minorities.

In death, as they never were in life, Colonel Sakakida's accomplishments deserve to be remembered and honored. To this end, I hope that Members of Congress will actively support efforts to ensure that his military valor is one day recognized by his Government.

For the benefit of those who do not know this remarkable soldier's story, I ask unanimous consent that a description of Colonel Sakakida's wartime activities as excerpted from "America's Secret Army: The Untold Story of the Counter Intelligence Corps" be printed in the RECORD.

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

AMERICA'S SECRET ARMY: THE UNTOLD STORY
OF THE COUNTER INTELLIGENCE CORPS
(By Ian Sayer and Douglas Botting)

SAKAKIDA

Of all the unsung heroes of World War Two, Richard Sakakida must rank as one of the most remarkable. For courage, fortitude and loyalty to his adopted homeland there were few to rival him. Yet outside a small circle of veteran CIC agents Sakakida's name is almost unknown, and his extraordinary story has never been fully told.

Richard Sakakida was a native of Hawaii, the son of Japanese parents who had emigrated there from Hiroshima at the beginning of the century. Most Americans would have described him as a Japanese-American, but the Japanese had a special word for such expatriates—Nisei, meaning the firstborn away from the homeland. Educated at a American high school in Honolulu and brought up as an American citizen in a Japanese family, Sakakida was a man of two cultures and two languages. The outbreak of war between America and Japan might easily have led to a hopeless confusion of loyalties in a person of his dual background, but it did not. Like the great majority of Nisei, many of whom were later to distinguish themselves in action against the Germans in Europe, Sakakida firmly considered himself to be an American first and last. In March 1941, nine months before the Japanese attack on Pearl Harbor, this resolute, soft-voiced, earnest-mannered young man was invited to put his unusual linguistic and cultural qualifications to practical use by joining the specialist branch of the U.S. Army best able to take advantage of them—the CIC. Along with another young Nisei, Arthur Komori, he was sworn in as a CIC agent in Hawaii with the rank of sergeant. These were the first Japanese-Americans ever to be recruited into the CIC, and they were to be among the handful of their detachment to survive the war against Japan.

After an intensive training course in the use of codes and ciphers and the recognition of prime targets, Sakakida and Komori were told to prepare to embark on a secret mission, the nature of which would be revealed to them later. They were told that their destination was Manila, the capital city of the Philippines, an American possession on the point of independence, where the United States still maintained a substantial military presence. They were warned that their assignment would certainly be a source of inconvenience and probably of danger. They were to say nothing except to their immediate family—in Sakakida's case his widowed mother.

Less than a month later the two agents set sail for Manila on board a U.S. Army transport, traveling as deck hands in order to conceal their identity as members of the armed forces. In Manila, a city of tropical languor and almost colonial ease, they were met by the Commanding Officer of the CIC Detachment in the Philippines and briefed for the first time about the nature of their mission. The magnitude of their task took their breath away. It involved nothing less than the counter intelligence investigation of the entire Japanese community in Manila, into which they were required to infiltrate themselves as undercover miles in order to target those individuals who had connections with the Japanese military and posed a threat to the security of the United States Army. As a cover story they were to claim that they were crew members of a freighter and had jumped ship after tiring of life at sea—a story Komori enhanced by adding that he was also a draft dodger, a state of affairs which he reported later "was favourably received by the pro-Emperor sons of Japan."

Sakakida was instructed to register at a small hotel called the Nishikawa, while Komori checked in at the Toyo Hotel. From these two bases the tyro agents were to start looking around for rôles in keeping with their assumed identities. Their case officers, Major Raymond and Agent Grenfell D. Drisko, were the only members of the CIC Detachment who knew that they were Nisei agents. In order to stay in contact they were given keys to a mailbox at the Central Post Office in Manila under the name of Sixto Borja and told to check the box twice daily for instructions about rendezvous places. Major Raymond or Agent Drisko would then pick them up at a prearranged spot and drive them by a roundabout route to the Military Intelligence section in Forth Santiago, where they could submit their report in safety and receive new briefings. For Major Raymond, a long-time Agent, Sakakida and Komori developed tremendous admiration and affection. "He gradually instilled in us the techniques of subtle investigations and subterfuges in the best traditions of the CIC," Komori recalled later. To him they owed everything they knew about working as undercover agents amongst the impending hostile Japanese.

And so, in the months preceding the outbreak of war, the two young and apprehensive Nisei began the delicate task of burrowing into the warren of the main Japanese community in the Philippines, numbering more than 2,000 in all. Sakakida posed as a sales representative of Sears, Roebuck, whose sales brochures he had learnt by heart, and spent most of his evenings in the Japanese Club, where he assiduously ingratiated himself with the Japanese businessmen who frequented this hotbed of Nippon orthodoxy. Meanwhile Komori obtained a post as a teacher of English at the Japanese Cultural Hall in Manila and made use of this respectable position to win the confidence and even the friendship of some of the leading Japanese residents of the city—the Japa-

nese Consul General, the Chief of the Japanese News Agency, the Chief of the Japanese Tourist Bureau, the Chief of the Japanese Cultural Hall and many others. With few exceptions he found the Japanese "arrogant and expansionist-minded," openly sympathetic to the militaristic ambitions of the Japanese Army generals and increasingly dismissive of the more peaceable and compromising civil government in Tokyo. War fever had developed to such an extent, Komori reported, that one of his students in his English class, a journalist who wrote for a newspaper in Osaka, even reported the likely route of advance of the Japanese forces once they had launched their attack against the British in Singapore.

Komori had to go along with all this, of course, in order to keep up his cover. He even had to seem to join in the jingoistic euphoria when Japanese planes bombed the American fleet at Pearl Harbor on 7 December and drink toasts to the Emperor when America declared war on Japan the following day. The outbreak of war now put him in grave danger, for it meant that henceforth he would be spying on an enemy people, and would have to face the consequences if he put a foot wrong. The war was only a few hours old when the complexities of Komori's new situation were brutally brought home to him. He was in the Japanese News Agency in Manila, downing yet another sake in yet another toast to the Emperor, when the door burst open and he found himself ringed by a group of Filipino Constabulary with bayonets fixed. To the Filipinos he was just another Japanese. Along with officials of the News Agency, Komori was herded down the stairs and into a waiting bus. He was then driven to the stinking old Bilibid Prison—"the hell hole" as he recalled, "of Manila"—and here he languished, an American agent amidst a gaggle of enemy subjects, completely confident that Major Raymond would eventually learn his whereabouts and rescue him.

Meanwhile, in the wake of the rising tide of anti-Japanese feeling in the Philippines that followed the outbreak of hostilities, Sakakida too had been thrown into the Bilibid Prison, though via a much more circuitous chain of events. In the preceding months he had found employment as a clerk in the Nishikawa Hotel in return for his room and board, a job which had given him an ideal opportunity to inspect the passports and other credentials of Japanese visitors to Manila. With the coming of the war Sakakida's information-gathering operation gained much greater momentum. The United States now required all Japanese nationals to file declarations of their bank accounts and assets, and many of them came to Sakakida to seek his help in filling out all the various forms. In this way he was able to interview a considerable portion of the Japanese community in the Philippine capital and obtain a large volume of information which did not go on the forms, particularly about the military background of the people concerned, all of which he passed on to U.S. Military Intelligence.

Sakakida did not, of course, reveal to anyone that he was an American citizen. Since to all outward appearances he was completely Japanese, he was treated as such by the hostile Filipinos, and before long he found himself in such physical danger that he was forced to look to his own survival. When the Manila radio station announced that all aliens should report to their local police station for internment, Sakakida was happy to oblige. Along with three other Japanese he was flung in the back of an open police truck and driven off through the narrow streets of Manila, where crowds of angry, anti-Japanese Filipinos aimed blows and

missiles at them, so that they were bruised, bloody and exhausted by the time they reached the sanctuary of the Japanese Club, now an internment centre for Japanese, German and Italian aliens. A few days later he was sent into Manila city to obtain food for the children in the centre, and while he was there he took the opportunity to return to his hotel to pick up his belongings. But he had barely begun to pack his bags when he was seized by three Filipino Secret Service agents on suspicion of being a spy and thrown into Bilibid Prison, where like his fellow agent Komori he languished in hope of rescue by his CIC commander, Major Raymond.

By now the situation on the war front had begun to deteriorate catastrophically. In the first phase of their plans for the military conquest of the Far East, the Japanese had launched an almost simultaneous assault on Hong Kong, Malaya and the Philippines. On the same day as the attack on Pearl Harbor, over half the bomber of the American air force in the Far Eastern Theatre and one-third of the fighters were destroyed in Japanese air attacks on the American air base at Clark Field in the Philippines, and the naval base in Manila Bay was effectively devastated. Without naval support or command in the air, the commander of the Filipino and American forces in the Philippines, General Douglas MacArthur (Commanding General of the U.S. Army Forces, Far East), had no real prospect of holding Manila when the Japanese began landing ground forces in strength on the island of Luzon on 20 December, and he ordered a withdrawal southward to the natural stronghold of the Bataan Peninsula and the island fortress of Corregidor, where he would hold out as best he could till relief arrived from Hawaii, perhaps in six months' time.

Inevitably Sakakida and Komori were swept up in the turmoil of the last few desperate days before the Japanese entry into Manila. Events moved swiftly. First they were snatched from prison by Agent Drisko; then on Christmas Eve, with bombs falling on Manila and the sky over the city a lurid red from the fires of burning buildings and oil tanks, they were bundled on to a tiny steamer bound for Bataan, along with the entire staff of the CIC Detachment and Military Intelligence section and all their documents. Sakakida and Komori were seconded to Corregidor, the tiny overgrown island fortress off the tip of Bataan, popularly known as The Rock, where General MacArthur had established his headquarters after the retreat from Manila. Here Sakakida was assigned as General MacArthur's personal interpreter and translator. So desperate was the general need for Japanese linguists, however, that both Sakakida and Komori were sent to work near the front lines in Bataan in alternating three-day shifts, so that while one was on The Rock the other would be in Bataan until they changed places. In Bataan they operated from makeshift headquarters of bamboo sticks and banana leaves in a clearing in the jungle, where amid the screeching birds and clacking palms they plunged into a frenzy of activity. They went on patrols and scouting expeditions through the lines, interrogated prisoners-of-war, interned collaborators, collected enemy documents and translated them, amassed information of all kinds about Japanese movements and intentions.

On occasion Sakakida traveled to the front to collect personal papers from the bodies of the Japanese dead, for Japanese soldiers kept highly detailed diaries which provided not only useful tactical information but illuminating insights into the morale and outlook of the Japanese soldiery. Once he was

summoned from army headquarters to broadcast a surrender appeal in Japanese to die-hard Japanese troops fighting a last-ditch battle in the cliff caves at Longoskawayan Point, where the Japanese Army had been trying to build up a pocket to outflank the American defences at the Bataan front. The Japanese responded to Sakakida's appeal with a fusillade of fire and had to be wiped out to a man by pointblank gunnery. Sakakida was not very popular with American and Filipino front-line troops, because wherever he went he drew a lot of fire from the enraged Japanese. Sitting in his fox hole with his microphone and loudspeaker and an escort of Filipino Scouts, he would broadcast his surrender message across to the Japanese front line, and the Japanese would listen in silence with exquisite politeness until he had finished, and then blast the area to bits with mortars and grenades and anything else they could lay their hands on. At one time Sakakida tried firing little messages at them with a home-made catapult. The messages, which were rolled up in 2-inch lengths of piping, read: "It is cherry blossom time back in your homeland, and the military have sent you here to the jungles of Bataan. You ought to be at home with your families and loved ones enjoying the cherry blossom. So why continue this futile battle? Come and surrender with this leaflet and your ship—ment back home will be guaranteed."

After this bombardment of the Japanese positions with this touching homily, a voice with a strong Japanese accent called out in English from the jungle: "What the hell are you firing now, Americans? Are you out of ammunition?"

By now many agents found themselves in the thick of intensive and desperate fighting. When Special Agent Lorenzo Alvarado's unit lost all its officers, Alvarado assumed command during a fire fight with the enemy, and for his courage and initiative was subsequently decorated with a gallantry award. Early in March one of Sakakida's colleagues, Special Agent Harry Glass, made history by becoming the first CIC agent to be wounded in World War Two. He was struck in the neck by a .25 calibre rifle bullet fired by a Japanese sniper hidden in a tree along a jungle trail. By a miracle, the bullet entered one side of his neck and exited the other side without piercing the oesophagus or severing any blood vessels, and Glass was back on duty in a couple of days, with only two small plasters, one on each side of his neck, to mark the historic spots.

Back on Corregidor they found The Rock was not a nice place to be. It was now raked daily from dawn to dusk by Japanese air and artillery bombardment, so that the garrison was forced to seek permanent shelter in the tunnel system bored deep inside the hills, where they eked out an acutely uncomfortable troglodytic existence on half rations. Under the hail of Japanese high explosives the two Nisei on Corregidor worked 16 to 20 hours a day helping to decipher Japanese signal codes and monitoring Japanese air force communications, which were broadcast in clear, thus enabling the Americans to warn target areas on the island that a raid was coming. Later they were joined by another Hawaiian-born Nisei, Clarence Yamagata, a civilian who had practised law in Manila and acted as part-time legal advisor to the Japanese Consulate until the American withdrawal from the city.

As time passed the American position became more and more hopeless and untenable, even on fortress Corregidor. By the beginning of April it was clear that the end was near for the hard-pressed soldiers on Bataan. After three months of bitter and intensive combat, malnutrition and disease the men were exhausted. By now the average daily

food intake was down to 800 calories per man; and 90 per cent of the Filipino Army had no shoes. Hope of relief had faded and most were resigned to the prospect of imminent surrender to an overwhelming enemy. Few could now escape the tragic fate that was about to overtake them.

On 9 April Bataan fell in the greatest capitulation in American history and some 76,000 shattered American and Filipino survivors were led north into captivity on a notorious death march that killed over half their number. Many of Sakakida's CIC comrades took part in this march. Others were transported to the prison camps in crowded, insufferably hot freight cars, without water or food. Most were to die at the hands of the Japanese, succumbing to the privation and brutality of the camps, or drowning in torpedoed prison ships, or simply disappearing without trace. One agent did manage to escape after the surrender on Bataan. This was Grenfell D. Drisko, who had been one of the first CIC contacts that Sakakida and Komori had made on their arrival in the Philippines. Fleeing to the hills, Drisko had joined up with a guerrilla group, but unconfirmed reports indicate that shortly before the Americans recaptured the Philippines, Drisko's location had been betrayed to the Japanese in return for a bounty and he was subsequently captured and killed.

By the time of the Bataan surrender General MacArthur had already removed himself and his headquarters to the security of distant Australia, leaving his deputy, General Wainwright, to hold the fort—in a completely literal sense—on doomed Corregidor. Both generals expressed deep concern over Komori and Sakakida. Since the Japanese refused to recognize the right of anyone of Japanese blood to bear loyalty to another country, they would doubtless treat the two Nisei with even greater harshness in captivity than they would their Caucasian comrades—especially if they discovered that the Nisei in question had been undercover agents of American military intelligence. General MacArthur therefore ordered Komori and Sakakida to leave the Philippines on the makeshift evacuation flotilla known as the "bamboo feet." This presented Sakakida with the most difficult and momentous decision in his life and marked his transition from an agent of ability to a man of heroic stature—and a master spy.

Sakakida contended that the evacuation plans as they stood entailed leaving Yamagata behind to face his fate as a prisoner of the Japanese. In his view this was unthinkable. Yamagata had openly occupied a position of trust among the Japanese and then voluntarily come over to the American side. Clearly he would be marked out for special treatment by his captors—a fate too dreadful to contemplate. Sakakida was also aware that Yamagata's wife and children were then living in Japan, a situation which made Yamagata even more vulnerable to any pressure the Japanese chose to put on him. Sakakida himself was not in such a vulnerable position. He had never worked openly for the Japanese, he had no wife or family. It was therefore only right and just, he felt, that Yamagata should take his place on the ride to freedom. He put this proposal to his commanding officer, who in turn put it to General Wainwright, who put it to General MacArthur, who agreed. Sakakida would have to survive the Japanese occupation as best he could.

So, early on the morning of 13 April 1942, Sakakida bade Yamagata and fellow agent Komori farewell as they set off on their breakout bid from the beleaguered island of Corregidor. They went not by sea but by air, taking off from the island's tiny airstrip on what was considered a "50-50 attempt" to get

out in an army training plane that had been patched up after a previous crash landing, with an American newsman and an emissary from the Chinese leader, Chiang Kai-shek, also on board. The plane flew through the Japanese blockade without incident and landed on the more southerly Philippine island of Panay. Here they were rescued by a B-25 bomber flown, in Komori's recollection, by a legendary pilot by the name of Captain Paul I. ("Pappy") Gunn, an expert in daredevil low-level flying, who flew them out. Komori later recalled, "in a flight in broad daylight through enemy territory in a hedge-hopping, canyon-shooting, wave-skipping trip, during which the pilot kept telling us that enemy planes could not see us as we were flying only a few feet above our own shadow." The B-25 landed on Mindanao, the most southerly of the main Philippine islands, where it took on a maximum fuel load and then took off again on an historic flight of 17 hours to Australia, the longest flight ever made by an aircraft of that type. Komori was later to state that in his view this flight had been a "test hop" which proved that a B-25 could be flown much farther than had hitherto been believed, and that it set a precedent for the bombing raid on Japan made a few days later by B-25's from the aircraft carrier *Hornet*.

Komori's first task in Australia was to write what turned out to be the definitive American guideline for the handling and interrogation of Japanese POWs, based on the experience that he and Sakakida had had in Bataan. The two CIC Nisei had found that if a Japanese captive was given a drink of water, an American cigarette and immediate medical care if needed, his fear of summary execution evaporated and he was happy to disclose everything he knew or was asked. This "kindness and understanding" approach was to pay off in huge tactical and strategic intelligence gains throughout the rest of the war in the Pacific area.

Because of his language capability, Komori was next assigned to the newly formed Allied Translation and Interrogation Section under Colonel Sidney Mashbir. ATIS performed an increasingly valuable task in translating captured enemy documents and interrogating captured Japanese soldiers. But Komori was a CIC agent and was in due course assigned to the chief of counter intelligence in MacArthur's South West Pacific command, General Elliott Thorpe. When the tilt of war clearly swung against the Japanese, Komori rejoined the CIC in the field as the agent, first in the Philippines during the American re-conquest, then in Japan, where he was one of the first CIC agents to set foot after the surrender. Komori was to make a career in the CIC after the war, retiring as a colonel to practise law in his native Hawaii.

Sakakida's experience was to prove very different. There was little for him to do except wait. He joined up with the other members of the CIC detachment on Corregidor preparing for the inevitable surrender and helped them destroy intelligence files and other records. He was then instructed to revert to his former role as an undercover agent and officially listed as a civilian by the American command. It was understood that if the opportunity ever arose he would try to enter the Japanese forces with the object of channelling intelligence material to the guerrilla formations that were already gathering in the hills.

On 6 May the ravaged defenders of Corregidor were overwhelmed by the greatly superior Japanese forces that had fought their way ashore. After sustaining heavy U.S. losses, General Wainwright and several of his aides, carrying a white flag, went out of the tunnels in the direction of the enemy lines in order to arrange a surrender. Some four

hours later Wainright had not returned—and the Japanese had not ceased their onslaught. Fearing the worst for Wainright's fate, his deputy, General Beebe, decided to take a small leaking harbour craft and try and reach Bataan to contact some higher ranking Japanese. Sakakida went with Beebe to interpret; Special Agent James Rubard and several others of the headquarters staff volunteered to man the boat for the voyage across.

As the boat came in to Cabcaben Port on the south-east tip of Bataan, a squad of Japanese soldiers appeared, forced the Americans to stand at attention and then proceeded to remove their dogtags, watches and other valuables. The Japanese NCO in charge then spoke to Sakakida in Japanese, and when Sakakida replied the NCO struck him a number of times, breaking his glasses, cutting his face and knocking him to the ground. "Hold your temper, Kelly," General Beebe admonished Sakakida, deliberately addressing him by a false name in order to conceal his Nisei identity. Rubard feared they were going to kill Sakakida on the spot, but instead they refused to allow him to accompany General Beebe as an interpreter and returned all but General Beebe and his aides by Japanese landing craft to the area of Corregidor where American forces were being held captive.

For CIC men like Rubard and Sakakida this was a highly volatile and dangerous time, especially when the Japanese began calling members of Wainright's headquarters staff to Malinta Tunnel for interrogation. Along with other members of G-2 staff, Agent Rubard had been engaged in despatching Filipino natives in small boats to Bataan and to the mainland to observe and report on Japanese military dispositions and movements. Being aware of the identity of these Filipinos, he feared that under intense physical abuse and torture he might be compelled to reveal their names. For that reason he intended concealing his identity from his captors, at least until the interrogations had ceased and prisoners had been transferred to other locations.

But Rubard's plan was foiled, and his life and that of his CIC colleague Sakakida put in jeopardy, by the activities of a certain John David Provoo, a former G-2 clerk from army headquarters in Manila, who as a Japanese linguist had at one time been considered as a potential recruit for the CIC Philippines Detachment. Provoo had never been accepted into CIC because his background investigation revealed that he was a suspected homosexual and Japanese sympathizer who had spent several years in Japan learning the Japanese language and studying to be a Buddhist monk. Immediately after the surrender of Corregidor, Provoo began acting as an interpreter for the Japanese occupiers. He went with Japanese troops to the hospital wing of Malinta Tunnel and relayed their orders that all sick and wounded Americans should be moved out at once so that Japanese wounded could be hospitalized there. When he heard this order Captain Thompson of the Medical Service Corps told Provoo: "Tell them to go to hell, the men are too sick to be moved." When Provoo interpreted this response to the enemy, they immediately dragged Thompson out of the tunnel and executed him on the spot.

This same John David Provoo now brought a squad of Japanese soldiers down to the prisoner enclosure and pointed out Rubard and several other headquarters staff members. Three grueling, intensive days of ceaseless interrogation then befell the helpless Rubard as his captors demanded information on codes, Filipino agents and much else besides. At each interrogation the Japanese became increasingly angry and abusive. But

they were not very skilled in the art of interrogation and were further hampered by their very limited knowledge of English. By the third day of questioning Rubard's interrogators were slapping him about and swinging their swords to demonstrate how they would behead him if he did not co-operate. But he was able to maintain a consistent story throughout his interrogation. He claimed that his only duty had been to keep the G-2 situation map up to date, that codes were kept by the Signal Corps (which was true), and that Filipino agents had been handled by two G-2 officers who had been evacuated to Australia by submarine shortly before the fall of the island. At the end of the third day Rubard was returned to the prisoner compound with his head still intact. The next day he joined the main body of American prisoners leaving Corregidor for a prison camp in Central Luzon. He was never interrogated again. (After his liberation, Rubard learned that Provoo had worked for Japanese propaganda radio in Tokyo during the war. He was never charged as a traitor, however, and his trial in a U.S. court on charges of complicity in the murder of Captain Thompson was dismissed on the grounds that he had been denied a right to a fair and speedy trial. So Provoo went unpunished for his actions against his fellow countrymen, though some years later he was reportedly imprisoned for different criminal offenses.)

Like the surrendered troops on Bataan, the American defenders of Corregidor were herded into captivity on a death march which left many dead or dying, and some of those who survived this grim ordeal then had to endure an even grimmer one in the hands of the Japanese military police—the dreaded Kempei Tai.

Sakakida was one of those in whom the Kempei Tai took a special interest. He did not take part in the death march but was kept on Corregidor for six months—the only American left on this tragic rock. He had originally come to the attention of the Japanese military on the very first day of the surrender, when he had accompanied General Wainwright to Bataan to act as interpreter at the surrender conference. From that day his life had followed a steep decline into hell. He told the Japanese that he had been taken by the Americans from internment camp and made to work for them under duress, but the Japanese did not believe this cover story and produced several liberated Japanese prisoners-of-war who testified that Sakakida had worked for the United States Army as an interrogator on a completely voluntary basis. He was kept in one of the side tunnels in Corregidor's honeycomb of tunnel installations and interrogated over a period of several months. As Sakakida was not very cooperative the method of interrogation grew daily more severe. Sakakida was tortured, often severely. Sometimes he was burned all over his body with lighted cigarettes, sometimes he was beaten. He was slung with his back over a wooden beam, his feet dangling free of the floor, and he had water pumped into his stomach and was then jumped on by his Japanese guards.

It was never entirely clear whether the torture was meted out as a punishment for being a Nisei, as a means of extracting information, or both. The Kempei Tai not unreasonably believed that any Japanese who had suddenly appeared in their midst at the side of the American C-in-C in the Philippines, as Sakakida had done, ought to have something interesting to divulge to them, though they were not sure what. So every so often they beat him and burned him some more, but he still would not talk. He was taken to the former School of Artillery at Fort Stotsenberg and tortured, and sometimes he was hauled off to the Judge Advocate Gen-

eral's section at Fourteenth Army Headquarters in Manila, where the view and the faces were different but the general ambience much the same as before. Throughout all this unpleasantness Sakakida held out and stuck to his original story. He claimed that he was a victim of circumstances and that the Americans had taken him to Corregidor and Bataan as an interpreter and nothing more. He maintained that he was an American citizen (which was true) and a civilian (which was not). Never once, burnt and bloody though he was, did he so much as breathe a hint that he was an agent of enemy intelligence.

In December 1942 Sakakida was removed to Bilibid Prison. Here he shared the same cell block as Japanese soldiers serving life sentences for surrendering to the Americans during the battle for Bataan. Some of these soldiers had been interrogated by Sakakida after their surrender and they now relished the opportunity of getting their own back. Sakakida was not informed that he was to stand trial for treason, since anyone of Japanese ancestry was of necessity a Japanese citizen, and it was therefore as a Japanese citizen that he had given his services to his country's enemies, the Americans. If this charge was continued with, Sakakida faced the death sentence. But towards the end of the year Fourteenth Army Headquarters received word from the Japanese Foreign Ministry in Tokyo that, although Sakakida had indeed been registered with the Japanese Consul in Hawaii at birth, his Japanese citizenship had been officially made void in August 1941 by his mother. She had the foresight to take this action after her son had left for the Philippines—an action which even the Japanese recognized made the charge of treason illegal. The charge against Sakakida was therefore reduced to one of disturbing the peace and order of the Japanese Imperial Forces in Japan, and the interrogation continued, and the torture too, though on an appropriately reduced scale. Then this luckless Nisei was put in solitary confinement and left to rot.

Altogether Sakakida spent nearly a year in the hands of the Kempei Tai. Finally, in February 1943, he was taken from Bilibid Prison to the office of Colonel Nishiharu, Chief Judge Advocate of Fourteenth Army Headquarters, who had evidently reviewed the case and come to the conclusion the story which Sakakida had continued to tell without a single variation was in all probability genuine. The Colonel told Sakakida that he would now be released from custody and taken into his, the Colonel's, employ. He was to work in the office as an English translator, run a mimeograph machine, make tea and help out generally, and in his off-duty time he would serve as a houseboy at the Colonel's home. Sakakida was soon to discover that security was not the Japanese military's strongest virtue. After he found himself alone in the office with countless sensitive documents lying untended in unlocked filing cases. Some of these documents he proceeded to memorize or purloin, though as yet he had no means of communicating their contents to the Allied cause.

Sakakida's rehabilitation was only probationary, however. At various times and in devious ways the Japanese tried to trap him into an admission that he was a serving member of the United States Army. One day someone threw him a .45 pistol to clean, just to see how he handled it. Sakakida realized that to disassemble the weapon properly would demonstrate an embarrassing military expertise on his part, so he merely wiped it with an oily rag and handed it back. On another occasion a Japanese officer, a graduate of Harvard with a disarmingly sympathetic manner, quietly asked him how much the

U.S. Army paid him as an interpreter. Sakakida saw through this ruse at once, of course—it was a common method of finding out a prisoner's rank—and replied that he had received no pay at all, only food and accommodation. Once he was alarmed to hear the counterespionage chief at Fourteenth Army suddenly accuse him out of the blue of being a sergeant in the American Army, a charge he denied with sufficient vehemence for the officer to turn to other things. All these ruses he survived, only to be caught dipping into Colonel Nishiharu's precious stock of American cigarettes, an outrage which earned him the sack as houseboy at the Colonel's house (though he was kept on in his job at the Colonel's office).

As it turned out, this was the best thing that could have happened to him. He was now sent to live in the civilian barracks in the former English Club in Manila city. Even under its new managers, the English Club could hardly be described as a penitentiary. Though the Japanese warrant officer in charge kept strict discipline—roll call at six in the morning and 11:30 at night, bed check at midnight—he overlooked the hours between midnight and the morning roll call. Sakakida thus found that he had several hours of the night at his disposal to resume his role as a CIC agent deep behind enemy lines. During those hours of darkness he had the opportunity to pass on valuable intelligence information gained at Fourteenth Army Headquarters during the day. He knew that by this time the Filipino resistance had built up a well-organized guerrilla movement in the mountains and possibly had established radio contact with General MacArthur's headquarters in Australia. If Sakakida could find a suitable go-between he might be in a position to make an important contribution to the intelligence war against Japan. The risks he ran were appalling, but at no time did he see himself as heroic—it was simply something he felt he had to do, and was glad to do.

Sakakida's lucky break came not long afterwards, when the wife of an imprisoned guerrilla leader, Ernest Tupas, who was serving a 15-year sentence for anti-Japanese activities, walked into the Judge Advocate General's office to apply for a pass to visit her husband in Muntinglupa prison. Sakakida was required to translate her request into Japanese and during this initial contact he not only revealed his identity as a U.S. Army Nisei to her, but was able to fill out a number of bogus passes for her and other guerrillas' wives, and also hand over several intelligence documents concerning Japanese military plans. In return, Mrs. Tupas was able to arrange meetings between Sakakida and many of her husband's guerrilla comrades who were still at large in the Filipino resistance. In his free hours Sakakida was able to pass on tactical information to them and to hatch a daring plan to spring Tupas and as many as 500 of his fellow guerrillas from prison.

Sakakida's plan was simple in concept. All that was required was for Sakakida himself and a small group of guerrillas disguised as Japanese officers to overcome the prison guards and release the inmates. In practice, of course, it was a rather more complex business. There were three essential components to Sakakida's plan. The first was that Tupas himself should somehow wangle himself a job in the prison's electrical department, so that at an appropriate moment he would be in a position to short-circuit the prison electrical facilities. The second was that the guerrillas should keep a meticulous watch on the prison in order to determine the precise movements and time-keeping of the prison guards. The third was that somehow they should get hold of five or six Japanese offi-

cers' uniforms, preferably without knife-holes in the back of the tunics.

All this was done and by October 1943 everything was arranged. Immediately after the midnight bed check in the barracks at the English Club, Sakakida stole out into the darkened, deserted streets of Manila and made his way to his rendezvous with the guerrilla raiding party. Along with four of the guerrillas he changed into Japanese officer's uniform, complete with medal ribbons and a clanking sword at his side, and spent a few moments rehearsing army salutes and formal Japanese bows. Then, with military precision and a haughty imperial swagger to their stride, the group strutted off down the road to the Muntinglupa prison, backs straight, chests puffed out, faces grim and set, polished boots echoing click clack on the paving stones. Sakakida, as the only ethnic Japanese and linguist in the group, marched at their head as they approached the main gate of the prison. It was he who addressed the soldiers of the guard at the prison entrance, barking at them in harsh, guttural commands which compelled their confidence and respect. Thinking that the guerrillas were officers from the Japanese garrison making their nightly security inspection of the prison—which the guerrillas had already established took place regularly between midnight and 2 a.m.—the guards bowed low in respect for their superiors, in accordance with Japanese custom. And as they bowed, eyes firmly fixed on the ground at their feet, Sakakida and his partisan comrades tapped each one on the back of the head with the weighted butt of a .45 revolver.

With precision timing the lights in the prison were suddenly extinguished—Tupas had done his job well. Sakakida was now joined by a second, much larger guerrilla group of some 25 men, and under cover of the darkness and confusion the reinforced guerrilla force broke into the prison, rapidly overpowering the guards inside and began opening the cell doors. Altogether nearly 500 Filipino prisoners escaped from Japanese captivity that night in one of the biggest gaol-breaks of the war. Most of them got clean away, scampering as fast as their legs would carry them out to the city outskirts and the friendlier countryside before dawn could reveal their whereabouts to the enemy. By then Sakakida was safely back in the English Club in time for morning roll call, and later in the morning he had the gratification of witnessing the hysterical Prison Superintendent report to the barely less hysterical Judge Advocate General the inexplicable loss of his entire contingent of prisoners—only to be dismissed on the spot for his pains.

Among those who get away was the biggest prize of them all, the guerrilla leader Tupas. With the other escapees, Tupas made for the mountains of Rizal, where he set up new partisan headquarters and—most crucially—established radio communications with the Australian headquarters of General MacArthur, who was now C-in-C of United States land and air forces in the Pacific Theatre. At last Sakakida had a means of relaying to the Americans the vast amount of information he had acquired while he was working in Colonel Nishiharu's office at Fourteenth Army Headquarters. In effect, Sakakida had become one of that exotic band of makeshift intelligence agents known as the "coast watchers of the islands", a fifth column of traders, telegraphists, anthropologists, civil servants and others who were left behind when the islands were overrun by the Japanese but managed to evade captivity and to communicate information about Japanese movements and forces by radio to MacArthur's headquarters throughout the course of the war.

Sakakida's position was almost unique, however, for it was a rare event in the history of World War Two for the Army headquarters of one belligerent nation to have one of their serving soldiers and intelligence agents reporting back from the very heart of the Army headquarters of an enemy belligerent nation. But this was the case with CIC Agent Richard Sakakida. Moreover, much of the information he now transmitted was priceless. Much of it concerned Japanese troop movements and shipping activities, all of which was of vital significance in the day-to-day conduct of the campaigns in the Pacific Theatre. But probably his single most devastating contribution to the American military cause was a portion of the invasion plans of a Japanese Expeditionary Force of the Thirty-Fifth Army which was to be sent to Australia. Just how important these plans were Sakakida was able to glean a few months later from a Japanese officer in the Judge Advocate General's office who had taken part in the ill-fated mission. The officer in question had been on board one of the navy ships that had left the Philippines, ostensibly with plans to land invasion forces at Port Darwin in Northern Australia. The officer returned to the Philippines on the only ship that got back. American submarines had taken care of the rest.¹

With the tide of war now beginning to run against the Japanese, and the dream of imperial conquest cracking and crumbling away, Sakakida's position at Fourteenth Army Headquarters grew steadily more precarious. It was not that he was under any direct suspicion, only that as a Nisei he was viewed with increasing opprobrium by any member of the Japanese military who came into contact with him. Once Japanese headquarters came under direct American attack the mutterings against him deteriorated into outright hostility. In December 1944, because of heavy air raids on Manila, the Japanese commander in the Philippines, General Yamashita, the legendary conqueror of Singapore, was forced to move his headquarters to Baguio in the mountainous north of Luzon, and then even farther into the mountains, to Bontoc, a few months later. The time had come, Sakakida reckoned, to make a break for it and hide out through the final phase of the war in the security of the hills.

It was not the first time he had considered escape. More than a year previously General MacArthur's headquarters had ordered Anderson's Guerrillas—a guerrilla unit led by an American officer who had escaped from Bataan—to try and extricate Sakakida from the Philippines, but Sakakida had feared a trap, Anderson's messages to headquarters had got garbled, and the whole operation had broken up in confusion. This time he would make no mistake. Early in June 1945 he escaped into the mountains and a week later joined up with a small band of guerrillas in the vicinity of Farmschol. Ten days later they came under heavy Japanese shelling during which Sakakida was so badly wounded that he had to be left behind when the guerrillas made good their escape. He was now on his own and would remain so to the finish, wandering between the lines for weeks and months on end.

In the remotest reaches of the jungle Sakakida lived more like an animal than a man. Though the jungle was luxuriant it offered little enough to eat beyond grass and wild fruits. With a razor blade he removed shrapnel fragments embedded in his abdomen, but his wounds festered and he was

¹ Since there is no record of any Japanese invasion of Australia, it must be assumed that what Sakakida had in mind here was the engagement known as the Battle of the Bismarck Sea.

drenched by tropical cloudbursts, for it was into the rainy season, and bitten to within an inch of his life by the hordes of tropical insects. For months he endured semistarvation and the ravages of malaria, dysentery and beriberi. His hair and beard grew long and wild, his skin was covered in sores and scratches, his voice grew cracked and feeble, his eyes burned fever-bright his clothes hung in tatters. He had no means of knowing what was happening in the outside world, no knowledge of the course of the war, of the liberation of the Philippines, the bombing of Hiroshima and Nagasaki, the American landings in Japan, the Japanese surrender to General MacArthur on board the battleship *Missouri*. But he did notice that no more American P-38 fighter-bomber planes were coming over dropping napalm, and that there seemed to be a lot of trigger-happy Filipinos about, whom he was careful to avoid.

World War Two had been over for weeks when Sakakida decided his condition was so desperate that he ought to attempt to reach help. Finding himself close to the Asing River, he resolved to follow it downstream, hoping to reach the sea, but he was so ill he could only make painfully slow progress, and sometimes he blacked out. Then one day he spotted some movement among the trees ahead, a group of soldiers coming up the hill, and he drew as close to them as he dared. The soldiers carried equipment and wore helmets and uniforms which were strange to him. They were clearly not Japanese, nor obviously American, and his first thought was: "God! Now they've got Germans out here!" Not until he was within earshot of the men and could hear snatches of their conversation did he suddenly, ecstatically, realize that they were Americans after all. At first he was afraid to come out of hiding for fear they would take one look at his wild Japanese appearance and shoot first and ask questions later. But eventually euphoria overcame his caution, and madly waving his arms and yelling as loudly as he could, he stepped out of the jungle for the first time in months.

"Don't shoot!" he yelled. "I'm an American! Can't you see? An American!"

The soldiers were extremely skeptical. Sakakida hardly looked human, and certainly not American. They took him to their battalion headquarters, an outfit which turned out to be a medical evacuation unit posted in the forward areas to collect stragglers. To the CO of this unit Sakakida identified himself as an intelligence agent captured by the Japanese at the outbreak of the war, and he gave his serial number (10100022) and other pertinent data to back up his claim. The officer was also extremely doubtful about all this but agreed to put through a telephone call to the CIC Field Office, and two hours later two CIC lieutenants drove up in a jeep, leapt out and identified the weary agent as one of the men they had been ordered by General MacArthur's headquarters to look for. Then they bundled Richard Sakakida into the jeep and drove him to the Bagadec Field Office of the First CIC Region of the 441st CIC Detachment. He had come home at last. An uproarious welcome engulfed this lone survivor and a festive banquet was laid out in his honour, with fried chicken and beer and white bread and fresh butter and other good things. Having lived for months on nothing but herbs and grasses, such sumptuous fare proved too rich for him and it took him a week to recover from the effects of the most memorable binge in his life.

Sakakida was hospitalized for a week, then sent to Manila for de-briefing. His story was so extraordinary that he found people needed a lot of convincing he had not been a collaborator with the Japanese. At Christmas 1945 he was at last sent home to Hawaii for two

weeks' leave, one of which he spent in hospital with malaria and a high white corpuscle blood count. Then it was back to Manila, where he was assigned to the War Crime Investigation team, locating and identifying guilty parties, aided by the Japanese predilection for keeping records and diaries. He testified in the trial of General Yamashita and later in the trial of the American traitor of Corregidor, Sergeant John David Provoo. Commissioned in 1947, he sought a transfer to the air force and was subsequently posted to Japan, finally retiring in 1975 as a lieutenant colonel in the U.S. Air Force. Today Richard Sakakida is alive and well and living in California—and happy to avoid the ballyhoo that attends most national heroes.

Richard Sakakida and Arthur Komori were among the only members of the CIC Detachment in the Philippines—the "Lost Detachment"—to survive the war. Others known to have survived included Special Agents Lorenzo Alvarado, John Lynch, Ralph Montgomery, James Rubard and Clyde Teske. Most of the rest died in Japanese hands. Both these brave Nisei were awarded Bronze Stars for their work which, in the words of their commendation, "they performed with complete disregard to the danger in which they found themselves." These two Nisei, the citation continued, "are a credit to their people and to the United States Army." Of Sakakida's exploits over and above the call of duty, his friend Komori had this to say: "His successful duping of the Japs is the finest story of counter intelligence within enemy lines. His recovery was considered even more important than the capture of General Yamashita, the conqueror of Singapore."

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, as of the close of business Monday, January 29, the Federal debt stood at \$4,987,704,420,651.53, about \$13 billion shy of the \$5 trillion mark, which the Federal debt will exceed in a few months.

On a per capita basis, every man, woman, and child in America owes \$18,931.76 as his or her share of that debt.

LT. COL. B.G. WRIGHT

Mr. BYRD. Mr. President, I congratulate B.G. Wright, who has served on my staff as a Fellow from the Army National Guard, for this promotion to Lieutenant Colonel. B.G. has been a very active member of my staff for the last year, handling a variety of issues in the broad areas of national defense and foreign policy in the context of my work on the Armed Services Committee and as the Ranking Democrat on the Appropriations Committee.

He has been a full participant in the complex and demanding life of the Senate, and has assumed growing responsibilities within the legislative process. In this context, he has been responsible for developing and drafting policy memoranda, legislative amendments, talking points, and floor statements. He has developed rapidly an unusual acuity for the chemistry and movement of issues in the often confusing milieu of the Senate legislative process, and the floor consideration of national defense legislation.

In the context of our Committee work he has drafted authorization and

appropriations language and recommendations in a wide variety of areas, including: the budget of the Department of Defense and the State Department, U.S. policy toward Bosnia, and the annual budget for world-wide military construction projects. In all, his work has been outstanding, timely, with a sure foundation of good judgment, a fine knowledge of the English language, a pleasing writing style and an ability to make a good argument. His work, in fact, has been outstanding even in the comparison to the general group of Fellows that serve in the Senate on an annual basis, and I have been very pleased to request that the Army National Guard leave him with us for another legislative session.

In the same time, B.G. Wright has attended to his other duties in the Army National Guard, and also to his very unusual duty of serving as a White House social aide. In the process of this latter position, he was requested by name to assist President Clinton in hosting 150 Heads of State for the United Nation's Fiftieth Anniversary in New York.

The Army National Guard has had the good sense to permit B.G. to remain on my staff for an additional year, and I have no doubt that he will continue to grow and contribute to the life of the Senate in the coming year. I look forward to his work, his exceptionally pleasing personality, and his good character. I again congratulate him on a well deserved promotion to Lieutenant Colonel and wish him all the best in his Army career.

NATIONAL ENDOWMENT FOR THE ARTS

Mr. PELL. Mr. President, I strongly oppose the effort to defund the National Endowment for the Arts. Playing games with the budget appropriations in this manner is contrary to the Nation's welfare. The intent to incapacitate and slowly dismantle the agency by obstructing the planning and grantmaking processes appears to be a deliberate attempt to terminate Federal support for the arts and to deny Americans access to their cultural heritage.

Some may believe that the arts will be able to generate the local support necessary to sustain themselves, but I am fearful the opposite will be true. Local dollars are already stretched to capacity. Major arts funders such as the Rockefeller Foundation, the Pew Charitable Trusts in Philadelphia, and the James Irvine Foundation in California have stated publicly that foundations will not and cannot replace Federal funding. Corporate giving has declined in recent years despite economic growth and there is little, if any, reason to believe that will change. The commercial entertainment industry continues to resist investing in the source of much of its talent. Further,

removal of both the national recognition and the stimulation of partnerships offered through Federal grants will produce a dramatic reduction in State and local support.

The Rockefeller Foundation surveyed 40 foundations and found every donor but one unable to increase their cultural portfolios. Dr. Alberta Arthurs concluded her report of the study by stating, "The cultural situation we have created in the last 30 years is a dense and delicate balance of private and public interests and funds. If this is to be disturbed, what will replace it?"

Opponents of the Arts Endowment know that a replacement is unlikely. The cry to privatize is but a code word for eliminate. These are the same people who advocate for new tax laws that would end deductions for individual and corporate contributions to the arts.

The National Endowment for the Arts has been remarkably successful in furthering the ideals for which it was created. The arts are no longer viewed as the privileged domain of a relatively few practitioners and connoisseurs; they are no longer considered as incidental or peripheral to our way of life. Every single community in our country now has access to its indigenous and creative national culture. Without Arts Endowment funding, many popular programs simply would not exist, let alone be made available to millions of Americans in all parts of our Nation. The major arts institutions serving well-to-do patrons in urban areas will survive, but how many children, elderly, disabled, inner-city and rural dwellers will be able to participate? How will new audiences gain access to our common culture?

Targeting the Arts Endowment is not about balancing the budget. It is about throwing out the solid arts networks built over 30 years because of unease caused by a few controversial grants. The Arts Endowment has already cracked down on such grants, and it has certainly borne its fair share of cuts. Recently, the agency eliminated 47 percent of its staff positions and reorganized its administration and grantmaking to adjust to a 40-percent reduction in its budget. Anything more would severely damage the availability and accessibility of countless arts programs in communities nationwide. It must not happen.

I would urge my colleagues to stop playing politics with the Endowment, honor the appropriations that both Houses have passed, and enact a bridge that will enable this agency, already hampered by severe funding reductions, to get on with its valuable work in an orderly fashion.

SINTE GLESKA UNIVERSITY

Mr. PRESSLER. Mr. President, today I would like to take a few minutes to recognize the achievements of Sinte Gleska University in Rosebud,

SD. This week, the university celebrates its 25th anniversary.

Sinte Gleska has a dual mission—to prepare South Dakota students for the 21st century and extend the Lakota traditions. Each of these missions is important to the future of our State. The university continually must push ahead to incorporate the latest technology into its curriculum, adapting to the changing needs of a diverse and global economy. At the same time, the university must preserve the Lakota heritage—the language and culture which are unique to our region of the country.

It is not an easy task for any institution to simultaneously look forward and back, but Sinte Gleska has done an outstanding job in fulfilling its missions. Each year the university produces graduates who become educators, community workers, and tribal leaders. In fact, the success of native American students at tribal colleges is higher than at other universities.

The university's success certainly can be attributed to its emphasis on values. Sinte Gleska's logo names four values which the university strives to instill in students—wisdom, bravery, fortitude, and generosity. The embracement of these values strengthens individual students and binds the community together.

Last year, Congress passed legislation giving the Nation's 29 tribal colleges land grant status. This important change put tribal colleges on equal footing with other State universities. Additional efforts in Washington to advance tribal colleges are continuing. I am working with other Senators to secure an Executive Order equalizing the treatment of tribal colleges with other minority colleges and universities. Despite repeated efforts by Congress, the President has not yet signed such an order. I again call upon him to do so immediately.

Sinte Gleska students face many new, exciting challenges in the years to come. I have no doubt that the university will help them meet those challenges successfully within the framework of the four values that serve as the foundation for a Sinte Gleska education.

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

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

REPORT CONCERNING EMIGRATION LAWS AND POLICIES OF THE REPUBLIC OF BULGARIA—MESSAGE FROM THE PRESIDENT—PM 113

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report, which was referred to the Committee on Finance.

To the Congress of the United States:

On June 3, 1993, I determined and reported to the Congress that Bulgaria is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Bulgaria and certain other activities without the requirement of a waiver.

As required by law, I am submitting an updated report to the Congress concerning emigration laws and policies of the Republic of Bulgaria. You will find that the report indicates continued Bulgarian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 29, 1996.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:34 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1124. An act to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, to reform acquisition laws and information technology management of the Federal Government, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 1541. A bill to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on January 30, 1996 he had presented to the President of the United States, the following enrolled bill:

S. 1124. An act to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, to reform acquisition laws and information technology management of the Federal Government, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, which were referred as indicated:

EC-1835. A communication from the President pro tempore, transmitting, pursuant to law, a notice of adoption of regulations and submission for approval and issuance of interim regulations; referred jointly to the Committee on Governmental Affairs and the Committee on Rules and Administration.

EC-1836. A communication from the President pro tempore, transmitting, pursuant to law, a notice of adoption of regulations and submission for approval and issuance of interim regulations; referred jointly to the Committee on Governmental Affairs and the Committee on Rules and Administration.

EC-1837. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, the report on unauthorized appropriations and expiring authorizations dated January 11, 1996; to the Committee on Appropriations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HELMS:

S. 1545. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel MOONRAKER, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DASCHLE:

S. 1546. A bill to increase the debt limit; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. D'AMATO, and Mr. INHOFE):

S. 1547. A bill to limit the provision of assistance to the Government of Mexico using the exchange stabilization fund established pursuant to section 5302 of title 31, United States Code, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

S. 1548. A bill to provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. KASSEBAUM:

S. Res. 217. A resolution to designate the first Friday in May 1996, as "American Foreign Service Day" in recognition of the men and women who have served or are presently serving in the American Foreign Service, and to honor those in the American Foreign Service who have given their lives in the line of duty; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. D'AMATO, and Mr. INHOFE):

S. Res. 218. A resolution expressing the sense of the Senate regarding the failure of

Mexico to cooperate with the United States in controlling the transport of illegal drugs and controlled substances and the denial of certain assistance to Mexico as a result of that failure; to the Committee on Foreign Relations.

By Mrs. HUTCHISON (for herself and Mr. GRAMM):

S. Con. Res. 40. A concurrent resolution to commemorate the sesquicentennial of Texas statehood; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. D'AMATO, and Mr. INHOFE):

S. 1547. A bill to limit the provision of assistance to the Government of Mexico using the exchange stabilization fund established pursuant to section 5302 of title 31, United States Code, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

S. 1548. A bill to provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEXICO LEGISLATION

Mrs. FEINSTEIN. Mr. President, last week, President Clinton opened a new front in America's war on drugs with his appointment of Gen. Barry McCaffrey as the Nation's new drug czar. In doing so, President Clinton has once again demonstrated his commitment to put the full weight of his office and the American Government behind efforts to stem the tide of drugs flooding America's streets, and I commend him for that.

The measures my colleagues and I are introducing today are meant as a shot across the bow to the Government of Mexico. This legislation by the chairman of the Senate Banking Committee and myself, a Republican and a Democrat, will hopefully send a strong message that this Congress is prepared to back up the President's efforts in the strongest possible terms if Mexico's actions do not match their words in this war on drugs.

One year ago, the United States provided \$20 billion in loan guarantees to Mexico in an unprecedented economic assistance package. That loan guarantee agreement expires next month with the option to extend it for another 6 months.

Today, based on the seriousness of the drug problem, the volume of drugs flowing into the United States, and the ineffectiveness of Mexico's efforts, I am joining with Senator D'AMATO in introducing three pieces of legislation, two bills and one sense-of-the-Senate reso-

lution, which, among other things, would link extension of the loan guarantee to Mexico to specific actions that Mexico must take to demonstrate greater cooperation with the United States and international anti-narcotics efforts.

Let me explain for a moment the depth of this problem. The Drug Enforcement Administration estimates that 60 to 70 percent of all the illegal drugs that enter the United States are smuggled through Mexico; 75 percent of the cocaine and 60 to 80 percent of all foreign-grown marijuana in the United States originates in Mexico.

DEA testified that it has become commonplace to have 727 cargo-style jets each carrying 10 to 20 tons of cocaine at a time fly into Mexico and return to Colombia with \$20 to \$30 million of United States currency aboard. Colombian drug cartels are using Mexico as a safe haven to store as much as 70 to 100 tons of cocaine to be smuggled into the United States.

The United States Customs officials estimate that almost 70 percent of those arrested for drug smuggling at border stations in the United States are Mexican nationals.

Mexican drug cartels have taken over the methamphetamine drug trade. This is a very dangerous drug, also known as crank or speed. The DEA estimates that 90 percent of the precursor chemical, ephedrine, used to make methamphetamine is smuggled into the United States from Mexico, much of it originating from China.

Methamphetamine is an exploding problem in the United States, and particularly in California. The California Bureau of Narcotics Enforcement figures show that from 1991 to 1994 seizures jumped 518 percent in just these 3 years.

In 10 years, from 1983 to 1993, methamphetamine abuse has skyrocketed in some California counties by more than 1,000 percent. Hospital emergency rooms admissions from amphetamine abuse have jumped by 366 percent.

California is infested with literally hundreds of clandestine and highly mobile methamphetamine labs. State drug officials indicate that these labs are most often run by Mexican nationals who are here illegally.

Mexico's efforts to date are simply not good enough. The recent arrest of Juan Garcia Abrego is a step in the right direction, but overall Mexico's efforts have simply not been enough.

The United States currently has 165 extradition requests pending with Mexico, 56 of those involving Mexican nationals. The United States has had an extradition treaty with Mexico since 1978, yet Mexico has not allowed the extradition of a single Mexican national to the United States for prosecution as any close ally would.

Juan Garcia Abrego was not extradited. He was deported as a U.S. citizen. He held dual citizenship.

The drug cartels still operate in Mexico with impunity. Leaders of two of

the most powerful Mexican drug cartels, Amado Carillo-Fuentes and the Arellano-Felix brothers, have outstanding United States warrants for drug trafficking. They have been seen in public repeatedly with no fear of arrest, and there apparently has been no serious effort to apprehend them.

Money laundering. Mexico has become a haven for money laundering. Under Mexican law, money laundering is not a crime. No reporting requirements for large cash transactions exist. Jose Antonio Ramirez, director of Mexico's Association of Exchange Houses, has said it is common for cartel operatives to show up at unregulated money centers with literally suitcases stuffed with cash. The centers then write money orders or wire the funds to Colombia.

I understand that the Mexican Congress has asked the National Banking Commission to examine ways of preventing money laundering, but whether any concrete changes will result remains to be seen.

Let me give you some examples of government corruption:

Colombian jets unloading tons of cocaine in remote desert areas with the possible cooperation of Mexican Federal Police.

Reports that in a single weekend last November, 20 tons of cocaine destined for the United States were flown into Mexico in two large cargo plane shipments.

And the investigation involving connections between the drug cartels, Swiss bank accounts, and the brother of former President Carlos Salinas de Gortari only serves to reinforce the belief that drug-influenced corruption may reach the highest levels of Government.

Based on Mexico's efforts to date, Senator D'AMATO and I believe that extraordinary measures are required. The legislation coauthored by Senator D'AMATO and myself would do the following:

One, link extension of the loan guarantee to Mexico with cooperation in antidrug efforts. The United States-Mexico loan guarantee agreement expires next month. But the parties share an option to extend the agreement for an additional 6 months. And most likely they will be renewed after that.

This bill would prohibit the extension of the repayment terms for any of the currently outstanding loans to Mexico. It would prohibit the use of any of the remaining loan guarantees not obligated unless certain conditions with respect to antidrug efforts are met.

Second, we are introducing a sense-of-the-Senate resolution that Mexico should not be certified under the Foreign Assistance Act as fully cooperating with the United States and international antinarcotics efforts. Failure to certify as cooperating with these efforts would jeopardize Mexico's eligibility to receive foreign aid.

Sanctions for failure to be certified are mandatory, requiring that the

United States withhold 50 percent of all foreign aid, with the exception of humanitarian and drug enforcement funds.

The third bill prohibits the approval of applications from Mexican trucking companies applying for cross-border permits under NAFTA until the Secretary of Transportation can certify that the trucks meet United States safety standards, the President certifies Mexico is taking sufficient steps to combat international narcotics trafficking, and the Congress approves the applications via a joint resolution.

These are strong steps, but I truly believe that this problem is so serious that strong steps are required.

Evidence that would show Mexico's commitment to address these issues would include action such as the following:

One, compliance with all outstanding requests for extradition by the United States.

Two, enactment and implementation of effective money laundering laws.

Three, action to prevent Mexico's drug profiteers from taking advantage of plans to privatize formerly public assets such as banks.

Four, enactment of effective laws to inspect and license trucks, cars, and aircraft as well as their owners and operators to assist drug crime enforcement.

Five, enactment of effective laws to curtail the importation and export of major precursor chemicals for methamphetamine production and other narcotic production.

Six, specific action to effect the arrests of Mexican drug cartel leaders and other individuals involved in organized crime.

Seven, adoption of a comprehensive program for drug enforcement and assistance to United States law enforcement to take effective action.

Eight, specific action dedicated to detecting and halting the large-scale air transportation of narcotics.

Nine, specific action to prosecute graft and corruption among civilian, government, and military officials that assist drug production and smuggling.

And, finally, passage of asset forfeiture laws which enable the confiscation of property derived through narcotics trafficking or fraudulent use of the loan guarantee funds.

Without tangible evidence that Mexico is willing to work toward these goals, I am prepared to support the strong steps I have outlined.

Mr. President, earlier Senator D'AMATO and I, at a press conference, indicated our joint action to press forward with these bills. Mr. D'AMATO indicated that his Banking Committee would be holding hearings on these bills in March. We earnestly and sincerely invite other Members on both sides of the aisle to cosponsor this legislation.

Mr. President, I have seen firsthand a major tunnel under the Mexican border that goes from a warehouse in Mexico,

to a warehouse on the California side, that was air-conditioned and electrified to facilitate the smuggling of drugs from one country to another.

Mr. President, not too long ago in Rialto, CA, San Bernardino county, an arrest was made with the seizure of 4.5 tons—4.5 tons of cocaine. That amount of cocaine did not come across the border in backpacks.

Mr. President, I have been to the border. I have seen trucks going back and forth with very little or no inspection in the line-release program. For the past year, I have advocated a tightening of that program.

Now, under NAFTA, an even greater number of trucks would be able to cross the border with no inspection. What is the guarantee, when we know there is up to 100 tons of cocaine stored on the other side of the border awaiting transfer across this border, that it will not come in these trucks?

In every city, whether it is New York City, whether it is Los Angeles, or whether it is San Francisco, we have all seen people dying in the streets from drugs and drug deals gone awry. We have all seen the evolution of gangs around the trafficking of narcotics. We have all seen the street prices of cocaine drop and the problem get worse. We have seen the major spread of methamphetamine labs throughout the largest State in the Union, California.

The time has come to say, Enough is enough. To the Government of Mexico, close ally of the United States, we say "This is \$20 billion in loan guarantees plus other guarantees from the Monetary Fund—you must work hand in hand with us." We must stop the 727 cargo jets from landing on Mexican soil, from offloading drugs which then disappear before unloading United States currency for transport back to Colombia.

We must see that cartel leaders are extradited, that American extradition requests are honored, and that there are effective laws on the books to preclude money laundering in Mexico. In general, we must see that there is vigorous enforcement in Mexico to abate and stop the large flow of chemicals, cocaine and other contraband substances into the United States.

Mr. President, I ask unanimous consent that the following letters be printed in the RECORD: One letter signed by Senator D'AMATO and myself, dated January 26, to the Secretary of State urging denial of certification; a letter sent by myself on December 6 to Ambassador Kantor pointing out problems in cargo trucks coming from Mexico; another letter to Ambassador Kantor, Secretary of State Christopher, Secretary of Treasury Rubin, and Attorney General Reno addressing continuing problems with drug enforcement that are presented by Mexico.

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

U.S. SENATE,

Washington, DC, January 26, 1996.

Hon. WARREN M. CHRISTOPHER,
Secretary, Department of State, Washington,
DC.

DEAR MR. SECRETARY: We are writing to urge you to advise the President to deny certification that Mexico has taken sufficient actions to combat international narcotics trafficking when he reports to Congress on the anti-narcotics efforts of major drug producing and drug-transit countries on March 1, 1996.

As you know, Mexico is one of the most significant drug producing and drug transit countries in the world, and the bulk of the drugs moving through Mexico end up in the United States, particularly in the state of California. The Drug Enforcement Agency estimates that at least 75 percent of all cocaine available in the United States originates in Mexico. Further estimates are that 70 to 80 percent of all foreign-grown marijuana in the United States originates in Mexico. It is well known that Colombian drug cartels are using Mexico as a base from which to transport narcotics into the United States. We have been told that Colombian cartels may store as much as 70 to 100 tons of cocaine in Mexico at any one time to await smuggling into the United States.

These problems are bad enough, but they are made worse by the Mexican government's failure to take serious actions to address them. There has not been enough of a serious effort to break up the drug cartels that operate with virtual impunity in Mexico, or to arrest and extradite the drug lords who run them. The recent arrest and deportation of Juan Garcia Abrego is a positive development, but it contrasts sharply with the actions of the Mexican authorities in many other cases. To cite just two examples, the leaders of two of the most powerful cartels in Mexico—Amado Carillo-Fuentes of the Chihuahua Cartel, and the Arellano-Felix brothers of the Tijuana Cartel—are reported to be regularly seen in public with no fear of arrest.

In addition, Mexico has become a haven for laundering drug money, which is one of the most important aspects of the cartels' operations. Mexican laws regarding money laundering are inadequate, and banks and money exchange houses in Mexico do not have the same reporting requirements for large transactions as they do in the United States. Thousands of exchange houses are openly flouting what little oversight the Mexican government conducts, and millions of dollars are flowing to Colombia via money orders and wire transfers.

Finally, drug-influenced corruption continues unabated within Mexican law enforcement agencies and the government itself. One former cartel leader told U.S. prosecutors that up to \$50 million a month is used to bribe corrupt Mexican officials to ignore, or even facilitate, drug-trafficking activities. Drug money has clearly corrupted officials at every level of Mexico's government and law enforcement community, and—the investigations of the brother of former President Carlos Salinas de Gortari notwithstanding—President Zedillo's government is not taking sufficient action to root out this corruption.

In light of these facts, we are sure you will agree that Mexico is not deserving of certification as cooperating with U.S. and international narcotics efforts when the President issues his report pursuant to section 409A of the Foreign Assistance Act. Furthermore, we do not believe that any vital national interest warrants granting Mexico a waiver from decertification. The illegal drugs that flow into the United States from Mexico are tearing at our very culture, and as such they themselves represent a funda-

mental threat to our vital national interests. In contrast, the vital national interests of the United States do not require us to provide assistance to Mexico or to vote for multilateral development bank assistance to Mexico, the two areas that would be affected by Mexico's failure to be certified.

Thank you for your consideration of this extremely important matter. We look forward to your early reply.

Sincerely,

DIANNE FEINSTEIN,
U.S. Senator.

ALFONSE D'AMATO,
U.S. Senator.

U.S. SENATE,

Washington, DC, December 6, 1996.

Hon. MICHAEL KANTOR,
Ambassador, Washington, DC.

DEAR AMBASSADOR KANTOR: I am writing to express my strong opposition to the planned December 17 implementation of the proposal to dramatically increase the number of cargo trucks from Mexico with direct access to delivery points in the United States, under the North American Free Trade Agreement. This opposition is based on two very serious concerns: first, that inadequate provision has been made to ensure that this will not result in increased drug smuggling across the southwest border; and, second, that this will adversely impact the safety of California's highways.

It is my understanding that, beginning on December 17, under NAFTA, cargo trucks crossing the border from Mexico will no longer be restricted to delivery points within a limited commercial zone along the U.S.-Mexico border, but will be permitted to ship freight from origination points in Mexico directly to delivery points throughout California, Arizona, New Mexico and Texas. Estimates are that broader access will increase land shipments across the U.S.-Mexico border to approximately 6 million truckloads annually by the year 2001.

DRUG SMUGGLING

My concerns with respect to drug smuggling are two fold. First, that our infrastructure to interdict drugs may not be able to keep pace with our efforts to facilitate increased trade and commerce across our land borders. And second, as trade and commerce barriers are reduced between Mexico and the United States, our drug abatement efforts will become increasingly dependent upon the enforcement efforts of our Mexican counterparts.

In a memorandum sent to me by Treasury Secretary Rubin last March, his office noted that the number of arriving trucks from Mexico increased last year at a faster rate than the rate of truck inspections, resulting in a decrease in the percentage of trucks being examined for drugs. Although he declined to assume that the increasing cargo volume automatically means an increase in contraband, he recognized that the increase in cargo volume provides a window of opportunity for smugglers.

In fact, in spite of (or perhaps because of) the reported success of a number of drug interdiction programs responding to changes in drug trafficking patterns, including the Customs Air Program and Border Patrol's Operation Hold the Line, Secretary Rubin noted that the next logical step for smugglers is to try to exploit the huge cargo volume crossing the border each day.

I concur with the assessment that drug smugglers will take advantage of any relaxation of travel barriers between the U.S. and Mexico, and fear that this greater access for Mexican carriers under NAFTA will exacerbate what is already a serious problem with drug interdiction.

Specifically, my questions regarding implementation are: How will Customs procedures change to accommodate the increase in truck volume? How will this change impact the Line Release Program? Will companies go through any form of application process or background check, or will any truck from any company in Mexico be given unlimited access to U.S. delivery points in these border states? What is the process for licensing individual drivers from the companies shipping cargo? Will the individual drivers undergo background checks?

According to officials from the Department of Justice, cocaine smuggled across the California border with Mexico accounts for at least 70 percent of the drug sent over the entire Southwest border, so California has an enormous interest in ensuring that drug interdiction efforts remain a paramount concern as NAFTA is implemented.

Another emerging drug threat in the United States, particularly in California, is the explosive increase in methamphetamine production and trafficking. California has become the production capitol of the nation for this dangerous drug, and the major source of methamphetamine and the precursor chemicals to produce this drug are the Mexican drug cartels.

Mexican traffickers have established international connections for supplies of ephedrine and pseudoephedrine key precursor chemicals for methamphetamine which are controlled in the United States but not in Mexico. Shipments of these and other precursor chemicals are sent to Mexico from around the world and then smuggled into the United States to literally hundreds of clandestine laboratories in California for production.

Methamphetamine is fast becoming the crack epidemic of the 1990s, and law enforcement is already unable to keep up with the problem. A greater volume of uninspected trucks and relaxed trade barriers can only make this problem worse.

Secondly, I am also worried about increasing our reliance on Mexico to stop the probable increased flow of drugs across our border. As I have spelled out in a separate letter to you, I am gravely concerned about the adequacy of Mexican efforts to restrict drug trafficking and the alarming level of drug-influenced corruption within Mexican law enforcement agencies and the government itself. This most certainly impacts our efforts at drug abatement in the United States. The news report this last week of a passenger plane loaded with cocaine landing in Baja California Sur with the possible cooperation of Mexican Federal Police is a shocking reminder that our efforts to stop the flood of drugs on American streets are only as strong as our weakest link.

I respect the efforts the Clinton Administration has made to reduce the flow of drugs into the United States and I know you share my concerns about maintaining the integrity of our drug interdiction efforts. I support increased trade and commerce with Mexico, but only to the extent that efforts to curtail the epidemic of drug use in our own country are not diminished, and to the extent that Mexico is cooperating fully with our efforts.

HIGHWAY SAFETY

I also want to express my strong concern about the safety implications of allowing large trucks from Mexico access to California's roads.

HAZARDOUS MATERIALS

The Attorney General of Texas, Dan Morales—who supports NAFTA—reports that more than a fourth of the approximately 5,000 Mexican trucks which cross into Texas every day carry: corrosives; chemicals; explosives; jet fuel; and pesticides.

This week's issue of Time magazine reports that in the past few months, several Mexican trucks in the U.S. have exploded or leaked toxins.

With such dangerous materials, and evidence of a poor record of truck safety in the United States, I fear that this problem will escalate dramatically with the expansion of Mexican truck traffic.

BRAKES

Another major area of concern is Mexico's request that the Administration ease its requirements on front brakes. According to the California Highway Patrol, in 1994 there were 45 accidents involving large trucks for which faulty brakes were found to be the cause. In these accidents, 77 people were injured and there was one fatality. There has been a steady decline over the past ten years of accidents involving large trucks, and I have grave concerns that the increase in Mexican trucks on California's freeways and roads will increase this number.

DRIVERS HOURS

As you know, truckers in the United States are limited to ten hours of driving time. In Mexico, however, there is no limit to the number of hours a driver may be behind the wheel. Again, according to the California Highway Patrol, there were 108 accidents in California involving a large truck where the driver simply fell asleep. These accidents were responsible for killing six and injuring 148.

I am very concerned about the adequacy of truck safety inspection at the border. I fear that U.S. Customs Service agents, who already have their hands full inspecting vehicles for drugs and trade treaty compliance features, are simply not going to have the time or technical expertise to conduct thorough safety inspections on trucks coming from Mexico.

On behalf of the people of California, I urge your personal attention to these issues.

Thank you for your anticipated assistance.
Sincerely,

DIANNE FEINSTEIN,
U.S. Senator.

U.S. SENATE,

Washington, DC, December 6, 1996.

Hon. MICHAEL KANTOR,
Ambassador,
Washington, DC.

DEAR AMBASSADOR KANTOR: I am writing to request that you, along with Secretary of State Christopher, Secretary of the Treasury Rubin, and Attorney General Reno, address a continuing problem which is vexing our country, and my state in particular—the grossly inadequate drug enforcement “effort” by Mexico.

Just last week, separate published reports demonstrated the alarming, dramatic scale of this problem.

The Los Angeles Times reported on the continuing investigation of Raul Salinas de Gortari, older brother of Mexico's former President, Carlos Salinas de Gortari—an investigation which continues to yield appalling information about the extent of drug-influenced corruption in Mexico. The investigation is demonstrating that: The Mexican drug lords have become partners with the Colombian cartels; these cartels supply up to three-fourths of the cocaine in the United States, according to U.S. officials; Raul Salinas de Gortari was closely associated with the most powerful drug lord, Juan Garcia Abrego; Raul Salinas de Gortari served as an intermediary between the drug cartels and Mexico's political and economic elite; Garcia Abrego and Raul Salinas de Gortari used their respective fields of influence to protect each other from law enforcement; Raul Salinas de Gortari profited handsomely from this

relationship, with Mexican officials estimating that he may have stockpiled up to \$250 million in foreign bank accounts and other investments; and perhaps worst of all, this web of corruption and protection may have extended even to Raul's brother, President Carlos Salinas de Gortari.

This investigation was made public in Mexico last week, prompting the unprecedented step of a unanimous vote by members of all parties in Mexico's House of Deputies to establish a congressional commission to investigate Raul Salinas de Gortari and the sources of his wealth.

Coupled with other evidence of drug corruption in Mexico, much of which was laid out at a Senate Foreign Relations Committee hearing this August, I am afraid that Mexico is in serious jeopardy of becoming a drug-dominated narco-democracy.

The New York Times, meanwhile, also reported last week that an entire passenger jet loaded with tons of cocaine landed in a dry lake bed in Baja California Sur on Saturday. Local fishermen saw the cocaine unloaded by 20 men wearing black Mexican Federal Police uniforms. These men arrived in a convoy of four-wheel-drive vehicles. After unloading the plane, they set about trying to destroy it, by dismantling it, attempting to blow it up with explosive powder, and finally bulldozing over it with desert sand.

Despite widespread reports of Mexican police involvement with allowing or even conducting drug smuggling, state police who arrived on the scene allowed themselves to be talked out of taking action by the uniformed men—demonstrating that the state police were either duped, incredibly inattentive and lacking in vigilance, or corrupt themselves.

It comes as no surprise that investigators have traced the airplane's serial numbers back to Colombia's Cali cartel. As for the tons of drugs that were unloaded from the plane, the newspaper reported that they have not been recovered. I would appreciate your investigating and reporting to me what happened to these drugs, and to the plane.

For your convenience, I have attached copies of these articles. What is especially dismaying is that there is nothing new about airplanes loaded with multi-million dollar shipments of cocaine flying from Colombia to Mexico. At a Senate Judiciary Committee hearing in February, 1995, Drug Enforcement Administration Director Constantine told me about 727s flying 10 to 20 tons of cocaine at a time into Mexico, and returning to Colombia with 20 to 30 million dollars of U.S. currency.

At the Senate Foreign Relations Committee hearing in August, we discussed this again. At that point, Ambassador Gelbard interjected, “based on an order from President Zedillo, he has mobilized the Mexican Air Force to intercept any such flights that do occur.” And yet, we see now that the flights do continue.

Frankly, I am astounded and disgusted that the Mexican government is unable or unwilling to stop massive cargo flights, or incidents such as this latest one, involving an airplane, heavy vehicles, explosives, bulldozers, and police officers who turn the other way.

It is no secret where these drugs are going: straight into my State of California. At the February hearing, Director Constantine confirmed that California has replaced Florida as the major point of importation of cocaine into America. He further stated that 75% of the cocaine in the United States enters through the Southwest border from Mexico.

Mr. Ambassador, I ask that you, together with Secretary of State Christopher, Secretary of the Treasury Rubin, and Attorney General Reno, really take a good, hard look at what specifically can be done to compel

Mexico to achieve a higher level of cooperation and enforcement against drugs.

The United States provides Mexico with a great deal of assistance—such as the \$20 billion loan guarantee earlier this year. Yet this assistance seems to go to a country that is utterly ineffective at stopping the infliction of the scourge of drug trafficking on my state and our country—or, worse, corruptly facilitates it. If Mexico will not summon the will to help us in this effort, perhaps it is time for us to reconsider our assistance to them.

On behalf of the people of California, I urge your personal attention to this issue.

Thank you for your anticipated assistance.

Sincerely,

DIANNE FEINSTEIN,
U.S. Senator.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, I ask unanimous consent that Senator INHOFE be added as a cosponsor to the bills and the resolution I have just sent to the desk.

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

• Mr. D'AMATO. Mr. President, the Mexican economic meltdown is over a year old and no one—not the Mexican people and certainly not the American taxpayers—have seen any signs of improvement or relief. Last year, the Clinton administration rushed in to bail out the Mexican Government with an ill-conceived, and legally tenuous, financial assistance package that spent billions of taxpayer dollars. The time has come to stop this financial hemorrhage.

Since February 21, 1995, when the administration signed its Financial Assistance Agreement with Mexico, I have been saying that the Clinton bailout was an ill-conceived disaster. It is not just my opinion, it is the cold hard facts. You only need to look at the Mexican economic indicators, including 50-percent interest rates and staggering inflation, and the suffering of the Mexican people to realize that the plan is not working. Mexico's real economy is still in shambles; record numbers of Mexicans are out of work, interest rates are soaring, the people are starving, and the country is reeling under increasing social and political unrest. Christopher Whalen, writing in the January 21, 1996, edition of the Washington Post, stated “As in the 1970's, the Mexicans are again addicted to the debt that we have been spoon-feeding them, and they still can't pay it back.”

Mr. President, the only people who have benefited from the Clinton bailout are the global investors, the currency speculators, Mexican business leaders, and high paid advisers retained by the Mexican Government. The Mexican bailout was doomed to disaster from the very beginning.

Congress rejected Clinton's bailout scheme last year, despite the administration's doomsday predictions of an international financial crisis and waves of illegal immigration. The global financial crisis never materialized but hordes of illegal immigrants are still crossing our borders in an attempt to

escape their desperate living conditions. Their hardships are a direct result of inept Mexican economic policies and the harsh austerity measures the Clinton administration imposed upon the Mexican people as part of the bailout.

Mr. President, Mexico has received over \$25 billion and it has not solved anything. The Clinton administration bypassed Congress and sent billions of hard-earned American taxpayer dollars to a country reeling under narco-corruption and failed economic policies. Mexico's downward spiral is accelerating and the fallout is only beginning.

According to the terms of the Financial Assistance Agreement between the administration and Mexico—Article 3, section 7—the agreement expires after 1 year, on February 21, 1996, and it may be extended by the Secretary of Treasury for another 6 months. Secretary Rubin has indicated that the Treasury Department intends to extend the bailout for another 6 months so now is the time for Congress to act.

Mr. President, my colleague and friend, Senator FEINSTEIN and I, are cosponsoring this bill which would place strong conditions on the administration to stop them from wasting more taxpayer dollars on the Mexican bailout, by preventing an extension of the Assistance Agreement, and stopping any additional rollovers of the money already owed to the United States, as of the first of this year.

At the very least, if the President decides to continue squandering any more of the remaining \$10.5 billion of U.S. taxpayer money already committed to Mexico, he should be required to certify that Mexico is doing all that it can to stop the massive flow of narcotics into our country. This should not be a simple certification—it should be tough and thorough. This bill will require Mexico to take strong action to fight the drug lords and narcotics kings who are becoming multimillionaires by importing drugs into our country.

Our bill sets several pertinent conditions regarding the enormous amounts of drugs Mexico is sending to this country every day. In our bill, the President must certify that Mexico has satisfied each of these conditions before sending any more taxpayer money to Mexico. The Congress already passed a certification requirement related to the Mexican bailout last year in the Mexican Debt Disclosure Act, which required the President to certify normal business standards were being imposed on the loans and money sent to Mexico.

A few key facts on the severity of the drug problem with Mexico vividly illustrate the need for immediate action:

The Drug Enforcement Administration [DEA] estimates that over 70 percent of the cocaine in the United States crosses the United States-Mexico border. Using Mexico as storage for the cocaine, the Colombian drug organizations may be holding cocaine with a street value of up to \$1 billion.

According to the DEA, virtually all of the heroin produced in Mexico is trafficked in the United States.

The DEA also reports that more than 50 percent of the marijuana found in the United States came from Mexico, either cultivated there or transshipped through Mexico from other localities.

It appears that trafficking gangs in Mexico are also involved in all aspects of the methamphetamine trade: producing, trafficking, and distributing it as well as the chemicals used to manufacture the methamphetamines. Law enforcement officials have noticed an increase in its availability in the United States.

The recent arrest of Juan Garcia Abrego, described as an international drug kingpin and said to have headed a billion-dollar drug empire, may hold the key to understanding just how big the Mexican drug organizations are and the volume of drugs they traffick into the United States. The information that he provides to U.S. law enforcement is a glimpse into the underground world of international drug trafficking. His arrest is merely the tip of the iceberg.

Currently, the Colombian cartel and the drug trafficking gangs in Mexico are working in partnership to deliver and distribute multiton of narcotics into the United States. However, Assistant Secretary of State Robert Gelbard told the Senate Foreign Relations Committee that, with the arrest of leaders of the Columbian Cali cartel, Mexican drug trafficking gangs may be able to actively traffick these drugs themselves.

No doubt, there will be an increase in the availability of narcotics as a direct result of the Mexican drug gangs' interest in narcotics distribution, and the ease with which they can transport it into the United States.

Mr. President, this bill is an important first step in addressing two very serious problems affecting the American people. This bill will force the Clinton administration and the Mexican Government to make real and substantial efforts to halt the flow of illegal drugs into our country. The bill also sends notice to the administration that the Congress, and the American people, are tired of having hard-earned taxpayer dollars squandered. I urge my colleagues to support this bipartisan effort.●

ADDITIONAL COSPONSORS

S. 10

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 10, a bill to make certain laws applicable to the legislative branch of the Federal Government, to reform lobbying registration and disclosure requirements, to amend the gift rules of the Senate and the House of Representatives, and to reform the Federal election laws applicable to the Congress.

S. 837

At the request of Mr. WARNER, the name of the Senator from New Mexico

[Mr. DOMENICI] was added as a cosponsor of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

S. 990

At the request of Mr. DOLE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 990, a bill to expand the availability of qualified organizations for frail elderly community projects (Program of All-inclusive Care for the Elderly (PACE)), to allow such organizations, following a trial period, to become eligible to be providers under applicable titles of the Social Security Act, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1334

At the request of Mr. FRIST, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 1334, a bill to amend chapter 28 of title 35, United States Code, to provide for noninfringing uses of patents on medical and surgical procedures.

S. 1379

At the request of Mr. CRAIG, his name was added as a cosponsor of S. 1379, a bill to make technical amendments to the Fair Debt Collection Practices Act, and for other purposes.

S. 1392

At the request of Mr. BAUCUS, the names of the Senator from Alabama [Mr. SHELBY] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1392, a bill to impose temporarily a 25 percent duty on imports of certain Canadian wood and lumber products, to require the administering authority to initiate an investigation under title VII of the Tariff Act of 1930 with respect to such products, and for other purposes.

S. 1541

At the request of Mr. LUGAR, the names of the Senator from Washington [Mr. GORTON], the Senator from Texas [Mr. GRAMM], the Senator from Virginia [Mr. WARNER], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Florida [Mr. MACK], the Senator from Texas [Mrs. HUTCHISON], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1541, a bill to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

SENATE RESOLUTION 85

At the request of Mr. CHAFEE, the name of the Senator from Connecticut

[Mr. LIEBERMAN] was added as a co-sponsor of Senate Resolution 85, a resolution to express the sense of the Senate that obstetrician-gynecologists should be included in Federal laws relating to the provision of health care.

SENATE CONCURRENT RESOLUTION 40—TO COMMEMORATE THE SESQUICENTENNIAL OF TEXAS STATEHOOD

Mrs. HUTCHINSON (for herself and Mr. GRAMM) submitted the following resolution; which was considered and agreed to:

S. CON. RES. 40

Whereas 1995 marks 150 years since the United States of America admitted Texas as the 28th State of the Union;

Whereas the sesquicentennial of Texas statehood is a truly momentous occasion that allows all Texans to reflect on their State's proud heritage and bright future;

Whereas acting on the advice of President John Tyler, the United States Congress adopted a joint resolution on February 28, 1845, inviting the Republic of Texas to enter the Union as a State with full retention of its public lands; today, a century and half later, Texas enjoys the distinction of being the only State admitted with such extensive rights;

Whereas the citizens of the Republic of Texas were deeply committed to the goals and ideals embodied in the United States Constitution, and, on June 16, 1845, the Congress of the Republic of Texas was convened by President Anson Jones to consider the proposal of statehood;

Whereas Texas took advantage of the offer, choosing to unite with a large and prosperous Nation that could more effectively defend the borders of Texas and expand its flourishing trade with European countries; by October 1845, the Congress of the Republic of Texas had approved a State constitution, charting a bold new destiny for the Lone Star State;

Whereas the proposed State constitution was sent to Washington, D.C., and on December 29, 1845, the United States of America formally welcomed Texas as a new State; the transfer of governmental authority, however, was not complete until February 19, 1846, when Anson Jones lowered the flag that had flown above the Capitol for nearly 10 years and stepped down from his position as president of the Republic of Texas; and

Whereas with the poignant retirement of the flag of the Republic, Texas emerged as a blazing Lone Star in America's firmament, taking its place as the 28th State admitted into the Union; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) commemorate the sesquicentennial of Texas statehood; and

(2) encourage all Texans to observe such day with appropriate ceremonies and activities on this historic occasion.

The Secretary of the Senate shall transmit a copy of this resolution to the Texas Congressional Delegation, to the Governor of Texas, to the National Archives, and to the Texas Archives.

SENATE RESOLUTION 217—TO DESIGNATE THE FIRST FRIDAY IN MAY 1996 AS "AMERICAN FOREIGN SERVICE DAY"

Mrs. KASSEBAUM submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 217

Whereas the American Foreign Service was established in 1924 and some 11,600 men and women now serve with the foreign affairs agencies of the United States at home and abroad;

Whereas the diplomatic, consular, communications, trade, development, and numerous other functions these men and women perform constitute the first and most cost-effective line of defense of our Nation by protecting and promoting United States interests abroad;

Whereas the men and women of the American Foreign Service are increasingly exposed to risks and danger to themselves and their families, even in times of peace, and many have died in the service of their country;

Whereas in this uncertain post-Cold War era, an ever-vigilant American Foreign Service remains essential to the strategic, political, and economic well-being of this Nation by strengthening the United States' relations with other countries and promoting a safer, more peaceful world;

Whereas the United States Government's foreign affairs agencies and the American Foreign Service Association have observed Foreign Service Day on the first Friday in May for many years; and

Whereas it is both appropriate and just for the country as a whole to recognize the dedication of the men and women of the American Foreign Service and to honor those who have given their lives in the loyal pursuit of their duties and responsibilities representing the interests of the United States of America and of its citizens: Now, therefore, be it

Resolved, That the Senate—

(1) commend the men and women who have served or are presently serving in the American Foreign Service for their dedicated and important service to country;

(2) honor those in the American Foreign Service who have given their lives in the line of duty; and

(3) designate the first Friday in May 1996 as "American Foreign Service Day".

The President is authorized and requested to issue a proclamation calling upon the people of the United States and the Federal, State, and local administrators to observe the day with the appropriate programs, ceremonies, and activities.

Mrs. KASSEBAUM. Mr. President, today I am submitting legislation to acknowledge the important work and great sacrifice of the men and women of the American Foreign Service. By passing this resolution, the Senate will commend these dedicated public servants for their important service to our country, honor those killed in the line of duty, and seek broader recognition this year of American Foreign Service Day.

For many years, the U.S. Government's foreign affairs agencies and the American Foreign Service Association have jointly sponsored a Foreign Service Day observance during which new names are added to the memorial plaque in the Department of State honoring those "who have died under heroic or inspirational circumstances" while serving our country abroad. This ceremony has been held within the walls of the State Department. This year, I believe that we as a Nation should join in this observance, just as we join together to honor our military personnel on Armed Forces Day and Veterans Day.

The memorial plaque contains the names of 171 brave Americans who have died in service to our country at posts abroad. I ask unanimous consent that a list of these names be printed in the RECORD. Later this year, the names of the three American negotiators who were killed last fall in search of peace in Bosnia will be added to that plaque. All of us were deeply moved by the tragic sacrifice of Ambassador Robert Frasure, Assistant Secretary of Defense Joseph J. Kruzel, and Col. S. Nelson Drew.

We have many debates in this body that involve the American Foreign Service. In the past year, we have debated its structure, we have reduced its funding, we have seen Foreign Service officers unpaid or kept from work because of partial Government shutdowns, and we have been slow to act on many Foreign Service nominees. Each of these actions has its own purpose, but I worry that the cumulative effect may well be to send a signal to our Foreign Service officers that the U.S. Senate doubts the importance of their work. Nothing could be further from the truth. With this legislation, I hope the Senate will send a clear message that, whatever our views on the difficult policy matters that affect America's overseas presence, we all stand firmly behind the important work of America's dedicated Foreign Service officers, and we recognize the undeniable importance of their work.

In the coming year, I hope to explore steps we may take to strengthen our Foreign Service. I believe we need to act to ensure that we are recruiting and retaining the very best people that our country has to offer, and I hope to work with the Foreign Service community and my colleagues to identify ways in which the Senate can help. For many people around the world, the men and women of the American Foreign Service are the faces of America.

I, for one, believe America owes these men and women a debt of gratitude.

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

AMERICANS WHO HAVE LOST THEIR LIVES UNDER HEROIC OR OTHER INSPIRATIONAL CIRCUMSTANCES WHILE SERVING THE U.S. GOVERNMENT AND THE AMERICAN PEOPLE ABROAD IN FOREIGN AFFAIRS

(Names are listed not chronologically but as placed on State Department memorial plaques)

William Palfrey: Lost at sea, 1780.

Joel Barlow: Exposure, Zarnowice, 1812.

Richard C. Anderson: Yellow Fever, Cartagena, Colombia, 1823.

Nathaniel G. Ingraham, Jr.: Fever, Tampico, Mexico, 1824.

Harris E. Fudger: Murdered, Bogota, Colombia, 1825.

James A. Holden: Lost at sea, 1827.

John S. Meircken: Lost at sea, 1832.

William Shaler: Cholera, Havana, Cuba, 1833.

William S. Sparks: Cholera, Venice, Italy, 1849.

Thomas T. Turner: Epidemic, Bahia, 1849.

Thomas I. Morgan: Yellow fever, Rio De Janeiro, 1850.

Hardy M. Burton: Yellow fever, St. Thomas, 1852.
 George R. Dwyer: Coast fever, Mozambique, 1854.
 Beverly L. Clarke: Tropical fever, Guatemala, 1860.
 Isaac S. McMicken: Yellow fever, Acapulco, Mexico, 1860.
 George True: Smallpox, Funchal, 1862.
 Edward W. Gardner: Lost at sea, 1863.
 Charles G. Hannah: Yellow fever, Demerara, 1864.
 Abraham Hanson: African fever, Monrovia, Liberia, 1866.
 Hiram R. Hawkins: Epidemic, Tumbez, Peru, 1866.
 Allen A. Hall: Epidemic, La Paz, Bolivia, 1867.
 H.E. Peck: Yellow fever, Haiti, 1867.
 James Wilson: Yellow fever, Venezuela, 1867.
 James H. McColley: Yellow fever, Callao, 1869.
 William Stedman: Yellow fever, Santiago, Cuba, 1869.
 Charles E. Perry: Epidemic, Aspinwall, Colombia, 1872.
 Thomas Biddle: Epidemic, Guayaquil, 1875.
 John F. Flint: Drowned saving life, La Union, El Salvador, 1875.
 Philip Clayton: Yellow fever, Callao, 1877.
 Henry H. Garnet: African fever, Monrovia, 1882.
 Jesse H. Moore: Yellow fever, Callao, 1883.
 David T. Bunker: Yellow fever, Demerara, 1888.
 Victor F.W. Stanwood: Murdered, Madagascar, 1888.
 William D. McCoy: Fever, Monrovia, Liberia, 1893.
 John R. Meade: Yellow fever, Santo Domingo, 1894.
 Alexander L. Pollock: Yellow fever, San Salvador, 1894.
 Frederick Munchmeyer: Yellow fever, San Salvador, 1895.
 John B. Gorman: Malignant malaria, Matamoros, Mexico, 1896.
 Albert S. Willis: Malaria, Honolulu, Hawaii, 1897.
 Rounseville Wildman: Lost at sea, 1901.
 Thomas T. Prentis: Volcanic eruption, Martinique, 1902.
 Amedee Testart: Volcanic eruption, Martinique, 1902.
 Thomas Nast: Yellow fever, Guayaquil, 1902.
 William F. Havemeyer: Cholera, Bassorah, Turkey, 1904.
 Philip Carroll: Fever, Manzanillo, Mexico, 1906.
 Benjamin H. Ridgely: Exhaustion, Mexico City, 1908.
 Arthur A. Cheney: Earthquake, Messina, 1908.
 John W. Gourley: Smallpox, Ciudad Juarez, Mexico, 1910.
 Theodore C. Hamm: Smallpox, Durango, Mexico, 1914.
 Robert N. McNeely: Lost at sea, 1915.
 Charles P. McKiernan: Smallpox, Chungkiang, China, 1916.
 Charles F. Brissel: Cholera, Baghdad, 1916.
 Alfred L.M. Gottschalk: Lost at sea, 1918.
 Maddin Summers: Exhaustion, Moscow, 1918.
 John D. O'Rear: Smallpox, La Paz, Bolivia, 1918.
 Luther K. Zabriskie: Smallpox, Aguas Calientes, Mexico, 1921.
 Carl R. Loop: Saving life, Catania, 1923.
 Max D. Kirjassof: Earthquake, Yokohama, Japan, 1923.
 Paul E. Jenks: Earthquake, Yokohama, Japan, 1923.
 Clarence C. Woolard: Epidemic, Cape Haitien, Haiti, 1923.
 Robert W. Imbrie: Murdered, Teheran, Persia, 1924.

William T. Francis: Yellow fever, Liberia, 1929.
 William I. Jackson: Drowned attempting to save life, Matanzas, Cuba, 1930.
 John T. Wainwright: Drowned attempting to save life, Matanzas, Cuba, 1930.
 G. Russell Taggart: Hurricane, Belize, British Honduras, 1931.
 J. Theodore Marriner: Murdered, Beirut, Syria, 1937.
 John M. Slaughter: Earthquake, Guayaquil, 1942.
 Thomas C. Wasson: Shot by sniper, Jerusalem, 1948.
 Douglas S. Mackieman: Killed by gunfire, Tibet, 1950.
 Robert Lee Mikels: Burned attempting to save life, Pusan, Korea, 1951.
 David LeBreton, Jr.: Drowned saving lives, Tunis, 1953.
 William P. Boteler: Killed by grenade, Nicosia, Cyprus, 1956.
 Robert A. McKinnon: Tropical disease, Ouagadougou, 1961.
 Barbara A. Robbins: Killed in bombing of Embassy, Saigon, Vietnam, 1965.
 Joseph W. Grainger: Murdered, Vietnam, 1965.
 Joseph R. Rupley: Killed by gunfire, Caracas, Venezuela, 1965.
 Dolph B. Owens: Vietnam, 1960.
 Jack J. Wells: Vietnam, 1965.
 Norman L. Clowers: Vietnam, 1966.
 William D. Smith III: Vietnam, 1966.
 Don M. Sjostrom: Laos, 1967.
 John R. McLean: Laos, 1967.
 Robert K. Franzblau: Vietnam, 1967.
 Dwight Hall Owen, Jr.: Vietnam, 1967.
 Carroll H. Pender: Vietnam, 1967.
 Frederick J. Abramson: Vietnam, 1968.
 Thomas M. Gompertz: Vietnam, 1968.
 John T. McCarthy: Vietnam, 1968.
 Kermit J. Krause: Vietnam, 1968.
 Jeffrey S. Lundstedt: Vietnam, 1968.
 Robert R. Little: Vietnam, 1968.
 Stephen H. Miller: Vietnam, 1968.
 Hugh C. Lobit: Vietnam, 1968.
 Richard A. Schenk: Vietnam, 1968.
 Michael Murphy: Vietnam, 1968.
 John Gordon Mein: Guatemala, 1968.
 George B. Gaines: Vietnam, 1969.
 Robert P. Perry: Jordan, 1970.
 Dan A. Mitriane: Uruguay, 1970.
 Cleo Allen Noel, Jr.: Sudan, 1973.
 George Curtis Moore: Sudan, 1973.
 Everett D. Reese: Vietnam, 1955.
 Thomas W. Ragsdale: Vietnam, 1967.
 Donald V. Freeman: Vietnam, 1967.
 Albert A. Farkas: Vietnam, 1968.
 Robert W. Brown, Jr.: Vietnam, 1968.
 Robert W. Hubbard: Vietnam, 1968.
 Joseph B. Smith: Vietnam, 1970.
 Rudolph Kaiser: Vietnam, 1972.
 John Paul Vann: Vietnam, 1972.
 John S. Patterson: Mexico, 1974.
 Rodger P. Davis: Cyprus, 1974.
 James C. Marshall: Vietnam, 1968.
 Steven A. Haukness: Vietnam, 1968.
 Charles W. Turberville: Cambodia, 1971.
 John Patrick Egan: Argentina, 1975.
 Charles McMahon: Vietnam, 1975.
 Darwin L. Judge: Vietnam, 1975.
 Francis E. Meloy, Jr.: Beirut, 1976.
 Robert O. Warning: Beirut, 1976.
 Adolph Dubs: Kabul, 1979.
 Steven J. Crowley: Islamabad, 1979.
 Bryan L. Ellis: Islamabad, 1979.
 Charles Robert Ray: Paris, 1982.
 Robert C. Ames: Beirut, 1983.
 Thomas R. Blacka: Beirut, 1983.
 Phyllis N. Faraci: Beirut, 1983.
 Terry L. Gilden: Beirut, 1983.
 Kenneth E. Haas: Beirut, 1983.
 Deborah M. Hixon: Beirut, 1983.
 Frank J. Johnston: Beirut, 1983.
 James F. Lewis: Beirut, 1983.
 Monique Lewis: Beirut, 1983.
 William R. McIntyre: Beirut, 1983.

Robert V. McMaugh: Beirut, 1983.
 William R. Sheil: Beirut, 1983.
 Albert N. Votaw: Beirut, 1983.
 George Tsantos: Athens, 1983.
 Leamon R. Hunt: Rome, 1984.
 Kenneth G. Crabtree: Namibia, 1984.
 Dennis Whyte Keogh: Namibia, 1984.
 A. A. Schaufelberger III: San Salvador, 1983.
 Charles F. Soper: New Delhi, 1983.
 Michael Ray Wagner: Beirut, 1984.
 Kenneth V. Welch: Beirut, 1984.
 Charles F. Hegna: Tehran, 1984.
 William L. Stanford: Tehran, 1984.
 Enrique Camarena: Guadalajara, 1985.
 Viegina Warfield: New Delhi, 1983.
 Bobby Joe Dickson: San Salvador, 1985.
 Thomas T. Handwork: San Salvador, 1985.
 Patrick R. Kwiatkowski: San Salvador, 1985.
 Gregory H. Weber: San Salvador, 1985.
 Laurence A. Steinhart: Ottawa, 1950.
 William F. Buckley: Beirut, 1985.
 William E. Nordeen: Athens, 1988.
 Arnold L. Raphael: Pakistan, 1988.
 Herbert M. Wassom: Pakistan, 1988.
 Matthew K. Gannon: Scotland, 1988.
 Ronald A. Lariviere: Scotland, 1988.
 Daniel E. O'Conner: Scotland, 1988.
 James N. Rowe: Philippines, 1989.
 John A. Butler: Grenada, 1989.
 Gladys D. Gilbert: Ethiopia, 1989.
 Robert W. Woods: Ethiopia, 1989.
 Thomas J. Worrick: Ethiopia, 1989.
 Freddie R. Woodruff: Georgia, 1993.
 Barbara L. Schell: Iraq, 1994.
 Barry S. Castiglione: El Salvador, 1992.
 Gary C. Durell: Pakistan, 1995.
 Jacqueline K. Van: Landingham, Pakistan 1995.
 As of 1/25/96, there are 171 names listed.

SENATE RESOLUTION 218—EXPRESSING THE SENSE OF THE SENATE RELATIVE TO MEXICO

Mrs. FEINSTEIN (for herself, Mr. D'AMATO, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 218

Whereas Mexico is one of the most significant source countries for the transport of narcotic and psychotropic drugs and other controlled substances into the United States;

Whereas the Drug Enforcement Administration estimates that at least 75 percent of all cocaine available in the United States travels through Mexico;

Whereas various United States drug enforcement agencies have estimated that 70 percent to 80 percent of all foreign-grown marijuana in the United States originates in Mexico;

Whereas according to the United States Customs Service, 69.5 percent of the individuals arrested for drug smuggling at border stations in the United States are Mexican nationals;

Whereas the Drug Enforcement Administration has stated that drug smugglers have been flying airplanes into Mexico carrying 10 to 20 tons of cocaine per flight, which airplanes then return to Colombia carrying \$20,000,000 to \$30,000,000 of United States currency;

Whereas Mexico has failed to prevent or punish the laundering of drug-related profits or drug-related moneys in Mexico;

Whereas Mexico has failed to prevent or punish adequately bribery and other forms of public corruption which facilitate the production, processing, and shipment of narcotic and psychotropic drugs and other controlled substances into the United States or

which discourage the investigation and prosecution of such activities;

Whereas the continued, large-scale transportation of narcotic and psychotropic drugs and other controlled substances from Mexico into the United States is very detrimental to the vital interests of the United States;

Whereas not later than March 1, 1996, the President must determine and report to Congress pursuant to section 490A(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291k(b)) whether Mexico has taken sufficient steps to combat international narcotics trafficking: Now, therefore, be it

Resolved, That the President should not make the following certifications pursuant to section 490A(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291k(b)(1)):

(1) That Mexico has cooperated fully with United States in controlling narcotic and psychotropic drugs and other controlled substances, and activities relating to such drugs and substances, as set forth in subparagraph (A) of that section.

(2) That vital national interests of the United States require United States assistance to Mexico or multilateral development bank assistance for Mexico.

ADDITIONAL STATEMENTS

RETIREMENT OF CONGRESSWOMAN BARBARA VUCANOVICH

• Mr. BRYAN. Mr. President, I rise today to honor Congresswoman BARBARA F. VUCANOVICH for her many years of public service, particularly in the House of Representatives. She has represented the State of Nevada's Second District for 14 years and is the first woman from Nevada elected to Federal office.

Representative VUCANOVICH has served in many leadership capacities during her time on Capitol Hill, including her current position as secretary of the House Republican Conference for the 104th Congress. She is a member of the House Appropriations Committee, and chairwoman of the Military Subcommittee. Congresswoman VUCANOVICH is also a member of the Subcommittee on the Interior, the Subcommittee on Veterans' Affairs, Housing and Urban Development, and Independent Agencies.

As members of the Nevada delegation, Congresswoman VUCANOVICH and I have worked together to prevent the practice of source taxation, which unfairly burdened the residents of our State. Representative VUCANOVICH has also been an ally in our fight to protect Nevada from becoming a high-level nuclear waste repository. She has been active in promoting travel and tourism to benefit Nevada's economy.

Representative VUCANOVICH demonstrated remarkable personal courage in her battle with cancer. She never permitted the disease to slow her down, never missing a congressional vote in the midst of her treatment. She has worked to help increase public awareness of this disease and how it may be detected and treated.

I am pleased to recognize Congresswoman BARBARA F. VUCANOVICH for her many years of public service and dedi-

cation to the State of Nevada and the people she represents, and I wish her and George the very best in the future.●

A VOTE AGAINST THE NINTH CR

• Mr. DODD. Mr. President, I rise today to discuss my vote against the continuing resolution on Friday, January 26.

The CR under which the Government is now operating is the ninth continuing resolution for fiscal 1996. That is four more CR's for 1 fiscal year than we have ever passed before. And we can be sure, come March 15, that we will be traveling down this road again.

This CR continues a dangerous and chaotic policy of haphazardly appropriating funds, while leaving State and local governments, Federal employees, and millions of Americans who depend on the Federal Government uncertain of the future.

This uncertainty can be traced in large part to the fact that months into fiscal 1996, the Republican controlled Congress has yet to complete work on all 13 appropriations bills.

This congressional foot dragging has brought us to the point we're at today: With a CR that is nothing more than a cynical attempt, by those who held the Government hostage and then didn't get their way, to dismantle critically important Federal programs in a piecemeal and indiscriminate fashion.

Let me be clear on one point: I am absolutely committed to balancing the budget. In 1981, I was one of six Senators to vote against President Reagan's budget, which I may add got us into this mess in the first place. I co-sponsored the Gramm-Rudman Deficit Reduction Act and just last October, I was 1 of 19 Senators to vote for the Simon-Conrad bill that would balance the budget in 7 years with CBO numbers.

More important, after the havoc wreaked by the Republicans during the last Government shutdown, I am committed to seeing the Government stay open and Federal employees at their desks.

Continuing resolutions, Government shutdowns, and legislative blackmail are simply no way to run the Federal Government.

The majority party says we must balance the budget to protect our children from inheriting a crushing debt. Yet at the same time we hear this rhetoric, the majority is passing a CR that directly harms our children's future by eliminating \$3.1 billion from education programs—the largest cut in education funding in American history.

Education is not alone. This CR would cut back funding by 25 percent for the Cops on the Beat Program, summer jobs programs for disadvantaged youth, and environmental clean-up. How can this Congress claim it is protecting children at the same time it is cutting money to keep communities safe and our water and air clean?

The majority party came into Washington with the slogan "Promises Made, Promises Kept." Well if their promises were to shut down the Government, eliminate money for education and the environment, cut Medicare and Medicaid, raise taxes on working families, and now hamstringing the Federal Government's efforts to maintain its responsibilities and obligations, then I suppose they have kept their promises.

I am hopeful that at some point in the future we will take our cue from President Clinton's State of the Union call for reconciliation by reaching a bipartisan agreement on how to balance the budget. Until then, this Government will stumble from CR to CR while millions of Americans suffer.●

COMMEMORATING THE SESQUICENTENNIAL OF TEXAS STATEHOOD

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of Senate Concurrent Resolution 40, submitted earlier by Senators HUTCHISON and GRAMM.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 40) to commemorate the sesquicentennial of Texas statehood.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. HUTCHISON. Mr. President, I rise today to commemorate a very special event in the history of my State. This recognition is almost identical to one passed by the Texas State Legislature on March 7, 1995.

Just last month, on December 29, 1995, Texas celebrated the sesquicentennial of their statehood. Unlike all other States ever admitted, we gave up the sovereignty of an independent republic to join the Union.

On March 1, 1845, Congress passed a resolution inviting the Republic of Texas to join the Union, and a special convention of Texans met to consider it, under the leadership of Thomas Jefferson Rusk. The convention accepted the offer on July 4, and its decision was ratified by the people in October. We submitted a constitution, which Congress accepted on December 29.

Rusk went on to become the first U.S. Senator from Texas, and I, the great-granddaughter of his law partner, now hold his seat. Taylor and Rusk had signed the Texas Declaration of Independence from Mexico in 1836.

Texans mark the 29th, quietly, as the commencement of our statehood, although we didn't lower the Lone Star and post the Stars and Stripes until February 19, 1846. We must have been happy with statehood in 1955, because we expressly renounced the right to fly

the flag of our old Republic at the same level as that of our Union. Our legislature mandated that it fly in a subordinate position, in a manner followed by all other States.

Although independence remains the signal day in Texas history, Texans look upon their statehood with pride, as a means of conferring blessings upon the people of all the States. When Old Glory was raised for the first time in Austin, TX, Anson Jones, the last President of the Republic of Texas, stated with eloquence:

The lone star of Texas, which ten years since arose amid cloud, over fields of carnage, and obscurely shone for a while, and following an inscrutable destiny, has passed on and become fixed forever in that glorious constellation which all . . . lovers of freedom in the world must . . . adore—the American Union. Blending its rays with its sister stars, long may it continue to shine, and may a gracious heaven smile upon this consummation with the wishes of the two republics, now joined together in one.

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

Mr. LOTT. Mr. President, I ask unanimous consent that the concurrent resolution be considered and agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statement relating to the resolution appear at the appropriate place in the RECORD.

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

So the concurrent resolution (S. Con. Res. 40) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 40

Whereas 1995 marks 150 years since the United States of America admitted Texas as the 28th State in the Union;

Whereas the sesquicentennial of Texas statehood is a truly momentous occasion that allows all Texans to reflect on their State's proud heritage and bright future;

Whereas acting on the advice of President John Tyler, the United States Congress adopted a joint resolution on February 28, 1845, inviting the Republic of Texas to enter the Union as a State with full retention of its public lands; today, a century and a half later, Texas enjoys the distinction of being the only State admitted with such extensive rights;

Whereas the citizens of the Republic of Texas were deeply committed to the goals and ideals embodied in the United States Constitution, and, on June 16, 1845, the Congress of the Republic of Texas was convened by President Anson Jones to consider the proposal of statehood;

Whereas Texas took advantage of the offer, choosing to unite with a large and prosperous Nation that could more effectively defend the borders of Texas and expand its flourishing trade with European countries; by October 1845, the Congress of the Republic of Texas had approved a State constitution, charting a bold new destiny for the Lone Star State;

Whereas the proposed State constitution was sent to Washington, D.C., and on December 29, 1845, the United States of America formally welcomed Texas as a new State; the transfer of governmental authority, however, was not complete until February 19, 1846, when Anson Jones lowered the flag that

had flown above the Capitol for nearly 10 years and stepped down from his position as president of the Republic of Texas; and

Whereas with the poignant retirement of the flag of the Republic, Texas emerged as a blazing Lone Star in America's firmament, taking its place as the 28th State admitted into the Union: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) commemorate the sesquicentennial of Texas statehood; and

(2) encourage all Texans to observe such day with appropriate ceremonies and activities on this historic occasion. The Secretary of the Senate shall transmit a copy of this resolution to the Texas Congressional Delegation, to the Governor of Texas, to the National Archives, and to the Texas Archives.

VA HEALTH CARE DELIVERY ACT

Mr. LOTT. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2353, a bill to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes.

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. 2353) entitled "An Act to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes", with the following amendments:

In lieu of the matter inserted by said amendment, insert:

TITLE I—EXTENSIONS OF AUTHORITY

SEC. 101. EXTENSION OF AUTHORITIES UNDER TITLE 38, UNITED STATES CODE.

(a) *AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.*—(1) Section 1710(e)(3) of title 38, United States Code, is amended by striking out "after June 30, 1995," and all that follows through "December 31, 1995" and inserting in lieu thereof "after December 31, 1996".

(2) Section 1712(a)(1)(D) of such title is amended by striking out "December 31, 1995," and inserting in lieu thereof "December 31, 1996".

(b) *DRUG AND ALCOHOL ABUSE AND DEPENDENCE.*—Section 1720A(e) of such title is amended by striking out "December 31, 1995" and inserting in lieu thereof "December 31, 1997".

(c) *PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.*—Section 1720C(a) of such title is amended by striking out "September 30, 1995," and inserting in lieu thereof "December 31, 1997".

(d) *NEGOTIATED INTEREST RATES.*—Section 3703(c)(4) of such title is amended by striking out subparagraph (D).

(e) *MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.*—Section 3710(d) of such title is amended by striking out paragraph (7).

(f) *ENHANCED LOAN ASSET SALE AUTHORITY.*—Section 3720(h)(2) of such title is amended by striking out "December 31, 1995" and inserting in lieu thereof "December 31, 1996".

(g) *AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.*—Section 3731(f) of such title is amended by striking out paragraph (3).

(h) *AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.*—Section 3735(c) of such title is amended by striking out "December 31, 1995" and inserting in lieu thereof "December 31, 1997".

(i) *USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.*—Section 7451(d)(3)(C)(iii) of such title is amended by striking out "April 1, 1995" and inserting in lieu thereof "January 1, 1998".

(j) *HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.*—Section 7618 of such title is amended by striking out "December 31, 1995" and inserting in lieu thereof "December 31, 1997".

(k) *ENHANCED-USE LEASES OF REAL PROPERTY.*—Section 8169 of such title is amended by striking out "December 31, 1995" and inserting in lieu thereof "December 31, 1997".

SEC. 102. EXTENSION OF AUTHORITIES UNDER OTHER PROVISIONS OF LAW.

(a) *AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.*—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out "September 30, 1995" and inserting in lieu thereof "December 31, 1997".

(b) *DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.*—Section 7(a) of Public Law 102-54 (38 U.S.C. 1718 note) is amended by striking out "fiscal years 1991 through 1995" and inserting in lieu thereof "the period beginning on October 1, 1991, and ending on December 31, 1997".

(c) *SERVICES AND ASSISTANCE TO HOMELESS VETERANS.*—The Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102-590; 38 U.S.C. 7721 note) is amended—

(1) in section 2, by striking out "September 30, 1995," and inserting in lieu thereof "September 30, 1997";

(2) in section 3(a)—
(A) by inserting "(1)" before "Subject to";
(B) by striking out "fiscal years 1993, 1994, and 1995"; and

(C) by adding at the end the following new paragraph:

"(2) The authority of the Secretary to make grants under this section expires on September 30, 1997.";

(3) in section 12, by striking out "each of the fiscal years 1993, 1994, and 1995" and inserting in lieu thereof "each of fiscal years 1993 through 1997".

(d) *HOMELESS VETERANS' REINTEGRATION PROJECTS.*—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

"(D) \$10,000,000 for fiscal year 1996.".

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out "October 1, 1995" and inserting in lieu thereof "December 31, 1997".

SEC. 103. RATIFICATION OF ACTIONS TAKEN DURING PERIOD OF EXPIRED AUTHORITY.

Any action taken by the Secretary of Veterans Affairs before the date of the enactment of this Act under a provision of law amended by this title that was taken during the period beginning on the date on which the authority of the Secretary under that provision of law expired and ending on the date of the enactment of this Act shall be considered to have the same force and effect as if the amendment to that provision of law made by this title had been in effect at the time of that action.

TITLE II—OTHER PROVISIONS

SEC. 201. CODIFICATION OF HOUSING REPORTING REQUIREMENTS AND CHANGES IN THEIR FREQUENCY.

(a) *CODIFICATION OF HOUSING RELATED REPORTING REQUIREMENTS.*—(1) Chapter 37 of title 38, United States Code, is amended by adding after section 3735 the following new section:

"§3736. Reporting requirements

"The annual report required by section 529 of this title shall include a discussion of the activities under this chapter. Beginning with the report submitted at the close of fiscal year 1996, and every second year thereafter, this discussion shall include information regarding the following:

"(1) Loans made to veterans whose only qualifying service was in the Selected Reserve.

"(2) Interest rates and discount points which were negotiated between the lender and the veteran pursuant to section 3703(c)(4)(A)(i) of this title.

"(3) The determination of reasonable value by lenders pursuant to section 3731(f) of this title.

"(4) Loans that include funds for energy efficiency improvements pursuant to section 3710(a)(10) of this title.

"(5) Direct loans to Native American veterans made pursuant to subchapter V of this chapter."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3735 the following new item:

"3736. Reporting requirements."

(b) **REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.**—The Veterans Home Loan Program Amendments of 1992 (Public Law 102-547; 106 Stat. 3633) is amended by striking out sections 2(c), 3(b), 8(d), 9(c), and 10(b).

SEC. 202. OTHER REPORT REQUIREMENTS.

(a) **REPORT ON CONSOLIDATION OF CERTAIN PROGRAMS.**—The Secretary of Veterans Affairs shall submit to Congress, not later than March 1, 1997, a report on the advantages and disadvantages of consolidating into one program the following three programs:

(1) The alcohol and drug abuse contract care program under section 1720A of title 38, United States Code.

(2) The program to provide community-based residential care to homeless chronically mentally ill veterans under section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note).

(3) The demonstration program under section 7 of Public Law 102-54 (38 U.S.C. 1718 note).

(b) **HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.**—(1) The Secretary shall submit to Congress, not later than March 31, 1997, a report setting forth the results of a study evaluating the operation of the health professional scholarship program under subchapter II of chapter 76 of title 38, United States Code. The study shall evaluate the efficacy of the program with respect to recruitment and retention of health care personnel for the Department of Veterans Affairs and shall compare the costs and benefits of the program with the costs and benefits of alternative methods of ensuring adequate recruitment and retention of such personnel.

(2) The Secretary shall carry out the study under this paragraph through a private contractor. The report under paragraph (1) shall include the report of the contractor and the comments, if any, of the Secretary on that report.

(c) **ENHANCED USE LEASES.**—The Secretary shall submit to Congress, not later than March 31, 1997, a report evaluating the operation of the program under subchapter V of chapter 81 of title 38, United States Code.

SEC. 203. CONTRACTS FOR UTILITIES, AUDIE L. MURPHY MEMORIAL HOSPITAL.

(a) **AUTHORITY TO CONTRACT.**—Subject to subsection (b), the Secretary of Veterans Affairs may enter into contracts for the provision of utilities (including steam and chilled water) to the Audie L. Murphy Memorial Hospital in San Antonio, Texas. Each such contract may—

(1) be for a period not to exceed 35 years;

(2) provide for the construction and operation of a production facility on or near property under the jurisdiction of the Secretary;

(3) require capital contributions by the parties involved for the construction of such a facility, such contribution to be in the form of cash, equipment, or other in-kind contribution; and

(4) provide for a predetermined formula to compute the cost of providing such utilities to the parties for the duration of the contract.

(b) **FUNDS.**—A contract may be entered into under subsection (a) only to the extent as provided for in advance in appropriations Acts.

(c) **ADDITIONAL TERMS.**—The Secretary may include in a contract under subsection (a) such additional provisions as the Secretary considers necessary to secure the provision of utilities and to protect the interests of the United States.

In lieu of the Senate amendment to the title of the bill, amend the title so as to read: "An Act to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, to require certain reports from the Secretary of Veterans Affairs, and for other purposes."

Mr. SIMPSON. Mr. President, I am pleased to rise to comment briefly today, as chairman of the Veterans' Affairs Committee, on an important and, I think, noncontroversial piece of legislation to extend the effective dates of certain legal authorities under which the Department of Veterans Affairs [VA] operates.

The extension of each, and all, of legal authorities which are before the Senate today has previously been approved by the Senate. Specifically, this body approved the extension of each of these provisions on January 5, 1996, when it approved S.991, as amended. The Senate then substituted the text of S. 991, as so approved, into H.R. 2353, and sent that legislation back to the other body. We anticipated at that time that the House would approve these noncontroversial provisions—and, indeed, the House has approved them. The House, however, has made certain additional amendments to the Senate-passed bill which necessitate further consideration of the bill by this body.

To summarize, this is what the House has done to change the Senate-approved bill: first, it made permanent certain authorities pertaining to VA's home loan program that the Senate would have extended, on an interim basis, for 2 years only; second, it extended the maximum allowable time-frame for which VA may enter into a particular lease transaction in order to facilitate the construction of a power plant on the grounds of the VA Medical Center in San Antonio, TX; and, third, with respect to certain programs being extended by the Senate-approved bill, the House amendments would either modify existing reporting requirements or, in three instances, impose new reporting requirements on VA, in order that the Congress might be in a better position in the future to decide whether to extend these provisions again.

Mr. President, these amendments are not objectionable. I will only comment at more length on one of them: the House amendment to make permanent VA's authority to guarantee home mortgage loans with interest rates set by the marketplace—instead of by VA officials. I heartily support this amendment.

Three years ago, the Congress enacted legislation to authorize VA, for the first time, to guarantee home mortgage loans having interest rates set by the marketplace. Before 1992, the maximum allowable interest rate that a veteran could be charged on a

VA-guaranteed home loan was set by the VA. As I explained in my floor statement on January 5, 1996, this attempt to "protect" veterans caused market disruptions and did not result in any real benefit to veteran home purchasers. In cases where the VA-set "ceiling" rate was set too low, home sellers typically upped the price of the house to be sold or, worse, they refused to deal with veteran-purchasers.

When the Senate approved an extension in VA's authority to guarantee loans with market-set interest rates on January 5, I said that the Committee would be holding hearings on this issue with an eye toward making this legal authority permanent. The committee's membership, and our colleagues in the other body, however, are willing to make this authority permanent now. I certainly have no objection to proceeding now to "let" the marketplace—rather than VA bureaucrats—set mortgage interest rates; I never thought it made sense in the first place to put a "sunset" date in the provision which allows reliance on the marketplace. Therefore, I support the House amendment, and I am pleased to be able to make permanent the home loan authorities enacted in 1992.

The other House modifications require less explanation. One would extend the maximum term for which a VA Medical Center, in San Antonio, TX, could lease its land in order to facilitate the construction by the local utility of a power plant on VA grounds from which VA could buy inexpensive power. This transaction—at least at this particular medical center—clearly appears to make sense. The other amendments would ease VA reporting burdens—a concept that I certainly support—and, in three instances, add new reporting requirements. While I am less than enthusiastic about layering yet more statutory reporting requirements on VA, perhaps these reports will be useful. In any case, I do not intend to delay this overdue legislation further by objecting to these reporting requirements.

Otherwise, Mr. President, the bill contains no significant modification relative to the bill already approved by the Senate. As explained in greater length in my floor statement of January 5, 1996, the bill will extend VA authority to grant to so-called "environmental veterans"—those who were exposed to ionizing radiation during service; those who served in the Republic of Vietnam and who are, therefore, "presumed" to have been exposed to dioxin; and those who served in the Persian Gulf War and who may have possibly been exposed to some presently unknown toxic substances or other environmental hazards—to priority access to VA hospital care services. That authority will be extended through this year, during which the committee intends to examine closely an entire range of issues associated with VA's standards for eligibility for health care services.

It would also extend VA's legal authority to contract for drug and alcohol abuse treatment services. It would extend a number of legal authorities under which VA either itself provides, or contracts for others to provide, health care and other services to homeless veterans. It would extend VA's current pilot program on noninstitutional alternatives to nursing home care. It would also extend: VA's Health Professional Scholarship Program; VA's authority to use local pay surveys to determine the appropriate level of locality pay for VA nurse anesthetists; and VA's authority to enter into certain property leasing transactions. It would extend—and make permanent—previously enacted home loan authorities including: VA's authority to guarantee home loans having market-set interest rates; VA's authority to guarantee "energy efficient" mortgages; and VA's authority to allow lenders access to appraisals on the properties they finance. Finally, it would extend VA's "enhanced loan asset sale authority," an authority which facilitates the marketing of instruments by which sales of foreclosed VA-owned properties are financed.

As I have noted, Mr. President, these provisions have previously been approved by the Senate, and there was no previous controversy with respect to any of them. The changes made by the other body are not objectionable to me. Nor have any other members of the Veterans' Affairs Committee raised objection. Accordingly, I urge my colleagues to approve these measures, as amended by the other body, in order that we might put into place now-expired VA legal conditions without further delay.

Mr. President, I appreciate the time that has been afforded me and I yield back the remainder of my time.

Mr. ROCKEFELLER. Mr. President, as the ranking minority member of the Committee on Veterans' Affairs, I urge the Senate to give its unanimous support to the pending measure, H.R. 2353. This legislation is the final compromise on legislation reported by the Committee on Veterans' Affairs on September 20, 1995, and originally passed by the Senate on January 5, 1996. The debate on the original Senate passage begins on page S102 of the RECORD for January 5. The House passed this compromise on January 25, 1996.

This legislation would extend a variety of veterans programs and authorities that have expired. The proposed extensions are relatively short-term ones—1 or 2 years—to ensure that the program or authority remains in place while the committee takes the opportunity to review the various issues in more detail.

Mr. President, I regret the delay in the final action on this legislation—first in the Senate, and now at final passage, when the House, rather than passing the bill as passed by the Senate, returned it to us after a delay so

that certain very minor provisions—which I will describe in a moment—could be added to this measure. This is a simple extender bill, and it should have been passed months ago. We should not be in the situation of allowing Government benefits and programs to expire. We must do better.

Mr. President, there is no objection as far as I know to any of the provisions in the bill as it comes before the Senate today. I urge its swift enactment so that it can reach the President as soon as possible for his signature.

SUMMARY OF PROVISIONS

Mr. President, the bill as amended by the House and now pending in the Senate contains 20 substantive provisions—15 of which provide for the extension of programs and authorities—the vast majority of which are the same as the Senate-passed provisions—and five provisions added by the House, four of which require reports from VA and one relating to the furnishing of utilities at a VA medical center.

I will first describe briefly the provisions which extend programs and authorities, noting any changes from the provisions as passed by the Senate on January 5. I will then briefly describe the provisions added by the House.

The provisions which would provide for extensions of programs and authorities would:

First, extend until December 31, 1996, the special eligibility for VA inpatient care which is accorded to certain veterans—those exposed to ionizing radiation from nuclear weapons tests or the occupation of Japan following World War II; Vietnam veterans exposed to herbicides during their service; and Persian Gulf war veterans exposed to environmental hazards during their service. Any care furnished to veterans exposed to radiation or herbicides pursuant to this authority between its expiration on June 30, 1995, and the date of enactment of this measure, would be ratified.

Second, extend until December 31, 1996, the special eligibility for VA outpatient care accorded to Persian Gulf war veterans.

Third, extend until December 31, 1997, VA's authority to contract for community-based drug and alcohol care.

Fourth, extend until December 31, 1997, VA's pilot program of noninstitutional alternatives to nursing home care.

Fifth, make permanent VA's authority to guarantee loans which bear an interest rate negotiated between the veteran and the lender. The Senate-passed bill would have extended this authority for 2 years.

Sixth, make permanent VA's authority to guarantee loans that include costs related to making energy efficiency improvements to the dwelling that is the object of the loan. The Senate-passed bill would have extended this authority for 2 years.

Seventh, extend until December 31, 1996, VA's enhanced loan asset sale authority pursuant to which VA guaran-

tees the timely payment of principal and interest to purchasers of real estate mortgage investment conduits.

Eighth, make permanent VA's authority to permit a lender who is authorized to make loans which are automatically guaranteed to review appraisals. The Senate-passed bill would have extended this authority for 2 years.

Ninth, extend until December 31, 1997, VA's authority to enter into agreements with nonprofit organizations and State and local governments whereby such entities acquire real property, or the use of such property, from VA in order to furnish services to homeless veterans.

Tenth, extend until December 31, 1997, VA's authority to use data on compensation paid to nurse anesthetists who work on a contract basis for non-VA entities in determining appropriate locality pay for nurse anesthetists who work for VA.

Eleventh, extend until December 31, 1997, VA's Health Professional Scholarship Program.

Twelfth, extend until December 31, 1997, VA's authority to enter into enhanced-use leases with non-VA entities.

Thirteenth, extend until December 31, 1997, VA's program of community-based residential care for homeless chronically mentally ill veterans.

Fourteenth, extend until December 31, 1997, VA's authority to carry out a demonstration program of compensated work therapy and therapeutic transitional housing.

Fifteenth, extend until September 30, 1997, VA's authority to make grants to entities for the purpose of furnishing services and assistance to homeless veterans.

Sixteenth, extend until September 30, 1997, the Department of Labor's homeless veterans' reintegration projects and authorize appropriation of \$10 million for this program.

Mr. President, as I noted, the House added five provisions to the bill as passed by the Senate. Four of these provision would relate to reports from VA—on housing programs; on the desirability of consolidating certain community-based programs; on the efficacy of VA's Health Professional Scholarship Program; and on the operation of VA's enhanced-use lease programs. The fifth provision authorizes VA to enter into contracts of up to 35 years' duration for the provision of utilities at the San Antonio VA medical center.

Without getting into the merits of any of these provisions—beyond wondering, in this time of budgetary constraints, about the costs associated with generating the various reports—I must express my inability to understand why they were seen as so important at this time as to necessitate delaying the extender provisions.

CONCLUSION

Mr. President, the principal point of this legislation is to extend a number

of important VA authorities and programs, and I urge all of my Senate colleagues to support it. As I noted at the outset, our consideration of this bill was delayed, first in the Senate because of unrelated concerns, and more recently, by the House, over the inclusion of the report provisions. It is vital that we act as quickly as possible to reauthorize the various programs and authorities.

Mr. President, I express my appreciation to the majority staff of the committee, particularly Bill Tuerk, for their work on this legislation.

Mr. President, I urge the Senate to give its unanimous approval to this measure.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate concur with the amendments of the House to the Senate amendments, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar nomination No. 454.

I further ask unanimous consent that the nomination be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to this nomination appear at the appropriate place in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

So the nomination was considered and confirmed, as follows:

NAVY

The following named officer for reappointment to the grade of Admiral in the U.S. Navy while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Joseph W. Prueher, 000-00-0000.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, we do have a unanimous-consent request that I think we have worked out with the leadership on both sides of the aisle with the regard to the agriculture legislation. We are prepared momentarily to enter that unanimous-consent request and to conclude for the day. Right now, we want to put in a quorum call until the other leader is able to get to the floor. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

UNANIMOUS-CONSENT AGREEMENT—S. 1541

Mr. LOTT. Mr. President, I have a unanimous-consent agreement now that has been reviewed and agreed to by the distinguished minority leader. I will proceed with their concurrence.

I ask unanimous consent that it be in order for the majority leader, or his designee, during the session of the Senate on Wednesday, January 31, to turn to the consideration of calendar No. 330, S. 1541, the farm bill, and once a cloture motion has been filed on the bill on Wednesday, that the cloture vote occur on Thursday, February 1, notwithstanding the provisions of rule XXII, at a time to be determined by the majority leader, after consultation with the Democratic leader, and that the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I further ask unanimous consent that, during the session of the Senate on Wednesday, January 31, it be in order for Senator DORGAN to offer an amendment to S. 1541, and once that amendment has been offered and a cloture motion has been filed, the cloture vote also occur on Thursday, February 1, at a time to be determined by the majority leader, after consultation with the Democratic leader, notwithstanding rule XXII, and that the mandatory quorum under rule XXII be waived.

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

Mr. LOTT. I further ask that if Senator LEAHY or designee offers an amendment following the offering of the Dorgan amendment to S. 1541 and cloture is filed on that amendment, the same terms as provided above apply, with that cloture vote occurring in sequence following the cloture vote on S. 1541.

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

Mr. LOTT. Finally, I ask unanimous consent that during the pendency of S. 1541, the farm bill, it be in order for the majority leader, after concurrence with the Democratic leader, to modify the text of S. 1541.

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

ORDERS FOR WEDNESDAY, JANUARY 31, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 11 a.m., Wednesday, January 31; further, that immediately following the prayer, the Journal of the proceedings be deemed approved to date, no resolutions come over under the rule, the call

of the calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and that there then be a period for morning business until the hour of 1 p.m., with the time equally divided between the two parties, and the time consumed in quorum calls during the morning business period be equally divided.

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

ORDERS FOR THURSDAY, FEBRUARY 1, 1996

Mr. LOTT. Mr. President, I further ask unanimous consent that when the Senate adjourns on Wednesday, it stand in adjournment until 10:30 a.m. on Thursday, February 1, that following the prayer, the Journal of the proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate immediately then proceed to the consideration of S. 1541, the farm bill, until the hour of 11:25 a.m., with the debate time equally divided between the two managers, and further that the Senate stand in recess until 12:45 p.m. for the joint meeting; further, that at 12:45 p.m., the Senate will resume consideration of the farm bill, with the time between 12:45 p.m. and 1:30 p.m. equally divided between the two managers. I further ask unanimous consent that pursuant to the earlier agreement the cloture vote on the Dorgan amendment occur at 1:30 p.m., to be followed by a cloture vote on S. 1541.

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

PROGRAM

Mr. LOTT. Mr. President, the Senate will reconvene on Wednesday for a period of morning business and then begin debate on the farm bill. Rollcall votes are not expected during Wednesday's session. The Senate will then adjourn over until Thursday.

On Thursday, at 11:45 a.m., there will be a joint meeting of both Houses to hear an address by the President of France, President Chirac. Members should be in the Senate Chamber at approximately 11:25 a.m. in order to proceed to the House of Representatives. Following that address, the Senate will then debate and conduct a cloture vote on the Dorgan amendment, as well as the farm bill itself. Also, the Senate could turn to any items that can be cleared for action. All Senators should be aware that rollcall votes are expected throughout Thursday's session.

APPOINTMENT BY THE VICE
PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with Public Law 81-754, as amended by Public Law 93-536 and Public Law 100-365, appoints the Senator from Oregon [Mr. HATFIELD] to the National Historical Publications and Records Commission.

APPOINTMENT BY THE MAJORITY
LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Republican

leader, pursuant to Public Law 103-227, appoints the Senator from Vermont [Mr. JEFFORDS] as a member of the National Education Goals Panel, vice the Senator from New Hampshire [Mr. GREGG].

ADJOURNMENT UNTIL 11 A.M.
TOMORROW

Mr. LOTT. Mr. President, if there be no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:16 p.m., adjourned until Wednesday, January 31, 1996, at 11 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 30, 1996:

NAVY

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL IN THE U.S. NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be admiral

ADM. JOSEPH W. PRUEHER, 000-00-0000.