

Legislative accomplishments: Accomplishments, by Congress: 100th Congress

Daniel K. Inouye Papers

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100th misc.

MEMORANDUM

TO: SENATOR November 28, 1988

FROM: Dan

RE: Your accomplishments during the 100th Congress:
Telecommunications; Trade; State Department

TELECOMMUNICATIONS:

Bills Passed:

S. 212, Dial-a-Porn Control Act, as part of PL 100-297
S. 314 (as HR 2213), Hearing Aid Compatability Act, PL 100-394
S. 2221 (as HR 4992), TDD Accessibility Act, PL 100-542
S. 828 (as HR 2472), NTIA Reauthorization Act, PL 100-584
S. 1048, FCC Reauthorization Act, PL 100-594
S. 2114 (as HR 4118), CPB Reauthorization Act, PL 100-626
S. 1883 contained HR 2848, the Superstation Copyright/ Satellite Viewing Act, PL 100-667
HR 2763 and HR 4782, Appropriations bills for S-J-C, FY88 & FY89 promoted minority ownership restricted newspaper-broadcast crossownership banned VHF-UHF swaps the S-J-C bill for FY89 [PL 100-459] also contained a Helms amendment banning obscene language 24 hours/day.
S. 742, Fairness Doctrine Bill [vetoed]
HR 3966, Children's Television Act [vetoed]

Hearings Held, Communications Subcommittee, 1987-88:

2-26-87: International Telecommunications, Part I
3-18-87: S. 742, Fairness Doctrine
3-26-87: S. 828, NTIA Reauthorization
4-21-87: S. 1048, FCC Reauthorization
5-15-87: S. 506, Gore's Digital Audio Taping bill
5-18-87: 5 Nominations to the CPB Board
7-17-87: S. 1277, Broadcast bill, Part I
7-20-87: S. 1277, Broadcast Bill, Part II
7-31-87: Gore's Satellite Television Fair Marketing bill
11-12-87: 20th anniversary of Public Broadcasting: oversight
12-10-87: Modified Final Judgement, Part I
12-11-87: Modified Final Judgement, Part II
1-27-88: Rural Cellular Telephone licensing (non-wireline)
3-15-88: S. 2114, CPB reauthorization
3-31-88: S. 314, Pressler's Hearing Aid Compatibility bill
4-19-88: International Telecommunications, Part II
4-27-88: S. 1935, the Communications Transfer Fee bill
6-23-88: S. 2221, McCain's TDD bill
7-14-88: MFJ Part III: Open Network Architecture; one nomination to the CPB Board
8-2-88: S. 2044, Kerry Price Cap bill
9-15-88: McConnell Campaign Cost Reduction bill; one nomination to COMSAT's Board

Licenses:

You helped obtain permits for the following stations, after their applications bogged down at the FCC:

KDEO-FM, Country western; Oahu: went on the air last week (November 23rd).

KFVE-TV, Channel 5, Honolulu: went on the air 12-1987.

Hawaii Monitoring Station:

An Inouye amendment to the FCC reauthorization bill for FY88 and FY89, PL 100-594, authorizes the FCC to move its monitoring station in the State of Hawaii by selling its current site at Waipahu and acquiring a new site elsewhere in the state.

PEACESAT:

An Inouye amendment to the NTIA reauthorization bill, PL 100-584, gives the PEACESAT program Congressional authorization (\$1.7 million for each of FY 88 and FY89) for the first time in the program's 17 year history.

You secured \$1.7 million for PEACESAT in FY 1988 and \$200,000 in FY 1989, with a written commitment from the conferees to appropriate the balance, \$1.5 million, in FY 1990, or when needed.

Satellite Scrambling:

Inouye motion to table Senator Gore's satellite television fair marketing amendment to the drug bill succeeded on October 7, 1988, by a vote of 43-36.

DKI price cap letter to FCC Commissioners/ CSEPA Speech:

Because of strong statements by you, Cong. Dingell, Cong. Markey, and others, the FCC has slowed down its headlong rush to implement price caps this fall. Given Hill concerns, internal differences among the 3 FCC commissioners, and questions about the legality of price caps, the Commission cancelled its December 2nd meeting, at which Patrick intended to push for their adoption. Instead, the Commission may wait until January and adopt a price cap plan for AT&T only, with further notice for the local exchange carriers on such issues as profit sharing.

FISR Negotiations

After a year of gentle prodding by you, the networks and Hollywood have finally started earnest negotiations to resolve questions about the financial interest and syndication rule, which limits the ability of networks to produce their own programming and prohibits them from having syndication rights.

National Public Radio Report Language:

At your request, the State-Justice-Commerce Appropriations Act for FY 1989 (PL 100-459) contained report language which "requests that the Commission give serious consideration to modification of the NCE-FM translator rule..." whereby religious broadcasters were using FM translators to become superstations.

FOREIGN TRADE ZONES

Inouye Foreign Trade Zone amendment:

The Tax Technical Corrections Act, PL 100-647, contains an Inouye amendment allowing the Customs Service to promulgate streamlined accounting rules for refineries operating in foreign trade zones, such as HIRI's Ewa plant. You introduced the amendment on behalf of the State of Hawaii, PRI, Chevron, several refineries in Texas, and the National Association of Foreign-Trade Zones.

Extension of Hawaii's Foreign-Trade Zone No. 9:

After numerous inquiries by you, the Department of Commerce finally approved the extension of Hawaii's Foreign-Trade Zone Number 9 to Mililani Technology Park on 11-16-88.

Chevron's application for special foreign-trade subzone status at its Ewa refinery is still pending, with a final decision due later this year.

STATE-JUSTICE-COMMERCE FOR FY88 & FY89

East-West Center:

The State-Justice-Commerce Appropriations Bill for FY 1989 (PL 100-459) contains an Inouye amendment raising the pay cap for East-West Center salaries from \$72,500 (GS-16 step V) to \$86,682 (GS-18).

You secured \$20 million in appropriations for the Center in both FY 1988 (PL 100-202) and 1989 (PL 100-459).

USTTA:

Despite Reagan's initial requests for \$0, the USTTA received:

\$11.724 million in FY 1988
\$13.8 million in FY 1989

S. Res. 260, the Kassebaum-Inouye Committee reform resolution:

The Rules Committee held hearings on this resolution May 17, 1988.

COMMUNICATIONS ISSUES FOR THE 101st CONGRESS:

Price Caps

Must Carry

Fairness Doctrine

Children's TV (Reagan pocket-vetoed the bill from the
100th Congress right before the election)

Cable:

media concentration and market power

cross-ownership

-by telephone companies

-by networks

Satellite Scrambling

"Free the BOCS" legislation

Two vacancies at the FCC, with two additional openings
possible if Dennis and Patrick leave in 1989.

COMSAT: the subcommittee will release its year and a
half long study of the COMSAT Act this December
and will look at possible legislation next year.

The impact of de-pooling on national rate averaging

SUMMARY OF LEGISLATION INTRODUCED:

Bills authored:	124
Bills cosponsored:	537
Amendments authored:	43
Amendments cosponsored:	44



100th 1st session

M E M O R A N D U M

TO: SENATOR

DATE: January 6, 1988

FROM: PHYLISS

RE: End of Year Wrap Up

OCEAN ISSUES (Margaret):

You obtained approximately \$4,325,000 million for ocean related projects in Hawaii as follows:

--\$500,000 for development of a Hawaii fisheries stock management plan;

--\$400,000 for development of plans to increase exports of mahimahi;

--\$325,000 to continue scientific efforts to save the endangered Hawaiian monk seal;

--\$2 million for the Hawaii Undersea Research Laboratory at Makapuu to conduct scientific research including environmental surveys in connection with possible ocean seabed mining off Hawaii, Guam and the Northern Marianas Islands;

--\$800,000 for a joint University of Hawaii-University of Alaska study of Arctic larval fish and shellfish, and their links to Pacific marine life;

--\$300,000 to sponsor an exchange of scientists from Southeast Asia, who are specialists in cultivating salt-water seafood species, with Hawaii aquaculture researchers;

PEACESAT (Margaret):

Through your efforts, Congress appropriated \$1.7 million to reactivate the PEACESAT health and education satellite network for the South Pacific.

TRANSPORTATION (Margaret):

Through your efforts, the Airport and Airways Improvement Act included two provisions dealing with the expansion of Honolulu International Airport. The first provision qualifies the State of Hawaii for reimbursement by the FAA for GSA property purchased for airport use. The second provision releases airport use conditions on State airport

property as part of a 10 acre land exchange with the United States Postal Service.

At the request of the Air Transport Association, you introduced S. 1159, to establish a National Aviation Authority as an independent user-fee supported government corporation to operate, maintain and enhance an efficient and responsive national system for airways management and air traffic control. You also cosponsored Senator Ford's legislation, S. 1600, to establish an independent FAA. Senator Ford held hearings on S. 1600, which included discussions of your legislation.

MEDICAL MALPRACTICE (Margaret):

You introduced S. 155, a bill to limit the costs resulting from acts of negligence in health care and to improve the level of health care services in the United States. In addition, you were an original cosponsor of S. 1315, a bill to provide for federal incentive grants to encourage state health care professional liability reform, along with Senators Hatch and Hecht.

BUDGET (Margaret):

You were an original cosponsor of S. 1362, the Fiscal Procedures Reform Act of 1987, along with Senator Kassebaum. Among other things, this bill seeks to abolish the budget committee, adopt a two year budget cycle, abolish the statutory debt limit, and repeal Gramm-Rudman-Hollings.

In addition, you and Senator Kassebaum introduced S.Res. 260, the Senate Committee and Procedural Reform Resolution. Generally, S.Res. 260 seeks to use the structure of existing authorizing committees to establish policy, and "program" committees to authorize and appropriate funds, and establish a bipartisan leadership committee to set deficit targets and budget allocations.

IRRADIATION FACILITY/BIG ISLAND (Phyliss):

You were successful in obtaining the necessary funds for the construction of the irradiation facility on the Big Island, to process agricultural produce, under a \$5 million fund established for Hawaii and four other states.

AGRICULTURE (Jennifer):
Appropriations

\$850,000 for establishment of an aquacultural facility by the Oceanic Institute.

\$500,000 for a tri-fly eradication pilot experiment on Kauai by the federal government.

\$400,000 for development of plans to increase exports of mahimahi.

\$435,000 to assist scientific research by the Hawaiian sugar cane industry into increased crop yields and productivity.

\$156,000 for research into diversified agricultural development for rural Hawaii areas.

\$285,000 for scientific research and development of post-harvest treatment of Hawaii produce, as alternatives to the banned pesticide EDB.

\$240,000 for research into controlling crop damage caused by rats.

\$152,000 for Hawaii research into multi-crop aquacultural development.

Establishment of an agriculture development center for the Pacific Islands at the University of Hawaii College of Tropical Agriculture. The bill provides \$650,000 for the center.

\$300,000 to sponsor an exchange of scientists from Southeast Asia, who are specialists in cultivating salt-water seafood species, with Hawaii aquaculture researchers.

DEFENSE (Frank):

U.S. NAVY, PEARL HARBOR

- Fleet Intelligence Center Pacific additions to the command/control/intelligence building, \$13 million;
- Navy Public Works Center electrical distribution system improvements, \$11.2 million;
- Naval Submarine Base torpedo shop addition, \$7.18 million;
- Naval Supply Center diesel fuel purification plant, \$2.9 million; Warehouse fire protection, \$1.13 million;
- Naval station facility energy improvements, \$430,000.

U.S. ARMY

- Pohakuloa Military Reservation (Island of Hawaii) multi-purpose training range, \$20 million;
- Aliamanu Military Reservation chapel and religious education building, \$5 million.

--Schofield Barracks

- Cold/dry storage warehouse, \$8.3 million;
- Operations facility, \$5.6 million;
- Child development center to replace current 45-year-old buildings, \$4.95 million.

KANEOHE MARINE CORPS AIR STATION

- Construction of bachelor enlisted quarters, \$14 million;

--Electrical distribution system improvements, \$9.3 million;
--Combat vehicle maintenance shop, \$6.38 million.
--Hangar corrosion control, \$5.47 million.

LUALUALEI NAVAL MAGAZINE missile component re-work building,
\$4.23 million; Security improvements, \$1 million.

U.S. AIR FORCE

--Kaena Point alternate energy power plant, \$3.4 million;
--Hickam Air Force Base reconnaissance photo lab, \$900,000.

ARMY NATIONAL GUARD

--Construction of 100-person armory at Hanapepe (Kauai),
\$1.7 million;
--Construction of 600-yard firing range at Ukumehame (Maui),
\$559,000.

FAMILY HOUSING, U.S. ARMY

--Helemano, additional 200 units, \$21 million;
--Schofield Barracks, 100 units, \$11.2 million;
--Pearl City area, 60 units, \$6.7 million.

In addition, the bill withholds funds for the proposed transfer of a Barbers Point Naval Air Station squadron to Oklahoma's Tinker Air Force Base until the U.S. Navy justifies the move on economic and military strategic grounds. The aircraft squadron, currently using EC-130 aircraft, provides emergency communications with ballistic missile submarines in the Pacific. The move was approved in the House version of the bill but was opposed by Senator Inouye and other Senators.

Ft. DeRUSSY (Frank):

The Army will submit it's report to Congress on this matter by March 1st.

INTERIOR (Phyliss):
Appropriations

\$4 million to acquire land on the Island of Hawaii to preserve the habitat of Hawaiian forest birds at the Kilauea-Keauhou Wildlife Refuge.

\$1.7 million to expand the Kilauea Point Wildlife Refuge on Kauai by purchasing Mokolea Point.

\$500,000 for expansion of the Haleakala National Park on Maui.

An increase of \$500,000 in the operations budget for Hawaii's wildlife refuges, part of which will fund 24-hour operations of the Tern Island wildlife station.

\$250,000 for the Volcanoes National Park for pig control measures and various Park improvements. \$250,000 for Pig control and fencing of Haleakala National Park.

\$100,000 for research by the U.S. Fish and Wildlife Service into methods of controlling the infestation on Guam of brown tree snakes, and keeping them out of Hawaii.

ENERGY (Phyliss):
Appropriations

\$4.77 million for continued research and development of a test prototype deep water energy cable.

\$3.5 million for the Ocean Thermal Energy Conversion research project conducted by PICHTR.

\$2.4 million for research into the use of hydrogen as an energy source by the Hawaii Natural Energy Institute and three Mainland research centers.

\$500,000 for biomass research by the Hawaii Natural Energy Institute.

\$100,000 for methanol research to be conducted by the Hawaii Natural Energy Institute. For FY 89 you will be attempting to increase funding for this project to enhance the use of sugar cane and work with the Sugar industry.

OCEAN MINING (Phyliss and Margaret):

A directive to the Department of Interior to establish a commission on ocean seabed mining that includes a representative of the State of Hawaii, was not successful in passing the conference. Both Senator Johnston and Congressman Yates were opposed to this. Yates spoke for about 15 minutes on the problems he had about this. Both Chairman Bird, nor Senator Johnston were in attendance on the Senate side. Margaret and I will monitor this closely for FY 89, and prepare testimony for you as well as questions to present during Interior Appropriations hearings for FY 89. Your communications with the Department of the Interior contributed to the Department's decision to reopen the comment period for the environmental impact statement on the lease sale of manganese crust adjacent to Hawaii and Johnston Island.

WATER PROJECTS (Phyliss):
Appropriations

--\$2.4 million to construct a debris basin as a part of the Kahoma Stream flood control project on Maui.

--\$300,000 for pre-construction design and engineering of the Alenaio Stream flood control project in Hilo.

--\$102,000 to complete a study of the Big Island's Keopu-Hienaloli Stream flood control project; and \$77,000 for a survey study of the Hilo Bay area.

--\$600,000 for the Sand Island small beach erosion control project; \$50,000 to continue construction of the Barbers Point Deep-Draft Harbor.

TAXES (Marie):

Although a Tax Technical Corrections bill was not adopted last year, you were instrumental in having included three amendments to the bill: 1) The Hawaii House Authority amendment which would allow leasehold condominiums to be eligible for the federal mortgage subsidy bond program. 2) The Harbor Maintenance Tax Amendment which would exempt cargo and commercial cargo shipped between Hawaii and U.S. possessions in the Pacific and vice versa from the harbor maintenance tax, and 3) your amendment which would exempt cruise ships within the state from the harbor maintenance tax.

During Senate's consideration of the Budget Reconciliation Bill, you proceeded to introduce these provisions as floor amendments. Although the amendments were withdrawn, assurances were given that it would be included in this year's Technical Corrections bill. Chairmen Bentsen and Rostenkowski are expected to consider a Corrections bill early March.

You were unsuccessful in introducing an amendment to the Continuing Resolution which would restore tax-exempt cost-differential allowances for federal employees of the judicial branch residing outside the Continental United States. For the interim, the Administrative Office of the U.S. Courts has implemented an increase in the COLAs paid to judicial branch personnel in an effort to compensate for the reduction in the employees' take-home pay. However, representatives from the U.S. Courts are still requesting your assistance in obtaining permanent relief. Senator Murkowski's staff person and I will attempt to have an amendment included in the Tax Technical Corrections Bill.

IMMIGRATION (Marie):

The Justice Department finally responded to your request for comments on your bill, S. 109, which would grant the naturalization to certain Filipino World War II veterans. The Department's comments were favorable and, surprisingly, have also recommended that Filipino veterans residing overseas be also included in your bill. You have written to Chairman Kennedy requesting appropriate action be taken by his Committee and are awaiting a response.

ARTS AND HUMANITIES (Marie):

The Hawaii Maritime Center is requesting your assistance and support for funding of their maritime museum. Preliminary discussion have been held between Pinky Thompson, Pat, Don Knowles (Subcommittee on Interior) and myself. Pinky, who sits on the Executive Board of the Center, will assist in this project.

SMALL BUSINESS (Marie):

The Business and Economic Development Center of the University of Hawaii-Hilo is requesting your assistance in obtaining a one-time funding (\$200,000 for a two-year period) which will be used to increase their personnel at the professional level. Dr. Youngki Hahn, Director of the Center, would like to expand their services to the neighboring islands. Dr. Hahn expects to be 75% self-sufficient after the two-year period. The Center has been unsuccessful in obtaining funds through the State legislature.

LABOR-HHS-EDUCATION APPROPRIATIONS (Pat):

Pretty much all of your initiatives were taken care of. Nursing and public health programs were funded at very close to the authorized funding level; the pediatric-EMS program received \$1.9 million; the pacific basin health programs received \$2.3 million; \$500,000 was made available for a study of the hearing loss problems of Native Hawaiians and an additional \$1 million will be released to continue the maternal and child health initiatives. \$957,000 was made available for both your new Native Hawaiian small business loan program and an additional similar amount for Department of Labor American Samoan job training projects. Sufficient funds were also included to begin funding American Samona projects, as authorized under the Office of Native American Affairs. It will be necessary to include an additional \$1 million in the FY 88 supplemental to have them become eligible for authorizations. You were also able to increase the funding for CDC prevention centers by \$415,000 and provide \$957,000 for similar centers under the Older American Act authority. You were also successful in authorizing \$10 million for the Magnuson-Smith endowments.

Next year, and for the Supplemental, it would be good to increase the level of funding for both the National Center for Nursing Research and the pediatric-EMS program. The Committee did not get to the level of funding that had been expected prior to conference.

HEALTH/DEFENSE APPROPRIATIONS (PAT):

Again, all of your health items were taken care of. PROJECT IMPRINT has been authorized to proceed and it is very likely that the Queens' Medical Center will end up with the entire CHAMPUS contract for Hawaii. The psychologists, nurses and optometrists are very happy with the various non-physician health care provider provisions. The families of children who have to be hospitalized were also protected. \$15 million was appropriated for the Department's child abuse/family violence program

Next year it will be time to follow-up further on the various non-physician provisions, possibly including having a demonstration project with psychology prescribing medications.

HEALTH-FINANCE COMMITTEE (PAT):

For the first time in quite a while, considerable progress was made on behalf of the various non-physician groups. Nurse-midwives are finally included in Medicare as autonomous providers (although at only 65% of the physician rate). The social workers are in the HMO provision, and three of your psychology provisions were accepted in conference (rural health clinic, hospital conditions of participation, and inpatient care). The Medicaid part of your nurse practitioner/ nurse clinical specialist certification floor amendment was accepted also. Further, the "nusing centers" bill which you originally sponsored several years ago will also soon become public law.

Next year it would be nice to include social work in the rural health clinic Medicare provision, include psychology in the rehabilitation provisions, and obtain more recognition for nursing,

FEDERAL EMPLOYEES HEALTH BENEFIT ACT (PAT):

You were successful in eliminating the "psychiatry referral" provision of FEHBA.

Next year it would be nice to get nurses included in the "freedom of choice" provision. Last Congress this passed, but was vetoed by the President.

OTHER AUTHORIZATION BILLS (PAT):

You were successful in providing a mandatory pay bonus for those psychologists in the U.S. Public Health Service Regular Corps who have obtained their board certification (this is the way that physicians are covered). Next year it would be nice to provide similar coverage for DoD psychologists. The Senate passed a similar DoD provision last Congress, but this year Senator Glenn was not supportive. Slow progress is being made with the VA

Committee on this issue; they passed a permissive bill several years ago but the VA has refused to implement the provision.

The Nursing reauthorization bills will be up this next session of Congress and this may be the time to get construction authority for the National Center for Nursing Research. Presently, the Cancer, Heart and Lung, and Eye Institutes have such construction authority. It should also be possible to arrange to get special pay bonuses for those DoD nurses who are in shortage specialities.

It is important to get the pediatric-EMS legislation reauthorized; the only problem has been Senator Helm's continual "holds", but this should be solvable. Various psychology "technical" provisions will also be authorized.

OTHER SUGAR ITEMS (Jennifer):

You added a sugar export program to the Foreign Operations appropriations bill which allows CBI nations and the Philippines to send 400,000 extra tons of sugar to the United States in lieu of s. 416 commodities (mostly grain) which they currently receive from the US Government. Aside from providing the Philippines approximately \$30 million in FY 1988 and the CBI nations \$85 million, it saves Hawaiian sugar producers \$4 million in shipping costs by allowing them to substitute C&H refined sugar exports on the West Coast for raw sugar imported on the East Coast. The program is designed in part to relieve political pressure on the sugar price support program, which by law must operate at no cost to the American taxpayer. This has forced sugar quotas down 75% over four years to 750,000 tons in 1988. Our trading partners have now reached the point where their loss of quota is no longer offset by the enhanced price they receive by selling their sugar in the US market, where it fetches three times the world price.

COMMUNICATIONS (Dan):

You worked with Senator Hollings and the State-Justice-Commerce Appropriations Subcommittee to incorporate language from your broadcast bill, S. 1277, into the Continuing Resolution, H.J.Res. 395. These riders to the FCC appropriations bill for FY88 prevent the Commission from:

- (1) Tampering with rules that protect minority and women's ownership of broadcast licenses;
- (2) Authorizing commercial broadcasters to swap less desirable UHF channels for more desirable VHF channels (2-13) assigned to public TV;
- (3) Changing the rules prohibiting cross-ownership of broadcast stations by newspapers;
- (4) Accepting or granting applications to construct rural cellular telephone systems until March 22, 1988, thus

giving the Communications Subcommittee time to hold hearings on RSA licenses. The hearing (tentatively set for January 27) will explore ways of allowing individuals access to cellular licenses while avoiding the recent trend to treat broadcast licenses as commodities which are sold to the highest bidder.

Your Communications Subcommittee took action on the following issues and bills:

International Trade in Telecommunications

[S. 596, the Danforth-Inouye-et al telecom trade bill, was incorporated into the Senate's Omnibus Trade Bill, which is currently in conference.]

- S. 742, The Hollings-DKI Fairness Doctrine Bill:
Passed the Senate, Passed the House, Vetoed by President Reagan and returned to the Senate Commerce Committee; still pending.
- S. 828, DKI's NTIA Reauthorization bill for FY88-89:
Adopted during mark up: Inouye PEACESAT amendment authorizing \$3.4 million over 2 years to develop an interim channel for UH's once successful (but now off the air) PEACESAT program.
- S. 1048, DKI's FCC reauthorization bill
- S. 506, Gore's Digital Audio Taping bill
- CPB Board of Directors: nominees:
Committee reported four of the five on June 4
The 5th, O'Connor, subsequently withdrew his name.
1 new nominee, Lichenstein, is pending.
- S. 1277, DKI's Broadcast Bill:
[Major components of the bill were included in the CR under the section funding the FCC; see above.]
- S. 889, Gore's Satellite Television Fair Marketing Act
Judge Greene's updated MFJ order:

The Subcommittee's review of the Satellite Communications Act of 1962, which created COMSAT, should be completed in early 1988. A notice for public comment went out last spring.

Not successful this year were attempts spearheaded by Senator Hollings to:

(1) Reinstate the Fairness Doctrine after Reagan vetoed the Hollings-Inouye Fairness Doctrine bill, S. 742, and the FCC abolished its own doctrine of 40 years. Dingell and Wright added the Fairness Doctrine to the CR on the House floor, 259-157, but it was dropped in conference after several close votes and veto threats; it was also part of the Commerce Committee's reconciliation recommendations, which were dropped from the reconciliation bill on the Senate floor, 66-28.

(2) Provide permanent funding for the Corporation for Public Broadcasting by creating a trust and imposing transfer fees on the sale of all broadcast licenses. Hearings on this issue will be held in February or March 1988.

COMMERCE, STATE, JUSTICE (Dan):

East-West Center:

\$20 million in both the House and Senate bills.

Asia Foundation:

\$13.7 million in both the House and Senate bills.

US-Japan Friendship Commission:

\$1.2 million + \$1.7 million foreign currency appropriations in both the House and Senate bills.

US Travel and Tourism Administration:

Not funded in the House bill;

\$12.975 million in the Senate bill.

Conference agreement: \$11.724 million.

Tufts University, East Asia Executive Development Program:

The conference agreed to earmark level funding (approximately \$500,000 instead of the \$878,000 requested) for this program in FY 1988 after Liz Ahn Toupin approached you for help and Kennedy asked Hollings directly on behalf of the University. Hollings had originally written Kennedy that funding was not available, but relented once Members began to express their personal interest.

Not successful was your request for money to fund a supplemental native American questionnaire in conjunction with the 1990 census: although the Senate approved \$400,000 to begin work on the \$9 million project in FY 1988, the earmark was deleted in conference (the House had no similar provision).

EDUCATION (Irene):

Hawaii Loa College

The repeatedly postponed negotiations between Hawaii Loa and the Department of Education are now scheduled for January 21 at 1:30 p.m.. The Department has agreed to notify us of its offer by January 12th.

Gallaudet

The University of Hawaii and Gallaudet have opened a center in Hawaii. You are also officially now a Board member of the College.

COMPUTORS (IRENE):

I am reviewing information on the on-line information services that are now available to us, and trying to ascertain our needs. We could afford to try both a legal information service and a general service if we waited until later this year to start. However, the Library of Congress

will also be broadening its services, which may obviate the private sector alternatives.

I am also reviewing the pertinent rules to prepare for the possible purchase of computer terminals for home use by staff.

OTHER LEGISLATION (IRENE):

Senator Kennedy's AIDS Research, Care, and Education Act, and Senator Moynihan's Family Security Act of 1987 attracted considerable attention last year. Opposition to the AIDS bill centers on the religious right. Senator Moynihan's bill has already elicited criticism from a number of groups who support generous welfare programs.

S.1773, The Soft Drink Interbrand Competition Act/FTC (Phyliss):

You sponsored this bill to assist the soft drink syrup and equipment distributors during the Pepsi-Coke "cola war". The intent of this bill was to have Pepsi and Coke stop the cola war. You have been successful in catching the attention of both companies and the soft drink industry, and many have been in to speak with you and Mr. Bregman. No hearings or action are indicated at this point.

SPACEPORT (Phyliss):

While other sites on the Big island and Kauai have been pin pointed by the State, Southpoint (Kau-Naalehu) still is the front runner. The small community group of Kau still is voicing their opposition, however, Teachers of the community are now starting to get involved and support this initiative. The State is now drawing up a plan which they will discuss with you when it is ready. **Funding to assist the Office of Commercial Space Transportation to do their study may be needed in the FY 88 Supplemental. Funding under EDA for infrastructure needs will also be necessary at some point.**

GEOTHERMAL ENERGY (Phyliss):

Bill Kikuchi attended the trip to Japan put together by the Mayor. There appears to be strong interest in Japan. This year, a possible trip to California and Nevada to look at other Geothermal sites, and to speak with other Geothermal companies. You are being asked to organize this trip. I will be in further communication about this.

HAWAIIAN HOMES (Phyliss):

You were successful in finalizing the Hawaiian Homelands FHA mortgage program by the inclusion of language dealing

with the blood quantum issue, and clarification of the fund under which the program will be administered. This program is the basis for the self-help, rehab housing project sponsored by OHA. Language was included in both the HUD appropriations bill of the CR and the Housing Authorizations bill.

INDIAN HOUSING (Phyliss):

You sponsored the Indian Housing bill which separates the Indian Housing program from the BIA. This is supported by the administration and HUD. This next session, Indian affairs staff and I will be working with the Housing committee to move the bill. Hearings will be scheduled. Once this bill is passed, a separate mortgage program, like the Hawaiian FHA program will have to be established.

V.A. (Jennifer):

You had language included in the CR that established Neighbor Island readjustment counseling centers for Vietnam-era military veterans, through funding of 12 Veterans Administration counselors. The measure also directs the VA to begin planning of a veterans medical center in Honolulu, to upgrade veterans health services available in the State. Hawaii is one of only two states without a VA medical facility.

United States Senate

ROOM 722, HART SENATE BUILDING
WASHINGTON, DC 20510
(202) 224-3934

November 6, 1987

Ms. Mary Grace
Songsong
c/o Dr. Torres Hospital
Saipan, CM 96950

Dear Ms. Songsong:

I wish to share with you language from the FY '88 Labor,
Health and Human Services, and Education Appropriations Bill
(H.R. 3058) (Sen. Rpt. #100-189)

(Appropriation levels in millions)

NURSING	FY'87	HOUSE	SENATE	Conf
Advanced Nurse Training	\$16.75	\$17.5	\$17.5	---
Nurse Practitioner	\$12.0	\$12.0	\$12.0	---
Special Projects	\$11.175	\$12.2	\$12.2	---
Traineeships	\$11.75	\$13.0	\$13.0	---
Nurse Anesthetists	\$ 0.8	\$ 0.8	\$ 0.8	---
Faculty Fellowships	\$ 0.825	\$ 0.8	\$ 1.1	-?-
Total Nursing Training	\$53.3	\$56.3	\$56.6	-?-
NOTE* Administration request	\$0.0			

National Center for Nursing Research	\$20.018	\$24.744	\$23.566	-?-
(AIDS)	\$ 0.0	\$ 0.533	\$ 0.533	---
Total Nursing Research	\$20.018	\$25.277	\$24.099	
(The FY'87 figure includes a \$1.0 Supplemental)				
NOTE* Administration request	\$17.063			

TOTAL NURSING APPROPRIATIONS:
\$73.318 \$81.577 \$80.699 -?-

The following Senate report language for nursing was also
included:

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

The Committee continues to be interested

in ensuring that OSHA utilize the expertise of appropriately trained occupational

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health nurses in its policy determinations. Last year the Committee was assured that an occupational health nurse would be specifically hired for this purpose and it is the Committee's understanding that such an individual is in the process of being hired. The Committee was pleased to learn of this development.

Health Resources and Services Administration

National Health Service Corps

The Committee is pleased with the Department's increasing sensitivity to the truly pressing health care needs of the Pacific Basin region and its decision to assign a greater number of National Health Service Corps personnel to the region this year.

The Committee is concerned, however, that nurses are not being supported under the current program, and requests a report from HRSA on this matter, as it feels that the recruitment of professional nurses would be a very cost-effective approach to ensuring that high quality health care is made available to those most in need.

Federal Employee Occupational Health

The Committee concludes that it is in the best interest of Federal employees for the Public Health Service to continue to operate health clinics throughout the Government under reimbursable agreements and to staff those health units with full-time Federal occupational health professional positions. The Committee does not approve the staffing of these units with contract positions. The Committee believes that the revised report submitted in March 1987 fails to provide an adequate plan for the maintenance of

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these reimbursable services and for the protection of the rights of the career employees who staff these units and directs that a further report be submitted by January 31, 1988.

Health Professions Data Analysis

For the past 7 years the Committee has urged HRSA to develop comprehensive generic-oriented mental health shortage designations in order to ensure that the most up-to-date information is made available to the Committee. Again, sufficient funds have been made available for this project to be continued, and the Committee expects HRSA to continue to make this a priority item.

Centers For Disease Control

Occupational Safety and Health

The Committee is concerned that the policy manual developed by the Division of Surveillance, Hazard Evaluation, and Field Studies on hospital risk hazards has not yet been released. It is the Committee's understanding that this document is the result of a 1982 CDC task force and further that it will address complex issues such as the handling of patients afflicted with AIDS, excessive radiation, and other hazards which health care workers may be exposed to in the workplace. The Committee strongly urges CDC to give high priority to completing this important document in a timely fashion.

National Institutes of Health

National Cancer Institute

The Committee urges the NCI to continue its systematic efforts to ensure that professional nurses are actively involved in the programs, advisory boards, and committees of the NCI.

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The Committee further urges that NCI continue to give priority to the nursing oncology individual research fellowship award program, the nursing clinical training programs, and the implementation of nursing research initiatives.

National Heart, Lung, and Blood

The Committee is pleased with the efforts of the NHLBI to actively involve leaders of the nursing profession in its programs. The Committee has also been impressed with the continuing emphasis on prevention and behavioral medicine activities and urges that these continue to receive a high priority.

National Institute of Neurological and Communicative Disorders and Stroke

The Committee acknowledges the efforts of the NINCDS to nominate qualified nurses to advisory committees and urges continued attention to this matter. The Committee is impressed with the efforts of the NINCDS to jointly fund training programs for nurses in neurology and encourages further joint funding with the National Center for Nursing Research on initiatives in the care of patients with Alzheimer's disease and stroke.

National Institute of Child Health and Human Development

The Committee is pleased with the efforts of the NICHD to ensure that professional nurses are actively involved in the programs of NICHD. The Committee has also been impressed with the funding of nursing research projects within the special centers program and urges continued attention to encouraging individual research fellowship awards for qualified nurses.

National Institute on Aging

The Committee also remains supportive of the NIA teaching nursing home demonstration project and urges that initiatives ensure interdisciplinary participation, and especially involve the expertise of schools of nursing. The Committee is pleased with the efforts of the NIA to utilize the expertise of professional nurses throughout its programs and advisory committee process. The Committee urges NIA to continue to encourage pre- and postdoctoral research fellowship awards for qualified nurses. The Committee has also been impressed with the joint funding of studies on incontinence with the National Center for Nursing Research and encourages further joint funding on initiatives in care of the elderly.

Research Resources

The Committee is pleased with the efforts of DRR to encourage the development of nursing research protocols within clinical research centers. The Committee appreciates the support DRR has provided to the National Center for Nursing Research and nursing research within existing DRR programs. The Committee also appreciates DRR's efforts to ensure that native Hawaiians and other native American Pacific Islanders are encouraged to pursue careers in the behavioral and biological sciences.

National Center for Nursing Research

The Committee recommends an appropriation of \$23,566,000 for the National Center for Nursing Research [NCNR]. This is \$7,036,000 more

than the administration request, \$3,548,000 above the 1987 appropriation, and \$1,178,000 below the House.

The NCNR provides a focal point at the NIH for the conduct and support of, and dissemination of information respecting, basic and clinical nursing research, training, and other programs in patient care research. To carry out the purposes of the Center, the Committee agrees that the Director of the Center may provide research training and instruction and establish, in the Center and other nonprofit institutions, research traineeships and fellowships in the study and investigation of the prevention of disease, health promotion, and the nursing care of individuals with acute and chronic illnesses. It is the Committee's intention that at least \$2,000,000 of the Center's total appropriation be used to continue the Nursing Fellowship Program.

Significant progress has been made in implementing new programs at the NCNR. There has been a special emphasis on training for research, with both predoctoral and postdoctoral awards. New career development awards have been initiated by the Center and new opportunities for postdoctoral research training for nurses in the NIH intramural program identified.

Research Training

In accordance with Congressional intent, the Center has devoted considerable time and effort to developing a program of research training to ensure an adequate supply of qualified nurse scientists to meet future needs. Emphasis has been placed on individual postdoctoral awards and the preparation of predoctoral students through institutional awards. Efforts have also commenced in the area of career development awards.

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Research Activities

Through a program of extramural awards, the Center supports a wide spectrum of basic and clinical nursing research, using both behavioral and biomedical approaches. For example, in studying episodes of acute confusion in the elderly, investigators hope to better identify these episodes and to gather information to help predict their development. In another project, investigators are studying depression among patients in long-term care facilities to identify ways nurses can best care for these patients. NCNR also supports research on new information technologies to allow nurse researchers and nurse practitioners to have up-to-date research information readily available to them. In another area, researchers are attempting to combat the dependence and disability associated with urinary incontinence through several physiological and behavioral approaches. The Center plans to undertake initiatives in high priority areas such as AIDS, Alzheimer's disease, osteoporosis, pain research, and the ethics of therapeutic decision making.

John E. Fogarty International Center

The Committee urges the FIC to encourage countries to identify promising nurse scientists for post-doctoral research experiences in the United States under its international research and awards programs. The Committee further recommends that the FIC involve the International Council of Nurses [ICN] in developing linkages with various national nurse organizations to promote science, technology, and preventive health measures.

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National Institute of Mental Health

The Committee appreciates the efforts of NIMH to address the support of nurse scientists in research training programs and encourages the implementation of the recommendations of the special task force report on nursing.

Office of the Assistant Secretary for Health

Health Services Research and Technology Assessment

Last year the Committee recommended that the Assistant Secretary for Health conduct an evaluation of the cost effectiveness of certified nurse-midwives. Although this type of information is important to the Federal Government in its role as a purchaser of health care, the Department did not pursue the Committee's earlier recommendation. The Committee again urges the Secretary to address this matter and to schedule a consensus conference in a timely fashion.

Health Statistics

The Committee urges the further study of a nursing minimum data set (for patient care) as a national source of data for the assessment of patient care needs within a variety of health care systems. The Committee understands that the development of this information was recently recommended by one of the Department's advisory committees.

Disease Prevention and Health Promotion

The Committee urges the Office of Disease Prevention and Health Promotion to involve all health professional associations, and especially those of professional nursing, as well as inter-

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ested consumer groups, in developing national health objectives for the year 2000. The Committee is pleased to learn of the work of the task force on disease prevention and health promotion in establishing the scientific base for prevention interventions, and urges that recommendations address all health professionals involved in primary health care.

Departmental Management

General Departmental Management

The Committee again urges the Secretary to continue to make a special effort to ensure that the expertise of professional nurses is included on all policy boards and advisory committees. The Committee is aware of, and appreciates the Secretary's efforts to this effect to date.

Professional Liability Risk Management

The Committee is concerned about the increasing adverse impact of the professional liability crisis on our Nation's health care delivery system. For the past 2 years, the Committee recommended special funding under the Secretary's "Policy research" account in order to provide the Department with sufficient flexibility to initiate appropriate demonstration projects and to develop long-term policy recommendations. An example of such a policy initiative was the establishment of a special task force on medical liability and malpractice established in 1986. The report of that task force, including an agenda for recommended action, was issued in August 1987. The Committee recommends continued designation of the medical malpractice issue as a high-priority policy research subject.

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The issues surrounding medical malpractice have created dissensions among the professions of law and medicine and the insurance industry. In many States, conflict between these interests has potentially threatened the safety of patients and the continuing services of health care providers. In addition, more than one-half of the State legislatures addressed the medical malpractice crisis through some form of tort/liability insurance reform action in 1987.

The Department task force concluded that solutions to the complex issue must be built on the best efforts of all concerned. The Committee concurs that constructive solutions are needed.

The Committee recommends that the Secretary be allowed the discretion, within the policy research account, to provide support to initiate interdisciplinary projects. The purpose of such projects would be to facilitate discussion among the major adversaries and to address the medical malpractice issues in a cooperative and constructive manner. The Committee requests that the Department keep the Committee informed of efforts to develop workable solutions to the complex medical malpractice issues so that affordable high-quality health care will remain available to the American public.

The Committee is also interested in the Department developing and testing out creative mechanisms to educate professional nurses, dentists, and other health professionals regarding risk management and to provide for the development and dissemination of

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appropriate risk management tools. The Committee believes that the Secretary should continue to address the complex issues surrounding the professional liability crisis.

An informal survey of several health professional associations indicates that limited information about risk management targeted at the various specialty groups is available. For example, the American College of Nurse-Midwives is in the process of establishing a risk management program, which will use a variety of educational methods, including the development and dissemination of audio and video cassettes with pre and post tests. The content included on the cassettes will include record-keeping, patient communication, incident reports, relationships with consulting physicians, issues of informed consent, and other relevant content to be developed. All of the materials will stress the importance of the health professional practice in accordance with the standards of the profession and according to State law. These educational packages will be able to be replicated by specialty nursing groups, and other professions, using their own specific standards for practice and relevant State laws.

I hope this information is useful.

Aloha,

DANIEL K. INOUE
United States Senator

DKI:phds

NURSING
Appropriation/Continuing Resolution History
(\$ in thousands)

	1964	1965	1966	1967	1968	1969	1970	1971	1972 ^{1/}	1973 ^{2/}	1974 ^{3/}	1975 ^{4/}	1976 ^{5/}	TQ	1977 ^{6/}	1978 ^{7/}	1979	1980	1981	1982	1983	1984	1985	1986 ^{b/}	1987 ^{b/}	Total 1964-87
Special Proj. Grts & Contr.....	--	\$ 2,000	\$ 3,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 8,400	\$11,500	\$ 19,000	\$ 25,000	\$ 19,000	\$ 19,000	\$ 15,000	\$ 4,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$11,963	\$ 6,175	\$ 6,333	\$ 7,156	\$ 9,500	\$ 9,092	\$ 9,500	\$ 257,619
Financial Distress.....	--	--	--	--	--	--	--	--	10,000	10,000	4,750	4,750	--	--	--	--	--	--	--	--	--	--	--	--	--	29,500
Capitation Grants/Payments to Diploma Schools (Formula).....	--	4,000	2,500	6,000	3,000	3,000	--	--	31,500	38,500	34,343	34,343	44,000	--	40,000	30,000	24,000	24,000	9,900	--	--	--	--	--	--	329,086
Start-Up Grants.....	--	--	--	--	--	--	--	--	--	2,000	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	2,000
Student Loans.....	--	3,100	8,900	16,900	16,000	9,610	16,360	17,110	21,000	24,000	22,800	22,800	21,000	9,000	22,500	22,500	13,500	13,500	13,500	6,720	860	--	--	--	--	148,154
General Scholarships/NEOG's.....	--	--	--	500	5,000	6,500	7,178	17,000	19,500	21,500	19,476	6,000	6,000	6,000	6,500	9,000	9,000	9,000	--	--	--	--	--	--	--	266,792
Traineeships.....	\$7,325	8,000	9,000	10,000	10,000	10,470	10,470	10,470	11,470	12,500	13,016	13,016	13,000	--	13,000	13,000	13,000	13,000	13,000	9,600	9,600	9,600	11,500	11,006	11,750	15,470
Loan Repay/Cancel Forgiveness.....	--	--	--	--	--	--	--	--	--	--	1,600	1,600	2,500	1,000	3,000	1,500	750	750	750	940	750	300	--	--	--	4,622
Full Util of Ed Talent (Recruit) ^{3/}	--	--	--	--	(100)	(200)	(200)	(500)	2,000	2,000	622	--	--	--	--	--	--	--	--	--	--	--	--	--	--	146,080
Advance Nurse Education.....	--	--	--	--	--	--	--	--	--	--	--	--	2,000	--	9,000	12,000	12,000	12,000	12,000	11,520	13,260	13,260	16,500	15,790	16,750	134,524
Nurse Practitioner.....	--	--	--	--	--	--	--	--	--	--	--	--	3,000	--	9,000	13,000	13,000	13,000	13,000	11,520	11,760	11,760	12,000	11,484	12,000	171,500
Nurse Construction Grants.....	--	--	15,000	25,000	25,000	8,000	8,000	9,500	19,500	20,000	19,000	19,000	--	--	--	3,500	--	--	--	--	--	--	--	--	--	4,200
Construction Interest Subsidies.....	--	--	--	--	--	--	--	--	200	1,000	1,000	1,000	1,000	--	--	--	--	--	--	--	--	--	--	--	--	88,373
Educational Research Grants.....	1,999	1,953	2,170	2,230	2,655	2,593	2,625	2,455	2,455	2,455	2,500	1,200	--	--	5,000	5,000	5,000	5,000	5,000	3,400	5,000	9,000	9,300	9,283	--	17,763
Research Fellowships.....	313	362	412	462	520	650	650	650	650	650	650	--	--	--	1,000	1,000	1,000	1,000	1,000	960	960	960	2,000	1,914	--	6,788
Research Training Grants.....	284	364	480	580	580	700	700	700	700	1,000	700	--	--	--	--	--	--	--	--	--	--	--	400	800	766	2,766
Nurse Anesthetists.....	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1,292	1,675	2,967
Nurse Demonstration Grants.....	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	526	825	1,351
Nurse Faculty Fellowships.....	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5,000	--	--	5,000
Center for Nursing Research.....	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5,000
TOTAL, Nursing.....	\$9,921	\$19,779	\$41,462	\$65,672	\$66,755	\$45,523	\$54,383	\$69,385	\$137,975	\$160,605	\$139,457	\$122,709	\$107,500	\$20,000	\$124,000	\$125,500	\$106,250	\$106,250	\$80,113	\$50,825	\$48,523	\$52,456	\$66,700	\$61,152	\$63,300	\$1,936,215

FMB/BHPr
12/08/86

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
Public Health Service
Health Resources and Services Administration
Bureau of Health Professions
5600 Fishers Lane
Rockville, Maryland 20857

Office of the Director
Division of Nursing

() - P notes non - add items

a/ Fiscal Years 1968 through 1971 were appropriated under other accounts. Fiscal Years 1975 through 1986 ... explicit appropriation for this program. This activity is included under Special Projects Grants and Contracts.

b/ After Gramm-Rudman Sequestering provision.

c/ Programs transferred to NIH -- April 16, 1986 (P.L. 99-158).

Reprogramming Footnotes
(\$ in thousands)

- 1/ The following reprogramming actions in FY 1972 are not reflected in the individual program lines:
- | | |
|-------------------------|----------|
| Financial Distress..... | -\$1,700 |
| Special Projects..... | +\$1,700 |
- 2/ The following reprogramming actions in FY 1973 are not reflected in the individual program lines.
- | | |
|-----------------------|----------|
| Special Projects..... | -\$3,400 |
| Traineeships..... | +\$3,400 |
- 3/ The following reprogramming actions in FY 1974 are not reflected in the individual program lines.
- | | |
|-------------------------|----------|
| Loan Repayments..... | -\$800 |
| Research Grants..... | +\$160 |
| Financial Distress..... | -\$1,050 |
| Special Projects..... | +\$1,050 |
- 4/ The following reprogramming actions in FY 1975 are not reflected in the individual program lines.
- | | |
|-------------------------|----------|
| Financial Distress..... | -\$4,039 |
| Special Projects..... | +\$4,039 |
- 5/ The following reprogramming actions in FY 1976 are not reflected in the individual program lines.
- | | |
|----------------------|----------|
| Loan Repayments..... | -\$2,296 |
| Research Grants..... | +\$1,000 |
- 6/ The following reprogramming actions in FY 1977 are not reflected in the individual program lines.
- | | |
|----------------------|--------|
| Loan Repayments..... | -\$238 |
|----------------------|--------|
- 7/ The following reprogramming actions in FY 1978 are not reflected in the individual program lines.
- | | |
|-----------------------------|----------|
| Advance Nurse Training..... | -\$626 |
| Loan Repayments..... | -\$1,050 |
- 8/ The following reprogramming actions in FY 1986 are not reflected in the individual program lines.
- | | |
|--------------------------|--------|
| Faculty Fellowships..... | -\$526 |
| Traineeships..... | +495 |
| Special Projects..... | + 31 |

M E M O R A N D U M

TO: Pat

DATE: July 15, 1988

FROM: Esther

RE: NATIVE HAWAIIAN, AMERICAN SAMOAN, AND PACIFIC BASIN
ISSUES IN FY'88 APPROPRIATIONS BILLS

LABOR, HHS, EDUCATION BILL
H.R.3058; Sen. Report 100-399
P.L. 100-202

U.S. DEPARTMENT OF LABOR:

Training and Employment Services:

Native Americans: These programs are designed to improve the economic well-being of disadvantaged native Americans (Indians, Eskimos, Aleuts, and native Hawaiians) through vocational training, work experience, and other services aimed at getting participants into permanent unsubsidized jobs. The Committee recommends \$62,700,000 for these purposes, which is 3.3 percent of the block grant amount as required by statute. The House allowance is \$62,370,00, the President's request is \$58,839,000, and the fiscal 1987 enacted appropriation is \$61,484,000 (p.13).

National activities: For the past several years the Committee has directed the Department of Labor to establish a coordinated response to address the pressing employment needs of American Samoans as enumerated in the Department's own 1984 report to the Congress. To date the Department has not done so, even though the incidence of extreme poverty among American Samoans is 27.5 percent, or 190 percent higher than for the country as a whole. Accordingly, the Committee has included bill language addressing the unique and pressing employment needs of American Samoans by directing that \$2,000,000 be allocated to service delivery areas with high concentrations of American Samoans. The Committee further directs the Department to provide a report to the Committee within 6 months from the beginning of program year 1988 on the projects that are funded under this initiative (p.15).

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES:

Health Resources and Services Administration:

Maternal and Child health block grant: The Committee continues to be concerned about the health and well-being of our Nation's native Hawaiians. The Office of Technology Assessment [OTA] has reported that overall native Hawaiians have a 34-percent higher death rate than the rest of the Nation and further, that full-blooded Hawaiians have a death rate that is 146 percent higher than the Nation as a whole. Native Hawaiian children and youth are particularly at risk with there being a significantly greater proportion of low birth weight babies and teenage mothers of Hawaiian ancestry. The Committee is pleased with the efforts of the MCH Program to ensure that the native Hawaiian population is given a high priority and feels that the recently established series of native Hawaiian maternal and child health centers being administered by the Kamehameha Schools/Bishop Estate is an excellent first step. Given their pressing needs and Native American status, MCH is urged to continue to provide appropriate resources to this population. (p.45)

National Health Service Corps: The Committee is pleased with the Department's increasing sensitivity to the truly pressing health care needs of the Pacific Basin region and its decision to assign a greater number of National Health Service Corps personnel to the region this year. (p.48)

Payment to Hawaii:

The Committee has included \$3,300,000 for the payment to Hawaii. This is the same as the administration request, the House allowance, and the fiscal year 1987 appropriation.

Payments are made to the State of Hawaii to partially support the cost for care and treatment of persons with Hansen's disease (p.48).

Area Health Education Centers: The Committee continues to be concerned that the unique and pressing health care needs of the residents of the Pacific Basin are not being adequately addressed. HSRA in the past has demonstrated considerable administrative flexibility in order to ensure that the AHEC Program would be responsive to good faith efforts by universities to develop creative programs for uniquely underserved populations such as American Indians. The Committee, accordingly, again urges HRSA to work to address the pressing health care needs of the Pacific Basin (p.53).

Pacific Basin Initiative:

The Committee recommends \$3,729,000 to continue the various Pacific Basin health care initiatives which have been initiated over the past several years. The recommended amount is \$2,500,000 more than the House allowance and \$2,229,000 more than the fiscal year 1987 appropriation. No funds were requested by the administration for these programs.

It is the Committee's intent that \$1,229,000 of these funds will be used for the Pacific Basin medical officer training project of the University of Hawaii's John A. Burns School of Medicine. This project has the enthusiastic support of the various Pacific Basin governmental agencies and upon its completion, will provide the necessary health manpower for the region for the next several decades. The initial \$2,500,000 of funding was included in the fiscal year 1985 appropriations bill(pp.57-58).

Centers for Disease Control:

Prevention centers: The committee wishes to reiterate its support for the establishment of an international health promotion and diseases prevention center, and especially one with a Pacific Basin and South East Asian focus (p. 66).

National Institutes of Health:

National Institute on Aging-International Cooperation: Similarly, the Committee is also supportive of the efforts of NIA to work collaboratively with the Veterans Administration to explore the unique cross-cultural and international gerontology research opportunities inherent in Hawaii and the Pacific Basin region (p.126).

Research Resources-Clinical Research: The Committee also appreciates DRR's efforts to ensure that native Hawaiians and other native American Pacific Islanders are encouraged to pursue careers in the behavioral and biological sciences (p.132).

Office of the Assistant Secretary for Health:

Minority Health: The Office of Minority Health was created from the Secretary's Task Force in Black and Minority Health which documented over 60,000 excess deaths per year among Asian/Pacific Islanders, Blacks, Hispanics, and native Americans (p. 158).

Human Development Services

Native American programs:

These programs, under the direction of the Administration for Native Americans, are intended to promote social and economic self-sufficiency for native Americans. A priority is to assist such groups to establish and maintain necessary mechanisms for planning and coordinating Federal and non-Federal resources in an effort to support the policy of Indian self-determination.

The Committee recommends the appropriation of \$32,000,000 for native American programs, an increase of \$3,011,000 above the fiscal 1987 appropriation. The funds recommended will continue to promote social and economic self-sufficiency for American Indians, Alaska Natives, and native Hawaiians.

The Committee recommends that \$1,000,000 be used to start up the demonstration revolving loan fund for Native Hawaiians authorized under pending amendments to the Native American Programs Act, once enacted (p.185).

Program direction: For the past several years, the Committee has urged the Office of Human Development Services to work collaboratively with the Department of Education and Labor to address the pressing needs of American Samoans as described in the 1984 Department of Labor report to the Congress. The Committee again directs the Office of Human Development Services to provide greater priority to addressing the pressing needs of these native American peoples. The Committee understands the Office of Human Development Services is considering a new Coordinated Discretionary Funds Program priority area to focus on American Samoans, and expects efforts will be made to make sure groups representing American Samoans are aware of this funding, and provided technical assistance, if necessary, in applying (pp. 185-186).

U.S. DEPARTMENT OF EDUCATION

Special Programs

Secretary's Discretionary Fund: For the Inexpensive Book Distribution Program the Committee provides \$8,200,000. This program distributes books to children from low-income families to help motivate them to read. Approximately 6.5 million books will be distributed in 1987 to 2.1 million children in all 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam (p. 205).

Drug-Free Schools and Communities

National programs: The Drug-Free Schools and Communities National Programs distributes funds through discretionary grants and contracts. These funds are to be used for audiovisual projects, programs for students in institutions of higher education, training and curriculum development, programs for Indian youths, programs for Hawaiian natives, and Federal activities. The national programs funds also support the five regional centers previously funded under the Alcohol and Drug Abuse Program in the Secretary's discretionary fund (p.207).

Other Special Programs

Territorial teacher training: For territorial teacher training, the Committee has provided \$2,000,000. This is the same as the House allowance. The administration requested no funding for this program. Funds are awarded to the departments of education in American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands to train elementary and secondary school teachers. These training efforts have been extremely important in assisting the outlying areas to upgrade the qualifications of their uncertified instructional staff and to assist others to obtain higher educational degrees (p. 210).

Bilingual grants to school districts: The Committee is pleased with the Department of Education's efforts to address the pressing educational needs of American Samoans, and especially appreciates the Office of Bilingual Education's efforts to obtain first-hand information as to how it can most effectively followup on the recommendations of the 1984 Department of Labor report to the Congress. The Department is urged to continue to give the problems of these native American peoples a high priority (p.214).

Rehabilitation Services and Handicapped Research

National Institute on Disability and Rehabilitation Research: The Committee has included bill language directing that \$500,000 of the amount provided be used for research into the causes, prevention and treatment of hearing loss among native Hawaiian children. The Committee has received testimony indicating that very high percentages of preschool native Hawaiian children demonstrate hearing losses significant enough to interfere with learning. In the Committee's judgment, it would be appropriate for NIDRR to direct these funds to the Pacific Basin Research and Training Center to conduct research and provide training for hearing loss assessments for native Hawaiian children. These funds are to remain available for a 2-year period (p.224).

Vocational and Adult Education

Basic grants: At the Federal level, in keeping with the provision of the Perkins Act, the recommended amount included \$10,838,125 for the Indian Program and \$2,167,625 for the Hawaiian Natives Program (p. 226).

Higher Education

Assistance to Guam:

The Committee recommends \$500,000 for assistance to Guam, which is the same as both the 1987 appropriation and the House allowance. The administration did not seek funding for this program.

Assistance to Guam is authorized to provide partial reimbursement to the University of Guam for costs incurred in providing postsecondary education services to students from other Pacific-area United States territories (p.242).

Gallaudet University: The Committee was pleased to learn of Gallaudet University's plans to establish a new center on deafness at the University of Hawaii in order to serve the needs of deaf individuals in Hawaii and the Pacific Basin region (p.249).

MAKING FURTHER CONTINUING APPROPRIATIONS FOR
THE FISCAL YEAR ENDING SEPTEMBER 30, 1988

House Report 100-498
Conference report to accompany H.J. Res. 395

DEPARTMENT OF LABOR

Training and Employment Services

Deletes earmark of \$2,000,000 proposed by the Senate for service delivery areas with high concentrations of American Samoans. The House bill contained no similar earmark.

The conferees direct the Secretary of Labor to make available \$957,000 for service delivery areas under the Job Training Partnership Act with high concentrations of American Samoans, in addition to amounts otherwise provided under section 202 of the Act (p.928).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services

The conferees are pleased with the efforts of the MCH Program to ensure that the native Hawaiian population is given a high priority. The conferees further believe that the recently established series of native Hawaiian maternal and child health centers is an excellent first step in this effort. Given the pressing needs of this population, MCH is urged to continue to provide native Hawaiians with an appropriate level of resources (p.932).

DEPARTMENT OF EDUCATION

Rehabilitation Services and Handicapped Research

Modifies language proposed by the Senate making available \$500,000 for research and training for hearing loss assessments for native Hawaiian children, and extends the availability of these funds until September 30, 1989. The conferees are agreed that the funds appropriated are to be made available on a competitive basis. The House bill contained no similar provision (p.948).

"Provided, That \$500,000 shall be available on a competitive basis for research and training for hearing loss assessments for native Hawaiian children under section 204 of such Act until September 30, 1989." (p.291)

SUPPLEMENTAL APPROPRIATIONS BILL FOR FISCAL 1987

H.R. 1827; Sen. Rpt. 100-48

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

The Committee recommendation also includes \$200,000 to initiate funding of the Native Hawaiian Culture and Arts Development Program as authorized by the Higher Education Amendments Act of 1986 (Public Law 99-498). The program would be located at the Bishop Museum in Honolulu and would promote appreciation of the native Hawaiian cultural and artistic heritage. The funding is necessary in order for the Department of the Interior to begin initial preparations for the establishment of the program, according to testimony received by the Committee. The Committee will expect future budget requests to be submitted by the National Park Service (p.72).

Conference Report to accompany H.R. 1827
House Report 100-195

DEPARTMENT OF THE INTERIOR

National Park Service

The increase above the amount provided by the House consists of an additional \$200,000 for program planning and development of a report regarding implementation of the Native Hawaiian Culture and Arts Program, as authorized by the Higher Education Amendments Act of 1986. The funds are to be provided to the Bishop Museum in Hawaii. The managers will review future funding requirements after receiving and reviewing the report on the future cost and scope of the program (p.56).

Handwritten signature: "Dugg" with "Ace" and "Kee" written below it.

M E M O R A N D U M

TO: SENATOR

December 5, 1988

FR: Your Legislative Aides

RE: Wrap up memo of your accomplishments for the second session of the 100th Congress

DEFENSE (Frank):

FORD ISLAND CAUSEWAY- You introduced Report language to the DOD Appropriations Bill to permit the Navy to study and review the options available to construct this causeway.

TRIPLER SATELLITE EARTH STATION- An amendment was introduced to authorize the Army to establish a satellite facility that enables Tripler to receive commercial medical education broadcasts and for conducting video teleconferencing with Mainland military and medical activities. The project was authorized and fully funded.

DEPARTMENT OF DEFENSE OVERSEAS FUEL PROCUREMENT- An amendment was introduced and approved in the Appropriations Act that enables 85,000 barrels per day refineries to compete in the DOD fuel procurement program.

ALCOHOLIC BEVERAGE AMENDMENT- This amendment calls for the purchase of alcoholic beverages from in state sources in Hawaii and Alaska.

FY - 89 MILCON PROJECTS FOR HAWAII-total is \$114 million. It includes \$15 million for military housing and \$8.5 million for an NCO Academy at Schofield Barracks.

CULTURE AND THE ARTS (Marie):

You were successful in having included in the FY'89 Interior Appropriations Bill, \$1.6 million for the Native Hawaiian Culture and Arts Program. Of this amount, \$1 million is for the construction of a maritime museum (Kalakaua Boat House) and \$600,000 is for the operating budget of the Native Hawaiian Culture and Arts Program. The museum informally opened on November 16th to commemorate Kalakaua's birthday. A grand opening is scheduled on December 1st.

FEDERAL BACK PAY (Marie):

In the FY'88 Continuing Resolution, Congressman Akaka introduced an amendment which holds the U.S. liable for

interest on back pay claims involving Cost of Living Allowances for those federal employees who have suffered wrongful personnel action. You were instrumental in the retention of the Akaka amendment in the Senate which benefits 30,000 Federal employees in Hawaii and 20,000 in Alaska. On September 7, 1988, the Department of Justice transferred approximately \$40 million from its Claims, Judgments, and Relief Fund to a Trustee. Payments will be made to claimants by Christmas.

IMMIGRATION (Marie):

Your bill (S. 109) providing for the naturalization of certain Filipino World War II veterans was adopted as an amendment to the Immigration Act of 1988. The Act passed the Senate on March 15th by a vote of 88-4. Unfortunately, the House Subcommittee on Immigration, Refugees, and International Law was not inclined to consider the Filipino veteran issue during the 100th Congress. Chairman Mazzoli, however, is committed to making this a priority item and will hold hearings during the 101st Congress.

SMALL BUSINESS (Marie):

Your report language calling for the establishment of a Small Business Development Center at the University of Hawaii, Hilo, was included in the FY'89 State-Justice-Commerce Appropriations Bill. The Small Business Administration expressed its intention, in the October 24th Federal Register, to fund the Center during Fiscal Year 1989, subject to the availability of funds.

TAXES (Marie):

On November 10th, the President signed into law the Technical and Miscellaneous Revenue Act of 1988. You were instrumental in having the following provisions which affect Hawaii included in the Act:

--Hawaii Housing Authority is now able to apply the income targeting rules for the Mortgage Revenue Bond Program. Much of Hawaii's lease rents are not fixed but renegotiated prior to the expiration of the mortgage contract. Existing Internal Revenue Service regulations did not permit capitalization of rental payments when those payments are unknown. Consequently, many Hawaii residents were precluded from participating in the Mortgage Revenue Bond Program.

--The restoration of Cost of Living Allowances for judicial employees residing outside the Continental United States.

--The tax exemption for cargo and commercial cargo shipped between Hawaii and U.S. possessions in the Pacific.

AGRICULTURE (Jennifer):

You secured approximately \$9,526,000 in the Agriculture Appropriations bill for Fiscal Year 1989. The projects are as follows:

\$3,341,000 to continue the Hawaii/Florida research program in tropical and subtropical agriculture;

\$285,000 to continue efforts to develop a replacement for EDB and refine post-harvest quarantine treatments for papayas and other fruit-fly host produce;

\$2,736,000 to continue funding for a comprehensive program to develop shrimp production on a commercially feasible basis;

\$650,000 to continue funding to further agricultural development of the U.S. territories in the Pacific Basin with Hawaii as the leader/coordinator;

\$156,000 to continue research to identify and develop agriculture diversification opportunities in Hawaii;

\$152,000 to continue research to develop multi-cropping strategies for aquaculture in Hawaii;

\$240,000 to continue the rat control program for the sugar and macadamia nut industries;

\$500,000 to continue the fruit fly eradication project on Kauai;

\$100,000 to allow Honolulu to participate in the urban gardening program;

\$285,000 to begin research on new methods of controlling and eradicating urban and structural pests, particularly the Formosan termite, as a result of EPA's recent ban on the use of chlordane;

\$300,000 to begin a joint University of Hawaii research project between the Manoa and Hilo Agriculture Colleges which will develop new techniques for managing disease in the floriculture industry; (the catalyst for this grant was the devastating blow the anthurium industry suffered as a result of the blight bacteria);

\$205,000 to begin a program to install additional x-ray equipment at Hawaii's 5 major airports to better handle the large volume of passengers;

\$50,000 for a feasibility study to establish a Center for Tropical and Subtropical Agriculture at the University of Hawaii, with a focus on enhancing agricultural trade with Asia and the Pacific Basin; the State Legislature has already appropriated \$800,000 to design the building, and is committed to allocate between \$13 - \$17 million to construct and equip it; the desired federal match in the upcoming years will be \$10 million;

Additionally, bill language was included to maintain an Agricultural Cooperative Services office in Hilo, and to prohibit the transfer of the Farmers Home Administration office from Hilo to Honolulu.

Your bill to amend the Congressional Charter of the Pacific Botanical Garden was enacted into law soon after Congress adjourned. The only amendment to the Charter involved changing the name from "Pacific Botanical Garden" to "National Botanical Garden." However, this change allowed the organization to accept land in Florida, together with an endowment, totalling \$6.5 million.

SUGAR (Jennifer)

With specific regard to sugar, Congress appropriated \$218,000 to continue research to improve Hawaii's sugarcane stock through genetic engineering; \$435,000 was appropriated in FY 1988 for this program.

Additionally, the Hamakua Coast sugar plantations requested your assistance in securing relief from the Environmental Protection Agency (EPA) regarding the discharge of cane wash water in the ocean. You were successful in including report language in the HUD & Independent Agencies Appropriations bill which directs the EPA to establish a Task Force, comprised of its high-ranking officials, to evaluate all pertinent Clean Water Act requirements and factors relating to discharges from the Hamakua coast sugarcane processing mills. The Task Force is required to report to Congress before April of next year with its findings. If the EPA is unable to grant the relief sought due to a lack of statutory authority, then it will clearly demonstrate that all administrative remedies have been fully exhausted. If this occurs, it will be necessary to once again pursue congressional relief in the form of an EPA exemption.

Lastly, your CBI-Philippines sugar provision, enacted in the 1st Session of the 100th Congress, but not implemented by the U.S. Department of Agriculture based on a legal technicality, was included in the FY 1989 Agriculture Appropriations bill. A cost of \$130 million was attached to the program this year because the Reagan Administration cancelled the § 406 commodity surplus program which would have served to offset the cost of your sugar re-export program. In light of the substantial cost, the program is not mandated, but rather, may be implemented at the discretion of the Secretary of Agriculture. It remains to be seen whether the Bush Administration will implement your CBI-Philippines sugar program.

VETERANS HEALTH CARE (Jennifer):

You were successful in securing \$3,000,000 for preplanning and a feasibility study for a Veterans Medical Center in Hawaii. You also included language urging the VA to give serious consideration to Leahi Hospital as the site for Hawaii's VA hospital because of its accessibility, its connection with the University of Hawaii School of Medicine, its proximity to the Kapiolani Community College's Nursing program, and its lack of military affiliation.

Additionally, report language was included to direct the VA to continue its responsiveness to the health needs of Hawaii's veterans by allocating \$3,000,000, as it determined was necessary, to improve the level of veterans' health services on the Neighbor Islands and Oahu. Last year, you included a provision in the HUD & Independent Agencies Appropriations bill directing the VA to provide the Neighbor Island veterans with readjustment counseling services. As a result of your mandate, twelve full-time staff positions have been allocated, and combination Vet Center-Out Patient Clinics will be opening shortly on Kauai, Maui, Hilo and Kona to serve the Neighbor Island veterans.

TREASURY (Jennifer):

You and Congressman Akaka were successful in securing \$14 million to construct the University of Hawaii Center for Ocean Resource Science and Technology in the FY 1989 Treasury Appropriations bill. \$5 million was allocated last year to design and plan the building. A final \$1 million will either be requested in the FY '89 Supplemental Appropriations bill or the FY '90 Treasury Appropriations bill, thereby completing the federal match for a total of \$20 million. The State of Hawaii is firmly behind this

project, and has appropriated its share in the amount of \$25 million.

Additionally, you were successful in earmarking \$1.5 million in the General Services Administration's (GSA) "Real Property Relocation" account to relocate Hale Opio, Kauai, Inc. from federal land to surplus State land. Hale Opio operates a residential-education program, through funds from the U.S. Departments of Justice, and Health and Human Services, for adolescents who have been removed from their parents and are in need of 24-hour supervision. Relocation of Hale Opio from prime Poipu beach-front property to surplus State land will allow GSA to sell the land at fair market value which is estimated at approximately \$6 million.

LABOR (Jennifer):

In FY 1988, \$957,000 was appropriated at your request to assist American Samoans in Hawaii and California, where 85 percent of Samoans reside. These funds were equally divided between Hawaii (Kilali Alailima of Samoan Services Providers and the Hawaii State Department of Labor and Industrial Relations) and California (Pat Luce of National Office of Samoan Affairs) to begin targetted job training programs that are sensitive to the culture and special needs of Samoans.

This year you were successful in more than doubling the funds, for a total of \$2.5 million, to continue your American Samoan employment and training initiative. California will receive the same amount (\$455,000) to continue its program. The remainder of the funds will remain in Hawaii, and will be used to broaden the job training program to include other immigrants from the American Pacific, Southeast Asia, and the Philippines.

One initiative to be implemented is "Job Stores" which was brought to your attention by Deputy Labor Director Sharon Miyashiro when she testified before you at the Labor, HHS Appropriations Public Hearing in the Spring. Job Stores will be set up at various Hawaii shopping malls for easy access in comfortable surroundings. These "Stores" will be specially equipped to serve immigrants, focusing on hands-on job training, vocational education, bilingual education, employment counseling and job placement assistance. The Hawaii State Department of Labor is working with the Hawaii Department of Human Services to integrate and combine the above services under one roof, in an effort to cut through the "red tape" and provide employment-related services in a convenient and friendly manner.

PACIFIC BASIN (Pat):

Language was included in the reports accompanying the FY'89 Appropriations and Health Manpower reauthorization bills which urged HHS to give priority to the establishment of a Pacific Basin Area Health Education Center (AHEC), if the school of medicine and public health decide to apply.

\$1.482 million was included in the FY'89 Appropriations bill to continue various Pacific Basin initiatives, including the fully requested amount for the Medical Officers project. The National Institute on Disability and Rehabilitation Research has announced the second five year cycle of support for the Pacific Basin research and training center.

Hansen's Disease: \$3.260 million was appropriated for Hawaii's program in the FY'89 HHS Appropriations bill.

Pediatric Emergency Medical Services: \$3 million was appropriated for the pediatric-EMS program in the FY'89 HHS Appropriations bill. The President also signed a three year reauthorization bill which increased the level of funding by \$1 million for each of the three years. HHS will be contracting with the Institute of Medicine to conduct a comprehensive study of our nation's pediatric-EMS needs.

Defense: Authority and funding was provided for the Queen's Medical Center to continue its demonstration CHAMPUS REFORM program. Language was also included which should ensure that the State of Hawaii will not tax these funds in a manner different from that in effect when HMSA administered the CHAMPUS benefit. DoD was also directed to develop a training program to allow psychologists to prescribe psychotropic medications, as they currently do within the Indian Health Service. \$2 million was provided for Incentive Special Pay bonuses for military nurse anesthetists once authorized. Authority was provided linking future nursing Incentive Special Pay bonuses within the U.S. Public Health Service (including the Indian Health Service) and those provided to DoD nurses, thus establishing a unified federal nursing corps.

Nursing and Public Health: Received full funding for their training and research initiatives, as well as having their programs reauthorized. Funding for FY'89 is \$85 and \$9 million respectively. Similarly, \$2 million was provided for the Health Promotion and Disease Prevention program which was also reauthorized. There is a Pacific Basin Center at the University of Hawaii. The Indian Health Care bill provides \$5 million in special nursing training

authority, as well as an additional \$5 million per year for innovative training projects targeted towards Rural America.

Psychology: With the modification of Rule 35 of the Federal Rules of Civil Procedure, all of the policies under the jurisdiction of the Judiciary Committees now provide psychology with complete parity with medicine. Psychology was also granted membership on the National Advisory Council on Health Professions Education, as well as being deemed eligible to apply for special project funds in the gerontology area.

Social Work: The Indian Health Care bill authorizes social work students to receive special scholarship funds for the first time under the Indian Health Manpower programs. The FY'89 Appropriations bill urged HHS to similarly make U.S. Public Health Service scholarships available to other minority social work students.

International Gerontology: Appropriations language for both the National Institute on Aging (NIH) and the Agency for International Development (AID) has continued to urge the establishment of an international and Pacific Basin focus in gerontology. The NIA provided special contract funds to the Governor's office in order to ascertain how best to establish a systematic presence in Hawaii.

Comprehensive Studies: The Office of Technology Assessment (OTA) is developing a comprehensive Adolescent Health study to supplement the Carnegie Foundation effort. The General Accounting Office is conducting a comprehensive review of the Department of Defense's use of nurses, the overall quality of DoD health care, and their pediatric-EMS capabilities. A study was also initiated on preventive mental health services, the various State Medicaid mental health benefits, and NIMH's sensitivity to minorities.

NATIVE HAWAIIAN LEGISLATION (Pat, Jennifer, Marie and Phyliss):

Education: The Native Hawaiian Education Act was signed into public law (P.L. 100-297). This bill authorized \$10+ million annually, for each of 5 years. The Fiscal Year 1989 Appropriations bill for the U.S. Department of Education (P.L. 100-436) provided \$5 million for the coming year, of which \$400,000 shall be for the model curriculum implementation project, \$1.8 million for family-based education centers, \$1.5 million for higher education demonstration projects (fellowships), \$800,000 for the

gifted and talented program at the University of Hawaii at Hilo, and \$500,000 for special education programs.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Education (P.L. 100-436) provided \$2.2 million for Native Hawaiians under the Vocational Education "set aside" and \$612,175 for Native Hawaiians under the Library Construction "set aside". These funds go to Native Hawaiian organizations certified by the Governor of the State of Hawaii. The authorization for these "set asides" expires this Fiscal Year (FY'89).

Health: The Native Hawaiian Health Care Act was signed into public law (P.L. 100-579). It was also included in the Omnibus Anti-Drug Initiative legislation. This bill authorizes \$19.5 million, over a period of three years, to establish a series of nine Native Hawaiian Health Promotion and Disease Prevention centers. The first year for funding would be Fiscal Year 1990.

The Anti-Drug legislation further provides that for the next three fiscal years (FY'89-91), that of the funds appropriated to the State of Hawaii under the Alcohol, Drug Abuse, and Mental Health block grant, a figure equal to the proportion of Native Hawaiians in the state shall be available only for Native Hawaiians and further, shall be extended through contracts entered into by the State of Hawaii with public and private nonprofit organizations. This will begin in Fiscal Year 1989; however, the dollar amount involved has not been determined.

The Indian Health Care Amendments of 1989 is currently awaiting the President's signature. This bill provides authority for a new Native Hawaiian Health Scholarship program, administered by the Kamehameha Schools. \$1.8 million is authorized for each of the next three fiscal years, with the first year of available funding being Fiscal Year 1990. The bill also included a provision authorizing the network of Native Hawaiian Health Promotion and Disease Prevention centers; however, this was subsequently superseded by the provisions of the Native Hawaiian Health Care Act.

The Health Omnibus Extension Act of 1988 (P.L. 100-xxx) included reference to "Native Hawaiian Health Centers" under three provisions of the Nurse Training Act (Title VIII). These centers were designated as appropriate sites in which an individual can serve in order to fulfill service obligations under the nurse practitioner and nurse midwife

program, federal loan repayments requirements, and undergraduate nurse scholarship requirements.

The Rural Health Care Initiative (which was included in both the Indian Health Care Amendments of 1988 and the Health Omnibus Extension Act of 1988) designates "Native Hawaiian Health Centers" as qualified health care agencies for the purpose of receiving interdisciplinary training support targeted towards the unique health care needs of Rural America. The program authorizes \$5 million annually, for Fiscal Years 1989-91.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Health and Human Services (P.L. 100-436) contained report language which directs the Department to continue its support (\$1 million annually) for the Native Hawaiian maternal and child health centers and further, urges that National Health Service Corps personnel be assigned to these centers. Language has also been included recommending that the National Center for Nursing Research (NIH) give priority to projects targeted towards increasing the number of Native Hawaiian nurse researchers. \$750,000 was included in the National Institute of Mental Health (NIMH) account for a new Native Hawaiian research and training center.

The Fiscal Year 1989 Appropriations bill for the Legislative Branch (P.L. 100-458) provided \$100,000 in additional funding for the Office of Technology Assessment (OTA) to conduct a comprehensive adolescent health study, including addressing the pressing needs of Native Hawaiian adolescents.

Native Hawaiian Culture and Arts Program: The Fiscal Year 1989 Department of Interior bill (P.L. 100-446) provided \$600,000 for the second year of funding for the Native Hawaiian Culture and Arts program, as well as an initial \$1 million (out of \$3 million requested) for construction of the Kalakaua Boat House Museum (Hawaii Maritime Center). The Native Hawaiian Culture and Arts program was authorized for an indeterminate period, as a provision of the Higher Education Amendments of 1986 (P.L. 99-498).

Economic Development: The Small Business Act Capital Ownership Development Program Amendments, awaiting signature, strengthens Native Hawaiian participation in the Title VIII (a) minority small business programs. Native Hawaiian non profit community organizations are eligible, as 8(a) contractors, to receive federal government contracts.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Health and Human Services (P.L. 100-436) provided the second of three million dollars for the Native Hawaiian Revolving Loan Program. This initiative was authorized by Title V of the Older Americans Act Amendments of 1987 (P.L. 100-175).

Hawaiian Homelands: Funds were appropriated under the Fiscal Year 1989 Appropriations bill for the Department of Housing and Urban Development (P.L. 100-404) to include a set aside in the Secretary's discretionary fund of \$1.22 million for infrastructure development on Hawaiian homelands.

The National Housing Act was amended by the Housing and Community Development Act of 1987 (P.L. 100-242) in order to provide federal mortgage insurance for Hawaiian Home Lands housing.

Native American Languages: The Senate passed S.J.Res. 379 establishing as the policy of the nation the preservation, protection, and promotion of the rights of indigenous Americans, including Native Hawaiians, to use, practice, and develop Native American languages. The House did not act on the measure.

TRANSPORTATION (Margaret):

Cabin Air Quality: At your request, the committee report accompanying the Aviation Safety Research Act of 1988 authorizes funds for cabin air quality research. The Civil Aeromedical Institute established by the Act would be responsible for the research.

Gray Market: Your automobile gray market legislation became law after much give and take with Senators Rudman and Danforth, and Congressman Dingell. This legislation establishes standards by which to determine whether cars imported into the U.S. comply, or may be brought into compliance, with American safety standards.

OCEAN ISSUES (Margaret):

Appropriations: You secured approximately \$4,966,000 in the Commerce-Justice-State account for ocean related projects as follows:

\$3.3 million for Hawaii Undersea Research Laboratory to conduct scientific research, including \$1.3 million toward the purchase of a support vessel;

\$325,000 to continue scientific efforts to save the endangered Hawaiian monk seal;

\$400,000 for development of a Hawaii fisheries stock management plan;

\$188,000 for mahi mahi stock enhancement strategy;

\$753,000 for Subarctic fisheries research conducted jointly by the University of Alaska and the Oceanic Institute, to study Arctic larval fish and shellfish, and their links to Pacific marine life;

\$282,000 to sponsor an exchange of scientists between Southeast Asia and the United States, who specialize in cultivating saltwater seafood species, with Hawaii aquaculture researchers; and

\$1,105,000 for weather data buoy activities.

JUDICIARY (Margaret):

With your assistance, David Ezra was confirmed as a U.S. District Court judge, and Judge Alfred Laureta, U.S. District Court of the Northern Marianas, qualified for retirement benefits.

TELECOMMUNICATIONS (Dan):

Bills Passed:

- S. 212, Dial-a-Porn Control Act, as part of PL 100-297
- S. 314 (as HR 2213), Hearing Aid Compatability Act, PL 100-394
- S. 2221 (as HR 4992), TDD Accessibility Act, PL 100-542
- S. 828 (as HR 2472), NTIA Reauthorization Act, PL 100-584
- S. 1048, FCC Reauthorization Act, PL 100-594
- S. 2114 (as HR 4118), CPB Reauthorization Act, PL 100-626
- S. 1883 contained HR 2848, the Superstation Copyright/Satellite Viewing Act, PL 100-667
- HR 2763 and HR 4782, Appropriations bills for S-J-C, FY88 & FY89 promoted minority ownership, restricted newspaper-broadcast crossownership, and banned VHF-UHF swaps. The S-J-C bill for FY89 [PL 100-459] also contained a Helms amendment banning obscene language 24 hours/day.
- S. 742, Fairness Doctrine Bill [vetoed]
- HR 3966, Children's Television Act [vetoed]



Hearings Held, Communications Subcommittee, 1987-88:

2-26-87: International Telecommunications, Part I
3-18-87: S. 742, Fairness Doctrine
3-26-87: S. 828, NTIA Reauthorization
4-21-87: S. 1048, FCC Reauthorization
5-15-87: S. 506, Gore's Digital Audio Taping bill
5-18-87: 5 Nominations to the CPB Board
7-17-87: S. 1277, Broadcast bill, Part I
7-20-87: S. 1277, Broadcast Bill, Part II
7-31-87: Gore's Satellite Television Fair Marketing bill
11-12-87: 20th anniversary of Public Broadcasting: oversight
12-10-87: Modified Final Judgement, Part I
12-11-87: Modified Final Judgement, Part II
1-27-88: Rural Cellular Telephone licensing (non-wireline)
3-15-88: S. 2114, CPB reauthorization
3-31-88: S. 314, Pressler's Hearing Aid Compatibility bill
4-19-88: International Telecommunications, Part II
4-27-88: S. 1935, the Communications Transfer Fee bill
6-23-88: S. 2221, McCain's TDD bill
7-14-88: MFJ Part III: Open Network Architecture;
one nomination to the CPB Board
8-2-88: S. 2044, Kerry Price Cap bill
9-15-88: McConnell Campaign Cost Reduction bill;
one nomination to COMSAT's Board

Licenses:

You helped obtain permits for the following stations, after their applications bogged down at the FCC:

KDEO-FM, Country western; Oahu: went on the air last week (November 23rd).

KFVE-TV, Channel 5, Honolulu: went on the air 12-1987.

Hawaii Monitoring Station:

An Inouye amendment to the FCC reauthorization bill for FY88 and FY89, PL 100-594, authorizes the FCC to move its monitoring station in the State of Hawaii by selling its current site at Waipahu and acquiring a new site elsewhere in the state.

PEACESAT:

An Inouye amendment to the NTIA reauthorization bill, PL 100-584, gives the PEACESAT program Congressional authorization (\$1.7 million for each of FY 88 and FY89) for the first time in the program's 17 year history.

You secured \$1.7 million for PEACESAT in FY 1988 and \$200,000 in FY 1989, with a written commitment from the conferees to appropriate the balance, \$1.5 million, in FY 1990, or when needed.

Satellite Scrambling: Inouye motion to table Senator Gore's satellite television fair marketing amendment to the tax bill succeeded on October 7, 1988, by a vote of 43-36.

DKI price cap letter to FCC Commissioners/ CSEPA Speech: Because of strong statements by you, Cong. Dingell, Cong. Markey, and others, the FCC has slowed down its headlong rush to implement price caps this fall. Given Hill concerns, internal differences among the 3 FCC commissioners, and questions about the legality of price caps, the Commission cancelled its December 2nd meeting, at which Patrick intended to push for their adoption. Instead, the Commission may wait until January and adopt a price cap plan for AT&T only, with further notice for the local exchange carriers on such issues as profit sharing.

FISR Negotiations: After a year of gentle prodding by you, the networks and Hollywood have finally started earnest negotiations to resolve questions about the financial interest and syndication rule, which limits the ability of networks to produce their own programming and prohibits them from having syndication rights.

National Public Radio Report Language: At your request, the State-Justice-Commerce Appropriations Act for FY 1989 (PL 100-459) contained report language which "requests that the Commission give serious consideration to modification of the NCE-FM translator rule..." whereby religious broadcasters were using FM translators to become superstations.

FOREIGN TRADE ZONES (Dan):

Inouye Foreign Trade Zone amendment: The Tax Technical Corrections Act, PL 100-647, contains an Inouye amendment allowing the Customs Service to promulgate streamlined accounting rules for refineries operating in foreign trade zones, such as HIRI's Ewa plant. You introduced the amendment on behalf of the State of Hawaii, PRI, Chevron, several refineries in Texas, and the National Association of Foreign-Trade Zones.

Extension of Hawaii's Foreign-Trade Zone No. 9: After numerous inquiries by you, the Department of Commerce finally approved the extension of Hawaii's Foreign-Trade Zone Number 9 to Mililani Technology Park on 11-16-88.

Chevron's application for special foreign-trade subzone status at its Ewa refinery is still pending, with a final decision due later this year.

STATE-JUSTICE-COMMERCE FOR FY88 & FY89 (Dan):

East-West Center: The State-Justice-Commerce Appropriations Bill for FY 1989 (PL 100-459) contains an Inouye amendment raising the pay cap for East-West Center salaries from \$72,500 (GS-16 step V) to \$86,682 (GS-18).

You secured \$20 million in appropriations for the Center in both FY 1988 (PL 100-202) and 1989 (PL 100-459).

USTTA: Despite Reagan's initial requests for \$0, the USTTA received:

\$11.724 million in FY 1988
\$13.8 million in FY 1989

S. Res. 260, the Kassebaum-Inouye Committee reform resolution: The Rules Committee held hearings on this resolution May 17, 1988.

COMMUNICATIONS ISSUES FOR THE 101st CONGRESS:

Price Caps
Must Carry
Fairness Doctrine
Children's TV (Reagan pocket-vetoed the bill from the 100th Congress right before the election)
Cable: media concentration and market power cross-ownership
-by telephone companies
-by networks
Satellite Scrambling
"Free the BOCS" legislation
Two vacancies at the FCC, with two additional openings possible if Dennis and Patrick leave in 1989.
COMSAT: the subcommittee will release its year and a half long study of the COMSAT Act this December and will look at possible legislation next year.
The impact of de-pooling on national rate averaging

SUMMARY OF LEGISLATION INTRODUCED:

Bills authored: 124

Bills cosponsored: 537
Amendments authored: 43
Amendments cosponsored: 44

GALLAUDET UNIVERSITY (Irene):

The University sought your assistance in increasing its funding to allow increases in faculty salaries and to absorb some of the expenses necessary to meet the needs of those among the hearing who cannot use sign language to communicate with Gallaudet's new deaf president. The University received a 6.16% increase over its '88 appropriation of \$62.195 million. For FY '99, \$988,000 will be credited to Gallaudet's endowment, and \$65.010 will be used for operating expenses.

The Gallaudet University-University of Hawaii Center on Deafness is now operating. The Center was grateful for the services of the intern that you referred to it.

TELECOMMUNICATIONS DEVICES FOR THE DEAF (Irene):

You succeeded in persuading the Senate to endorse the purchase of TDDs for all federal agencies, to the extent that funding permits. You had favored stronger language, but your friends at Gallaudet are very pleased with what you accomplished and will hold a ceremony on December 6th to celebrate the signing of the Act into law.

CAMPAIGN FINANCE (Irene):

S. 2, the major campaign finance reform bill to reach the floor of the Senate last session, failed to survive eight attempts by the Majority Leader to obtain cloture. The final vote of 53 to 41 against cloture reflected a split primarily along party lines. The expense of public financing and the proposed limits on aggregate PAC contributions proved to be the major obstacles to passage.

TALKING HEADS (Irene):

You did not request a Rules Committee hearing on S. 577, your proposal to establish a uniform format for televised campaign advertisements, mainly because it was regarded as a rival to S. 2.

AIDS RESEARCH, EDUCATION, AND CARE (Irene):

You supported and succeeded in obtaining 1989 appropriations totalling \$1.3 billion for AIDS related services, (S. 1220).

CATASTROPHIC HEALTH CARE (Irene):

PL 100-360 expands Medicare benefits to cover more effectively some of the costs of catastrophic illnesses, including doctor's bills, hospitalization, and prescription drugs. The law also includes a spousal impoverishment provision, but does not extend to long term care. However, as of 1990 it would provide limited home nursing care, (38 days), and it expands the duration of skilled home nursing care that is covered. It would also extend Medicare to cover mammographies, and eliminate the current limit on Hospice care.

To pay for the increased coverage, all beneficiaries will pay higher premiums, and a surtax will be imposed on the 40% of beneficiaries who have high enough incomes to be liable for federal income taxes, (many of whom are covered by private or retirement plans, do not rely on Medicare, and are unhappy about the costs involved.)

EDUCATION FUNDING (Irene):

The Department of Education estimates that total education funding for the state of Hawaii will amount over \$70 million. Below is a partial list of the funded programs and funding levels.

Emergency Immigrant Education Program, (3707 ch.)	\$257,434
Transition Program for Refugee Children (127)	\$35,000
Educational Opportunity Center	\$24,740
Talent Search Program	\$117,824
Hawaii Youth Shelter Network	\$94,696
Head Start	\$524,386
Education Consolidation & Improvement Act	\$12,157,077
Drug Free Schools and Communities (FY 88)	\$945,911
Hawkins-Stafford, SOP- Handicapped (460)	\$258,101
Part B, Hawkins-Stafford	\$3,768,260
Bilingual Education, (FY 88)	\$235,265
	Chapter
1 Grants for Disadvantaged Children	\$12,442,529
Impact Aid	\$22,226,087
Chapter 2, Improving Schools Program	\$2,368,078
Grants for Strengthening Math and Science	\$538,536
Handicapped	\$3,759,175
Handicapped, Preschool Grants	\$232,400
Grants for Infants & Families	\$327,644
Rehabilitation Services	\$4,842,415
Supported Employment Services	\$250,000
Client Assistance for Handicapped Individuals	\$70,000
Comprehensive Services for Independent Living	\$200,000

Adult Education	\$579,429
Literacy Training for Homeless Adults	\$75,000
State Student Incentive Grants	\$298,795
Paul Douglas Teacher Scholarships	\$64,369
Robert C. Byrd Honors Scholarships	\$40,350
Library Services	\$489,651
Public Library Construction	\$173,027
Interlibrary Cooperation & Resource Sharing	\$110,089

ENERGY (Phyliss):

In the FY 89 Energy and Water Appropriations Bills you were successful in obtaining \$5.6 million for the Hawaii Deep Water Cable Project. This completes the Federal funding for this DOE R&D project which covered the cost of the manufacturing of the cable, the leasing of the ship to lay the cable at sea and test the cable at sea in the Maui channel. This brings the federal funding for the at-sea-testing of this cable project to approximately \$28 million since 1980. In FY 90, you have indicated that you will attempt to provide funding to conduct further geothermal drilling on the Big Island.

\$3.5 million was provided in the Ocean Thermal Energy Program for the program being conducted in part, by the Pacific International Center for High Technology Research (PICHTR) for the DOE. In FY '90 you will attempt to increase the overall OTEC budget to \$6 million, with to go directly to the work conducted by PICHTR.

\$500,000 was provided for the Biofuels program by the Hawaii Natural Energy Institute, and \$2.4 million for Hydro-solar work being conducted by HNEI, the Florida Solar Energy, University of Florida and TexasA&M.

No funding was provided for the Food Irradiation Project that the State of Hawaii is participating in. However, you have indicated that you will continue to work with Senator Stevens and Senator Harkin to obtain funding in FY 90. Six states are participating in this DOE R&D project.

Water Projects: \$200,000 for Alaneo Stream, \$157,000 for Kawaihae Harbor and \$210,000 for maalaea Harbor. \$1,784,000 was included for construction for the Kahoma Stream project. For general operations and maintenance funding by the Army Corps the following Hawaii projects were funded:

\$77,000 for Barber's Point
36,000 for Hilo Harbor

36,000 for Honolulu Harbor
36,000 for Kahului Harbor Breakwater Project
36,000 for Nawiliwili Harbor

INTERIOR (Phyliss)

Aside from the funding you obtained for the Native Hawaii Culture and Arts Program and the Hawaii Maritime Museum, you were successful in funding the following Interior projects:

Fish and Wildlife Service:

\$500,000 increase in the Operations and management budget for Tern Island, Creater Hill, and Hawaii Forest Birds refuge projects, for added staffing.

\$100,000 to continue the study on the Brown Tree Snake program.

\$3 million to establish the James Campbell and Oahu Forest Wildlife Refuges.

National Park Service:

\$500,000 for fencing of the Volcanoes and Haleakala National Parks.

\$688,000 for restoration work of Puukohola National Historical Site.

Geological Survey:

\$500,000 for the North Kohala Ground Water Research Project.

Bureau of Mines:

\$1.2 million for the joint U. of Mississippi and Hawaii Natural Energy Institute-Marine Minerals Technology Center.

Department of Energy/Energy Conservation:

\$75,000 for the Methanol Program being conducted by the Hawaii Natural Energy Institute.

HUD (Phyliss):

name
date
Page 20

Aside from the EPA-Sugar amendment and the VA Hospital planning funds and the Hawaiian Homes initiative, you were successful in obtaining \$3 million in the Ocean Sciences budget of the National Science Foundation for enhanced ocean research in the Pacific Basin.

Other EPA items you will be considering are the Hilo and Oahu Waste Water Treatment projects and the lead clean up in the water system on the Big Island. This lead leakage is a result of acid rain fall out from the eruption of the Kilauea Volcano.

M E M O R A N D U M

TO: SENATOR

DATE: July 13, 1988

FROM: Pat, Jennifer, Irene, Phyllis, Marie

RE: NATIVE HAWAIIAN, AMERICAN SAMOAN, AND PACIFIC BASIN
ISSUES IN FY'89 APPROPRIATIONS BILLS

LABOR, HHS, EDUCATION BILL
H.R.4783; Sen. Rpt. 100-399

U.S. DEPARTMENT OF LABOR:

Training And Employment Services:

Native Americans - These programs are designed to improve the economic well-being of disadvantaged native Americans (Indians, Eskimos, Aleuts, and native Hawaiians) through vocational training, work experience, and other services aimed at getting participants into permanent unsubsidized jobs. The Committee recommends \$59,713,000 for these purposes, which is 3.3 percent of the block grant amount as required by statute. This is the same as the budget request, 1988 level, and the House allowance (p.11).

National Activities - The Committee has included \$2.5 million to continue last year's American Samoan employment and training initiative in the States of Hawaii and California, following up on the Department's 1984 report to the Congress. These Native American peoples have long experienced disproportionate unemployment rates, due primarily to language and cultural barriers. The Committee has been impressed by the State of Hawaii's efforts to date and its willingness to develop similar innovative programs targeted toward immigrants from the American Pacific, Southeast Asia, and the Philippines. The pressing needs of these populations must be considered a joint Federal-State responsibility. The State of Hawaii is expected to work closely with the national Samoan organization, where appropriate, to ensure that necessary services are also provided on the mainland. The Committee is aware of the concern among the American Samoan community that there remains a significant underestimate of the numbers of Samoans living in the United States. Accordingly, consideration should be given to using a portion of these funds to establish an accurate data-base for the Committee in order that future program allocations might be made on valid information (pp. 13-14).

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES:

Health Resources and Services Administration:

National Health Service Corps:

The Committee further recommends that consideration also be given to assigning Corps personnel to the native Hawaiian maternal and child health centers (p. 49).

Payment to Hawaii:

The Committee has included \$3,300,000 for the payment to Hawaii. This is \$141,000 more than the administration's request and the fiscal year 1988 appropriation.

Payments are made to the State of Hawaii to partially support the cost for care and treatment of persons with Hansen's disease (p. 50).

Area Health Education Centers:

The Committee remains interested in the possibility that the pressing health care needs of the Pacific Basin region might best be addressed by the establishment of a Pacific Basin AHEC. In the past HRSA has demonstrated sufficient administrative flexibility to address unique situations such as this, and the Committee further notes that the Senate authorization committee has similarly recommended such an arrangement. HRSA is accordingly urged to give this possibility every consideration (p. 55).

Pacific Basin Initiative:

The Committee recommends \$2,500,000 to continue the various Pacific Basin preventive health care initiatives. The recommended amount is \$174,000 more than the fiscal year 1988 appropriation. No funds were requested by the administration for this program in fiscal year 1989. The funds will be used to continue implementing the recommendations of the U.S. Public Health Service's 1984 "Report on Health Services in the United States Pacific Island Jurisdictions."

The Committee was pleased to learn that the State of Hawaii has taken the lead in ensuring that the various Pacific Basin Governors will develop a coordinated strategy to address priority needs. The Committee directs HRSA to work closely with the newly established Pacific Basin Health Promotion and Development Center to ensure that projects funded this year relate directly to a coordinated strategy. Examples of projects funded last year include: the development of unified and practical data system, efforts to increase nurse manpower resources, the development of technical skills for health personnel, and a special support program for National Health Service Corps personnel in the Pacific basin (p. 57).

Maternal and Child Health:

The Committee is very pleased with MCH's efforts to address the pressing health care needs of native Hawaiian families and children. Last year the Office of Technology Assessment [OTA] reported that the overall native Hawaiian death rate is 34 percent higher than that of the rest of the Nation with full-blooded Hawaiians having a death rate 146 percent higher than the Nation as a whole. Native Hawaiian children and youth were found to be particularly at risk. The Committee feels that the MCH supported Native Hawaiian maternal and child health centers being administered by the Kamehameha Schools/Bishop Estate are an excellent vehicle for addressing these pressing needs and urges MCH to continue its support (p. 60).

Centers for Disease Control:

Prevention Centers:

The Committee understands that CDC has announced for applications for one international health promotion and disease prevention center to be selected through peer review, as stated in the prevention center authorization (p. 67).

National Institutes of Health:

National Institute on Aging:

International Studies - International and cross cultural studies are offering a mechanism for exploring the relative effects of genetic, cultural, and environmental factors on the aging process and the diseases of aging. The combinations of developed and developing countries in and around the Pacific basin, and in Latin America, are viewed as attractive opportunities for similar research. The Committee remains supportive of the efforts of NIA to work collaboratively with the Agency for International Development in order to foster an appropriate international aging research agenda (pp. 131-132).

National Center for Nursing Research:

Research Training: Efforts to encourage minority nurses (including native Hawaiian, Alaskan, and American Indians) to move into careers in science need to be given priority, especially as overall trends for minorities with doctorates in all fields decrease (p. 141).

Alcohol, Drug Abuse, and Mental Health Administration:

Mental Health Research: The Committee has included \$750,000 to establish a native Hawaiian mental health research and training center. Priority should be given to a center that can demonstrate the active participation of native Hawaiians in its research activities. An NIMH-sponsored report found that in comparison with statewide

population estimates, native Hawaiians have a higher incidence of antisocial behaviors, including a higher proportion of assaultive acts; a higher rate of suicide among young adult and elderly males; a higher rate of child abuse and neglect; and other indicators of high stress. Further, there are very few native Hawaiian mental health professionals of any discipline, and those mental health services that do exist are not sensitive to the uniqueness of the native Hawaiian culture. The research and training center would conduct epidemiological and clinical research and train researchers and mental health service providers (p. 156).

Office of the Assistant Secretary for Health:

Minority Health: The Committee recommends an appropriation of \$3,000,000 for the Office of Minority Health. This amount is \$128,000 more than the administration request, the House allowance, and the comparable appropriation for fiscal year 1988. The Office of Minority Health was created from the Secretary's Task Force on Black and Minority Health which documented over 60,000 excess deaths per year among Asian/Pacific Islanders, blacks, Hispanics, and native Americans (p. 165).

Assistant Secretary for Human Development Services:

Research, Training, and Special Projects: The Committee was pleased that the Office of Human Development Services made American Samoans one of its priorities during last year's discretionary funding cycle. The Committee urges the Office of Human Development Services to continue to keep the problems of American Samoans an identifiable priority during this fiscal year's funding cycle (p. 193).

Native American Programs: The Native American Program included financial assistance grants, training and technical assistance, research, demonstration and evaluation and a demonstration revolving loan fund for Native Hawaiians. Assistance is provided through direct grants, contracts, and interagency agreements. The Committee recommends the appropriation of \$31,000,000 for the Administration for Native Americans, an increase of \$1,321,000 over the budget request and fiscal 1988 enacted level of \$29,679,000. The Committee has included \$1,000,000, the same as last year's amount, to continue the revolving loan fund for Native Hawaiians, pursuant to the provisions of the Native American Programs Act (p. 195).

U.S. DEPARTMENT OF EDUCATION:

National Programs:

Drug-Free Schools and Communities National Programs distribute funds through discretionary grants and contracts. These funds are to be used for programs for students in institutions of higher education, training and curriculum development, programs for Indian youth, programs for Hawaiian natives, and Federal activities. Funds also support five regional centers (p. 213).

Territorial Teacher Training:

For territorial teacher training, the Committee has provided \$2,000,000. This is \$45,000 more than the House allowance, the fiscal year 1988 comparable appropriation, and the administration request. Funds are awarded to the departments of education in American Samoa, Guam, the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and the Virgin Islands to train elementary and secondary school teachers. These training efforts have been extremely important in assisting the outlying areas to upgrade the qualifications of their uncertified instructional staff and to assist others to obtain higher educational degrees (p. 216).

Education for Native Hawaiians:

For programs for the education of native Hawaiians, the Committee provides \$6,000,000. The administration did not request funding for the five activities for native Hawaiians authorized under the Hawkins-Stafford Act. These activities include a model curriculum implementation project, family-based education centers, a higher education demonstration program, a gifted and talented demonstration program and a demonstration program to provide special education services to native Hawaiian children.

For the model curriculum implementation project, the Committee provides \$500,000. Funds will be used to implement the Kamehameha Elementary Education Program [KEEP], a model curriculum developed by the Kamehameha Elementary Demonstration School. Direct grants will be made to the University of Hawaii for teacher training; to the Hawaii Department of Education for educational support services; and to the Kamehameha Schools/Bernice Pauahi Bishop Estate for continued research, development, and assessment activities.

For the native Hawaiian family-based education centers, the Committee provides \$2,000,000. Funds will be used for direct grants to native Hawaiian organizations to develop and operate at least 11 family-based education centers throughout the Hawaiian Islands. These centers will include parent-infant and preschool programs, as well as research, development and assessment activities.

For the Native Hawaiian Higher Education Demonstration Program, the Committee provides \$1,500,000. This newly authorized program provides funds for direct grants to the Kamehameha Schools/Bernice Pauahi Bishop Estate for demonstration programs to provide higher education fellowship assistance to native Hawaiian students. Activities supported by this program may include undergraduate and graduate fellowships, guidance and counseling services, and research and evaluation activities.

For the Native Hawaiian Gifted and Talented Demonstration Program, the Committee has provided \$1,000,000. Funds will be allotted as a grant or contract with the University of Hawaii at Hilo for the establishment of a Native Hawaiian Gifted and Talented Center. The university may also use these funds for demonstration projects for gifted and talented elementary and secondary school students.

For the Native Hawaiian Special Education Program, the Committee provides \$1,000,000. Funds will be used for discretionary grants to the State of Hawaii and to native Hawaiian organizations to address the special education needs of native Hawaiian students. Projects may include the identification of children in need of special education services, the conduct of educational services, and research and evaluation activities (p. 220).

Bilingual, Immigrant, and Refugee Education:

Training and Technical Assistance: The Committee continues to be concerned with the difficulties that American Samoans are having in becoming integrated into American culture. These individuals possess a very unique relationship with the Federal Government and are able to travel to and from American Samoa and the United States as they wish. The vast majority of American Samoans in the United States reside in Hawaii and California. The Department of Education is encouraged to continue its efforts in addressing the unique and pressing problems of American Samoans through the two multifunctional resource centers in the Pacific Basin region (p. 222).

National Institute on Disability and Rehabilitation Research:

The Committee was most pleased to learn that NIDRR plans to continue to support the Pacific basin research and training center. There are truly pressing needs throughout the Pacific basin region (p. 232).

Vocational and Adult Education:

Basic Grants - In keeping with the provision of the Perkins Act, the recommended amount for basic grants includes \$10,772,000 for the Indian Program and \$2,154,500 for the Native Hawaiian Program (p. 232).

Higher Education:

Assistance to Guam - The Committee recommends \$479,000 for assistance to Guam, which is the same as both the 1988 appropriation and the House allowance. The administration did not seek funding for this program. Assistance to Guam is authorized to provide partial reimbursement to the University of Guam for costs incurred in providing postsecondary education services to students from other Pacific-area United States territories (p. 248).

Libraries:

Title IV, mandates setasides of 1.5% for Indian tribes and 0.5% for Hawaiian natives, to be taken from the total amount appropriated for each of LSCA Titles I, II, and III. Under the Senate proposals Native Hawaiians would receive \$601,250.

Public Library Services - The Committee has provided \$78,986,000 for public library services, the same as the 1988 appropriation and \$6,014,000 below the House allowance (p. 253).

Public Library Construction - The Committee recommends \$22,595,000 for public library construction, the same as both the 1988 appropriation and the House allowance (p. 253).

Interlibrary Cooperation - The Committee provides \$18,669,000 for interlibrary cooperation, which is the same as the 1988 appropriation and \$1,331,000 below the House allowance (p. 253).

FY'89 HOUSING AND URBAN DEVELOPMENT - INDEPENDENT AGENCIES
APPROPRIATIONS BILL
H.R.4800; Sen. Rpt. 100-401

Community Development Grants:

The Committee further urges the Secretary to provide \$1,500,000 from the special projects fund for the infrastructure development of Hawaiian home lands. The homelands constitute 187,000 acres of property which can be made available under 99-year homestead leases to native Hawaiians. Although 32,713 acres had been awarded as homestead lots through June 30, 1987, these funds will assist the State of Hawaii to provide the roads, water, electricity, and drainage improvements necessary to allow a substantial portion of the remaining acres to be leased to native Hawaiians (p. 23).

FY'89 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL
H.R.4867; Sen. Rpt. 100-410

National Park Service (p. 21):

Native Hawaiian Culture and Arts Program	
Budget estimate.....	0
Committee recommendation.....	\$600,000
Hawaiian Maritime Museum (Falls of Clyde home)	
Budget estimate.....	0
Committee recommendation.....	\$1,000,000

M E M O R A N D U M

TO: Senator

DATE: August 19, 1988

FROM: Esther

RE: NATIVE HAWAIIAN, AMERICAN SAMOAN, AND PACIFIC BASIN
ISSUES IN FY'89 APPROPRIATIONS BILLS

LABOR, HHS, EDUCATION BILL
Conference Report to accompany H.R.4783
House Report 100-880

U.S. DEPARTMENT OF LABOR:

Training and Employment Services:

Native Americans: (p.51) Conference appropriation-
\$59,713,000 .

National Activities: The conference agreement includes ...
\$2,500,000 for service delivery areas with high
concentrations of American Samoans, in addition to amounts
otherwise provided under section 2020 of the Act (p.11).

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES:

Health Resources and Services Administration:

Payment to Hawaii, treatment of Hansen's Disease: (p.61)
Conference appropriation-\$3,300,000.

Pacific Basin Activities (including Medical Officer
training): (p.62) Conference appropriation-\$1,500,000.

Alcohol, Drug Abuse, and Mental Health Administration:

Native Hawaiians: The Conferees reiterate their support for
mental health research and training programs directed at the
pressing problems of Native Hawaiians. The conference
agreement includes \$750,000 for a Research and Training
Center targeted at this population. The conferees are
agreed, however, that this grant must meet all appropriate
quality standards and that it should be awarded
competitively (p.26).

Office of the Assistant Secretary for Health:

Minority Health: (p.74) Conference appropriation-\$3,000,000.

Assistant Secretary for Human Development Services:

Native American Programs: (p.83) Conference appropriation-\$30,339,000.

The conferees direct the Administration for Native Americans to allocate \$1 million this year to continue the Native Hawaiian demonstration revolving loan program (p.30).

U.S. DEPARTMENT OF EDUCATION:

School Improvement Programs:

Territorial teacher training: (p.88) Conference appropriation-\$2,000,000.

Native Hawaiians: The conferees direct that within the total of \$5,000,000 made available for education programs for native Hawaiians, \$400,000 shall be for the model curriculum implementation project, \$1,800,000 shall be for family-based education centers, \$1,500,000 shall be for the higher education demonstration program, \$800,000 shall be for the gifted and talented demonstration program and \$500,000 shall be for the special education program (p.34).

Higher Education:

Assistance to Guam: (p.95) Conference appropriation-\$479,000.

Libraries:

Conference appropriation for Public Libraries:

Service.....	\$81,993,000
Construction.....	\$22,595,000
Interlibrary Cooperation.....	\$19,334,000

Under the Title IV mandate, Native Hawaiians would receive .5% which is \$619,610.

Vocational & Adult Education:

Basic Grants: (p. 92) In keeping with the provisions of the Perkins Act, the Native Hawaiian Program will receive \$2,169,968.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL FY 1989

Conference Report to accompany H.R.4867
House Report 100-862

National Park Service:

The conferees have agreed to provide \$1,600,000 for the Native Hawaiian Culture and Arts Program. This amount includes \$1,000,000 for the Hawaiian Maritime Museum (Falls of Clyde).

M E M O R A N D U M

TO: SENATOR

DATE: November 9, 1988

FROM: PAT, LURLINE, MARIE, PHYLISS

RE: NATIVE HAWAIIAN LEGISLATION
Second session of 100th Congress

I. EDUCATION:

The Native Hawaiian Education Act was signed into public law (P.L. 100-297). This bill authorized \$10+ million annually, for each of 5 years. The Fiscal Year 1989 Appropriations bill for the U.S. Department of Education (P.L. 100-436) provided \$5 million for the coming year, of which \$400,000 shall be for the model curriculum implementation project, \$1.8 million for family-based education centers, \$1.5 million for higher education demonstration projects (fellowships), \$800,000 for the gifted and talented program at the University of Hawaii at Hilo, and \$500,000 for special education programs.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Education (P.L. 100-436) provided \$2.2 million for Native Hawaiians under the Vocational Education "set aside" and \$612,175 for Native Hawaiians under the Library Construction "set aside". These funds go to Native Hawaiian organizations certified by the Governor of the State of Hawaii. The authorization for these "set asides" expires this Fiscal Year (FY'89).

II. HEALTH:

The Native Hawaiian Health Care Act was signed into public law (P.L. 100-579). It was also included in the Omnibus Anti-Drug Initiative legislation. This bill authorizes \$19.5 million, over a period of three years, to establish a series of nine Native Hawaiian Health Promotion and Disease Prevention centers. The first year for funding would be Fiscal Year 1990.

The Anti-Drug legislation further provides that for the next three fiscal years (FY'89-91), that of the funds appropriated to the State of Hawaii under the Alcohol, Drug Abuse, and Mental Health block grant, a figure equal to the proportion of Native Hawaiians in the state shall be available only for Native Hawaiians and further, shall be extended through contracts entered into by the State of Hawaii with public and private nonprofit organizations.

This will begin in Fiscal Year 1989; however, the dollar amount involved has not been determined.

The Indian Health Care Amendments of 1989 is currently awaiting the President's signature. This bill provides authority for a new Native Hawaiian Health Scholarship program, administered by the Kamehameha Schools. \$1.8 million is authorized for each of the next three fiscal years, with the first year of available funding being Fiscal Year 1990. The bill also included a provision authorizing the network of Native Hawaiian Health Promotion and Disease Prevention centers; however, this was subsequently superseded by the provisions of the Native Hawaiian Health Care Act.

The Health Omnibus Extension Act of 1988 (P.L. 100-xxx) included reference to "Native Hawaiian Health Centers" under three provisions of the Nurse Training Act (Title VIII). These centers were designated as appropriate sites in which an individual can serve in order to fulfill service obligations under the nurse practitioner and nurse midwife program, federal loan repayments requirements, and undergraduate nurse scholarship requirements.

The Rural Health Care Initiative (which was included in both the Indian Health Care Amendments of 1988 and the Health Omnibus Extension Act of 1988) designates "Native Hawaiian Health Centers" as qualified health care agencies for the purpose of receiving interdisciplinary training support targeted towards the unique health care needs of Rural America. The program authorizes \$5 million annually, for Fiscal Years 1989-91.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Health and Human Services (P.L. 100-436) contained report language which directs the Department to continue its support (\$1 million annually) for the Native Hawaiian maternal and child health centers and further, urges that National Health Service Corps personnel be assigned to these centers. Language has also been included recommending that the National Center for Nursing Research (NIH) give priority to projects targeted towards increasing the number of Native Hawaiian nurse researchers. \$750,000 was included in the National Institute of Mental Health (NIMH) account for a new Native Hawaiian research and training center.

The Fiscal Year 1989 Appropriations bill for the Legislative Branch (P.L. 100-458) provided \$100,000 in additional funding for the Office of Technology Assessment (OTA) to conduct a comprehensive adolescent health study, including addressing the pressing needs of Native Hawaiian adolescents.

III. NATIVE HAWAIIAN CULTURE AND ARTS PROGRAM:

The Fiscal Year 1989 Department of Interior bill (P.L. 100-446) provided \$600,000 for the second year of funding for the Native Hawaiian Culture and Arts program, as well as an initial \$1 million (out of \$3 million requested) for construction of the Kalakaua Boat House Museum (Hawaii Maritime Center). The Native Hawaiian Culture and Arts program was authorized for an indeterminate period, as a provision of the Higher Education Amendments of 1986 (P.L. 99-498).

IV. ECONOMIC DEVELOPMENT:

The Small Business Act Capital Ownership Development Program Amendments, awaiting signature, strengthens Native Hawaiian participation in the Title VIII (a) minority small business programs. Native Hawaiian non profit community organizations are eligible, as 8(a) contractors, to receive federal government contracts.

The Fiscal Year 1989 Appropriations bill for the U.S. Department of Health and Human Services (P.L. 100-436) provided the second of three million dollars for the Native Hawaiian Revolving Loan Program. This initiative was authorized by Title V of the Older Americans Act Amendments of 1987 (P.L. 100-175).

V. HAWAIIAN HOMELANDS:

Funds were appropriated under the Fiscal Year 1989 Appropriations bill for the Department of Housing and Urban Development (P.L. 100-404) to include a set aside in the Secretary's discretionary fund of \$1.22 million for infrastructure development on Hawaiian homelands.

The National Housing Act was amended by the Housing and Community Development Act of 1987 (P.L. 100-242) in order to provide federal mortgage insurance for Hawaiian Home Lands housing.

VI. NATIVE AMERICAN LANGUAGES:

The Senate passed S.J.Res. 379 establishing as the policy of the nation the preservation, protection, and promotion of the rights of indigenous Americans, including Native Hawaiians, to use, practice, and develop Native American languages. The House did not act on the measure.

1/31/89

NATIVE HAWAIIAN EDUCATION AND HEALTH LEGISLATION

EDUCATION:

The various Native Hawaiian education initiatives that were included in the Elementary and Secondary Education legislation (P.L. 100-297) were funded this year (Fiscal Year 1989) at a total of \$4.940 million. The Senate had originally proposed \$6 million and the House bill contained no funding. The various elements were funded as follows (with a subsequent 1.2% across the board reduction):

\$400,000 for the model curriculum implementation project.

\$1.8 million for the family-based education centers.

\$1.5 million for the higher education demonstration project.

\$800,000 for the gifted and talented program in Hilo.

\$500,000 for the special education program.

The Fiscal Year 1990 authorization levels for the first two projects are "such sums as necessary" (i.e., no limit) and \$2 million, \$1 million, and \$1.5 million respectively for the remaining projects. This year the Senate will probably again propose a total of \$8 million, with the resulting conference agreement approximating \$6.5 million, for an increase of 32.6 percent. Note, the family-based education center program is essentially replacing \$1 million of maternal and child health federal funds that Kamehameha Schools has been receiving.

This year Native Hawaiians are receiving approximately \$2.8 million under the Vocational Education and Library Construction "set-asides". Both of these bills are up for renewal this year.

Senator Inouye and Representative Akaka have written to 25 institutions of higher education requesting that Native Hawaiians be deemed eligible for their affirmative action admission and scholarship programs.

HEALTH:

The Native Hawaiian Health Care Act of 1988 (P.L. 100-579) provides authority for \$2.6 million in Fiscal Year 1990, to increase to \$6 million the following year. No funds are currently appropriated; however, under the Anti-Drug bill the State health department is directed to allocate a per capita percentage of this year's block grant funds to Hawaiian organizations, similar to that described in this bill. The funds expected to be appropriated next fiscal year are to be allocated as follows:

\$700,000 for a comprehensive health care master plan.

\$900,000 for planning the series of Native Hawaiian health centers.

\$1 million for establishing Papa Ola Lokahi.

The Senate Appropriations Committee will probably propose \$2.6 million for the first year's funding. A reasonable compromise in conference would result in \$1.5 million.

Currently the federal government is in the beginning stages of funding a \$500,000 Native Hawaiian hearing loss study (over two years) and a Native Hawaiian mental health research and training center. Both of these should continue during Fiscal Year 1990.

The Indian Health Care Amendments of 1989 (P.L. 100-713) authorized \$1.8 million in health professions scholarships beginning in Fiscal Year 1990. These funds are to be administered by the Kamehameha Schools.

The Health Omnibus Extension Act of 1988 (P.L. 100-607) included express reference to Native Hawaiian Health Centers under three provisions of the nurse training programs, as sites for repaying government loans. Similarly, the Indian Health Care bill referenced the centers under the new Rural Health care interdisciplinary training program.

The Office of Technology Assessment is developing a comprehensive study on adolescent health care and special attention will be given to Native Hawaiian needs. Note, Senator Inouye and Representative Akaka will be meeting with the President of the Robert Wood Johnson foundation to explore the possibility of having that private foundation address the unique needs of Native Hawaiians.

The Native Hawaiian Anti-Drug initiatives were funded at approximately \$700,000 this year and as described above, the State of Hawaii will be required to spend an appropriate per capita percentage from its block grant. This figure should continue with a moderate increase.

Senator Inouye has introduced legislation (S.108) which would allow the Native Hawaiian health centers to receive additional special federal support. This bill was referred to the Senate Select Committee on Indian Affairs.