tic shipment) except in safe containers which (as determined by the Administration on the basis of appropriate tests) will not rupture under crash and blast testing equivalent to the crash and explosion of a high-flying aircraft.

"Sec. 502. If it is determined pursuant to rules promulgated by the Administrator of the Energy Research and Development Administration that a particular shipment of plutonium by aircraft must be made for purposes of national security, but such shipment cannot be made in a safe container or containers in accordance with the requirement imposed by section 501, the shipment may be made notwithstanding such requirement but only if—

"(1) express written authorization for the shipment is given by the Administrator personally; and

"(2) the Administrator transmits to the Committees on Science and Technology and Armed Services of the House of Representatives and the Committees on Energy and Natural Resources and Armed Services of the Senate, at the time of the shipment or within 10 days thereafter, a written notification and description of the shipment together with a detailed explanation of the reasons why it was necessary to make the shipment by aircraft and why it was not possible to make the shipment in a safe container or containers as required by section 501."

EXTENSIONS OF REMARKS

IMPERIAL VALLEY DESERVES BETTER

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the San Diego Union, Aug. 29, 1977]

IMPERIAL VALLEY DESERVES BETTER

Imperial Valley has one of two destinies. It can be a harsh desert of interest primarily to those bent on recreation, tourists, environmentalists, fishermen and geologists. Or it can be, and is, a food basket for the United States.

Until about the turn of the century, Imperial Valley was primarily a desert. It became a food basket primarily because of the spirit and endurance of several generations of hardy farmers. They have literally made the desert bloom.

All of this happened long before the U.S. Bureau of Reclamation established its programs to develop agriculture on arid and marginal lands in the western states. Indeed, Imperial Valley farmers were providing their own irrigation and farming some 400,000 acres of land before the All American Canal from the Colorado River to the Valley was built under the aegis of the Bureau.

In the early 1900s, the federal government recognized the equities and achievements of Imperial Valley farmers, as well as the unique character of farming in the region. Washington exempted Valley farmers from Bureau of Reclamation rules which limit individual ownership of land to 160 acres if it is receiving irrigation water from federal dams—and a rule that the person tilling the land must live on it, or no farther than 50 miles from it.

The exemption was valid then and is today. Imperial Valley farmers did not need the All American Canal. They were already getting adequate irrigation water from another canal that dipped through Mexico before returning to the United States. But they supported the "All American" project with the understanding that acreage limitations would not apply and agreed to pay the federal government $45 million as their share.

The simple fact is that the 160-acre limitations are unrealistic in Imperial Valley. The kind of crops grown there, such as lettuce, wheat, sugar beets and alfalfa, require large acreages. Other kinds of crops are not feasible because the land is marginal and water is so mineral laden that crops have to be frequently rotated.

Nor is a 160-acre limitation practical when a track-type tractor costs more than $100,000, a combine $50,000 and a cotton picker $55,000. And a 160-acre limitation in Imperial Valley does not permit a farmer the flexibility of planting several different kinds of crops to cover losses if the market is poor for any one of them.

These are facts backed by a half-century of actual farmng experience. Over the years they were accepted by the federal government, both administrators and courts, in exempting Imperial Valley from the rules imposed by the Bureau of Reclamation.

Thus, Imperial Valley farmers received a double shock in recent weeks when an appeals court held that the Bureau's rules do apply to them, and when the secretary of the Interior added, three days later, that residency regulations also would be enforced.

Ostensibly the acreage limitations and residency requirements are supposed to encourage family farming. The fact is that most of the farms in Imperial Valley are family farms, both large and small. If the appeals court and secretary of Interior's rulings stand, family farms would actually be broken up.

Drastic consequences also would follow a breakup of the large Imperial Valley farms. They would become less efficient and productive. The nature of Imperial Valley agriculture would change drastically for the worse and that part of the valley could start changing back into a desert. On a broader scale, the entire economic structure of the region would suffer and prices of food would go up for many Americans.

It need not happen. The Imperial Valley agricultural story is indeed an all-American story of hardy pioneers carving out successful enterprises with their own hands and energies. It threatens to become an all-too-frequent modern-day American story in which an insensitive bureaucratic juggernaut intrudes into an operation that is working well and imposes harm and suffering.

The legal remedies available to the Imperial Valley growers are few. Their hope is that people become angry enough with this latest bureaucratic excess to turn Washington around.

We hope they do.

SENIOR CITIZENS FAVOR FUNDING FOR ADVISORY NEIGHBORHOOD COMMISSIONS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. FRASER. Mr. Speaker, ANC's in the District of Columbia are a helpful link between the neighborhood residents and the District government.

One example is given in a letter from Mrs. Christine McNair, president of the tenants council at a senior citizens housing project on Capitol Hill, where the ANC helped get locks on the hall doors, secure mailboxes, and plans for window guards on first floor apartments.

Mrs. McNair's letter follows:

KENTUCKY COURTS SENIOR CITIZENS HOUSING PROJECTS,
Washington, D.C., September 2, 1977.

We senior citizens have been greatly aided by this elected body. To cite a specific example: Ever since the construction of our public housing complex, residents tried to get the local housing authorities to put locks on our entryways. We lived in constant anxiety because strangers had easy access to our hallways 24 hours a day.

Our Commissioner, who lives only a few blocks away, took a special interest in our problems and discussed them with the full Commission, ANC 6B.

Within a few days, ANC 6B held a public meeting with a representative of housing and several residents from this housing project. The Commissioners told the representative that they were deeply concerned about the absence of security in our buildings, and urged the housing authorities to take immediate steps to correct this serious problem.

For the first time, since this complex was built about 5 years ago, we have locks on our hall doors; our mailboxes are secure; and window guards are scheduled to be placed on all first floor apartments.

We need this community-based elected body to help us live better lives. Please don't kill them. Vote to refund the ANCs!! We thank you.

Sincerely yours,

Mrs. Christine McNair,
President.

MEMBERS OF NEW MARYLAND COMMISSION ON INDIAN AFFAIRS NAMED

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mrs. HOLT. Mr. Speaker, Maryland is very proud of the Indian cultural contributions to our State's heritage. I am happy to learn that the Maryland General Assembly has recognized this segment of the State's population and I believe that the following release is worthy of mention in the CONGRESSIONAL RECORD:

MEMBERS OF NEW MARYLAND COMMISSION ON INDIAN AFFAIRS NAMED

A separate Commission on Indian Affairs has been established by the Maryland General Assembly, with J. Hugh Proctor, a Piscataway and a retired Program Officer with the U.S. Army Material Command named as its first chairman.

Prior to the creation of the new Commission, the Indian group had been a part of the Commission on Afro-American and Indian History and Culture which, in turn, changed its name after an amicable separation. Both Commissions are agencies of the

Department of Economic and Community Development.

Charged with initiating projects which further the understanding of Indian history and culture, the new Indian Commission will undertake a thorough demographic study of the native American peoples of Maryland, including, among others, the Haliwas and the Lumbees, who came to Maryland in modern times from North Carolina, and the Piscataways, Southern Maryland's indigenous Indian people.

It is not widely known that Maryland has a large Indian population, estimated at about 8,000, some scattered over Maryland but many, like the Piscataways, still found in areas of Southern Maryland where their forebearers lived for centuries. Some Indians live in ethnic areas of East Baltimore and others, representing such tribes as Comanche, Pueblo, Blackfeet, Creek and Cherokee, are found in many areas across the State. When the first Maryland "settlers" in the Ark and Dove landed in 1634, Piscataway Indians were already long in residence.

Billy Redwing Tayac, named to the nine-member Commission, said the Piscataways played an active role in the Maryland Bicentennial commemoration, building a permanent historical and cultural exhibit at the Piscataway-Conoy Indian Center at Waldorf. It was noted that during the Bicentennial in America an exhibit in London illustrated 2,000 years of American art.

Tayac is the son of Turkey Tayac, hereditary Sagamore (Chief of chiefs) of the Piscataways.

Vice Chairman of the Indian Commission is Dr. Bobby D. Brayboy, a Lumbee and widely-known teacher and lecturer in Indian and public health fields. He received a Ph.D in education at the University of New Mexico and is the recipient of numerous awards and honors.

Other members of the Indian Commission are: Dr. Joseph W. Neale, a Shawnee, Director of International Student and Faculty Exchange and American Indian Student Advisor at the American University, Washington, D.C.; Tommie Dial, Executive Director of the American Study Center in Baltimore, a Lumbee; Carl Harding, also a Lumbee of Essex, Chairman of the Board of American Indian Study Center; Thelma Morrisseau Hothem, a Sioux-Ojibway of Bethesda and a member of the Montomery County Indian Parent Committee; Mrs. Sarah J. Bundy, teacher in Baltimore public schools for more than 25 years and is a nurse by training; and Stephen W. Lafferty, a teacher in history and social studies in Baltimore schools. He obtained his M.A. specializing in Indian affairs at Bowling Green State University in Bowling Green, Ohio.

PATRICIA JOAN THOBEN

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BRADEMAS. Mr. Speaker, Patricia Thoben's life was one of dedication to a noble cause—equality of opportunity for handicapped people. She was a courageous person who committed herself to fighting for the civil rights of disabled individuals.

The recent issue of "Disabled USA," the magazine of the President's Committee on Employment of the Handicapped, carries a tribute to Patricia Thoben written by Dick Sheppard, which I insert at this point in the RECORD:

ONE AMONG MANY

"Because of deep love, one is courageous."—Lao Tzu.

No other phrase could better characterize Pat Thoben who gave up her fight with cancer June 7. Patricia Joan Thoben, 44, devoted most of her life to working for equal rights for handicapped persons.

In 1974 she made national news when two airlines refused her passage on their flights to Philadelphia on the grounds that she would be unable to leave the plane by herself if an emergency should occur. Pat was one of the first to legally challenge the airlines. Although she was offered handsome financial settlements, she refused them—asserting that the right of all handicapped people to fly, and not her personal inconvenience, was the basic issue.

When I first met Pat, it was in 1965 in a library in HEW. She was perched at least two tiers above her wheelchair getting a book. I often thought of her fierce independence and determination in relation to her airline suit. I knew I would hate to be in her way if she wanted off an airplane. I was also awed by her courage and assertiveness when dealing with the highest government officials—from the White House to the halls of Congress.

As I grew to know her, I learned that her courage stemmed from a deep concern for others with disabilities and her total commitment to human dignity for all persons.

For the last three years, Pat served as a Senior Program Assistant in the Office of Selective Placement, U.S. Civil Service Commission. She played an important role in the overall administration of federal policies, practices and procedures for the hiring, placement and advancement of handicapped individuals.

She had a long history of government employment. Before coming to the Civil Service Commission she worked at HEW. Always, her efforts were particularly directed toward the severely handicapped. Through her efforts, the successful placement of all disabled employees was better ensured.

Her fight to see that disabled people received equal opportunities took her throughout the United States and the world. These presentations won her many friends and much respect. She presented her arguments with strength, and herself with dignity and warmth.

In addition to speaking her mind, she wrote extensively, reaching those she could not persuade personally. Her "Civil Rights and Employment of the Severely Handicapped", published in the "Rehabilitation Counseling Bulletin" in June 1975, was widely acclaimed and quoted.

In her civil rights article Pat concluded by challenging handicapped persons to . . . "accept the responsibility of their own destiny, of realizing their hopes of participating in a society in which we are all equal to live, work, and move about freely."

Personally, Pat inspired me to take up the gauntlet and moved me many miles forward in working toward equality for all persons. I know I am not a person alone who Pat inspired, but one among many.

Pat, too, was one person among many who have fought for the rights of handicapped people—but such a special one!

—Dick Sheppard.

LANCE IMBROGLIO STYMIES AGE DISCRIMINATION REFORM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. FINDLEY. Mr. Speaker, the embattled Director of the Office of Management and Budget, Bert Lance, has failed to transmit to Congress the administration position on H.R. 5383, my bill to extend the protection of the Age Discrimination in Employment Act, despite the fact that he has had a draft report from the Department of Labor on his desk for months. The purpose of the bill is to eliminate mandatory retirement in the Federal service and increase the age of mandatory retirement in the private sector from 65 to 70.

Hearings by the House Employment Opportunities Subcommittee were delayed twice at the request of the administration, and finally the committee decided to act without having the administration's view. Now, on the eve of House passage of this landmark legislation, the Senate committee has been asked to delay consideration of similar legislation because OMB has not cleared a department report.

The unfortunate conclusion to be drawn is that OMB and the White House have become so preoccupied with the controversy surrounding Mr. Lance that the business of government has come to a standstill, at least insofar as H.R. 5383 is concerned.

The House will vote on its bill tomorrow. Each day the Senate delays at the administration's request means justice delayed for numerous workers who will be reaching age 65 during the delay. They deserve to have guaranteed their basic human right to be judged on their ability and not merely on their age. Age discrimination is the last civil rights barrier and we need the support of the White House to eliminate it.

When the consideration of legislation of this importance is delayed because the administration is preoccupied with the defense of Mr. Lance it is time for the President to draw the line. Mr. Lance should step down immediately so that the President and the Congress can get on with the business of governing the Nation.

LET US BE SENSIBLE ABOUT CLINCH RIVER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. TEAGUE. Mr. Speaker, as we all know, the economy is directly related to the energy supply for transportation, industry, commerce and residential needs. Employment, disposable income and lifestyle are all dependent on the availability and price of energy.

Many estimates of future energy demands have been made recently, but I believe the one made by the Department of Interior and the utility companies, even though it is based on an annual increase in energy demand that is about half of what the actual increase has been for the last 20 years. Higher prices and conservation in all probability will reduce the demand for energy, but even with these changes in consumption, the United States will consume twice as much energy in the year 2000 than it consumes today.

To meet this increase in energy demand, coal production must be tripled, imported oil doubled, and conventional nuclear electrical power production increased 1,300 percent by the year 2000. Solar and geothermal systems will contribute to the energy supply stream but as the world's oil supply drops below demand and the Nation's gas supplies decline, a new dependable source of energy must start to fill the gap.

Coincident with the depletion of oil and natural gas, and according to the Energy Research and Development Administration, uranium is also in short supply. Because of the limited domestic uranium reserves, the United States cannot continue to construct new conventional nuclear powerplants much beyond the early 1980's. We cannot, therefore, provide the 1,300-percent increase in conventional nuclear power as President Carter has planned.

The utility companies will be unable to arrange for the necessary financing of new nuclear plants unless the Government can guarantee an adequate supply of fuel for them. If the Government moves ahead and builds Clinch River, it will demonstrate to the banking community and to the utility companies that an alternate fuel supply will be available if it is needed. In the meantime, if a miracle occurs and a better energy option than the breeder reactor becomes available, I will personally support it, but I would rather not depend on it now. I just do not understand how or why we should delay building Clinch River for 5 minutes.

It is awfully hard to convince the public that we have to start building something today in order to have it tomorrow when we need it. I am glad our farmers do not procrastinate this way. I have talked to men in the utilities industry and it takes them 10 years to build one conventional nuclear plant. It is going to take us a long, long time before we can even begin to design a commercial breeder.

The committee and I are excited about many of the possible energy systems of the future: solar satellies, geothermal, fusion—to mention just a few systems. They all have the potential for delivering power in the future and we are concentrating heavily on research to develop these systems, but no system, other than the breeder reactor, is sufficiently developed at this time to guarantee a supply of energy for tomorrow.

Clinch River is about 5 to 10 years ahead of the other breeder reactors being developed and it is the most efficient of all. Admiral Rickover's light water breeder, which is the size of EBR II, a forerunner of Clinch River, has been put into operation; the gas-cooled fast reactor is very promising; and the Canadians are "souping up" their CANDU heavy water reactor to do some breeding. We are not going to hesitate in pursuing any reasonable option.

The breeder reactor has been criticized heavily. According to many, it will contribute to the widespread application of nuclear weapons. I personally spent weeks studying proliferation and I want to go on record as saying it is the biggest threat mankind has ever faced. If terminating Clinch River could stop proliferation, I would bury the drawings right now.

There are seven nations who now possess nuclear weapons and not one of those nations used a breeder reactor to obtain the materials. There are over 400 reactors in 49 countries that presently produce plutonium. All conventional nuclear powerplants produce plutonium. It is not even necessary to use plutonium to make a weapon. Of the two bombs dropped on Japan, the one that devastated Hiroshima was made with uranium.

All breeder reactors depend on spent fuel reprocessing and it is at this point that plutonium must be safeguarded. Contradictory to President Carter's position on Clinch River, the administration just approved the operation of a spent fuel reprocessing plant in Japan.

We must build Clinch River so that it can eventually be used to demonstrate the plutonium and the thorium fuel cycles, to gain experience in safe breeder reactor plant operation and particularly to develop effective proliferation safeguards.

It will cost $700 million, excluding earned revenues, to terminate Clinch River—not $33 million. It will cost $700 million to allow the equivalent energy of 1 trillion barrels of oil lie dormant where it is now stored in Kentucky, Ohio and Tennessee, while we ask the public to turn down their thermostats.

REFLECTIONS ON UNITED STATES-CHINA POLICY

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mrs. HOLT. Mr. Speaker, I am gratified to note that, according to a recent edition of the Washington Post, Secretary of State Vance has at last consented to meet personally with the Ambassador of the Republic of China to the United States, Mr. James Shen. This was the first formal meeting to be held between an American Secretary of State and the Chinese ambassador in many years, and it was clearly long overdue.

While this suggests that the Carter administration may be taking a more balanced view of the China question than heretofore, prominent and powerful voices in the American Government are continuing and will continue to press for the abandonment of the Republic of China on Taiwan. The "plan" recently proposed by Senator KENNEDY is but one instance, but a particularly insidious one. In it, he has suggested that by switching American diplomatic recognition from Taipei to Peking, the United States could avoid the necessity of formally abrogating its security treaty with the Republic of China, since at that point the Republic of China would for our purposes cease to exist as a legal entity. This appears to me to be the height of cynicism. Can it be thought that by simply snapping our fingers our 16 million friends and allies on Taiwan will cease to exist, or that the longstanding relationships and responsibilities existing between two nations can be shrugged off so lightly? I think not.

Mr. George F. Will, in a recent column, has incisively commented on this question. I highly commend it to my colleagues.

[From The Washington Post, Sept. 4, 1977]

CRAWLING AWAY FROM TAIWAN

(By George F. Will)

A state is, as de Gaulle said, a cold monster. Every nation commits cold-blooded acts that it rationalizes, and occasionally justifies, by "reasons of state." But rarely does a nation commit a cold-blooded act that is as optional, even pointless, as the one the United States is being urged to commit against Taiwan.

Although there is no visible calamity to be forestalled, and no substantial gain to be achieved, the U.S. government is being urged, from within and without, to "normalize" relations with China on China's severe terms. This would involve withdrawing recognition from Taiwan and nullifying the defense treaty with Taiwan. This would be the first time a friendly nation was denied U.S. recognition.

U.S. policy toward China is, and since the 1972 Shanghai agreement has been, a policy of appeasement. To apply that description to a policy is not necessarily to denounce the policy. It has been said that the worst consequence of Neville Chamberlain's policy was that appeasement was discredited as an aim of diplomacy.

But there is no need for the United States to appease China. There is no evidence that China, if unappeased, will turn its policy inside out and seek rapprochement with the Soviet Union. Either China needs close relations with the United States to counter the Soviet threat, or it doesn't. If it does, it needs those relations more than it needs to humiliate the United States over Taiwan. If China doesn't need close relations with the United States, the United States can't purchase close relations with China by abasing itself and sacrificing a small nation.

To "de-recognize" Taiwan would be to accept China's contention that Taiwan is just an unfinished chapter in China's civil war. As China's Premier Hua puts it, "We are determined to liberate Taiwan. When and how is entirely China's internal affair."

It is intolerable for senior U.S. officials to suggest (as they reportedly have) that, in exchange for "de-recognition," China might declare that it has no immediate intention to exercise its "right" to use military force against Taiwan. It is grotesque for U.S. officials to ask if China might tolerate a U.S. statement declaring a U.S. "interest" in a peaceful settlement of the issue.

Surely the U.S. government realizes that any "assurances" it gives to Taiwan in conjunction with "de-recognition" will be incredible because of their context. Similarly, any "interest" the United States expresses to China about a peaceful settlement will seem feckless because it will be expressed as part of a retreat from defense obligations.

The U.S. defense treaty with Taiwan is, like all treaties, part of the supreme law of the land. There is a lawful method (formal abrogation) to abolish it.

But some people favor a method more in keeping with the spirit of their appeasement policy. The United States could crawl away from its commitment by announcing "de-recognition," and then asserting that, because Taiwan has ceased to exist, so have treaties with Taiwan.

Currently the U.S. government is inviting Americans to think well of the new treaty that cedes control of the Panama Canal to Panama. The government says the treaty is

not an act of weakness, but rather expresses the confident magnanimity of a large nation toward small nations.

Simultaneously the government is contemplating sacrificing a small nation to satisfy the appetite of a large nation. That would be a message to small nations, and especially to Israel.

Today the U.S. government is inviting Israel to take grave risks for the possibility of peace. But if the United States turns its back on Taiwan, it will be apparent to Israel that the gravest risk a small nation can take is to rest its security on U.S. commitments.

The U.S. government is being urged to win China's affection by means of a policy that will earn China's contempt. Of course there are always "realists" who argue that no quaint principle of honor should inhibit a nation's pursuit of advantage. But "realists" have yet to demonstrate the advantage to the United States in such a unilateral, dictated sacrifice of honor.

It often is true that, as William James said, people do not run because they are scared, but are scared because they run. Certainly if the United States runs from its commitment to 16 million Taiwanese, Americans should be scared.

IN THE BEGINNING

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. JACOBS. Mr. Speaker, Mr. Raymond W. Hilgedag, attorney at law in Indianapolis, submits this for the RECORD:

IN THE BEGINNING

God created Heaven and Earth. Quickly he was faced with a class action suite for failure to file an environmental impact statement. He was granted a temporary permit for the Heavenly part of the project, but was stymied with a Cease and Desist Order for the earthly part.

Appearing at the hearing, God was asked why He began his earthly project in the first place. He replied that he just liked to be creative.

Then God said, "Let there be light," and immediately the officials demanded to know how the light would be made. Would there be strip mining? What about thermal pollution? God explained that light would come from a huge ball of fire. God was granted provisional permission to make light, assuming that no smoke would result from the ball of fire, that He would obtain a building permit, and to conserve energy, would have the light out half the time. God agreed and said He would call the light DAY and the darkness NIGHT. Officials replied that they were not interested in semantics.

God said, "Let the Earth bring forth green herb and such as may seed." The EPA agreed so long as native seed was used. Then God said, "Let the waters bring forth the creeping creatures having life; and the fowl that may fly over the Earth." Officials pointed out that this would require approval of the Game and Fish Commission coordinated with the Heavenly Wildlife Federation and Audubongelic Society.

Everything was OK until God said He wanted to complete the project in six days. Officials said it would take at least 100 days to review the application and impact statement. After that there would be public hearings. Then there would be 10 or 12 months before . . .

And God said, "The H—— with it!"

THE PROBLEM WITH H.R. 8698

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. DOWNEY. Mr. Speaker, on September 13, the House passed H.R. 8698 which addresses the question of eligibility for veterans benefits for those who participated in the special discharge upgrade programs of Presidents Ford and Carter.

The bill is the result of much hard work by the Veterans' Affairs Committee. On the whole, it is a satisfactory bill, for it is the best the views and circumstances of the House will permit. In fact, in testimony before the committee, I supported the general concept behind this bill as a "workable compromise" between the supporters and opponents of the special discharge upgrade programs.

Yet, I was compelled to argue and vote against final passage of the bill because of a provision which is unnecessary to carry out its purpose and which would cause serious problems of equity.

The bill redefines the term "deserter" for the purpose of veterans' benefits eligibility to include, "any individual who was absent without authority from active duty in the Armed Forces for a continuous period of 180 days." The committee report explains that this provision is meant to preclude the awarding of benefits to any individual who has initially been discharged for an unauthorized absence of 180 days or more.

I do not question the commonsense fact that 180 days is an extremely long period of unauthorized absence. I strongly feel, however, that this 180-day figure sets an arbitrary standard. It flies in the face of the concept of case-by-case review which has been a major theme in this entire issue and was constantly cited by proponents of the Beard amendment in objection to the special discharge upgrade programs for Vietnam-era veterans. After all, this bill grew, in large part, from the belief that revised discharge upgrade standards which applied only to Vietnam-era veterans were inequitable because of an "arbitrary" cutoff point.

The problem with this 180-day provision can be illustrated as follows:

There is a very admirable section in H.R. 8698 which would allow a less than honorably discharged veteran to receive benefits for the treatment of a disability incurred during the performance of duty, as long as the individual is not barred from benefits under other sections of the bill.

What of the veteran with a duty-connected disability who, upon returning from a combat area, absented himself from a stateside post because of adjustment problems, the wrongful denial of a hardship leave or similar reasons? If the individual was discharged for an unauthorized absence of 179 days, he would be eligible for veterans' benefits; if the absence was 181 days, he could not receive benefits, regardless of any action a Discharge Review Board might take in his case.

The "180-day deserter provision" negates the consideration of an important mitigating factor or any of the attendant circumstances in cases involving unauthorized absences of this length. It results in an automatic denial of benefits and is antithetical to the concept of case-by-case review.

It should also be noted that this provision is also inconsistent with a basic principle of military law which views desertion as an "intent specific" offense.

Traditional military law, such as Article of War 58, the present Uniform Code of Military Justice, and a long line of decisions by the Court of Military Appeals clearly reinforce this precept. For instance, the basic definition of desertion in article 85 of the UCMJ is absence without authority with the intent to remain away permanently or with the intent to shirk hazardous or important duty. The Court of Military Appeals, speaking in the 1957 case of U.S. against Cothern, could not be more clear:

> An absence of 17 days or 17 months or 17 years is only an absence—though its probative value may be great—and the (length of absence alone) is not a substitute for intent.

The absence and intent are both parts of the offense, and although a court martial may infer the intent from the circumstances and duration of the absence, each desertion case must rest upon its own set of particulars.

The bill would have the Veterans' Administration define deserter on the basis of one fact alone, an unauthorized absence of 180 days or more. The reasons, circumstances, and intent involved in a case would have no impact on veterans' benefits eligibility. The fact that an unauthorized absence began after a successful period of service and with only weeks left in a soldier's tour of duty would be unimportant; more disturbingly, any wounds, decorations, or unfair treatment of a soldier would simply be ignored.

The explanatory language in the committee report mandates that an upgrade by a Discharge Review Board would not affect any existing bar to veterans' benefits under section 3103(a) of 38 United States Code. Because the only germane 3103(a) bar is the deserter category, this language will impact almost exclusively on those individuals who have or will receive an upgrade of a discharge issued for an unauthorized absence of 180 days or more.

The committee report does state that a reasonable interpretation of the bill would allow the Board for Corrections of Military Records to provide effective relief. It is explained that the BCMR can change or remove the "reasons" for an original discharge, as opposed to the Discharge Review Board's authority to change the "characterization" of the discharge.

Aside from the seeming disregard for the competency of Discharge Review Boards, some serious practical problems portend that BCMR relief may not be so effective. Unlike Discharge Review Boards, the BCMR operates only in Washington. This is an obstacle to the veteran of limited resources. There is also

a time problem. A Military Discharge Review Board takes 6 months to a year to process and decide a case, and while the BCMR decides a case within a year's time, it currently has a 3- to 5-year backlog. A veteran who would and should be eligible for benefits, without this arbitrary 180-day provision, could face a wait of 5 years before having a meaningful review of the merits of his case for benefits. For a young veteran with a duty-connected disability or a desire to continue his education, such a delay would deny him benefits when he needs them the most.

H.R. 8698 intends to deny veterans' benefits solely as a result of an upgraded discharge under one of the special programs and to require that benefits only be awarded under generally applicable standards. The "180-day deserter provision" is unnecessary to achieve this purpose. It will, in an arbitrary manner, automatically deny benefits to many veterans by denying them an early and comprehensive review of their individual situations.

During floor debate on this bill, several distinguished members of the Veterans' Affairs Committee suggested that they would carefully examine this provision and its ramifications. I hope they will give this provision their utmost consideration and see that it is dropped from the bill.

A PLUS FOR THE MARION COUNTY PUBLIC WELFARE PROGRAM

HON. DAVID W. EVANS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. EVANS of Indiana. Mr. Speaker, our welfare system has come under considerable criticism in recent years. Substantial increases of ineligible recipients, and impersonality of welfare caseworkers are among the many reasons our welfare system is attacked as being an inefficient bureaucracy. After a recent tour of the Marion County Department of Public Welfare (MCDPW) in Indianapolis, however, I have found the opposite to be true. Not only did I find a very dedicated staff who works diligently and responsibly, but also I discovered that MCDPW has a very low error rate concerning eligible recipients of assistance for dependent children. For the last half of 1976, over 95 percent of families receiving assistance for dependent children benefits from MCDPW were in fact eligible and receiving the correct payment. In a suvey of 282 scientifically selected cases, the Indiana State review team found only one case to be ineligible, for an error rate of 0.35 percent; 9 families were found to be overpaid, 3.19 percent, and 4 were underpaid, 1.42 percent, for a total error rate of 4.96 percent. Consequently, MCDPW has reduced the error rate by nearly one-half over the previous reporting period, when it was 9.57 percent.

The Marion County Department of Public Welfare has also made commendable efforts in serving the people. By setting up neighborhood centers throughout the county, they have made themselves accessible to those needy persons requiring assistance. The MCDPW and its staff are to be commended for a job well done. Other welfare offices throughout the country can look to their example in helping to make our welfare programs more efficient and responsive to the people.

OUR AMERICAN HERITAGE

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MOORHEAD of California. Mr. Speaker, Mr. Aarno Davidson, a resident of Sunland, Calif., which I represent, is now serving his fifth term as president of the John Steven McGroarty Chapter of the California Federation of Chaparral Poets. Mr. Davidson is also editor of Poet Pen Points, a biweekly column of the Record-Ledger, a very fine newspaper with circulation over the major portion of north Los Angeles County. Mr. Davidson has written a poem entitled "Our American Heritage" in which he presents the Bill of Rights in rhythm and rhyme. I believe my colleagues will appreciate Mr. Davidson's work.

The poem follows:

OUR AMERICAN HERITAGE

(The Bill of Rights in Rhythm and Rhyme)

(By Aaron Davidson)

1—Neither Federal nor State laws shall hinder
The Freedom to heed whatever faith we choose:
Right to free speech, free press, free assembly;
Petition "public servants" against abuse.

2—Alerted guards protecting welfare and safety
Of sovereign states, shall ever be sustained,
While rights of people to possession of firearms
For guarding life and home shall not be constrained.

3—In tranquil times and times of armed conflict
Combatants shall not be lodged in private abodes
Against the sanction of legitimate dweller
Unless prescribed by martial or civil codes.

4—Unwelcome search or sudden seizure of people's
Effects within their "castle" shall not be allowed,
While warrants assigned for property confiscation
Be tendered to all with owner-rights endowed.

5—No person shall be held to answer criminal action
Unless indicted by Grand Jury decree,
Nor witness against oneself or lose a homestead
For progress use without just and adequate fee.

6—In criminal cases the right to speedy hearing
Shall be the norm for all who serve the state
With honor. Securing unbiased genial witness,
Or help of counsel 20 person shall abate.

7—In suits of common law, the trial by jury
Shall be preserved. No lawsuit by sage or fool
Shall be re-tried in any U.S. Courthouse
That does not adhere to Common Law's just rule.

8—Excessive bail shall not be the court prerogative,
Nor exorbitant fines imposed at any time;
Nor cruel, invidious punishment be inflicted
On accused regardless nature of the crime.

9—Enumeration of rights in the Constitution
Be not construed in any legal form
To negate or disparage rights and privileges
Acquired by people in time of calm or storm.

10—All powers not granted by the Constitution,
Nor ever forbidden by it to any state
Are solely reserved to states or to the people
Whence all the rights and freedoms emanate.

NEIGHBORHOODS WILL SAVE OUR CITIES

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. FRASER. Mr. Speaker, one reason it is so important to continue funding for Advisory Neighborhood Commissions in the Nation's Capital is that healthier neighborhoods make for healthier cities.

One of our country's greatest authorities on rejuvenating cities is Edmund N. Bacon, architectural designer and planner who has been a driving force in the revitalization of Philadelphia. In testimony before the House Committee on the District of Columbia last May, Mr. Bacon urged a concentration on the livability of neighborhoods in Washington, D.C.

The following are excerpts from Mr. Bacon's testimony:

Unless, as a result of your efforts, every neighborhood in Washington becomes a self-respecting neighborhood in which it is desirable to live, and unless the people in those neighborhoods feel loyalty and pride in them, your efforts will have failed.

If there is one thing we have learned from our recent decades of experience with "urban renewal," it is that massive governmental programs that dislocate people and sever human ties do not achieve their objective.

From this we must reassert what we already knew; that within every neighborhood of every city there is great human potential; there is great energy and caring; a drive toward better things; a latent ability to keep things in shape. The tragedy is that we have not learned how to tap the energy that is there; how to work with the residents of a neighborhood in such a way that they feel they have a valid part in shaping their own environment. It is here, I think, that lies the key to the creative endeavor of the seventy-five years ahead.

So I think the great vision is to make Washington truly a liveable city. A city to which all races, creeds, colors and economic groups can identify; a city without slums; a city where every neighborhood is a self-respecting community in which each person feels a dignified part of it; a city with no burned-out abandoned structures, no abandoned vacant lots, no dull treeless streets, no sections too far removed from community facilities, a city with a system of schools and preschool institutions which inspire pride and

citizenship in the students, a city which is an integrated city, ever mindful of the ideal that each neighborhood be a microcosmic reflection of the macrocosmic composition of the region, rich, poor, black, white, advantaged, disadvantaged, knowing that the reality will always be somewhere between the terrible and the perfect.

Mr. Speaker, this is what Advisory Neighborhood Commissions can help accomplish in Washington, D.C. Congress should support the efforts of these volunteer citizens by retaining in the District of Columbia appropriation bill the funds for ANC's.

GOLD STAR MOTHERS DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. ANDERSON of California. Mr. Speaker, September 25, 1977, will mark a very important commemorative day—one which should rightfully receive more attention from the people of the United States. This date is celebrated as Gold Star Mothers Day, in honor of all the women in our Nation who have lost a child in defense of our country. Originally proclaimed by President Franklin D. Roosevelt on June 23, 1936, the observance has traditionally fallen on the last Sunday in September.

Founded in Washington, D.C. in 1928, the American Gold Star Mothers Inc., is perhaps one of the most exclusive organizations in our land. Its members have made possibly the supreme—and most heartbreaking—sacrifice that can be asked of any parent. Yet despite that fact, the Gold Star Mothers are not concerned with past sadness. Instead, they realize that honor often comes at a very high price indeed—and they dedicate themselves to serving the ideals for which their sons and daughters died.

I am particularly aware of this outstanding organization, since my congressional district contains the American Gold Star Manor in the city of Long Beach, Calif. Originally incorporated as the Gold Star Home on January 24, 1957, and changed to the American Gold Star Manor in 1973, it provides a national home for members of the Gold Star Mothers. To be eligible for residence, a mother must simply be able to tend for herself, and belong to one of the organization's subordinant chapters. Currently, there are 404 residents at the manor. Although rents vary according to means, they are never more than one-fourth of the resident's income.

Church services in various local places of worship will mark Gold Star Mothers day on September 25. These women come from many walks of life, and from different parts of the Nation. But they all share a common love and concern for life, born out of their own intensely personal experiences.

Nationally, the American Gold Star Mothers are comprised of more than 17,000 members, with 525 chapters located in 39 States. Membership is open to all mothers who have lost a son or daughter in defense of our Nation, or who died as a result of a service-connected disability.

Perhaps the most visible evidence of the sacrifice asked of American parents throughout our history is the American Gold Star Manor in Long Beach. Located on a 23 acre, $6 million complex, it contains nine three-story apartment buildings and one two-story housing unit. Each of the 348 apartments is complete with its own kitchen.

The manor includes an arts and crafts building, a recreation hall, a well stocked library, and an active Dad's Club. A therapeutic pool, croquet and shuffleboard courts are available. In addition, a minibus provides transportation through the grounds and to public bus stops for the residents.

Mr. Speaker, Long Beach area residents are justly proud of the Gold Star Manor, and its residents have been a definite asset to the community. Much of their time is devoted to serving the needs of wounded and incapacitated veterans, victims of battles fought in the defense of this Nation.

All too often, our society seems willing to overlook the human cost of war. Twice this century, American military personnel have been asked by their Nation to risk their lives in global combat. There have been two major "police actions" in the past two decades, and numerous other engagements as well. The casualty lists may not always have been as large—but no conflict in which human life is taken can ever be considered minor.

Our Nation gives medals to those who fight in our wars, and Purple Hearts to the wounded and the dead. We celebrate Veterans Day to honor their efforts, and Memorial Day to commemorate the men and women who never returned.

September 25, Gold Star Mothers Day, carries just as much meaning and significance as those holidays. It is to be hoped that observance and recognition of this day will continue to grow, so that the sacrifice made by so many parents throughout our history will be properly understood and appreciated.

HARRY SIEGEL—RAILROAD MAN

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. LEHMAN. Mr. Speaker, it was my pleasure to meet recently with a most remarkable individual—Harry B. Siegel. Harry is a railroad man. He retired in 1962 after a full 50 years with the Southern Railway System.

Harry went to work as an apprentice trainman in January 1912. He subsequently worked as a freight and passenger conductor, general yardmaster, terminal trainmaster, and in 1943 began 19 years as manager of the busy Atlanta Terminal.

He has shoveled coal into steam locomotives; handled special train operations for Presidents Roosevelt and Truman; supervised the flow of troop trains, hospital trains, and war supply trains; aided trains of Jewish concentration camp survivors on their way to Israel; and was active in numerous labor negotiations.

This February, Harry received a special and unique award from the United Transportation Union for 65 years of railroad union membership.

Harry Siegel and his wife, Evelyn, now enjoy retirement in North Miami Beach.

HUMAN RIGHTS VIOLATIONS IN RHODESIA EXPOSED

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BIAGGI. Mr. Speaker, I wish to share with my colleagues a truly tragic and blatant abuse of human rights. So often we take for granted the rights provided to us by the Constitution, I feel we must remember the same rights are not enjoyed internationally.

Sister Janice McLaughlin, a Catholic nun from the order of the Maryknoll Sisters in New York, has been detained by the authorities in Salisbury, Rhodesia, since September 1, 1977. No charges have been brought against her and, although she has been permitted visits with her attorney, all others have been denied entrance to the prison to see her.

Sister McLaughlin was arrested with three others working for the Bishop's Conference of Rhodesia. The others were charged with publication of false statements likely to create fear and despondency, a violation of Rhodesian law. The others have been released with bond. The same activities in the United States would simply be considered the exercising of the first constitutional amendment. Further, when an arrest is made in our Nation for any reason a person can be held only after a charge has been made. Freedom of speech, due process, and the division of church and state, are obviously not recognized in Rhodesia.

It is my hope, attention of the U.S. Congress, as well as the Department of State, will bring justice to Sister McLaughlin and result in her release from Rhodesia. I have written to Secretary of State, the Honorable Cyrus R. Vance, and respectfully submit a copy of my correspondence for the RECORD. I ask for the support of my colleagues by also contacting the State Department to express their own views regarding the plight of Sister McLaughlin.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 13, 1977.

Hon. CYRUS R. VANCE,
Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I have recently become aware of the problems encountered by Sister Janice McLaughlin of the Maryknoll Sisters while with the Bishop's Conference in Rhodesia. I understand she was arrested on September 1, 1977, in Salisbury, and is being held for questioning although no charge has been made against her.

The Office of the Catholic Secretariat in Salisbury, Rhodesia, was raided and four

people were arrested because documents found were believed to be in violation of Section 49, Article 1, of the Rhodesian Maintenance Act (publication of false statements likely to create fear and despondency). Three of those involved have been charged and released on bond while Sister McLaughlin remains in the Salisbury detention center. To my knowledge there has been no explanation for the difference in treatment.

I have further been informed that the visa which permitted Sister McLaughlin's entry to Rhodesia has now expired. The two possible courses of action are for the Rhodesian officials to bring her to trial and sentence her or deport her. It is my hope, with pressure from the Department of State, the latter will be the chosen route.

Please keep me advised of the status of this matter by contacting me at my Washington office. I am personally concerned about the outcome and sincerely hope the situation can be favorably resolved in the very near future.

With best wishes, I am
Sincerely,

MARIO BIAGGI,
Member of Congress.

FOREIGN DUMPING HURTS STEEL INDUSTRY, TAKES AWAY JOBS

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MURPHY of Illinois. Mr. Speaker, supervisors at Chicago's South Works steel mill warned August 26 that United States Steel Corp. might have to close its 97-year-old plant because of decreasing profits. Officials said that unless steps are taken to end foreign steel "dumping," the mill's 8,534 steelworkers would be out of jobs. These employees would join the 1,823 steelworkers already laid off since 1974.

A closure of South Works would have a disastrous effect on south Chicago's economy. Every month, South Works pays $16.5 million in wages to its steelworkers, spends another $11.5 million in purchased goods and services, and kicks in an additional $1.3 million in property taxes. It is clear that South Works is vital to the economic health of Chicago's South Side.

At a time when our national unemployment rate is an unacceptable 7.1 percent, the United States must protect American jobs from unfair foreign competition. The Carter administration has pledged itself to reducing unemployment to 6.7 to 6.9 percent by the end of this year. I can think of no better way to achieve this aim than by cracking down on foreign steel dumping so that steelworkers can keep their jobs.

Mr. Speaker, I would like to draw my colleagues' attention to two articles on the problem of foreign steel dumping and its damaging impact on Chicago's South Works steel mill. The articles were written by Bob Wiedrich and appeared in the Chicago Tribune on August 28 and 29, 1977.

[From the Chicago Tribune, Aug. 28, 1977]

IT'S TIME UNCLE SAM TOOK CARE OF HIS OWN

(By Bob Wiedrich)

Some of America's political leaders must have a death wish for their constituencies.

While thousands of American workers join the ranks of the unemployed because of unfair foreign trade competition, some of the blockheads in Washington are currying favor with people overseas who can't even vote for them.

And outfits like America's giant steel and television industries face going down the drain because our politicians have neither the brains, the guts, nor the conscience to fight for the best interests of the American worker.

Diplomatic niceties be damned.

More than 30 years ago, the United States started spending billions of dollars to help put the economies of Western Europe and Japan back on their feet.

Now the time has come for the American government to stop worrying about foreign economies and start thinking about a domestic Marshall Plan for its own blue-collar workers.

Too many Americans already have lost their jobs. Too many thousands more are threatened by the wolves of unemployment.

And it is time that our Washington leaders start taking dramatic steps to curb unfair foreign competition that results in state-supported industries dumping their excess production in the U.S. at prices often less than that at which they could sell the goods for a profit in their own countries.

That helps the foreign competitors maintain high job and production levels back home with the help of often-hidden government subsidies.

However, the practice is badly goring American industry and the people who depend upon it for their livelihoods.

And it is permitting the foreigners, in effect, to export their unemployment to the United States with international trade techniques that smack of gangsterism.

"American workers and industry don't want protective trade tariffs," says Rep. Morgan Murphy Jr., whose 2d Congressional District includes the steelmaking complexes of Chicago's Southeast Side. "They want free trade.

"As devoted believers in the free enterprise system, they can hold their own against anyone. They have the work ethic and the expertise.

"But there is no way that they can fight alone against the illegal dumping of foreign steel and TV sets in the United States without the help of their own government.

"And right now, their government appears to have taken a walk on them."

What provoked Murphy's remarks were reports by United States Steel Corp. executives that the company's giant South Works in South Chicago might have to shut its doors soon if unfair foreign competition is not curbed.

A closure would have a devastating economic impact on the South Chicago community, throwing another 8,534 steel workers onto the unemployment rolls, where 1,823 of the firm's employees already have landed since 1974. In addition, 2,100 of those still employed are on only a four day week.

"For too many years, American secretaries of state have used economic carrot sticks to get foreign countries to adopt policies that they thought would be beneficial to United States interests," Murphy said.

"Very often, the concessions to win favors by our government have been detrimental to American blue-collar workers."

Murphy charged that Robert Strauss, President Carter's chief trade negotiator, has become an apologist for foreign trade interests.

"I'm upset with Strauss and the administration," Murphy said. "They haven't done a thing to protect Americans from unfair competition and that includes dumping.

"There is ample evidence that there has been dumping in the steel and TV industries.

"Yet Strauss and the administration have discouraged the steel companies from seeking justice in the courts. Strauss has told them their efforts to fight unfair competition would be harmful to world trade.

"He has personally tried to dissuade them from pursuing the only recourse they have left because their own government won't help them.

"Strauss seems to place a higher priority on foreign trade interests than on American unemployment.

"Just go out to Calumet Harbor and watch the Japanese and Swedish ships dumping excess steel production into the warehouses, steel that was made with foreign government supports to maintain employment levels."

What the American steel industry needs from the Carter administration is tax incentives for capital improvements so it can expand the nation's steel making capacity to compete with the more modern facilities overseas built as a result of massive U.S. aid.

It needs Congress to pass laws assuring American industry that no unfair competition will be permitted to flourish in this country at the expense of our workers.

And it needs the Justice Department and Federal Trade Commission to enforce the existing laws so that American breadwinners will not be stripped of their self-respect because their own government lacks the guts to do the right thing.

[From the Chicago Tribune, Aug. 29, 1977]

STEEL COMMUNITY CLOSE TO DISASTER

(By Bob Wiedrich)

The sprawling South Works of the United States Steel Corp. has been dealt a kidney punch by unfair foreign trade competition and is fighting for survival.

The 680 square acre plant is a cameo of the economic woes that beset the American steel industry as a result of foreign competitors dumping goods on the domestic U.S. market at prices well below what it cost to manufacture them.

And the 1,823 employees who already have lost their jobs as a result are perhaps only the first of many more thousands who will be laid off because some foreign governments subsidize their steel mills to maintain high employment and production levels.

Every month, the South Works feeds into the economy of Chicago's Southeast Side a total of $16.5 million in payroll benefits to the plant's remaining 8,534 employes.

The average annual wage of the workers ranges between $20,000 and $22,000, including fringe benefits. And the steel mill injects another $11.5 million into the economy in purchased goods and services each month.

To boot, the South Works pays another $1.3 million in property taxes.

So it is obvious the 97-year-old steel making facility is a potent force in the economic affairs of the Calumet Region.

And that further, a whole host of other businesses and service industries—from railroads and trucking lines to grocery stores, clothing shops, restaurants, and shopping centers—also heavily depend on the South Works as a source of income.

Yet, because of the unfair foreign competition and the refusal of Washington officials to protect American jobs, another 2,100 of the South Works' remaining employes have been placed on a short, four-day work week.

And many of them have become so squeezed by layoffs or reduced income that they are starting to miss automobile and mortgage payments as the pincers of financial disaster move to crush them.

That is the absolute bottom line of the controversy over unfair foreign trade competition being debated by weak-kneed American politicians who won't stand up for the rights of American workmen for fear of upsetting foreign governments.

"It's close to a disaster out here," said Carl P. Alessi, a subdistrict director for South Chicago of the United Steelworkers of America.

"People are having a hard time finding the money to pay bills. They've run out of unemployment compensation payments. Some of them are close to losing their homes.

"Jobs are extremely hard to find. Many just are not available.

"Some of these people are very desperate. Even those still on unemployment compensation know that it won't last forever. These people need jobs.

"It is my personal feeling that Washington had better wake up to the facts or our system will not survive. We have too many unemployed and underemployed.

"Washington has to help the unions and the companies to fight this thing instead of siding with the foreign countries dumping their products into our markets at the expense of American working men and women."

At one point in the last year, a total of 92 home abandonments was recorded in the South Chicago and South Deering neighborhoods, another reflection of what happens when workers are laid off or suffer a 20 per cent wage cut.

And a good example of what happens to a steel producer confronted by unfair overseas competition can be found in an incident related by Robert N. Clifford, assistant general superintendent of the South Works.

South Works is a capital goods oriented facility, one of three of its size in the country. It specializes in making structural beams and plates used for heavy construction projects like bridges, buildings, and plant expansions.

Because of the unique size of its products and its freight rate advantage over two comparably sized East Coast mills, South Works had always regarded the south, southwest, and west as Chicago markets.

However, since Japanese and West European steel makers started flooding the U.S. with steel at prices less than what it cost to produce it, here is what has happened:

"The most radical example," Clifford said, "involved one of our customers bidding on a government-funded highway bridge.

And this fabricator reported that the Japanese bid for the bridge steel completed was less than the material costs from our plant to him.

"We recently were down to see Gov. Jim Thompson to find out why domestic steel suppliers have absolutely no protection against underbidding by foreign steel makers for Illinois highway bridges. There is no 'buy American' clause in any of the State of Illinois specifications.

"We don't mind competing with any steel producer as long as the basis of competition is fair and equal.

"We are a free enterprise industry that must account to the stockholders for making a profit. But we are being forced to compete against steel companies that are being used as arms of their governments' employment policies.

"In the case of the Japanese they have decided as a national policy to export steel to keep people working. Profit is nice if it is there. But that is secondary to maintaining employment."

It is a shame the Carter administration is not equally protective of American jobs.

HON. FRANK ANNUNZIO RECEIVES MARCONI AWARD

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BURKE of Massachusetts. Mr. Speaker, a few weeks ago our highly respected and very distinguished colleague, Congressman FRANK ANNUNZIO of the 11th District of Illinois was honored by the Order Sons of Italy in America at their 35th biennial supreme convention in San Diego, Calif., with the coveted Marconi Award.

Congressman ANNUNZIO joins a very highly respected group of former recipients of this tribute given by the Order Sons of Italy in America. Only nine of these awards have been made since 1955 when the award program was initiated, and Congressman ANNUNZIO was the 10th person in the history of the Order to be honored in this manner. Some of the other distinguished former recipients include Gen. David Sarnoff, Senator John Pastore, Gov. John Volpe, Congressman PETER RODINO, and Ambassador John Scali.

Mr. Speaker, this award is given to the individual who has done the most to further the cause of Americans of Italian descent and who has been the best representative of the lofty ideals and principles of the Order Sons of Italy in America. The award is presented biannually and only if the Order feels there is an individual worthy of this high honor.

There is no one I know more deserving of this recognition than FRANK ANNUNZIO for he has truly earned the distinction bestowed on him by the Order. Throughout his life, FRANK ANNUNZIO has been in the forefront of serving his fellow man and has been an articulate spokesman for the high ideals and impressive achievements of the Italian people.

As a former school teacher, educational and legislative director for the United Steelworkers of America, Illinois State Director of Labor, and now as a Member of Congress, FRANK ANNUNZIO exemplifies the highest traditions of public service.

As chairman of the Subcommittee on Consumer Affairs and as a member of the House Banking Committee, his impact on major legislation affecting our entire economy is imposing and impressive and his record on passage of important consumer protection bills is unexcelled.

As chairman of the Police and Personnel Subcommittee of the House Administration Committee, he was responsible for establishing cost-cutting practices that are saving the taxpayers more than $1 million a year.

Additionally, he has worked on investigations that have ended loan sharking in the military, cleaned up the Small Business Administration, and exposed the operations of corrupt debt collectors who have been bilking Americans out of millions of dollars a year.

As chairman of the Villa Scalabrini Development Fund in Chicago, he has been responsible for the building of Villa Scalabrini, the Italian Old Peoples Home in Melrose Park, Ill., which is one of the outstanding old peoples homes in the Nation.

He was also instrumental in establishing the monthly Italo-American newspaper, FRA NOI, which is read by more than 500,000 people in the Chicagoland area and the Midwest.

He was one of the leaders in the long struggle to establish the second Monday in October as a national Federal holiday honoring Christopher Columbus, the discoverer of America.

He was the chief sponsor of legislation which provided for a marble bust of Constantino Brumidi, the Michelangelo of the Capitol, which has been placed in the Senate wing, of the U.S. Capitol. Although Brumidi had spent 25 years of his life beautifying the Capitol, his contribution was totally unrecognized until my distinguished colleague of Illinois took the lead in this matter.

He was in the forefront of the effort to name the nuclear accelerator at Weston, Ill., the "Enrico Fermi Nuclear Accelerator," in honor of one of the great scientists of our time and the father of nuclear energy, Dr. Enrico Fermi.

During his seven terms in Congress, FRANK ANNUNZIO has justifiably earned a reputation for "getting things done" for the Italo-American community and for all Americans as well.

The Marconi Award could not have been given to a more deserving individual than FRANK ANNUNZIO. I extend my sincerest congratulations to FRANK and my best wishes for continuing productive public service. Today I would like to place in the RECORD the speech he delivered when he accepted this distinguished award. The speech follows:

SPEECH OF HONORABLE FRANK ANNUNZIO

Mr. Chairman, I deeply appreciate your kind introduction and I am profoundly moved by the Marconi award which you have presented in the name of the thousands of members and friends of the Order Sons of Italy in America. To receive awards from various groups in both my political and civic career is to receive honor. But to be presented this prestigious award from all of you, from the family, makes this one of the most treasured of honors. I thank you and promise to continue the great tradition which this award demands of its recipients. I am privileged to join in an impressive list of former recipients. I pledge to all of you that I shall intensify my efforts, even more, for the national Italian American community—both in the Congress of the United States and in my community life. On behalf of Mrs. Annunzio and the other members of my family, a heartfelt . . . thank you!

My congratulations also to Judge Frank J. Montemuro, Jr., the new Supreme Venerable you have just elected (NB—if this dinner takes place after the election!). He hails from the great State of Pennsylvania and takes on the leadership of America's oldest Italian American social-fraternal organization. My best wishes to you as you take office and you can count on my cooperation and that of the Italian American Congressional Delegation in Washington which now numbers 31.

Special thanks go to my dear friend John Spatuzza who now relinquishes the reins and obligations to Judge Montemuro. John has

led OSIA for two years with sensitivity and openness. He has traveled thousands of miles and has been an active and effective advocate for the Order and for Italian American issues. And not only for these past two years, but for all of his youth and adult life, he has been intimately involved with the Order and its work. For all of those years and for all of his work, I personally applaud him and ask you to join with me in acknowledging him. (Applause) I know of his personal dedication, for he is a son not only of a father whose name will go down gloriously in the history of the Order, not only a Son of Italy but also a Son of Chicago and Illinois which I am honored to represent. You have been privileged to have him as Supreme Venerable and I know that his interest and dedication to OSIA will no diminish.

As a long time member of the Donna Francesca Cesario Chesrow Lodge in Chicago, a dues paying member by the way, I am familiar with the long and glorious history of the Sons of Italy. The Order has cut the path first for so many organizations who came after it and for the national Italian American community. It remains stronger and more viable as it fills its ranks with youth, strengthens its activities for the goals of the Order, and continues to lead the way. You have been at the forefront of civic and charitable activities for three-quarters of a century. You have been the bridge between the United States of America and Italy insuring the historical continuity of cultural, social and religious values, and in this day of "ethnic consciousness", you remain a strong bulwark against the "myth of the melting pot". America needs the Sons of Italy now more than it ever did. I am privileged to be a member of the Order.

Marconi harnessed the dispersed energy of radio waves issued into a thousand different directions and sent them by single beam across the ocean. Alone they were lost in the infinity of space. Focused and directed, together, they became a thunderous roar head strongly thousands of miles away. His achievement did not come instantaneously, but after years of work, frustration, disappointment, and the snickers of those who said it couldn't be done. But, at a certain time, when all the pieces were together, the invention came . . . an invention which has enriched humankind and has had a most profound effect on the world.

That voice is being heard today. Today President Carter dips into the vast resource of talent in the Italian American community and heeds the words and actions of the Italian American community. Appointments and the acknowledgement of the community is a fact of life in Washington and in the State Houses, City Halls and Village Halls, and we urge the President and all other government administrations to continue to appoint more and more Italian Americans to important posts in national, state and local government. Thus the role models we place for our youth are the best we have and we encourage Italian American men and women to go into public service and to continue the tradition of public service.

When I came to Washington, there were few Italian Americans in Congress. Today, we have 29 Italian American Congressmen of both political parties and 2 senators. From Joseph Califano in HEW and Msgr. Geno Baroni at HUD to Mario Noto in Immigration, and Ernest Lotito and Lucy Falcone in Commerce, and Ben Civiletti in Justice, and Midge Costanza in the White House, we have come a long way.

Through the Italian American Foundation, Vice President Mondale included Italy on his worldwind tour of foreign leaders the day following the inauguration. Italy was not on his itinerary, but the lapse was quickly overcome when The Foundation made known the tragic consequences at such a delicate period in Italian politics.

Prime Minister Andreotti was included therefore in the economic summit which was held in London and it was at that time, at the urging of the Foundation that President Carter officially invited the Italian Prime Minister for a state visit in Washington. Last month the warm welcome which the President accorded Prime Minister Andreotti, from state visit to a monumental reception at the new Italian Embassy, was unprecedented. The President, in the name of the citizens of the United States, gave strong support to the Prime Minister's efforts to bring economic and political stability for the forces of social justice in Italy. All of this did not accidentally happen. It took the force of conviction of the Foundation and the known support it has throughout the United States to make it happen.

As in the case of Marconi's invention, there was a void in Washington when in December 1975 two persons walked into my office, Msgr. Geno Baroni and Paul Asciolla, and suggested we should have a Bicentennial Tribute for the National Italian American Community.

The Bicentennial afforded us an opportunity to honor Italian Americans who had done much to preserve the Constitution and our form of government. It was the seed from which the Washington office for Italian Americans grew.

In a very brief time, we opened an office and began to prepare the Bicentenial Tribute Dinner which honored Judge John Sirica, Congressman Peter W. Rodino, Jr., both eminent jurists, retiring Senator John O. Pastore of Rhode Island and Congressman Dominick Daniels of New Jersey. More than 2000 Italian Americans from 30 states came to Washington that September 16th and Washington has not been the same since. OSIA cooperated magnificiently to make it a success. President Ford came and so did candidates Jimmy Carter and Walter Mondale. Vice President Rockfeller was out of the country. That was the first call to action in this new era of the presence of Italian Americans in Washington.

Out of that experience and that outpouring of support, The Italian American Foundation was formed . . . not as an organization to take over or to pretend to engulf the agendas of national and local organizations who have done so much good for the community, but rather to fill a void which has existed since the beginning of our history in this country . . . a listening post in Washington, where policy is made, where billions are spent and where the heart of the national system works. The action is in Washington and we have not had a voice there to support the work and voice of millions of Italian Americans who cannot be in Washington and have concerns and programs of their own. We have not had a piece of that action at all levels.

The Foundation comes at the right time. I can tell you that as the chief organizer and as a very active Board member. It was time to test our power and the power is there—in the communities across the country, in the national organizations and local and regional organizations, in the schools and universities and cultural centers, in the ethnic media and in the state houses and state legislatures, in the city halls and in the judiciary, in the Italian American women and youth who now have a chance to come into their own. The directions are diverse and scattered, and sometimes never reach their target, and we are lesser for it. Like Marconi we have begun to harness that energy and direct it with assertiveness.

But now it's time to set the national Italian American Agenda. Much as the Order Sons of Italy was responsible for the success of the Tribute Dinner and the first stages of the Foundation, now more than ever do we need the cooperation of the Order to bring forth the national agenda.

The prime goal for the next year, which the Foundation has taken as its principal goal, is a series of regional meetings to gather from you and other Italian Americans just what is on your mind and in your heart as to what the national Italian American agenda should be. Yours is the strength and the future of our community. We need you and your work and your advice. We cannot do it alone. We need every Italian American.

We are going to be calling on you in your lodges in each of the states to cooperate with forming the national Italian American agenda. We will deal with the issues which affect us the most—the family, discrimination, jobs, housing, the youth, the elderly, neighborhoods and community life, the arts and culture, a deeper understanding of our traditions, participation in political and cultural life and the commercial life of this nation of ours. We are going to touch the closest things to our lives and families. We are not just going to talk about it. We want to do something about it but we need your help.

Everyone will have a chance to speak his or her mind and to have imput into making the agenda. A national conference will be held in Washington in September of 1978 where these issues will be discussed and evaluated and promoted . . . and Washington will hear the united, powerful, assertive voice of Italian Americans speaking for Italian Americans. Yes, at long last, at the seat of our government in the Nation's Capital, Italian Americans will be heard, loudly and clearly.

Our only recourse is in political action. Just as Marconi harnessed the energy of the airwaves, we must seize the opportunity to come together in support of the Foundation—because . . . It's time for Italian Americans from all sectors of American life to come together on issues which bind us but permit us to deal with issues on the local level individually.

It's time . . . to continue nationally to promote, publicize, coordinate, communicate, inform and educate Italian Americans and all Americans to the role of Italian Americans in American society.

It's time to continue to reaffirm our ethnic identity, a dual identity with a dual responsibility to our one nation of many nations.

It's time to heal divisions and bridge the natural gaps of financial status, region, age and class and make the real contribution to American society which our immigrant forebears want us to make.

It's time to support a national office which advocates things Italian American while building alliance and coalitions with other Americans in order to improve the quality of our common national life.

It's time to assume a rightful place at all levels of government, education, culture, the arts, the executive suites of corporations, the halls of state, regional and national legislatures and give a rightful place in the community to academics, women, community leaders, youth and housewives.

It's time to insure that the communications media, and television and motion pictures portray realistically the enormous numbers of Americans of Italian heritage who people the American nation.

It's time for Italian Americans to help Italian Americans and not just be outraged, with cause, without providing any followup.

It's time for a sustained national effort to put it all together—and follow it up!

In conclusion, I want personally to express my deep appreciation to the members of the Order for the magnificent contribution they have made to the establishment of

the Foundation in Washington—those members from Pennsylvania, Maryland, Virginia, Illinois, California, Rhode Island, and from all parts of the nation, who responded to the first call. I am now asking you to respond to the second call for we must put this agenda on the road.

I also want to acknowledge the contributions of Jeno Paulucci, the Duluth industrialist, who is chairman of the board and who has worked long and hard and has traveled all over the nation and abroad to spread the message of the Foundation.

I also want to express my thanks to Joe Alioto, the former Mayor of San Francisco, for his work as Vice Chairman of the Foundation on the west coast of our nation. I also want to thank former Governor of Massachusetts and Ambassador to Italy, John Volpe, who is vice chairman in charge of the eastern seaboard of our nation.

I also want to thank the following Italo-Americans who serve on the board of the Foundation: Dr. Rose Basile Green, Antonio Marinelli, Mario Noto, John Spatuzza, Monsignor Baroni, and Jack Valenti, president of the Motion Picture Association of America, and my special thanks go to the great executive director of our organization, Paul J. Asciolla, for his untiring efforts in behalf of the Foundation.

My sincerest thanks go also to all those too numerous to mention individually who have played a part in establishing the Foundation. Your strength, your dedication, and your hard work have helped insure the success of the Foundation so that our voice may be heard in Washington.

It is a genuine pleasure for me to be with you this evening.

Thank you.

THE QUIE AMENDMENT

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. KOCH. Mr. Speaker, this afternoon, the House voted 264 to 161 in favor of the Quie amendment. That amendment restored the present tip credit to 50 percent of the minimum wage. While I was impressed with arguments on both sides of the issue after carefully listening to the debate, I voted against the Quie amendment.

I did so because I thought that the reduction in the tip credit would mean that service employees would be more likely to receive a decent wage. I do not think that service employees should be at the mercy of the discretion of their customers to earn a livelihood. Furthermore, it was argued that reduction of the tip credit would be inflationary and result in a loss of jobs. This was not the case in California where the State repealed its tip credit entirely, and raised the minimum wage. In California, more jobs were created, more establishments were built, and there was only a slight increase in food prices.

The committee bill which I supported was designed to minimize any inflationary impact by reducing the tip credit to $1 on a gradual basis. Eleven States including my one State of New York have laws which require an equal or higher cash wage than the bill provided. I believe that the committee position on the budget was a reasonable position.

NEW BOR DIRECTOR DELAPORTE—PART II

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. UDALL. Mr. Speaker, earlier I placed the first part of an interview with Chris T. Delaporte, director of the Bureau of Outdoor Recreation, in the RECORD. Now I would like to put the concluding part of this most informative and interesting article in the RECORD:

NRPA. Do you want to free up some of the bureau's money for, say, demonstration projects or research?

CD. I would say that I'm not sold on research. I have, however, been in research. My first work was in Georgia at a research experiment station in outdoor recreation. I just think a lot of research is academic. Some people think that we need social research to prove empirically and without question the value of what we do. I recently went to Staten Island, Brooklyn, and Manhattan. I saw what was there and what wasn't there—the conditions and the lack of outdoor recreation facilities. And I don't need any social research. I don't need money spent on research to know what we need to do there. So, I am skeptical. I must have proved to me the applied value of research. I am not able just to say as a concept I like research. I like to look at research on a project-by-project basis, and give it a real hard analysis. I want to be able to say: We are going to spend this money which could be spent on other projects. What difference will it make if we spend it here? What's going to happen as a result of this research? Is it going to help set those minimum standards? Am I going to use the results? Am I going to be able to convince the directors of the National Park Service and the Bureau of Land Management that they need to do this? Is there a reasonable chance that we could apply it in the federal government? If I can't meet those kind of hard questions, then I tend to shy away from it.

NRPA. What about the possibility of programs from other departments, say the National Park Service, being moved to BOR? Are there any specific proposals to do that?

CD. No, none that I know of. I have no proposals before me and I have not recommended that anything be moved to this agency that exists somewhere else.

NRPA. Would you be amendable to that? Or perhaps the larger question is, what kind of vibrations are you hearing now as far as Interior Department reorganization is concerned?

CD. Well, of course, in a town like this, the walls talk and you hear all kinds of stories and rumors. Assistant Secretary Herbst and I discussed this recently and he stressed that both he and Secretary Andrus believed that we must begin with no assumptions in terms of function and alignment, or need for function. Everything has got to be reexamined. That's the proper approach to government reorganization. This bureau and our sister services have to be examined top to bottom, and there may be some functions that belong here or don't belong here which would shift. I have no preconceptions about that at the moment.

NRPA. Do you have any concrete plans or series of plans or alternate plans for reorganization of this bureau?

CD. Yes.

NRPA. Will you describe them?

CD. No. I don't want to discuss it now because they involve personnel matters, but I do have plans for reorganization of the bureau. Naturally I hope that it will build a better and stronger organization. I have already discussed one dimension somewhat publicly that could have an impact on reorganization—that is the attempt to decentralize the grants-in-aid process. Obviously that decentralization process could conceivably impact up and down in the reorganization of the bureau.

NRPA. But you are at this time considering real plans—with diagrams and ideas for people?

CD. That is correct.

NRPA. You continue to speak about advocacy, and this agency being an advocate. One of the things that the Division of Public Affairs at NRPA does is try to be the advocate for the Association and its members' interests. Do you have any suggestions on how NRPA can convince its members of the importance of becoming more involved in legislation, public participation, and public policy. How do we get them fired up?

CD. I have some thoughts on this. For me, the ideal is an atmosphere in which we assert that leisure and recreation—the way the people in our country's third century spend their free time—will determine what this nation and our civilization will be and if they will survive. It is just as important as work and it represents more time, so how are we going to spend it? What will the outlets be? Will we have the capability to bring our children along in such a way that they value this leisure time?

Now, I haven't in my own life. Recreationally, I suppose, I'm bankrupt. And that's because of the kind of life I've had. But I'm coming to change myself. We should strive, in Max Kaplan's words, to get avocational and vocational pursuits to merge. That's beginning to happen now. There are a lot of people who are doing crafts today and making a living at it. The number is small, but it's a hell of a lot bigger than it was 15 years ago. There are people who are teaching in recreation; it's a growing profession. When people can choose something that makes them happy, that enriches them physically and rewards them mentally, and at the same time can make them a living, that's a wonderful mixture. I think we have to be interested in effecting social programs and policy in this country that do not separate work from recreation or leisure totally without consideration of the ramifications or the interrelationship of the two. Contemporary industry has already recognized that this part of life is very important to their employees, for their happiness, for their job satisfaction, and so on. (Plenty of research has been done on that, all over the place.) When we can encourage recreation close to home, near the company, near the place of work and encourage the provision of open space and outlets, where people feel free to do what they wish and feel safe in doing it, where they feel rewarded and enriched and receive recognition for it—then that's good public policy. It rewards a dimension of their lives that even 20 to 25 years ago was considered "playtime." We need to be the advocate of that, and advance that. . . .

We have to be interested in all sorts of things. We have to revive ideas that have been lost, like physical education—real contemporary physical education, the developing of physical skills and the pattern in people's lives where they want to exercise regularly. We must say there has to be room for physical education in America. There must be. This is a whole new area for us to take ourselves. It touches on planning at the local level, it touches on industrial development, on planning of communities. We see people here in Washington and elsewhere jogging and they have no place to run. Or they jog around in a circle. We know that there's this festering desire to recuperate and recover and balance out. So we have to be in a position to say: Hey, everything—from curricula in schools, to HUD planning projects, to transportation plans—has got to take this aspect into consideration.

NRPA. There are those who are quite concerned about your efforts in the recent Land and Water Conservation Fund appropriation. NRPA worked extremely hard to keep the traditional 60/40 split. But we lost badly—by some $45 million. Some critics have charged that BOR did not do very much.

CD. We had a departmental appeal which is a process we must follow to get reinstatement back to the Administration's position for the split. We weren't able to sustain it. We gave it our best effort . . . in the last two weeks.

NRPA. What kind of level of effort do you intend to pursue on behalf of this program? In this instance, an increase in the state share (and thus BOR's program) is in one sense a "taking" from the National Park Service.

CD. I think there is another challenge here. I think there is a challenge with the states. I've discussed this with the board members of the National Association of State Outdoor Recreation Liaison officers; they are going to have to make a case for the need or the demand being there. As you know, state and local governments tend to gear up in response to a federal program. They are most often catching up. They don't go out and independently pass a bond issue for $100,000, for example, but when the federal fund increases and the likelihood of their participation also increases, then they go to their people. So there's a lag time on the state and local side that needs to be considered by Congress when it looks at the obligation rate. No state has ever failed in the history of this program to obligate all its money in a three-year period of time.

NRPA. We recently conducted a survey which showed just that. We know in many places that applications are restricted, since the demand for funds is so great. The question is, to what extent is this bureau going to lobby for its interest?

CD. I made my position clear to the states—that I would always listen to all sides in the compilation of my budget request within the Department of Interior, and that I would always ask for what I honestly believe is prudent and needed, but not beyond that. After the budget process proceeds and the department's position is achieved, then obviously I would be supportive of efforts to get the Office of Management and Budget (OMB) to accept it. OMB composes the President's budget, that's what I'm going to support. I'm not going to work the Hill against what the President has recommended to the Congress. I'm going to go there and support that position, but during the budget process I'm going to be most resilient and strong within the Interior Department for what I honestly believe is needed.

NRPA. Would you be in a position to advocate a White House Conference on Leisure and Recreation? If for no other reason than to focus publicity on the issues or bring them to the attention of the public generally or policy makers specifically?

CD. I wouldn't do it for purposes of publicity. I wouldn't do it unless I thought institutionally we would take ourselves through reformation. And the only way that I would ever be supportive of that would be to understand that the call for such a conference had the support and recognition of the leadership of this country and that we were going through the process of national redefinition. But when that's timely, I just don't know. I'm very cautious myself about White House conferences and high visibility and so forth. I feel we have to prove ourselves just a little bit. I need to get a feel for the leadership in this country. I'm also going to be involved in that second point I mentioned—that is, opening up the bureau and involving a lot of people. After that we can see where we might take it. As you know, a White House conference can cost a great deal and takes a lot of time to plan it well.

NRPA. A White House conference has been a high priority item for NRPA for a long time.

CD. I would have to look at it a little bit the way I think my superiors would look at it. The point is, where do you stop? You could have a White House conference on nutrition, for example. There are a lot of people in this country who are not properly nourished. Personally, I would much rather see a White House conference on nutrition and health, than I would one on recreation.

NRPA. How do you get the public in general and members of our profession in particular aware of the issues you have been talking about? Most people don't even know about the Bureau of Outdoor Recreation—and not just the general public, but many "professionals."

CD. In our country you have to have visibility. The span of attention in an electronic age, in terms of media, can be very short. If Time magazine and Newsweek in two successive weeks, and the U.S. News and World Report, can focus on this question, then I am not worried about the Bureau of Outdoor Recreation being left sitting on the curb while the parade is going by.

The people are changing in this country. The Outdoor Recreation Resources Review Commission reported that 12 to 15 years ago driving for pleasure was the number one projected leisure pastime—and look how much things have changed today. Who would have imagined all the incredibly diverse interests in sports and activities. People are making a living playing tennis. People are making a living teaching swimming. Golf pros are making a good living. They are often contemporary models, rightly or wrongly, for thousands of Americans who go out and hit that ball on Saturday. They place their bets and have their fun. And that's something they like to do. And believe me, we cannot be so foolish here to think that we can judge the value of this or that activity.

NRPA. Just to follow up on that, how can BOR or any agency tie in with the private commercial sector, with industry. For example, which came first: Did the popularity of skateboards just arise, or was it because there was a big industry campaign for skateboards?

CD. Well, my theory on that is that the skateboard craze arrived because there was a lot of concrete and asphalt and a lot of kids were turning on to this.

NRPA. That may very well be. Consider the rise of a lot of popular sports, or popular pastimes that weren't so popular five years ago. Are they becoming popular on their own or because the industry itself creates this popularity?

CD. I think the industry creates to an extent. The industry does all the market testing and research.

NRPA. Do we tap into that?

CD. Of course we do. . . . I guess I'm kind of irritated by the question, because I don't understand why people are obsessed with our involvement with private industry. That is a legitimate function of the government. The function of the government very frequently tent. The industry does all the market testing and research.

NRPA. As you know, there are some purists in our field who think that commercial recreation and industry and profit are dirty words.

CD. Well, I don't think so. Not at all. Period. We tap into anything—foundations, corporations. We can be all over the place. We get back to this provincial role of games and whistles and tennis shoes, and I don't want to deprecate that. But I'm saying that is all past. In the sixties we had golf. In the seventies we've got tennis. Nothing influences demand—i.e., perceptual demand, of what people want in the way of recreational facilities, accoutrements, and resources—like television. It is the single greatest dominant influence. I am convinced if television came up with jai alai, in the 1980s we would be building jai alai courts all over this country. The reality is that people play (their sports) and they get their exercise and they come home and tell their husband or their wife about their score and their game and they have some competition. People are not in this country today talking—on television on the radio, or in their private lives—extensively about what they do at work.

The fact is, there are an awful lot of Americans in this country who are terribly bored with their work. The work element is diminishing in importance.

NRPA. Why then are so many of our resources committed to employment, to the work ethic as opposed to leisure? The Bureau of Outdoor Recreation itself is a very, very small bureau.

CD. Because that's the way we make our economy move. That's the way we have an income, including the people who teach tennis. I am sure they get tired of teaching tennis, and they probably go do something else. But that's the means by which we generate the income that allows us to have choices and freedom when we have free time off. We must be productive as a capitalistic economic system.

It just happens that the social adjustments to priorities and the funding have not begun to shake and move in this direction (toward a major emphasis on leisure). But, this Administration has already shown very clearly that it intends to move in that direction. It has placed a high emphasis on the urban recreation study. I think the emphasis is going to shift and I think we'll help it. We will be the precipitators of the shift if we are in the advocacy roles. I'm attempting to do it right now.

NRPA. Are we going to shift also from outdoor to all types of recreation?

CD. Oh, I'm sure.

NRPA. Many of us have been saying for a long time that conservation and environmental groups like the Sierra Club ought to have been involved in the public works bill and block grants and other non-outdoor programs because there is a great deal in them which is important.

CD. The conservationists in this country should be the greatest ally of the urban recreation leader. At a time of energy crisis in this country, we force people to take their games and their toys and go to the beautiful pristine area in a modified pursuit of the game and toy need, which may be a very legitimate one. Then what have we done? We have used up a lot of energy and we've taken the urban recreation setting and moved it to the rural area. We have essentially reconfigured or conformed the natural environment to suit our urban recreation needs in one form or another. I think the Sierra Club and the Urban League have a common need to see that recreation in our cities be possible so our people do not have to get in their cars and spend a lot of money, use up a lot of energy, and drive way off to have that recreation experience. These same people would have been just as satisfied at a good tennis court, a nice place to swim, good place to jog—a nice range of activities close to their homes to give them their physical exercise and allow them to meet with their friends and neighbors, to enjoy their neighborhoods. I believe that we've got to get back into neighborhood development, because that's where the recreation is going to be.

NRPA. You have already talked about the urban study a little bit. In the April issue of Parks & Recreation magazine there is a scathing criticism of the study plan by Meg Maguire.

CD. As you know, Meg Maguire is now a deputy director of this bureau, and the study has been modified along the lines that she

originally proposed. I would say this, however—a great part of that effort we felt was progressing very satisfactorily. What we did was just to reshape it and enlarge it.

NRPA. Have you begun work on the nationwide plan? At least in terms of planning for it?

CD. I've asked for a review, and I've asked that the review be based upon my belief that the nationwide plan should encompass the state plans and be a continuous, organic planning process. It has many parts to it, and we are adjusting and accommodating the priorities. I would consider the urban recreation study to be a component of a contemporary outdoor recreation plan for America. The problems of the handicapped or the whole question of energy as it relates to policy planning and outdoor recreation could reasonably be major components, but I think we will pick and choose as our priorities are adjusted and as administrations change. We will add to and attempt to institutionalize the results of the study or the planning that we do, into a model—a national model.

NRPA. Do you see the plan, as it is to appear in 1980, to be a model for state and local plans?

CD. In some respects. I think the way of doing it will be a model, but the priorities at the state level may be different than those at the federal level. I want to stress that last point. It's up to the state to choose its priorities Obviously, Oklahoma is not going to spend a lot of time studying the impact of the snowmobile in that state. For Oklahomans, snowmobiles are nonexistent, but that's not the case in Minnesota. Each state is different and has a different range of opportunities for institutionalizing—through study and planning and putting in place—a way to do certain things. So again, in planning, we are concerned with the way it's done or the process. We are concerned and interested in standards at the state and local levels, but the choice of what is to be done, what they pay attention to, and what their priorities are is up to each state.

ALL-PURPOSE SPEECH AND PRESS RELEASE ON THE BELL BILL

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. WIRTH. Mr. Speaker, for the past 18 months A.T. & T. and the U.S. Independent Telephone Association—USITA—have been lobbying Congress to enact the so-called "Consumer Communications Reform Act," a bill, which if enacted, would effectively eliminate competition in the domestic telecommunications industry. During this period the telephone companies have reported spending more than $3 million lobbying for the "CCRA," better known as the "Bell bill." In response to this lobbying effort, the phone companies' competitors in the private line and terminal equipment industries spent about $600,000.

In addition to its lobbying campaign, the telephone industry has launched a massive public relations campaign, telling phone customers that "home phone rates may increase 60 percent in the next decade" unless Congress reverses FCC and court decisions authorizing limited competition in the telecommunications industry. As part of this public relations campaign, USITA recently provided its members with canned speeches and press releases for them to use locally.

In evaluating arguments for and against the "Bell bill," I believe it is important that my colleagues know the source of information provided them, be it handed to them by an industry lobbyist or contained in their local newspaper. For that reason, and that reason alone, I would like to share with my colleagues the telephone industry's all-purpose speech and press release on the "Consumer Communications Reform Act:"

FUTURE PHONE SERVICE—AND THE FEDS

Today we are going to talk about the future—the future of your telephone service. The (name of your company) thinks you should know what we're planning for you, thanks to new technology. And we also think you should know what some of our concerns are, particularly those in Washington, D.C., at the Federal Communications Commission.

The fact is, the quality and price of your future telephone service are directly related to recent decisions of the FCC, decisions which we in the telephone industry don't agree with. In fact, we have taken the issue to Congress, where we think it should and will be more properly decided. More about that federal regulatory situation in a few minutes.

First I want to bring you up to date on your local telephone company's plans. I'll do that by telling you a litte about what it was like when we started serving (name of community), what we're doing now and what we plan to accomplish in the coming years. Then I'll report on our concerns in Washington and explain how our local situation may well be disrupted by actions of the federal bureaucrats.

(Give a several paragraph history of your local company—noting the year telephone service was first brought to the community and describing what the quality was like. Cite some significant growth benchmarks over the years—the 100th phone, the 1,000 phone, new central office equipment, dial service, office expansion, major loans, single-party service, growth in number of employees, annual tax bill, charitable contributions—whatever is appropriate locally and might be interesting to the audience.)

To put our own company into the proper perspective, I should point out that we are one of the nearly 1,600 Independent, non-Bell System, telephone companies, now serving more than 28 million phones throughout the United States. The Independents serve one out of every five phones in more than half of the "telephone territory" of the country. We aren't part of the Bell System and we aren't owned by it—but for the convenience of our customers we do connect with all of the other telephones in the country, more than 155 million at the present time.

With that brief background, I want to tell you about the (name of your company)'s plans for service in our community.

(Discuss appropriate plans for local service—new electronic switching and related improvements it will make possible, extended area service (EAS) offerings, conversion to push button from dial, upgrading to single-party service from two- or four-party or multi-party service, cable burying for increased reliability and environmental quality, "911" emergency service—whatever you can cite that will be of interest to consumers in your area.)

You know, I've been in the telephone business for (insert number) years (note your family's long involvement, if appropriate), but I think the next 10 to 20 years will see more revolutionary changes and advancements in communications technology than we have had in the last 50 years.

A whole new world of communications innovations are being made possible by human ingenuity and low cost electronic components. The miniaturization of electronic parts in recent years is having the same effect on telecommunications as it has had on such popular devices as the pocket calculator and the new games you can connect to television sets. Reliability is being increased, and new and more sophisticated services are becoming possible.

Let me give you an idea of the remarkable services that are available now or will be coming along in the next five to ten years.

(Report on the custom calling features made possible by electronic switching, if you haven't already mentioned them as being offered in your community. These include automatic forwarding of calls, abbreviated dialing, "conferencing" to add a third person to a conversation, and beep tones or signal lights to alert the customer that a call is waiting.)

Facsimile transmission is now possible, permitting correspondence and illustrations to be sent from one phone to another in minutes. Video telephones enable conference participants to "visit" each other, exchange notes and enjoy the advantages of face-to-face contact without wasting time, money or fuel on costly trips.

The next steps will be the application of two-way communications for security purposes, utility meter reading, educational services, and shopping by television and telephone. Just consider the educational field for a moment. Envision your telephone being connected to your television so that you'll be able to "call up" reference books or research material from a central data source—for display on your living room TV. This has tremendous potential for the rural areas of our country, in particular. Doctors will be able to check any medical reference, lawyers will be able to do more thorough legal research, teachers and students in different locations will have two-way communications.

I do want to point out that these new services will not be here overnight. Even those that are technologically feasible must be brought in gradually as the economic situation permits. Local demand and the condition of our existing equipment will play an important role in deciding when such new services are practical for our area.

You know, this year marks the beginning of our country's third century, and the telephone's second hundred years. I think the telephone and the communications revolution that is now taking place will have as big an impact on our way of life as did the Industrial Revolution of the last century.

At the beginning of these remarks I mentioned that the telephone industry is concerned about events in the nation's capital. Let me discuss that situation with you for a few minutes and then I'll be happy to try to answer any questions you may have.

Most of us in the telephone business work with the public every day. The "product" we sell is actually a service and that really is all we have to sell—good service. Our employees are as close to the average consumer as any in American business.

In that regard, I think I'm a lot different from the ivory tower experimenters who inhabit the offices of federal officialdom in Washington. You've heard the joke about the social theorists who love mankind but hate people. I often think of that when I consider some of the things going on with the "feds" today. Mankind is supposed to be uplifted by the new social experiments, but people are paying more taxes than ever before—and more than they can afford.

America's policy on telecommunications was set in the Communications Act of 1934. That policy called for telephone service with adequate facilities to be made available to all the people at reasonable charges.

The telephone industry has met that challenge. Today 95 per cent of American homes have a telephone. That goal has been achieved through a rate structure that gives a price "break" to the residential user, putting phone service within the economic reach of just about everybody. And the difference in the price "break" is made up by business users and by long distance callers.

Today that system of low-cost residential service for consumers is threatened by actions of the Federal Communications Commission. The FCC is fostering what it calls competition—which actually is a federal allocation of the market to non-telephone companies. It's not true competition at all.

The FCC is promoting this "contrived competition" in two ways:

The first is what we call "interconnect" competition. It lets a customer provide his own telephone, switchboard or special equipment to be attached to the telephone industry's network. This equipment can be purchased from a nonregulated company that has no responsibility for overall communications performance.

The second type of contrived competition comes from non-telephone companies which are authorized to provide intercity private line communications services in competition with the telephone companies' long distance network.

At this point you may well be asking yourselves—"What's wrong with a little competition for a big monopoly industry? Doesn't competition drive rates down and lead to innovative equipment and new services?" The answer may be "yes" for most other situations in our free enterprise system. But the answer is "no" when it comes to residential and small business phone service.

The reason the average consumer will not benefit from competition is very simple. The whole rate structure of the telephone industry has been designed over the past 40 years to provide contributions which make possible lower rates for your basic residential service.

Let me explain how this rate structure works, because it is the key to understanding the drawbacks of contrived competition in the industry. The rate structure for telephone users is based on two principles—value of service and average pricing.

With the value of service approach, businesses traditionally have paid more for their service because it is worth more to them. Typically, rates for basic business service are about twice those of basic residential service.

The other principle we have used for many years is average pricing. Long distance rates have been set on an average basis. Comparable services are provided at comparable rates regardless of the costs to serve individual routes. This means that toll calls between people comparable distances apart are charged at the same rate, even though it is less expensive to serve busy routes between major cities than it is to serve little used routes in sparsely settled rural areas.

Not only does long distance service enjoy the benefits of averaged rates on a regional or national basis, but long distance rates also help keep local rates down. This has been particularly marked for customers in rural areas where sparse settlement makes costs of service much higher.

This system has been the key to America's low cost, widespread telephone service because it has brought residential rates low enough for practically everyone to afford. This is all in jeopardy, thanks to the recent decisions by the federal regulators.

The so-called competitors we now face are not interesed in competing for the residential customers who are so expensive to serve. And they're not interested in the long distance routes between small towns. Instead they are going after the most profitable markets. They have no obligation to serve everyone like a regulated utility must do.

With contrived competition in the business equipment market and the long distance market, we are losing our profitable customers—the ones who have been making contributions to your residential rates. This is not in the public interest, although it will probably save money on the phone bills of some big businesses which can use the competitive services.

More than three years ago the Independent telephone companies commissioned an outstanding communications research firm to make an impartial study on the economic impact of the FCC's policies. This study showed that the FCC's actions likely will cause residential phone rates to go up as much as 60 per cent within 10 years—exclusive of inflation.

Our national trade group, the U.S. Independent Telephone Association, submitted this report to the FCC. The federal regulators, however, challenged its basic findings, calling the conclusions invalid. The FCC also challenged several other studies submitted by individual telephone companies and one submitted by the National Association of Regulatory Utility Comissioners. All of these studies also found the new policies would cause a substantial increase in rates for basic telephone service. Most state regulatory commissions, which have the direct responsibility for local service and rates, believe they will be faced with the problem of raising rates because of the FCC's actions. They will have to solve a problem created in Washington by appointed officials who have no knowledge of local conditions and who have no responsibility for local service and rates.

Significantly, the FCC has never conducted an economic impact study of its own and there has been no comprehensive study produced by anyone challenging the conclusion that the residential subscriber will have to pay much more for his service as a result of the FCC's policies.

The FCC is both a proponent of its own policies and the agency which makes the rules. In this situation, it is both the prosecutor and the judge. There is no way it can act impartially on this issue. Because of this, the telephone industry has turned to Congress in an effort to protect the residential telephone customers.

This was and is a perfectly proper move. Congress reports directly to the American voters, and it has final responsibility for the national telecommunications policy. We believe the FCC has ignored the policy guidelines set by Congress in the Communications Act of 1934. We have asked Congress to review the issue and make a determination of the true public interest. Our industry will be quite content to accept the decision of Congress; we are not content to accept the decisions of appointed officials who have shattered a century of telecommunications policy without knowing the consequences of their actions and without carefully defining the economic impact their policies will have on every telephone user.

The legislation supported by our industry is known as the Consumer Communications Reforms Act. Last year it attracted the support of almost 200 U.S. Senators and Representatives who were co-sponsors of the bill and the House communications subcommittee held hearings. This year the legislation and supportive resolutions already have some 150 sponsors, and the Senate communcations subcommittee has held its own hearings on the future of telecommunications.

What should you do about this issue? I believe you owe it to yourselves and your friends and neighbors to investigate this issue for yourself. I've brought along with me a statement of the Independent telephone industry's position for you to study and I invite you to write or telephone your local phone company or USITA for any further information you want.

When you have studied this matter thoroughly I urge you to write your Congressman and your two U.S. Senators and tell them just how you feel about the issue. There is no doubt at all in my mind that the new federal policies will cause higher local phone rates. In addition, they will impede the improved services and technological advances I earlier described as awaiting all of us.

(If appropriate) Our own company feels so strongly about this issue that we are taking advertising space in local news media to explain the issue to our customers. In buying this space, I should point out, we are using revenue from our profits. We are not using our customers' money. That's how important we think this issue is.

Our national association has taken advertising space in the July issue of Reader's Digest, offering a booklet on the subject to anyone who will take the time to return the coupon.

I hope you will study this issue. In addition, I hope you'll find the time to visit your telephone company offices. If you have a civil group or school class that might enjoy a tour, please use that bargain phone we provide and give us a call to set up a visit.

I've enjoyed your hospitality and welcome the opportunity to answer any questions you may have.

Thank you very much.

NEWS RELEASE ON 1977, BASIC COMMUNITY SPEECH

(City, State, Date)—Telephone customers in (name of community) will be hurt by recent decisions of the Federal Communications Commission affecting quality and price of service, a local phone company official said here today.

After outlining service programs and plans in (name of community, name of speaker, title of speaker, name of company), said "our local situation may well be disrupted by actions of the federal bureaucrats."

(If desired, expand on company service plans in your community.)

(Name of speaker) noted that phone service began in (year) in (name of community) and that (current number of phones) phones are now served.

Speaking at a meeting of the (name of organization hosting speech), (he or she) said that a number of new services under development have "tremendous potential for the rural areas of our country, in particular." Describing two-way communications for educational purposes as an example, (name of speaker) said that eventually telephones will be connected to televisions so that reference materials can be "called up" for display on home TVs.

"Doctors will be able to check any medical reference, lawyers will be able to do more thorough legal research, teachers and students in different locations will have two-way communications," (he or she) said.

Turning to recent federal regulatory develcpments whic hthe telephone industry believes will directly affect local rates and service, (name of speaker) said that ". . . low-cost residential service for consumers is threatened by actions of the FCC."

The agency has fostered two types of so-called "competition"—customer ownership of telephone equipment and big business use of private long distance networks.

"America's body on telecommunications was set in the Communications Act of 1934," (he or she) said. "That policy called for telephone service with adequate facilities to be made available to all the people at reasonable rates.

"The telephone industry has met that challenge. Today 95 percent of American homes have a telephone. That goal has been achieved through a rate structure that gives a price 'break' to the residential user, putting phone service within the economic reach of just about everybody. And the difference in the price 'break' is made up by business users and by long distance callers," (he or she) said.

The industry says that the new competitors are taking the most profitable customers which have been making contributions to residential rates.

"This is not in the public interest," (name of speaker) said, citing an impartial study done for the U.S. Independent Telephone Association, the trade group representing the interests of the nation's 1,600 Independent phone companies.

"This study showed that the FCC's actions likely will cause residential phone rates to go up as much as 60 percent within 10 years—exclusive of inflation," (he or she) said.

The industry supports the Consumer Communications Reform Act as a means for Congress to review the FCC decisions and determine the true public interest, (name of speaker) said. The legislation and supportive resolutions have some 150 sponsors, and hearings on the issue of telecommunications policy have been held in the House and Senate.

At the conclusion of (his or her) remarks, (name of speaker) urged the audience to write their Congressmen and U.S. Senators to "tell them just how you feel about the issue."

PHIL CRANE: FIGHTING TO KEEP GOVERNMENT IN ITS PLACE

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BAUMAN. Mr. Speaker, the power to tax is indeed the power to destroy. The suffering people of this country, and particularly the people of the middle class, know only too well how true that maxim is. Government at all levels in this once-free Nation now drains our yet productive citizens of approximately 40 percent of their daily bread. No nation in the history of mankind has long survived a tax load so heavy and this Nation can be no exception that sorry spectacle history presents us in every known age of nations taxed to death by greedy rulers.

As the tax load increases the discontent of our citizenry grows apace and so do the demands for a constitutional limitation on the amount Government can take in taxes. Our colleague from Illinois, PHIL CRANE, has been a leader in the effort to pass some kind of limitation of this nature. The Banner, of Cambridge, Md., recently recognized Mr. CRANE for these efforts and called upon the rest of Congress to heed the cries of our citizenry for tax relief now.

I commend the Banner's call for "good political generals to win the battles of a tax revolution . . ." That phrase, "tax revolution," should serve as a warning to those in this body who want to increase spending. The people are approaching their limit on taxes. And I would remind my colleagues that politicians who refuse to face the facts are usually the first to go in a revolution.

The article follows:

KEEP GOVERNMENT IN ITS PLACE

Bringing government under control by limiting its power to tax gets increasing attention from the public as each year goes by. Exactly how much government at all levels takes out of people's pocketbooks may be in dispute, but there is no doubt citizens are beginning to feel that the amount, whatever it is, is too high. Figures cited by Rep. Philip M. Crane of Illinois, a leader in a move to put a constitutional lid on spending and taxing by the federal government, show, incidentally, that government is well on its way to taking more than half of the national income in taxes. In 1900, Mr. Crane says, government at all levels was taking about three percent. By 1950, it was taking about 26 percent. Today it takes more than 40 percent. Mr. Crane is correct when he said the only "tax reform" that will put a halt to this trend is a constitutional tax limitation. Without such a plan, he adds, freedom will be lost as each individual's means is spent according to government dictates.

Mr. Crane's idea is to establish tax limitations by constitutional amendment at national and state levels. The limitation amendments also would be designed to insure that any local or property tax hikes would be enacted only after the proposal is put to a vote by those affected.

"If excess revenue is ever collected," he says, "the government must not spend it; those moneys must be refunded pro rata on the next year's income tax returns. In the case of a financial emergency, the governor or president must give the state legislature or Congress the exact figures on needed funds and two-thirds or three-fourths of that body must approve the increase for that year alone."

Common experience and expert testimony sustain Mr. Crane's view that by controlling income, Americans can control the institutions that tax them. At the expert level, the country has the word of Nobel Laureate Milton Friedman that tax limitation is a workable concept. In their own day-today dealings with such institutions as churches, Americans have found that the best way to get a handle on the leadership is to cut off funds.

Nevertheless, Mr. Crane's proposal for tax limitation will have hard sledding in the public view. Those who think tax and tax and spend and spend will save the country are vociferous and well-organized. They will fight a hard and dirty war to protect their ideologies. How to get taxpayers together to resist the emptying of their pocketbooks is a formidable question. Good political generals to win the battles of a Tax Revolution are as badly needed in 1977 as good military generals were needed in 1777 to win the battles of that other Revolution.

TAIWAN

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MARRIOTT. Mr. Speaker, in any association there are quid pro quo's, whether it is an individual or a group association. This point has been borne out time and again in the foreign policy of the United States and in the reciprocal benefits which our policy has contained for both parties. In supporting Germany, for example, we are supporting ourselves, just as we have done with our other allies such as Britain, France, the Philippines, the Latin American countries, and so forth. There is always a mutual gain, or the alliance would disappear; it would cease to exist for lack of purpose. Nowhere is this point more relevant than in our alliance system in the Far East, specifically with the Republic of China. The advantages have been mutual. If they were not, the ties that have bound the two countries together would have come apart many years ago.

Recently, Mr. Speaker, there have been major efforts made to undercut the association between the United States and the Republic of China. This effort began several years ago in the famous "Shanghai Communique" of the Nixon administration. Nothing more than verbal assurances and rhetoric—besides relatively minor cultural and trade exchanges—however, has emerged since the days of the communique.

As I speak today, we still have relations with Taiwan and we have not as yet established diplomatic normalization with the mainland. The situation, however, is in the process of rapid change under the Carter administration, and if we judge from Secretary Vance's speech of June 30, we will soon recognize Peking in the full and complete sense.

What will this mean, Mr. Speaker, for the advantage of the United States? Is it in our interests to go to the painstaking lengths to establish relations with the Chinese Communists, at the expense of our historic friendship with Taiwan? In short, what will we gain from such a step, and is it worth it? I would like to examine these questions very briefly in an effort to arrive at some conclusion regarding the Carter administration's recent overtures to mainland China.

First of all, while I recognize that there are a number of reasons for normalization of relations with Peking, there are even more compelling reasons why this should not be done under Peking's three conditions; namely, the abrogation of the security treaty with Taiwan, severance of relations with the ROC, and the removal of the remaining American troops from Taiwan.

If we met these conditions, it would practically sound the death knell for the American strategic presence in Asia. What value would our commitment to Japan have? To South Korea? To the Philippines? Enough damage has already been done to these allies without any further erosion. There would be practically no possibility for a continuing and serious American presence in Asia in a withdrawal from Taiwan under the conditions laid down by the Peking government.

In addition, we would have the moral dilemma of abdicating the future of 16 million people to the enslavement of the Communist system, the same 16 million that over the years have grown to depend on the United States as the final arbiter of their safety and prosperity.

If a relationship is to have mutual advantages, what advantages would the United States have in recognizing Peking at the expense of Taiwan? Since that act would mean our acceptance of Taiwan as a province of the mainland, we would be obligated to respect Peking's laws and regulations in all matters of government and business.

Let me ask this question of those who so fervently desire normalization with Peking: What would happen to U.S. business and investment activities once they became subject to the Peking regime? Specifically, Mr. Speaker, there are a number of very real problems which recognition of Peking would introduce for American investments in Taiwan and for the overall economic picture of the ROC. We have built up over a 25-year period a complex set of financial and economic arrangements with the ROC which has redounded to the mutual benefit of both parties. In recognizing Peking, we will jeopardize these, and in the process we may end the last possibility for the Chinese people to exist and prosper under a free economy. Let me be more specific.

We have eight banks in the ROC. Who would legally control them if the Communists came to power? Could they operate in a normal way?

What would happen to the position of the Republic of China in the Export-Import Bank? For a number of years the Republic has remained in the bank thanks largely to the efforts of the United States, while the Communist Chinese have demanded their ouster. Would the PRC automatically take over this seat, or would they refuse to join such a "capitalist" organization? Also, what would happen to all the loans which the ROC currently holds from the Export-Import Bank? As of 1976, the ROC had outstanding loans of $1.7 billion, making it the second largest customer behind Brazil.

In terms of direct American investment in the ROC, there are now nearly one half billion dollars—$476 million. The ROC has one of the most advantageous investment climates for U.S. dollars in the world. With a Communist government, would this be allowed to continue? At the present time, U.S. commercial relations with the ROC are governed by the Treaty of Friendship and Navigation. Would a similar relationship be possible with the PRC?

In terms of trade, we have a $4 billion market with the ROC. We also have a sizable investment in commercial property. What would be the effects of the loss of this trade or of the expropriation of our property? In addition, we have a large number of commercial agreements and contracts with the Republic of China. Would they be honored by a Communist regime?

In noneconomic issues there are still more unanswered questions which trouble me. There are no American philanthropic, cultural or missionary institutions in the People's Republic of China, all of them having been expelled long ago by the Communists. With the Republic of China, on the other hand, we have many such institutions. Would normalization of relations mean the end of all our social and cultural contacts with the free Chinese? What would happen to the flow of people between Taiwan and the United States? Would the PRC impose restrictions upon the issuance of visas and as a result intervene in tourism, cultural and educational exchanges? What about Chinese air space? Would the PRC abrogate the air traffic agreements which we have with the ROC?

In military terms, the United States has assisted the Republic of China with training and equipment for its navy, air force and army. Defense of Taiwan, therefore, depends upon access to replacement of parts and updating of equipment. If we abrogate our defense treaty with the Republic, would the U.S. Government be in a position to provide these services for a Communist-controlled Taiwan? What would happen if Peking forbade it and announced a blockade of the island?

As you can see, Mr. Speaker, there are a host of complex problems involving any "normalization" process. I am deeply concerned about all of these, and at the moment I cannot understand why the mutually beneficial association with Taiwan has to be tampered with.

Why can not the Carter administration avoid the legal and political questions of sovereignty and legitimacy and seek a formula for American relations with a divided China? There is certainly much in common between Peking and Washington that needs to be explored further, and there are undoubtedly many areas of mutual benefit: the possibilities of a commercial treaty, technology transfer, most-favored nation treatment, the settlement of property claims, and so forth. But if these issues cannot be explored without Peking insisting upon an "all or nothing" formula, then the United States has absolutely no obligation to continue the process of normalization. We do not need to meet Peking's preconditions, and we do not have to end the historic and satisfactory association with Taiwan simply to accommodate the Communists.

"CONTAINMENT" STRATEGY STILL VALID

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues the following column by my constitutent Gen. Henry Huglin. General Huglin is a retired Air Force brigadier general and syndicated columnist. He comments on America's need to retain its policy of containment:

"CONTAINMENT" STRATEGY STILL VALID

(By Henry Huglin)

Thirty years ago this summer "containment" became the capsulated slogan of our grand strategy for dealing with Soviet Russia.

It was our country's response to the Cold War, that Stalin's Russia began waging almost as soon as World War II was over, threatening our basic national interests.

Containment is still a major basis of our strategy and will likely remain so—as long as the Soviets pursue their geopolitical expansionism.

In an article in the July 1947 issue of Foreign Affairs magazine, George Kennan, then the Director of the State Department Policy Planning Staff, writing under the pseudonym, "Mr. X," used the term "containment" to describe the U.S. policy for coping with what was by then clearly perceived as an expansionist strategy of Soviet Russia—basically imperialistic, with Communist ideology, military power, false propaganda, subversion, and other nefarious tactics as tools.

It was, and sometimes still is, realized that, if the Soviets should be successful, our vital interests in western Europe, Japan, and the Mideast would be compromised and our nation's security and well being would be in jeopardy.

In implementing the basic containment strategy—in somewhat of a dynamic, rather than passive sense—the Truman and following Administrations used varying tactics, according to the challenges and circumstances of the time.

Truman provided military and economic aid to threatened Greece and Turkey in 1947.

Then Marshall Plan aid, also launched in 1947, saved the western European nations from despair and from vulnerability to Soviet military-backed political pressure, linked with subversion through internal Communist parties striving to seize power.

In 1948–49, our airlift defeated Stalin's attempt to blockade us out of Berlin.

The stunning, Soviet-instigated coup in Czechoslovakia in 1948 created the need for a formal security guarantee for western Europe. Hence, the North Atlantic Treaty was signed in 1949, linking our and the Canadians' strength to that of the western European nations—to provide confidence, political stability, and economic progress which have now flourished in western Europe for a generation.

In this period we also made a wise power-politics move in granting economic and military aid to Communst Yugoslavia after Tito's break with Stalin. This aid enabled this enormously important break in the Soviet monolithic empire to endure.

Then, in 1950, our response to the aggression on South Korea by Communist North Korea—obviously armed and backed by the Soviets—was a major, costly, and marginally successful act of containment with armed might.

And our involvement in Vietnam, 1965–74, was our longest, costliest, most divisive and only ill-fated major failure in our containment actions.

Further, our government's rapprochement with Communist China in 1972 was another diplomatic step, in the same vein as the help to Yugoslava, for Soviet containment.

Still, the protracted conflict with the Soviets goes on, because of their continuing expansionist intentions and their great and growing capabilities—even though their tactics are more subtle and with less Cold War harshness and bluster.

Further, they are engaged in a long-term, massive arms expansion program—in strategic missiles and aircraft, warships, and tanks and other army equipment.

Also, they provide great quantities of arms, economic support, and political control and subversion training to their clients around the world.

Yet, in recent years, the Soviets have touted detente—on their terms—in order to get the political boundaries that they imposed by force on eastern Europe recognized, and to get technology and credits from us and western Europe, so they could avoid slacking off on their costly armaments programs, which has hurt their economy.

Meanwhile, in our democracy and others it is continually difficult to sustain understanding of the unavoidable protracted conflict between the Soviets and us and our allies, and the need for continuation of our strategy of containment and the military strength and national will to back it up.

In frustration and weariness over the strain of decades of challenges, wars, threats, and burdens of armaments, many of us—especially the idealistic and naive—grasp at rationalizations of the Sovets' intentions and actions.

Some even turn on our country, with tortured logic, to try to lay the blame.

And many believe that there must be a different, better basic way to handle our situation than the course we have pursued for 30 years. But there just isn't—though we have certainly made mistakes and should learn from them.

Of course, we have many other important international problems and challenges beyond those with the Soviets; but none is so vital or fundamental.

So, containment is, in principle, an enduring basic tenet and necessary means of our strategy to insure our security and that of other nations dependent on us.

SPANISH HERITAGE WEEK

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. ANDERSON of California. Mr. Speaker, September 16 is traditionally an important date in the lives of our citizens of Mexican descent. For it was on that day in 1810 that Mexico declared itself an independent nation, and began the struggle to free the bonds of colonialism after "El Grito"—the night of September 15 when Father Miguel Hidalgo y Castillo sounded the cry of freedom in the town of Dolores.

Father Hidalgo did not live to see that day, 11 long years later, when Augustin de Iturbide led a triumphant army through Mexico City. Mexico's freedom was bought at a tremendous cost, by a long and bitter struggle against overwhelming odds. The courage and determination of the men and women who heeded Father Hidalgo's "Cry of Dolores" will never be forgotten.

The week of September 16 has taken on added meaning today. It is celebrated as "Hispanic Heritage Week," a time to look with renewed appreciation upon the contributions that Hispanic culture has made in the United States.

Unfortunately, we must recognize that there is a deeper meaning for this week as well. One hundred and sixty-seven years after the cry of Dolores was first heard, our Mexican-American citizens are still engaged in a struggle—the struggle to gain full participation in American social, political, and economic life.

Our Nation's Spanish heritage finds especially rich expression in my own State of California. Under the control of Mexico until 1848, we are blessed with a richness and variety of culture that reflects in a large part our Hispanic tradition. It is reflected in the names of our cities: Nuestra Senora La Reina de Los Angeles de Porciuncula, San Francisco, San Diego; by the names of our land features: the Sierra Nevada Mountains, the San Joaquin Valley, the Sacramento River; and by our coast, first explored by Spanish sailors: Santa Catalina Island, Point Conception, Piedras Blancas.

It is also reflected in our State's large population of Mexican-Americans, which numbers 3,179,000. They are our State's largest minority group, and occupy a unique position since persons of Mexican descent lived and worked in California long before the arrival of U.S. control and citizens.

Despite the fact, the Mexican-American still faces many problems in today's society. Education in Chicano neighborhoods most often falls below the standards found in more affluent neighbortaged as well. According to a recent surhoods. Economically, they are disadvanvey, the average income for a Mexican-American family is $9,546. Approximately 24 percent of them earn less than $4,000 annually. Even the average figure is over $4,000 below the national average.

Sadly enough, the pattern of disadvantage is reflected within the Federal Government. Despite the fact that 82 percent of our Spanish surnamed voters supported the current administration in the last general election, only 17 out of the 427 Presidential appointments at a sub-Cabinet level to date have Spanish surnames. Only 21 Hispanic-Americans have received Schedule C appointments, and an additional 16 have been appointed by the President to various commissions.

Nationally, Hispanics working for the Federal Government number only 3.3 percent of the total job force. As of November 1976, there were 18,718 Federal employees in California with Spanish surnames. In southern California, Hispanics comprised 17 percent of southern California's population, according to 1975 figures; yet only 6 percent of the area's 150,000 Federal jobs were held by this sizeable segment of the population.

Mr. Speaker, the past decade has seen much progress in the area of human rights. No one can deny that our Nation's minorities—including Hispanic Americans—have made great strides forward. But we must not forget that these injustices still exist, and that our society still must face an obligation to correct them.

So as we celebrate Hispanic Heritage Week, we should do more than gain a sense of appreciation for the many contributions made by that heritage to our society. September 16 marks a great celebration, but the event that we remember was the conception of a long and difficult struggle.

Today, that struggle in many ways continues here in the United States, as men and women of Hispanic descent struggle to gain justice and equality for themselves and their people. This is a good time to recognize that this struggle exists, and to pledge our solidarity and support to our citizens of Hispanic origin.

TWO OUTSTANDING BROOKLYNITES

HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. ZEFERETTI. Mr. Speaker, I would like to call the attention of my colleagues to the accomplishment of two outstanding Brooklynites.

According to articles in my community newspaper, the Brooklyn Record, I have been informed that Miss Laurie Robin Josephs, daughter of Dr. H. Thomas Josephs of Brooklyn, has recently been awarded the Eleanor DeGoller Prize for Academic Excellence. Miss Josephs is a student at Vassar College in Poughkeepsie, N.Y., and ranked highest among 3-year students. My heartiest congratulations are extended to her.

Another prominent citizen of Brooklyn, Domenick A. Volpe, has recently been elected to the post of commander of the New York State Veterans of Foreign Wars. Commander Volpe, a Brooklyn combat soldier who participated in the Normandy invasion of World War II, commands the 156,000 members of this prestigious organization. Joining the VFW while still in service, he was the first sergeant of the Fighting 14th Infantry of the New York National Guard which was federalized in February 1941.

It is truly a privilege for me to be honoring these two distinguished members of the Brooklyn community today. I ask the House of Representatives to join me in wishing Miss Josephs and Commander Volpe continued success and good health in future endeavors.

WHAT THE TAPE IS TELLING US

HON. RALPH S. REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. REGULA. Mr. Speaker, I recently read an editorial that appeared in the September 1977 issue of Fortune magazine that I feel will be of interest to my colleagues. This editorial addresses itself well to our present and past economic situation, inflationary trends, and the impact that our actions here in the Congress have on these aspects of our national stability. For this reason, I insert the following article into the RECORD:

WHAT THE TAPE IS TELLING US

Following the stock market is in some ways like spending an evening at the theater. Like a good play, the market endlessly surprises you and yet leaves you feeling afterward that what happened was really quite inevitable. Like most good plays, furthermore, the market is always trying to tell you something. It's certainly telling us something right now, and the message isn't very pleasant.

Anyone trying to grasp the message might begin by reminding himself how much we've been surprised this time around. At the beginning of 1977, the Dow Jones industrial average was at 1,000 and projections about the market were overwhelmingly bullish: we were in the second year of a powerful expansion, and virtually all economic forecasts called for sustained growth throughout 1977, with only moderate increases in interest rates—an environment that seemed made to order for a healthy stock market.

In fact, those forecasts have proved to be quite accurate. Nevertheless, the market has been drifting downward throughout most of the year. In mid-August, the Dow was around 870, and the other leading indices had dropped about 10 percent.

Why has the market been slipping while the economy expanded? There is no real mystery about the answer. It has been clear for close to a decade that the market lives and dies on the vibrations it gets about inflation.

And this year it's been getting a lot of bad vibes.

It is possible that the market's weakness during most of last month reflected its growing awareness of some new inflationary pressures in the economy (see Business Roundup, page 9). But in general the market seems to take its cues about inflation from the news about the money supply. Its perception of the problem is essetntially "monetarist": it believes that outsized increases in the money supply are a sure harbinger of higher inflation rates. In the long run, these higher rates increase uncertainty and leave investors demanding larger risk discounts—which is another way of saying that they will buy in only at lower prices.

In the short run, the market has some different concerns about the money supply. It likes easy money, but it fears that too much easy money will lead the Federal Reserve to crack down, make credit less available, and in general create an unhealthy environment for stocks. The market often seems to be hypnotized by those Thursday-afternoon press conferences at which the Fed releases the latest figures on money growth. Every Thursday, the market rethinks what it knows about the Fed's basic posture. If recent money growth has been rapid, then a crackdown may be coming; if the Fed is failing to meet its announced targets, then presumably the market can anticipate some extra doses of money growth without having to worry about inflation. The market's sinking spell in April and May, partial recovery in June, and renewed slippage in late July faithfully mirrored the explosive growth of money in April (M–1 rose at a 20 percent rate), its non-growth in June, and a renewed explosion (an 18 percent rate) in July.

In line with its basically monetarist perspective, the market is leery of any developments that might force the Federal Reserve to pump a lot of money into the banking system. For this reason, anything that threatens to bring about bigger federal budget deficits is now taken to be bad news on Wall Street. The theory is that more Treasury bills will have to be issued to finance the deficit and the Fed will feel obliged to pump money into the banking system so the banks can buy more of them.

Thus when President-elect Jimmy Carter announced his economic program on January 7, the market did not respond with elation to the promise of "stimulus"; instead, to the dismay of Carter's economic advisers, it went into a tailspin at the prospect of another $15 billion or so being tacked onto this year's deficit. The Dow lost some fifty points in the weeks after the program was announced.

In general, the market's performance this year suggests doubt that the Carter Administration will succeed in balancing the budget by fiscal 1981. Yet it would be unfair to argue that the woes of the stock market can be traced mainly to this Administration. After all, the market has been sick for more than a decade, and even before Carter took office the erosion of values had been staggering. When he was inaugurated, it could be said that the Dow was worth no more in real terms than it had been in 1956. (Today, one could say late 1954.)

The awful truth that is sinking in on many investors is that inflationary behavior is now deeply rooted in our basic institutions. For many years, our inflation problem could be attributed to "external" shocks: first, the Vietnam war; later, simultaneous food shortages in many countries, and OPEC's decision to quadruple oil prices. Today, however, inflation can be seen as something that Americans regularly inflict on themselves. They do it because they continue to want more from our political and economic system than it can provide under conditions of price stability.

That would seem to be the ultimate message of the tape. It is a message that cannot be ignored for long by the leaders of our society.

SACCHARIN AND LAETRILE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 1977

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for September 14, 1977, into the CONGRESSIONAL RECORD:

SACCHARIN AND LAETRILE

"Saccharin should be banned. It causes cancer."

"I have used saccharin for 20 years. I need it for my diet."

"Why shouldn't I be able to use Laetrile? I've tried everything, and its the only thing that makes me feel better."

"Laetrile is a hoax. Take it off the market."

These statements to me from constituents illustrate the difficulty public officials now face in making basically technical judgments about the benefits and the hazards of saccharin and laetrile.

Scientists tell us laetrile is ineffective and possibly even dangerous and that saccharin causes cancer, at least in animals. However, they are told by consumers of these substances that laetrile work and that saacharin is beneficial.

Each substance, of course, presents a different problem. The saccharin problem arises from the Delaney Amendment, which says that no additive shall be considered safe that is found to induce cancer in man or animal. Since saccharin has been found to cause cancer in animals when fed to them in high doses, the law is clear. The question for Congress is either to amend or to do away with the Delaney Amendment, or to make saccharin an exception to its terms. The Food and Drug Administration has pending a proposal to eliminate saccharin added to diet foods, drinks and other products, while allowing it to be sold as an over-the-counter drug. In light of new studies, the FDA is now considering toughening this original proposal either by effecting a ban on all sales of saccharin or perhaps by allowing it to be sold only by prescription. Meanwhile, Congress is considering a delay in the saccharin ban. Although it is clearly a substance that can cause problems, saccharin is really not so bad compared to many other substances on the market today and, moreover, it has been consumed for a long time by satisfied customers.

The effort by the FDA to remove laetrile from the market is based on the principle that the public should be protected against drugs that are ineffective. The law in question provides that if a new drug is sold, it must be both safe and effective in the treatment of the disease or condition for which it is sold. In the view of the FDA and most physicians, laetrile is not effective against cancer. They believe that people need to be protected against the unscrupulous vendor. In their opinion, repeal of the effective requirement would give rise to freedom to defraud the consumer and not freedom of choice. They argue that victims of cancer die because they fail to get proper treatment, and that laetrile, which is being pushed hardest by those profiting most from it, can be a cruel hoax.

Proponents of laetrile are understandably driven by the desparation of dealing with a horrible disease for which there is no orthodox and reliable treatment. The strength of laetrile's appeal is obvious, as is the bitterness of its proponents toward the authorities who oppose its use. Americans, they contend, should have the freedom to choose drugs. Laetrile's proponents would let the government decide what is safe, but once proven safe, they argue that the product should be allowed on the market. They claim the effectiveness requirement is actually retarding the development of new drugs in the United States.

Generally, the principles involved in these laws—that drugs should be effective and that additives to food should not cause cancer—are accepted, but when scientific evidence is less than conclusive and when the substances relate to matters as sensitive as diet and cancer these principles are sorely tested.

There may be no genuinely satisfactory solution to the dilemma presented by saccharin and laetrile. No matter how it is resolved, many people will believe that their rights, either the right to make their own decisions or the right to be protected, have been violated by the long arm of government.

In dealing with these substances, the federal government should avoid strong-arm tactics against people who are confused. Government should try to take into account consumer demand. If it does not, it can be overrun in the political arena and lose the authority it now has to pass on the effectiveness of drugs before they go on the market. The best scientific information about these substances should be made available. Accurately stated warnings ought to be required. Research ought to be accelerated to find the facts about each substance. Alternative drugs should be sought. In the case of laetrile, tests on animals alone may not be sufficient. Comprehensive studies of the substance should proceed. If the studies confirm laetrile is without value in treating cancer, that evidence should make it easier to persuade others. A careful evaluation of the benefits, the risks and all the relevant evidence is necessary. Given the difficulty of these judgments, regulating agencies probably need more flexibility in analyzing the data than they have under current laws.

RIGHT OF LIFE

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. JOHN L. BURTON. Mr. Speaker, the Congress is concerned with the Right to Life as shown by the Hyde amendment.

We are also concerned with the depressed state of the construction industry as evidenced by our public works bills.

With this in mind, if and only if the Weiss amendment fails, I will move that neutron bomb funding be limited to a device "that destroys buildings and not lives."

This "Situs Neutron Bomb" amendment will stimulate the economy more than a tax cut, and will be a stronger guarantee for the right to life than cutting off Federal funds for abortions.

I would appreciate your support:

AMENDMENT TO H.R. 6566, AS REPORTED

OFFERED BY MR. JOHN L. BURTON

Page 21, after line 19, add the following new section:

SEC. 210. None of the funds authorized to be appropriated under section 101 of this Act shall be obligated or expended for pro-

duction, procurement, or deployment of any enhanced radiation (neutron bomb) warhead, or for research, development, testing, or evaluation with respect to any such warhead, unless such warhead is designed to destroy property without causing harm to human beings and other living things.

VIRGINIA ELECTION OFFICIALS OPPOSE SAME-DAY REGISTRATION BILL (H.R. 5400)

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MARRIOTT. Mr. Speaker, the universal voter registration bill (H.R. 5400) is a bill which needs to be buried.

Since the measure was first proposed by President Carter some months ago, we have had the opportunity to carefully study the meaning and full implications of election day registration. This bill would make some major changes in our election system and would open our system to new opportunities for fraud. H.R. 5400 would not improve our election system; it would seriously erode the integrity of the vote of each American.

Preregistration of voters provides an important safeguard and protection against vote stealing and vote fraud. If we eliminate registration prior to election day, we are eliminating the opportunity to prevent vote fraud. Election day registration is a bad bill whether mandatory or optional. We do not need to adopt a system which would encourage, rather than discourage vote fraud.

State and local officials have been carefully examining this election day registration bill. Some interesting information has come out of the State of Virginia.

When earlier this year Deputy Attorney General Peter Flaherty solicited the opinions of U.S. attorneys on H.R. 5400, the U.S. attorney from the eastern district of Virginia, William B. Cummings, commented that—

> A system allowing registration at the polls with or without a voter register would be susceptible to abuse and thereby dilute the voting rights of validly registered voters.

U.S. Attorney Paul R. Thomson, Jr., wired from Roanoke, Va., that—

> The possibilities of voting fraud under the proposed universal voter registration act are incredibly great.

Recently a survey of more than 225 Virginia election officials and registrars revealed overwhelming opposition to election day voter registration. These officials stressed some of the real problems which could result, especially the administrative problems on election day. I would like to enter into the RECORD a story from the Washington Post, July 21, 1977, entitled "Election Day Voter Registration Opposed":

ELECTION DAY VOTER REGISTRATION OPPOSED

(By Sandra G. Boodman)

A survey of more than 225 Virginia election officials and registrars shows they overwhelmingly oppose election day voter registration because they say it could lead to severe administrative problems and possible fraud.

The Carter administration has strongly backed a bill making it mandatory for all states to permit voters to register and vote on the same day. However, when it became apparent last week that sufficient Congressional support might be lacking, the proposed legislation was watered down to make same-day voter registration optional—essentially the situation now. The bill is expected to reach the House floor today.

Results of the Virginia survey were released at a press conference held shortly before the weaker version of bill was announced. They indicated that same-day voter registration probably will not come voluntarily to Virginia.

Fears of chaos at the polls and a belief that "special interest groups are trying to steal the 1980 election" were expressed by Millard C. Rappleyea Sr., a member of the Fairfax County electoral board and one of several election officials from Fairfax, Arlington and Prince William counties attending the press conference.

Nancy Haydon, Prince William County registrar, noted that the original measure meant that the potential for another Chicago (a reference to the circumstances surrounding the close vote for John F. Kennedy in Cook County, Ill., in 1960) is there, especially in close elections."

Haydon and Rappleyea said that under the present system, which provides for statewide cross-checking of voting lists, absue is "virtually nonexistent."

Survey respondents said they believed same-day registration would discourage earlier reigstration, causing voters to face long lines at the polls on election day. This would result in "unnecessary anger and confusion," said Rappleyea.

Fairfax County registrar Eve Newman said the costs of additional staff and machines presented a problem. "It's hard to judge where people will turn out. We might plan for a large turnout in Reston and find that everyone went to Mt. Vernon."

She continued, "Local jurisdictions sometimes just don't come through with the money," despite federal legislation.

The survey also revealed widespread opposition to same-day registration at a central location, which has been successfully adopted by Maine and Oregon. Increasing night and Saturday hours were opposed because officials said not enough people show up.

"Abuse seems to be nearly nonexistent now," Rappleyea concluded. "A lot of things turn people off to the political process but it's not the inability to register."

BANKING INTERESTS IN PANAMA

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. DORNAN. Mr. Speaker, during the last few months of the debate on the Panama Canal treaties, I have observed closely those who are in favor of this giveaway of American property and sovereignty. It has been a most interesting study.

Some who support the giveaway treaties, are from the old school of "the U.S. must repent for T.R.'s sins." Now, we are all familiar with this type of person. To their way of thinking the "haves"—those who work for their livelihood—are worthy of little more than scorn and heavy taxation. These protreaty people believe that—as far as the canal goes—the United States is a "have" and Panama is a "have not." Therefore, according to their sophomoric logic, Panama should be given the canal.

Some other protreaty people are merely confused about the validity and justice of our sovereignty. Not having a thorough knowledge of the circumstances preceding and following the 1903 treaty, they fall into the old trap that American interests in Central America are merely colonial. They reason further that, since colonialism is an outmoded as high button shoes, we should join the 20th century and relinquish our sovereighty in the zone. They completely ignore the facts of the 1903 treaty and the benefit that has accrued to Panama as a result of our presence in the zone.

While the vast majority of Americans disagree with these two types of protreaty people, very few question their motives. The former protreaty attitude is a result of an overdeveloped sense of charity and an underdeveloped sense of justice. The latter is a result of prejudice or laziness in regard to the real facts of the situation; these people have succumbed to protreaty rhetoric of other confused and misled people.

But there is a third type of protreaty person whose motives should be impugned. These persons are well aware of the facts of the 1903 treaty and the importance of the canal to the security of the Western World. They do not endorse the treaty out of undue love of the Panamanian people or out of confusion—they do so out of self-interest. They have something to gain from the giveaway of the American people's canal.

The most visible and best known of this third type are the fast-money type of international banker. The Torrijos dictatorship is up to its ears in debt to banks. The debt of the Torrijos regime has now reached such proportions that 39 percent of the Panama GNP—repeat 39 percent—goes to debt servicing alone. This might not cause the extreme consternation in the banking circles that it does if it were a debt owed by a stable government. But the Torrijos regime is far from stable. The dictator was nearly ousted a few years ago by an abortive coup and there are few wagers on his staying in power long if the treaties are rejected by the Senate. And if he is not in power, the banks do not have much chance of getting their money.

Some Members of Congress and Americans are aware of the conflict of interests involved in some of the banks' support of the Panamanian treaties. They are aware of the Marine Midland connection through negotiator Sol Linowitz. But there are many other banks whose endorsement of the giveaway of the canal may be motivated by monetary interests. Unlike Marine Midland, they have been able to keep a lower profile. They are not generally known to be part of the banking group with a lucrative stake in the ratification of the treaties.

So that my colleagues and the American people can be made aware of these other banks, I ask that two announcements of the purchase of Panamanian notes which appeared in the Wall Street Journal be reprinted here. Those banks to which the Torrijos regime is in debt are listed in these announcements:

ANNOUNCEMENTS

Republic of Panama: $115,000,000, ten year Eurodollar loan.

Managed by: Citicorp International Bank Limited, Dillon, Read & Co. Inc., Smith, Barney & Co. Incorporated, and Banco Nacional de Panama.

And provided by:

Asia Pacific Capital Corporation Ltd.
Banco de Santander y Panama
Bank of America NT & SA
San Francisco, California
Bank of Montreal
The Bank of Nova Scotia
The Bank of Tokyo, Ltd.
Bankers Trust Company
Banque Ameribas
Banque Nationale de Paris
The Chase Manhattan Bank, N.A.
Citicorp International Bank Limited
Compagnie Luxembourgeoise de Banques A
Dresdner Bank Group
The First National Bank of Boston
Panama Branch
The First National Bank of Chicago
First National City Bank
The Fuji Bank, Limited
The Industrial Bank of Japan Limited
Interunion Banque
Lloyds & Bolsa International Bank Limited
London & Continental Bankers Limited
The Long-Term Credit Bank of Japan Limited
Marine Midland Bank, New York
The Mitsui Trust and Banking Company Limited
National and Grindlays Bank Limited
Republic National Bank of Dallas
Rothschild Intercontinental Bank Limited
The Royal Bank of Canada
Security Pacific National Bank
The Sumitomo Bank, Ltd.
The Tokai Bank, Limited
Toronto Dominion Bank
Agent: First National City Bank.
October 19, 1973.

Republic of Panama: $20,000,000; Floating Rate Promissory Notes.

The above financing was arranged in January, 1972 by Goldman, Sachs & Co. The Deltec Banking Corporation Limited with the undersigned:

Bankers Trust Company
Bank of Montreal (Bahamas & Caribbean) Limited
Marine Midland Bank-New York
The Bank of California, N.A.
The Bank of Tokyo Trust Company
Roy West Banking Corporation, Limited
Banque Européenne de Tokyo
The Bank of Nova Scotia
Associated Japanese Bank (International) Limited
Bank of London & Montreal, Limited
Cisalpine Overseas Bank, Limited
The Toronto Dominion Bank
The Tokai Bank, Limited
The Toronto Dominion Bank
The Dai-Ichi Kangyo Bank Ltd.

THE NEED FOR AIRLINE DEREGULATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. CRANE. Mr. Speaker, I have long felt that overregulation by government tends to stifle economic growth to the detriment of consumers. Our country's rapid rise to greatness has been due to the free enterprise system which we have adopted. Yet, in recent years, we have allowed the Government to take over many of the initiatives which should have been left in the hands of the individual businessman. It is high time, therefore, that we deregulate and let free market competition reign supreme once more.

An area in which deregulation is long overdue is the airline industry. During the early days when air transportation was struggling to survive, it was necessary for the Government to step in to assure that the fledgling air companies would not fall apart before they had the chance to fly. However, the industry has now grown into one of the biggest in the country and no longer needs the support of rigid government regulation. As a matter of fact, strict regulation by the Civil Aeronautics Board, especially in the areas of pricing and entry, has stifled competition and prevented growth, all at the expense of the consumer. Travelers have had to pay higher prices to fly on those airlines which are regulated and airlines that can offer lower fares have been prevented from entering the market.

Mr. Speaker, at this time, I insert in the RECORD an article written by Carole Shifrin which appeared in the Washington Post on Tuesday, August 23, 1977, describing how an innovative young woman has succeeded in turning the tide of a small commuter airline company in Illinois. Because small commuter air companies are unregulated by the CAB, Pat Pond of Skystream Airlines was able to offer fares well below those of the regulated airlines and thus turn a losing business into a profitable one. It is obvious from this and other reports that airline travelers are paying far too much due to rigid CAB regulation and that there is a real need for deregulation.

The article follows:

SMALL COMMUTER LINE FLYING HIGH

(By Carole Shifrin)

CHICAGO.—The first thing Pat Pond did when she became president of Skystream Airlines was to repaint its pink airplanes white. "It wasn't going to work: being a female airline president and flying pink planes," she jokes.

In the ten months since she took over the management of this small commuter airline, another color has changed—the ink on the company's books. In the red then, they are in the black now.

Pat Pond is no ordinary airline president. Besides being a woman, she is young, just 28. She started out as a ticket agent for Skystream in 1975 when her children were about to start school, and she became president of the company after she spent six months convincing the chairman of the board—her father-in-law—that she could do a better job of running the company than the man who was in charge.

Since she became president in November 1976, she's proved she was right. Passenger traffic has doubled, the little-known airline is even turning passengers away from some flights—but they stick around for the next—and now Pond wants to expand the airline's three-state, five-city route structure.

The reason for her success—Skystream's newly found success—is aggressive marketing and low fares—real low fares. Would you believe $3 between Chicago and South Bend, Ind., or $10 between Chicago and Detroit?

Skystream is one of about 250 scheduled airlines in the burgeoning commuter airline industry. The commuters are subject to Federal Aviation Administration safety standards but not to the fare and route regulation of the Civil Aeronautics Board so long as they operate aircraft seating fewer than 30 passengers.

Skystream currently operates 15-seat Beech 99 non-pressurized aircraft on scheduled flights between five Midwest cities; Chicago, Detroit, Indianapolis, South Bend and Kokomo. For its 52 flight segments flown each day, the airline uses the same major airports as the large regulated airlines except in Chicago, where it flies in and out of the downtown airport, Meigs Field, a small airstrip and terminal nestled between Lake Michigan and a boat marina, with Chicago's skyline as a backdrop.

Although a lot of people travel every day between the cities Skystream serves, they weren't traveling on Skystream at least in part because they had never heard of it, Pond says. Her flights had a lot of empty seats, and she set about to remedy that.

In May, Skystream began offering a standby fare of $3 between Chicago and South Bend compared with its regular fare of $15 and the regulated airlines' coach fare of $25 between the two cities. "We decided our competition between the two cities was the car, so we were trying to price ourselves to be competitive," she says.

The initial response was so great that she decided to institute a Chicago-Detroit standby fare of $10 compared with the normal $39 fare between the two cities.

Not unexpectedly, the fares have attracted attention—and passengers. Traffic on Skystream's flights has jumped from an average of 100 passengers a day to just over 200 passengers a day last month.

The increase wasn't all standby traffic either. "We hoped we would draw enough attention to increase full-fare reservations, and it did," Pond says. About 154 of the average total each day are full-fare passengers, she says.

Although Skystream—and commuter airlines generally—continue to fight some consumer resistance to small planes, small airlines, and small airports, Pond has capitalized on it. "Meigs gives us our uniqueness," she says. "We're bringing people to downtown Chicago." In their ads promoting the standby fares, Skystream emphasized that their flights went to "downtown Chicago on the lakefront," even noting that, if they wanted, passengers could walk from the airport to the King Tut exhibit at the nearby Field Museum.

Students and singles seem to make up the bulk of the new Skystream travelers, Pond says, but families also have taken advantage of the standby fares. Pond says a family of six went standby on one recent flight.

Traveling on Skystream is not at all like traveling on the larger carriers. The absence of bureaucracy is striking; the employees appear almost interchangeable. The person behind the ticket counter at Meigs takes reservations over the phone, writes your ticket, and takes your baggage. Minutes later, he is placing the baggage in the plane. Then, he announces that the flight is ready for boarding; he checks tickets at the gate, helps people up the stairs to the plane, then boards himself. He starts up the plane, makes the proper FAA required announcements, and then, with co-pilot, flies the plane to its destination.

"Almost everyone in the company knows how to do everything," Pond says. Most are also young. Of the 18 employees—12 are pilots—the oldest is 35. The rest are under 30, and all but one have a college degree.

Pond, who does not have a college degree but bears a striking resemblance to a college student—dressed in a light blue culotte suit with sandals for the interview—joined Skystream in the company headquarters in

South Bend as a ticket agent because she wanted to go to work in an industry where there was some growth opportunity . . .

"It took me about three months to get absolutely fascinated with the airline industry," she says. Seeing ways things could be done differently, she says, "I guess I got a little pushy and aggressive." One of the first things she did was set up a central reservations system; travelers now can call toll-free numbers from anywhere in a five-state area for Skystream reservations.

When Pond became president last November, the company was "losing quite a bit of money," she says. It is now profitable. She hopes to have the company's debts paid off by the end of February 1978 and then plans to invest in new aircraft. Skystream has four planes, three used in the daily commuter operations, the fourth used as a backup plane when needed and for charters.

Pond already has expansion plans, too. She is looking for a new city, and Grand Rapids, Mich., is a good candidate, she says. "That's the way I want to see us grow, one city at a time." She thinks one of the reasons for commuter failures in the past was a tendency to bite off more than they could chew.

The planes used by Skystream are outfitted with wide windows, offering passengers a good view of the countryside from the 7,000- to 10,000-foot altitudes at which they cruise. There are no restroom facilities—none of their flights takes more than about an hour—and they serve no beverages.

Although Skystream just raised the standby fares—to $7 between Chicago and South Bend, and $20 between Chicago and Detroit—Pond doesn't think they will lose many passengers. "And it's still comparable to taking the bus," she says.

FLY OR DIE: A REVIEW OF THE CONCORDE

Hon. John E. "Jack" Cunningham

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. CUNNINGHAM. Mr. Speaker, recently the Environment and Energy Subcommittee of the Government Operations Committee, on which I am pleased to serve, held additional hearings regarding the rulemaking procedure on possible Concorde landings in the United States following the 16-month trial period authorized by former Transportation Secretary Coleman.

At that time, our chairman, LEO RYAN, expressed my feelings regarding the practice of marking "secret" an options paper regarding the proposed rulemaking. From information developed at the hearings, it became clear that National Security Advisor Brzezinski had inexplicably prevented the public from seeing the decisionmaking process in this allegedly open administration.

Recently, I saw an excellent article on the Concorde in Signature magazine entitled, "Fly or Die: A Review of the Concorde." It is authored by repected New York Times transportation editor, Richard Witkin.

In view of the proposed rulemaking, schedule to be released on or about September 24, I recommend this overview to my colleagues in an attempt to supply them with more facts prior to the administration's decision.

The article follows:

FLY OR DIE: A REVIEW OF THE CONCORDE

(By Richard Witkin)

ITS CONTROVERSY

If there is one thing that can be said without dispute about the Concorde supersonic airliner, it is that it has churned up more dispute than any other airliner before it.

What to supporters is an aluminum bird of striking grace and considerable utility is to opponents an unbearably raucous monster that symbolizes the excesses of technological drive.

This writer, an admitted airplane buff, has had two flights aboard the plane. Both were indistinguishable, from the standpoint of the body's physical experience during the trip, from a flight on a conventional subsonic jet. Intellectually and emotionally, they bordered on the euphoric.

By contrast, I have also stood under the takeoff path of the Concorde at the carefully chosen point where the Federal Aviation Administration recorded official readings on the planes' noise as it climbed out of Washington's Dulles Airport.

The meter reading of 129 perceived noise decibels was shattering. Technically, it was said to be almost four times as disturbing to an average listener as the 112-decibel output that has been the maximum permissible for jets taking off from New York's Kennedy Airport. No one could be expected to tolerate living in such a thunderous environment, even for a handful of takeoffs a day.

But there were no residences at the point where the 129-decibel reading was recorded. The pilot, knowing that, had deliberately kept his throttles at maximum power over the meters so that, when the plane did arrive over residential areas, its altitude would be as high as possible. With throttles having by then been retarded, the noise intruding on citizens below would be within the range decreed at Kennedy.

Unhappily, the dispute over the Concorde's noise has other ramifications. Admit, as virtually all experts do, that the plane can meet the Kennedy takeoff criterion, with decibels to spare. The main issue now stressed by the plane's opponents—and by the Port Authority of New York and New Jersey, which operates Kennedy—is the degree of disturbance from low-frequency vibrations generated by the Concorde's four huge turbojet engines on both landing and takeoff.

The human ear does not register these vibrations. Yet noise experts have said they can produce considerable annoyance—by causing dishes and paintings to rattle, and even by causing enough floor displacement so that a person standing in a room would feel his whole body move. Recently, the Port Authority hired a new noise consultant to help it develop what is referred to as a "vibration rattle index." Skeptics, including the Concorde operators, think this was just another stalling tactic by the agency to avoid making a permanent ruling on the Concorde's acceptability and thereby to leave the decision to the courts.

ITS ECONOMICS

Not a few Concorde foes have taken comfort in a theory that the program will fade away before long—perhaps the fleet will be mothballed or sold to the military—simply because, they contend, it is economically untenable. They have predicted this would happen more quickly should the plane be permanently denied access to New York. They like to think it will happen in any case.

The two airlines flying the Concorde, British Airways and Air France, admit that its economics are not what was contemplated when the two nations embarked on the joint project in 1962. The plane has been buffeted by a combination of technical difficulties, the fuel squeeze, soaring costs, the maturing of the environmental movement and the overcommitment of the world's major airlines to wide-bodied jets.

Nonetheless, the pro-Concorde forces dismiss as a myth the contention that airline operations must end up in the red. And they provide figures to support their claim.

It is important to keep in mind one vital assumption in all profit-and-loss calculations. This is the price of $60 million per plane quoted as the cost to the British and French airlines of their fleets of five and four Concordes respectively.

It has been argued that the price to the government-owned airlines is artificially low because it does not account for an adequate portion of the almost $3 billion total investment of the two governments in research, development and setting up production lines. The counterargument is that it makes no sense to apportion all those costs in setting a unit sales price on such a minuscule production run (16 planes authorized to date.) The $3 billion outlay has in effect been written off as a long-term investment in high-technology capability.

The comment made repeatedly by the Concorde's developers is: "It's our moon shot."

In any case, $60 million is the price for which any airline (not just the subsidized British and French carriers) could have bought a Concorde at the time that dozens of purchase options still were outstanding.

The Concorde advocates' contention is that, with the $60-million purchase price to be depreciated over 10 years, a Concorde would break even under the following conditions: 2,750 hours of operation a year; an average of 60 percent of the 100 seats per plane filled; and ticket price 20 percent above normal first-class fares. Extend the depreciation period to 15 years, and the required break-even passenger load comes to 55 percent.

Up to now, the load factors (percent of available seats filled) have consistently *exceeded* expectations. The two airlines have incurred large deficits primarily because their annual operating hours have come nowhere near the 2,750-hour-per-plane requirement. And that is largely a result of the protracted legal battle to gain entry to the New York market.

British Airways reports it lost a little under $15 million on Concorde operations for the fiscal year that ended March 31, 1977, including $10 million as a one-year allocation of the outlay for purchase of the planes.

Air France estimates it will lose $60 million this calendar year on Concorde operations, plus another $20 million for normal depreciation of its planes. But both airlines claim that eventually their fleets will surmount the 2,750-hour barrier and at least break even on their flights.

THE U.S. ABDICATION

The Concorde took over top billing in the international SST contest back in 1971 when the United States, in the process of building two test prototype planes, simply pulled out of the race. The American plane would have been 400 mph faster than the Concorde and would have carried three times as many passengers—a key to profitability. The trouble was that, besides encountering the technical setbacks and cost spurts that are inevitable in such programs, the U.S. SST suffered a bad case of timing.

Several years behind the Concorde, the American project arrived at a decisive moment as antitechnology sentiment was peaking across the nation. It had much to do with the Vietnam war, rampant inflation and the impact of the environmental movement. It was environmental arguments that, when the showdown came in Congress in 1971, proved most damaging to the American SST cause—much more damaging than some unsettling if not conclusive economic and technical arguments. It is odd, in a way, that they did.

The concern about the sonic boom, still prominent in anti-SST propaganda, had long since been dealt with. The government had

decided that the plane would be limited to overwater flights. This was bad for the plane's profit potential but good for the peace and quiet of the population below.

Two other environmental arguments figured significantly in the national debate that finally led to the program's cancellation.

One was that the plane would rain intolerable noise on communities near the airports. Actually, by the time the "nay" vote came in Congress, noise experts had calculated that the plane would, in fact, meet the stringent noise criteria that were then, and still are, the law of the land. Using a quite different engine type, the U.S. SST would have been much quieter than the Concorde.

Probably more decisive than the concerns about noise were the alarms voiced by the anti-SST forces that the plane would cause a devastating increase in the incidence of skin cancer. It would do so by depleting the upper atmosphere ozone that absorbs excessive ultra-violet radiation.

Backers of the SST granted that the problem warranted serious study. But they argued in vain that the theory was as likely to prove wrong as right, that it would take an awful lot of planes to cause a marked depletion of ozone, and that the dangers of skin cancer were exaggerated. Just the word "cancer," however, was enough to solidify a great deal of the opposition to the SST program.

Early in July this year, the head of the Federal Aviation Administration's high-altitude-pollution staff revealed that new studies indicated no existing aircraft poses any imminent threat to the protective ozone layer. Sensibly, the government will continue to study the matter closely. But the spectre of a skin-cancer menace from SST aircraft appears, for now, to have gone away.

CURRENT OPERATIONS

The Concorde opened the era of supersonic commercial passenger service on January 21, 1976. Actually, it was two Concordes taking off simultaneously (literally) from London and Paris.

The British Airways plane flew to the Middle East island of Bahrein. The Air France plane flew to Rio de Janeiro, with a refueling stop at Dakar. The 3,515-mile flight to Bahrein, which had to be held to subsonic speed until the craft reached the Mediterranean so as not to bombard populated areas with sonic booms, took 4 hours 10 minutes. This was a saving of 2 hours 20 minutes compared with the scheduled time for a Boeing 747. The saving on the 5,927-mile flight to Rio was even more impressive—7 hours 5 minutes instead of 11 hours 10 minutes.

Three months after the joint inaugural, Air France added a once-a-week service from Paris to Caracas. Then, on May 24, 1976, the two airlines opened the first North Atlantic SST operations, with simultaneous flights from Paris and London to Washington. The Air France service to Dulles now operates daily. British Airways recently increased its Dulles service to six a week.

Contemplated for the future are extension of the Bahrain run to Singapore and Melbourne, Australia, and service from Europe to Tokyo. The latter will depend on obtaining permission from the Russians for supersonic overflights and on overcoming opposition from Japanese environmentalists—as militant as their American counterparts.

The scheduled flight times to Dulles (3 hours 50 minutes from London; five minutes more from Paris) are half or less than those for subsonic planes. The first-class London-Washington fare is $840 one way, compared with $698 on a subsonic jet. The Paris-Washington fare is $868 compared with $723 subsonically.

The economic penalty incurred by both airlines for being compelled initially to use their second-choice American gateway, Washington, has not resulted solely from the capital's inferior status as a generator of Europe-bound travelers. It also has to do with an extra 200 flying miles from London and Paris.

The Concorde's designers tailored the plane specifically for the New York market. That meant average fuel loads of a critical amount, allowing a production craft configured for 100 seats. But to cope with the extra 200 miles to Washington, the fuel load has to be higher. That produces complications in the summer when hot, thinner air produces longer takeoff runs. So as not to run out of runway, aircraft weight must be curtailed. This is done by withholding a number of seats from sale, and there are many days when there is demand for every one of the seats on board. The loss of potential revenue is painful.

In the 15 months since the Washington runs were begun, Air France has filled just under 68 percent of the Paris-Washington seats that were salable. British Airways, which has tended to "rope off" more seats than the French, has had a sales percentage of 81 percent for this year.

In short, the figures on the main routes are still above the 60-seat loads the airlines' economists say are needed to break even over the long pull.

FLIGHT PROFILE

A passenger who lays out 20 percent over the price of a subsonic first-class ticket is mainly buying speed. Chopping the flight time across the Atlantic in half may be meaningless to a leisurely tourist, especially if he can sleep off the trip fatigue and jet lag at the other end. To a time-pressurized businessman, it can mean a boost in productivity and opportunity. Similar advantages appeared at the end of the Fifties when the jets took over from pistons and a one-day business trip from New York to Chicago and back became commonplace.

True, the Concorde's time advantage can be eroded by airport-to-downtown bottlenecks. However, interviews with many Concorde passengers leave little doubt that, while jet lag must still be contended with, ordinary fatigue is minimized. And the advantage increases markedly on longer runs.

Some who have flown the Concorde stress a price to be paid beyond the premium on the ticket. The narrow, tubular cabin can become claustrophobic, though reactions vary greatly from passenger to passenger.

A good percentage of the nonenthusiasts tend to be the more portly travelers who have grown accustomed to the sprawling comforts of a Boeing 747's first-class section and upstairs dining room. The cabin noise, not from the engines but from the outside air rushing supersonically over the fuselage, makes conversation a bit of a strain.

But to the enthusiasts, and I am one of them, such shortcomings seem minor if there is a real desire for speed, and for the productivity and fatigue-lessening that come with it.

Beyond that, if one's psyche is susceptible, there is the sheer exhilaration of supersonic flight. On the front wall of the passenger cabin is an electronic Mach meter—a speed indicator that constantly tells those on board the plane's speed in terms of the speed of sound. On the London-Bahrein inaugural, the numbers jumped quickly past M 1.00 (Mach one, or 660 miles an hour) after the plane left Italy and headed over the Mediterranean. In no time, the indicator jumped past M 1.90 to M 2.00. That meant about 1,320 miles an hour—20 miles a minute.

As the flight neared the eastern end of the Mediterranean, the wife of a British corporation executive said: I've flown over this route numerous times. . . . I usually look at Greece from a plane and say 'I'd like to visit that little cove, and that other one just beyond it.' We were going too fast today for that."

A few minutes later, the captain came on the loudspeaker to announce that we were coming up on the Syrian-Lebanese border and that we would be over Lebanon for a minute and a half.

Next day, I flew back to London on a Boeing 747. It took more than seven hours, instead of the four hours 10 minutes by Concorde. It was like switching from a racy sports car to a luxurious but tediously slow camper.

ITS PROBABLE FUTURE

The prevailing view in the aviation community is that commercial supersonic travel will not become "routine" for at least another 15 to 20 years. This is a sharp reassessment from the forecasts of just a decade ago. Then, it was almost taken for granted that by 1980 or thereabouts, the sky would be crisscrossed by fleets of Concordes and the projected American SSTs and Russian TU-144s (still encountering problems and yet to be put into passenger service).

But unexpected inflation has intervened, and concern about fuel supplies, and environmental considerations, and a reshuffling of society's priorities. The Concorde will have the distinction of having proven that supersonic passenger travel was feasible. In itself it does not herald a commercial boom in such operations.

The British-French partners have authorized production of only 16 planes and purchase of "long lead time" parts that might be needed for six more craft. At the moment, almost no one thinks production will ever go above 22. More likely, it will stop with the 16 already built or under construction.

Two of the 16 were test planes and are not suitable for airline use. Of the other 14, only nine have been sold—five to British Airways and four to Air France. Oscillating interest has been expressed in the last five by Iran, China and Japan. Outright purchase of these five is considered dubious. The latest thinking is that the five extra planes might be taken over by a consortium consisting of the British and French airlines and manufacturers, and leased to other carriers.

In this country, Braniff International has formally applied to the Civil Aeronautics Board for permission to put its crews aboard the British and French planes after they land in Washington and extend the routes, subsonically, to Dallas-Ft. Worth.

However the 14 planes are deployed, the Concorde seems destined, for the indefinite future, to monopolize a very limited though prestigious segment of the world travel market. Its customer pool is reminiscent of those elements of the Thirties' population who, while 99-plus percent of the traveling public stuck to earthbound vehicles, patronized the struggling new airlines.

BEYOND CONCORDE

Concorde's designers did not plan on such a small, uneconomic place for the technologically impressive flying machine that first took shape 20 years ago. Still, the plane could serve, in the end, to assure its builders an appreciable role in production of the next-generation SST—a plane that would have overcome the economic and environmental handicaps that have beset the Concorde.

The best guess is that such a project will be undertaken in partnership with United States manufacturers. For the Concorde engineering teams, such a partnership in a second-generation SST could well justify their enormous first-generation investment—not only in funds and effort, but in deeply felt emotion.

TWO DECADES OF THE SPACE AGE

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of

my colleagues the following column by by constituent, Gen. Henry Huglin. General Huglin is a retired Air Force brigadier general and syndicated columnist. He comments on the benefits of America's space program.

The column follows:

TWO DECADES OF THE SPACE AGE
(By Henry Huglin)

Only two decades ago, this coming October 4th, the space age was inaugurated with the Soviets' launch into earth orbit of their Sputnik spacecraft.

Within the past few weeks we have successfully flown the new "Space Shuttle," near the earth, and launched two "Voyager" spacecraft on a decade-long "grand tour" reconnaissance of the outer planets of our solar system.

In between Sputnik and the Space Shuttle and Voyager we have made an enormous leap forward in technology and in knowledge of our planet and our solar system.

Psychologically, as well as technologically and scientifically, the launching of the Space Age was a major milestone in human history.

And the fact that the Soviets first successfully orbited a spacecraft had profound effects on the perceptions of their country and of ours.

Our nation's image of preeminent technological brilliance and dynamism was tarnished; and most people regarded the Soviet system with new respect.

However, we finally regained our technological leadership and dynamic image when our stepped-up space effort culminated in the landing of our astronauts on the moon.

But, since our spectacular Apollo moon missions, our government has scaled down our space effort. Meanwhile, the Soviets' are devoting about five times as much in resources to their space program as we do now to ours. And, over the last five years, they have launched four times as many space vehicles as we have, of which the great majority were for military purposes. This may not be of crucial importance, but also it may; and it is certainly worrisome.

Over these 20 years, more than 2000 spacecraft has been launched. In orbit now are about 900, of which about 400 are ours.

What has been achieved through these great space activities of ours and others?

Well, our orbiting satellites have brought many significant improvements in many fields, such as in communications; the identification and measurement of natural resources, crops, and pollution; the collection of meterological and climatological data; and the provision of educational and medical information to remote areas of several countries.

Our national security has been enhanced through satellites providing vastly better intelligence surveillance, early warning capabilities, and communications networks.

For scientists, our space probes have acquired invaluable information which is helping immensely in understanding our planet earth.

Yet, perhaps the most important of all has been the effect on us humans.

Certainly our spirits have been uplifted by our spectacular achievement of putting men in space, especially on the moon.

Then, most of us have been deeply impressed with what can be done technologically when we muster our resources and talents in such a great enterprise.

Many have also properly drawn the lesson that, if we can perform great space ventures, we can cope with problems here on earth—if we will work together with the determination and skill needed.

Also, the Apollo-mission pictures we got of the earth from outer space impressed on all but the insensitive how precious is our planet and its fragile environment.

There have been many other widespread spinoff benefits of great value in many areas of our lives. These include: improvements in earth-based communications, transportation, and industrial processes; food processing; public safety; environmental protection; fire prevention, retardant materials, and fire fighters' equipment; heat-shielding and flame retardant paints; solar energy collector designs; medical diagnosis, treatment, and surgery; criminal detection and tracing methods; and even recreation equipment.

What of the future in space? Well, it is bright, promising, and unlimited.

For example, our next major earth orbiter project, the Space Shuttle, is a true aerospace vehicle. It will take off like a rocket, maneuver like a spacecraft, and land like an airplane. The first shuttle, the "Enterprise," will be sent into orbit in 1979. The shuttle will be used to place almost all of our satellites in orbit; and it will be able to repair malfunctioning satellites in orbit or bring them back to earth. It will be reusable more than 100 times. One of its early missions will be to carry into orbit in the 1980's a complete scientific, manned laboratory, Spacelab, which is being financed by 10 European countries.

Through the Space Shuttle, Voyager, and many other missions we will explore the heavens, research our planet and our special environment, and further develop knowledge and skills which will provide incalculable benefits to mankind.

Yes, the achievements of the past 20 years of the space age have been remarkable and most worthwhile. But the best is still to come.

LONELINESS: FOR BETTER—OR FOR WORSE?

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. QUIE. Mr. Speaker, earlier this year I placed in the Extensions of Remarks a copy of an article by Prof. Urie Bronfenbrenner, entitled, "The Calamitous Decline of the American Family." Professor Bronfenbrenner in that article analyzed the "rapid and radical change in American family life" and found that the consequences for youth and society as a whole are approaching the "calamitous" as a result of this change. His point was that the breakdown in the family is the breakdown of children's foremost educational influence, their primary resource of character formation, acculturalization and upbringing.

In the Washington Post of August 30, 1977, an excellent article by syndicated columnist Ellen Goodman appeared. She drew on several sources and her own insights to describe the loneliness of individuals, its effects and its reinforcement in our modern American society. Ms. Goodman's article explores a facet of the human condition so discerningly analyzed in the Bronfenbrenner article.

I commend Ms. Goodman's article to my colleagues:

(By Ellen Goodman)

BOSTON.—Well, you can forget about the yogurt. The Russians have released their latest report on the secret of long life and it has nothing to do with that sort of culture at all.

Their study found that the four basic ingredients for ripe old age are: work, marriage, children and a lot of talking. The person they profile remains literally "alive" as part of an intricate web of human contacts.

This isn't exclusively a Russian discovery. Working from the opposite point of view—a diagnosis of death and disease—Dr. James Lynch published a book this summer on the medical effects of loneliness. After labeling it somewhat melodramatically "The Broken Heart," he reports that "If we do not live together, we will die—prematurely—alone."

It all sounds a bit like a Woody Allen joke directed at the lonely. Not only are you going to have a miserable life, but it's all going to be over much too soon.

Now all this recent talk about loneliness and health may be a good antidote to the Live-Alone-and-Love-It rash of self-help books, but no one seems to have a cure for loneliness, let alone an immunization plan.

It seems to me, rather, that in one way or another we live in a society that continues to choose loneliness. In fact, as Philip Slater wrote a few years ago, we may pursue it.

Of course, we don't always call it loneliness. We label it independence, freedom, mobility, privacy. In their names, we move constantly, buy houses with our own half acres, put our children in their own rooms, choose anonymous supermarkets over corner steps, and cherish "private spaces" over community.

We protect the rights of "individuals" and do not interfere with each other.

The only exception to the rule against intrusion (which is also intimacy) is in love and mating. But even that connection is a limited one. When our marriages end—as they all do—in death or divorce, we're alone again.

Only the most callous would suggest that the 12 million widows and one million widowers have chosen loneliness. Still, to one degree or another, most of the widowed who are financially able to live alone chose that life rather than one with children, relatives, roommates or others.

The divorced are more conscious of having chosen to live alone—not as a free choice, nor a first choice, but as an alternative to the disastrous togetherness they've known. They, too, may often hope for a re-mating. But for a time they choose "peace" over "compromise" and "loneliness" over "friction."

Now I am aware that being alone isn't necessarily being lonely, and that one can be "lonely in a crowd" and lonely in a marriage. I can trip over these definitions as quickly as anyone.

There are people who live as mates leaving each other room to breathe and to respect their differences. There are people who live alone with a web of friends and caring associations that provide them with warmth and support.

On the whole, however, loneliness is to living alone as conflict is to living together. It's the bad news, the unhappy side effect that comes to one degree or another out of the basic situation.

This is a society in which people in the name of independence often choose aloneness with its occasional attacks of loneliness over togetherness with its conflicts and its infringement on the "individual." They choose the freedom to whatever they want to do by themselves without interference. And that is fine, unless or course, what they want to do is to be with someone else.

In that sense, they choose loneliness. For better? For worse? I know one thing. Among older people you hear less about independence and more about loneliness.

Now Dr. Lynch says that loneliness is bad for your health. The Russians say that human connections will lengthen your life. But they have no cure for something that we seem to choose. We are addicted to this hazard. We pick it up at the counters of our culture, just like a package of cigarettes.

CARTER'S STAND ON ILLEGAL ALIENS MOCKS THE LAW

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BURKE of Florida. Mr. Speaker, President Carter's proposed revisions in the immigration law are now being studied by the committees in the House and in the Senate.

Mr. Speaker, the United States has long cherished its image as a refuge for the dispossessed of the world. We all feel sympathy for those who want to enjoy the American life we enjoy because our ancestors had the same wish.

However, with the burgeoning of our population and that of the world as well, and the diminishing resources of our planet, the pressure on our institutions by illegal immigration threatens to undermine and destroy our American way of life. The question is not, as some people would like to make it—whether or not the United States will allow immigrants and refugees to enter our borders—but whether this will be done in an orderly fashion or in a disruptive or uncontrolled manner. Ironically, the amnesty program proposed by President Carter has made illegal immigration more attractive and desirable than ever before. The following is the text of a Fort Lauderdale News editorial:

CARTER'S STAND ON ILLEGAL ALIENS MOCKS THE LAW

The problem of illegal aliens in the United States is a big one. It is not, however, going to be solved by the amnesty program proposed by President Carter.

What Mr. Carter has proposed is a matter of misplaced compassion that will likely create an even bigger problem in the future if it is adopted.

It is a slap in the face to every person who has entered this country by legal means. It not only condones illegal acts but it encourages more of the same.

Uncle Sam has always had a big heart, but that's no reason to have an empty head. This country was built by immigrants who made America the melting pot of the world.

But times have changed. No longer does America have the unlimited land and opportunities available that existed in years past. Millions are out of work and need jobs, jobs that many of the estimated 4 to 12 million illegal aliens living in the United States now hold.

It is said that probably only 1 million of the aliens could qualify for non-resident alien status, which means they could apply for citizenship after five years.

But the burden of proving that an alien had not been in this country would fall on immigration officials. That may prove to be a difficult and costly task, one that would end up with considerably more than 1 million claiming and getting the non-resident alien status.

Those aliens who claim to have arrived after Jan. 1 1970 but before Jan. 1, 1977 would be given a new status—temporary resident alien—which would allow them five-year work permits.

The question is, who is going to hold back the flood gates of illegal aliens the amnesty will encourage to come into the country in the future? Not the immigration service certainly. Not even with the beefed up border patrol force proposed.

The amnesty would also open up the welfare rolls to many thousands more—at least those who are not now managing to fraudulently get aid.

While immigration quotas might need revising, illegal aliens have no business being allowed in this country. Allowing them to stay only makes a mockery of the law. The amnesty proposed by Mr. Carter will not right any wrongs, only make them worse.

WORLD WAR I PENSION NOW

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mrs. HECKLER. Mr. Speaker, as a member of the Committee on Veterans' Affairs, I strongly urge my colleagues on the committee to speedily report H.R. 9000, a bill to provide a $150 monthly service-based pension to veterans of World War I or their surviving spouses.

I would like to commend the distinguished chairman of the committee, the Honorable RAY ROBERTS, and the ranking minority member, the Honorable JOHN PAUL HAMMERSCHMIDT, for their decision to hold hearings on this legislation. The hearings will be conducted in January, and although I have been urging action on this bill for some time, I am pleased that the questions involved finally will be examined.

I hope that the committee can soon report this bill because immediate action by the Congress is necessary if we are to provide timely relief for the many veterans of the First World War who no longer can live within their means under the present schedule of pension payment allowances.

As a cosponsor of this legislation, I am pleased to note that literally hundreds of my colleagues in the House also support this proposed pension increase. In addition, it is supported by the Veterans of World War I, the National Veterans of Foreign Wars, AMVETS, and 23 State chapters of the American Legion.

The $700 million budget authorization which would provide for this much-needed increase in pension benefits is necessary because without this additional money these deserving veterans or their widows simply will be unable to meet their current living expenses

Mr. Speaker, these survivors of World War I are paying up to $50 and $60 a month for prescription expenses. With such a sizable chunk of a veteran's pension being spent on prescriptions and drugs, very little remains to meet the cost of food and other necessities.

For years now older veterans have borne the awful burden of inflation. Because this burden is so unfair and great, we in Congress must address this need and vote this increase without delay.

The Committee on Veterans' Affairs long has been concerned about the plight of veterans of World War I. Last year I sponsored legislation to provide a service pension to certain veterans of that war and their widows. I also supported a compromise measure, which passed the House, to provide a 25-percent differential in pension rates for eligible veterans who are 80 years of age and older. But this has not been enough for these persons in their constant and escalating fight against inflation and increases in the cost of living.

Dependent upon their pensions as their sole means of support are most of the 600,000 men and women who are over 80 years of age, and some 400,000 senior citizens who have incomes of less than $5,000 a year. We are talking about the same persons who returned home after the peace was won to face conditions of massive unemployment, a great depression, and who were not included in the nearly $40 billion in benefits which has been provided for veterans of later wars.

Mr. Speaker, it is vitally important that we not forget our World War I veterans and their widows in their hour of greatest need. We must show our appreciation for their honorable service and years of good citizenship. The persons who will be assisted by this bill are our parents, grandparents, fellow citizens and good neighbors. We must vote this pension increase.

AWACS: THE VIEW FROM PHILADELPHIA

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. STUDDS. Mr. Speaker, the administration's decision to proceed with the sale of seven early warning aircraft (AWACS) to Iran has generated a great deal of comment in newspapers around the country. Because of the great importance of this issue, I have submitted—and will continue to submit—some of the most significant articles and editorial comment on this subject. The following editorial appeared in the September 12 edition of the Philadelphia Inquirer, and I believe it will be of interest to my colleagues:

CONGRESS SHOULD BLOCK THAT IRANIAN ARMS DEAL

In a policy statement issued last May 19, President Carter announced that from now on U.S. arms sales abroad would be considered the exception not the rule of U.S. foreign policy. Such sales, Mr. Carter declared, would be allowed "only in instances where it can be clearly demonstrated that the transfer contributes to our national security interests."

Well, the administration is trying to demonstrate that the sale of seven super-sophisticated flying radar systems to Iran, at a price of around $1.2 billion, will contribute to our national security interests, but the case it makes is not very clear. Or convincing.

The White House argues that Iran is friendly to the U.S., which is true, and that it is a secure source of oil, which is also true, and that—true again—it has an important geographic location, bordering on the Soviet Union, between Pakistan and Iraq.

The question, however, is whether the specific sale of the Airborne Warning and Control System, called AWACS, can be justified on its own terms. That is, for one thing, can Iran handle AWACS? The answer, conceded even by the Pentagon, is that it cannot.

For years to come, Iran, lacking modern technology or even the educational base to train its own technologists, would require thousands of Americans, military and civilian, to service this advanced and sensitive equipment.

Suppose, then, that Iran, in its important geographical location, happened to mix it up with one or more of its neighbors. As Sen. Thomas Eagleton, the Missouri Democrat who has been one of the AWACS deal's most outspoken critics put it, "President Carter—or his successor—would face a disturbing policy decision: either to allow Americans to fight a foreign war, or to withdraw them, thereby assuring the defeat of an ally."

Moreover, the very possession of AWACS could encourage the Shah to pursue a more adventurous foreign policy. AWACS is advertised as a defense system, but it "can enhance Iran's ability to conduct offensive military operations," as the General Accounting Office, Congress' watchdog agency, pointed out in a report criticizing the administration for not even considering other more cost-effective alternatives.

Nevertheless, after tactically (but reluctantly) withdrawing the proposed sale from congressional consideration six weeks ago, the White House has sent it back to Capitol Hill again and is trying to hustle it through before the beginning of the new fiscal year Oct. 1.

What's the hurry? Cosmetics. If the sale can go on the books in the current fiscal year, the administration will appear next year to be making progress on its professed policy of curbing U.S. arms sales abroad.

A better way to appear to be making progress is to make real progress. The AWACS deal is a good place to start. Under a law passed in 1973, Congress has the authority to block the sale of advanced arms abroad. Unless the administration backs off, Congress should exercise that authority.

COMMUNITY PRIDE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MURTHA. Mr. Speaker, on July 19 and 20, over 100,000 people in the 12th Congressional District were hit by flash flooding that left people homeless, caused many deaths, and required community action.

In Jefferson County, flash flooding caused concentrated home and community damage. Citizens from everywhere pitched in to help residents who were homeless, and to repair damage.

Any list of citizens who contributed to this effort would have to be incomplete. I believe the following record of individual commitment and cooperation deserves praise within the CONGRESSIONAL RECORD. I believe it is in the highest tradition of the American spirit.

For residents who were evacuated from their homes, meals were suddenly uncertain. Two individuals who organized efforts in this behalf were:

Mrs. Shirley Sharp, Director of the Jefferson County Office of Aging.

Mrs. Maxine Young, President of the Jefferson County Fire Company Ladies Auxiliary members who combined to help in this effort.

For individuals who were displaced by the waters, temporary housing had to be found. Two churches offered their facilities to persons evacuated from their homes:

St. Phillips United Methodist Church, headed by Rev. Rav E. Gnagy in Big Run.

First Christian Church, headed by Reverend William Sawyer in Big Run.

Many of the displaced persons needed blankets to keep warm in temporary locations. Obtaining and distributing those blankets fell to two more community organizations that helped alleviate the suffering:

Punxsutawney Area Hospital, headed by Mr. Edgar Sheetz Administrator; Punxsutawney Barracks of the Pennsylvania State Police, headed by Captain Michael Honkus.

After the displaced had been cared for, the problem remained of clean up. Again, several community groups helped out in the effort:

Jefferson-Clarion County Community Action Agency "Speedy Workers" helped clean basements, carry debris, and provide transportation to the Disaster Center, the effort was headed by Mr. Jack Smith, Director, and Mr. John Wilson, Deputy Director.

The Punxsutawney Chapter of the American Red Cross provided buckets, brooms, and other cleaning materials led by Ms. Leah Collins, Executive Secretary.

A special word need also be said about a group of men who regularly do community service without any compensation—volunteer firemen. In this emergency—as in every emergency I have ever known—volunteer fire companies came to the community's aid by pumping basements, evacuating persons, and providing drinking water. Companies who helped out in Jefferson County who have come to my attention are:

Big Run Fire Company, Brockway Fire Company, Brookville; Fire Company, Punxsutawney Fire Company, Reynoldsville; Fire Company, Sykesville Fire Company, and Sandy Township Fire Company No. 1.

AWASH WITH HANDGUNS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. DRINAN. Mr. Speaker, within the next month, it is expected that President Carter will present to the Congress his proposals to control the availability of handguns. The need for forceful action is urgent, as handguns continue to multiply, and our present gun control laws are powerless to stop the carnage wrought by these weapons.

Unlike long guns, handguns do not have a sporting purpose. They are, quite simply, people-killers. Handguns accounted for 51 percent of all murders in the United States in 1975. These relatively cheap and easily concealable weapons are also the favorites of the armed robber and burglar.

The need for urgent action is underscored by the soaring increase in the number of handguns available in our country. In 1968, there were approximately 28 million handguns in the United States; today there are over 40 million; by the year 2000, it is estimated that there will be 100 million handguns in the United States. Surely there can be no doubt that our existing efforts to control the spread of these deadly weapons have failed dismally. If we are to deal effectively with the rising crime rate, we must take major additional steps to reduce the proliferation of the criminal's favorite weapon.

The Christian Science Monitor on September 2 published an article entitled "Awash With Handguns," by the distinguished political columnist Richard L. Strout. Mr. Strout, who is also "TRB" of the New Republic magazine, pointed out that the efforts of the Bureau of Alcohol, Tobacco, and Firearms to monitor the sale of handguns, both legal and illegal, is sadly lacking. The ATF could get the figures on gun manufacture and distribution if it had the money and the manpower. Incredibly, until 1973, the ATF did not even ask gunmakers how many handguns they produced. Now the bureau does solicit this information, but only on a voluntary basis. As Mr. Strout describes, it is very simple for gun manufacturers, distributors, and retailers to frustrate the gun control laws presently on the books.

It is essential that President Carter, in his forthcoming announcement of his proposals to control handguns, provide the Bureau of Alcohol, Tobacco, and Firearms with the authority, money, and manpower to deal effectively with this urgent problem. It is also essential that we in the Congress toughen existing gun control laws—laws which are clearly inadequate to deal with the handgun situation. I hope that President Carter's proposals will include legislation of this kind. Only by acting decisively can we stem the flow of these weapons into the United States and cease to be a nation "awash with handguns."

Mr. Strout's article follows:

[From the Christian Science Monitor, Sept. 2, 1977]

AWASH WITH HANDGUNS

(By Richard L. Strout)

WASHINGTON.—There are a lot of laws the United States doesn't try very hard to enforce. It is generally a question of money. Congress enacts a law and then forgets about it. Immigration restriction is one. Thousands of illegal immigrants cross the Mexican border every week, but enforcement is hopelessly undermanned. Everybody knows about it. Probably two illegals come in for every one that is caught.

Another law that is only perfunctorily enforced monitors distribution of handguns. It is under the Bureau of Alcohol, Tobacco and Firearms (ATF). But a study made by the Police Foundation found that ATF lacked the money to do the job. Steven Brill, a freelance writer in the current Harper's, says the Police Foundation "found an agency so underfunded, undermanned, and undermined by a Nixon-Ford White House reluctant to offend gun owners or gunmakers that it had neither the inclination nor the capacity to do any aggressive work in this area."

Mr. Brill quotes Rex Davis, director of ATF: "We just haven't had the resources to do these things."

America's crime rate is extraordinary. The murder rate in New York City every night is around the same as Tokyo's in a year. The gun lobby—the National Rifle Association—opposes gun licenses. It can whip up a storm of protest overnight. Federal law, weak though it is, does forbid the sale of stolen

guns, or guns in the black market, across state lines. How to monitor this gun traffic, though, if more isn't known about gun production?

The records are very sketchy. The ATF could get the figures on gun manufacture and distribution if it had the money and manpower. American police pick up about 250,000 handguns, rifles, and shotguns every year from people they arrest. That works out to about one handgun every two minutes. Manufacturers, according to tentative estimates, turn out 2.5 million long guns, and 4 million handguns, a year. That's a handgun replacement for the ones the police pick up at around four a minute. The United States is awash with handguns; more than any other nation on earth. Its murder rate is proportionately high, too.

The ATF until 1973 did not ask gunmakers how many they were making. Now it asks it only on a voluntary basis. It doesn't give the figures out. Author Brill penetrated the little factory of the Rohm Tool Company—RG Industries—in Miami last March in the guise of a prospective hardware store owner who considered setting up a sideline of handgun sales. He found a high ceilinged, windowless, gray room, about 25 by 60 feet. Four men and two women, apparently Cubans, were putting together handguns.

After Kennedy's assassination Congress passed a weak gun law which included a ban on importation of cheap, low-quality handguns—the "Saturday Night Specials." So RG just imports the low-grade parts and puts the cheap guns together here. All very simple. The RG Company, according to Mr. Brill, is a subsidiary of the Rohn Tool Company of southern Germany. Sales of its products round the world last year came to $270 million. The RG subsidiary does not sell guns direct; it recommended a distributor a few blocks away. The particular revolver model being manufactured was the RG–14, a stubby lethal little affair. RG's wholesale list price was $21.80, and its retail list $30.50, but the distributor offered it for only $17.50, a nice profit for somebody dealing in that sort of thing.

How do guns get into the black markets police ask? If the ATF got reliable production figures it would be easier to say. Mr. Brill was told RG sold 350,000 in 1976; but the unchecked ATF figure was only "100,000."

President Carter talks about tightening the laws. Will Congress act? Currently somebody is murdered with a gun in the U.S. every 40 minutes; somebody is robbed at gunpoint every two-and-a-half minutes.

FIRST ITALIAN-CATHOLIC PARISH IN UNITED STATES MARKS 125TH ANNIVERSARY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. EILBERG. Mr. Speaker, this year marks the 125th anniversary of the founding of St. Mary Magdelan de Pazzi Parish in Philadelphia—the first parish founded in the United States to meet the needs of Italian-speaking Catholics.

It is significant that this anniversary should occur in the same year in which Bishop John Neumann, fourth bishop of Philadelphia, was canonized as a saint in solemn ceremonies conducted by Pope Paul VI in the Vatican.

In honor of the 125th anniversary of St. Mary Magdelan de Pazzi Parish, the Catholic Standard and Times, the weekly newspaper of the Catholic Archdiocese of Philadelphia, published an indepth article tracing the history of the parish. It is a privilege for me to have this opportunity to place this fine article in the RECORD:

[From the Catholic Standard and Times, Sept. 8, 1977]

"FIRST" ITALIAN CHURCH TO NOTE ANNIVERSARY

Saint Mary Magdalen de Pazzi Parish celebrates its 125th anniversary this year. A cause for special celebration is the recent canonization of Saint John Neumann. Bishop Neumann had founded the parish in 1852 out of his pastoral concern for the spiritual welfare of the then increasing numbers of Italian immigrants living in Philadelphia at that time. It was the first parish founded in the United States to meet the needs of Italian speaking Catholics.

The parish can be considered the "mother church" for the large Italian population of South Philadelphia. Its baptismal and marriage registers are often used as a research source for those writing on the history of Italian roots and life in Philadelphia. Today many of Italian descent in the area can find there recorded in brief notations the important events in the lives of their parents, grandparents, or even great-grandparents.

In 1851 the saintly Bishop had already provided that religious services he held in Italian at Old Saint Joseph's Church. When an old Methodist church and cemetery located on what is now Montrose St. between 7th and 8th Sts. became available, Bishop Neumann bought the site to establish an Italian parish. As first pastor the Bishop appointed Father Gaetano Mariani. The corner-stone for a church was laid on May 14, 1854, by the saint himself.

The first pastor labored 14 years to consolidate the work begun by Bishop Neumann. From the death of Father Mariani in 1866 to the year 1870 four other Italian priests served as pastors. They were Father Gaetano Sorrentini, Father Cicaterri, S.J., Father James Rolando, C.M., and Father Joseph Rolando.

Father Antonio Isoleri arrived from Italy and became pastor in October 1870. There followed a period of growth during which a parish school was established. In a real sense Msgr. Isoleri can be called the founding pastor of the "new" Saint Mary Magdalen de Pazzi parish. Before and even many years after his death in 1932 at the age of 86 the terms "Father Isoleri's Church" and Saint Mary Magdalen de Pazzis Church were synonymous. He had resigned as pastor in 1926 due to ill health after being pastor for 56 years!

The Franciscan Missionary Sisters of the Sacred Heart (F.M.S.C.) arrived in the parish in February 1874. The ability and devotion of this community, which teaches at the school to this day, has helped build up the faith and practical goals of the parishioners.

The present pastor, Msgr. Vito C. Mazzone, was appointed in 1937. Over the past forty years "Don Vito" has exercised a spiritual and cultural influence on the Italo-American community of Philadelphia that is proverbial and well respected. Renovations of existing buildings and the erection of new ones under his leadership has made the parish the pride of the neighborhood. Father Joseph L. Di Gregorio is the present assistant pastor. Father Martin E. Lavin, J.C.D., is in residence.

In 1967 the lower church was renovated and dedicated to the then Blessed John Neumann. Archbishop John J. Krol celebrated Mass with Msgr. Mazzone at its dedication on May 21 of that year. Every Monday evening devotions are held there in honor of Philadelphia's recently canonized saint.

Since its founder, St. John Neumann, also introduced the Forty Hours Devotions into the Archdiocese, the parish in combining its anniversary celebration with the observance of the Forty Hours. Father Bernard Krimm, C.SS.R., who has been involved in promoting the cause of Bishop Neumann, will give the homilies at the Forty Hours Masses.

The patroness of the parish, Saint Mary Magdalen de Pazzi, was a Carmelite nun and mystic who died in Florence, Italy, in 1607. Among her many spiritual gifts an intense attraction and devotion to the Blessed Sacrament was most notable. Indeed she chose to enter the Carmel of Saint Mary of the Angels precisely because this convent followed the rule of daily Communion, a practice unusual in those days. It should be a source of special blessing that her parish, founded by a saint equally known for his great devotion to the Eucharist.

A MOTHER'S TRIBUTE TO THE GIRL SHE LOST

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. SHUSTER. Mr. Speaker, today would have been Amy Gilbert's 15th birthday. Thirty-four days ago a defective pin in the door of an amusement ride turned fun at the county fair into instant tragedy. Amy's mother wrote a poignant eulogy which serves to remind us of life, so fragile, and values, that need kept straight.

I commend this mother's words, which appeared in today's Bedford Gazette, to my colleagues:

In life as we know it
Beginnings and endings are everything.
Within them lie the pleasures and pain life gives.
I rejoice that I have known the company of Amy even for such a small time.
So glad am I that the night before,
I kissed her goodnight not once but three times.
So glad am I that I said,
"I love you."

At the Great Bedford County Fair, on August 12, 1977, at 9:03 P.M., the door of the cage on the Zipper ride flew open. Fourteen year old Amy Gilbert catapulted out headlong to meet instant death. Her ride companion, Kelly Barron, hung on to part of the cage door, giving her a few split seconds and her life to live on. She dropped to the ground and received minor injuries. Amy was pronounced D.O.A. at 9:34 P.M. at Bedford County Memorial Hospital.

The next day was sad and agonizing for her family. With Paul Kolander's aid, her father picked out the casket. I chose a new tan sundress and a favorite necklace that Amy loved. She had worn the dress for the first time to church the Sunday before at Nag's Head.

Paul warned us that because of her extensive head and facial injuries the casket might be best closed.

So it was. Perhaps that was best. Amy took great pride in her appearance. Before she ever left the house every hair had to be in place and just so. Her face had to be clean and shining and not an eyebrow hair out of line. We could remember Amy as she was. Several pictures were placed in the funeral home. One of Amy with her beloved Lab, Ebony and Ebony's son Sabastian. Also a small snapshot of Amy with Lisa and Sue

Swindell that was taken the Wednesday before.

Her Lab, Ebony, was a source of joy and love for her. After all the puppies of Eb's first litter were sold, she begged to keep Sabastian. They were her constant pals. At least once a week, the dogs and Amy could be seen running full tilt across the fields to the cemetery. The outing had a dual purpose. Along the way she'd pick wild flowers to put on Lori Clark's grave. She and Lori were Brownies and Girl Scouts in grade school. Lori had been killed in an automobile crash earlier that Spring. We finally had to give Sabastian away, for he was a barker. He'd bark at the moon, the stars, or the wind. Because we live in a motel, we could not have people leaving for a barking dog. That was a sad day for Amy.

During the Spring of 1977, Amy was tremendously saddened by the movie story of football player, Brian Piccolo. The theme music haunted her. "Brian's Song" is written in three sharps, therefore a bit difficult. Everytime she'd pass the piano, she'd sit and work at the music. Then one day in July, she had it committed to memory. Quite a feat!

She was reading Mark Twain's "Huckleberry Finn" last winter. She questioned me as to Joe's role in the story with today's racial problems. She thought "Tarzan of the Apes" was a great adventure. During a summer sick spell, she read "The Fury" and frightened herself. She even managed "Helter Skelter" and a Peanuts book last winter. After reading "The Deep", she said the movie wasn't worth the time.

The March day she was picked for the high school chorus was a happy, joyous day, for she doubted her singing voice. It was very important to be part of a group for Amy.

She was so very anxious to learn to drive a car. One summer day, she conned her brother to let her try. There was a drawback: she wanted to use my car—a straight stick! I groaned, but I trusted Glen, so off they went. When they finally returned, she was bubbling, saying that she hadn't stalled even once! Glen said, "She did remarkly well."

Like any normal teenager she had her ups and downs. She was super sensitive. Of course, I had to nag: "Did you finish your homework? Remember your hardware for your braces. When are you going to clean your room? Don't quibble with your sister Gretchen so much." Nevertheless, this past summer she seemed to be maturing and overcoming a lack of self-confidence. Often she'd say, "Growing up is a hard, hard time." She was one of the searchers, the dreamers asking of life the good and beautiful. She was a gentle person.

We provided her opportunities to travel to broaden her world. In 1973, we traveled to the Maine coast, via New York, Vermont, and New Hampshire. My interest in art exposed her to Art Museums everywhere we came upon one. She and I visited her grandparents in Florida and Wisconsin. In Florida, we became beach combers, spending hour upon hour sea shell hunting for two glorious weeks. Twice we went deep-sea fishing where she amazed me by loving it.

Amy was definitely college bound. She hoped to attend Penn State. Her brother, Glen, has his B.S., M.S. in Dairy Science from Penn State this year. Sister Gretchen, is attending Penn State's branch campus at Altoona. I received my B.S. in Art Ed. in 1972.

She had a zest and eagerness for life that led her to try harder than most to succeed. She wrote in her journal the day before her death that she wanted to count for something in her life. She wanted to smile and be happy, strong, high-spirited. To be concerned with everyone but herself. To be able to stand up and fight for every cause there is to fight for. To be a leader, not a follower. To be herself and most of all, happy.

Of the many flowers and many kind expressions of sympathy in cards from people, there have been some particularly beautiful tributes made in her memory. The Trinity Lutheran Youth Choir dedicated a Hymnal to Amy to be used in the church; a tree as a living memorial will be planted in one of our National Parks; her name was entered in "The Golden Book" at the Agudath Achim Synagogue, Altoona, Pa., by good friends of ours; A donation to the Children's Hospital in Pittsburgh, Pa.; A donation to the Bedford Area Ambulance Service; and donations to the Bedford High School Band and Chorus.

Her untimely death touched many hearts. She loved life and there was so much she wanted to do. What she might have accomplished will now never be known. She had everything going for her.

Her funeral was held the Monday after her death. The service was begun with Mrs. Lindahl playing "Brian's Song". Pastor Richard Tome, who had baptized Amy as a baby, called Amy "a doer,—in a world of nondoers". That would have gladdened her heart.

Pastor Tome told a story of a repairman working on a steep roof. The man became frightened as he neared the top. One of his fellow workmen sensed his fear, "Don't keep looking down. Look up." The minister continued: At this point in time we need to look up. The psalmist of old said, "I will look upon the hills from which cometh my help. My help comes from the Lord, God Almighty." The service ended as it had begun with "Brian's Song."

That was all.

Amy Elizabeth Gilbert will live on for me and those who loved her. Even Ebony, who several times a day checks all the rooms out before finally going to Amy's room. The dog stays there for a minute or two, then comes to sit before me. She looks at me with her sad amber eyes and seems to say, "Where is she?"

She's up the hill, beside the Cross and God. Someday, sometime we'll meet her again. What a meeting that will be!

CHIEF JOHN F. RUANE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. MOAKLEY. Mr. Speaker, I rise today to commend John F. Ruane, chief of police of Canton, Mass., on his retirement. A member of the Canton police force since 1939, Chief Ruane has been a lifelong resident of the town of Canton.

During his tenure as chief, he embarked on a complete reorganization program of the Canton Police Department by creating a modernly equipped detective bureau, a full-time prosecution officer, and juvenile and safety officer, a firearms training officer, and the establishment of a police-community relations bureau.

The Canton Police Department is now widely recognized as one of the finest in the Commonwealth of Massachusetts. Its newly constructed physical plant matches the efficiency and loyalty of its officers. Chief Ruane's efforts were rewarded in 1976 when he was named "Municipal Employee of the Year" by the Massachusetts Selectmen's Association and in 1977 when the town of Canton was named the Safest Boston Suburb by a nationwide magazine.

Chief Ruane's dedication to the Canton Police Department is parallel to his involvement in community affairs. Active in Little League, the Knights of Columbus, and the Columbian Association, Chief Ruane has also been associated with the Jimmy Fund in Boston for many years.

CANAL TREATIES

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BONKER. Mr. Speaker, during a recent tour of my district I found that many constituents are deeply concerned about the proposed Panama Canal Treaty and the Treaty on the Permanent Neutrality and Operation of the Panama Canal. These people, and I am sure those in the districts of many of my colleagues, have been dependent on general accounts in the press for information regarding the contents of the two treaties. In the interest of helping to improve public knowledge concerning the provisions of the proposed Panama Canal treaties, I would like to insert in the RECORD a very useful fact sheet prepared by the Department of State.

FACT SHEET

DEFENSE AND NATIONAL SECURITY

The United States will have primary responsibility for the Canal's defense during the basic Treaty's term (until the year 2000). Panama will participate, and at the treaty's end our military presence will cease.

A Status of Forces Agreement similar to such agreements elsewhere will cover the activities and presence of our military forces.

The United States will continue to have access to and the rights to use all land and water areas and installations necessary for the defense of the Canal during the basic treaty period.

In a separate treaty Panama and the United States will maintain indefinitely a regime providing for the permanent neutrality of the Canal including non-discriminatory access and tolls for merchant and naval vessels of all nations.

United States and Panamanian warships will be entitled to expeditious passage of the Canal at all times without regard to the type of propulsion or cargo carried.

Our continuing freedom of action to maintain the Canal's neutrality will not be limited by the Treaty.

CANAL OPERATIONS

The United States will have responsibility for Canal operations during the period of the basic Treaty.

It will continue to have access to and the rights to use all land and water areas and facilities necessary for the operation and maintenance of the Canal during the basic Treaty period.

It will act through a United States Government agency which will replace the Panama Canal Company. A policy level board of five Americans and four Panamanians will serve as the Board of Directors. Until 1990, the Canal Administrator will be an American and the Deputy Administrator a Pana-

manian. Thereafter, the Administrator will be Panamian and the Deputy, American. Panamanian board members and the Panamanian Deputy Administrator/Administrator will be proposed by Panama and appointed by the United States. Panamanians will participate increasingly in the Canal's operation at all levels.

ECONOMIC FACTORS

The treaty's financial provisions involve no congressional appropriations. Instead, during the treaty's life Panama will receive exclusively from canal revenues:

an annual payment from toll revenues of 30 cents (to be adjusted periodically for inflation) per Panama Canal ton transiting the Canal.

a fixed sum of ten million dollars per annum and an additional 10 million per year if canal traffic and revenues permit.

In addition the United States will cooperate with Panama outside the treaty to promote Panama's development and stability. To this end, the United States has pledged its best efforts to arrange for an economic program of loans, loan guarantees and credits which would be implemented over the next several years under existing statutory programs. This economic cooperation program would use up to $200 million in Export-Import Bank credits, up to $75 million in AID housing guarantees, and $20 million in Overseas Private Investment Corporation (OPIC) loan guarantees.

Panama will also receive up to $50 million in foreign military sales credits over a period of ten years, under existing statutory programs, to improve Panama's ability to assist in the Canal's defense.

No major increase is contemplated in AID loans and grants.

Private businesses and non-profit activities in the present Canal Zone will be able to continue their operations on the same terms applicable elsewhere in Panama.

A joint authority will coordinate port and railroad activities.

EMPLOYEES

All U.S. civilians currently employed in the Canal Zone can continue in United States Government job until retirement. Present employees of the Canal Company and Canal Zone Government may continue to work for the new agency until their retirement or until the termination of their employment for any other reason. The number of present U.S. citizen employees of the Company will be reduced 20 percent during the first five years of the Treaty. All U.S. citizen employees will enjoy rights and protections similar to those of United States Government employees elsewhere abroad. Present U.S. citizen employees will have access to military postal, PX and commissary facilities for the first five years of the Treaty. New United States citizen employees will generally be rotated every five years.

Terms and conditions of employment will generally be no less favorable to persons already employed than those in force immediately prior to the start of the Treaty. Hiring policy will provide preferences for Panamanian applicants. With regard to basic wages there shall be no discrimination on the basis of nationality, sex or race. The United States will provide an appropriate early retirement program. Persons employed in activities transferred to Panama will to the maximum extent possible be retained by Panama. Panama and the United States will cooperate in providing appropriate health and retirement programs.

Panama will assume general territorial jurisdiction over the present Canal Zone at the Treaty's start. United States criminal jurisdiction over its nationals will be phased down during the first three years of the Treaty. Thereafter, Panama will exercise primary criminal jurisdiction with the understanding that it may waive jurisdiction to the United States. United States citizen employees and their dependents charged with crimes will be entitled to procedural guarantees and will be permitted to serve any sentences in the United States in accordance with a reciprocal arrangement.

NEW SEA-LEVEL CANAL

Panama and the United States commit themselves jointly to study the feasibility of a sea-level canal and, if they agree that such canal is necessary, to negotiate mutually agreeable terms for its construction. In addition the United States will have the right throughout the term of the basic treaty to add a third lane of locks to increase the capacity of the existing canal.

TREATIES

There will be two treaties: (1) a treaty guaranteeing the permanent neutrality of the canal, and (2) a basic treaty governing the operation and defense of the canal which will be extended through December 31, 1999. The basic treaty will be supported by separate agreements in implementation of its provisions concerning defense and operation of the canal.

BACKGROUND INFORMATION

Purpose of the Treaties.—The new treaties on the Panama Canal will provide an entirely new basis for cooperation between the United States and Panama in the operation and defense of the Panama Canal. They will replace the U.S.-Panama Treaty of 1903, which has governed Canal operations since the waterway's construction, and subsequent amendments.

The Existing System.—Under the 1903 Treaty, the U.S. has total control of Canal operations. The U.S. also administers the Canal Zone—an area of Panamanian territory five miles wide on either side of the Canal. In this area Panama has sovereignty while we have "as-if-sovereign" rights permanently. This arrangement is deeply resented in Panama and a liability in our relations with Latin America and with many other nations of the world.

Basic U.S. Objectives.—In negotiating a new treaty, the United States has proceeded on the basis that its national interest lies in assuring that the Canal continues to be efficiently operated, secure, neutral, and open to all nations on a nondiscriminatory basis. Fundamental to this objective is the cooperation of Panama.

HISTORY OF THE NEGOTIATIONS

The negotiations, extending over thirteen years, have been pursued by four Administrations of both Parties. They began in 1964, following a serious crisis in U.S.-Panamanian relations created by rioting along the Canal Zone boundary in which 20 Panamanians and 4 Americans were killed. In December 1964, President Johnson, after consulting with Presidents Eisenhower and Truman, announced that the U.S. would begin talks with Panama on an entirely new Canal Treaty. These negotiations resulted in draft treaties that were not acted on by either country. The present series of negotiations began in 1973 with the appointment of Ambassador Bunker as Chief Negotiator by President Nixon and continued during the Ford Administration. President Carter decided to continue the negotiations after taking office in January 1977 and appointed Ambassador Sol Linowitz to serve as Co-Negotiator with Ambassador Bunker. The Department of Defense has been an active participant in the negotiations and has been represented by Lt. General Welborn G. Dolvin.

DATA ON THE PANAMA CANAL

DESCRIPTION.—The Canal is 51 miles long. It is a lock canal, operating by gravity flow of water from specially constructed reservoirs.

COST.—It is extremely difficult to provide a single figure for the cost of the Canal. The construction cost to the United States at the time of completion of the Canal in 1914 was $387 million. The amount of unrecovered U.S. investment in the Canal is $752 million. The current book value of the Canal and related facilities is $561.5 million.

Work Force.—The Canal enterprise employs 13,139 persons, of whom 27 percent are U.S. citizens. Almost all of the others are Panamanians.

Defense.—The United States maintains seven military base areas in the Canal Zone. Total United States military personnel are 9300.

Financial Condition.—Since 1951 the Canal has been required by law to meet its own operating costs. Until 1973 it did so. It has shown a net operating loss each year since 1973, with the result that tolls have been raised—the first toll increases since the Canal was opened.

Importance to U.S. Trade.—Of all the foreign trade going in and out of U.S. seaports, 7.0 percent passed through the Panama Canal in 1976. This compares with 13 percent in 1949.

ANNUAL QUESTIONNAIRE RESULTS

HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mrs. MEYNER. Mr. Speaker, as a Member of Congress, I take a keen interest in what my constituents have to say about the key issues confronting our Nation. The people of my district, New Jersey's 13th Congressional District, represent a broad spectrum of public opinion. As a result, their opinions and attitudes are a good indication of what all of America is thinking.

In their responses to my recent, districtwide questionnaire, residents of the district seem to suggest that the Federal Government should take a lower profile insofar as direct participation in economic matters is concerned.

At the same time, there are indications that Congress should take aggressive action in encouraging the development of new energy sources, pollution control projects, and mass transit research.

Since I feel that the results of this questionnaire would be of value to anyone interested in what a broad spectrum of American society is thinking, I am submitting the results of the questionnaire so that others may review them.

HELEN MEYNER QUESTIONNAIRE RESULTS

Total respondents: 8722

ENERGY

Congress is now developing a national program to assure adequate supplies of energy in the future. Should the following be stressed in that policy?

a. Continued research and development of solar power:

Yes (92 percent)	8,024
No (2 percent)	175
Undecided (6 percent)	523

b. More nuclear power plant construction:

Yes (48 percent)	4,186
No (28 percent)	2,442
Undecided (24 percent)	2,094

c. Incentives to increase coal production and use:

Yes (68 percent)	5,931
No (11 percent)	959
Undecided (21 percent)	1,832

1. Should major oil companies be prohibited from expanding into other energy sources such as solar, coal and nuclear power?

Yes (33 percent)	2,878
No (55 percent)	4,797
Undecided (12 percent)	1,047

EMPLOYMENT

2. Do you believe that the federal government should continue to provide jobs until unemploymnt is reduced to a low percentage?

Yes (44 percent)	3,838
No (41 percent)	3,576
Undecided (15 percent)	1,308

3. Should more incentives be given to private industry to reduce unemployment and stimulate the economy?

Yes (84 percent)	7,326
No (9 percent)	785
Undecided (7 percent)	611

FEDERAL SPENDING

Do you think that Congress should increase, decrease, or keep spending the same for the following categories?

National defense

Increase (37 percent)	3,227
Decrease (18 percent)	1,570
Same (45 percent)	3,925

Foreign military assistance

Increase (3 percent)	262
Decrease (69 percent)	6,018
Same (28 percent)	2,442

Foreign economic assistance

Increase (6 percent)	523
Decrease (62 percent)	5,408
Same (32 percent)	2,791

Education

Increase (43 percent)	3,750
Decrease (16 percent)	1,395
Same (41 percent)	3,577

Food stamps

Increase (11 percent)	959
Decrease (53 percent)	4,623
Same (36 percent)	3,140

School lunches

Increase (16 percent)	1,396
Decrease (36 percent)	3,140
Same (48 percent)	4,186

Space research and technology

Increase (33 percent)	2,878
Decrease (23 percent)	2,006
Same (44 percent)	3,838

Energy

Increase (81 percent)	7,065
Decrease (3 percent)	262
Same (16 percent)	1,395

Pollution control

Increase (54 percent)	4,710
Decrease (13 percent)	1,134
Same (33 percent)	2,878

Mass transit and railroads

Increase (63 percent)	5,495
Decrease (12 percent)	1,047
Same (25 percent)	2,180

Health research

Increase (65 percent)	5,669
Decrease (5 percent)	436
Same (30 percent)	2,617

Revenue sharing

Increase (30 percent)	2,617
Decrease (18 percent)	1,570
Same (52 percent)	4,535

Low-income housing

Increase (30 percent)	2,617
Decrease (29 percent)	2,529
Same (41 percent)	3,576

Aid to senior citizens

Increase (64 percent)	5,582
Decrease (6 percent)	523
Same (30 percent)	2,617

U.S. POSTAL SERVICE

As the Postal Service deficit continues at about $1 billion, many suggestions for its improvement have been made. Should the following be implemented to balance the Postal Service budget?

a. Closing of small post offices:

Yes (38 percent)	3,315
No (48 percent)	4,186
Undecided (14 percent)	1,221

b. Increasing postal rates:

Yes (16 percent)	1,396
No (70 percent)	6,105
Undecided (14 percent)	1,221

c. Elimination of Saturday mail deliveries:

Yes (60 percent)	5,233
No (30 percent)	2,617
Undecided (10 percent)	872

d. Increasing government subsidies of Postal Service:

Yes (26 percent)	2,268
No (52 percent)	4,535
Undecided (22 percent)	1,919

Often information and publications are available to my office that are of particular interest to groups within the 13th district. If you wish to receive this type of information please check the appropriate box:

[In percent]

Veterans	26
Lawyers	6
Women's issues	23
Senior citizens	28
Farmers	9
Clergy	4
Small businessmen	22
Educators	14
Federal employees	8

30TH GENERAL ASSEMBLY OF THE UNITED NATIONS

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BURKE of Florida. Mr. Speaker, in 1975, I was appointed by President Gerald Ford as a delegate for the United States to the 7th Special Session and the 30th General Assembly of the United Nations. During the time I served, I found a strong hostility toward the United States by a majority of the "so-called" Third World nations, and also by many nations we called our friends, and aided in one way or another during the past 40 or more years.

At the conclusion of the assembly I made a report of my views while a delegate to my constituents. Now, Mr. Speaker, on September 20 the 32d General Assembly of the United Nations will convene, and our two colleagues, Congressmen LESTER WOLFF and CHUCK WHALEN, have been appointed as delegates for the United States. Shortly, they will be going to New York to attend the U.N. General Assembly sessions. I would therefore like to share with my colleagues my views of the United Nations as it was when I served, and I feel still is today. It is my feeling that little has changed and the issues will be similar to those faced in the 30th General Assembly.

Hopefully there will be a change for the better, but unfortunately, I think the United States and other free countries will again be the whipping boys for political opportunities in the United Nations. My views are as follows:

THE 30TH GENERAL ASSEMBLY OF THE UNITED NATIONS

When the United Nations was founded we all had hopes that it could help assure world peace. Regrettably, it seems to do just the opposite today. It has become a debating society and a sounding board for the socialists, communists, and third world nations to vent their propaganda. The world press coverage only serves to encourage extravagant language and behaviour which is often counter to the stated goal of seeking world peace. While responsible established nations may refrain from threatening speeches and intimidating rhetoric, newly established nations gain instant notoriety and interest by their flamboyant posturing.

As one of the U.S. delegation to the United Nations during the 30th General Assembly of the United Nations, I would like to share with you my impressions and conclusions based on my first hand observations. First let me say that I was indeed fortunate to serve with four distinguished Americans—Daniel P. Moynihan, U.S. Ambassador, W. Tapley Bennett, Deputy Ambassador, Congressman Donald Fraser (D.-Minn.) and Clarence P. Mitchell. In addition, toward the end of the session we were joined by Miss Pearl Bailey who added much spirit and wit to the proceedings.

It was apparent to me from previous international meetings, that no matter how auspiciously the session began, that the United States, Israel and South Korea were in for a bad time. When the UN was founded 40 of the 51 member countries were democracies. Today, approximately 40 of the 143 member countries are democracies. The odds are stacked against our form of government very heavily and it is unrealistic to assume that most of the voting will be favorable to us.

The first act was probably the most outrageous although even that is difficult to say. Cuba introduced a resolution that the United Nations recognize the national liberation movement of Puerto Rico as representing the legitimate aspirations of the Puerto Rican people struggling for independence. The resolution would have passed the United Nations General Assembly if the U.S. had not indicated that it would consider any vote in favor of the resolution an unfriendly act. The U.S. has always been a champion of self-determination, and, indeed, elections had been held in Puerto Rico. Only 3 percent of the population favored independence while the vast majority favored remaining a U.S. territory. So clearly the people of Puerto Rico did not want the Cuban Resolution to pass. Nevertheless, when the UN did not act, bombs were exploded in front of the U.S. Mission to the UN and at various government buildings, corporate offices and banks in New York, Chicago, and Washington. The terrorist band calling itself Fuerzas Armadas de Liberacion National Puertorriquena (F.A.L.N.) said the bombs were part of a "coordinated attack against Yanki government and monopoly capitalist institutions." Clearly the Cubans did not have the interests of the Puerto Ricans at heart since the resolution was

counter to the expressed wishes of the majority. What was their purpose? Anti-U.S. propaganda seems the only answer.

Another resolution was introduced by 41 members of the UN noting that the reunification of Korea has not yet been achieved although 30 years have elapsed since Korea was divided into the North and the South and 22 years since the establishment of the armistice in Korea. The resolution urged the dissolution of the United Nations Command and withdrawal of all the foreign troops stationed in South Korea under the flag of the United Nations. In effect this would mean U.S. withdrawal from Korea. The resolution failed by only a few votes. Again what was the purpose? Anti-U.S. propaganda and communist takeover of Korea seems the likely answer.

In addition to our own hemisphere and Asia, the U.S. posture on another volatile front was attacked—the Middle East. A resolution was introduced by 25 UN members calling for the elimination of all forms of racism and racial discrimination and determining that zionism is a form of racism and racial discrimination. The aim of the resolution was so clearly a propaganda effort against Israel that many countries with known racist policies wound up voting for it.

Language is a problem in any international forum but with simultaneous translations into five languages at the UN it is clear that those who favored the above resolutions knew what they were voting for and had a clear purpose in mind. It is also clear from these votes and from many others in the General Assembly that reprisals by the United States are not feared or expected. Our policies in the past have encouraged this irresponsible behaviour. For one thing the U.S. is financially responsible for many of the delegations being at the UN. Without U.S. funds the UN would cease to exist. Still we pay the piper even though the sweet music of world peace seems a dream, in the reality of the harsh, vituperative songs of the Communists and third world nations.

The price of freedom is eternal vigilance. In the world of 1976 this is especially true. There are 4 billion people in the world today, and it is expected that there will be 6.5 billion people in the year 2000. The experts tell us that population growth will cause governments to change focus and become more repressive as the necessity for order becomes greater. The rights of communities will take precedence over the rights of individuals. Already this is true in most countries of the world. We in the United States enjoy more personal freedom than is known any where else on earth. We also have a very high standard of living. Khrushchev's statement that "We will bury you" seems at once far away in view of the life we live in the United States today, and at the same time imminent when the world political situation is viewed objectively. Another grim fact that the experts point out is the likelihood of war is increased when there is rapid population growth simply because the allocation of resources is never agreeable to all.

We need more than ever to work for world peace, but, we also need to work to preserve our way of life. Individual victories with regard to civil liberties are meaningless if there is no United States to back them up. Human rights is an empty phrase unless the government in power is committed to them. Racism is a word when used as a propaganda tool, not a human condition. Language is made meaningless when emotional words are used out of context to inflame the prejudices and hatreds of the masses. We are the victim of our own ideals. We believe in human rights, equality under the law, and freedom, but, our words are distorted by international propagandists so that the meaning is changed and they become instruments of aggravating hatreds and hostilities.

Ambassador Moynihan tried during his tenure as U.S. Ambassador to the UN to confront our detractors, and face down the myths created by their propaganda. Regrettably, the task is too much for one man, particularly when many careerists in the State Department and the diplomatic service have come to accept the tirades and abuse of the United States as routine. In the 30 years the UN has been in existence the United States has gone from a world image of protector of freedom, to an image of fat cat imperialist. We haven't changed, but the propaganda mills have made each and every act seem vile.

Israel has only been in existence since 1948, but it too is a victim of hostile international propaganda. No country in the world is perfect, but both Israel and the U.S. provide good lives for their citizens which is more than a majority of the world's nations can do. Instead of trying to learn from the example, however, most seem to find fault and work to bring us down.

A report of the Special Committee on Decolonization of the United Nations was approved by the General Assembly with only three dissenting votes—the United States, Israel and Nicaragua. The report contained recommendations to strongly condemn the military and naval activities of the United States on Guam as being detrimental to the inherent rights of the peoples of this Territory to self-determination. The report also asserted that the military installations in the Carribbean were part of the machinery for enforcing the policies of the United States throughout the entire Latin American region. "Such bases are a threat to the sovereignty, independence and territorial integrity of the States in the region," stated the report. The U.S. maintains only the following installations on the Virgin Islands: (1) a three-man Coast Guard navigational light station, (2) a Coast Guard administrative office which has a full strength of three men, and (3) an 82 foot search and rescue vessel manned by eight Coast Guardsmen.

Fact and truth have nothing to do with resolutions passed by the United Nations. How can we achieve world peace with an organization with so much hope and so many lies? There is a real question in my mind about the value of remaining in the United Nations. If we are to continue to accept the battering we are presently taking, can we be effective in seeking peace? If we are viewed as a whipping boy, can we also be viewed as a leader? If we stay in the organization, don't we give credence to its resolutions?

CONSUMER PROTECTION AGENCY

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. YOUNG of Alaska. Mr. Speaker, I have received to date 120 letters from people in Alaska concerning the proposed Consumer Protection Agency. Five of these letters were in favor of the bill, the rest adamantly opposed the measure. I have heard the same vehement opposition from the business community.

The U.S. Chamber of Commerce has conducted a survey of American business in their membership to obtain a consensus of opinion with regard to this matter. So far they have received 15,000 letters against the bill. I would like to insert in the RECORD at this time, the names of some companies in my State of Alaska who have expressed their objection to the proposed Consumer Protection Agency.

The names are as follows:

ALASKA

Rose J. Golek, Surprise Gift Shop, 600 C St., Anchorage, Alaska 99501.

Loren H. Lounsbury, Hewitt V. Lounsbury & Assoc., 723 W. 6th Avenue, Anchorage, Alaska 99501.

R. M. O'Neill, O'Neill Security Services, 326 H St., Anchorage, Alaska 99501.

Charles E. Parks, Anchorage Camper Center, 2756 Commercial Drive, Anchorage, Alaska 99501.

Robert L. Clay, Preferred Contractors, Inc., 1330 East 71st Avenue, Anchorage, Alaska 99502.

Vern N. Smith, Mgr., Alaska Branch 3M Co., 5331 Minnesota Dr., Anchorage, Alaska 99502.

Donald W. Dwiggins, Design Plus, 4446 Business Park Blvd., Anchorage, Alaska 99503.

Herbert Eckinaur, Hanks Sausage Co., Inc., 2914 Arctic Blvd., Anchorage, Alaska 99503.

E. D. Springer, Sunrise Dist. Co., Inc., 3685 Arctic Blvd., Anchorage, Alaska 99503.

Kingston Peters, Kingston Peters Ltd., 2251 Sorbus Way, Anchorage, Alaska 99504.

Ursula E. Shaw, Sec./Treas., Shaw Tool & Equipment Rental Inc., 405 Boniface Pkwy., Anchorage, Alaska 99504.

C. C. Hawley, C. C. Hawley & Associates, Inc., Box 78-D St. Rt. A, Anchorage Alaska 99507

Ralph B. Jakela, Contracting Engineers & Assoc., SRA Box 1591J, Anchorage, Alaska 99507.

David L. Dittman, Dittman Research Associates ("Alaska Analysts"), 3230 "C" Street (P.O. Box 4-1234), Anchorage, Alaska 99509.

John C. Miller, Frontier Companies of Alaska, Inc., P.O. Box 1654, Anchorage, Alaska 99510.

Frank M. Reed, Alaska Bank of Commerce, Pouch 7012, Anchorage, Alaska 99510.

Henry B. Rust, Rust's Flying Service Inc., Box 6325, Anchorage, Alaska 99502.

Cecil G. Moore, Cy's Tax-Acctg., 1429 W. Northern Lts., Anchorage, Alaska 99503.

Robert W. Fleming, Owner/Gen. Mgr., Big Country Radio, Inc., 2800 E. Dowling Road, Anchorage, Alaska 99507.

Dean R. Weeks, President, Blaine's Paint Store, Inc., P.O. Box 4-3029, Anchorage, Alaska 99509.

R. C. Bacon, Bristol Bay Native Corp., Box 220, Anchorage, Alaska 99510

Al Siemsek, Copper Valley Fuel, P.O. Box 124, Glennallen, Alaska 99588.

Walter O. Kraft, President, O. Kraft & Son, Inc., P.O. Box 1217, Kodiak, Alaska 99615.

Paul B. Haggland, Jr., Alaska Central Airways, Inc., 3806 University Ave., Fairbanks, Alaska 99701.

Edgar S. Philleo, Philleo Engineering & Architectural Ser., 529 6th Ave., Fairbanks, Alaska 99701.

Mary M. Pippin, Overhead Door Co. of Fairbanks, 720 College Road, Fairbanks, Alaska 99701.

M. L. Mikell, Air North, Van Horn & Peger Road (P.O. Box 60054), Fairbanks, Alaska 99706.

Ruth L. Greer, Greer Tank & Welding, Inc., P.O. Box 1193, Fairbanks, Alaska 99707.

Anna Groff, B & A Inc. Realtors, P.O. Box 927 (546 9th), Fairbanks, Alaska 99707.

Ray Kohler, Ray Kohler & Co. CPA's, P.O. Box 607, Fairbanks, Alaska 99707.

Gary R. Wilken, Wilken-Alaska Inc. D/B/A Fairbanks Dist., Box 485, Fairbanks, Alaska 99707.

Michael E. Lupro, Capital Office Supply, 174 So. Frankin St., Juneau, Alaska 99801.

R. D. Stock, Stock & Grove, Inc., Box 474, Juneau, Alaska 99802.

Felix J. Toner, Toner & Nordling, Registered Eng., Box 570, Juneau, Alaska 99802.

Joe Trucano, Trucano Construction Inc., P.O. Box 870, Juneau, Alaska 99802.
Jerry Rasler, Glacier Village Supermarket, Inc., P.O. Box 2158, Juneau, Alaska 99803.
Vernon A. Berg, Mitkof Hotel, Box 689, Petersburg, Alaska 99833.
Lars Eide, Mitkof Lumber Co., Inc., P.O. Box 89, Petersburg, Alaska 99833.
Clarence F. Kramer, Alaska Lumber & Pulp Co., Inc., Box 1050, Sitka, Alaska 99835.
R. M. Hardcastle, Hardcastle-Davies, Inc., 106 Main St., Ketchikan, Alaska 99901.
Reinhart Klein, Credit Bureau of Ketchikan, 320 Bowden, Ketchikan, Alaska 99901.
Carl H. Porter, Porter-Spaulding, Inc., 1831 Tongass Ave., Ketchikan, Alaska 99901.
Paul J. Wingren, Wingren Enterprises, P.O. Box 5197, Ketchikan, Alaska 99901.

KEEPING ALIVE THE MEMORY OF GEN. JOHN J. PERSHING

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. COLEMAN. Mr. Speaker, I would like to take this opportunity to inform my colleagues and the American people of the significant and historic work being done by the people of Missouri to honor one of the State's most famous sons, Gen. John J. Pershing, General of the Armies of the United States in World War I.

Eleven years ago in a speech before the U.S. House of Representatives, former Representative W. R. Hull, Jr., Democrat of Missouri, said:

> There can be little argument as to the appropriateness of a memorial honoring General Pershing and testifying to the achievements and sacrifices of the men who served under him. It is ironic that General Pershing, recognized by our Allies and by history as one of the great luminaries of all military history, is ignored in this citadel of free government.

And more than a decade ago, then Maj. Gen. Harry Vaughan, onetime aide to President Truman, read a letter from Mr. Truman in support of a national monument to the Senate Interior Committee and urged the committee to act, "before we pass on—and the time is later than we think," and still very little has been done.

Little except the continuing effort of a stalwart group of friends and admirers—the Pershing Park Memorial Association—who refused to let the memory of the only man to hold our Nation's highest military rank—General of the Armies—during his lifetime die.

Founder of the association was the late Lafayette F. Moore to whom goes much of the credit for the dream of a park dedicated to General Pershing. Beginning in 1931, he began a one-man campaign to create interest on both the State and national level.

It is a tribute to his early, tireless efforts that the association now has the reputation of getting done what it starts.

Through the efforts of the association, sufficient funds were raised to purchase 1,836 acres of land just west of Laclede, Mo., boyhood home of the six-star general, and the Pershing Memorial State Park was established in 1937. Located in the beautiful green hills of northern Missouri, the park is traversed by Locust Creek, John Pershing's favorite swimming hole, with heavily wooded rolling hills on the east and a flat valley on the west.

The Pershing family home in Laclede, restored by the Missouri State Park Board through the urging of the park association, was dedicated on the centennial of General Pershing's birth, September 13, 1960, as a public shrine to his memory and the soldiers who fought with him in World War I. The home has just been designated a national historic landmark.

Incorporated as a nonprofit organization in 1965, most recently the association has succeeded in erecting a "larger than life" bronze statue of the general adjacent to the home.

Now the association is sponsor of a $3 million project to build the Pershing Memorial Museum—a national memorial which will not only honor the General of the Armies and his World War I companions, but will also preserve for future generations the story of their contributions to the freedoms we enjoy today.

Designed to include a history of General Pershing's life, equally important will be exhibits and dioramas depicting the First World War.

To assist with these plans, the Center for Military History of the U.S. Army has offered to make available appropriate artifacts on a long-term loan and others are making available similar items either as gifts or on loan.

In addition, Dr. Frank E. Vandiver and Rev. Donald Smythe, S.J., biographers of General Pershing, and Milton F. Perry, a former curator of both the Truman Library and Museum and the West Point Museum, are serving as consultants to the project.

Now that the plans are on the drawing board, and this worthwhile project is underway, I urge the support of my colleagues in the Congress to make this dream a reality.

The Pershing Memorial Museum Development Fund seeks the help of all those who would keep alive our heritage and pay tribute to those who did so much to insure our liberties.

The people of Linn County, Mo., and the surrounding area have made contributions to underwrite the cost of the campaign.

Most military groups and associations have endorsed the program and have agreed to help bring the project to the attention of the American people.

Prominent State and National leaders are serving on the National Advisory Committee to raise funds for the program and to oversee completion of the project.

As a member of the honorary committee of the Pershing Memorial Museum Development Fund, I call your attention to this effort for as a nation we cannot afford to let this lesson in our history fade into obscurity. It, as well as the memories of the men who made it, must be preserved.

IT'S MORE THAN A PORPOISE ISSUE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BOB WILSON. Mr. Speaker, I include the following editorial from the San Diego Union:

IT'S MORE THAN A PORPOISE ISSUE

Amid the earth-shaking issues of detente, energy, multi-billion tax reforms, the Middle East, and Panama, the tuna hearings that will conclude in Washington this week are a small blip on the government's screen.

In San Diego, where the tuna industry is directly responsible for 15,000 to 25,000 jobs and contributes some $85 million to the gross city product, the hearings fill a substantial portion of our economic screen.

We wonder why San Diego has not been able to convey this simple fact of life to either the Carter Administration or Congress.

The Administration responds quickly when shoe imports begin to pinch American manufacturers, when steel is threatened by imports, when farmers feel an economic pinch or when television producers are swamped by foreign imports.

But when the entire San Diego tuna industry is unfairly threatened with bankruptcy or expatriation by the government itself, the political Richter reading on Capitol Hill is infinitesimal.

We choose the words "unfairly threatened" carefully. The tuna industry's plight dates back to the Marine Mammal Protection Act which, to greatly simplify matters, imposed quotas on the number of porpoise that could be killed while tuna are being netted, beginning in 1976.

The result was predictable. Nobody is certain exactly how many porpoise there are in the Pacific. Private scientists believe 9.4 million, the lowest government estimate is 5.4 million. But nearly everybody agrees that most species of porpoise, including the supposedly rare Eastern spinner, are not biologically depleted.

Yet the National Marine Fisheries Service imposed a quota of 78,000 porpoise mortalities last year and slightly less this year on the basis of what it believes the optimum population of the mammals should be. The agency is talking about quotas of 50,000, 40,000 and 30,000 for the next three years.

Everybody, including tuna fishermen, wishes that no porpoise at all would be killed. But it is a harsh fact of life that some will be if tuna are to be caught efficiently. On the whole, the record of San Diego tuna fishermen is good. In just a few years they have reduced the porpoise mortality rate due to fishing to a fraction of the mammals' population. And 99.7 per cent of the porpoise encircled by nets last year were released unharmed.

Quotas of 50,000, dwindling to 30,000 simply are not realistic because they do not give fishermen any flexibility at all. Nor does the setting of a three-year term for quotas make sense considering all of the unknown factors.

San Diego fishermen have not had a full year of tuna fishing since 1975 because of the legal and bureaucratic uncertainties that have prevailed. Just in this year alone their losses have ranged upward of $60 million

compared to income of last year. If Puerto Rican-based boats are included the losses are $80 million or more. Another year or two of strangulation by Washington and the San Diego fleet will be either bankrupt or based abroad.

The consequences would be felt not only by the tuna fishermen and San Diego, but also by millions of American households in which canned tuna has been a standard food budget extender.

Since the government has intruded itself in the tuna fishing industry the price of an average can of tuna has gone up 20 cents. If the tuna industry is driven from the United States, consumers might find caviar cheaper.

The hearings on tuna quotas will continue in Washington today. We respectfully suggest to the National Marine Fisheries Service, which will make the final decision that could send the fleet out to sea or on to oblivion, that it by all means must show a great concern for the welfare of porpoise.

But it also should not forget a thriving industry and a vibrant city that depends on the tuna fleet for its economic health—as well as the American who likes his tuna sandwich.

By exercising a little common sense it could have the best of all worlds.

REFUTING PLUTONIUM PROPONENTS: U.S. EXPLODES BOMB FROM PLUTONIUM PRODUCED IN CIVILIAN REACTORS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. BROWN of California. Mr. Speaker, as we consider President Carter's efforts to control nuclear proliferation we must examine how plutonium reprocessing and plutonium breeder reactors are related to the proliferation of nuclear weapons. The U.S. commitment to going ahead with commercialization of the plutonium fuel cycle is symbolized by the Clinch River breeder reactor demonstration project, which is why this proposed demonstration project is so controversial.

One of the main arguments proponents of the plutonium fuel cycle have made is that nuclear weapons have not been constructed from civilian reactor fuel. Some proponents have even gone further than this and claimed that bombs cannot be made from civilian reactor fuel. This claim has now been utterly refuted by the U.S. ERDA, which has exploded a bomb in the Nevada desert which was made from fuel similar to that used in the proposed Clinch River breeder reactor. At the conclusion of these remarks, I will insert an article giving the details of this demonstration.

Mr. Speaker, there are many reasons why nuclear weapons have not generally been made from civilian reactors. The main one, and the reason that the plutonium proponents are being misleading, is that there has never been a plutonium fuel cycle and breeder reactors from which to divert weapons-grade nuclear material. The present generation of nuclear reactors use uranium, not plutonium as fuel, and although they produce plutonium, this plutonium is not presently separated from spent reactor fuel. Without this separation, which reprocessing accomplishes, present generation nuclear reactors are not very good sources for nuclear weapons. On this, I and the proponents of Clinch River agree.

However, the next generation of reactors, the plutonium breeders, are different. They require reprocessing and require the transport of weapons-grade nuclear materials.

Mr. Speaker, at this time I insert the article from the September 14 Los Angeles Times and an editorial from the same paper be printed in the RECORD:

[From the Los Angeles Times, Sept. 14, 1977]

LOW-GRADE NUCLEAR BOMB TEST DISCLOSED

(By Robert Gillette)

The federal government has quietly declassified the results of a secret nuclear test in the Nevada desert showing definitively that atomic weapons can be made from the impure plutonium produced by civilian nuclear powerplants.

A spokesman for the Energy Research and Development Administration Tuesday confirmed information made available to The Times that the United States had exploded a nuclear device using low-grade plutonium and that the device "produced a nuclear yield."

Information about the date and the magnitude of the explosive field remains classified as secret, the spokesman said. Although the information that the test occurred was declassified on July 29, he acknowledged that ERDA had made no public announcement.

Government sources indicated that the test confirmed theoretical studies by U.S. nuclear weapons laboratories which concluded that nations seeking to obtain atomic weapons covertly could build them from low-grade plutonium stockpiled ostensibly for use as civilian reactor fuel.

This possibility is a major concern of arms control analysts. Both the Ford and Carter administrations have sought to persuade nuclear exporting nations such as France and West Germany of a need for stronger international controls on plutonium extraction technology to prevent nonnuclear nations from suddenly diverting "civilian" plutonium to an atomic arsenal in the face of a national emergency.

In the process, the U.S. government has sought to dispel a belief that has persisted in the nuclear industry here and abroad since the 1940s that the plutonium produced as a byproduct of civilian nuclear power generation is unsuitable for weapons. This was believed to be true because plutonium from nuclear power plants usually contains much larger amounts of a contaminating isotope—plutonium-240—than that generated in special military production reactors.

In the United States, so-called "weapons-grade" plutonium contains less than 6% plutonium-240 whereas that extracted from the spent fuel of civilian power plants typically reaches 24%.

Late last year, however, an unclassified study by California's Lawrence Livermore Laboratory, a principal weapons design center, concluded that the distinction between military and civilian plutonium was essentially false—that even relatively simple designs using any grade of plutonium could produce "effective, highly powerful" weapons with an explosive yield equivalent to between 1,000 and 20,000 tons of TNT.

The Carter Administration has used this study in an effort to dissuade nuclear exporting nations such as France and West Germany from selling plutonium extraction technology to nonnuclear nations.

American pressure stopped South Korea's intended purchase of a plutonium reprocessing plant last year. However, French officials have said they have no intention of reneging of a similar sale to Pakistan, and West Germany still plans to supply one to Brazil. Both European nations have agreed, however, not to engage in further sales pending studies of stronger international safeguards on plutonium.

ERDA sources indicated that declassification of the U.S. nuclear test was intended to lend added credibility to the Administration's argument that all forms of plutonium can be used in weapons and thus pose a serious potential threat to international security.

"There are still a lot of nonbelievers in the utilities, the nuclear industry, and among our friends abroad," one ERDA official said.

Although skeletal information about the test was declassified more than a month ago, it began seeping into the public domain only last Saturday at a nuclear meeting in Washington sponsored by the General Atomic Co. According to two persons who were present, the discussion turned to the suitability of civilian plutonium for atomic weapons, with French and Swiss officials, arguing vigorously that it could not be done.

The argument is said to have ended abruptly when Richard A. Bowen of ERDA's division rose to say that in fact the United States had done it.

Officials have refused to disclose further information about the test explosion except to say that it was carried out by the Los Alamos Scientific Laboratory at the weapons test site in Nevada.

[From the Los Angeles Times, Sept. 15, 1977]

BLOWING A HOLE IN AN ARGUMENT

By exploding a nuclear device made from the kind of plutonium produced in civilian nuclear-power reactors, the U.S. government has punctured one of the favorite arguments of the pro-plutonium lobby in this country and abroad.

Plutonium is produced as a byproduct in power generating reactors. If the plutonium is separated from spent-fuel elements, it can be reused as reactor fuel. Unfortunately, it can also be used to make nuclear weapons, and no existing system of international inspection can prevent such use.

So the proliferation of nuclear-power plants around the world will lead to an extremely perilous proliferation of nuclear weapons, unless the separation of plutonium can be prevented.

For this reason, President Carter has proposed that reprocessing plants for the separation of plutonium from spent reactor fuel not be built, in the United States or elsewhere, at least until alternative, safer technologies for fuel recycling can be explored.

Spokesmen for the pro-plutonium lobby, which includes powerful elements of the nuclear industry in the United States and Europe, have sought to spread the fairy tale that low-grade plutonium produced in civilian power reactors could not be used to make nuclear weapons.

The Lawrence Livermore Laboratory, which is in the bomb-making business, has firmly disputed this contention. Now, as Times reporter Robert Gillette reported Wednesday, the Energy Research and Development Administration has settled the argument by building such a device and setting it off in the Nevada desert.

This provides the Administration with valuable ammunition for its campaign to convince other governments to join the United States in holding back from plutonium reprocessing.

There have been other favorable developments as well. Australia has decided to exploit its large uranium reserves for export, thus increasing the available fuel supply for

conventional nuclear reactors. And Japan, while deciding to go ahead with a spent-fuel reprocessing plant that the Carter Administration had opposed, is doing so on a limited, experimental basis, and will cooperate with the U.S. search for a fuel-recycling technology that does not pose the same weapon danger that plutonium does.

The President still faces an uphill battle. Despite rising public protests, the French and German governments are still dedicated to the use of plutonium as a reactor fuel; both insist on carrying out existing agreements for the export of reprocessing technology.

We hope Carter repeats the American government's disapproval of their attitude during the visit of French Prime Minister Raymond Barre to Washington this week.

DOORMEN'S SOCIETY OF U.S. HOUSE OF REPRESENTATIVES

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. CHAPPELL. Mr. Speaker, I know all of us in this Chamber share the respect and admiration I have for the doormen of the U.S. House of Representatives. This important group of House employees formed their own association in 1969, with Warren Jernigan as their first president. Better known as the Doormen's Society, it is the only organization that presents awards in the U.S. Congress.

Warren Jernigan has served as a House doorman for 21 years, and as chief doorman since 1963, the longest term in that position. Because of the hard work, attention to detail, and dedication of Warren and his wife Helen, the Doormen's Society has expanded their roster of annual awards to 13. Some of the more recent award categories include Honorary Member (1970); Police Officer (1971); Man of the Year (1971); Woman of the Year (1972); and Congressional Correspondent (1973).

At the doormen's annual Knight's festivities on June 26, the Honorable BOB SIKES presented awards to this year's recipients—13 men and women who have made special contributions to the overall operation of the Congress.

Our majority leader, JIM WRIGHT, who first came to Congress at the age of 31 and is now in his 23d year, was recognized as "Man of the Year."

The "Woman of the Year" plaque went to the Honorable MARJORIE HOLT, the first woman to represent Maryland in the House, now in her fifth year in the Congress.

Two Congressmen and the Attending Physician of the Congress were made honorary members of the Doormen's Society: the Honorable FRANK ANNUNZIO of Illinois, elected to the Congress in 1965; the Honorable HERBERT E. HARRIS of Virginia, now serving his third year in the House; and Dr. Freeman H. Cary, Rear Admiral in the U.S. Naval Reserve. Admiral Cary was also presented with the bronze medallion.

Mario Campioli, Assistant Architect of the Capitol, presented the Distinguished Service Award to Helen R. Fisher, purchasing agent in the Office of the Architect.

Other distinguished service awards were given to Edward P. Polon, Assistant Chief of Property Supply in the Office of the House Clerk, for his 34 years of service; Frank A. Bechtel, Assistant Chief of the Publication Distribution Service in the Office of the Doorkeeper, who came to the House 24 years ago; and Thomas A. Claire, in the Office of the Postmaster since 1972, where he has risen from the position of mail clerk to become night supervisor.

Congressman SIKES presented the sixth annual journalism award to Jessie Stearns, a veteran of the Capitol and White House beats for some 20 years. In addition to her excellent work as a newspaper and TV/radio reporter, she serves diligently on the executive committee and board of directors of the National Press Building Corp., with professional memberships in all the press club and allied groups in Washington, plus the Overseas Press Club in New York City. She has also received the National Category Award from the last organization.

Chief of Police James Powell and Sergeant at Arms Keane Harding, accompanied by Commandant of the Marine Corp Gen. Louis H. Wilson, presented the Doormen's Police Officer of the Year Award to Capitol Police Officer Gerald R. Wilkens. Wilkens, a marine veteran, lost his leg in an accident while helping a distressed motorist on the 14th Street Bridge on November 10, 1976.

Doormen of the Year were Joseph A. Braun III, who is stationed on the House floor, and Konstantinos V. Pastis, currently posted at one of the House Gallery doors.

As Congressman SIKES was concluding the ceremony, a delegation of doormen came forward to present a special plaque to Warren Jernigan, in recognition of his 21 years in the corps of House guardians. His wife Helen, and sons Robert and Warren joined in the spontaneous applause from fellow doormen and friends.

Mr. Speaker, I want to take this opportunity to offer the commendations of all our members to this year's most deserving recipients of the Doormen's Society awards, as well as our thanks to the society itself—for a job well done.

MANDATORY RETIREMENT

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. HAWKINS. Mr. Speaker, recently I inserted into the RECORD an article from the New York Times dealing with the question of involuntary retirement under a bona fide retirement plan. To date, there has been quite a controversy surrounding this issue.

Later this week the House is scheduled to vote on H.R. 5383, legislation clarifying the exemption for bona fide retirement and pension plans under current law to prohibit involuntary retirement at an age less than the protected age under the act.

The Sunday, September 11, edition of the Washington Post carried an article on *McCann* against *United Airlines* which focuses specifically on forced retirement under a bona fide retirement plan. The text of the article follows:

[From the Washington Post, Sept. 11, 1977]

HIGH COURT TO TACKLE FORCED RETIREMENT

(By Jerry Knight)

When Harris McMann of Fairfax took his last Federal Aviation Agency flight physical, he passed easily and was certified fit to fly commercial aircraft.

A month later, United Airlines told McMann his 29-year career was over. Not only couldn't he handle the cockpit, he couldn't keep the desk job he'd held for the past 12 years.

Between the two evaluations, McMann turned 60. Under United's pension plan, that was the mandatory retirement age.

"Age discrimination," McMann fumed, and he called a lawyer. That was four years, one union grievance and two court decisions ago.

Now McMann's contention that discrimination based on age, like discrimination based on race or sex, is unconstitutional, is going to the United States Supreme Court. This winter or next spring, the high court will try to tackle the legal question of mandatory retirement in private employment.

Simultaneously, Congress will come to grips with other aspects of required retirement, which the Bureau of Labor Statistics estimates affects 31 million Americans.

For the Supreme Court, the question is whether United's retirement policy violated the Age Discrimination in Employment Act. The court also could decide the broader question of whether mandatory retirement laws in general deny older Americans their constitutional rights to due process and equal protection of the law.

For Congress, the issues are more complex. Despite extensive Federal hearings and academic research, some of the most important questions about mandatory retirement remain unanswered.

What impact does forcing workers to retire have on their physical and mental health? How much does mandatory retirement cost the Social Security system? To what extent does the inevitability of mandatory retirement lead workers to choose early retirement? And what should Congress do about it?

These questions were raised—if not totally answered—in hearings before the House Committee on Aging, whose chairman is Rep. Claude Pepper, (D.-Fla.). Pepper, who is 76, frequently notes that he has been re-elected to Congress by voters, many of whom are considered too old to work.

Before the August recess, the House Education and Labor Committee sent to the floor a bill by Pepper (H.R. 5383) which would begin to restrict mandatory retirement.

The bill would eliminate mandatory retirement based solely on age for federal employees. Civil Service workers now generally must retire at age 70 after 15 years of service, most Foreign Service employes must retire at 60, and the maximum age for federal law enforcement agents is 55.

Pepper also proposes extending protection of the Age Discrimination in Employment Act to persons up to 70 years old. Currently the law bans age bias against persons between the ages of 40 and 65. Finally the bill would ban mandatory retirement by private employers before age 70.

The later proposals are regarded as merely redefining ageism by some lawmakers. They contend Congress should totally prohibit any age discrimination, including mandatory retirement. Such sweeping measures are un-

likely to be considered before the Supreme Court hears the McMann case.

One reason mandatory retirement is under such fire is the financial straits of the Social Security system, which paid out $3.2 billion more in benefits than it collected in taxes last year and which is expected to run up a $4.5 billion deficit this year.

Commerce Secretary Juanita Kreps, whose responsibilities include Social Security, suggested the problems of Social Security deficits and mandatory retirement might be tackled jointly by raising the minimum age for collecting full Social Security benefits from 65 to 68. When Pepper and other old-people activists howled in protest, Kreps backed off.

A Social Security system spokesman said no studies have been done of how much private mandatory retirement rules cost the system, and how much might be saved if required retirement were banned or the age raised.

One member of the Aging Committee, Rep. Mario Biaggi (D-N.Y.), estimated that 400,000 workers are retired solely because of mandatory retirement rules and that 60,000 workers are added to that list each year. More than half of them, 34,000 workers a year, would continue working if they could, Biaggi said. If these workers were paying Social Security taxes rather than collecting benefits, the system soon would save $600 million a year, he contends.

Other estimates of the number of involuntarily retired workers vary. Pepper's committee quotes Dr. James Schultz, a Brandeis University economist, who surveyed a group of retired men.

He found 54 per cent of them worked under mandatory retirement rules, and 14 per cent said they had been unwilling to retire. While some were unable to work for health reasons, 10 per cent could have continued to hold a job. But less than a third of them were able to find a new job, leaving 7 per cent unable to keep working.

Schultz estimates that making these workers quit cost the economy three-tenths of 1 per cent of the gross national product, or more than $4.5 billion, last year.

The Aging Committee quotes the American Medical Association and University of North Carolina researcher Dr. Susan Haynes as claiming mandatory retirement is detrimental to the health and even the life expectancy of those who want to keep working. In an interview, Dr. Haynes, now a government researcher in Washington, said that while her study alone is not evidence that forcing workers to retire harms their health, it does support prevailing theories about retirement.

The theory is that retired workers first go through a "honeymoon" phase in which they revel in idleness, take vacations and generally enjoy themselves, but become dissatisfied two to three years later.

Studying retired workers from two Akron, Ohio, tire factories with mandatory retirement programs, Haynes found that three years after the workers were forced to quit, their mortality rates jumped upward. In one of the plants, the change was too small to be statistically significant, but in the other the death rate was 30 per cent higher than it should have been.

Dr. Haynes said her studies of mortality and health provided no evidence to support forcing workers to quit at age 65. That age apparently was picked when Social Security was started because it approximated the life expectancy of an American during the 1930s.

Longer life expectancy is believed to be one cause for a trend that seems to run counter to objections to mandatory retirement, but which may well be related to it—early retirement.

Early retirement is both a cause and an effect of the Social Security system's problems. Early retirement increases the number of persons collecting Social Security and is encouraged by the availability of those benefits.

Since 1956, when women were allowed to collect reduced Social Security benefits at age 62, and 1961 when the same option was given men, the number of people quitting work early has climbed steadily. Today almost 65 per cent of Social Security recipients are persons retired early and 70 per cent of the new Social Security claims last year were for early retirees.

One reason many workers chose to quit before they reach the usual mandatory retirement age is believed to be a desire to avoid the feeling of rejection that comes when a worker is told he or she no longer is fit to hold a job because of age.

It was just such frustration that led Harris McMann to take United Airlines to court over his retirement, the long-time pilot recalled in an interview.

"I felt good. I enjoyed my job. I wanted to keep working," McMann said. "There wasn't any reason why I couldn't keep working except for the retirement policy."

"I was physically and mentally able to fly," said the Fairfax pilot, who soloed in 1934 and flew for a living for three decades before taking a management job with United.

"After 34 years, the aviation business was all I knew, all I was interested in and I wanted to continue."

McMann protested repeatedly about his forced retirement, and was told he'd agreed to quit at 60 when he signed up for the airline's pension plan in 1964. The Age Discrimination in Employment Act's ban on discriminating against persons up to 65 didn't apply. United contended, because a provision of the law specifically says it is not meant to interfere with any private pension plan.

That provision, McMann and Rep. Pepper agree, was written into the law not to allow pensions to be used as an excuse for forced retirement, but to do the opposite—to allow companies to hire older workers who were past 65. Pepper's bill would change the provision.

After a union grievance brought no results, McMann's lawyer, Francis McBride, then a University of Virginia law school graduate student, took the case to federal court in Richmond. In 1975, Judge Albert Bryan Jr. dismissed the case, citing the provision of the law exempting retirement under pension plans.

McMann appealed to the Fourth Circuit, which said any pension plan using that provision of the law to force workers to retire before age 65 must be presumed to be "a subterfuge to evade the purposes of the act," and upheld McMann. United then asked the Supreme Court to review the case.

The issue has been in the courts for so long that McMann soon may be too old to get what he wants—his job back—if the Supreme Court rules in his favor. If he turns 65 before the case is decided, the Age Discrimination in Employment Act no longer will guarantee him a job, though McMann will be eligible for back pay.

Since he lost his job at United, McMann has continued to work part time in aviation—teaching younger pilots how to fly.

THE NEUTRON BOMB: HAVE WE LOST CONTROL?

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. CONYERS. Mr. Speaker, I support the Weiss amendment to delete all funds for the development, production and deployment of the neutron bomb.

I happened to be reading Erich Fromm's "The Revolution of Hope," when the development of neutron weapons was first disclosed 3 months ago. One passage has stuck in my mind as we discuss this new exotic weapons system in the House.

The machine man built became so powerful that it developed its own program, which now determines man's own thinking.

One lesson I have drawn from the perfunctory debate on—and the air of futility and resignation over—neutron weapons is that, indeed, we have become so helpless in relation to the technology we have created. Few things reveal so clearly the powerlessness of the Congress to take control of the military machine—a machine that moves along on its own track, at its own speed, spewing forth weaponry faster than we can comprehend the consequences of—as does the lack of caution with which we have dealt with issue of neutron weapons.

We are acting on this issue as if we are saying to ourselves: let these new weapons decide for us questions too momentous to decide for ourselves—whether or not we are increasing or decreasing the likelihood of nuclear war; whether or not we are strengthening the prospects of peace in the world; whether or not we are reducing the harm and hazards to civilians of the weapons of war? And so the arms race goes on its macabre way. I am particularly bewildered by statements and inserts on the neutron weapons that cast such weapons in a positive light—as "lesser evils," "less awful," to be used on "friendly soil," "flexible" weapons, "a major advantage." It is as if we are embracing these terrible things—and we know in our hearts what they mean in human terms—in an effort to win them to our side. As Erich Fromm has said in another context, by humanizing our machines, we dehumanize ourselves. Let us stop dignifying neutron bombs with polite adjectives. It is bad enough that we have to deal with them at all.

It is my humble view that with more critical judgment, the issue of the neutron bomb could well have been a turning point in this Nation's choice of priorities—not only our priorities over military security, but in turning away from the preoccupation with death-serving and unnecessary instruments of war toward genuine consideration of useful and humane projects at home. In building these weapons we tell ourselves we are lessening the chances of their use. A far better insurance policy toward the future would be to build strength in people, in their worklife, in their families, in the communities where they live, not in machines we really cannot control.

FLORIDA NO-FAULT HEARING

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 1977

Mr. ECKHARDT. Mr. Speaker, the Subcommittee on Consumer Protection

and Finance held 2 days of hearings, on April 7 and 8, 1977, in Fort Lauderdale to hear testimony on the no-fault automobile insurance experience in Florida.

This hearing was the second in a series designed to assess the performance of different State no-fault laws. The first hearing was conducted in Massachusetts, the first State to enact no-fault legislation. There, the subcommittee found that a law with modest benefits and a low $500 threshold—the amount of medical expenses a person must incur in order to sue for his general damages, commonly referred to as "pain and suffering"—was working well to provide prompt payment of benefits to all auto accident victims at significantly reduced rates. However, the $2,000 benefit package is clearly inadequate to compensate seriously injured victims, and it is highly unlikely that Massachusetts' dollar threshold could support a higher benefit package. A detailed summary of the Massachusetts no-fault experience appears at pages 20681–20684 of the CONGRESSIONAL RECORD of June 23, 1977.

In Florida, the second State to adopt a no-fault system, the subcommittee examined a law with low benefits, an aggregate maximum of $5,000, coupled with fairly high dollar threshold, $1,000. Although the threshold was revised in 1976, the system was still reflecting the experience of the $1,000 threshold and much of the hearing focused on abuse of it.

During the 2 days of hearings, the subcommittee heard from a number of knowledgeable witnesses, including Bill Gunter, the State Insurance Commissioner; Robert Pike, representing the National Association of Independent Insurers; Marsha Lyons of the U.S. attorney's office; Edward Carhart of the State attorney's office, Dade County, Fla.; Rocci Lombard, president-elect of the Florida Association of Independent Insurance Agents; Melvin L. Levitt, vice chairman of the Florida Joint Legislative Committee of the National Retired Teachers Association/American Association of Retired Persons; Prof. Joseph Little of the University of Florida College of Law; Lawrence Kuvin, cochairman of the Florida Bar Association No-Fault Committee; Hugh E. Ray, associate director of the Florida Association of Life and Casualty Insurers; and William F. Blews, president of the Academy of Florida Trial Lawyers.

Testimony revealed that the Florida no-fault law has succeeded in providing faster payment of benefits to more auto accident victims than the tort system. The hearing also showed that a greater percentage of the no-fault dollar is being paid to victims and that more personal injury claims are being settled in amounts closer in value to verified medical losses than under the tort system. However, Florida's original $1,000 threshold was the subject to widespread fraud by doctors and attorneys that prompted criminal investigations by both the U.S. attorney's office and the State attorney's office for Dade County.

In 1976, the Florida Legislature responded to these abuses and changed to a "verbal" or descriptive threshold which permits suits for pain and suffering only for certain types of injuries. Not enough time has passed to determine whether the new threshold will work to eliminate such fraud.

The high rates in Florida, which are due to the fraudulent breaking of the threshold, rampant inflation, and a number of more subtle, but equally important changes that occurred in the Florida law at the same time as the introduction of no-fault, have created an affordability crisis. Rates have risen almost 100 percent since 1974. Commissioner Gunter's concern about the effect of these rates on the many people living on fixed incomes resulted in his recommending a program to eliminate all suits for general damages in order to significantly reduce rates. While the Florida Legislature rejected the Commissioner's proposals in action subsequent to the subcommittee's hearings, the proposals—whatever their merits—reflect the fact that the ability to afford auto insurance remains a serious question for Floridians.

PROVISIONS OF THE LAW

The Florida Auto Reparations Reform Act, effective January 1, 1972, provides benefits of up to $5,000 for medical expenses, income loss, replacement services, and funeral costs—limited to $1,000. If an accident victim's economic losses exceed the overall benefit limit, the individual is permitted to sue in tort for the portion over $5,000.

All private passenger vehicles and pedestrians are covered by the law. In addition, out-of-State drivers who have their cars in Florida more than 90 days out of the year are subject to the provisions of the law.

In June, 1976, the Florida legislature responded to concerns of possible fraudulent claims activity to pierce the then-existing $1,000 threshold for general damages suits and revised the tort liability restriction provisions of the law. The current version, effective October 1, 1976, permits an accident victim to recover general damages only if his injuries result in one of the following conditions: loss of a body member; permanent loss of a bodily function; permanent injury other than scarring or disfigurement; a serious nonpermanent injury that has a material bearing on the injured person's ability to resume his normal activity and life-style during all or substantially all of the 90-day period after the injury and which injury is medically or scientifically demonstrable at the end of that period; or death.

PERFORMANCE OF THE LAW

Professor Little conducted a study, under the auspices of the Council on Law-Related Studies, to evaluate the Florida no-fault reparations system. His survey covered the period from 1971, the last year of the fault system, through 1973, the second year of no-fault. While the time frame was too early to reflect the threshold problems that developed later, it was a long enough period to draw certain conclusions about the performance of the law.

First, Professor Little found that people were being reimbursed for their losses more rapidly under no-fault. He found that it takes victims far less time to receive their first no-fault benefit payment than it took successful claimants to secure payment through a tort settlement or judgment—this comparison is the relevant one, since the tort system provides very few interim payments. The following table—not printed in the RECORD—displays the amount of time, in days elapsing between the date a claim was filed and the date the first payments were made to the claimant. The first bar depicts the population of third-party or tort claims; the second bar represents the population of first-party or no-fault claims—the bar for the year 1971 represents medical payments insurance, a limited no-fault coverage; and the third bar includes the population of all claims obtained by merging the two subpopulations. The increase in the mean number of days for receipts of third-party payments under no-fault reflects the fact that the threshold is eliminating many small cases, leaving the more controversial, time-consuming ones in the system.

Second, Professor Little found a substantial shift from third-party claims to first-party claims for personal injury with the implementation of the no-fault system. His statistics show that in 1971, 60 percent of the claims were third-party and 40 percent were first-party. In 1973, third-party claims dropped to 20 percent, while first-party claims soared to 80 percent. Professor Little testified that this shift represents a move toward a more cost efficient system, because first-party claims are less inflated by nuisance value than third-party claims and the cost for processing first-party claims is less.

Professor Little's conclusion is borne out by Allstate's experience in Florida. In 1975, Allstate incurred losses of $12,-239,547 on its no-fault, first-party claims. Its incurred losses and loss adjustment expenses amounted to $16,378,000. Together, these staitstics show that 75 percent of the no-fault portion of the dollar is being used to compensate the victims of auto accidents. This return compares highly favorably to a 44 percent return under the tort system—or the portion of the no-fault system that remains under tort for residual third-party liability.

Third, Professor Little found that more personal injury protection claims are being settled in amounts closer in value to verified medical losses than under tort. The parameters measuring the value of the claims were verified medical expense—total amount of medical expense claims; total personal injury payment—total amount of the payment made to the claimant in settlement of a claim; extra value—difference between the total payment made to the claimant and the verified expenses; and R—a ratio obtained by dividing the total personal injury payment by verified medical expenses. The statistics revealed the significant shift from third party to first-party modes of recovery. Also, the figures showed increases in verified medical payments, total personal

injury payments and extra value between 1971 third-party claims and those of later years.

The same general trend was noted by Professor Little in the first-party payment data. However, he stated that the increase in total personal injury payment was partially attributable to general increases in the costs of medical services and supplies and to the fact that first-party no-fault benefits include wage losses and the costs of ancillary services that were not ordinarily compensable under preno-fault medical payments coverage. While the mean for the extra value—the amount by which the settlement exceeded verified medical expenses—did not equal zero in any first-party population, Professor Little noted that the median extra value figure for verified medical expenses was zero or close to zero in all first-party populations. Testifying as to the large proportion of first-party claims being settled in the exact amount of verified medical payments, Professor Little remarked that the same economy is not a characteristic of the third-party population.

Fourth, Professor Little examined the hypothesis that no-fault would reduce the amount of litigation arising out of auto accidents, a prerequisite to the success of a no-fault system. Professor Little's study is of limited help on this point for several reasons, including the fact that it covers a time when many preno-fault cases were still being filed and because many suits for injuries that crossed the no-fault threshold had not been filed yet. The study does show a decline of about 20 percent in the number of suits filed between 1971 and 1974 in Alachua County, a county of about 125,000 people located in north-central Florida. During this same time frame, the percentage of motor vehicle tort suits filed to all civil suits dropped from 10 percent to 5.5 percent. Professor Little's study shows a slight decline in the percentage of motor vehicle tort actions to all civil actions in Dade County between 1971 and 1972, but further examination was rendered impossible with a major court reorganization in Dade County in 1973.

Many of the witnesses at the hearing, however, testified as to abuse of the $1,000 threshold, particularly in Dade County, which would account for a large part of the massive premium increases, mostly for residual tort cases, in Dade and other urban counties.

The Florida insurance department estimated that as many as 30 percent of all claims paid by companies are outrightly fraudulent or contain at least an element of fraud through exaggeration of damage and injury. Commissioner Gunter testified that:

> If anything, the $1,000 threshold was a catalyst, instead of a deterrent, to rate increases, because it provided an incentive for injured parties to exaggerate their injuries and to artificially inflate doctor bills.

Edward Carhart of the State attorney's office submitted the Final Report of the Dade County grand jury, dated August 11, 1975, which resulted from an investigation into certain pairings of doctors and lawyers on referral cases of auto accident victims occurring in Dade County. The report details the practice of a small group of lawyers, physicians, osteopaths, chiropractors, and hospitals who work together to inflate or outright falsify personal injury claims. Mr. Carhart took issue with the report insofar as it attributed the problem of fraudulent claims filing to a small group of lawyers and doctors. He testified that his personal experience showed that a very high percentage of certain types of claims, such as soft tissue injury claims, involve fraud.

Marsha Lyons of the U.S. attorney's office testified as to the successful prosecution of a fraudulent claims filing case in which the participants were convicted on 105 counts. The doctor and attorney each were sentenced to 8 years in prison and fined $57,000. The runner and the office manager each were sentenced to 3 years and fined $7,700.

Mrs. Lyons described the pattern of fraud involved in both this case and in other cases now being investigated as follows:

> . . . The $1,000 threshold in Florida seemed to give attorneys and doctors a focal point for processing insurance claims. Their operations consistently followed the same pattern. Basically, the operation would use a runner. He was responsible for soliciting clients. He is usually paid by the attorney for each suitable client that he brings in to the attorney's office.
>
> The clients are generally from low economic areas. Many of them in South Florida are foreign born and have difficulty in understanding the English language.
>
> Liability in each one of these cases must be clear, and the client himself must be willing to cooperate at least to some extent in order to obtain sufficient medical bills to reach the $1,000 threshold. This normally required hospitalization. A promise would generally be made to the client at the time that he was brought in that he would make some money from his case. The runner would refer the client to an attorney, and generally refer him to a doctor and hospital as well.
>
> The doctors and lawyers would work in concert. The attorney would generally refer all of his accident clients to one or two specific doctors. The doctor provided both the bills and the medical reports necessary to file the insurance claims. Many hospitals in South Florida are owned by doctors in the area. This enables the doctor to easily hospitalize his accident patients in order to drive up the medical bills very quickly. Hospitalization became routine in these practices, and did not take into consideration the seriousness or the nature of the injury of the particular claimant.
>
> The patients were generally asked to return after their hospitalization for some type of follow-up treatment. But most of the patients did not do so. Regardless of that, the doctor would issue a medical bill sufficient to push the total medicals over the $1,000 threshold.
>
> If the bill issued by the doctor for some reason was mistakenly low, the doctor's office on request of the attorney would issue a new and higher bill. The lawyer would then submit these medical bills and the reports to the insurance companies and use them as a basis for demands both against the PIP and the liability carrier.

Professor Little testified that he doubts that a cause-and-effect relationship exists between no-fault and the corruption of the professions. Instead, he suggested that such an argument against no-fault was putting the cart before the horse:

> It is more likely that the corruption of professions helped to create the need for no-fault and that the abuse of no-fault, if it exists, is merely the reassertion of an underlying condition that has not been cured. No system should be evaluated solely on the basis of abuses perpetrated by those who are supposed to tend and nurture it. Sooner or later the professions must effectively police themselves and, if they do not do so, then the populace should through the law.

The elimination of the $1,000 threshold in 1976 and the establishment of a division to investigate fraudulent claims suggests that the Florida Legislature is taking the latter course.

COST EXPERIENCE

The cost of bodily injury insurance has increased markedly in Florida since 1971. Statewide, bodily injury rates are up 84 percent with some companies reporting increases as high as 210 percent.

While more than two-thirds of the premium in Florida's no-fault law is still spent to adjudicate tort claims, abuse of the $1,000 threshold is only one of many reasons for these increases. As Professor Little noted,

> In Florida of the early 1970's . . . nothing remained constant.

The population was—and still is—burgeoning. Motor vehicle registration rose from 5.36 million in 1971 to 6.38 million in 1973. More cars on the roads means more accidents which, in turn, means higher premiums.

Also, Florida was not immune to the rampant inflation of the early 1970's. The cost of medical care has risen over 70 percent nationwide since 1971. In Florida, the inflation was exacerbated by the submission of false medical claims designed to pierce the magic $1,000 figure to trigger a tort suit.

There was also a series of more subtle contemporaneous changes that may have been every bit as important as inflation and fraud in causing increased premiums. First, the legislature in 1972 repealed the "guest" statute, whereby a passenger in a motor vehicle cannot recover against the driver for any negligence on the part of the driver. This change enables more tort claimants to recover which, of course, increases the cost of the system.

Similarly, in *Hoffman* v. *Jones*, 280 S. 2d 431 (1973), the Florida Supreme Court abolished the doctrine of contributory negligence, whereby a person could not recover in tort if that person was the least bit at fault, and replaced it with a system of "pure comparative negligence." This system permits victims to recover for their losses to the extent that they were not negligent. Normally in such a system, any recovery by one victim is set off against any recovery by the other victim. Obviously, such an approach could result in a situation where a person was only 10 percent at fault and yet recovered nothing because the person who was 90 percent at fault suffered far more severe injuries. To prevent such a situation from arising, the Florida Supreme Court ruled that each victim can recover for his injuries, in a comparative negligence case, so long as

the parties were covered by insurance. Thus, Lawrence Kuvin, representing the Florida Bar Association, cited a case in which a person was 90 percent negligent and still recovered $5,000. Once again, there is much to be said for the equity of a pure comparative negligence doctrine, but it can be quite costly.

Fourth, the courts and the legislature addressed the question of uninsured motorist coverage—the coverage that permits one to recover from one's own insurance company if the other driver was at fault and was not insured, a kind of first-party fault system. In the case of *Tucker* v. *GEICO*, 288 So. 2d 238 (1973) the Florida Supreme Court held that a person who won a judgment against an uninsured driver could "stack" his uninsured motorist coverage if he had insurance on more than one car. What this means is that if a person insures three cars, with $10,000/$20,000 coverage on each, he can recover up to $30,000 for his injuries in the case of an accident.

Further, the legislature passed a statute which defined "uninsured motorist" coverage to mean "underinsured motorist" coverage. Thus, if a person carrying $50,000/$100,000 bodily injury liability coverage was involved in an accident with a person carrying only $10,000/$20,000 coverage, the first person could recover any additional losses over $10,000 from his own policy, up to a limit of $50,000. Data submitted to the subcommittee revealed that the cost of the old uninsured motorist coverage was $7 statewide in 1971, while the new uninsured/undersinsured coverage cost $14 statewide and ran as high as $50 in Miami in 1977.

Sixth, the legislature raised the statutory financial responsibility limits—the amount of liability coverage that a driver must carry—from $10,000/$20,000 to $15,000/$30,000. Hugh E. Ray of the Florida Association of Life and Casualty Insurers testified that this action by itself raised the cost of bodily injury and uninsured motorist coverage by between 8 percent and 18 percent.

Seventh, the so-called "equitable distribution" doctrine permitted a victim double recovery where he could successfully maintain a lawsuit. This meant that he could recover $3,000 in no-fault benefits and then win a judgment for the same amount in a lawsuit and he would be permitted to keep 80 percent to 90 percent of the duplicative award.

Eighth, the Florida Supreme Court decreed that insurance companies could be joined as defendants in suits, so that juries would be aware that there were adequate resources available to permit plaintiffs a full measure of recovery. Once again, such a system could do nothing but drive costs up.

Since Florida has retained a tort insurance system for commercial vehicles, it is possible to get a rough idea of the effect of these revisions of the tort system by comparing the rate changes and loss ratios of private passenger vehicles with those of commercial vehicles. Allstate data reveals that their rates for voluntary private passenger automobiles under the no-fault system increased by 99.8 percent between 1972 and August of 1977. During the same time frame, Allstate rates for commercial automobiles under the tort system rose 126.5 percent. Since the loss ratios for commercial automobiles were worse than for private pasenger automobiles during this period, it is clear that these changes in the tort law—which had nothing to do with the no-fault system—played a large role in the dramatic increases in premiums.

CONCLUSION

The Florida no-fault automobile insurance system has provided prompt and certain benefits to more accident victims than the prior tort liability insurance system. However, the original tort threshold proved ineffective in limiting the individual's ability to pursue a tort claim for general damages. In fact, the evidence presented at the hearings clearly indicated that the dollar threshold merely encouraged certain unscrupulous individuals to process fraudulent claims. Abuse of the threshold, combined with inflation and a series of significant changes in the tort system, drove costs up significantly.

The Florida Legislature responded to the situation in 1976 by adopting a verbal or descriptive threshold in place of the $1,000 medical threshold. Mr. Kuvin testified that "the [doctor] mills have indicated to me that their caseloads have been reduced since January by 75 percent," which is some evidence that the new threshold is enjoying at least initial success in combating fraud. On the other hand, the threshold was a product of compromise and may contain the seeds for failure. Specifically, it permits a person to sue for general damages if he suffers a "permanent injury," without regard to whether such injury was also serious. Further, it permits such suits where a person is disabled "during all or substantially all" of 90 days. How the courts define "substantially all" will have a major impact upon the success or failure of the new threshold.

In addition, the Florida Legislature reduced the financial responsibility limits to $10,000/$20,000, prohibited stacking of uninsured motorist coverage, and prohibited the naming of insurance companies as defendants.

All of these combined changes account for the lack of increases in Florida insurance premiums for the last year and a half. Unfortunately, even if the changes keep premiums in line, the $5,000 benefit package is far too low to aid seriously injured victims.

HOUSE OF REPRESENTATIVES—*Friday, September 16, 1977*

The House met at 10 o'clock a.m.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BRADEMAS) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
September 16, 1977.

I hereby designate the Honorable JOHN BRADEMAS to act as Speaker pro tempore for today.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is nigh unto all them that call upon Him, to all who call upon Him in truth.—Psalms 145: 18.

Almighty God, who art from everlasting to everlasting, draw near to us as we now draw near unto Thee. Setting out upon this new day give us courage, faith, and wisdom for the work we have to do. Grant unto us a clear vision of Thy presence which clarifies our minds, cleanses our hearts, and lifts us above the narrow loyalties of the world to the higher loyalties of Thy kingdom. Make us strong enough in spirit to do what we believe to be right, steadfast enough in heart to keep our faith in Thee growing, and to leave the outcome to Thee.

Guide us through this day with sound minds, loving hearts, and inner peace, for Thy name's sake. Amen.

THE JOURNAL

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

Is there objection to the approval of the Journal?

Mr. BAUMAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The question is on the approval of the Journal.

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—ayes 9, noes 0.

So the Journal was approved.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the concurrent resolution (H. Con. Res. 341) entitled "An act revising the congressional budget for the United States Government for the fiscal year 1978," and that the Senate agreed to the House amendment to the Senate amendment to the foregoing bill.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2850. An act to suspend until the close of June 30, 1978, the duty on certain latex sheets;