SEC. 2. The Secretary of the Senate shall transmit copies of this Resolution to James Ware, Esquire, 321 Lytton Avenue, Palo Alto, California, 94302, and Theodore Russell, Esquire, 600 Montgomery Street, San Francisco, California, 94111.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate on tomorrow will meet at 9 a.m. After the two leaders or their designees have been recognized under the standing order, Mr. ALLEN, Mr. SCHMITT, Mr. GLENN, Mr. MATHIAS, Mr. GOLDWATER, Mr. BARTLETT, and Mr. CURTIS will each be recognized for not to exceed 15 minutes, after which the Senate will proceed to the consideration of the utility rate reform bill, S. 2114, which is the fourth in the series of five energy bills which is on the Senate agenda for this year and which constitutes the President's package.

Upon the disposition of the utility rate reform bill, looking down the road during the remainder of the week, the leadership would expect to take up the minimum wage bill, S. 1871, and other measures that have been cleared for action in the meantime.

RECESS UNTIL 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until the hour of 9 a.m. tomorrow morning.

The motion was agreed to; and at 7:29 p.m., the Senate recessed until tomorrow, Wednesday, October 5, 1977, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 4, 1977:

CORPORATION FOR PUBLIC BROADCASTING

The following-named persons to be members of the Board of Directors of the Corporation for Public Broadcasting for terms expiring March 26, 1982:

Gillian Martin Sorensen, of New York, vice Robert S. Benjamin, term expired.

Sharon P. Rockefeller, of West Virginia, vice Thomas W. Moore, term expired.

WITHDRAWAL

Executive nomination withdraw from the Senate October 4, 1977:

Donald L. Tucker, of Florida, to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1979, vice G. Joseph Minetti, which was sent to the Senate on June 16, 1977.

EXTENSIONS OF REMARKS

SHERRILL C. CORWIN'S CAREER IN SHOW BUSINESS IS RECOGNIZED

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. WAXMAN. Mr. Speaker, Mr. Sherrill C. Corwin of Los Angeles has been chosen to receive the 1977 "Pioneer of the Year" award by the National Foundation of the Motion Picture Pioneers. He will be honored at a gala dinner on November 14, 1977. Mr. Corwin desrves our commendation for his many contributions to his community and for his numerous accomplishments. Always interested in developing new talent for all segments of the motion picture industry, Mr. Corwin was one of the founding trustees of the American Film Institute and helped initiate the group's policy of offering grants to young filmmakers. He played a key role in developing the apprenticeship program by which major studios encourage college cinema graduates to take part in the industry. Mr. Corwin is also the sponsor of the annual Sherrill C. Corwin Awards at the University of California, Santa Barbara, for stage, screen and television writing, and for original musical composition.

Mr. Corwin's involvement in philantropic and humanitarian projects include his longtime trusteeship of the Will Rogers Respiratory Diseases Research Foundation in New York, and an active role in the Motion Picture Pioneers, a national organization involved in the distribution branch of the movie industry. He has repeatedly been chairman or co-chairman of the Entertainment Division of the United Jewish Appeal in Los Angeles. Mr. Corwin has long been a dominant figure in the affairs of Variety Clubs International, the organization best known as the worldwide charity arm of show business, having raised more than $300 million since its inception in 1927. Mr. Corwin has also been an active member of the Academy of Motion Picture Arts and Sciences, and the Friar's Club.

Sherrill's wife, Dorothy, with whom he has enjoyed a marriage of 46 years, has also been very active in community projects. She has served several terms as an officer of the United Jewish Appeal and of the Jewish Federation Council. Their twin children, Bruce and Bonnie, have carried out the family tradition of community and political service.

Sherrill Corwin's show business career spans more than half a century. He is currently chairman of the board of the Metropolitan Theatres Corp., in Los Angeles. He was one of the founders, and was the first president, of the National Association of Theatre Owners and remains a member of both its board of directors and executive committee. Mr. Corwin has long been interested in independent film production, and in addition to his theater holdings, is director of a bank and of a life insurance company and has owned and operated radio and television stations throughout California and Kansas.

For Sherrill C. Corwin's lifelong contributions to his community and his industry, he has earned our respect and admiration. I ask the Members to join me in honoring him.

ESTONIA LAID WASTE BY RUSSIA

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. McDONALD. Mr. Speaker, the Daily Telegraph of London, on September 19, 1977, in a story datelined Stockholm, reported a protest by scientists relative to pollution created by the rape of natural resources in Estonia by the U.S.S.R. and this is certainly noteworthy. However, this is not unusual. The U.S.S.R. possessed of one of the greatest storehouses of natural resources in the world, has always been wasteful of its resources and is a johnny-come-lately to the environmental business.

In the case of Estonia, the rape of resources has been secondary to the attempt to populate Estonia with Great Russians, subvert the Estonian culture and religion, and, when necessary, ship Estonians to labor camps when they resisted Communism. As one of the Baltic nations, poor Estonia was invaded by both the Nazis and the U.S.S.R. during World War II again losing her freedom after gaining a painful independence following World War I. This is yet another sad aspect of her subjugation to the U.S.S.R. The news item follows:

[From the Daily Telegraph, Sept. 19, 1977]

ESTONIA "LAID WASTE BY RUSSIA"

(By Elga Eliaser)

A group of scientists may be in danger of arrest or lose their jobs after smuggling a warning out of Estonia that natural resources in the north of the country are being wasted by Russia.

The biggest threat is to oil shale and phosphorite. But soil, water and air are being excessively polluted, say the scientists, in a letter addressed to colleagues in countries around the Baltic Sea.

Scientists in Finland, Sweden, Denmark and West Germany have been told that heavily-polluted Estonian rivers are polluting the Baltic, a shallow, tideless, extremely vulnerable sea.

The letter was signed by "18 scientists of the Environmental Protection Society, now the Academy of Sciences of Tallinn Polytechnical Institute and of Tartu University of the Estonian SSR." Although their names were not published, it will be relatively easy to identify them.

LUNAR LANDSCAPE

They said Estonian oil shale was a valuable raw material for the chemical industry and ought also to be capable of producing oil and gas for export.

But most of the output was used for fuel in two large power plants, and the construction of a third was planned.

Excessive mining for oil shale, they said, turned large districts in Northern Estonia into a lunar landscape. "Large heaps of ashes and stones arise above a grey and dead land. Fertile soil and its flora have been killed over large stretches, air has been polluted by smoke and poisonous compounds.

"Rivers which earlier abounded with salmon and trout, are now completely lifeless and poison the sea. The pollution of the ground water has reached a dangerous level."

They appealed for their colleagues to help to save North Estonian resources and to stop

further pollution and environmental destruction.

JOINT STATEMENT ON ISRAEL RAISES DISTURBING QUESTIONS ON U.S. POLICY

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. COUGHLIN. Mr. Speaker, the joint United States-Soviet statement on the Middle East raises disturbing questions about the administration policy toward Israel.

By its use of the so-called big power leverage, the administration suddenly has thrust the Soviet Union back into a major world trouble area with renewed influence when its credibility with Arab States was waning greatly.

Whether out of naivety or on purpose, the administration appears to be abandoning key principles which I always have considered essential in working toward peace between Israel and her Arab neighbors:

First. It indicates it is willing to impose a settlement on Israel which represents a significant reversal of our longstanding policy;

Second. It apparently ignores the facts that Israel can survive only with secure borders which it has fought for, at great cost to its relatively small population, since its establishment as a state; and

Third. It jeopardizes Israel's bargaining position by imposing preconditions even before the Geneva Conference which leaves it to the negotiating mercy of the Arab States.

In sum, the administration's "grand design" for peace in the Middle East is a risk of monumental proportions and calls into doubt both the wisdom and influence of its architect, National Security Adviser Zbigniew Brzezinski.

Substitution of this strategy for the step-by-step diplomacy of former Secretary of State Henry Kissinger increases tensions in the Middle East. Rather than enhancing chances for lasting peace, it reduces them.

The problems of the Middle East, including Palestinian interests, are so tangled and profound that only an act of folly or a flight of ego would attempt to solve them by one great ploy. We should be encouraging responsible Israeli and Arab leaders to a realistic resolution of a number of delicate problems, not promoting a questionable panacea of sweeping magnitude that places more emphasis on hope than reason.

Obviously, the leaders of Israel are realists who recognize they will be called upon to make concessions if they are to achieve a lasting peace with the Arab States. A step-by-step progression affords all participants the maximum opportunities to bargain and to adjust positions. By taking away all of Israel's bargaining chips before the conference, the administration is committing a gigantic blunder.

President Carter's reassurances to Israel mean little in light of the joint United States-Soviet communique. Even more ominous are the cocksure statements of Brzezinski that, in effect, Israel has no place to go and will be forced to sit down at the peace table at any cost. Mr. Brzezinski's reading of history is as fallacious as his premise that he can dictate a Middle East settlement to the nation which has been the cutting edge of our policy there and has maintained the only stable government on which we could depend.

TWENTIETH ANNIVERSARY OF SPUTNIK I

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. TEAGUE. Mr. Speaker, today is the 20th anniversary of the orbiting of the world's first artificial satellite, Sputnik I, launched by the Soviet Union on October 4, 1957.

This major scientific accomplishment was not only a dramatic event, but was one that caught the world by surprise. Aside from the political effect upon world public opinion, the Soviet space accomplishment had grave implications for the security of the free world.

The success of the U.S.S.R. satellite led the world into outer space and the U.S. immediate response was that it must put forth a tremendous effort to insure its own preeminence in this new area. The race in space presented a whole new set of far-reaching and complex problems to Congress, the executive branch of the Government, and to the industrial and scientific communities.

Although the United States did not have an integrated national space program in 1957, it had plans to launch a scientific satellite in the International Geophysical Year, preparation for which had begun in 1954. The IGY was a scientific undertaking sponsored by an international organization of scientists and designed to promote a worldwide investigation of the Earth and its environment.

America's successful response to the Russian challenge came on January 31, 1958. On that day, this Nation successfully launched under its IGY program, Explorer I, the free world's first artificial satellite. Onboard instruments discovered the radiation belt which surrounds the Earth. Soon thereafter, there was established the Advanced Research Projects Agency within the Department of Defense to provide interim responsibility for the national space program.

With strong public support, both Houses of Congress quickly enacted into law the National Aeronautics and Space Act of 1958 that created a civilian space agency and gave it a broad charter for civilian aeronautical and space research. The National Aeronautics and Space Agency became operative on October 1, 1958, and with the help of many dedicated people, has guided our Nation's space exploration activities through the fastest moving technological revolution of all time.

Mr. Speaker, from the position of being a nation behind in space achievements in 1957, we have forged ahead and have witnessed many spectacular and amazing achievements including landing men on the Moon and returning them safely.

I think it is only fitting for all Americans to pause and reflect on this Nation's successful response to the challenge it faced 20 years ago and to appreciate the contribution our space program has made for the people of this Nation and of the world.

And, at the same time, Mr. Speaker, I believe it very fitting that all of us join in again congratulating the scientists and engineers of the Soviet Union for their historic achievement of 20 years ago today. They do deserve the whole world's appreciation for that first step into outer space.

CRUISE SHIP "ODESSA" SCHEDULES TWO SAILINGS FROM PHILADELPHIA IN 1978

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. EILBERG. Mr. Speaker, the honorable Frank L. Rizzo, Mayor of the city of Philadelphia, has just announced that the cruise ship *Odessa* will make two sailings from the Port of Philadelphia in 1978.

Representatives of the ship operator are due to arrive in Philadelphia shortly for the official signing of agreements. The cruise coordinator is Joshua Davis-Baser of Glenside, Pa.

Mayor Rizzo has adequately expressed the view of the people of Philadelphia with his statement welcoming resumption of passenger service actively through our modern Port of Philadelphia.

One of the world's newst and most beautiful cruise ships, the *Odessa,* built in England in 1975, will sail from Philadelphia's Tioga Marine Terminal on a 3-day "cruise to nowhere," May 26–29, 1978 and a 5-day cruise to Bermuda, May 29–June 3, 1978.

With a capacity of more than 500 passengers, the *Odessa* features American and international cuisine, a casino, outdoor pool, sauna, gymnasium, professional entertainment, and movie theater.

ANDY SANTOR IS YOUNGSTOWN, OHIO, AREA GOLFER OF THE YEAR

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. CARNEY. Mr. Speaker, on Saturday evening, September 17, the Youngstown District Amateur Invitational Golf Association (YDAIGA) held its annual awards dinner-dance at Cherry's Top of the Mall in Niles, Ohio.

Mr. Andy Santor, who has been an outstanding golfer for many years, received this year's "Golfer of the Year"

award from association president Pete D'Alesio.

As an amateur golfer, Andy Santor has had few equals during his long and distinguished golfing career. A charter member of the YDAIGA, Penn-Ohio and YMCA leagues, he was the first golfer to win the YDAIGA match and medal championships in the same year, 1957; during that year, he also won the Champ of Champs golf tournament at the Trumbull Country Club.

Andy Santor's personal feats on the golf course are many; they include: set the course record of 65 at Sharon Leeland during a YDAIGA amateur tourney; led the Penn-Ohio League three times in low average and points won, plus maintaining a 74-stroke average over 27 seasons; seven-time winner of the Henry Stambaugh course; winner of the Ohio Publinx in Columbus, Ohio in 1965; four-time winner of Yankee Run best ball with Dr. Frank Bellino, and 1967 winner of New Castle best ball, also with Dr. Bellino; winner of the Trumbull County Amateur in 1963, his sons, Bob and Bill, tied for second; had low round of 32 on Mill Creek's second nine holes in 1975 YMCA League; shot a 63 on the Hubbard course in 1975, and shares the Stambaugh course record of 31 with four other golfers. A retired milk company truck driver, Mr. Santor served as the first president of the Metro Golf League last year.

Andy is married to the former Dorothy Hoover; they have three sons and two daughters: Bob Santor, a mathematics teacher, basketball coach, and cross-country coach at Cardinal Mooney High School, and an excellent golfer in his own right; Bill Santor, an employee of General Motors Acceptance Corp. and also an excellent amateur golfer; Ed Santor, head football coach at Liberty High School; and daughters, Sandy—Mrs. Sandy Mayerchak—and Cathy—Mrs. Cathy Marino.

Mr. Speaker, I have known the Santos for many years. They are a close family, wonderful athletes and public-spirited citizens. We are very fortunate to have them as members of our community. Andy Santor is a good and decent human being, and I am proud to call him my friend.

GO SLOW ON CAPITAL GAINS REPEAL

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FINDLEY. Mr. Speaker, it has been reliably reported that the Carter administration is seriously considering recommending that Congress repeal the current capital gains provisions of the Internal Revenue Code and thus treat all gains from the sale of real or personal property as ordinary income.

I recognize that such a major departure from historical taxing practice will be controversial and I would certainly hope the matter would have very thorough hearings and public analysis before any change is seriously considered. In fact, I strongly oppose the change.

If it were to come, it is obvious that farmpeople would be directly and adversely affected.

The price of farm land is now high. If sellers of farm land could not shelter at least half of the increased value of their land when they sell it, they obviously would have to ask more for it when selling.

This can mean only one thing—higher land costs to purchasers. This, of course, will hit young farmers the hardest since they already have difficulty in raising the needed capital to finance their entry into agriculture.

A second impact of repealing capital gains provisions comes in the futures market.

If profit from the sale of futures contracts becomes taxable as ordinary income, it could well result in many small speculators turning to other forms of investment income. This in turn could reduce the liquidity that futures markets need to reflect accurately commodity values and to provide a sound basis for hedging by farm producers and processors.

Finally, if capital gains are to be treated as ordinary income, what about capital losses? At present, capital losses must generally be offset against capital gains. If this system were to be changed and capital losses were counted against ordinary income the result might be enormous losses of revenue to the Federal Government which is already $60 billion in the red for this fiscal year.

In summary, the impact on land values, the effect upon commodity markets, and the possible loss of large amounts of revenue all add up to say "go slow" before making such a major change in our tax laws.

REPRESENTATIVE BOB POAGE ANNOUNCES HIS PLANS FOR RETIREMENT

HON. JACK HIGHTOWER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. HIGHTOWER. Mr. Speaker, on Saturday, September 24, 1977, our distinguished friend and colleague, W. R. (BOB) POAGE who has served the 11th Congressional District for 42 years wrote an open letter to his "family." He has a large "family." In this letter he stated that he and his wife, having no children of their own, have tried to do for their district what they might have done for their own family. Such a long tenure of service is evidence of the love and respect the people of his central Texas district have for BOB and Frances POAGE.

Mr. POAGE has announced that he will not be a candidate for the Democratic nomination in the 11th Congressional District next year. I know that his colleagues will have occasions at a later time to express their appreciation of his life and service, but I would not want them to miss the opportunity to take note of such a significant event as the announcement of his plans to retire.

TO THE PEOPLE OF THE 11TH CONGRESSIONAL DISTRICT

For more than half a century I have represented the people of my home county at Austin or at Washington. For 42 years I have sought as best I could to serve the people of the entire Eleventh District in the Congress of the United States.

During my years in Congress, I have been assisted by a great staff. More than 175 different individuals have at one time or another worked with me. Almost all of them have been from the Eleventh District. I am deeply indebted to my fellow workers. I want to thank each one of them.

The people of Central Texas are "my people." They think as I do on most issues. They value the same ideals of morality and hard work, which I value. I hope that I can always say I am one of these people. I was born in Waco. We have maintained our home in Waco all the years I have represented you in Washington. I expect to complete my years at 600 Edgewood, Waco, Texas; but I like to think that I have just as fine friends in Temple, Cameron, Glen Rose, Brownwood, and other communities as in Waco. Service in Washington would not have been so fascinating without these good friends at home. I shall always value these friendships.

My family has always been an inspiration to me. My father was an old-time cowman. I value the livestock tradition. My mother was a frontier homemaker. Her greatest pride was her children, and they knew that she could (and did) work miracles with very little to work from. My wife, Frances, has shared all my problems and disappointments. She has stood with me in failure and success. We regret that we have no children of our own, but we have tried to do for our District what we might have done for our own family.

We have been generously rewarded. Service in the United States House of Representatives is a privilege that comes to a very few (only 9058 since the founding of the Republic). We have enjoyed the privilege of living a number of months each year in the center of world activity. It has been a great experience, and it was made possible by the trust and confidence of the people of Central Texas. We are deeply grateful.

In recent years I have seen the sentiment of the country and of the country's Representatives change. Many people seem to believe that government can and should *give* them all of the good things of life. I cannot consistently represent such views. I believe government cannot change economic law. I believe we must *work* for a better life. I believe in the Biblical injunction, "In the sweat of thy brow shall you eat bread." I have seen what an overdose of socialism has done for a once proud people in Great Britain. I do not want to be a party to leading my country down that primrose path.

Our District is entitled to the most effective representation available. I have come to the conclusion that my efforts to move our country in what I consider to be the right direction may not be as effective as those of a new face would be. Several competent individuals have expressed an interest in assuming the responsibility when I lay it down. I have no desire to try to select my successor. I think that the people of this District have proven that they are quite able to do that. As a concerned citizen, I will, of course, vote for the candidate I consider best qualified; but I want to work with, and if I can, to assist anyone our people select.

I expect to serve for the full term to which I was elected; but Frances and I have long ago discussed the matter and agreed that we want to get home and live among those friends who have meant so much to us

throughout the years. I have a lot of unfinished work to do at home, and I would like to be at it.

So that each of you may understand my delay in making this announcement, I want to point out that any early announcement of retirement very directly reduces a Representative's influence in Washington. With such an announcement he becomes a "Lame Duck." I have, therefore, withheld any statement as long as possible. Congressional action on the Farm Bill, in which I was deeply interested, has been completed.

I think that the time has arrived when I must, in fairness to all prospective candidates, announce that I will *not* be a candidate for reelection. In doing so, I want to thank every citizen of the 11th Congressional District for your years of support and friendship. May God bless you every one.

MAINE IS PROUD OF WILLIAM ROGERS

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. COHEN. Mr. Speaker, on August 25, William J. Rogers of Maine stepped down as the national commander of the American Legion.

There is no question that Bill Rogers served the Legion well during his term as national commander. Indeed, he has served his Nation well and his State well. We in Maine are proud of the job Bill Rogers has done for American veterans, and I, for one, am confident that his strong voice will continue to be heard on veterans issues in the years to come.

The special feeling Maine veterans have for Bill Rogers was expressed in an editorial in the September issue of the Maine Legionnaire. I hope my colleagues will take time to read this moving tribute to a great American, Bill Rogers.

The editorial follows:

MAINE IS PROUD OF WILLIAM ROGERS

It was a moment of great pride for all of the citizens of Maine when on Thursday, August 25, 1977, our own William J. Rogers stepped down from his role of National Commander of The American Legion in the concluding session of the National Convention in the "Mile-High" City of Denver, Colorado.

Bill Rogers had become "Past National Commander William J. Rogers" and all of us from Maine and the Nation saluted a good and great national legion chief.

No man came to the office of National Commander of The American Legion with so many friends and supporters than Bill Rogers. When he stepped down from his lofty post, Bill Rogers continued, to enjoy that same fellowship and support that marked him in years past.

We salute you, Bill Rogers—fellow Legionnaire and Past National Commander . . . for your leadership and accomplishments. Few National Commanders faced the problem and heartaches that Bill Rogers confronted in his term of office. Yet among the perils and troubles of his administration, Bill Rogers walked "ten feet tall" with pride and dignity and with the air of a great leader. Great men do not have easy times or goals which are attained lightly. Bill Rogers never lost his sense of humor, his smile or warm personal greeting for friend and comrades. He never lost sight of the zest for leadership of the highest caliber. As National Commander, he gave the best that was within him in his leadership of the greatest veterans organization in the world.

Maybe it is because Mainers have a special sense of pride in Bill Rogers and that wonderful spirit that make this Legion so great. But everywhere you travel across the great areas of The American Legion, Bill Rogers is respected by the "blue cap" Legionnaires as well as officers of the organization.

We have come to end of a year of Legion history . . . and we in Maine were proud to be a special part of it. Walking down the path of Legion leadership with Bill Rogers, the citizens of Maine and the Nation join hands in a salute to a great man and a fine National Commander.

Bill Rogers will wear the title "Past National Commander" with great distinction and service to his fellow Legionnaires. When the shades of time come closing in on us all . . . and we warm ourselves with thoughts of great days and time, the men and women of Maine proud of our heritage will speak of Bill Rogers with a sense of pride. We will remember our National Commander and his leadership. But most of all, we will remember Bill and Connie Rogers for being truly wonderful people . . . the kind that makes our State of Maine a finer place to live in.

Bill Rogers . . . the Legionnaires and Auxiliary members of Maine, indeed all your fellow citizens salute you for a job well done.

STEVE BROIDY RECEIVES SHLOMO BARDIN MEMORIAL AWARD

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. WAXMAN. Mr. Speaker, on Tuesday evening, November 22, 1977, Mr. Steve Broidy will receive the first Shlomo Bardin Memorial Award of the Brandeis-Bardin Institute. I should like to call to the attention of my colleagues in Congress and the general public some of the achievements of the distinguished honoree, Steve Broidy.

Few people in southern California have had as dramatic and long-lasting an impact on our major institutions as Steve Broidy has had. Every organization fortunate enough to have attracted Steve Broidy's interest has experienced directly his enormous energy, inventiveness, persistence, and, above all, sensitivity to people's feelings and needs.

He has been particularly dedicated to the unique Jewish communal and educational institution developed by the late Dr. Shlomo Bardin. Bardin, in whose memory the institute has been renamed, the "Brandeis-Bardin Institute" found in Steve Broidy the friendship, encouragement and like-mindedness that made it possible for them to overcome enormous barriers to the growth and well-being of the institute.

In addition to his work for the Brandeis-Bardin Institute, Steve Broidy also played an extremely active role in the development of the Cedars-Sinai Medical Center in Los Angeles. With the medical center, as with the institute, those actively involved cannot imagine these institutions being what they are today had it not been for the total involvement and dedication of Steve Broidy.

Despite deep involvement in the Jewish community, Steve Broidy has always found time and strength to contribute to the improvement of life for people of every faith and background. He has chaired United Way drives, served on the board of the Salvation Army, and of Claremont Men's College, and the Academy of Motion Picture Arts and Sciences. Space does not allow me to enumerate Mr. Broidy's other civic and philanthropic activities or to indicate even a portion of the numerous awards and symbols of recognition he has earned.

I know Steve Broidy's wife, Frances, and his children, Arthur, Stephen, and Mrs. Jack Sattinger, above all others, understand how deserving Steve Broidy is of the Shlomo Bardin award and how much the work of Dr. Bardin and the phenomenal success of the institute means to him. I know my colleagues in the House of Representatives join with Steve Broidy's numerous friends and admirers in congratulating him and in wishing him good health and continued strength to continue to play a central role in our community, and, indeed, our Nation.

EDUCATORS VERSUS SENIOR CITIZENS: WHO WILL BE THE WISER?

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. SOLARZ. Mr. Speaker, a bill that I quietly introduced last February, the Senior Citizen Opportunity Act, H.R. 3542, has caused some sparks to fly between the senior citizens and the educators. The following excerpt from "Adult and Continuing Education Today"—September 5, 1977—was written by that very witty and articulate senior citizen, Sam Brightman. It is as lively a presentation of both sides of the issue as I have seen—

American Council on Education opposes Solarz bill, sees freeloading old folks as threat to academic freedom.

The American Council on Education has come out against the Solarz bill, which would require colleges and universities that accept a variety of Federal funds to admit qualified old people to classes on a space available basis without charge, other than administrative expenses. (See ACET, vol. VII, No. 14 and 15.) A somewhat patronizing letter sent to the bill's sponsor, Representative STEPHEN SOLARZ of New York, by assistant ACE staff counsel Laura C. Ford expressed this opposition. The ACE is the powerful voice of our colleges and universities and the letter reveals a lot about the higher education establishment's attitude toward all adult learners, not just toward the aged. Some key excerpts from the letter follow:

* * * The essence of academic freedom is often states (sic) as "who shall teach, what shall be taught, and to whom." We consider any attempt by the federal government to prescribe who shall be admitted into a course, and at what price, as an unwarranted intrusion into the academic affairs of individual institutions * * *

We believe that professional educators which learning can best take place. These conditions include the size of classes, the

teacher/student ratio, the presence or absence of nonparticipants, and the mode of inteaction between a teacher and students. Such matters are an integral part of the educational process, and should not be made the subject of federal legislation.

A third general concern is that of cost. We find unconvincing the argument that H.R. 3542 would not cost educational institutions any money * * * To the extent that senior citizens can be expected to enroll in higher education in the future on a tuition paying basis, H.R. 3542 would have a significant financial impact on institutions.

Also a cost item to colleges and universities would be the administrative burden of registering senior citizens, issuing identification and library cards (often needed for entry to campus buildings), and keeping the appropriate records. Unless an "administrative fee" were permitted, such paperwork could constitute a significant cost factor.

A final general concern is the potential conflict between H.R. 3542 and the Age Discrimination Act passed by Congress in 1975 (P.L. 94–135). The latter law forbids unreasonable discrimination on the basis of age in programs or activities which receive federal assistance. The U.S. Commission on Civil rights is currently conducting a study which will result in recommendations and proposed regulations for the elimination of age discrimination in admission, financial aid, and student services at virtually every accredited college and university in the nation. Separation of students into "paying" and "nonpaying" categories solely on the basis of age would seem to be a prima facie violation of the Age Discrimination Act * * *

This letter takes a lot of words to say that higher education institutions do not want any nonpaying customers and consider part-time students a nuisance. But the arguments are worthy of some response from the aged supporters of the measure, who make these points:

The fact is that the Federal Government interferes a lot in the operation of postsecondary institutions and whenever this interference is accompanied by grants of money, the institutions do not seem to find any big problem.

The position of ACE that academic freedom is the property of the colleges and universities and that it is none of the business of the citizenry or the Federal Government was breached a good many years ago when the Federal Government abridged the academic freedom of the University of Alabama to exclude blacks. Does our Constitution provide that only academics can have a voice in deciding "who shall teach, what shall be taught, and to whom?" That statement and the following statement that the teacher should have sole control over learning conditions—and that the learner should have no say—strikes at the heart of adult education and the concept of lifelong learning. It implies clearly that adults should have no voice in what they are taught or how.

Since the bill provides for administrative costs to be levied, all of the crying about the cost of issuing library cards is not relevant. As to loss of revenue from seniors who would pay if they could not get in for free, it is not likely to be as great as the loss of revenue to transit companies that issue half-fare cards to the aged or to pharmacies that give a 10-percent discount on prescriptions. All of these things are charity doled out to the aged in lieu of sufficient income to ride buses or to fill prescriptions at the regular price. The aged would rather be able to buy these things at the full rate than to accept charity, but when income suddenly drops to a half or a third or even less of what it has been, most of the aged swallow their pride and accept charity.

It is impossible to disagree with the argument that the Solarz bill proposes to discriminate in favor of the aged. But what about all of the discrimination against adults? What about universities that charge part-time adult students higher tuition fees for courses taught by their worst instructors? What about universities that lock up their libraries and student unions and eating places during the hours when employed adults go there to learn? What about the Federal programs of aid that discriminate against the part-time adult students? What about the student aid programs of the universities which do the same thing? It seems just a little hypocritical to carry on all of this discrimination against the aged for years and only take a position against discrimination when it would favor the aged.

The aged have far more pressing needs than a free pass for a few of those who have been to college to return and sit in the back of the classroom, so ACE will probably be able to block the Solarz bill without much trouble. Not to worry. There is always the senior center in the basement of the Elks Club and remedial basketweaving.

WILLIAM R. HULL, JR.

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1977

Mr. CONTE. Mr. Speaker, I appreciate this opportunity to join with my colleagues in saluting the memory of the late William R. Hull, for 18 years a distinguished Member of this body.

Bill Hull and I served together on the Appropriations Committee, where he was a diligent student of budgetary affairs. He was closely involved in legislation concerning the interests of his agricultural constituency and served with distinction on the Public Works and Interstate and Foreign Commerce Committees, as well as the Appropriations Committee.

The Hull family has played a prominent role in the political life of the community of Weston, Mo., for many, many years. I join the citizens of Bill Hull's hometown of Weston, and the residents of the 6th District of Missouri, whom he served with such dedication in the Congress, in mourning the passing of this fine public servant.

At this time, I would like to express my condolences to his son, William R. Hull, III, and his daughter, Mrs. Susan H. Hudson, and the entire Hull family.

MASSACHUSETTS SOLAR ACTION OFFICE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. MOAKLEY. Mr. Speaker, as is becoming more obvious every day, most of the solar energy reaching the United States is grossly wasted. For despite the various technologies which can utilize this abundant and safe source of energy, we have failed in widespread commercialization.

But still this inexhaustible, safe source of energy may fuel the solar plate collectors for heating and cooling of buildings and for heating water and also provide the necessary sunlight for photovoltaic cells to produce electricity in the future.

An all-out effort to aid the growth of a national solar energy industry would not only decrease America's dependence on foreign oil but will also create jobs for construction workers, machinists, metal workers and other industrial workers.

A widespread growth in the solar industry based around research, construction, installation, and maintenance of solar-collecting products will help in our effort to cut unemployment and help our economy grow.

In an effort to encourage the development of the solar energy industry, I would like to bring to your attention a major State effort to accomplish just this: Gov. Michael S. Dukakis, of Massachusetts, recently announced the opening of a Solar Action Office in Boston.

I commend this action. With the United States seeking to conserve our dwindling fossil fuel resources, establishing this kind of facility to promote a clean, renewable energy source, such as the sun, is certainly a step in the right direction.

The office, which was established with funds from the U.S. Department of Housing and Urban Development, will be within the jurisdiction of the Department of Consumer Affairs.

The Governor also announced that Massachusetts will be the first State in the Nation to receive Federal funds for a series of conferences across the State to inform the public about the vast potential solar energy offers the general public at increasingly affordable costs.

This alternative energy source offers great hope in the future for each year, the sunlight reaching Earth supplies more than 25 times the energy than all the world's known coal, oil, and natural gas reserves.

By harnessing the sun's power, we have the chance to supply the needed energy for countless generations in the future. It is hoped that the proliferation of this kind of effort across the Nation will accomplish just that kind of end product.

MAURICE GLADMAN, TUSTIN, CALIF., PRESIDENT, KIWANIS INTERNATIONAL

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. DEL CLAWSON. Mr. Speaker, one of my longtime friends and fellow Kiwanians, Maurice Gladman, a Tustin, Calif., banker and association executive, started, on October 1, a 1-year term as president of Kiwanis International. In that capacity he will be official spokesman for this 62-year-old service organization which now comprises nearly 290,000 members in 7,000 clubs located in 61 nations around the world. Gladman was elected during Kiwanis annual convention in Dallas, Tex., in June.

I am proud of him and want to share my pride with you. I am also proud of my own Kiwanis membership which is duplicated by some 105 Members of the current Congress.

When Gladman made his acceptance speech in Dallas, he presented the Kiwanis theme which will guide the organization in all its community service efforts during his term of office. That theme is "Reach Out," and it is a dramatization of Gladman's own philosophy.

The theme is supplemented by five "objectives" which also were presented by President Gladman. Simple in wording, yet powerful in intent, they read:

Reach out for deeper understanding of the human and the spiritual values of life

For excellence of purpose and performance in community service

For greater effectiveness in safeguarding life and property by working directly with youth

For personal involvement with sponsored youth organizations

For sustained growth in numbers and in service and in fellowship throughout the world.

In addition, Gladman announced the Kiwanis "Major Emphasis Program" for the period of his presidency. Called "Safeguard Against Crime, Phase II," it is an extension of a program of information and indoctrination begun last year, aimed at advising all segments of society on the incidence of crime, the kinds of crime usually perpetrated against persons and property, and the steps that individuals can take to resist such crime. Phase II of the program will concern itself with crime as it applies to young people, both as its perpetrators, and its victims.

Maury Gladman is a veteran of 22 years in Kiwanis. They have been years crowded with service to the organization, and to his fellow man.

He served 7 years on the Kiwanis International Board of Trustees before becoming Kiwanis' president; and he has been governor of the California-Nevada-Hawaii District, and president of his home club, Santa Ana, Calif.

In private life, Gladman is executive secretary and manager of the Southern California Tire Dealers and Retreaders Association, and chairman of the board of the American State Bank of Newport Beach, Calif. He is prominent in the affairs of his association and in the American and Southern California Societies of Association Executives.

He has been active in civic and charitable affairs as well, both in his community and State, and in the Nation. On July 10 of this year he received the prestigious "City of Hope Spirit of Life Award." He is a colonel (retired) in the U.S. Army Reserve. His last tour of duty was with the Assistant Secretary of the Army for installations and logistics.

Maury and Rosabelle Gladman will travel widely during the coming year, visiting most of the 61 nations in which Kiwanis serves. His presidential year will be climaxed by the 1978 convention of Kiwanis International in Miami Beach, Fla., next summer.

Maury Gladman has my commendation for his willingness to assume the demanding duties of the presidency of Kiwanis International, and I join with his many friends in wishing him a successful administration crowned with growth and vital public service.

A TRIBUTE TO GEORGE W. MILIAS, AN OUTSTANDING PUBLIC SERVANT AND FRIEND

HON. CLAIR W. BURGENER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. BURGENER. Mr. Speaker, I know I am joined by the entire California congressional delegation in offering a solemn congressional tribute to a man many of us knew and deeply admired who passed away last Saturday.

George W. Milias, with whom so many of our delegation served in the California legislature, was truly an extraordinary individual, and we will all miss him deeply.

George Milias was not only an outstanding public servant, but he also brought to his public service career that extra dimension of mild-mannered perspective, quiet leadership, and compassionate devotion which summoned deep respect from nearly everyone he came in contact with.

Even though his leadership ability was exemplified by his outstanding tenure as chairman of the California State Republican Party, those of us who knew George knew that partisanship seldom accompanied his actions on behalf of the people of his district and the people of California. He led by quiet example and simple sensibility.

Long before the widespread public concern about our Nation's treasured natural resources, George Milias' personal concern led the way for an enlightened natural resources and conservation policy in California, which, as much as any facet of his outstanding public service, is his legacy. His upbringing in Gilroy, Calif., imbued him with a love for the land and a respect for the natural beauty God had surrounded him with, and George Milias always loved our natural heritage.

George Milias was a "doer," a participant all of his life and not a spectator. His confident yet concerned demeanor, his quiet competence in public life, and his simple forthrightness and friendship with so many of us will be a humbling loss. Our thoughts go out to Mary Ann Milias in her loss, which we certainly share deeply.

PHILADELPHIA SEEKS APPROVAL FOR FOREIGN TRADE ZONE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. EILBERG. Mr. Speaker, the Philadelphia Port Corp. has filed an application with the U.S. Foreign Trade Zones Board to establish a general-purpose foreign trade zone at pier 78 south, pier 78 south annex buildings No. 1, 2 and 3, and pier 98 annex—all located on the Delaware River waterfront.

The Foreign Trade Zones Board will hold a public hearing on the application this week in Philadelphia. At that time, Mayor Frank L. Rizzo, and a number of Members of Congress, myself included, will submit statements endorsing the proposal. It is my understanding that labor, railroad, and trucking interests also will testify in favor of the proposal.

The city and its port are urgently in need of a foreign trade zone, which will create new jobs and new revenue for cur local economy," Mayor Rizzo has declared.

The Greater Philadephia Chamber of Commerce, the Philadelphia Industrial Development Corp., the Delaware River Port Authority, and numerous port-oriented organizations will join with the Philadelphia Port Corp. in its request. Prospective tenants for the foreign trade zone will be represented.

A total of 47 firms have expressed potential interest in the zone in a survey conducted by the Greater Philadelphia Chamber of Commerce.

Irvin J. Good, President of the Port Corporation, has said the principal advantages of a foreign trade zone are the manufacture and processing of imported materials without the usual formal Customs entry procedures and payment of duties until the goods leave the zone and enter the United States. Foreign materials are frequently combined with American materials in the manufacture of a finished product. Goods shipped overseas remain free of Customs duties.

"Importantly, a foreign trade zone will enable Philadelphia to attract the reverse investment flow from other nations," he has declared.

TASK FORCE ATTACKS EXPENSIVE HOUSE REFORMS

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. COUGHLIN. Mr. Speaker, I would like to submit this statement on behalf of the Republican Task Force on Congressional Reform, of which I am honored to serve as chairman. Joining me on the task force are JOHN J. RHODES, JOHN B. ANDERSON, DEL CLAWSON, BILL FRENZEL, WILLIAM L. ARMSTRONG, ROBERT E. BAUMAN, M. CALDWELL BUTLER, JAMES C. CLEVELAND, THOMAS B. EVANS, JR., MILLICENT FENWICK, LOUIS FREY, JR., HENRY J. HYDE, ROBERT W. KASTEN, JR., JIM LEACH, DONALD J. MITCHELL, W. HENSON MOORE, JOEL PRITCHARD, RALPH S. REGULA, NEWTON I. STEERS, JR., WILLIAM A. STEIGER, and ROBERT S. WALKER.

STATEMENT OF THE REPUBLICAN TASK FORCE ON CONGRESSIONAL REFORM

House Resolution 766 presents the House of Representatives with an additional opportunity to consider meaningful institutional reform. This resolution, based on the recommendations of the Task Forces on Administrative Units and Work Management of the Commission on Administrative Review, proposes an extensive series of changes in the administrative structure and the internal operations of the House: We are acutely aware that our present administrative system is a complicated patchwork which has developed without the benefits of any rational planning, resulting in fragmented responsibilities and duties among a number of jealous and competing subunits. All Members of the House would agree that—A streamlined legislative bureaucracy; improved management in internal administration; greater degree of accountability in financial operation; and a more rational committee structure, are essential if the House is to be responsive to the demands of contemporary society. Although House Resolution 766 attempts to assuage these concerns, we would like to suggest several areas where the proposal must be strengthened:

I. PROTECTION OF THE MINORITY

While it is understandable that legislative matters of the House should be subject to control by the majority in proportion to its representation in Congress—administrative, investigatory, and judicial functions of the House should have adequate checks to protect the minority from discrimination.

The principal provision of H. Res. 766 is the creation, in Title I, of an extremely powerful House Administrator to direct, plan, and coordinate the day-to-day administrative and support operations of the House. As the resolution is drafted, the Speaker nominates the Administrator and the House must then vote to approve. As to dismissal, a majority of the Members of the Committee on House Administration must vote to remove the Administrator with Speaker's approval.

The minority party possesses negligible input in the selection and the removal of the Administrator. An important modification would be to require the concurrence of the Minority Leader in the appointment and the dismissal process. Only by providing the Minority with these safeguards can adequate protection be ensured. A bipartisan approach would prevent any compromise of the new system, and would guard against the misuse of this potent, centralized office.

II. ACCOUNTABILITY OF HOUSE FINANCES

The Task Force believes that independent, mandatory outside audits of the financial operations of the House are imperative.

As drafted, Title II of the resolution incorporates language allowing the House Administration Committee to employ outside audits, "as it deems necessary." An internal auditing process alone would be simply insufficient and would do nothing to regain public trust in the integrity of the financial operations of the Congress.

Since the purpose in creating the Commission on Administrative Review was to suggest mechanisms to avoid the financial scandals which beset the House in 1976, it seems incredible that a nonpartisan, independent audit was not adopted. If the system is to warrant public respect, there must be an independent auditing role.

However, if the House is to limit itself to an internal auditing procedure, the Task Force recommends that the Committee on House Administration establish an audit subcommittee to provide policy guidance to the House Auditor. This subcommittee proposal had been initially offered by the Commission on Administrative Review but was deleted during the final stages of deliberation. If the creation of the subcommittee were coupled with the requirement that it be divided equally between Republicans and Democrats, it would ensure an apolitical role for the auditor and provide another crucial safeguard to the minority.

III. DISCLOSURE

The members of the Task Force believe that disclosure is the key element in preventing impropriety. Previous recommendations of the Commission on Administrative Review have focused on regulation and disclosure of Members' personal finances, but neither these recommendations nor the provisions of this resolution pinpoint disclosure of the expenditure of public funds.

An essential amendment to Title I, in the section dealing with the House Comptroller, would be to make the expense vouchers of the House available to public inspection. Although the official allowances of the House are derived from public tax dollars, disclosure of the manner in which these funds are utilized is quite limited. Accessibility to the expenditure records is paramount to restoring public accountability in the financial operations of the House. Full disclosure is essential, not only to curb any potential abuse, but also to dispel any hint of impropriety in the use of public moneys. Since Members already afford public access to campaign reports and office salary records, disclosure of expense vouchers is a logical and important reform.

IV. THE BILLION DOLLAR CONGRESS

The cost of operating the Legislative Branch of Government has escalated at an alarming rate in recent years. In 1958, the legislative budget amounted to just over one hundred million dollars; by 1978, the legislative budget has soared to one billion dollars. This rapid increase has not resulted in a more effective Congress; it has merely served to subsidize incumbents.

H. Res. 766 has been introduced as the remedy for the administrative chaos which now besets this body. We have been promised that—with the creation of the new positions of Administrator, Comptroller, and Auditor, accompanied by untold numbers of support staff—an efficient and effective management will result. Yet it appears that this resolution merely superimposes another layer of bureaucracy over an antiquated administrative structure. The proposal does not describe what streamlining or consolidation of existing support units will occur following the passage of H. Res. 766. The new position of Administrator will assume many of the functions now parceled among a variety of subunits, yet we are still left with a clutter of subordinate offices including the Clerk and the Doorkeeper.

Although the current administrative enterprise needs rationalization, we must avoid creating an unwieldy bureaucratic empire within our own halls. Any hiring of staff or creation of new positions by either the Administrator or the Auditor should be subject to the close and careful review of the Committee on House Administration. Whatever new system is constituted, the primary concern is that it be accountable to the House and not a self-guided instrument, indifferent to the institution it serves.

V. MEMBERS' BONANZAS

Increases in congressional perquisites benefiting incumbents have also escalated at an astonishing rate in recent years. The House Republican Task Force on Congressional Reform believes that the underlying problem is the consolidated account system under which the House now operates. Established in 1976 in response to the House Administration Committee scandals, the consolidated account allows for almost unlimited transfers among specifically desigated accounts. This allows Members to maximize taxpayers' money to bolster the advantages of incumbency. The media is just becoming aware that transferability among Members' accounts has resulted in a bonanza.

The resolution proposes a new $12,000 computer allowance as a supplement to the untold number of allowance perquisites Members now receive. The cost to the taxpayer is substantial—over five million dollars per year. The cost to the political process is even higher—for it will further weight the scales on the side of the incumbent, thereby discriminating against any potential campaign challenger.

Even though it has been recommended that the computer allowance be nontransferable, we cannot ignore the recent splurge in expanded allowances. This proposed windfall follows closely on the heels of a $5,000 addition to office expenses granted each Member by the provisions of the March ethics resolution, which will be costing the taxpayer over two million dollars. In September, the House increased the district office rental allowance which, in dollars and cents, amounts to an average gain of approximately $7,900 per Member or an additional cost of nearly $3.5 million per year. All of these allowances will be effective in January of 1978, at the beginning of a new election year. The question can rightly be asked when, if ever, this avalanche of increased benefits is likely to stop.

VI. CRAZY QUILT COMMITTEE STRUCTURE

There exists a pressing need for the reorganization and realignment of committee jurisdictions in the House of Representatives. The rampant growth of subcommittees and the crazy quilt pattern of committee jurisdictions underscore the outdated nature of the current system.

The House Republican Task Force on Congressional Reform has long backed efforts to revamp the present antiquated committee structure. We join in strong support of a new select committee on committees. Major issues, such as energy and welfare, cannot be considered within the present structure but must be assigned to specifically created select or ad hoc committees. Comprehensive policy integration and coordination is almost impossible. This multitude of committee assignments results in neverending scheduling conflicts, wasting the time and energies of Members.

A new select committee would be confronted with an enormous and thankless task—but it affords the best possible vehicle to institute an agenda for change. Recent his-

tory indicates the difficulties facing committee reform. In the 93rd Congress, the widely-praised effort of the Bolling-Martin Select Committee on Committees was waylaid by a series of obstacles, most notably the interference of the Democratic Caucus. The costs of failure a second time would irreparably weaken the policy-making role of the House of Representatives.

In endorsing this proposal for a new select committee, the Task Force believes that the only avenue for success is a bipartisan approach. In this regard, the Task Force recommends that the select committee of 13 members, as proposed in Title VII of the resolution, be composed of 7 Democrats and 6 Republicans—an arrangement which will serve to enhance a bipartisan endeavor and to strengthen the final product.

VII. POLITICAL EXPLOITATION OF CONGRESSIONAL RESOURCES

One regrettable omission in H. Res. 766 is the lack of any provision to control the political misuse of congressional staff. In the final report, the Commission on Administrative Review suggested the following:

"The Rules Committee should review the existing provisions regarding the prohibition of payment of congressional employees with official funds for campaign purposes and should make such recommendations as they may deem necessary to enhance enforcement of existing rules and/or propose new rules, if necessary, for the protection of the employees and the public."

It is disappointing that the Commission avoided tackling this issue during their deliberations—for it is the political exploitation of congressional resources, including staff, which contributes to the low reputation of Congress in the media and among the general public. The Republican Task Force on Reform strongly recommends that the Rules Committee undertake this very difficult responsibility in order to provide a more coherent set of guidelines.

VIII. OPEN RULE

This resolution will affect each and every Member of the House in the performance of his or her duties. Regrettably the time constraints imposed on the consideration of this resolution has resulted in a hasty, and somewhat superficial review of its impact. It is important that, in light of this rapid-paced deliberation, Members be allowed the opportunity to debate fully the merits and defects of H. Res. 766 when it reaches the floor. An open rule, permitting all Members to offer amendments is the best assurance that comprehensive and meaningful reform will be achieved.

ENERGY AND NATURAL RESOURCES

HON. WYCHE FOWLER, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FOWLER. Mr. Speaker, the Congress has had under consideration the bills H.R. 8336 and S. 1791, to establish the Chattahoochee National Recreation Area. As a lifelong admirer of the Chattahoochee's natural and as yet unspoiled resplendence, I would like to offer the following remarks:

TESTIMONY BY REPRESENTATIVE WYCHE FOWLER, FIFTH DISTRICT, GEORGIA, TO THE PARKS AND RECREATION SUBCOMMITTEE OF THE ENERGY AND NATURAL RESOURCES COMMITTEE REGARDING S. 1791 AND H.R. 8336

The Chattahoochee River area is exceptionally beautiful. Even though its waters flow through the heart of metropolitan Atlanta, the Chattahoochee remains remarkably unspoiled by urbanization. We would be foolish to let the opportunity to preserve this area pass us by. Furthermore, if we do not act quickly we will lose that opportunity. Already the City of Atlanta has rezoned some of the affected area to allow commercial development.

As you know, H.R. 8336, the companion bill to S. 1791, would establish the Chattahoochee River National Recreation Area, a 48-mile segment of the Chattahoochee River in the State of Georgia from Buford Dam to Peachtree Creek. The Secretary of the Interior is authorized to acquire lands, waters and interests within the recreation area and to develop the area for public use. There are several aspects of this bill which deserve particular mention.

First, the Chattahoochee Recreation Area is of substantial Federal interest because of its recreational, historic, and natural values. The unique location of the River in and near a regional urban center, which is itself a transportation nexus for the entire Southeast, affords accessibility of the River to literally millions of people. Last year 2.5 million people used the River somewhere along the proposed 48-mile stretch. In other words, the number of people who used the River last year exceeded the number (2.4 million) who visited Yosemite National Park in 1974 or the number (1.9 million) who visited Yellowstone National Park in 1974. It is worth noting that this usage occurred even with the current very limited accessibility to the River. As the River is made into a national recreation park, its usage will probably multiply.

In addition to the recreational value of the River, which has already been discovered by millions of people, this is an area in which nationally significant historic and archaeological resources exist. These resources must be protected. Furthermore, it is in the national interest to preserve the outstanding geologic formations, as well as the ecological community which protects endangered species, for ourselves and for future generations.

Second, despite the compelling nature of this bill, there have been some objections raised to creating a national recreation area along the Chattahoochee. In particular, it has been charged that the area will be impossible to police and to administer properly, that it will hamper the water supply to the City of Atlanta, that it will work a hardship on those who own land along this 48-mile corridor, and that citizens have not had the chance to express their views on this legislation. I do not feel that any of these concerns are warranted by the facts.

The Chattahoochee River Area will consist of 14 separate nodes along a 48-mile stretch of land. The fact that these separate parcels are not contiguous has aroused some concern for proper policing and administration of the area. These fears are unfounded.

In a comprehensive letter to Chairman Udall endorsing this legislation, Secretary of the Interior Cecil Andrus made no mention of any policing problem. More positively, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments found that "the Chattahoochee corridor more than met the established criteria for national recreation areas." At the present time, there are four sites which have been purchased by the State of Georgia, and they have posed no particular policing problems. In fact, the main problem in the area right now is that of trespass. In order to gain access to the River, users must cross through private property. The trespass problem would be virtually eliminated with the passage of this bill.

The charge that the establishment of the Recreation Area would hamper the water supply to the City of Atlanta is also without substance. Because the Chattahoochee River is the main source of water for the City of Atlanta, the concern for the effect of this legislation on Atlanta's water supply is a legitimate one. However, H.R. 8336 includes protective language which is not incorporated in S. 1791 but which I hope will be adopted by this Committee. Specifically, although the House bill protects the River from construction of any water resources projects which might have an adverse affect on the area, the House version excepts projects which the State of Georgia deems necessary and which are authorized by the Congress. This balance between recreational values and the provision for an adequate water supply for the City of Atlanta was developed after extensive consultation with local environmental groups, the Georgia Department of Natural Resources, and members of the Georgia delegation working on this bill. Moreover, the House version of the bill clearly states that it is not the intention of Congress by this legislation to manipulate the water levels in Lake Sidney Lanier, which draws from the Chattahoochee. As a consequence of these provisions, Atlanta's water supply will be protected.

Another concern which has been voiced on occasion is that the legislation might work a hardship on those who own land along the 48-mile corridor. I think that the facts of the matter lay this concern to rest.

Both the House and Senate versions of the bill address the question of the timing of land acquisitions to assure that area residents are not disadvantaged or inconvenienced. The Secretary of the Interior is directed in the House version of the bill to proceed as expeditiously as possible to acquire the lands and interests necessary to meet the requirements of the Chattahoochee Recreation Area. S. 1791 states the intent of Congress to be complete acquisition within five years.

In addition, landowners can sell or develop their property until the day the Park Service actually buys it. Typically, the designation of an area as a potential park increases land values somewhat. Thus, it is very likely that landowners will benefit from the legislation more than they will be inconvenienced.

Another protection for property owners is that the right of use and occupancy of most of the land to be acquired is retained by the landowner. The owner may elect to continue to use the property for residential purposes for 25 years or until the owner's or spouse's death, whichever occurs later.

Finally, the land must be purchased by the Park Service at current market prices. The aggregate effect of these provisions is to protect the landowner from undue uncertainty, to ensure use of the property by the landowner for those who wish to continue to live on their land, and to make certain that landowners will not suffer a financial loss.

A final concern is the question of whether local citizens have had an adeqaute opportunity to express their views on this legislation. Several points should be made here. First, the Bureau of Recreation identified the 14 sites as far back as 1970. These sites were identified with the aid of a Citizens' Advisory Board. Second, the Atlanta Regional Commission, which is itself made up of citizens and elected officials, again identified the 14 sites in 1972 at which time public hearings were held. Third, the Congress has conducted a number of hearings on this legislation both here in Washington and in Atlanta. Members of Congress have conducted on-site inspections of the Chattachoochee area. As Congress has been considering this legislation for over three years, the newspapers have prominently reported these activities.

In sum, we would be remiss not to move quickly on the Chattahoochee River Bill. The

Bill itself has been the result of extensive cooperation among the consultation with local governments, businesses, citizens groups, landowners, and individual citizens. We are not acting precipitously here. A decade of dedicated work is represented in this legislation. The Chattahoochee River Bill offers a rare opportunity to improve the quality of life in this country. I urge you to move swiftly to save the Chattahoochee for the Nation.

PASSIVE RESTRAINTS

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Ms. MIKULSKI. Mr. Speaker, the Baltimore News American recently carried an extremely informative article on the topic of air bags and other passive restraint systems. I commend this article to the attention of my colleagues:

PASSIVE RESTRAINTS

(By Pamela Gray)

There is about a month left for Congress to accept or reject Secretary of Transportation Brock Adams decision requiring every automoble sold in this country to have automatic crash protection according to a phased-in schedule to be completed by model year 1984.

The decision would broaden the scope of possible restraint systems to be used to meet the higher standards of safety protection. Ralph Hoar, director of the National Committee for Automobile Crash Protection, stresses that Adams's decision is not a mandate only for air bags, "but for all technologies which meet the injury protection requirements."

Although it is the air bag system that is now under heavy scrutiny, the passive belts in Volkswagen Rabbits have proven successful in reducing road injuries and meeting the more stringent safety standards. There are 12,000 VW Rabbits now on the roads, and injury claims from crashes involving these cars have been reduced by 20 to 24 percent from previous cars without this system.

The voluntary seat belt system is now only 25 percent effective because 75 percent of the population is simply not using them.

During the first week in September, Susan P. Baker, associate professor in the Division of Forensic Pathology at the Johns Hopkins School of Hygiene and Public Health, will testify before Senate sub-committee hearings specially in favor of the air bags.

"I am convinced," Baker says, "that the safety and effectiveness of air bags warrants their wide-scale use as one design approach that would provide passive protection." She has been lobbying heavily for air bags since the spring, although numerous federal hearing have been conducted during the past three years.

Baker supports Adams's decision to phase-in automatic crash protection. Dept. of Transportation (DOT) estimates predict that if air bags are put in all cars, they will save more than 9,000 lives and prevent or reduce the severity of hundreds of thousands of injuries each year.

"The side crash is not the subject of the controversy," says Baker. "What the air bags are to be used for are front-end crashes which are 55 per cent of the fatal and serious crashes that now occur." She adds that along with the air bag system on the dashboard and steering wheel, lap belts would be required for extra protection in a rollover.

Testing of air bags began 20 years ago. Since 1972 about 12,000 cars with air bags have been on the road, in models of 1972 Mercurys, 1973 Chevrolets, 1974–76 Cadillacs, Buicks and Oldsmobiles, and 1975 Volvos. About 15 percent of these have been in business or government cars.

As of this August, it is not possible to purchase a new car equipped with air bags. No one is making them and it is not yet possible to fit air bags into used cars.

Estimated purchase prices for air bags vary according to the dealer, ranging from $90 to $235. But even though there is an increase in the cost of a new car, insurance industry testimony maintains that over the life of a car insurance premium savings will more than pay for any automatic restraint system. Some insurance companies already offer 30 per cent discounts on medical coverage for air bag-equipped cars.

The air bag passive restraint system has six basic parts—front bumper detector, dashboard sensor, passenger air bag and inflator, driver air bag and inflator, driver and passenger knee restraint, and lap belts.

When the car ignition is turned on, an indicator lamp on the instrument panel glows for four to six seconds. During this time a capacitator is charged to inflate the air bags in a crash even if the auto battery is destroyed. When the light goes out, the air bag system is operative.

The system is set in operation when there is a frontal crash. Sudden deceleration causes a pendulum in the dashboard sensor to move forward and close a circuit. The circuit sends a signal to the gas inflator which inflates the air bags instantly to restrain the occupants in a slow, soft manner (in combination with simultaneous deflation of the air bags.)

When a crash occurs at high speeds, the gas supply to the air bags is speeded up to provide faster protection. The bags inflate in about 1/25 of a second, so fast that if you blinked your eyes would miss the full inflation.

Today's technology has designed air bags to work just once to do their life-saving job. After use, the fabric bags, inflators and sensors must be replaced, the same as a "used" seat belt system must be replaced after a crash. In most cases insurance collision coverage pays for the air bag replacement as part of regular restoration of the auto to its pre-crash condition.

One of the greatest concerns challengers and investigators of the air bag system have shown is the possibility of accidental air bag inflation. DOT computations show that the chance of inadvertent inflation of present air bags due to system failure is about one in 3.3 billion vehicle miles traveled. Using this figure, one in 6,000 drivers might experience inadvertent inflation during 54 years of driving time.

In a report dated June 9, 1976, DOT recorded six inadvertent (non-collision) air bag inflations. One was set off by an explosion and the others by improper use. Except for one early experimental air bag, there has not been a single incident of inadvertent inflation caused by failure of the system itself.

Air bags cannot be inflated by a blow on the front of a stationary car. A vehicle must decelerate abruptly by at least 12 mph. Or, if standing still with its ignition switch on (and air bags activated), the car would have to be impacted frontally at 24 to 25 mph or more by a vehicle of the same weight and mass giving the air bag sensor the same signal as it would receive if the air bag car struck a fixed object.

Even if an air bag were to inflate inadvertently, tests have shown that the driver's vision would not be obstructed sufficiently for him completely to lose control of the steering mechanism.

A parked auto whose engine has been turned off for about 10 seconds will not inflate its air bags if hit in the front bumper area. This 10-second period is enough time for front seat occupants to leave their seating positions. During this time, the air bag capacitor discharges itself, neutralizing the system until the ignition switch is turned on again and the capacitor-charging process is repeated.

Besides the objections to air bags in terms of cost and accidental inflation, critics have most recently balked over the chemical, sodium azide, used in the air bag system. At the time of a crash cannisters of sodium azide ignite and chemically react producing nitrogen gas to inflate the air bags. Sodium azide is now widely used for medical purposes, both as a preservative agent and as a blood dilutant.

Sodium azide can explode if it comes in contact with lead or copper. However, Susan Baker explains that the chemical is secure in special steel cannisters. As far as the possibility of these cannisters being dangerously exposed in junked cars, Baker points out that old gas tanks and batteries in the junkyard are equally hazardous.

Air bags prove exceedingly valuable in the prevention of high speed crash injuries because belt systems are known to fail beyond 25 to 30 mph impacts. Shoulder belts actually begin inflicting chest injuries in higher speed impacts, and no belt system protects the head and neck from whiplash.

"In the final analysis," says Baker, "it is a societal obligation on the part of health officials to make a product so that it doesn't kill people. We've got the technology to do this now." If Congress vetoes Adams' proposed phased-in crash protection program, it will be another two years before the subject will be broached again.

STATEMENT IN SUPPORT OF HOUSE CONCURRENT RESOLUTION 60, AUTHORIZING A BUST OR STATUE OF MARTIN LUTHER KING, JR., TO BE PLACED IN THE CAPITOL

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 26, 1977

Mrs. COLLINS of Illinois. Mr. Speaker, I am gratified to note that on September 26 the House passed House Concurrent Resolution 60, which authorizes the procurement of a statue or bust in honor of the late Dr. Martin Luther King, Jr., for display in the Capitol.

I personally find it deplorable that, despite the many rich contributions to the culture, science, history, and politics of the United States made by black citizens, not one of the 681 works of art displayed in the Capitol memorializes a black American. Dr. King, who gave his life for the cause of nonviolent progress toward the goals of liberty and justice, most surely deserves to be commemorated alongside those leaders who, like himself, placed their faith in the American Constitution and way of life.

I hope that this statue will be prominently displayed, where it can be seen and can serve as an inspiration to all those who admire Dr. King and what he stood for.

EMERGENCY LEGISLATION

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. STUDDS. Mr. Speaker, I am today introducing emergency legislation—legislation acceptable to all parties concerned—to extinguish all Indian claims to home-owned land of 1 acre or less in the town of Mashpee, Mass.

For 13 months, litigation has been pending in the U.S. District Court for the District of Massachusetts which has asserted a claim on behalf of the Mashpee Indians for most of the town of Mashpee. The existence of this suit has clouded title to individual residences in the town, and has resulted in severe economic hardships for hundreds of homeowners. In August, the Mashpee Indians amended their suit to indicate that no relief would be sought from any defendant respecting the right to possess any tract of land on which the dwelling of the defendant was located on the date the suit was filed.

Because of this recent Indian action, and because of the severe economic and human hardships which have resulted from the clouded titles to the homes in Mashpee, it now appears possible to win approval for this desperately needed legislation to clear title to the homes of the residents of Mashpee. It is my understanding that this measure is supported by all parties to the litigation, and that it is not opposed by the Interior Department or any other agency of the executive branch.

Federal law requires congressional action to extinguish the rights of Indians to file claims for land. This particular bill is not meant to alter, prejudice, or influence in any way the rights or obligations of any party to litigation related to this or any other Indian land claims, except as specifically cited in the legislation.

Interior Department officials have informed me, and legal counsel to the Mashpee Indians have agreed, that the language in the bill will not affect the right of the Indians to seek compensation for any valid land claims which they might have. The bill seeks solely to free the residents of Mashpee from the economic disruption caused by the cloud currently placed over all residences in the town, and it seeks to accomplish this in a manner satisfactory to all parties concerned.

Mr. Speaker, very little time is left in the current session of the Congress. It will be extremely difficult—even with the cooperation of everyone involved—to have this legislation approved before the end of the year. I would argue very strongly, however, that for more than a year the citizens of Mashpee have experienced unique and overwhelming hardships, and that Congress has a responsibility to do everything possible to ease those hardships. Given the noncontroversial nature of this bill, and given the severity of the problems faced by the residents of Mashpee, I am hopeful that a truly extraordinary effort in behalf of this humane proposal will be forthcoming.

YOUNG ISRAEL EMPLOYMENT BUREAU

HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. ZEFERETTI. Mr. Speaker, today, I join with my colleagues in wishing to insert into the RECORD a commendation by the Council of Jewish Organizations in Civil Service, Inc., to the National Council of Young Israel, whose record in on-the-job training program could serve well as a model for similar programs. I commend the statement to your reading:

STATEMENT

In times when critics arise to find fault with government sponsored programs designed to alleviate unemployment, it is incumbent upon us to state for the record those exemplary achievements that give credit to the United States Department of Labor. As an example of a viable outstanding program, we submit the record of the Young Israel Employment Bureau, a nonsectarian undertaking sponsored by the National Council of Young Israel with its national headquarters in New York City and branch operations in 17 states. It operates employment bureaus in five states: New York, Ohio, Michigan, Missouri, California, and Florida.

In 1929, it established its first Employment Bureau designed to find jobs for all people regardless of ethnic background. During and immediately after the war years, it added a Veterans Division to the Employment Bureau with the particular concern with the unique problems of the returning veterans, in the field of education, employment, and social adjustment. In 1966, the Employment Bureau applied to the United States Department of Labor and received its first federally funded On-The-Job Training Program (OJT). Subsequently, it has successfully executed 12 employment contracts under Ephraim H. Sturm, the founder and director of the program.

With the advent of CETA, they spun off their national programs in Los Angeles and in Dade County, Florida as independent CETA operations. Albeit, the records will clearly indicate that the local CETA programs are far more costly than the same operation when administrated as part of the national program.

This program called for placing 70 people in each of the above cities with reimbursement for training costs to be given for 35 slots in each area and the additional 35 slots in each area for non-reimbursable OJT. Each area was serviced by one job developer at $9,816.00 annual salary or $188.76 per week, and a secretary with the annual salary of $6,165.00 or $118.55 per week. This is far lower than the normal amount of $15,000 for a job developer and $8,500 for a secretary. In addition, there are the normal fringe benefits which amount to approximately 9 percent.

Reimbursement averages $600 per trainee. On a matching one to one basis this means actually that the reimbursement cost is only $300 per trainee. The normal amount of reimbursement nationally and under CETA is well over $1,500.

The National Program was continued with Detroit, Cleveland, and St. Louis as bases. On July 14, 1977, they completed the program with 120 percent record.

The entrance rate ranged from the $3 minimum requirement to $6 for reimbursable trainees and from $2.90 to $4 for non-reimbursable ones.

The trainees were placed in the type of program which will lead to the learning of a particular skill and talent. The following are examples of the type of positions in which trainees are placed: office machines, mechanics, carpet cutters, clerk-typists, orthopedic shoe fitter, auto-mechanics, secretaries, bookkeepers, metal fabricators, butchers, machinists, medical assistants, geriatric nurses, jewelers, store managers, security officers, etc. We note that in the forseeable future these areas will need workers.

This OJT Program including the reimbursable funds costs only $185,656.00.

One can't judge statistics without yardsticks. Let's, therefore, suggest the following: the average retention rate is approximately 60 percent, 70 percent is considered good. Their retention rate is over 90 percent.

The mean cost for reimbursement for training is $1,500, theirs is $300 with the training period being equal. CETA programs are happy with an 80 percent performance and theirs is over 100 percent, normally 120 percent.

On July 15, 1977, the United States Department of Labor once again recycled the Young Israel Employment Bureau National Program for the above mentioned three cities. It is to the credit of the United States Department of Labor for recognizing the Young Israel's national program service as a yardstick in evaluating the efficacy of the local CETA sponsored programs. We wish to acknowledge the astuteness of the Honorable Ernest Green, the Assistant Secretary for Employment and Training, and his staff for recognizing the uniqueness of dedication and achievements of the Young Israel National OJT Programs.

We enter this document in the CONGRESSIONAL RECORD to indicate the progress and achievement that can be obtained by experienced, dedicated employment service under the sponsorship of the United States Department of Labor.

CONSUMERS CHOICE

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. ABDNOR. Mr. Speaker, last week over 230 beef producers from the State of South Dakota came to Washington for the last in a series of hearings on meat imports before the International Trade Commission. They were asking the help of the Commission in correcting conditions which have made the United States the dumping ground for the world's surplus beef.

Quite frankly, Mr. Speaker, what they were asking was some moral support in continuing the economic viability of the cattle industry which has made it possible for Americans to become accustomed to plentiful supplies of reasonably priced meat in their diet.

The average consumer will find it hard to believe this supply could be seriously threatened, but unlike the Federal Government, if the cattle producer cannot make enough money to cover his expenses he is going to have to quit the business. And, quitting business is what a lot of producers are facing.

I have repeatedly pointed out 14 loopholes in the meat import laws which need to be tightened so that the law can do what it is supposed to: provide reasonable protection to domestic livestock producers from "unwarranted imports."

Note, I say "unwarranted" imports, because we all recognize that America must import if it is to export.

The Rapid City, S. Dak., Journal in a September 23, 1977 editorial stated the producer's argument well. I commend it to the attention of my colleagues as they strive to best serve their constituents—the consumers of meat.

The editorial follows:

BEEF IMPORT LAW FLAWS NEED TO BE CORRECTED

South Dakota's cattle producers and the state's congressional delegation have presented a strong case for changing laws which presently govern meat imports.

In a series of hearings before the International Trade Commission, begun in June in Rapid City and concluded Wednesday in Washington, the South Dakotans, and representatives from other meat producing states, pointed out flaws in the Meat Import Act of 1964.

Those flaws should be corrected to protect the cattle industry, a basic and important industry in South Dakota. The threat is real that continued depressed beef prices will force many cattle producers out of business.

The cattlemen and legislators listed a number of things in the current system that need correcting, but their No. 1 concern was with beef import quotas.

At present, when domestic beef supplies are high and prices low, imports are allowed to increase, to put even more beef on the market. And when domestic supplies are low and prices high, the import quota can simply be suspended to allow importation of a virtually limitless amount of beef.

If your first reaction is "huh"? you are likely to agree with the cattlemen that that system doesn't make much sense.

What makes more sense is the proposal that import quotas be tightened when domestic supplies are high, and expanded when domestic supplies are low. That would guarantee an adequate supply of beef and also allow the cattlemen a fair profit at the market price.

The Trade Commission, an independent agency created by Congress, will consider the testimony presented and report its recommendations to Congress.

That is when residents and legislators from the beef producing states will face their biggest challenge: persuading Congress that the statutes need revising.

And that won't be easy. Many congressmen, especially those from urban states, are under constant pressure from home to keep food prices down.

They must be convinced that relatively higher beef prices are preferable to the alternative: an uncertain supply of domestic beef.

WILLIAM BUCKLEY CRITICIZES EARNING LIMITATIONS

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. SIMON. Mr. Speaker, I am inserting into the RECORD the column of William F. Buckley, Jr. regarding the congressional earning limit.

There is no question that there are serious inequities in the present earning limitations. Like some others in the House, I voted for it only because complete in-detail disclosure of income—which I believe to be a better solution—was not part of the package.

In addition, the disclosure laws we have voted do not include a requirement for disclosure of income by a spouse and minor children.

A much more sensible answer for the House and the Senate is to require detailed income disclosure by the officeholder and by his spouse and minor children.

My colleague from Illinois, Congressman GEORGE O'BRIEN, and I are cosponsoring a measure which would call for the detailed income disclosure that ought to be required of all sitting Members of the House and Senate.

And that detailed disclosure must be exactly that: Detailed. That means if a Member of the House or Senate is practicing law, he or she must list the clients and the money paid by the clients. For those who immediately will try to hide behind the canon of ethics, this should be made prospective, and any lawyer can tell his or her clients in advance that he or she will be happy to serve them but he or she will have to list their names and the amounts paid to the lawyer. That violates no canon of ethics anywhere.

We have some disclosure, but not enough. We have some earnings limitations, but inequitable limitations. We say that if you inherit oil stocks and make $500,000 a year in dividends on those oil stocks, that is perfectly all right, but if you make 10 lectures at 10 universities at $1,000 apiece, that is somehow unethical.

The fundamental protection for the public is detailed disclosure, and anything beyond that, or less than that, is a less than happy solution.

I hope my colleagues will read the article by William Buckley:

CONGRESSIONAL EARNING LIMIT: 'TWAS A MISJUDGMENT

(By William F. Buckley, Jr.)

I wish to atone for what I now conceive as a misjudgment, namely my public support of that provision in the federal wage increase package last January which forbids members of Congress from earning more than $8,000 per year from extra-curricular activities.

Oh, the rationale sang sweetly to the ear. And, indeed, there was a philanthropic intention: Salaries at the highest levels of government were just too low, and it was becoming increasingly difficult to attract non-ascetic types who had obligations to their families to give them the kind of education and shelter which are not available in Washington at 44 grand before taxes. The practice, as we all know, had been for the most energetic congressmen and senators to eke out their living by doing other things.

Under the new law, they will be limited to earning 15 per cent beyond their current salaries (they were raised to $57,500) through extra-legislative activities. I think this wrong both in terms of what it does to congressmen, and what it denies congressmen the right to do for others.

The subject came up during a recent lecture trip when I learned from my hosts that it had become increasingly difficult to engage the services of interesting congressmen or senators to speak. The reason was obvious: after earning $8,000, a congressman may earn no more. He faces the alternative of going to Northwest Louisiana University to give a speech on his current preoccupations—or staying home.

It is the planted axiom of the Ethics Committee's bill that, staying at home, the congressman will devote the time he would otherwise spend talking to students and citizens at Natchitoches (La.) re-reading the *Federalist Papers*, or studying up more carefully for tomorrow's committee meeting.

This does not, of course, follow. All that is absolutely known about the effects of the interdiction is that (a) the students will not get a chance to hear and question Senator Smith; (b) Senator Smith will not get a chance to hear the questions of the students; (c) Senator Smith will be deprived of $1,000 of income (assume that the fee is $2,000); and (d) the taxpayers will be deprived of a thousand dollars of income.

That last point, by the way, is ironically relevant in respect of high-earning congressmen or public servants on the order of Patrick Moynihan, John Kenneth Galbraith, or all those congressmen who used to practice law: in many cases, by their extra-curricular activities they returned to the government sums of money in excess of that paid them for their work in government. In a way, the republic was getting their services for nothing.

In opposing the Ethics Committee bill, Senator James Buckley argued last December that it was objectionable on several grounds. For one thing it constituted a preemption of a property right. It is by no means obvious that anyone can contract for all of someone's services—there is an unhealthy feel to such a Faustian contract.

For another, Senator Buckley felt that the measure failed lazily to confront the relevant distinctions. It is one thing to frown on the senator who sits on the Maritime Committee and is offered a large fee to give a speech to the Seafarers' Union. It is another to serve on the Maritime Committee and appear as a lecturer at a series sponsored by Northwest Louisiana State College.

Senator Buckley's successor, Daniel Patrick Moynihan, opened the floodgates on his tumultuous emotions when his colleague, Senator Adlai Stevenson, proposed that excess campaign funds should not be permitted to be used for office expenses. The Stevenson proposal was defeated, but not before Senator Moynihan had railed against the Senate for desiring to make a "pauper" out of him, having already, earlier in the year, stripped him of an earning capacity as a lecturer that had fetched him $150,000 during his last year as a free agent. A poetic fine, perhaps, for depriving the nation of the services of his distinguished predecessor.

In the last analysis, there is no substitute for giving public servants the right to make their own decisions—and then spotlighting these decisions so that their ethical adequacy can be evaluated by their constituents.

One fears, looking back on it, that unpleasant motives figured in the devising of the bill. Rich congressmen are indifferent to the problems of poorer congressmen. And congressman whose oratorical gifts are never bid for by Northwest Louisiana College are adept at writing regulations governing the activities of those of their colleagues who are.

NATION'S POLLUTION CONTROL EXPERTS GATHER IN PHILADELPHIA FOR 50TH ANNUAL CONFERENCE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. EILBERG. Mr. Speaker, this week the Nation's leading experts on stream protection have gathered in Philadelphia for the 50th annual conference of the Water Pollution Control Federation.

City Water Commissioner Carmen F. Guarino is serving as the official host to

the 11,000 sanitary engineers, public officials, and scientists from the United States and abroad who are attending the convention at Philadelphia Civic Center. The experts are exchanging views and studying legislation designed to upgrade the Nation's water resources.

One of the highlights will be the keynote address by Douglas M. Costle, the new national Administrator of the Environmental Protection Agency, who will discuss the outlook for further improvement of the Nation's water sources. Also scheduled to speak at the conference is Ruth C. Clusen, national president of the League of Women Voters.

The conference will be highlighted by over 700 exhibits by American industries, showing the most advanced technologies for collecting, treating, and disposing of liquid wastes. There will be 34 technical sessions conducted by 340 wastewater experts.

Mr. Guarino predicts that "many important ideas will come out of the technical sessions," during which speakers will outline new technologies to convert digested wastewater sludge into new products, transform it into energy, or dispose of it safely either in the ocean or on the land, and to upgrade wastewater treatment plants, control industrial wastes, reduce storm overflow from sewers into streams, and computerize wastewater plants and sewer systems.

The conference will also take a close look at impending amendments to national water quality laws and at ways to pay the huge cost for improving lakes and rivers.

As one of the highlights of the weeklong conference, Water Commissioner and Guarino and visiting water pollution experts inaugurated a new technique designed to save money and improve sewage treatment at the northeast water pollution control plant.

With Horace L. Smith, president, and Robert A. Canham, executive secretary of the Federal pushing the starting lever, the department put into service 22 giant rotating rollers which will gently resolve in sewage flowing through aeration bays, as the first step in a $146 million modernization of the plant.

The new polyethylene rollers, 25 feet in length and 12 feet in diameter, have been installed in two bays of an aeration tank at a cost of $1,917,000. The Commissioner said the rollers represent "an efficient, low cost method" for upgrading old sewage plants. Guarino said:

Although variations of such rollers have been used by other communities, "Philadelphia's Surfact units will be used in a unique way that will require no additional energy, since they will rotate under the force of air already supplied to the aeration tanks. No other community has done this.

Guarino said that the Surfact units will also:

Produce less sludge than conventional treatment systems:

Remove nitrogen, as well as carbon, from sewage, without the expensive two-stage process required by conventional systems;

Require only a modest capital investment;

Combine with the biological process in aeration bays to unite two different methods for more effective treatment, and

Upgrade treatment by removing over 90 percent of pollution from sewage, as measured by biochemical oxygen demand, compared to 65 percent previously.

Guarino noted that the Surfact rollers operate on a well-established principle—as they rotate through the sewage flow, they pick up a film on which aerobic bacteria grow. The bacteria then oxidize the sewage, converting it into other elements.

The idea of operating such rollers by utilizing existing air in aeration bays—rather than powered mechanical drive in a different kind of tank—originated with Commissioner Guarino when he noted that energy supplied to aeration bays was not being fully utilized by aerobic bacteria.

"The units appear to fulfill our goal of improving the old plant, while saving the public as much money as possible," Guarino said. Pilot units were tested previously.

Guarino said that the city's plans include modernization of the existing northeast plant, and the construction of a new plant alongside the old one. The estimated cost for the new plant is $91 million and that for the old plant $55 million.

The 22 units put into service will treat about 20 million gallons of sewage daily. If the units prove successful, the water department will install similar units in all aeration bays at the northeast plant.

At present the plant receives about 190 million gallons of sewage daily. This, plus additional flows expected in the future, would be split between a new plant and an upgraded old plant. The two plants together will be able to treat up to 250 million gallons daily.

CARCINOGENS HAZARDOUS TO WORKERS

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. CARTER. Mr. Speaker, I would like to include for the RECORD an article about a recently completed study for which the National Institute for Occupational Safety and Health had contracted to determine what carcinogens in which industries are most hazardous for workers.

As we in Congress support the very critical work of finding the causes of cancer and, if possible, eliminating them, I believe this information would be of interest to many others concerned about the on-the-job hazards for America's working men and women.

I offer for the perusal of the Members this excerpt from the September 23 issue of Science magazine:

CARCINOGENS IN THE WORKPLACE: WHERE TO START CLEANING UP

(By Thomas H. Mauch II)

The most hazardous industry in the United States, in terms of exposure of workers to carcinogens, may well be the manufacture of scientific and industrial instruments, according to a study prepared by John Hickey, James Kearney, and their associates at Research Triangle Institute for the National Institute for Occupational Safety and Health (NIOSH). The fabricated metal products industry was rated second most hazardous, and the manufacture of electrical equipment and supplies third. The chemical industry, which many people would consider an odds-on choice to head the list, was ranked a lowly 12th.

The study* was designed as a first step for controlling exposure of workers to carcinogens. But because of NIOSH's limited resources, it was first necessary to identify those industries where the potential hazard is the greatest, and therefore where the maximum effort should first be exerted.

The rankings in the study are based on two separate sets of data: the total amount of exposure to carcinogens, and the relative potencies of the carcinogens. The relative potencies of the carcinogens were estimated as accurately as possible from a comprehensive search of the available literature. The ranking for carcinogenic potential took into account the time required for tumors to appear after exposure to the carcinogen, the minimum amount of carcinogen required, and the method of administration. Some of the available data about individual carcinogens are contradictory and some are incomplete; most of the information, furthermore, is based on studies with animals. Each of these areas represents a potential pitfall of the study, particularly the need to extrapolate animal data to human exposures. But the data used, the report emphasizes, are the best now available.

The investigators ranked some 86 industrial chemicals according to their carcinogenic potential. The ten most potent chemicals, the report concludes, are N-nitro-sodiethylamine, thallium, chromium, asbestos, nickel, coal tar pitch volatiles, methyl methane sulfonate, acetamide, yellow OB, and ethylenimine.

Information about the exposure of workers to carcinogens was obtained primarily from NIOSH's National Occupational Hazards Survey (NOHS). For this $6-million, 3-year study—which has not yet been completely published—a group of engineers went to manufacturing facilities throughout the country to determine, among other things, how many workers in each type of plant are exposed to chemical agents, what those agents are, how the exposure occurs, and the length of the exposure. Data from this survey were then combined with data on carcinogenic potential to produce two new lists, one ranking carcinogens by a combination of exposure and potency and the second ranking industry by the amount of exposure to carcinogens and suspended carcinogens.

In the first case, the investigators combined potency, amount of exposure, and annual production to conclude that the ten most hazardous industrial chemicals are, in order, asbestos, formaldehyde, benzene, lead, kerosene, nickel, chromium, coal tar pitch volatiles, carbon tetrachloride, and sulfuric acid. Similarly, the potency of the materials and the amount of exposure to them was used to rank American industries.

The new results differ from the conclusions of previous studies. Hickey tells *Science*, because those previous studies generally considered only the volume of the carcinogens and not the amount of exposure. Previous studies have ranked the chemical industry very high, for example, because it manufactures hazardous materials in lots of tons or more. But the large quantities of materials may actually be manufactured by only a very

*The Development of an Engineering Control Research and Development Plan for Carcinogenic Materials (Government Printing Office, Washington, D.C., in press).

small number of people, so that consideration only of the volume of carcinogens grossly overestimates the potential hazard.

In contrast, Hickey says, the manufacture of scientific and industrial instruments requires relatively small amounts of carcinogenic materials. But these materials are used in the hand fabrication of devices, so the total exposure—and thus the total risk—is very high. The fabrication of metal and electrical products both rank high for the same reasons. Hickey emphasizes that the total amount of hazard is very similar in the top ten industries, and the actual rankings could be altered by undiscerned factors such as the discovery of previously unrecognized carcinogens. But there seems little doubt, he adds, that these are the industries where research and cleanup efforts should first be directed.

The single most severe problem in many industries, the report says, is the presence of carcinogenic dusts in the workplace. These occur in the dry mixing of paints and pesticides, for example, and in many other processes where solids must be mixed. A major effort is thus needed, according to the report, to develop new ways to enclose the entire system of dry materials production, mixing, and transfer.

Another severe problem that seemingly could be easily solved is better venting of areas where carcinogens are used. In many cases, the report says, the venting system now in place does little good and, in some instances, it even blows carcinogens back in the faces of the workers. More attention apparently also needs to be given to the use of masks and protective gear now used only infrequently.

It must be emphasized that the Research Triangle Institute report is basically a library study. The investigators neither visited factories nor tested potential carcinogens. They also did not use any data about occupational cancer in the studied industries; many of the most potent carcinogens, in fact, have not been in use for the 25 to 30 years that would be required for cancers induced by them to begin showing up. It is also possible that better controls have been established in some industries since the NOHS study was conducted. Nonetheless, the results will give NIOSH a good idea where to begin emphasizing control procedures. The study should also give pause to many executives who now think they run clean industries.

AIR BAG "12 MPH CRASH" IS NOT REALLY 12 MPH CRASH

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. SHUSTER. Mr. Speaker, I previously reported that in 230 towaway accidents of air bag equipped cars investigated by the National Highway Traffic Safety Administration (NHTSA), the air bag did not inflate in 97 crashes, or 42 percent of the time. This fact, even though confirmed and reconfirmed by NHTSA—the same agency pushing the air bag/passive restraint mandate—has been dismissed by NHTSA and the air bag lobby as insignificant, since they say that air bags were not supposed to inflate in those cases.

In a debate on the September 27, 1977, Good Morning America television program, air bag lobbyist Ralph Nader responded to my recitation of this fact by saying,

The fact is that the airbag is designed not to deflate (sic) in low collision impact crashes such as under 12 miles per hour.

He later stated on the same program,

The airbag has inflated in crashes where it was designed to inflate—above 12 miles per hour collisions it has worked perfectly.

Mr. Speaker, this statement by Mr. Nader—which I have quoted directly from a tape of the program—is simply not true, and it is time this is brought to the attention of our colleagues in the Congress.

The air bag sensor is designed to activate the air bag in crashes achieving 12 mph "rigid barrier equivalent impact speeds." This must not be confused with 12 mph crashes, because they are not the same thing. The "rigid barrier equivalent impact speed" can be defined as the speed at which the automobile stops, rather than the speed at which it is traveling at the time of impact. It is determined by the amount of kinetic energy that is absorbed by the automobile and the barrier—or second car—at impact.

A car crashing into a "rigid barrier"—that is, a concrete wall about 4-feet thick that absorbs no energy—head-on at 12 miles per hour, would have a barrier equivalent impact speed of 12 miles per hour. However, a car crashing into an identical parked car would have to be going 24 mph to achieve a barrier equivalent impact speed of 12 mph, since the parked vehicle would cushion the impact and absorb half the energy.

If a car were travelling down a freeway at 60 miles per hour, and hit the rear-end of an identical vehicle travelling 40 miles per hour, the kinetic energy would be evenly distributed between the two cars so that each would attain a barrier equivalent impact speed of only 10 mph.

Thus, it is clear that a car could conceivably be travelling at 50 or 60 miles per hour and above and, under certain circumstances, not achieve a barrier equivalent impact speed of 12 miles per hour, as required for air bag inflation.

Another excellent example is the crash in Virginia involving an air bag-equipped Cadillac, which was recently reported in several newspapers, including the New York Times. The Cadillac was traveling at about 25 miles per hour when it crashed into a parked truck. The air bag did not inflate, because the barrier equivalent impact speed was under 12 miles per hour. Nevertheless, the driver sustained severe neck and spinal injuries for which she is still being treated—2½ years after the accident.

Another example is a park police vehicle which was forced off the roadway travelling between 40 and 50 miles per hour. The cruiser hit nine trees in its path, the last of which was large enough to stop the vehicle and prevent it from being hurled into the river. The air bag did not inflate. Nonetheless, frontal damage to the car amounted to over $2,000 and the officer driving the car was taken to the hospital in an ambulance and sustained cracked ribs and back, neck, buttocks, and coccyx injuries which are still giving him trouble today—4 years after the accident.

Mr. Speaker, there are many other examples of accidents involving cars travelling well over 12 miles per hour in which the air bag "was not supposed to inflate" which nevertheless resulted in severe injuries. Should these accidents be dismissed because of a technicality? Should we find comfort in the fact that the air bag "was not supposed to inflate" in these crashes?

When the air bag lobby blithely dismiss the alarmingly high noninflation rate of air bags with the argument that air bags are not designed to inflate in crashes below 12 miles per hour, I urge you to keep in mind that an air bag "12 mph crash" is not really a 12 mph crash.

PRESIDENT CARTER'S ENERGY PLAN—A GOOD FIRST STEP

HON. ROBERT W. EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. EDGAR. Mr. Speaker, I would like to share with my colleagues an address I delivered at a recent energy conference in Philadelphia. I believe the address is a useful document in explaining some of the more controversial provisions of the President's National Energy Act:

PRESIDENT CARTER'S ENERGY PLAN—A GOOD FIRST STEP

(Keynote Address of Congressman ROBERT W. EDGAR)

I appreciate the honor of appearing before this Conference to speak in favor of the President's Energy Plan. You, as opinion leaders and decisionmakers of the scientific, academic, business, nad governmental communities have already played an important role in shaping energy policy. Elected officials in Washington can enact the laws, but our energy problems will not be solved in Washington. They will be solved, to a great extent, only with a commitment from people like you and those you influence. It will not be an easy task for a majority of members of both Houses of Congress to agree word-for-word on language which will comprise the major share of a national energy policy. There are 535 Members of Congress, and they have 535 different solutions to our energy problems. Our representative democracy is a form of government which was not designed for efficiency. I know it will be as difficult for you as it is for me to accept the wisdom of every provision in the bill which eventually receives the signature of the President to become the law of the land.

This is an important opportunity for me to explain the need for the President's bill to those who I expect to look at this legislation critically. It isn't enough to say that the energy problem is the "moral equivalent of war" and expect you to accept legislation, without justification of its provisions. I know I can count on you to judge my support for these provisions with the "show me" critical attitude which you must have, or you wouldn't be the successful decision-makers that you are. I expect tough questions following my presentation and that of my colleague from New Jersey.

I would like to take a moment to thank the Conference organizers—Dr. Dees, Dr. Eidson, Dr. Eisenberg, Dr. Poziomek, and Dr. Ratchford—for inviting me. I'd like to mention that Dr. Eidson is an active member of my Energy Advisory Committee. I organized that group of energy experts earlier this year to help bring me up-to-date on

energy issues, and to help me weigh the pros and cons of the many policy options available in responding to our energy problems. This group has done an excellent job educating me about many aspects of our energy situation; the prospects of wind and solar energy, the economic impact of natural gas pricing, the environmental costs of increased coal production, and other issues which are part of the energy picture.

I point out the work of my Energy Advisory Committee as a way of saying that I do not consider myself to be an energy expert. I do not claim to know all the answers about how to solve the problems of meeting our energy demand. I rely heavily on the advice of my constituents, my staff, representatives from special interest groups such as industry, labor and environmental organizations, and my colleagues in the Congress to help me focus on what the problems are and how to solve them with a minimum of economic and social cost, and in a fair manner. I come frequently to my Congressional district to find out what is on the minds of those I represent. I have held both an energy public forum and an Energy Awareness Day to find out specifically what support there is for a creative and aggressive response to energy problems. I am gratified that most citizens are willing to make personal commitments. They are willing to turn down their thermostats, and to insulate their homes. They are willing to buy more fuel-efficient vehicles and appliances. But in exchange for this, those I represent demand that our energy policy be fair. They are outraged by the prospect of any single group benefiting from this crisis, or escaping their share of the burden of sacrifice. They do not want to see exemptions in this legislation unless those exemptions are clearly in the national interest, and not merely the price of political support from a special interest group. I am convinced that fairness is the most important asset of a national energy policy, and I believe the President's proposal gets high marks in this regard.

Most experts agree that our energy problems are real and growing. We have, during the last few decades, undergone a transition from a coal economy to an oil and gas economy. Oil and gas were cheap, abundant, and easily transportable. Our demand for these two fuels continues to accelerate. Yet at the same time, our domestic production of these fuels peaked early in this decade, and has been declining ever since. We began relying on cheap imports of crude oil to satisfy our need for cheap energy. We did not count on political developments which occurred four years ago which made these imports costly, and subject to supply interruption. Most of us remember not too fondly the impact of the OPEC embargo when lines at gasoline stations were almost as long as the Alaskan pipeline. Following that embargo, oil prices charged by OPEC nations quadrupled. OPEC oil not only fueled our furnaces but also fueled inflation. Our economy is still recovering from the recession caused in large part by the OPEC embargo and subsequent price increase.

Even without the political realities of the OPEC cartel, we are running out of oil. Every day, the world converts oil, which took hundreds of millions of years to form, to water, carbon dioxide, and smaller amounts of other products, at the rate of sixty million barrels per day. Oil consumption in the world is increasing at a rate of five percent each year. This means that the world has to increase supply by three million barrels per day just to meet the growth in demand. To do this, we would have to add the equivalent of another Texas, producing at its peak, every single year. There may be new Texas's in the short term—Prudhoe Bay, the North Sea, and Siberia are examples. But there is simply not enough oil out there undiscovered to meet demand in the long term, and certainly not at the prices we were accustomed to during the middle of this century.

As long as we rely on imported energy for a major portion of our needs, we will be vulnerable. Still, I understand that surveys show that most citizens aren't aware that we even import crude oil, let alone that we have imported as much as 50 percent of our needs during some weeks this year. Our bill for imported energy will exceed $40 billion this year. The present situation is totally unacceptable, and there is little reason to believe that the future will be brighter without strong leadership and a sustained national commitment by every citizen.

That brings me to the President's Energy Plan. This plan, in my opinion, is only a first step in meeting the challenges of providing the energy we need, while at the same time eliminating the energy waste which is so prevalent in this nation. Few, if any, of my colleagues in the Congress support every provision of the 283-page National Energy Act which President Carter sent to the Congress five months ago. I felt that the bill had major shortcomings. The most striking and disappointing one, in my view, was the fact that the bill neglected to revitalize our transportation system. Historically, moving people and goods in this country has been done with little regard for energy efficiency. Our public transit system is crumbling; billions of dollars are needed just to maintain existing service in our urban centers. A majority of our commuters drive alone in a two-ton vehicle to work. Many of these workers could form carpools and vanpools to save energy. Others could and would use public transit if it was available and efficiently run. The only people I know who benefit from our present transportation policy sit around the boardroom of the OPEC cartel.

A quarter of our energy is used in transportation. The President missed an important opportunity to reverse the national policy which elevates the concrete cloverleaf to the status of national flower, and which makes the suburban bus as rarely seen as an Edsel.

However, I generally support the spirit of the President's energy program. I worked with my colleagues in the House to improve and fine-tune some of the bill's provisions. On August 5th, I voted to approve the bill and send it to the Senate.

The National Energy Act is a comprehensive and coherent set of proposals with four major emphases:

(1) energy conservation and increased fuel efficiency;

(2) energy pricing which encourages new production at a price affordable by consumers;

(3) switching from scarce oil and natural gas to more abundant coal;

(4) expansion of nuclear power as a last resort, until solar and other renewable and high technology sources can be harnessed.

For each of these objectives, the President's bill combines a balanced set of proposals that includes the use of regulation, advanced technology, taxes, and voluntary efforts. It avoids the excessively high prices for energy which could result from allowing a foreign cartel to dictate market prices. It tries to avoid a climate of excessive regulation. And it calls for the achievement of seven national energy goals by 1985:

(1) reducing the annual energy growth rate to less than 2 percent;

(2) reducing gasoline consumption by 10 percent;

(3) reducing oil imports to six million barrels per day;

(4) establishing a billion barrel oil reserve;

(5) increasing coal production by two-thirds;

(6) insulating 60 percent of American homes and all new buildings; and

(7) using solar energy in more than 2.5 million homes.

I agree with many reports published since April that these goals are not achievable solely as a result of the President's energy bill, and perhaps not at all. Given our recent history of doubling oil imports in five years, just holding the line on these imports would be quite an achievement, but we must do better than that. There may not be the capacity in the coal and coal transportation industry to increase coal production by two-thirds, and burning this coal could bring with it environmental hazards. However, these goals are a good place to start. Some of the institutional obstacles to achieving these goals could be removed should we commit ourselves with the zeal that characterized the Apollo project. The President challenged us with his assertion that our energy problems should be faced with the "moral equivalent of war". It is certain that without strong leadership by opinion leaders and support by all citizens, these goals will not be reached regardless of the achievability of these goals.

Four of these seven goals involve energy conservation, which is the first part and the cornerstone of the President's bill. I agree with the President that conservation deserves the greatest concentration of effort, since saving a barrel of oil equivalent will almost certainly be cheaper and less destructive environmentally than producing a barrel of oil equivalent. The bill would make the United States a world leader in energy conservation, an area where we lag embarrassingly far behind other industrialized nations. At the same time, the bill would enhance economic growth, promoting job opportunities in the energy conservation industry, and maintaining our high quality of life. Without an effective conservation effort, a lower standard of living would be almost assured, as billions of dollars in purchasing power would be siphoned into energy production.

Business and industry have already embarked on ambitious programs to conserve energy. They are doing this for more than patriotic or public relations reasons. The fact is that conservation is good business. It is a high yield investment which promises significant dividends in a short period.

Today, much of our energy is used by individuals, especially in heating and cooling their homes, using appliances, and automobiles. Energy conservation in this area can have major and continuing benefits, and the energy bill proposed by the President tries to maximize this benefit.

The President proposed two separate taxes related to auto usage. The House endorsed the President's proposal for a tax on gas-guzzler automobiles to supplement existing fleet-average fuel-efficiency standards. The Senate Energy and Natural Resources Committee went a full step further last week by banning the manufacture of autos which do not achieve at least 16 miles-per-gallon by 1980. However, this week the Senate Finance Committee struck the Carter tax from the bill.

More controversial has been the gasoline tax. I opposed the President's standby gasoline tax, because I do not feel that a small tax will result in measurable gasoline conservation. A large tax, while more effective, would have devastating effects upon our economy. I did support a five cent non-rebatable gasoline tax to finance transportation programs which would have substantial energy conservation impacts. The House soundly defeated this tax, virtually guaranteeing that the United States will continue to have the best highway system in the world—and one of the worst transportation systems. This tax would have cost the average family $50 per year, a small price to pay to meet long-range national needs for public transit, bridge repair, and related programs. Right in this area, the citizens served by SEPTA would have been one of the prime beneficiaries of this gasoline tax.

The President's bill would also authorize an insulation tax credit for homeowners, require utilities to offer a weatherization service to their customers, and expand the existing weatherization program for low-income citizens. It would provide an additional 10 percent tax credit for businesses to invest in energy conservation equipment, provide grants to schools and hospitals to make energy conservation improvements, and accelerate energy conservation programs for federal buildings.

The Carter bill also proposes an expansion of existing conservation programs to set energy efficiency standards for major appliances, and it proposes a progressive utility reform proposal to end practices which encourage wasteful energy use.

The second and perhaps the most controversial portion of the President's program addresses the issue of energy pricing. The bill adopts a philosophy that energy should be priced at its replacement cost, should be fair to consumers and producers, and should not result in windfall profits for energy companies.

Consistent with this philosophy, the Carter bill would allow the price for newly discovered oil to rise, over three years, to the 1977 world market price, with allowances for inflation. The current return to producers for previously discovered oil would remain the same, except for inflation adjustment. The House and the President rejected proposals to lift price controls on already discovered oil because that would result in massive transfers of money from consumers to producers without a substantial increase in domestic oil supplies. The oil price in the Carter bill is more generous than that which has attracted exploration and energy production in the North Sea where production is costly. The philosophy of the President is to support higher prices for the development of energy in areas where costs are higher. But I should underscore that the House and the President have rejected decontrolling oil prices, a policy which would allow exorbitant profits on oil which has already been discovered.

The President's bill recognizes that high energy prices are desirable for conservation reasons, but highly undesirable for economic reasons. To reconcile these two competing interests, the President proposed a rebatable crude oil equalization tax at the wellhead for domestic oil, phased in over a three-year period, and equal to the difference between the present controlled price and the world price. The taxes collected would be returned dollar-for-dollar to consumers by reductions in withholding from paychecks and adjustments to existing income maintenance programs for those without paychecks.

The crude equalization tax would encourage conservation by making the apparent price of energy expensive. It would encourage switching from oil and natural gas to coal. It would end the administrative nightmare known as the entitlements program which seeks to minimize the competitive advantage of companies who have large stocks of artificially cheap domestic oil. The House approved this tax, but it faces stiff opposition in the Senate.

The bill also sets natural gas prices in a manner which removes the distortions in the marketplace which contributed to last winter's tragic supply shortages in the interstate natural gas market. The $1.75/1000 c.f. price ceiling for both interstate and intrastate new gas, based on the BTU equivalent of oil prices, reflects the replacement cost of the gas, provides true incentives for increased production, and provides a generous rate of return for natural gas producers. The House narrowly approved the President's proposal, which was helped by a compromise which increased the amount of natural gas which would be considered "new" natural gas supplies. The Senate by a tie vote in committee failed to defeat the President's proposal, but it is facing a stiff floor fight.

When I came to Congress three years ago, interstate gas prices were controlled at 52c/1000 c.f. The President proposes a price more than three times this price, more than adequate incentive to increase production. Thus equalizing competition between the interstate and intrastate markets will permit customers in the Delaware Valley to get their fair share of existing supplies, without the extortion of $3–$5 natural gas.

The third portion of the bill, and the one with perhaps the highest oil-saving potential, promotes the conversion by utilities and industries from oil and natural gas to coal. This nation is blessed with more energy in coal, on a BTU basis, than the Middle East has oil. The problem is that it is difficult to mine and transport the coal, and burn it in a manner which will not excessively damage the environment, or result in a threat to public health. The President proposes to achieve this fuel conversion by imposing a tax on the use of oil and natural gas by industry and utilities, with many exemptions, to take effect after a suitable transition period for the conversion process. The President proposes accelerated research and development to promote greater utilization of our vast coal reserves, and to minimize problems associated with transportation and the environment.

I should mention that Westinghouse Corporation in my Congressional district has played a major role in furthering greater efficiency in the burning of coal with their High Temperature Turbine Technology program, financed by a grant from the Energy Research and Development Administration. The termination of Westinghouse's participation in this effort is, in my opinion, not in the national interest. Those who recognize the contribution Delaware Valley industry can make to solving our energy problems should be interested in how to maximize the participation of our industry. We have many resources to offer. More can be done to make it attractive for our industry to seek and be awarded grants which save and create jobs for area workers.

Even if we are successful in maximizing conversions from oil and natural gas to coal, eliminating energy waste, and increasing production where it can be done responsibly, there will remain a gap between domestic supply and demand. Here is where the final of the four portions of the President's plan comes into play. Light water nuclear reactors will be needed to fill this gap between supply and demand. I have serious questions about the safety, security, and reliability of nuclear plants. But I also recognize that construction of more plants is necessary. For this reason, I support the President's view that the design of nuclear plants should be standardized as much as possible, that radioactive waste should be disposed of properly, and that safety standards should be strengthened. I also commend the President for supporting a streamlining of nuclear plant licensing procedures.

In his energy message, the President underscored the danger of proceeding with construction of the Clinch River Breeder Reactor demonstration plant. I agree with the President that the construction of this plant is premature on an economic basis, and serves as a roadblock to efforts to obtain international agreements which will promote nuclear non-proliferation efforts. I feel it was unwise for the House this week to approve construction funding for this project.

I have saved my comments on solar energy for last because I have great enthusiasm for the future of solar technologies. As a member of the Public Buildings and Grounds Subcommittee, I was active in ironing out a compromise which authorized the purchase of photovoltaic cells for the purpose of providing a market for private industry. I believe that this action will begin the development of the mass production of these cells, at a cost which may become competitive with conventional technologies. The Carter bill proposes a tax credit for the installation of solar heating equipment, provides a 10 percent additional tax credit for such installation by businesses, and commits $100 million over a three-year period for the installation of solar systems in federal buildings. In addition, the Carter Plan promotes a regulatory climate at the state and local levels which encourages solar energy development. Solar systems, unlike other conventional technologies, are clean and renewable. They are not yet cheap, but I have confidence that the accelerated research and demonstration approved during the last three years by the Congress will further the development of more efficient and cost-effective uses of our almost unlimited solar resources.

In summary, the President's Plan is not perfect, yet it is a good first step in the formulation of a coherent national energy policy. It encourages conservation through taxes, regulation, and voluntary efforts. It encourages production by allowing producers a high rate of return on their investment for new discoveries. It minimizes adverse economic impact by returning most of these taxes dollar-for-dollar to consumers.

Perhaps more significantly, it attempts to reach its goals by using strategies which call on all of us to make equal sacrifices. It protects the poor and those living on fixed incomes who cannot bear a heavy burden of sacrifice. It will avoid both unacceptable inflation and a loss of jobs. It will not result in unacceptable harm to our environment.

Not doing anything to solve our energy problems now will almost surely have grave consequences for the future of this nation. Even if every single provision of the President's legislation were enacted, an increasingly slim possibility, we will only put a brake on a worsening of the energy situation. Analyses by the Congressional Budget Office, the General Accounting Office, and the Office of Technology Assessment point out correctly that the Carter bill will not meet the energy goals set by the President, which I described earlier. Only massive voluntary conservation efforts by all sectors of our society will have a decisive short-term impact in reducing the average of nine million barrels per day of petroleum and petroleum products we import each day.

I think that we need a new energy conservation consciousness. During testimony before the House Surface Transportation Subcommittee, on which I serve, Federal Energy Administrator John O'Leary pointed out that it was only a few years ago when it was not socially unacceptable to roll down a car window and throw out a Kleenex. Today, society frowns upon this action. Most people don't litter anymore, not solely because it is against the law, but because we have more sensitivity about the impact of litter on our environment. The same type of consciousness is needed for energy conservation. Many of us do not turn lights off when we leave our residences in the evening. There is little social pressure to comply with the 55 mile-per-hour speed limit on our highways. We reflexively turn on air conditioners when the outside temperature reaches 80 degrees or so.

It may only take a few years until we develop an energy consciousness in the same way we developed an environmental consciousness. It is not something that we can legislate in Washington. Only people like you can accelerate the process of forming this consciousness among our citizens.

I would like to reiterate that you as Delaware County leaders will be playing an important role in shaping energy policy. I urge you to closely follow the progress of the energy legislation as it makes its way

through all of the institutional obstacles which our system of government has placed in its way. Let your representatives in the Congress know where you stand on these issues. Participate in the process. Don't become cynical about the decision-making process in Washington. Your opinions really count.

Thank you for letting me share with you my perspective on the President's energy bill. I look forward to responding to your comments and questions following the presentation by Representative Forsythe.

AFTER A YEAR, LITTLE JON IS COMING HOME

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. CARTER. Mr. Speaker, on March 29 I brought to the attention of this august body the plight of a young family in my district.

At that time John and Debbie Benningfield were struggling under the double burden of whether their infant son would survive and whether, if he did live, they would be able to pay the awesome medical bills for his care.

Today I am happy to report that their son, Jonathan Lyle, finally has come home, 1 year after his birth. His twin, Jessica, had been able to come home at 6 weeks of age.

The anxiety about little Jon's survival has eased tremendously. But there has been little easing of the anxiety about the $125,000 hospital and doctors' bills incurred in helping him reach his first birthday, although the people of Campbellsville and Taylor County have demonstrated a tremendous generosity by raising $10,000 to help defray those costs.

As I noted in March, no family, rich or poor, is immune to the possibility that in the next moment a catastrophic accident or illness could strike and ruin the family financially.

While little Jon has come home, most citizens of this country remain unprotected against catastrophic medical costs. I urge once again that we move toward enactment of a national program to insure that needed protection.

Mr. Speaker, so that the other Members might know the details of little Jon's happy homecoming, I include for the RECORD an article from the September 19 edition of the central Kentucky News-Journal in Campbellsville, Ky.:

AFTER A YEAR, LITTLE JON IS COMING HOME

(By Steve Lowery)

Little Jon Benningfield is coming home.

After more than a year the little guy is going to be released from Louisville's Norton-Children's Hospital in about two to three weeks.

Jon, for those unfamiliar with his plight, has been in the hospital since birth. That was a year ago September 26.

He and his twin sister Jessica were born two and a half months premature. Both of the twins had underdeveloped lungs. They also were very small. Jon weighed 3.5 pounds. Jessica tipped the scales at 2.14 pounds.

Both babies were immediately put into isolation. They were both put on respirators to help them breathe and they both needed constant medical attention.

Jessica improved quickly. In fact, six weeks after her birth she was able to come home to Taylor County.

But Jon had to stay. His condition fluctuated. At times doctors for Jon thought that he might not pull through. He has though.

Jon's parents—John and Debbie Benningfield of Campbellsville—have spent countless hours driving to Louisville in the last year. They've stayed on the road to Norton's Hospital through rain, sleet and all of last winter's snow.

They've watched little Jon go through some rough times. And they've been through their own fair share of rough times worrying over their son.

It's no incidental matter that hospital bills alone for the twins have cost more than $100,000. That doesn't include doctor bills. And there will be doctor bills, most likely to the tune of $25,000 or more.

In the last six months individuals and organizations inside Taylor County have raised more than $10,000 to help the Benningfields.

There have even been contributions from outside Taylor. For instance, there was a little old man who sent $1 to the CKNJ to be put in the Benningfield Fund at Taylor County Bank. He recognized that it wasn't a large contribution, he just wanted to help.

Little Jon weighs about 11 pounds now. His sister weighs twice that much.

Little Jessica can say a few words now. She can take a few steps and she's as active as can be.

Jon was finally taken off of his respirator last week. He can hold his little head up and roll from side to side, but he has a lot of catching up to do before he's as healthy as Jessica.

Debbie Benningfield's last day of work—for a while, anyway—came Friday. She's taken a leave of absence as a nurse so she can help her boy if and when he needs it.

Both of Jon's parents are elated that he's coming home. They're a little worried, too. They hope he's healthy enough to stay at home for a while.

I haven't seen him in person, but I did see Jon's picture last week. He's as healthy looking as can be. He had a big smile on his face and he was hanging onto the side of his crib.

The picture was a sharp contrast to the picture I viewed of Jon five months ago. In that one, he was being fed intravenously, he was breathing with the help of a respirator, and he appeared to be very small and weak.

I can't wait to see what he looks like in person and what he looks like when he's a young man.

A TRIBUTE TO THE MOST REVEREND JOHN R. McGANN, D.D., L.H.D., BISHOP, DIOCESE OF ROCKVILLE CENTER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. WOLFF. Mr. Speaker, I would like to bring to the attention of my colleagues the achievements of the Most Reverend John R. McGann in whose honor I recently attended a dinner dance at Molloy College.

As the spiritual leader of one of the largest dioceses in the United States, Bishop McGann has carried an awesome burden of leadership and authority. His love, comfort, and guidance have long been felt by those fortunate enough to have known him as both an educator and a friend.

In recognition of his long service and outstanding work as the college's chancellor, Bishop McGann was awarded the President's Medal of Molloy.

A man of great magnanimity, he has enriched the lives of millions through his tireless efforts to maintain the high levels of excellence he has brought to Molloy and to the entire religious community. It is my honor to pay tribute to such a distinguished and deserving individual.

TESTIMONY OF ADMIRAL MOORER

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues the following testimony of Adm. Thomas H. Moorer before the House Committee on International Relations. Admiral Moorer's remarks shed further light on the importance of the Panama Canal to American security and the numerous ambiguous statements in the treaties:

Mr. LAGOMARSINO. Thank you, Mr. Chairman.

Admiral, I want to compliment you also on your statement, and in furtherance of your colloquy with the Chairman about what happens after the year 2000, I would like to mention Article V of the neutrality treaty. It says after the termination of the Panama Canal treaty only the Republic of Panama shall operate the canal and maintain military forces, defense sites and military installations within its national territory. So the treaty makes it very plain that we are not allowed, at least by treaty, to have any troops in Panama after the year 2000.

I think if we want to have troops there after that year, we had better decide that now and not rely on some change in the future.

Admiral, I take it you would agree with, then candidate Carter, who said in the second televised debate with then President Ford, when he said "I would never give up complete or practical control of the Panama Canal Zone?"

Admiral Moorer. Yes; we have a perfect meeting of the minds on that one.

Mr. LAGOMARSINO. At that time?

Admiral MOORER. Yes, sir.

Mr. LAGOMARSINO. You quoted Mr. Escobar Bethancourt, who was the chief Panamanian negotiator, in his statements on neutrality, on the question of privileged as against preferred passage, or expeditious passage through the canal.

You might not be aware of a statement that General Torrijos made in Panama on September 15. This was a speech by General Omar Torrijos at the opening of the 10th Congress of the Panamanian Students Federation at the Augusto Samuel Boyd National Agricultural Institute in Divisa, Herrera Province, Panama, wherein he said: "I am not afraid nor am I denying that we signed a clause which if misinterpreted by future U.S. generations could give rise to intervention, but I am not afraid. I know the youth we are producing, and in order for there to be intervention there must be a people willing to accept intervention, and these people have no intention of accepting it." Then it says "applause."

So I think you are perfectly correct in pointing out that there is at least a very great ambiguity about what even the President and your successors claim is the most

important part of this treaty. There is ambiguity about it and I think it is absolutely imperative that that be cleared up and not just by some further statement made by the Panamanians. They can come back and make a later clear statement. I think if we are going to have a treaty there should be a reservation to the treaty or the treaty should be renegotiated to take care of that point specifically.

Admiral, do you think perhaps a bases agreement like we now have with Spain would take care of the problem of not having a base there in the future, assuming that the base agreement would be made either part of the treaty or negotiated at the same time?

Admiral MOORER. Yes, sir, I think something of that kind would, as I said, be certainly in order to give the Panamanians economic assistance, but again, I would delete completely Article V with respect to U.S. forces.

Mr. LAGOMARSINO. Right.

Admiral MOORER. And there is no way you can get around it. The canal is far more vital to the security of the U.S. than it is to the security of Panama. It is vital for the economic well being of Panama. It has nothing to do with the defense of Panama as a country, but it is vital to the security of the U.S. and it contributes heavily to the prosperity of the United States.

Mr. LAGOMARSINO. When asked to comment on the letter that you and the other Admirals sent to President Carter on June 8 of 1977, General George Brown and Secretary of Defense Harold Brown replied that they agreed with some of what you wrote; however, they said the fact that it was written before the treaty, before the treaty terms were revealed, indicates that the concerns raised were made without your having read the treaties and the assurances that they contain.

Now that you have had a chance to read the treaties, do they provide the needed assurances that you feel are needed for the concerns you expressed in that letter?

Admiral MOORER. Well, sir, in view of Article V, in view of the statements by Mr. Escobar Bethancourt, in view of the statements you just read from Torrijos, I have not in any way changed my mind because of the contents of the treaty.

As I say, my basic problem has to do with maritime aspects of global warfare and I just don't agree with the idea of the U.S. completely withdrawing and leaving the control and operation of that vital link between the two major oceans totally to a little country. And I am not saying this in disrespect, but a little country, as I said, the size of Detroit, Michigan, I don't think the city of Detroit can operate and insure that the canal is open all the time. And certainly in Panama where the technical capabilities are far less than they are in Detroit, I am convinced, I know they can't operate it.

Mr. LAGOMARSINO. Thank you, Admiral.

LOSS OF PUBLIC CONFIDENCE IN EQUITY INVESTMENT POSSIBLE UNDER NEW SEC RULES

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. RINALDO. Mr. Speaker, I rise today to address an issue which deserves the attention of the Members of this Chamber. The Securities and Exchange Commission has announced that it plans to take action, effective January 1, 1978, to allow stocks currently traded in the public stock exchange markets to be traded in the offices of dealers, an action which, in my opinion, could lead to the loss of public confidence in equity investment in the United States, with a corresponding difficulty of companies to raise capital and expand to create the jobs needed to promote economic growth in our Nation. One need not understand the complexities of the securities law or the arcane language of Wall Street to appreciate the implications of this proposal.

In view of the importance of this matter, I would like to explain briefly the background, and especially the legislative history of the law on which the SEC's proposed action is based. In 1975, in what was the first major overhaul in the securities laws in 40 years, Congress enacted, and the President signed, the Securities Acts Amendments of 1975. The centerpiece of this new law was the direction by Congress that the Securities and Exchange Commission "facilitate the establishment of a national market system for securities". It was expected that such a system should take advantage of electronic technology in linking the securities markets so as to protect investors, enhance competition, and generally serve the public interest.

While the law did not define the national market system, it did describe the characteristics it should possess, while setting forth a series of objectives which should guide the development of the system. While some significant steps have been taken by the securities industry and the SEC to put into place such a national market system, much more needs to be done to meet the objectives set forth in the 1975 amendments. It is in the midst of this transition to a national market system for securities that the Securities and Exchange Commission has proposed to take action which I believe—as do most of the witnesses testifying at the hearings the SEC held in August—is not only contrary to what Congress intended in writing this law, but potentially very disruptive to the Nation's economy.

First, a word about what the SEC has proposed and its likely impact, and then I will set forth the controlling legislative history. Our national stock exchanges historically have required exchange members to buy or sell on an exchange the stocks of those companies listed on the exchanges. The reasoning is simple and makes good economic sense for the investor: the more buyers and sellers coming together in a public exchange auction market, the more the competition among orders and the more efficient and fairer pricing of the stocks being bought and sold. When the national market system Congress envisioned is in place, the present separate competition in markets will be linked electronically, thus providing an even more efficient system through the entire Nation. Until such a system is operating, these basic rules—usually referred to as off-board trading rules—are necessary to prevent the markets for listed stocks from splintering or "fragmenting", and are appropriate to protect the interests of public investors.

Notwithstanding this background, the SEC has proposed to eliminate these off-board trading rules on January 1, 1978, thereby leaving investors vulnerable to the economic consequences likely to occur. What are these consequences? Mr. Speaker, if these off-board trading rules are repealed, it means that most brokerage firms will be allowed to trade listed stocks in their offices—or "in house"—both as dealers and as agents, instead of taking these trades to the exchanges. There is strong reason to believe that this would be followed by fragmented markets for these stocks as these firms trade internally—and largely as dealers—rather than trading through the auction market system of the public exchanges. The capital requirements inevitably needed for such internal trading likely will result in larger firms having greater competitive advantage, thereby driving the smaller securities firms out of business. Not only will public investors be severely disadvantaged from this demise of the auction-type markets, but the potential loss of the smaller securities firms has alarming implications in terms of the likely inability of small and medium sized businesses throughout our Nation being able to raise the capital needed to assure sound economic growth which in turn provides jobs for our people.

Mr. Speaker, when drafting and debating this legislation in 1975, Congress expressed what it wanted in the national market system, and perhaps more importantly it made clear it was keenly aware of the problems of fragmentation, concentration, overreaching of public investors and other consequences which should be avoided in the development of such a system. A review of the legislative history on this issue of a national market system, leaves little doubt as to what Congress had in mind when it directed the SEC to "facilitate the establishment of a national market system for securities."

The problem of potential fragmentation was the subject of considerable discussion in 1975, and it was recognized as a clear danger which must be guarded against prior to the national market system's development. As our House report noted "market fragmentation becomes of increasing concern in the absence of mechanisms designed to assure that public investors are able to obtain the best price for securities, regardless of the type or physical location of the market upon which his transaction may be executed. Investors must be assured that they are participants in a system which maximizes the opportunities for the most willing seller to meet the most willing buyer." The report went on to point out that the legislation did "define certain goals and principles to serve as a guide to the industry and the Commission in this evolutionary process—briefly stated, these embrace the principles of competition in which all buying and selling interests are able to participate and be represented."

Clearly, Mr. Speaker, these quotations reflect that the House intended that basic auction market characteristics be preserved as the securities industry moves toward a national market system. Moreover, the Senate report, mindful of the potential problems of market fragmentation, spoke to this issue in saying that "the national market system has as

a fundamental goal, the elimination of fragmented markets for securities suitable for auction trading," and went on to say in effect that an objective of a national linkage is to reduce or eliminate market fragmentation.

So Mr. Speaker, the benefits of the so-called auction system, in which buyers and sellers come together for their mutual advantage were well recognized in the 1975 legislation. The Senate report said so explicitly in observing that Congress is establishing "a clear congressional policy supporting the preservation and extension of the protections associated with auction type trading."

Moreover, our House report calls for the interlinking of markets in a manner that would enhance customer protection and auction market characteristics throughout the system. Those protections, I might add, will be weak indeed if the SEC has its way on January 1.

The conferees adopted with minor revisions those provisions of the Senate bill related to the national market system. The conference report notes the "Senate bill relied on an approach designed to provide maximum flexibility to the Commission and the securities industry in giving specific content to the general concept of a national market system," and the Senate report states the two paramount objectives of that concept; namely, the "maintenance of a stable and orderly market" and the "centralization of all buying and selling interests." Actions such as that planned by the SEC on January 1 certainly will not further those objectives.

To be sure, the SEC does have a role in the development of a national market system. It is, among other things, "to oversee the implementation, operation, and regulation of the national market system," as the Senate report reminds us, but at the same time it is charged "with a clear responsibility to assure that the system develops and operates in accordance with congressionally determined goals and objectives." As I have discussed, Mr. Speaker, and as can clearly be observed in light of our legislative history, these goals and objectives seem to be fading from the Commission's memory as it oversees this national market system development.

Mr. Speaker, the SEC's proposed action is contrary to the congressional objectives set forth in the 1975 amendments and it is also contrary to the overwhelming weight of the testimony at the public hearings the SEC held in August on its proposal. Of the 28 principal witnesses at the hearings, some 24 urged the SEC not to repeal the off-board rules until essential elements of a national market system are in place. The witnesses, I might add, represented not only the exchanges and the securities industry generally, but included witnesses speaking for the shareholder's point of view as well as the small businessman's point of view.

The SEC, in fact, Mr. Speaker, is not required to repeal off-board trading rules under the law. While the new law does provide for the Commission to "review any and all rules of the national securities exchanges which limit or condition the ability of members to effect transactions in securities otherwise than on such exchanges," it does not call for a change in those rules if it is found that they further the purposes of the act.

Mr. Speaker, Congress has directed the SEC to "facilitate" the establishment of a national market system for securities. Perhaps the SEC should be more diligent in responding to this directive. Perhaps the SEC should step in and expedite the process. Or perhaps, the SEC should assume generally a more aggressive leadership role in the development of a national market system. But, Mr. Speaker, the congressional intent as to what the SEC should not do is clear. It should not take the precipitate action now scheduled to become effective on January 1, 1978.

INDUSTRIAL PROGRESS AND WORKER SAFETY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. MILLER of California. Mr. Speaker, as the article I am inserting into the RECORD indicates, the issue of workplace safety is one which deserves the very highest attention of the Congress. The task of insuring that American workers labor in safe factories and shops has been given to the Occupational Safety and Health Administration (OSHA). But that Agency has become a highly controversial one and has fallen under constant attack, because of its frequent focusing on seemingly petty issues. Fortunately, the Carter administration has refocused OSHA's attention onto the more serious perils which confront American workers.

The dangers in the workplace in this generation are unlike those of the past. Safe working conditions have long been among the primary reasons for which workers agitated and organized, and similarly were among those first of workers' rights recognized by Government. In the past, those dangers, such as exposed machinery, crowded tenement conditions, fire perils, and the like, threatened workers' safety daily. One major accident could, and periodically did, result in the deaths of dozens of workers.

The dangers which affect workers today go far beyond those of the last, and early parts of this century. The dangers of the workplace to which contemporary workers are subjected are carried home to their families, and passed on to future generations. The hazards in some workplaces endanger not only the employees at that site, but can even jeopardize the well-being of an entire community.

There is an obvious question here, that being, should workers be subjected to these kinds of risks in order to earn an income and provide for their families? But there is another extremely important issue, and that is, who decides that workers are to be subjected to occupational hazards? OSHA is not the answer, because in the several years of its existence, it has reviewed only about 2 percent of all workplaces. I find it extremely disturbing that someone is making decisions that there is an "acceptable level of risk" in some job, which in many cases really means that a decision has been made that some worker must risk his health and safety, and that of his family, in order that a particular business or industry operate under current design.

Who decides that a coal miner should work in a 30-inch seam? Who decides that an asbestos worker should be exposed to cancer-causing dust? And these questions can be asked repeatedly about many, many industries.

I really fear that a decision has been made that there must be some unhealthy industries in this countries, and that this decision presumes that there will be workers subjected to the health hazards associated with these jobs. I have no doubt whatever that the people who make those decisions are not the ones who subsequently ruin their health by working at the job.

One hundred years ago, as the labor movement was first beginning to command the attention it now enjoys, decisions were made that we were not going to permit young children to climb among the whirring machines in the silk mills, and that we were not going to permit tailors to be crammed into tiny spaces despite safety hazards. Then, too, some complained that sacrifice was the price of industrial advancement. The problem which I am addressing today is only the modern variant of that dilemma between the maximization of profits and production versus the cost of human life.

The article which follows raises these, and related issues concerning dangers in the workplace. I believe that we in Congress should direct a long look at these issues, focusing not only on the issue of OSHA overregulation, but on the little-addressed issue of worker safety:

WORKPLACE HAZARDS: NO WOMEN NEED APPLY

(By Dorothy McGhee)

Vicky Read, twenty-two, was working at the Beaver County Hospital for the elderly, not far from her home in Coraopolis, Pennsylvania. Her husband, handicapped by blindness in one eye, was having a hard time finding work. With a young child to support, the Reads were not getting by on the $2.50 an hour Vicky was paid at the hospital. When she saw an ad announcing that St. Joes Mineral, a zinc mineral plant in nearby Monaca, was hiring women, Vicky jumped at the chance to earn $4.70 an hour.

"They didn't tell us it might be dangerous," Vicky says, "and I just figured it was a chance to get a good job. I didn't know what I was getting into, really. All I knew was that my father worked there, and my uncle, and my grandfather before he died of lung cancer."

What Vicky Read was getting into was the hazard-infested American workplace, where millions of women—and men—are exposed each day to conditions that cause injuries, lingering illnesses, miscarriages and birth defects, and death.

At St. Joes, Vicky was assigned to what they call the roaster department, one of several processing plants in which the company uses lead to produce zinc and acid.

"It's very dirty and hot," Vicky says.

"They've got big roasters in there like ovens and it's over 100 degrees at all times. I never sweated until I went into that place. It's dirty up to your knees and it's all in the air. I don't understand how the men can continue to work in there. You have to wear respirators, but even that doesn't help a whole lot. You can smell the gas. It burns your nose and throat. It's common knowledge that you can get sick working in there, but no one likes to talk about it."

About three months after she started working in the roaster department, the company called together the seventeen women who were employed in the processing plants and told them they were being transferred because high exposures to lead in the plants could be dangerous if they became pregnant.

"Most of the girls weren't even planning to have children," Vicky recalls, "and I wasn't because we couldn't afford it. One girl at the meeting said that her husband was in Korea and asked if the move affected her. They said to her, 'Well, you can do it with someone else, you know. You've got to get out of the plant.'

"They told us," Vicky adds, "that if we wanted to have our tubes tied or have a hysterectomy or something like that, that would be perfectly all right and we could stay where we were. But we couldn't sign waivers, or say that we were on pills. The only way we could get in the plants any more was to have papers from the doctor saying we could not have children any more."

The women were told they would be transferred at the end of the month to the labor pool, where they would be assigned to janitorial and yard work at reduced pay.

"I was very upset," Vicky says. "It meant a reduction in pay and nowhere to bid (for upgraded jobs under the union seniority system), because there's not too many places to work in that mill that aren't exposed to lead. I really needed to work.

"I went back to my plant," she continues, "and I cried. I couldn't decide how we were going to afford to live, really. Jobs just aren't that easy to find around here. We have an 8 per cent unemployment rate in Pennsylvania. It's bad, really bad. I was hurt. I worked hard in that plant to show that I could do it. I was trying to be a good worker and they gave me the shaft."

Until she was transferred, Vicky Read was one of an estimated one million women in their prime child-bearing years who work amid potential exposure to chemical substances and processes that can cause birth defects and miscarriages. Now she is one of an untold number of women around the country who are losing their jobs, or being excluded from jobs, because they are pregnant or capable of becoming pregnant. Other women are undergoing tubular ligations or hysterectomies to keep those jobs.

"On our application forms now, they ask if you have had any operations, and if you can't put it down you won't get hired," says Vicky. "Really, they're not even going to look at you."

Current Federal laws supposedly assure Vicky and other women not only of the right to safe and healthy working conditions, but also of the right to work without being discriminated against because of their sex. But it isn't working out that way. Instead, tire companies, lead battery plants, certain chemical processors and producers, and laboratories simply will not hire women for some jobs. Rather than clean up the workplace so that it is safe for women who might become pregnant, companies are removing women from the work force.

As a result, scores of new cases of sex discrimination are cropping up around the country. In the lead and zinc industries and in virtually all smelters, fertile women are being transferred or dismissed from processing plants with high exposure levels to lead. Goodyear, DuPont, and General Motors have removed women from areas of high exposure in their battery plants. In Oshawa, Canada, thirty-four-year-old Norma Jones had a hysterectomy to ensure she could keep her GM job.

"I really didn't want to have the operation," she told a reporter for *Medical World News*, "but I had only thirty days to appeal my transfer or I couldn't get my job back."

In Muncie, Indiana, G.M. is being sued by a woman who was denied employment because she was capable of having children. At the Bunkerhill Foundry in Idaho and at St. Joes Mineral in Pennsylvania, at least four more women have undergone hysterectomies or tubular ligations in order to keep their jobs. Other women, preferring to remain fertile, have been transferred, often at a loss of pay and job seniority.

Exposure to lead is not the only problem. The petrochemical industry is becoming nervous about female employees who work with benezene. Exxon and Dow Chemical will no longer hire fertile women for jobs involving exposure to that chemical. At Amoco, women employees must immediately report a missed menstrual period to the company physician; one woman was fired at Amoco's Sugar Creek facility for failing to give timely notice of her pregnancy.

In the plastics industry, corporate managements are worried about the effects of vinyl chloride on fertile women. Laboratories using radiation have begun dismissing pregnant employes. In Texas, the Kleberg County Hospital is being sued by a woman who was fired because she became pregnant. A female research technician in a thyroid laboratory in Illinois was told to resign or take a maternity leave of absence without pay. Afraid to lose both her salary and unemployment benefits, she accepted dismissal.

What is emerging is a bizarre confrontation between working women's rights to a safe workplace under the broad provisions of the 1970 Occupational Safety and Health Act, and their rights to equal employment opportunities under the 1964 Civil Rights Act. A growing number of women are caught in the middle—denied unemployment or forced out of hard-won jobs, suffering pay cuts or loss of seniority or unemployment. Their plight is focusing new attention on an old problem that grows increasingly acute: the indifference of industry to the hazards that confront working men and women and the failure of Government agencies to curb those hazards.

Industry's sudden concern for the health and safety of developing fetuses is not prompted by a surge of humane altruism. More and more companies are, according to an industry lawyer cloaked in anonymity by The New York Times, "terrified about the prospect of having a deformed child bring suit." As one Dow Chemical official put it, "We'd rather face an action by the Equal Employment Opportunity Commission than a deformed child."

Workers' compensation, which acts as a sort of no-fault insurance for employes injured on the job by compensating them but limiting their right to sue, does not cover birth defects or spontaneous abortions. The fetus is not covered, so anyone can bring suit until the age of twenty-one, claiming to be deformed because his or her mother was exposed to a dangerous substance.

"The only redress of the damaged child would be a civil action, almost equivalent to medical malpractice," explains John Finklea, director of the National Institute of Occupational Safety and Health (NIOSH). "The mother can not sign a release for the fetus, and liability will accumulate as research is being done. This, it seems to me, will be a powerful lever for everyone to get to work on this problem." But industry's way of "getting to work" has been simply to exclude women from areas of risk.

Though many companies are becoming concerned about their potential liability toward a deformed fetus, the concern is not shared by all high-risk industries. Vilma Hunt, professor of environmental health at the University of Pennsylvania, asks a hard question: "So why are they suddenly worrying about only the jobs that women have just begun to move into? Obviously, if you work in an operating room you are going to have just as much trouble, if not more, than if you work in a lead plant. But they are not throwing women out of the operating room. I don't think that they're going to throw out all of the women nuclear technologists or x-ray technicians. It's no accident that many of us are questioning the policies of exclusion that are suddenly being vigorously enforced in some industries."

Dr. Jeanne Stellman of the Health Foundation in New York, an outspoken critic of workplace hazards, echoes Hunt's skepticism: "There's nothing new under the sun in terms of women's problems under industrial technology, because this is an exact repetition of early protective legislation which turned out to apply only in those areas in which women did not represent the major and most important part of the work force. In the areas in which women were needed for work, that's where the restrictions were never extended."

When the states began enacting special legislation early in this century to "protect" working women, Stellman explains, the laws were by no means universally applied. There were laws, for instance, prohibiting women from working at night, but waitresses and hospital workers were quickly exempted. There were laws restricting the weight women were allowed to lift (which effectively kept women out of male-dominated heavy industries), but the laws were amended to exempt female retail workers, waitresses, and nurses.

Women are in a vulnerable position in the labor force; in the last four years their earnings in relation to men declined by about 10 per cent. The most vulnerable of all are the estimated twelve million women in jobs that involve exposures to potentially dangerous chemical substances and processes. Most of them lack the protection of a union or work association, so they are left to the caprice of industry and minimal Government protection.

Since enactment of the 1964 Civil Rights Act, regulations designed to "protect" women have been considered illegal. According to a Fifth Circuit Federal Court of Appeals decision, "Title VII of the Civil Rights Act rejects just this type of romantic paternalism as unduly Victorian, and instead vests individual women with the power to decide whether or not to take on unromantic tasks. Men have always had the right to determine whether the incremental increase in remuneration for strenuous, dangerous, obnoxious, boring, or unromantic tasks is worth the candle. The promise of Title VII is that women are now to be on equal footing."

The risks of spontaneous abortion and deformed children faced by one million working women are only part of a rapidly growing problem of health hazards in the workplace. "If we had statistics from an in-depth medical survey of the nation's workers," says Representative Dominick Daniels, the New Jersey Democrat who heads the House Health and Safety Subcommittee, "they would paint a picture of disease and chronic illness as horrifying as conditions in the sweat shops of the last century." Amid the noise, dust, fumes, vapor, gases, mists, heat stress, vibrations, radiations, inadequate lighting and ventilation, and untested chemicals of the American workplace, literally millions of workers—men and women alike—are becoming casualties as they try to earn a living.

The Department of Health, Education, and Welfare estimates conservatively that 100,000

men and women will die this year as a result of work-related illness, and that another 390,000 will become seriously ill. The United Auto Workers' Washington representative, Frank Wallick, estimates that of eighty million working Americans, four million will come down with an occupational disease or illness.

Unlike occupational accidents, which are immediate and obvious, occupational disease affects its victims subtly and gradually. Such symptoms as persistent coughing, cramps, or dizziness are not immediately recognizable as related to the workplace.

"The chronic effects of industrial exposures," says Jeanne Stellman, "are insidious—they creep up on you. A chronically ill person often gets used to having mild symptoms, such as headaches or ringing in the ears. You may ignore these symptoms and be unaware that you are becoming ill."

Elaine House, who works at the Prestolite battery plant in Visalia, California, described in testimony to the Labor Department's Occupational Safety and Health Administration (OSHA), the chronic effects of working at high lead exposures: "You feel sick. You are tired, but it is not like you are tired from work. It is a completely different tired: it is exhaustion. It is altogether different than if I went out and mowed the lawn."

When she had been hired by Prestolite in 1970, the company had assured her that lead was not dangerous to her health, but she learned it was: "I had cramps in my stomach after I ate. I got pains. I have been off balance, and I have acquired a drooping eyelid. I have been nauseous and weak and tired. Sometimes I couldn't sleep; sometimes I slept too much."

OSHA is charged with making it possible for Vicky Read, Elaine House, and other working Americans to hold jobs that do not jeopardize their health. Through the development of standards called threshold limit values (TLVs), OSHA sets permissible levels of airbrone concentrations of harmful substances in the workplace—levels at which, according to available evidence, workers may be exposed day after day to toxic substances without adverse effect. Tony Mazzachi, the Oil, Chemical, and Atomic Workers representative in Washington, defines TLVs somewhat differently: "A TLV," he says, "is how much poison somebody else says you, as a worker, have to take on the job."

Despite OSHA's broad authority to establish "safe and healthy" working conditions, the agency has done little to create the health standards needed to protect millions of lives. Under recent Republican administrations, OSHA was flagrantly restrained from interfering with major corporate interests. When Secretary of Labor F. Ray Marshall came into office last January, he accused the Republicans of "sabotaging" the agency. In the Nixon Administration, OSHA attained notoriety for the vigor with which it pursued trivial violations while ignoring more serious and widespread occupational hazards. For example, it took thirty-two months for OSHA to come up with a manual on the proper construction of safety matches.

Moreover, OSHA was one of the Government agencies mobilized to further Richard M. Nixon's reelection campaign. In June 1972, the Assistant Secretary for OSHA, George Guenther, wrote to the then Under Secretary of Labor, Laurence Silber, "While [health standard] promulgation and modification activity must continue, no highly controversial standards (that is, cotton dust, etc.) will be proposed by OSHA or NIOSH. A thorough review with NIOSH indicates that while some criteria documents, such as on noise, will be transmitted to us during the reelection period, neither the contents of these documents nor our handling of them here will generate any substantial controversy."

Guenther concluded his memo with the loyal declaration, "While I have discussed with Lee Nunn the great potential of OSHA as a sales point for fund-raising and general support by employers, I do not believe the potential of this appeal is fully recognized. Your suggestions as to how to promote the advantages of four more years of properly managed OSHA for use in the campaign would be appreciated."

To date, OSHA has set TLVs for fewer than 500 of the 19,000 toxic substances in common industrial use, and for only sixteen of the 2,400 chemicals suspected to be carcinogenic by NIOSH. At the present rate, it will take more than a century, according to the Government Accounting Office, for OSHA to establish standards for substances already known to be toxic—without taking into account the new and potentially toxic chemical compounds which are introduced into the workplace at the rate of about one every twenty minutes. "I am ashamed to speak of Federal standards," says David Gore, a lawyer for the Steelworkers Union. "They're almost nonexistent."

In its six-year existence, OSHA has become conspicuous primarily for what it has not done and does not know. Few of the hundreds of thousands of chemicals currently in the workplace have been tested for their effects, singly or in combination with others, on the human organism. Philip Handler, former President of the National Academy of Sciences, says. "What each compound or what several or many compounds acting together are doing to man and especially to the complex interacting balance of life about us and including us is almost a complete mystery."

As of 1976, six years after the initial passage of the Occupational Safety and Health Act, Congress had provided funds sufficient for an inspection force capable of examining only 2 percent of the Nation's workplaces each year. Fewer than 4 percent of America's five million workplaces have had first-time inspections, according to Ralph Nader's Health Research Group. And only 400 of OSHA's 1,500 inspectors are trained to conduct sophisticated investigations that can pinpoint carcinogenic chemicals or those that cause birth defects.

In fact, the Federal Government has done virtually nothing about the exclusion of fertile and pregnant women from certain jobs. The Nuclear Regulatory Commission (NRC) is the only agency that has even attempted to deal with the problem. When evidence came to light linking radiation exposure to high incidences of leukemia and cancer in the offspring of female radiation workers, the NRC considered setting a separate standard of radiation exposure for women. But the Equal Employment Opportunity Commission said this would probably constitute a violation of Title VII of the Civil Rights Act. An alternative was to lower the radiation exposure standard so that the atomic industry would be safe for both men and women, but the NRC decided this would be too costly.

Instead, the NRC merely directed its licenses to inform women workers of the potential hazards. The NRC's instruction guidelines for women suggest they "delay having children" until they can work in low-exposure jobs, or seek reassignment to low-exposure jobs when they become pregnant. If this is not possible, say the guidelines, "you might consider leaving your jobs." NRC, in effect, offered women a choice of risking the health of their babies or giving up their jobs.

OSHA is now considering a revised standard for exposure to lead, since recent medical evidence suggests that the current standard allows concentrations of exposure that could cause miscarriages. The proposed revision, which is expected to be issued by the end of the year, allows for half the exposure level currently permissible, and it promises a substantially diminished risk of miscarriage. But the lead industry calls the proposed revision unduly restrictive and far too costly. Industry spokesmen maintain that smelters across the country will be forced out of business if the revision is adopted.

Proponents of the lower standard contend its adoption would signal the Government's commitment to equal opportunity for women. Olga Madar, president of the Coalition of Labor Union Women, testified at recent OSHA hearings, "Industry prefers excluding a group with a problem rather than dealing with it. After the fertile women are removed, who will be next? Black workers who carry the sickle-cell anemia trait in their blood? Older male workers who have the highest probability of heart problems? The list of groups with special susceptibility goes on and on, until a strain of superworkers has been bred."

Men, however, are not superworkers, and there is growing evidence that the reproductive organs of male workers might also be adversely affected by toxic substances and processes. Foreign studies suggest that an unusually high number of male workers have abnormal sperm test results after exposure to lead. Female operating-room personnel exposed to anaesthetic gases suffer increased risks of miscarriages and children with birth defects, and children of male operating-room personnel also show an increased risk of birth defects. Women whose husbands have been exposed to vinyl chloride have an unusually high incidence of stillbirths and miscarriages.

Andrea Hricko, an industrial hygienist at the University of California and an activist in occupational health issues, recalls a four-day training course in safety and health she taught for workers at an auto assembly plant in Fremont, California:

"At the beginning of the class," she said, "it was clear that they thought it was a very good thing that G.M. had been responsible enough and protective enough about women that they were not letting them work in the lead grind booth. But when we pointed out that there are indications that lead also affects the male reproductive system, they were totally astounded. There was one guy who has been working in the lead area for ten years and has been trying to have children for eight years. We don't know, of course if it's connected. His wife has been tested, but he's never been tested.

"The male workers were really appalled," Hricko continued. "They had been duped into thinking that the company was being responsible, when in fact what they were doing was discriminating against the women and not telling the men that there was a health hazard at all."

At St. Joes Mineral in Monaca, Pennsylvania, according to Vicky Read, the men are not so complacent. "The men are aware," she says, "that lead can hurt them, and it upsets them. They can't understand why the company is concerned about us women and not about them. Why don't *they* have a case of discrimination against the company? They have to work in the dirty places and we don't.

Ann Trebilcock, assistant general counsel for the United Auto Workers, believes the issue has been improperly defined from the outset. "By not considering the health of men," she says, "industry is only raising the questions which will get people all upset about deformed babies. Instead, they should ask the questions which will get people all upset about workers' safety and health, men and women alike. The company is using the prospect of deformed babies as a subterfuge to avoid making the place safe for either men or women."

At the Prestolite battery plant in Visalia, California, Elaine House says, "I would like to know maybe I can work without worrying. Half the time I hear, 'Well, what are you doing there? Why don't you leave the plant?" Because I am fooling myself and I am telling

myself, 'Hey, it is not going to happen to me. I am going to get out before I end up on a kidney machine or something.' So I would like to see health standards so I could work for a lot more years without having to worry, 'Is it too late? Do I get out now or what?' "

Workers like Elaine House will probably have to wait many years before they can work without worrying about their health. For the foreseeable future, these workers are the guinea pigs on whom the toxic substances and processes of industry are being tested. Their illnesses and deaths, and the defects among their offspring, provide the raw statistics which confirm the toxicity of the untested chemicals already in use in the workplace. So far, OSHA seems willing to set new or revised TLVs only when undeniable evidence of death, severe illness, or birth defects is documented.

OSHA reduced the TLVs for asbestos by 90 percent only after a Federal study indicated that the death rate among asbestos workers was three or four times higher than among the general population. George Wald, the Nobel laureate in biology, has predicted that one out of five asbestos workers will eventually die of lung cancer.

Only when NIOSH discovered that the incidence of leukemia among workers exposed to benzene was at least six times the normal rate did OSHA order a 90 per cent reduction in benzene exposures. When Allied Chemical and Dow Chemical came up with a study showing evidence of high rates of lung and lymph cancer among workers exposed to arsenic, OSHA finally reduced the allowable levels of that chemical by more than half. And only after a NIOSH study firmly established that the wives of men who work with vinyl chloride are twice as likely to have miscarriages or stillbirths, did OSHA set levels for that chemical.

Industry, on the other hand, complains that the Government is moving too fast, and corporations are enriching scores of Washington lawyers by challenging each step in the painfully slow standard-setting process. And industry spending for workers' health and safety actually declined by 10 per cent from 1974 to 1975.

No one can even hazard a guess as to how much it would cost to clean up America's workplace, because new information continually surfaces to condemn yet another chemical which had been presumed to be harmless. Given the profit-maximizing goals of business and the acquiescence of Government regulators, it seems unlikely that our existing economic structures can ever accommodate the changes necessary to make work safe. The pursuit of private profit leaves no room for concern about the health of workers. If Government regulators were to insist on strict enforcement, corporate costs would rise and corporate profits diminish. Industry would threaten to stop producing (as the auto companies did when Congress was debating air pollution standards) or to move production to the "better business climate" of the Third World.

The Occupational Safety and Health Act of 1970 is a prime example of potentially effective legislation that has been disarmed by lack of implementation and enforcement. The law does, in fact, recognize some important worker rights. It guarantees a "safe and healthy" workplace. It calls for inspections without prior notice to a company, and directs that a representative of the workers accompany the inspector on tour. It allows any worker to register a complaint and call for an inspection, while protecting that worker from reprisals. It imposes fines for violations and compels employers to maintain records of work-related deaths, injuries, and illnesses.

But as George Wald has said, "If the far-reaching provisions of the new health and safety legislation are to be realized, it will be only because workers insist upon them, organize for them, and participate in their enforcement. That is just what the legislation invites." In practice, it is difficult to protect workers from reprisals for demanding an OSHA inspection. Workers must wait months for a requested inspection, while dangerous conditions persist. The current health and safety standards don't go far toward defining safety in the workplace. The average fine levied by OSHA for safety and health violations is so small that there is little incentive for companies to maintain better working conditions; it is often cheaper to get caught than to clean up.

Without the backing of a vigorous union, it is especially difficult for a worker to take recourse in OSHA's provisions. And working women—83 per cent of whom are not affiliated with any union—are particularly helpless when it comes to dealing with health conditions at their jobs.

"A worker in a nonunion shop," says Steve Wodka of the Oil, Chemical, and Atomic Workers, "is not going to risk being fired by filing a complaint without the protection of a union. A lot of companies, to avoid union organizing campaigns, will pay union rates, but when it comes to issues of safety and health, getting representation in Washington at OSHA, prying information from management about the chemicals on the jobs, or getting conditions corrected, if there's not a union on the job that workers can use, bad conditions just go on and on."

With a handful of exceptions, unions themselves have displayed far less vigor in pursuing health and safety than in pursuing higher wages. But there is no substitute for the collective action available through a local union in seeking information from management about the chemicals used on the job, in seeking stricter safety measures, or in pressing OSHA to fulfill its mandate.

Until women are organized to demand safe working conditions, they will continue to be at the mercy of industry, risking their own health and lives and, in some cases, the health and lives of their offspring as well. "When they say women shouldn't be in the plant, I get a little aggravated," says worker Elaine House, "because I hate to say 'men' and 'women.' I would like to say 'humans.' I would like to see us safe as humans, not as male or female."

TODAY—THE 20TH ANNIVERSARY OF SPUTNIK

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FUQUA. Mr. Speaker, October 4, 1957, was the day the Soviet Union ushered in the space age with its successful launching of the world's first artificial satellite, Sputnik I. Heralded around the world as a major scientific achievement of a nation far ahead in science and technology, Sputnik I represented a major challenge to the nations of the free world.

The United States was quick to respond to this challenge as the free world leader capable of catching up to and surpassing the Soviet Union in a new space race. That period in history was one of adverse political relations between the United States and Russia and involved differing political ideologies. Political tensions and mistrust prevailed between the two nations and little cooperation could be expected in the exploration of space.

America's first artificial satellite was successfully launched on January 31, 1958, just a few months after the space race began. Named Explorer I, the satellite was launched with a Redstone missile modified by the Werner von Braun team and was built, managed, and tracked by the Jet Propulsion Laboratory in Pasadena, Calif. Scientific measuring instruments were on board.

Since that time, major advances have been made in the exploration of space. Our Nation has conducted its space missions in the open and the public has had the opportunity to see both the successes and defeats.

Since its beginning, America's space program has been courageous and one of many accomplishments. We have seen our astronauts confidently walking and riding on the surface of the Moon and also enjoying walks in space. Our scientific satellites have also made impressive discoveries for the benefit of mankind. In looking back over the 20 years since the inception of the space era, the sense of rapid scientific and technological progress is very real.

Today should, therefore, not only be remembered as an important anniversary of space age. It should also be appreciated as a day to honor the frontier spirit of man that has contributed so greatly in the last 20 years by acquiring new and beneficial knowledge for man's use.

Mr. Speaker, my hope is that as we look forward to continued progress in the field of scientific space exploration, we will remember that our national space effort has made a major contribution to the peaceful purposes of mankind and that its record is outstanding.

AIR BAGS FOR SAVING LIVES

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. JOHN L. BURTON. Mr. Speaker, I am offering the following editorial from the San Francisco Chronicle for my colleagues to read and consider concerning air bags:

AIR BAGS FOR SAVING LIVES

Unless Congress sets it aside by October 19, an order of the Secretary of Transportation will then take effect requiring all new cars to be equipped with automatic seat belts or air bags (or possibly other crash-protection devices), beginning in 1982. The final month of the pro and con debate on this issue will no doubt be hot and heavy.

Secretary Brock Adams is being widely objurgated as Big Brother for having made the installation of crash restraints obligatory; his predecessor, William C. Coleman, had been content to leave the matter optional for 1980 and 1981 model cars.

We ourselves have in the past argued for the optional approach, but new considerations have caused us to change our minds. The most persuasive of these is that the public is buying more and more light cars and these need more effective crash protection for front-seat occupants from heavy cars.

A second persuasive reason is that polls show more of the public wants air safety bags required in all new cars than opposes them.

Finally, there is no denying that optional systems have failed—the evidence is that only 20 percent of front-seat occupants will wear a safety belt if its use is optional.

The air bags and automatic belts would protect drivers and front-seat passengers without their decision to hitch themselves in. The automatic seat belt wraps around the occupant as the car door is closed.

The air bag, a cushion hidden inside the instrument panel, inflates at the moment of impact above 12 miles per hour; it has been tested in 400 million miles of highway driving and is said to be four times as effective in preventing fatalities as most conventional safety belts.

The prediction of the Department of Transportation, endorsed by the insurance industry, which favors automatic restraints, is that 9,000 of the 46,000 American lives lost yearly in accidents will be saved and tens of thousands of injuries prevented if the Adams decision is let stand. How can resistance to automatic restraint systems be justified in the face of these figures?

DAY OF BREAD

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. THONE. Mr. Speaker, this is Harvest Festival Week and today, October 4, is the International "Day of Bread." In observing this event we join with all nations, creeds, and cultures around the world as the family of man in an autumnal tradition of spiritual kinship as old as civilization itself. It is a time to pause and give thanks for the annual bounty of nature; a time to assess our personal, national, and world food situation; a time to plan better how to feed ourselves and our fellow human being throughout the world.

Today, our granaries are stocked with more than 1 billion bushels of surplus wheat. Today, in spite of inflation, the price of wheat is the lowest in years—so low that many farmers are selling their grain for less than their cost of production. Today even with this glut in available food, many Americans go to bed hungry. Today, 12 percent of the world population—500 million people—is malnourished.

Clearly, the problem is not simply food quantity. There is an equation still unsolved of food economics, distribution, and nutrition education.

We may not solve this problem today. But we shall solve our larger problem, if we keep sight of our goals and our dedication to universal fellowship. In token of such values, and the role of bread as a hunger fighter and symbol of all foods for at least 60,000 years, American wheat growers, flour millers, bakers, and the many of the trades allied with these industries, have presented each one of you an extraordinary gift—a simple, yet marvelous loaf of bread. They join me in the hope that you will break bread together, as all men have for centuries, in a special act of universal brotherhood.

The "Day of Bread" is every day. Let us use our gift from nature wisely and with love. Thank you.

CONGRESSIONAL TRAVEL

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. LAGOMARSINO. Mr. Speaker, recent news reports concerning congressional travel have raised the legitimate question of both the function and the cost of overseas trips. As a member of the House International Relations Committee, I believe these trips serve a legitimate function, however, I agree with the commentators that the taxpayers deserve a full accounting. The enclosed article and editorial from the Santa Barbara News-Press touch on this issue and deserve the attention of the Members:

LAGOMARSINO HAS TRAVELED TO 23 NATIONS SINCE 1974

(By Jerry Rankin)

Congressman Robert J. Lagomarsino has visited 23 countries and spent two months on taxpayer-paid overseas trips in his 40 months in office, becoming one of the California delegation's leading world travelers.

In 1976, he spent 31 days on such trips, second highest in the 43-person California delegation, 17 of whom traveled outside the country. Lagomarsino, first elected at a special election in March 1974, is a Republican representing Santa Barbara and parts of San Luis Obispo and Ventura countries.

The cost to the taxpayers for such trips is thousands of dollars, but Lagomarsino says that in his case, as a member of the House international relations committee, the trips are logical, needed and worth it to the taxpayer.

In all, Congressmen and women spent $2.4 million on overseas travel last year, and as usual the trips sparked some protests by individuals and groups such as Common Cause that consider them as "junkets" of little or no value except to give the members, their spouses and some assistants lavish foreign tours at the expense of the folks back home.

Most of the figures were compiled by Congressional Quarterly, the independent weekly magazine considered the "bible" of detailed information about Congress and the government. CQ's Mark Gruenberg descended into the bowels of the State Department, Treasury and Defense Department as well as Congress to obtain the information. He told the News-Press he spent hours going through boxes of vouchers, bar tabs and so on to document his figures.

A News-Press check shows that Lagomarsino—who announces his trips in advance, and sends out reports on them afterwards—spent 16 days traveling outside the country in 1975, visiting seven nations.

Last year it was 31 days and 12 countries, exceeded only by Democrat Charles Wilson's 43 days among California members of Congress.

And in 1977, Lagomarsino has been out of the United States 15 days on visits to six countries.

In 1975, he was one of many, with 29 others in the delegation world-hopping, and at least 10 reported more time gone than he did. But in the election year of 1976 only 16 in addition to Lagomarsino traveled.

All his travel was when Congress was in recess, not in session; Lagomarsino has a nearly perfect attendance record for his time in Congress, and has made 100 percent of all roll calls in 1977.

Where has he traveled? Mexico, Germany, Belgium, Italy, Austria, Portugal, Greece, Egypt, Israel, Iran, Turkey, Yugoslavia, Taiwan, Peru, the Philippines, Indonesia, Australia, New Zealand, Colombia, Ecuador, Chile, Argentina and Brazil.

Much of the criticism of congressional traveling is aimed not just at its need, but—even in the cases where the justification is clear—at how it is handled and some of the "extras" thrown in by the military escorts.

Many stories have detailed over the years, and CQ's new survey reconfirms it, that such trips are carefully escorted by military officers well aware that the congressmen control the amount of money the Defense Department gets.

For example, the military planes the politicians and their parties travel on are well stocked with food and liquor, but the bill is paid by military congressional liaison money, not by the committee, which thus doesn't have to report it on official forms filed with the Houes or Senate.

Asked about the need for the liquor and food aboard planes, Lagomarsino told the News Press in a telephone interview from Washington that some food obviously is needed on the plane. As for the liquor, he feels the public shouldn't pay for it: "They ought to do it so that whoever uses it pays for it. You can pay for your own . . . I guess I missed out on my share."

When Lagomarsino and six other members of his committee toured the Mideast from Jan. 3 through 16 last year, their military VC–137 jet was stocked before it left with $422.30 worth of liquor and mix from Branchwood Liquors.

Another $372.49 was spent before leaving to stock the plane with frozen food, including chocolate eclaires, fruit, different types of cake and pies, vegetables, beef stroganoff, veal parmesan and pigs in blankets.

In all, the military laid out $1,690.38 just to stock the plane during the trip.

On the return leg, the plane landed in Naples Jan. 14 and supplies were made available by the Navy captain escorting the trip for consumption there and on the return journey. He paid $425.25 for:

Twelve bottles of Old Forester, 24 of Johnnie Walker Black Scotch, 12 of Tanqueray gin, 12 of Smirnoff vodka, 12 of Jack Daniels Black bourbon, one bottle of Martini & Rossi vermouth, one of Bacardi rum, a six pack of Old Milwaukee beer, plus mixers and nuts.

The previous night, the military spent $51 in Athens for 10 bottles of whisky, a case of beer, a case of Coke and three cartons of cigarets for the group.

In total, the military paid $4,838.46 on that trip, Jan. 3–16, for meals and beverages, in addition to money spent for regular meals by the congressmen out of their $75 daily living expense allowance.

There were 27 persons aboard the 78-passenger plane, including staff and wives. Among them was Lagomarsino's wife, Norma, but her expenses are paid entirely by Lagomarsino on such trips, including her air fare.

In addition, at most stops—such as Athens—the military provides with its own funds a "control room," at the hotel, where free liquor, snacks and so on are provided. It also can serve as a central communications point for those on the trip.

On a second trip Lagomarsino took Nov. 6–22 through Southeast Asia last year, the military tab for various items came to $5,392. That included $1,828 for food and beverages, $2,904 for "miscellaneous" and $662 for lodging—the control rooms, which critics of such trips consider a waste of money.

A major part of the cost of such trips is the military aircraft, and the amount of money spent varies according to whom you talk to.

The Navy's record, for example, put the total cost of using the plane for the Asian

tour at $134,345, based in $2,337 per hour in the air.

But the committee's report filed in Congress puts the total plane cost at $11,695, one-twelfth the Navy's estimate. Lagomarsino said he had nothing to do with figuring the plane cost and Gruenberg said the congressional committees' reports on such transportation costs always seem to be substantially below that reported by the services flying them.

On the Mideast tour, the committee reported a cost of $10.400 for the plane, but the military report $64,636 at $1,908 per hour airborne.

That helps account, CQ said, for the disparity between what Congress reports spending on overseas trips in a given year and what the apparent real cost is. For 1976, Congress reported spending $1.44 million—$1 million below the magazine's estimate, based on records it examined. Nor did Congress figure include the $75 per day each member got on the trips.

Lagomarsino said his records, based on the committee figures, show the taxpayers' cost for him to make the Asian tour was $3,506 and for the Mideast tour it was $3,-592, or $7,098 for the year. That would include a total of $1,050 in per day expenses for the Mideast trip and $1,275 for Asia. The cost of the plane trip to the Mideast was put by his committee at $953 per congressman, roundtrip, and $1,948 on the Asian tour. But Congressional Quarterly said the real cost was much higher when the actual expenses of keeping the plane in the air, as reported by the military, is calculated.

The official reason for the Asian trip was to study the post-Vietnam situation; for the Mideast trip, it was to study arms supplies, Cyprus and other matters.

Lagomarsino's international relations committee was the top spender on trips last year, reporting $236,111.

Asked how he would reply to a constituent complaining about such costly overseas ventures, Lagomarsino said:

"I would tell him that I'm on the committee that has the responsibility for international relations, foreign aid, military security—everything to do with our country's relations with other countries . . .

"It's right to take trips—it's to find out firsthand what's happening instead of relying on the secretary of state (or others) . . . With the money we're called on to look at and spend, it's well worth it."

He says he worked 12 to 14 hours a day on the Mideast trip, and noted that in 1976 at the time of the Mideast trip, "we had a bill calling on Congress to appropriate $3.6 billion for the Mideast . . . We felt it would be irresponsible to act without knowing what we were talking about."

Regarding the Asian trip, he said it was useful in gathering information concerning Taiwan and Red China and how other nations view that confrontation. The committee also obtained important firsthand information on the U.S. military bases in the Philippines, key installations whose continuation is an item of debate between the two nations.

Lagomarsino said his visit to Indonesia was valuable for his constituents especially because of the reliance on that country for natural gas and oil imports to California.

Citrus is important in California, and on the trip to Asia he was able to discuss the matter face-to-face with heads of several states, he recalled. "I brought to their attention that a lot of Californians were concerned" about trade restrictions in those nations, and asked them to review those policies.

In the Philippines, he talked to President Marcos "about the experience they'd had in a recent earthquake. I was interested in determining whether buildings built with what we were told were California earthquake standards withstood the shock. We had been told they did not. But (on talking to Marcos) we were told they did, indeed, stand up when actually built to those standards. . . ."

And, the "Mideast trip's importance was underlined by the fact that when we got back President Ford spent more than an hour listening to us, to our impressions," Lagomarsino added.

He agreed that "some taxpayers might have a different idea" about the real value of such journeys and said, "There are undoubtedly members who don't have very good excuses for doing it, members of committees who don't have international responsibilities."

But Lagomarsino noted he also turns down trips. "I was asked just this morning to go on a trip to the Mideast . . . and a trip is being put together to many of the same areas of the Far East this year."

Regarding the new Asian trip, the congressman said he thinks it would have value with regard to California products and trade, but he turned down both: "That would be kind of overdone."

Lagomarsino stressed that he announces his trips beforehand, and that his wife is going with him. And on returning, he sends out reports which go to newspapers in his district.

THE CONGRESSMAN'S TRIPS

In a roundup story in Sunday's News-Press, staff writer Jerry Rankin pointed out that Rep. Robert Lagomarsino of this district is one of California's most widely traveled House members: 23 countries visited on taxpayer dollars during his 40 months in office.

It was also noted that in his overall two months in various foreign lands, none of it occurred when Congress was in session. He had a near perfect attendance record and made 100 percent of all roll calls in 1977.

Further, the congressman announced his trips in advance to his constituents, reported on his findings at their conclusions, turned down several proffered treks, and paid his wife's expenses when she accompanied him.

Lagomarsino, as a member of the House international relations committee, says it is imperative for him to get a first-hand look at what's happening in foreign countries—particularly so considering the amounts of money the committee is obliged to act upon. He acknowledged, however, that the treks taken by some members of the House would be hard to justify.

It is unlikely that taxpayer disaffection with congressional travels would center much on cases such as Lagomarsino's. There are committee responsibilities involved here, and evidence that he and some of his colleagues dedicate long hours to their tasks when abroad.

But with public temper running high over the cost of government, the distinction between foreign treks which can reasonably be justified and extravagant "junkets" becomes blurred.

There is also the matter of care and feeding the traveling congressmen; how sumptuous it is, who picks up the tab, and in what manner the costs are recorded.

Sunday's article spells out how solicitous the military is in providing planes, amply stocking them with food and drink, assisting with lodgings, and setting up "control rooms" at some stops where free drinks and snacks become available along with communications facilities.

Estimates of the costs of these amenities vary widely according to the arm of the service involved. Also much of the tab is paid through military congressional liaison funds, relieving the committees of having to include them on official report forms. In a word, nobody knows really just what the expense may add up to.

We suspect that Lagomarsino might support the idea that a lot of unjustified congressional travel is still going on; that considerable economies could be affected in the mode of travel, and that committee reports on costs incurred should be revamped to bring them into closer touch with reality.

UPCOMING CONGRESSIONAL ADJOURNMENT SHOULD BE CONSIDERED

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. LUKEN. Mr. Speaker, I would like to speak on behalf of my constituents in Cincinnati, many of whom are concerned over the upcoming congressional adjournment. They are angry because action will be delayed on such issues as unemployment, soaring energy and health prices, inflation, welfare and social security, minimum wage, and the Panama Canal, only to name a few. I am sure these feelings are not exclusive to my district, and that people around the Nation hold these same views.

It is our responsibility as Members of Congress to act in the best interest of the people we represent. With energy, unemployment, inflation, health issues, and tax reform, all waiting to be acted upon Congress should not be away from Washington for what would be a critical 2½ months.

The 95th Congress has before it many of the most challenging and difficult problems of recent history. However, if we adjourn as suggested, this will be the shortest first session of Congress in 10 years.

I believe that the adjournment in October would be flagrantly irresponsible, and urge careful consideration of the adjournment decision.

WITH FRIENDS LIKE THE UNITED STATES, DOES ISRAEL NEED ENEMIES?

HON. NEWTON I. STEERS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. STEERS. Mr. Speaker, the weekend release of the Soviet-American statement on the Middle East confirms my fears, which I expressed in this House in June, that the Carter administration is attempting to dictate to Israel the terms of a Middle East peace settlement.

This policy is at the least unwise, since a peace settlement that has not been ironed out by the participants in the conflict cannot be expected to last. A dictated settlement might be enacted sooner, but the risks taken to achieve the quick solution are great, indeed. If Israel is forced successfully by the Carter administration to accept this proposal, and peace does not last, almost all the participants in the Middle East conflict will be convinced that peace is im-

possible. Peace is not impossible, but it cannot be rushed to suit the diplomatic suppositions of an American President or a Soviet General Secretary.

Furthermore, this statement must lead, not only Israel, but other allies of the United States, to wonder about the value of American support. It seems that the Carter administration feels that, since Israel depends on U.S. support, that the United States can treat Israel as it pleases. However, if the United States is willing to pressure its friends in this manner, it can only lead to a loss of American credibility in the eyes of America's allies throughout the world.

And I do believe this action is diplomatically unwarranted. By issuing this statement, President Carter has violated several pledges given to Israel in a 1975 memorandum agreement. I find it ironic that the President has joined forces with the Soviets to extract major concessions from an Israel that has recently made bold, conciliatory gestures to the Arab States involved, particularly Israeli permission of non-PLO Palestinian participation in the Geneva talks. The fact is that Israel does not want to recognize the PLO, an organization committed to the ultimate destruction of Israel, and I wholeheartedly support Israel in this matter.

The PLO should not be allowed to participate in the Geneva Conference, since it would be a tacit admission that the PLO represents a sovereign government, which it does not. How on Earth can Israel be expected to assist in the creation of a neighboring country committed to Israel's destruction? Instead of trying to pressure Israel into this one-sided plan for peace, President Carter should realize some of the harsh realities in the Middle East.

Furthermore, I question the advisability of this joint effort with the Soviet Union. The U.S.S.R. has never constructively assisted in peace efforts in the Middle East, and, at times, they have tried to aggravate the situation. The Carter administration's embrace of the Soviet Union at this point adds credibility to dubious Soviet intentions, strengthening the Russian position in the Middle East.

I will not list the broken promises that constitute the Carter-Soviet plan, since so many of my colleagues have done so very eloquently. I would like to point out to supporters of President Carter that I feel this action is a grave error, and I hope its damage can be undone in the tense months ahead.

NORTHEAST MIDWEST ECONOMIC ADVANCEMENT COALITION ON THE PRESIDENT'S WELFARE REFORM PROPOSALS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. RANGEL. Mr. Speaker, on Friday, September 30, 1977, I appeared on behalf of the Welfare Reform Task Force of the 204-member Northeast Midwest Economic Advancement Coalition. At that time, I presented the preliminary findings of the Northeast Midwest Institute's research on the President's welfare reform program.

Those findings indicate that the States which are the most heavily burdened by welfare will continue to bear the economic brunt under the new system. The institute also took note of the fact that since the cost of living is so high in coalition States, recipients will be relatively better off in those States which unlike coalition States currently provide benefits which are significantly less than the proposed national benefit.

As pertains to the jobs portion of the bill, the institute points out that because of the high rate of structural and cyclical unemployment in coalition States, it will be necessary to allocate more jobs to that area of the country. Additionally, the plan fails to address the questions of providing job-related benefits to those who work in public sector jobs, that the earned income tax credit will only apply to the private sector, jobs, and that there well may be more demand for jobs than the allotted 1.4 million.

Finally, the institute decrys the administration's blatant move to deny the wellhead tax rebate to welfare recipients. To deny these people a rebate which all Americans were intended to receive will place a disproportionate financial burden for our energy program on the poor.

The text of the institute's observations follow:

TEXT OF OBSERVATIONS

Congressman Rangel appears for the Welfare Reform Task Force on behalf of himself and Congress people Michael Harrington, Donald Fraser, Silvio Conte, Frank Horton, Edward Koch, Steven Solarz, Shirley Chisholm, Abner Mikva, James Oberstar, and Elizabeth Holtzman.

Mr. Chairman, and fellow subcommittee members, I am pleased to have this opportunity to appear before you on behalf of the Welfare Reform Task Force of the Northeast Economic Advancement Coalition. As you probably are already aware, the coalition was formed during the closing days of the 94th Congress in an effort to identify and address those Federal policies which have a significant fiscal impact upon the declining States of the Northeast and Midwest.

One of the more critical of problems which we in the coalition face is the one I am here to talk with you about today: welfare reform. Until recently migration patterns in this country had been from the rural South and Southwest to the industrialized Northeast and Midwest. These people came in the hopes of finding jobs and creating a better life for themselves and their families. But all too often when they got here, they found that either jobs weren't available or if they were available, they didn't have the skills to fill them.

With no job, no education, and no real prospect of improving their economic situation many of these people turned to public assistance in order to survive. Because of the high concentration of the poor and under educated in the Northeast and Midwest regions and because of the high cost of living, the fiscal burden for the taxpayers of these regions has become intolerable. While there is some Federal assistance, the amounts are too little when one considers the number of recipients and the need to supplement the meager Federal grant in order to provide those on welfare with anything close to a subsistence income.

Because of the profound impact of the inequities in the current program on coalition members, the welfare reform task force was formed. One of the major inequities is the heavy fiscal burden which is placed on such coalition States as Pennsylvania, Ohio, New York, New Jersey, Massachusetts, Illinois, Indiana, and Michigan. At our request, the Northeast Midwest Research Institute has undertaken to analyze President Carter's program for better jobs and income with an eye toward those issues which have uniquely regional concerns. I would like to share with you some of the findings of the institute.

1. COST OF LIVING VARIATIONS

There are numerous examples of the plan's failure to address the issue of regional cost differences.

First, the high benefit States, many of which are represented in the coalition, must pay more to their recipients to provide them with the same purchasing power as recipients in lower benefit States. The Federal Government, under the administration proposal, would only assist in this additional cost, leaving a large part of the additional amount to be paid by the States. Thus, the Federal share of the new welfare proposal would not provide an equal amount of purchasing power across States, leaving a number of States, primarily in the Northeast and Midwest, to bear the brunt of regional cost differences.

A second example of this problem involves the Federal income tax reimbursement requirement for States with higher cash assistance payments. The higher benefits States would be penalized under the administration plan for providing such benefit levels by the requirement that States must reimburse cash assistance recipients for any Federal income tax for which they are liable if the State's supplemental benefits are high enough to place the recipient above the income tax entry point.

Additionally, the flat $150 ceiling for deductible child care expenses does not reflect the regional cost variations for such services. The thirty percent Federal portion of the public service job subsidy for overhead also fails to be adjusted for cost of living.

While there are obvious methodological and data problems with present cost of living indices, preliminary studies by Guy Rosmarin and Associates in conjunction with the First National Bank of Boston, have indicated that dramatic cost of living differences are present across regions. These and other preliminary findings, while inconclusive, are strong enough to mandate the collection of more extensive cost-of-living data. Often the cost-of-living varies more within a State than between States. Therefore it is critical that figures be compiled for the cost-of-living for both between and within States. The failure to adequately focus on regional cost variations during the welfare reform dialogue could lead to a continuation of regional inequities.

2. DISTRIBUTION OF COST BURDENS

A second regional concern emerging from the administration's proposal is the question of the distribution of costs and fiscal relief. The financial burden of each level of government is an important issue to the northeast and midwest, given the present inequitable distribution of welfare cost responsibilities. Because of inequities inherent in the medicaid and AFD formula, the coalition States tend to be reimbursed at lower percentage rates than are States in the south and west. More States in the northeast and midwest are reimbursed at the minimum rate (50%) than in any other region. Consequently, the northeastern and midwestern States are bearing a larger portion of the financial burden of present welfare costs. The administration's plan does not address these present fiscal inequities.

Instead, the proposal uses the current fiscal effort of each State as a part of the base upon which to set new, across-the-board cost-sharing responsibilities.

3. FISCAL RELIEF

A primary regional concern is the minimum fiscal relief percentage.

The amount of fiscal relief accruing to States under the proposal is determined by such factors as the State's current AFDC matching ratio, its error rate, its benefit level and other factors.

The minimum rate of 10 percentage is rather small when one considers the fact that the northeast and midwest presently carry a larger share of the current welfare burden.

In addition the States which choose to supplement Federal benefit, located primarily in the northeast and midwest, would be required to supplement minimum wage public service jobs. This requirement would, once again, place a larger financial burden upon those regions which currently fund a large share of the welfare costs.

4. JOBS COMPONENT

Another welfare reform issue which comes immediately to the forefront of any regional discussion concerns the jobs component of Carter's proposal. The administration's plan fails to address a number of job-related issues of vital importance to the region.

One of the more import issues centers on the allocation of public service jobs. The high rate of structural unemployment and the limited potential for additional private sector expansion in the northeast and midwest will necessitate the provision of a larger number of subsidized jobs and training slots.

Additionally there must be some incentive for both public and private sector employers to fill future job vacancies with those who are in federally subsidized jobs. Further more the program fails to address itself to the necessity of providing normal job related benefits (excluding retirement) to those who are in federally subsidized jobs. This is of critical significance when one considers that those presently employed under CETA are eligible for such benefits.

The job component of the welfare reform plan offers some temporary assistance to the Northeast and Midwest but needs to be accompanied by a more comprehensive economic stimulus proposal. Public service jobs are ineffective steppingstones to private employment in the event of limited availability of private sector jobs.

The administration's plan does not seem to take account of a number of regional differences in economic circumstances. For example, the earned income tax credit (EITC) could only be applied to income earned in the private sector. This provision would de facto penalize persons in the coalition States which have limited private sector job opportunities.

The administration's plan also ignores the possibility of excess demand for jobs. The proposal outlined no provision for distributing additional jobs if excess demand occurred and offered no priority guidelines for filling an undersupply of public service jobs or training slots.

Another job-related issue concerns the capability of State employment service agencies to handle additional administrative responsibilities.

5. WELLHEAD TAX BENEFITS

The Wellhead Tax Rebate is another regional issue. Rather than using the $1.3 billion in revenue from the tax which was originally earmarked for energy rebates for the poor in order to compensate them for increased costs of petroleum and petroleum products, the administration now propcses to use those funds to finance welfare reform. This can only result in the cruelist of charades. With the imposition of the wellhead tax, energy costs for the poor in the coalition States will increase more than in Southern and Western States. Yet only those recipients in States which must raise benefits to a minimum of $4,200 as a result of the plan will gain as the Congress intends from the wellhead revenues. None of those States is in the coalition region. Yet the welfare reform proposal states as a goal providing recipients with grants which are equal to two-thirds of the poverty line. Since the vast majority of those who are not on welfare will automatically receive the rebate the increase cost in energy will not be nearly as great as for those who are welfare recipients. As a result any grant which represents two-thirds of the poverty line is not accurate because it is not an accurate reflection of the increase cost in energy.

6. MEDICAID COSTS

Additional cost distribution questions arise surrounding the medicaid issue vis-a-vis welfare reform and national health insurance. HEW officials have stated that in the coming months, the administration plans to submit a national health insurance program which would also seek to address the medicaid cost problems created by the welfare reforms. If welfare and national health insurance were consolidated into one program, the medicaid question would be less important. However, the administration tentatively plans to have a separate national health insurance proposal ready by early 1978. Yet HEW officials and others believe that medical cost containment will have to be made far more effective before the Federal Government can reasonably finance a national health insurance program throwing considerable doubt on the administration's ability to implement a NHI plan in the same time-frame as welfare reform. In view of this situation, the questions surrounding medicaid eligibility and increased State costs need to be resolved as part of the welfare reform debate. Since the coalition States must pay the same percentages of medicaid costs as of AFDC costs, any increases caused by additional demand for services will result in a significant added fiscal burden for the Northeast and Midwest.

Even if medicaid costs continue to increase at their present rate of growth (approximately 15–18% a year) States' medical costs may more than absorb any fiscal relief promised by the Carter proposal.

These increases in costs will occur in those States, primarily in the Northeast and Midwest, which have the lowest medicaid reimbursement percentages. Unless these percentages are upwardly adjusted, medicaid cost increases may substantially eliminate welfare reform fiscal relief.

WHITE HAT PAY PANELS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. BOB WILSON. Mr. Speaker, the Fleet Reserve Association, an organization of enlisted naval personnel—retired and active—have recently sponsored a series of white hat pay panels, asking for suggestions from enlisted personnel about pay allowances and other problems of the military services.

I was fortunate enough to be asked to participate in one of the panels in San Diego and, at that time, received a letter from an outstanding serviceman, GMCM Clarence W. Chambers, USN. Because his letter made a lot of sense, I include it as a portion of my remarks:

SAN DIEGO, CALIF., *August 9, 1977*

Congressman BOB WILSON,

White Hats' Pay Panel Hearings,

San Diego, Calif.

DEAR CONGRESSMAN WILSON: My original Intentions were to listen to what others had to say and keep silent, however while getting ready to come to these hearings this morning I had different thoughts. I will not go into lengthy detail in this letter and will just hit the highlights of my thoughts and observations I have gained throught my 16 years of naval career.

Pay and allowances are only a minor problem encountered within the navy now days. This consideration means very little unless a man has pride in what he is doing a sense of belonging and personal worth, security and human dignity. My considerations for making the navy a career 16 years ago was not pay as we both know in those days sailors were payed below welfare levels. No sir what convinced me to make the navy a career was my pride in the organization, a sense of belonging and a feeling that people believed in me and therefore I believed in my personal worth.

What in my opinion can be done to bring back Esprit de corps, Human dignity and entice young people to make the navy a career and to retain our qualified Senior personell to remain in not only the navy but other Services as well? The following are but a few Suggestions:

1. Pay and allowances:

(a) Cut out all the Garbage pays such as clothing allowance, Selective Reenlistment Bonuses, Sea pay, Hazerdous duty pay, Basic allowance for quarters, Family Seperation allowance, etc. These pays are aimed at the few and only tend to dissatisfy those people who do not qualify or, Receive these pays. They are Completely disheartened at the Inaquality of this System.

(B) Develope a Salery system which is equal to a mans personal worth and qualifications, Based on his civilian counterpart, which will enhanse the equality of all people.

(C) When a man goes to duty which is considered ardous Such as Combat or Sea duty then don't give him token pay. Instead of token pay give him Such things as free Bed and board, mail Service etc.

(D) Guarantee that at Intervals during his career he will receive a large Salery raise based on his experience and worth. IE Don't give him a token Raise as is now the Case in Longevity raises as they now are.

(2) Advancement:

(a) Develop an apprenticeship program where a man enters the navy, goes through boot camp, and is Sent to Sea for Three years as an apprentice. While on apprenticeship training he can be deciding on what area of occupation he wishes to strike for and the navy can decide on his worth for retention at the same time. At the end of his apprenticeship if he does not measure up to required standards he is simply discharged. If he does qualify for Retention he is advanced guaranteed a School in his chosen field and given an open end career contract.

(B) After apprenticeship training those qualifing for retention on open end contracts must continue to maintain standards or after administrative warning they may be discharged.

(C) The other side of the coin is they may request to resign at any time period in their career. However no retirement or compensation will be received until after completion of either 20, 25 or 30 years of service. This must be based on the needs of the service and held in obeyance during times of war.

(D) Guarantee career personnel that at specific time frames they will be advanced through the ranks with a large raise in salary. (IE.)

(1) Completion of apprenticeship training (3 years) advance to E2 at $500 monthly.

(2) Completion of school and 8 years service advanced to E3 at $800 monthly.

(3) Completion of 12 years service advanced to E4 at $1.200 monthly.

(4) Completion of 16 years service advanced to E5 at $1.600 monthly.

(5) Completion of 20 years service advanced to E6 at $2,000 monthly. (Retirement at $1,000 monthly)

(6) Completion of 25 years service advanced to E7 at $2,400 monthly. (Retire at $1,400 month)

(7) Completion of 28 years service advanced to E8 at $2,600 monthly.

(8) Completion of 30 years service advanced to E9 at retirement of $2,000 monthly.

In conclusion make the military services a worthwhile career where a man can realize security, accomplishment, self satisfaction, equality and a sense of dignity. Make it an honorable profession that a man can be proud of and that is not looked upon as a necessary evil by our fellow man. Without the foregoing the military man and woman will be forced to unionize to protect themselves from the indignity shown them by their fellow Americans. I myself am not a believer in unions or how they operate but if eyes are not opened I will be forced also to seek that means to be heard.

Sincerely yours,

CLARENCE W. CHAMBERS,
GMCM, USN.

SOBER ASSESSMENT FROM TURKEY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FINDLEY. Mr. Speaker, the distinguished journalist, C. L. Shulzberger, in the August 21, 1977, New York Times, presented a very sobering appraisal of U.S.-Turkish relations. I am impressed by his analysis and especially so by his call for an outsider, perhaps former German Chancellor Willy Brandt, to be the negotiator of a settlement on Cyprus. I have been urging a similar initiative, thinking however that a prominent U.S. personality like Gen. Lyman Lemnitzer, former NATO supreme commander, and still highly respected in both Ankara and Athens, could fill the assignment. In any event the legislated embargo against Turkey is turning our relationships very sour, indeed. I hope Congress will come to its senses and authorize the President to negotiate the best way out that can be found.

Text of article follows:

"CATCH-22" IN TURKEY

(By C. L. Sulzberger)

ANKARA.—The late Arnold Toynbee must have been thinking of the United States when he wrote, more than 50 years ago: "Western sentiment about the Greeks and the Turks is for the most part ill-informed, violently expressed and dangerously influential." He also said, with respect to this area: "The herd instinct can be relied on, as it cannot be in the West, to override the interest and judgment of the individual."

Toynbee's analysis is distressingly correct. It lies at the root of today's yawning crisis in United States-Turkish relationships. We have worked our way into a "Catch-22" situation which guarantees there can be no result but disaster for everyone concerned. Washington says that until Ankara shows signs of yield on Cyprus, the Defense Cooperation Agreement signed March 26, 1976 cannot be ratified by Congress. The Turks say they won't accept threats, and there can be no yield on Cyrus until the DCA is ratified.

If this situation is not compromised within about six months, Turkey will probably first evict United States caretaker forces from the idle bases once available to us here and most likely later, withdraw from NATO. It feels "betrayed" by the United States in particular and its Western allies in general. So we are well on the way to losing an ally with a unique strategic position, the largest NATO army outside our own, and 41 million people.

The economic situation is dreadful. Imports are grinding to a halt. About all Turkey buys abroad now is oil—which must be paid for because of the United States boycott. Although Turkey is an ally, it is embargoed in the same category as Cuba, Vietnam, Cambodia, Argentina and Ethiopia. Meanwhile, it has become the largest recipient of Soviet economic aid and credits.

The armed forces are gradually falling apart as equipment becomes obsolescent and spare parts remain unavailble. Anti-Americanism is noticeably growing among younger officers who blame air crashes on the lack of replacement parts and resent ammunition shortages that curb artillery practice. There are no more United States grants financing Turkish studies at United States military schools.

The stalled DCA provides for revived American use of former key bases here and a four-year payment of one billion dollars as quid pro quo. President Carter doesn't dare to try to push it through Congress now, fearing its rejection would be an unmitigated disaster and wishing first to test the political waters with the new Panama Canal treaty, by no means a cinch.

A few days ago Metin Toker, son-in-law of the late President Inonu and a prominent journalist, wrote: "Will the hand of America remain at the throat of Turkey, especially at the throat of the Turkish armed forces? Will the Turkish armed forces be forced to remain, in General Haig's [NATO commander] calculation, at half their capacity?"

Turks admit a switch from the United States and NATO would harm all parties including themselves but, at Toker says it "is not based on calculated interest but on a concept of dignity," and the United States has really replaced Greece as the most disliked country in Turkey today.

"The Greek lobby" in our Congress is seen as trying to isolate the Turks from Western connections. America has unwittingly but undoubtedly become an integral part of what used to be called the Greek-Turkish problem, originally involving only Cyprus and Aegean air and sea space.

We are now directly entangled. Clark Clifford, Carter's mediator, is unwelcome here and regarded as little more than a Greek agent. It is past high time for a new initiative.

This must be taken by an outsider, representing the West but bearing neither United States, nor Greek, nor Turkish passport. My own nominee is former West German Chancellor Willy Brandt, who is widely respected in the three capitals concerned: Ankara, Athens and Washington.

Prime Ministers Demirel and Caramanlis are just as worried as Carter at the prospect of NATO collapsing, but the problem has gotten out of hand. There is a machismo element of courage culture in this tough country which doesn't respond to threats. Moreover, there is a new rise of political anti-Westernism, neutralism and pro-Arabism which is visible on the internal political horizon.

If the United States doesn't move—quickly, subtly and effectively—to get a serious new diplomatic mediation started, including with its own Congress, that Congress will be demanding a few years hence: Who lost Turkey?

FEDERAL GUARANTEES FOR DELINQUENT RAILROAD TAXES

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. GILMAN. Mr. Speaker, H.R. 8882, a bill introduced by my distinguished colleague from Ohio (Ms. OAKAR), is designed to correct the inequitable situation created by the bankruptcy of Penn Central and other bankrupt railroads and the resultant delinquent taxes owed our financially hard pressed local, county, and State governments.

H.R. 8882 amends the Regional Rail Reorganization Act of 1973, providing Federal guarantees for notes that the Penn Central Transportation Corp. proposes to offer to our local and State taxing districts in lieu of delinquent taxes owed by the bankrupt railroad and its lease lines.

As a cosponsor and active supporter of this bill, I testified on September 27, 1977, before the Subcommittee on Transportation and Commerce. In an effort to more fully familiarize my colleagues with the onerous burden to which local, county, and State taxing authorities have been subjected as a result of these bankruptcies, and to illuminate the judicious and well-reasoned legislative remedy offered by H.R. 8882, I am submitting for insertion in the RECORD my testimony before that subcommittee:

TESTIMONY BY MR. GILMAN

Mr. Chairman, I am grateful for this opportunity to appear before the Subcommittee on Transportation and Commerce in support of H.R. 8882, a bill to guarantee notes issued to secure the real property obligations owed by Penn Central and other railroads.

I have co-sponsored and supported this legislation introduced by my distinguished colleague from Ohio, Mrs. Oakar, because of the firm commitment in this bill to provide our financially hard-pressed local, county, and state governments optimum security for tax relief for the real property obligations owed by Penn Central and other railroads.

In sum, this bill amends the Regional Rail Reorganization Act of 1973 by providing federal guarantees for notes that the Penn Central Transportation Corporation proposes to offer to our local and state taxing districts in lieu of delinquent taxes owed by the bankrupt railroad and its lease lines.

The long and complicated litigation surrounding the Penn Central bankruptcy has ensnared local, county and state governments in a perplexing fiscal dilemma not of their own making. I speak of the approximately $500 million in delinquent taxes that these tax districts are attempting to secure from Penn Central. In my own 26th Congressional District in the State of New York, at least 17 taxing authorities report that Penn Central owes them collectively, over 1.7 million in unpaid taxes. For these financially hard-pressed towns and counties, struggling to maintain adequate municipal services, while at the same time attempting to stem the current upward spiral of local tax rates, Penn Central's tax debts continue to exacerbate the fiscal plight they are experiencing.

The legal imbroglio in which the current claim to Penn Central back taxes is rooted stems to a large degree from the Penn Central bankruptcy in June 1970, and the subsequent issuance of Order No. 70 by the Reorganization Court on October 26, 1970. That Order permitted Penn Central to defer payment of State and local taxes and enjoined state and local taxing authorities from taking any actions to collect these back taxes. From the date of entry of Order No. 70 to the end of 1976, numerous state and local taxing authorities engaged in extensive litigation.

In an effort to stem further suits contesting Order No. 70, the Trustes of the Penn Central Transportation Company entered a petition seeking authority to compromise payment of unpaid taxes. Over the objection of more than 25 taxing authorities—including

the city of New York, the Cleveland Board of Education, the City of Philadelphia, and the State of Maryland—the compromise was approved by the Reorganization Court on April 22, 1977 as Order No. 2922. Order No. 2922 is currently being appealed.

The key provisions of Order No. 2922 translate into the following: (1) on all tax claims for which the principal amount equals $10,000 or less, Penn Central trustees are directed to pay 100 cents on the dollar; and (2) payment of 50% of the post bankruptcy principal amount, or 44% of both post and pre-bankruptcy claims whichever is the larger amount—on all tax claims above $10,000.

Widespread dissatisfaction exists over this proposal. Indeed, a national coalition has been formed of local, county and state officials who are fighting this compromise in the U.S. District Court in Philadelphia. This coalition has lobbied extensively in support of H.R. 8882; and I might add that Mrs. Oakar's legislation has also received the endorsement of the U.S. Conference of Mayors and the American Federation of Teachers.

H.R. 8882 is the legislative complement to a settlement the proposal now before Judge John A. Fullam of the U.S. District Court in Philadelphia. This proposal would provide for an immediate 20 percent cash payment and would allow the remaining 80 percent to be paid through the issuance of Penn Central notes. H.R. 8882 would provide Federal guarantees for these Series C and Series D Notes.

What would passage of H.R. 8882 mean to those local, county, and state governments whose fiscal troubles have been compounded by Penn Central's delinquent taxes? As I indicated earlier, Penn Central owes taxing districts in New York's 26th Congressional District back taxes approximating $1.7 million. H.R. 8882 would provide these municipalities an optimal opportunity for securing full payment of these back taxes. Without this legislation, the majority of these taxing districts will be forced to settle for approximately half this amount—and in some cases less—under the terms of the Penn Central compromise.

I believe passage of H.R. 8882 to be a just and equitable solution to the matter of Penn Central's delinquent taxes. To further buttress this contention, I refer to the case of the Village of Maybrook in my home Congressional district.

The Village of Maybrook is owed $65,289.67 back taxes by the Penn Central Transportation Company. If the Village of Maybrook is forced to accept the Penn Central's offer in compromise, Maybrook stands to receive only 44% of the above mentioned amount, or $28,727.45. However, if Congress passed legislation such as H.R. 8882, providing for federal guarantees, the Village of Maybrook could elect to take 20% cash offered by Penn Central together with promissory notes for the balance of the $65,289.67, and then negotiate these notes in the market which would be created by virtue of the federal guarantee.

Moreover, the plight of the Village of Maybrook is particularly difficult when one realizes that as a result of the bankruptcy of the New Haven Railroad, the Village of Maybrook lost approximately $120,000 in unpaid taxes. The paper issued to the Village of Maybrook as a result of the New Haven bankrutpcy was completely worthless.

In considering the merits of H.R. 8882, there emerge two highly salient questions to which we must address ourselves: (1) Why should the Federal government intervene in this case, guaranteeing the large-scale tax debts of a private corporation? and (2) What is the likelihood that this Federal guarantee will if we were to assume that these delinquent taxes were not paid eventuate into a huge financial burden to be borne by the Federal government?

In responding to the first question, I would point out that the case for federal intervention can be tied in no small way to the Federal government's culpability for the existence of those delinquent taxes as a result of Washington's initiative in reorganizing the railroads. The Regional Rail Reorganization Act of 1978 created Conrail; the federally related corporation which has supplanted the old rail lines. Those railroads included in the Reorganization Act were required to continue operations until conveyance could be effected. Moreover, claims for repayment of federal grants and loans ("211(h) loans")—enabling railroad to continue operations were established as not subject to any reduction, and also superseded all other administrative claims—including state and local taxes—on the estate of the railroad in reorganization.

This arrangement, even allowing for good intentions, has created the anomolous situation of state and local taxing districts subsidizing, in effect, the reorganization of those railroads that had failed. This onerous burden has only intensified the already precarious fiscal situation of state and local governments seeking to maintain vital services and high quality school systems.

Correspondence I have received from David Gubits, the attorney representing the Village of Maybrook, illuminates not only the need for a federal guarantee, but also the glaring inequity that will continue, if such a guarantee is not forthcoming. As Mr. Gubits asseverates:

"We believe that the loss of the approximately $120,000 in unpaid taxes as a result of the New Haven bankruptcy is more than sufficient subsidy of the nation's railroads by the Village of Maybrook. It would only be fair at this time for the Federal Government to guarantee the Penn Central notes so that the Village of Maybrook can be assured of nearly complete payment of its tax claims.

"I know that I need not remind you of the devastating effect on the Village of Maybrook of the Poughkeepsie Bridge fire. Maybrook has borne much more than its fair share of carrying our nation's railroads. It is time for the Federal Government to give some minimal aid to the Village of Maybrook in the form of guarantees for the Penn Central notes."

We come now to the question concerning the possibility of such a federal guarantee of Penn Central's notes becoming actual obligations the Federal government would be forced to assume. Extensive research conducted by Mrs. Oakar reveals that the possibility of a guarantee costing the Federal government any money is quite small. Indeed, indications are that as the reorganization plan is concluded, and Penn Central properties are valued, the delinquent taxes in question will be paid in full. The guarantee would be activated in the instance of a shortfall, again, however, all key signs point to the possibility of a shortfall being slim. The United States Railway Association (USRA), which is representing the Federal government in the complex rail reorganization and litigation, has submitted that this litigation has made great strides. While the road ahead is long, and the end not yet in sight, the USRA nevertheless, expects progress at a good pace. Indeed, the trustees for Penn Central also indicate that there will be a successful reorganization.

In closing, I wish to point out that the guarantee provisions embodied in H.R. 8882 are both warranted and fiscally prudent. Our state and local taxing authorities should not be subject to the current, inordinately adverse effects surfacing, in part, as a result of the Rail Reorganization Act a product of Congressional design.

A federal guarantee would provide these Penn Central notes the credibility they would need in an investment marketplace. It is only through such a guarantee that state and municipal governments can be accorded an equitable adjustment to the fiscal injustice to which they have been subjected.

I thank the Subcommittee on Transportation and Commerce for this opportunity to appear before it, and I urge the Subcommittee to act favorably on H.R. 8882.

Thank you.

WETLAND ACQUISITIONS IN SOUTH DAKOTA AND THE NATION

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. ABDNOR. Mr. Speaker, in May of last year I initiated correspondence with the Assistant Secretary Nathaniel Reed in an effort to learn of the wetland and wildlife management plans of the Federal Government for my State. My letter and Assistant Secretary Reed's reply were reprinted in the June 20, 1977, edition of the RECORD—page 19867.

In light of the ascendancy of the new administration and particularly President Carter's announcement of a $50 million budget increase to purchase waterfowl habitat, I wrote the present Assistant Secretary for Fish, Wildlife, and Parks, Mr. Robert Herbst, to inquire if Mr. Reed's comments were still valid, as well as to learn what the additional funds would mean to my State. Assistant Secretary Herbst's reply was reprinted in the June 29, 1977, RECORD—page 21639—and prompted my further inquiry as to whether planned wetland acquisitions would take place disproportionately in States like South Dakota.

For the benefit of those who have an interest in this matter, my letter of June 30 and Assistant Secretary Herbst's reply of August 18 follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 30, 1977.

Mr. ROBERT L. HERBST,
Assistant Secretary for Fish, Wildlife, and Parks, U.S. Department of the Interior, Washingon, D.C.

DEAR MR. HERBST: Thank you for your reply of June 24, 1977, to my inquiry of June 3, 1977, concerning wildlife management and habitat acquisition policies of the Carter Administration.

I appreciate being apprised of your estimate that about 5,000 acres of wetlands per year are being drained privately in South Dakota and a total of 48,900 acres during the period from 1964–1974. Can you tell me how many total acres of wetlands remain in my state as compared to how many would have existed without the activities of man?

Also, can you provide a state-by-state (or regional) tabulation of total acreages of wetlands—existing, drained, and planned for protection (in fee title and by easement) by the Department? Is it true, as we are given to believe, that the planned acquisitions of wetlands will occur disproportionately in certain states, like South Dakota?

Thank you for your consideration in responding to these questions.

Sincerely,

JAMES ABDNOR,
Member of Congress.

FISH AND WILDLIFE SERVICE,
Washington, D.C., August 18, 1977.

HON. JAMES ABDNOR,
House of Representatives,
Washington, D.C.

DEAR MR. ABDNOR: This further responds to your June 30 letter to Assistant Secretary

Herbst requesting information on wetlands remaining in South Dakota, and on total acreages of wetlands in the United States—existing, drained, and planned for protection through acquisition by the Department of Interior.

The most recent figures we have on total wetlands in South Dakota were assembled early in 1975. About 1,381,000 acres of types 1, 3, 4, and 5 wetlands existed throughout the State of which 287,000 acres had been protected by the Fish and Wildlife Service. These four types include nearly all of the natural prairie wetland types that occur in South Dakota.

We cannot tell you how many wetland acres would have existed without man's activities, i.e., the original acreage that existed in the State. No wetland inventory comparable to our current data is available for the pristine condition. We can only estimate wetland losses during relatively recent times. As indicated in our earlier letter, some 48,900 acres were drained between 1964 and 1974.

The last comprehensive wetland inventory covering all the lower 48 States was conducted in the mid-1950's. The acreage estimates from that inventory are believed to be considerably lower than those actually existing because many areas were not surveyed and some wetland types were excluded in areas that were surveyed. Only natural wetlands that had been little altered by man's activities were included. Wetlands smaller than 40 acres were generally excluded as were many wooded swamps. The 1954 nationwide inventory estimated that about 74.4 million acres of wetlands were in the United States at that time. This represented a reduction of more than 40 percent from the 127 million acres estimated to have existed originally. Our best information on wetland losses indicates that at least 6 million acres have been destroyed during the past 20 years. About 19 million wetland acres are considered to be of moderate to high value to waterfowl for breeding, migration, and wintering habitat.

The most serious wetland losses during at least the past 25 years have been in the prairie pothole region and adjacent States of the upper midwest and in the lower Mississippi River bottomland flood plain, or Mississippi Delta, of Arkansas, Louisiana, Mississippi, Tennessee, Kentucky, and Missouri. Several coastal areas, such as in Texas, have also experienced serious wetland losses or alteration, although destruction of coastal wetlands has been reduced significantly through various State and Federal regulatory programs.

I have tabulated below some of the more significant losses of wetlands that have occurred in certain regions of the United States during relatively recent times. The information is taken from several publications and other sources.

Total acres lost during period

Coastal [1]

Region and period:	*Acres*
North Atlantic, 1950–69	2,500
Middle Atlantic, 1950–69	77,000
Chesapeake Bay, 1950–69	5,000
South Atlantic, 1950–69	42,300
Biscayne and Florida Bay, 1950–69	21,100
Gulf Coast, 1950–69	426,700
California Coast, 1950–69	46,200
Oregon-Washington Coast, 1950–69	21,000

Inland

Region and period:	
Prairie Pothole (ND, SD, MN), 1964–74	295,000
Nebraska, as of 1958	90,000
Mississippi Delta (forested wetland), 1950–69	4,063,000

[1] Source: National Estuary Study, 1970. U.S. Department of the Interior, Vol. 2.

The Service plans to complete by 1979 a new nationwide inventory of wetlands using automated and remote sensing techniques. This inventory will provide better estimates of existing wetland acreages and locations on a State and regional basis. It will be updated to provide current information on wetland losses.

As for the Service's planned acquisition on a State or regional basis, I am enclosing a list of acquisition objectives for migratory waterfowl proposed to be accomplished over the next 10–15 years. A map is included which illustrates the general location of each of the top 15 priority categories where major acquisition is proposed. The numbers on the map coincide with the habitat priority categories in the table. Purchases in categories 16–33 will be limited almost exclusively to inholdings on existing refuges.

The major criteria used in establishing objectives and priorities for the Service's acquisition program are the relative importance of the habitat to waterfowl and the threats to that habitat. Since wetlands or high importance to waterfowl are not evenly distributed throughout the Nation, and major threats are somewhat limited to certain regions and wetland types, acquisition objectives are higher in some areas than others. The prairie pothole region contains the most important duck breeding habitat in the United States and is also highly threatened as demonstrated by continuing and unregulated drainage of a large acreage of wetlands each year. In order to address this problem it is necessary to carry out a larger program in this area, including South Dakota, than in many other regions where wetlands are either of less importance to waterfowl or have a greater degree of protection.

I hope this information is useful. I apologize for not being able to provide you with better data on State and regional wetland acreages, but adequate information on this is unavailable until our current national wetland inventory is completed. If I can be of further assistance, please feel free to contact me.

Sincerely yours,

_____,

Acting Associate Director.

Enclosure.

PROPOSED U.S. FISH AND WILDLIFE SERVICE MIGRATORY WATERFOWL HABITAT ACQUISITION PROGRAM, BY NATIONAL PRIORITY CATEGORY, FISCAL YEARS 1977–86

Priority	Flyway [1]	Geographic location	Habitat type [2]	Group/species	Primary habitat not protected by public agency	Minimum acres proposed for FWS preservation [3]	Estimated cost (1975 prices, millions)
1	C	Prairie Pothole (North Dakota, South Dakota, Montana)	B	Canvasback, redhead [4]			
2	C	do	B	Other ducks	1,000,000	(F) 275,000 (E) 550,000	$61.8 24.8
						825,000	86.8
3	M	Prairie Pothole (Minnesota)	B	All	200,000	(F) 150,000	37.5
4	P	California—Central Valley	W	All	63,000	60,000	11.0
5	A	Coastal (North Carolina to Massachusetts)	W	Black duck	50,000	40,000	11.5
6	P	Coastal, California	W	All	70,000	60,000	24.4
7	M	Mississippi Delta (primarily Arkansas, Mississippi, Louisiana)	W	Wood duck Mallard	2,000,000	200,000	15.0
8	C	Coastal (Nebraska, Texas Laguna Madre)	W	All	350,000	100,000	13.2
9	M	Coastal (primarily Louisiana)	W	All	1,300,000	100,000	25.2
10	P	Great Basin (Idaho, Utah, Nevada)	B	Redhead	60,000	40,000	10.9
11	M	General (Wisconsin, Michigan, some Iowa)	B	Ducks	100,000	100,000	24.6
12	A	Coastal (Chesapeake Bay, Delaware Bay, Georgia, North Carolina, South Carolina, Florida)	W	do	350,000	50,000	14.3
13	C	General (excludes glaciated prairie)	B	do	250,000	100,000	14.1
14	P	Coastal (Washington)	W	All	13,000	13,000	8.2
15	P	Coastal (Oregon)	W	All	9,000	5,000	2.5
		Subtotal, categories 1–15			5,815,000	1,843,000	299.2
16	A	Inland (primarily North Carolina, South Carolina, Georgia)	W	Wood duck	2,000,000	7,350	4.3
17	P	Inland (primarily California, Washington, Oregon, Idaho)	B	Ducks	6,000,000	26,750	4.6
18	A	Inland (scattered bogs, ponds, etc. New England)	B	do	150,000		
19	M	Inland	W	All	[5]	17,100	7.7
20	P	do	W	All	10,000	6,750	3.6
21	P	Great Basin	B	Geese	[5]	400	.1
22	A	Inland (mostly Virginia, south)	W	All	300,000	2,650	.8
23	C	Inland (Texas, Colorado, New Mexico, Oklahoma, Kansas)	W	All	[5]	1,900	.7
24	P	Coastal (Oregon, Washington)	M	All	6,000	2,050	1.2
25	A	Coastal (primarily New Jersey to Maine)	M	All	100,000	8,300	3.1
		Subtotal			8,566,000	73,250	26.1
26	M	Inland	B	Geese	[5]		
27	C	do	B	do	[5]		
28	C	Coastal	M	All	[5]		
29	P	Inland	M	All	[5]	1,600	.4
30	M	Inland (Upper Mississippi and Illinois River Valleys)	M	All	[5]	1,750	1.1
31	A	Inland	M	All	[5]	13,850	6.1
32	C	do	M	All	[5]	13,600	6.5

Priority	Flyway[1]	Geographic location	Habitat type[2]	Group/species	Primary habitat not acres protected by public agency	Minimum acres proposed for FWS preservation[3]	Estimated cost (1975 prices, millions)
33	All		R				
		Subtotal				30,800	$14.1
		Subtotal, categories 16–33			8,566,000	104,050	40.2
		Grand total:					
		Priority categories 1–15			5,815,000	1,843,000	299.2
		Priority categories 16–33			8,566,000	104,050	40.2
		Total, all categories			14,381,000	1,947,050	339.4
		Administrative overhead					67.9
		Total costs					407.3

[1] Flyway symbols = P—Pacific; C—Central; M—Mississippi; A—Atlantic.
[2] Habitat type = B—Breeding; M—Migration; W—Wintering; R—Recreation.
[3] Fiscal years 1977–86. Combined fee and, in some cases, easement. It is expected that some habitat shown in the lower priority categories (16–33), particularly those not yet approved by MBCC, will not be preserved by FWS during 10-yr period. Also, techniques other than fee purchase by FWS for maintaining habitat will be considered before FWS acquisition 1a.
[4] Canvasback and redhead habitat acres for priority No. 1 are included in priority 2.
[5] Acreage undetermined.

WORST CONGRESS IN YEARS—OR IS IT?

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. OBEY. Mr. Speaker, frequently the last few years when conversations lull, the stylish thing to say has been that Congress is "limp wristed" or "stupid" or even "no damned good!" There is not a person in this country who has not seen a continuous drumbeat of stories about the sad shape of Congress. To only a small segment of the American public has the story gotten through that, as the old song goes, "there've been some changes made."

One of the few stories I have seen lately which attempts to place today's Congress in historical perspective is an analysis in U.S. News & World Report by Thomas J. Foley, chief of U.S. News' Congress staff who has covered the House for more than 20 years. That analysis shows what we all know here: We are far from perfect but we are trying and for the most part the trying has been for the good.

I commend it to my colleagues and to anyone else who does not mind a bit of balance now and then in analyses of our effort to represent the American people in a fair and sensible way.

WORST CONGRESS IN YEARS—OR IS IT?

This Congress is proving as adept as any in memory at giving itself one black eye after another.

First came the pay raise. It was handled in a way that won lawmakers blame both for taking the raise and for initially refusing to vote on it.

Then came the disclosure that for years the House and Senate have been drastically understating the costs of overseas junkets, which have long been a sore point with taxpayers.

Next was the blowup over the South Korean bribery scandal, which has filled the air with charges of cover-up and foot dragging.

Eight months into the new legislative session, it is no wonder that opinion polls continue to show public confidence in Congress hovering near an all-time low. Many Americans clearly believe that their national legislature is worthy of ridicule and disdain.

Are they correct? Judging from the headlines alone, it would seem so. Yet when you stand back and look at Congress in broad perspective, you see a much more encouraging picture.

Taking 1967 as a point of comparison, you find sweeping changes over the last decade in the way the House and Senate operate. In at least six important ways, Congress today shapes up as a better institution.

1. Congress is more democratic.

Ten years ago, fewer than 50 of the 535 members of the House and Senate, the chairmen of the standing committees, held a near monopoly on legislative power.

Chosen by seniority and serving until retirement, the chairmen were largely a law unto themselves. They were elected to Congress by a tiny fraction of the national electorate, yet they could almost singlehandedly reshape bills to suit their fancy. Or they could kill a proposal altogether, thumbing their noses at junior legislators, party leaders and Presidents alike.

Today this has changed. The toppling of three veteran House chairmen in 1975 shattered the tradition of tolerance for dictatorial excesses. Chairmen remain important figures, but their powers now are constrained by the consensus on their committees, in Congress and in the country.

What does this mean for Americans generally? It means a Congress more responsive than ever before to the sweep of voter opinion and less prone to the throttling of popular legislation by parliamentary maneuvers.

2. Legislative leadership is more widely dispersed, with younger lawmakers now playing a bigger role.

A decade ago, committee chairmen usually held a hammer lock on chairmanships of key subcommittees, too.

One result: Younger members, no matter how talented, were generally excluded from even these secondary leadership positions until they had accumulated many years of seniority and often lost any desire to examine existing policies critically.

Another result: Aging chairmen often had their hands so full that they could not give their responsibilities the attention needed.

Today, the hoarding of subcommittee chairmanships by senior legislators is forbidden. In the Senate, 57 of the 61 members of the Democratic majority, including 7 freshmen, chair at least one subcommittee. In the House, 145 of the 289 Democrats are committee or subcommittee chairmen, including some in their second terms.

In short, Congress has "spread the action," as reformers term it. Voters who send a talented newcomer to Capitol Hill can expect to see their representative carve out a niche of some influence within a few years.

3. The secrecy surrounding lawmaking has been largely stripped away.

Ten years ago, when committees met to vote on legislation, they locked their doors to public and press. When legislation reached the House or Senate floor, important amendments often were decided in unrecorded votes.

This kind of secrecy worked against a basic democratic principle: keeping Congress responsive to the people. It was an open invitation to hypocrisy, deceit and special-interest lawmaking.

By contrast, the closed door now is the exception on Capitol Hill, the open door the rule. Committees mark up bills in open meetings, with the press and interested citizens looking on. What's more, it is rare for an important question to be decided in the House and Senate chambers nowadays without a roll-call vote.

There is no question that plenty of behind-the-scenes maneuvering by special interests still goes on. But it is harder than ever before for legislators to pull the wool over their constituents' eyes. With key decisions now spread on the public record, voters can better judge whether elected officials are properly using their powers.

4. Congress's ethical restrictions have been significantly beefed up.

In the late 1960s, both houses of Congress for the first time imposed codes of conduct on their members. The standards were weak, vague and ridden with loopholes.

The House had an anemic requirement for public disclosure of Representatives' outside income that often concealed more than it revealed. In the Senate, no public disclosure at all was required, except for speaking fees. In neither chamber were there any limits on the income legislators could earn outside of Congress.

In sum, Capitol Hill was an ethical wilderness. Whether the question involved a conflict of interest, an office slush fund rustled up by special interests or a mistress on the payroll, the rule for many seemed to be: If you can get away with it, it's ethical.

In today's situation, a tough new ethics code, approved last spring, is being phased in fast. It bars acceptance of private money for office expenditures and acceptance of anything from lobbyists beyond the most minor gifts. It requires almost total public disclosure each year of lawmakers' financial holdings, and it clamps sharp limits on all outside earned income.

How rigidly the standards will be enforced remains to be seen. But the new rules are likely to achieve two things:

Make it a lot tougher for legislators to sell out to special interests.

Give voters solid information for determining whether a Congressman is looking out for the public interest or some private interest of his own.

5. Congress is more responsible in fiscal matters.

Ten years ago, the House and Senate handled spending measures in a chaotic, head-in-the-sand fashion. Money bills were dealt

with piecemeal as they came up, with scant regard for the effects of each on total Government spending, the deficit and the economy.

Congress no longer flies by the seat of its pants in its spending decisions. Under a new budget-control system set up in 1974, a binding ceiling is placed on federal spending each year. Every money measure must be tailored to insure that the ceiling is not breached.

Under these procedures, Congress agreed in mid-September on a 458.2-billion-dollar spending ceiling for the fiscal year beginning October 1.

The system is no cure-all for deficits; it was not meant to be. But it insures that Congressmen will have as clear a picture as possible of the impact of their spending moves, and enables voters to call lawmakers to account for that impact.

6. Congress works harder.

A decade ago, the House and Senate were both following work schedules that smacked of the horse-and-buggy era. Congress ordinarily worked only three full days a week. Behind this truncated workweek was the habitual truancy of the so-called Tuesday-through-Thursday Club—the many lawmakers addicted to skipping home for long weekends in their districts.

Even when the legislators were in Washington, their pace was far from impressive. Committee meetings seldom were scheduled to begin before 10 a.m., usually began late and ended before noon. As for meetings of the full House and Senate, floor sessions started at noon and normally petered out after three or four hours, except during the end-of-session rush.

Such sleepy habits are now only a dim memory on Capitol Hill. While long recesses still are taken frequently, Congress puts in a full five-day work-week most of the time it is in session. Committees sometimes are gaveled to order as early at 7 a.m. Floor sessions often begin at 10 a.m. and stretch through the afternoon and into early evening or later. Thus, while congressional salaries—$57,500 per year—are at a level that many Americans consider outrageous, most legislators are working harder than ever before to earn their pay.

Not all of these changes in Congress' way of doing business are unmixed blessings. The unhorsing of autocratic committee chairmen and general dispersion of power are changes, for example, that have come at a price. They have complicated the tasks of both Congress' leaders and the White House in hammering out broad national policies.

Instead of consulting a handful of senior legislators, the norm only a few years ago, leaders now must cope with an often mercurial throng of 535 lawmakers. The result sometimes is delay and deadlock. It makes Congress look to many Americans like a headless and erratic force thrashing about wildly while national problems fester.

House Speaker Thomas P. ("Tip") O'Neill solved the problems on President Carter's energy legislation by naming an ad hoc committee to oversee work on the package. However, problems remain in the Senate.

What's more, the sweeping changes of recent years have left some big institutional problems yet to be solved.

One is the Capitol Hill bureaucracy. It has been growing hand over fist, and now numbers almost 20,000. Accompanying the staff explosion has been greater delegation of power, leading to worry that crucial decisions are being made by unelected officials.

No one would argue that Congress is about to lose the knack of getting under people's skin. In any body of elected politicians as diverse as the House and Senate, that is inevitable. But voters might find solace in the thought that Congress, after all, could be worse than it is.

Not so long ago, it was.

REPUBLIC OF CHINA (TAIWAN) MERITS OUR SUPPORT

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. McCLORY. Mr. Speaker, there is continuing apprehension that our Government may take action to reduce or eliminate our ties with the Government of the Republic of China on Taiwan. Mr. Speaker, in my opinion the relationship which we have maintained with the great people of the Republic of China and their political leaders during the past 30 years should be maintained—or strengthened.

Mr. Speaker, one of the great success stories of this era is the economic, social, and political progress which has occurred in Taiwan. The people of that island nation have united in a manner which should be an example to the entire world. From my personal observation, I can attest to the advancement of democratic principles, political freedom and economic progression flowing from individual and collective initiative.

Mr. Speaker, no one can question but that the Government and people of Taiwan have been both friendly and cooperative with the people of our Nation. We should work to solidify that relationship notwithstanding that we may wish to enlarge lines of communication and improved relations with the People's Republic of (Communist) China. Now, Mr. Speaker, an article by Franz Michael appearing in a recent issue of Policy Review published by the Heritage Foundation is most illuminating on the question of U.S. strategy as related to our China policy. Mr. Speaker I am pleased to attach that article for examination by my colleagues and for our leaders in the executive branch for their thoughtful consideration:

WHAT CHINA? WHAT POLICY?

(By Franz Michael)

There are the strong arguments on both sides of the speculation about the possibility of Sino-Soviet reconciliation. Those who hold that the gap is unbridgeable and that at the very most some civility in diplomatic relations between the two Communist powers may return, argue in terms of historical incompatibility, of national interests and pride, and of historical claims and problems along the Sino-Soviet border. The question is, how valid are most of these arguments in the world of 20th Century communism?

If one seriously considers the possibility of a Sino-Soviet realignment, the question has to be answered, on what basis the conflict could be overcome? On the positive side of Moscow-Peking relations there remains a common doctrinal basis and commitment to communist strategy. Both sides assert their belief in, and support of, world revolution, revolutionary wars, and wars of national liberation. Though, in line with the conflict, Moscow and Peking accused each other of betraying these common revolutionary goals, such accusations could be easily discontinued; there is no disagreement on the basic final goal of a communist world order. The conflict may have started largely as a move by Chairman Mao to counter the Soviet de-Stalinization policy, moving on from there to challenge the Soviet leadership of the socialist camp and to follow his vision of perpetual revolution; with the death of Mao, these policies could be quietly abandoned, indeed the change can already be discerned. But there are by now other obstacles in the way of Sino-Soviet reconciliation resulting from competitive policies that have hardened and have created entrenched positions on both sides, hurdles that might be more difficult to remove.

If the United States has "de-recognized" the National Government on Taiwan, and invalidated the security treaty, a Taiwan venture by Peking with Moscow backing could become a rationale for a new Sino-Soviet cooperation. It is in this light that the United States government should weigh the decision on the conditions for normalization of U.S. relations with Peking.

The United States' role as power broker has not increased the confidence of friends and allies. The United States has lost a great deal of credibility and trust because of weakness and retreat. We have to assert most emphatically that we are loyal to our commitments and alliances and that behind these commitments and alliances are principles for which we stand and which are stronger than the doctrinal games of the Marxist-Leninist world. United States relations with both Peking and Taiwan will be a test case of this policy and United States credibility and willingness to stand by commitments.

PEACE STUDY GROUP SUPPORTS ILO

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FRASER. Mr. Speaker, sentiment for the United States to remain in the International Labor Organization has been growing steadily in recent weeks. Just last week, the Commission to Study the Organization of Peace, a group of well-known scholars, civic leaders, and experts dedicated to analyzing problems of international organizations released a statement supporting continued U.S. participation in the International Labor Organization. The commission is chaired by Prof. Louis B. Sohn, Bemis professor of international law, Harvard Law School. The 76 members of the Commission who signed this statement have recommended that President Carter should rescind the 1975 letter of intent to withdraw from the ILO and have offered six reasons why we should work to strengthen ILO from within as a fully participating member. I commend this statement to your attention and insert it in the RECORD:

THE UNITED STATES AND THE INTERNATIONAL LABOR ORGANIZATION

On November 5, 1975, the United States in a letter to the Director-General of the International Labor Organization gave notice of its intention to withdraw from the Organization at the end of two years time—November 1977—which is the time required in the ILO Constitution for notice of intention of withdrawal. The United States can, if it wishes, rescind its notice prior to November 1977, and remain in the Organization. This statement is a review of the situation prompting the withdrawal notice, a comment about what is happening currently, and a summary of reasons why withdrawal at this time would not be in the interests of the United States and would not be consistent

with efforts to strengthen international cooperation on peace and human rights among the nations of the world.

The ILO, founded in 1919 at the urging of the United States and in particular of the leader of the American labor movement, Samuel Gompers, is mandated to promote the social and human rights of workers such as freedom of association and collective bargaining, the elimination of forced labor and discrimination in employment, and the improvement and protection of workers' conditions of employment. Although the United States did not join the ILO until 1934, it has participated in the Organization since that time. An American, David A. Morse, was the ILO's Director-General for over twenty years (from 1948 to 1970); and an American, John McDonald, is today a Deputy Director-General (1974–). The Organization is unique in many ways among international governmental organizations. Its General Conference has a tripartite structure with government holding two seats, management one seat, and labor one seat. As a consequence it is the only organization in the United Nations family which permits non-governmental representatives to participate fully in making policy. The ILO is also unique in the machinery it has developed for drafting international conventions and for monitoring compliance with these conventions.

In recent years, both the U.S. Government and the representatives from labor and management serving on the U.S. delegations, have felt that the tripartite principle was being eroded because so many countries belonging to the ILO did not permit independent labor and management organizations to exist. Moreover, the United States has charged that instead of focusing on its mandate to improve labor standards throughout the world, the ILO has tended to become embroiled in political issues, particularly those concerning the dispute in the Middle East between the Arab States and Israel.

The United States also has objected to what it believes is an abandonment of accepted ILO procedures, whereby fact-finding conciliation machinery has been undermined as many countries seem to have preferred taking votes on issues before such machinery has been allowed to be used. Finally, the United States has accused member countries of selective application of ILO conventions protecting human rights and decent working conditions.

These criticisms of ILO practices and decisions in recent years prompted the U.S. letter of notice of withdrawal. The letter indicated that the United States did not want to withdraw but that it believed that in order to rescind its letter genuine reforms should take place.

During the period from November 1975 until July 1977, a number of actions took place in the ILO, some of which were conciliatory toward the U.S. complaints and some of which were not. With respect to the latter, the United States was especially angered by a majority of countries abstaining on two resolutions, considered important by the United States, at the ILO Conference meeting in June 1977. The large number of abstentions meant that the resolution failed of passage. At this point the U.S. Delegates voiced their conviction that withdrawal was almost inevitable. The U.S. Congress, in passing the appropriations bill covering U.S. contributions to international organizations, made clear that the U.S. contribution to the ILO (which is 25 percent of the organization's budget) had been deliberately omitted a sign that withdrawal was imminent. President Carter is currently consulting his Cabinet and others on what should be his final decision in the matter. A Cabinet-level Committee, consisting of the Secretaries of Commerce, Labor and State and with representatives from AFL/CIO and the United States Chamber of Commerce, has been set up for this purpose.

Having examined many facets of the working of international organizations over the past thirty-five years, including the ILO, the Commission to Study the Organization of Peace recommends that the President should rescind the letter of his predecessor and make it clear that the United States will continue to work to strengthen the ILO from within as a fully participating member.

The Commission's reasons for this recommendation follow:

1. Of all the international organizations in the UN system, the ILO has the most impressive record of strengthening human and social rights. Over the years it has developed careful and elaborate procedures to investigate claims of violations of human rights, and as a result many countries have abided by ILO recommendations. Countries are required to report to the ILO about their observance of ILO conventions, including those on human rights; and it is this practice, while by no means perfect or universal in its application, that other UN agencies have been encouraged to emulate. If the United States withdraws at this time from the ILO, the effort to strengthen trade union, workers, and other human rights will have suffered a significant blow. Other countries in the ILO, such as Western European democracies, Japan, and India, will find it more difficult to continue their efforts on behalf of human rights without assistance from the United States.

2. The ILO has accomplished a great deal to raise labor standards throughout the world. It is to the interests of the American public, its workers and businesses, that cheap wages, foced labor, and poor working conditions be eliminated ultimately. American workers and companies suffer when they must compete against such bad and inhuman situations. Without the U.S. influence in the ILO, an important force for peaceful and constructive change will have been removed. The United States itself cannot be considered to be a model ILO member in striving to make the organization more effective; although scores of conventions to improve human rights and working conditions have been adopted the United States has only accepted seven, and these dealing only with one subject, maritime conditions.

3. At its Conference in June 1977, the ILO adopted an important strategy to work for upgrading and meeting basic needs—food, shelter and employment—of people in developing countries. All government, labor and employer delegates are pledged to develop and implement a program to this end. Actually, since World War II, significant ILO-administered technical assistance has enabled many workers, businesses, and governments of developing countries to improve their industrial, agricultural, and mining capabilities. The United States is better off pursuing these meritorious objectives in concert with other nations, rather than trying to accomplish them by itself acting outside the international community.

4. The Carter Administration has been in office less than nine months, but has during its tenure thus far adopted a new diplomacy. It wants to work with people and governments of developing countries and to reduce confrontations that have arisen owing to demands by the poorer nations to realize a better share of the world's wealth. It would be unfortunate, perhaps a tragedy, for the United States to leave the ILO before this new diplomacy has had an opportunity to show results. The Congress and the American people, in order to lessen tensions and to minimize confrontations, should encourage the President and his Cabinet and Ambassadors to pursue the new diplomacy vigorously. This requires that the United States remain in the ILO and pursue the new diplomacy there.

5. If the United States leaves the ILO, there is the possibility of adverse consequences, both in the ILO and in other UN bodies. Israel would find itself isolated in the ILO and the criticisms against it in the World Health Organization and UNESCO may increase, thus putting both Israel and the United States in an extremely difficult position in those bodies. To forestall unfortunate decisions in other UN bodies, the United States is more likely to succeed by staying in the ILO than by leaving.

6. Finally, it is not in the spirit of compromise, negotiation, peaceful change, and great-power status for the United States to leave an organization when it finds itself in a minority on a few issues during what thus far is a relatively brief period. The United States would not want other countries to behave in such a manner. We deplore the absence of France and China, for example, from disarmament negotiations. We want the Soviet Union to participate in international organizations, despite the fact that over the years that country has very often found itself in a minority. There is every indication that the vast majority of countries, including the Soviet Union, other communist countries, and Arab States do not want the United States to leave the ILO, and the Western democracies and Japan have strongly urged that the United States remain in the Organization. For these reasons it is imperative that the President's decision be that the United States remain in the International Labor Organization.

The following 76 members of the Commission approved the issuance of this statement. Concurrence means approval of the general principles underlying the Statement, but not necessarily of all the details:

Leonard P. Aries
David A. Baldwin
Abraham Bargman
Kathleen Bell
*Nelson Bengston
*Clarence A. Berdahl
Richard B. Bilder
Donald C. Blaisdell
Roy Blough
Thomas Buergenthal
Harrison Brown
Robert W. C. Brown
J. Michael Cavitt
*Daniel S. Cheever
Carl C. Christol
Francis T. Christy, Jr.
Joseph S. Clark
John R. Coleman
*Norman Cousins
Aaron L. Danzig
Oscar de Lima (1)
Samuel DePalma
*Clark M. Eichelberger
*Luther H. Evans
*Vernon L. Ferwerda
Lawrence S. Finkelstein
Roger Fisher
Annette Baker Fox
Gerard Freund
*Margaret E. Galey
Samuel Goldenberg
*Leland M. Goodrich
*James Frederick Green
*Donald Szantho Harrington
H. Field Haviland, Jr.
John Herz
Philip E. Jacob (2)
Harold K. Jacobson
Anne Hartwell Johnstone
Robert S. Jordon
Donald F. Keys
Walter M. Kotschnig
*Betty Goetz Lall

*Officers and Members of the Executive Committee.

Arthur Larson
Joseph P. Lash
Walter H. C. Laves
David A. Morse
*Raymond D. Nasher
*Leslie Paffrath
James Patton
*Mildred E. Persinger
Jean Picker
Josephine W. Pomerance
Charles C. Price
*Clinton A. Rehling
William R. Roalfe
J. William Robinson
Ruth B. Russell
Oscar Schachter
Enid C. B. Schoettle
*Louis B. Sohn
Eugene Staley
C. Maxwell Stanley
Alonzo T. Stephens
John G. Stoessinger
*Richard N. Swift
Howard Taubenfeld (3)
Paul W. Walter
Edward Wenk, Jr.
*Urban G .Whitaker, Jr.
Francis O. Wilcox
Sidney H. Wilner
Atwood C. Wolf, Jr.
Harris L. Wofford, Jr.
*Richard R. Wood
Christopher Wright

COMMENTS

1. I would omit, because it is irrelevant and not constructive, the last sentence of the Commission's "reason" listed in "2".

2. I support the Statement, but would greatly prefer omitting point #5 which introduces an element of special interest that deters from the otherwise powerful case for global concerns. In fact, it is so slanted as to virtually contradict the other points which emphasize the interests of mankind generally and not of particular countries.

3. I strongly suggest adding specific wording about the very important "equal pay for equal work: and anti-discrimination treaties." The Statement should be more specific in places; most do not really know much about the ILO.

THE MYTH OF ARMS CONTROL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. BOB WILSON. Mr. Speaker, in my lifetime I have seen the technological and innovative advances that my grandparents read about in Jules Verne's novels—airplanes, men to the Moon, around the world in much less than 80 days, weapons with which to conquer the world. I am also aware of those innovative actions which the other kinds of scientists—political and social—have introduced into the American society. I am thinking of laissez-faire school curricula which produce children who cannot read, write, or do simple arithmetic calculations without electronic help. I am also thinking of that great political body, the League of Nations, which probably did as much to encourage World War II as any other human activity. And now there is the United Nations with 149 members. This proliferation of city-States which experience difficulty in surviving could lead to the chaos which prevailed in the dark ages.

Of all the nontechnological innovative myths perpetuated on the American people, the one called "arms control by unilateral example" is the most dangerous. SALT I was a step in that direction. SALT II could be worse. Being second best in a one-on-one confrontation means defeat, no matter what else you call it or how you pontificate about it.

Much has been written about learning a lesson from the pitfalls of SALT I, particularly how not to get trapped under a SALT II treaty. I am not certain that the U.S. negotiators understand what is being told them by those outside the administration. So that we might better understand these pitfalls, I request unanimous consent to include after my remarks a significant article from the October 3 issue of the Wall Street Journal entitled, "The Myth of Arms Control." I quote the last sentence:

With a [arms control] treaty or without one, a safe balance will depend primarily on whether or not the U.S. has the will to step up its own defenses to offset the growth of Soviet arms.

Worrying about the national debt and social programs may be an exercise in futility in the long run, if we cannot defend ourselves. Unilateral arms control, or arms control agreements which cannot be policed and verified, will place us in that position very quickly. I recommend the message carried by the Journal article to my colleagues:

THE MYTH OF ARMS CONTROL

When the first strategic arms agreement was concluded back in 1972, we wrote that for the Soviet Union, the five years of the offensive-weapons agreement can be a pretty good five-year effort at arms building." And as that agreement expires today, we look back on five years of a steadily mounting Soviet threat.

During this period of arms control, the Soviet Union expanded its missile submarine force by more than 60%, surging to 909 missiles from 560 while the U.S. remained constant at 656. To facilitate this surge within the terms of the agreement, the Soviets have retired a few land-based missiles, dropping their total to 1,477 from 1,530, while the U.S. remained constant at 1,054. The Soviet long-range bomber force is counted at 135 today compared to 140 five years ago, while the U.S. force has dropped to 441 from 552.

Out of SALT-I, we got the retirement of 53 obsolete Soviet missiles. This is the price we received for agreeing not to exploit the lead in anti-missile technology we held in 1972. Our ABMs have now been deactivated, while the Soviets retain the older system they have around Moscow, and have expanded fixed air-defense missiles to 12,000 from 10,000.

As the agreement expires, further, the Soviet momentum shows anything but signs of slackening. They have only started to replace their land-based missiles with a more modern generation with multiple warheads and high accuracy. Defense Secretary Brown recently revealed that they have already started to develop four even newer missiles as follow-ons for the generation now going on line.

In addition they are deploying the mobile SS-20, a modern ballistic missile with ranges that threaten our European allies. The SS-20 is the top two stages of the intercontinental SS-16 and could easily be upgraded into a mobile intercontinental missile. The Soviets have upgraded their conventional forces in Europe and their navy. They are steadily deploying their new Backfire bomber, insisting it is not a strategic weapon though it could reach the U.S. In any event, the Backfire is a potent threat to Europe.

The U.S. force shows nothing like the same across-the-board surge. Measured in constant dollars, the U.S. defense effort fell through most of the five-year period, and has only now started to revive. Still, its force was improved in significant ways during the interim agreement. The most important development was the introduction of more multiple warheads for both land and sea forces. This has allowed the U.S. to retain a sizeable lead. 11,000 to 3,800, in deliverable warheads. This advantage is so far only partly offset by the larger size of Soviet missiles and warheads, but it will shrink as multiple warheads are installed on more Soviet missiles.

The U.S. also retains several technological advantages. It continues to lead in warhead accuracy. It is building its new Trident submarine, though the B1 bomber has been killed. The U.S. is developing a new mobile intercontinental missile, the MX. Its most promising development is the subsonic but highly accurate cruise missile. The cruise missile will be needed if the U.S. bomber fleet ever has to penetrate the heavy Soviet air defense. It will be even more important as a tactical weapon, with either nuclear or conventional warheads. In particular the cruise missile is the answer to the threat of the SS-20 and the Backfire in the European theater.

This, then, is the balance at the expiration of SALT-I's interim agreement on offensive weapons; the defensive treaty against ABMs goes on in perpetuity. However optimistically or pessimistically one judges the current balance, it is a balance stuck by the fears and ambitions, resources and will, of the two sides. It is hard to discern where SALT-I made more than a marginal difference, except perhaps in delaying U.S. recognition of the true magnitude of the Soviet arms-building thrust.

This experience begs to be recognized as we negotiate in SALT-II. In retrospect, the 1972 negotiations are best seen as a Soviet drive to stop U.S. ABM technology. The negotiations today are best seen as a Soviet drive to stop U.S. cruise missile technology. If they can constrain cruise missiles through SALT, this affects the cost-benefit calculations for the entire cruise missile program. If the constraints are tight enough the entire program could die, as the ABM did.

The first is the European theater. The cruise missile is the key to reinvigorating the NATO alliance, though other steps are also needed. Under the treaty the Soviets want, land-based cruise missiles would be limited to a range of 600 kilometers, and we could not circumvent this by selling the technology to our allies. But the SS-20 would not be limited, though its range is some 4,000 kilometers. Our allies' subsonic weapons could not reach Russia, though they will be under the guns of ballistic missiles based there. Are we then to ask them to do more for the joint NATO effort?

The second problem is the impossibility of detecting Soviet cheating on any cruise-missile limits. We have had enough trouble monitoring their behavior under the SALT-I treaty, which concerned large and mostly stationary objects. The cruise missile is small and mobile. Range limits are particularly ludicrous, since range essentially depends on how much gas you put in the tank. The Soviets have large numbers of cruise missiles already deployed, and there will be no way to tell if the crucial guidance technology is installed in them. If a treaty limits the cruise missile, the only safe assumption is that the Soviets will have the weapon and we will not.

Yet such a crippling treaty, to judge from our experience in watching these negotiations, is by no means out of the question. Indeed, our experience makes us especially nervous when we hear optimistic talk about SALT from a President who badly needs a foreign-policy spectacular to obscure domestic political reverses.

There is driving force, as well, in the myth that arms control is the only route to safety in a nuclear world. With the offensive-arms agreement expiring today, the world will be no more or less dangerous tomorrow. Safety is maintained by a stable military balance, which treaties can impede as well as enhance. As we read the lessons of SALT-I, a safe military balance will depend only marginally on negotiated agreements. With a treaty or without one, a safe balance will depend primarily on whether or not the U.S. has the will to step up its own defenses to offset the growth of Soviet arms.

WILMINGTON 10

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. EDWARDS of California. Mr. Speaker, the case of the Wilmington 10 continues to weigh heavily on the conscience of this Nation. Americans continue to be outraged that a black minister and eight black high school students could be sentenced to a total of 282 years in prison for allegedly burning a white owned grocery store in Wilmington, N.C. That outrage is compounded by the fact that the primary witnesses in the case for the prosecution have admitted to committing perjury in exchange for gifts and leniency promised by the assistant district attorney.

Recently Vernon Jordan, Jr. of the National Urban League recapped these events in the Raleigh News and Observer. His story highlights the human rights issues involved in the case of the Wilmington 10. I commend Mr. Jordan's account to my colleagues:

HUMAN RIGHTS ISSUE CITED—ARGUMENT CONTINUES FOR FREEING "WILMINGTON 10"

(By Vernon E. Jordan, Jr.)

NEW YORK.—While the United States government maintains pressure on foreign countries that violate human rights and imprison people on politically-inspired, trumped-up charges, the Wilmington 10 are still behind bars.

Their continued presence in North Carolina's jails makes a mockery of our human rights pretensions. Our country has been forced onto the defensive by penny ante dictators who justify their own repressions by pointing to the fact that the Wilmington 10 have been sentenced to nearly 300 years' imprisonment under circumstances that smell of rigged trials and racial vengeance.

The story of the Wilmington 10 goes back to 1970, when court-ordered desegregation of New Hanover County's school system led to escalating racial tensions generated by diehards fighting the entrance of blacks into all-white schools.

The mounting troubles led to black boycotts and demonstrations and culminated in a full-scale riot in Wilmington in which two people died and millions of dollars of property was damaged. In March, 1972, about a year after the riot, the police arrested a number of people, including Reverend Benjamin Chavis, a civil rights worker sent to the area at the request of local blacks by the Commission for Racial Justice of the United Church of Christ.

Reverend Chavis came as a peacemaker, trying to cool a potentially dangerous situation, but local segregationists tagged him a troublemaker and decided to get him. Chavis and his co-defendants were charged with burning a store and conspiring to assault officers during the riots.

Their trial was shot full of errors—defense lawyers appealed on the basis of some 2,800 trial errors that were found. Some were quite important—errors in the jury selection process that resulted in a racially-unbalanced jury, cover-ups of evidence, hiding facts from both defense and jurors, and concealing favors to prosecution witnesses.

The jurors never knew that key witnesses were under criminal charges themselves, a major point since knowledge of that fact would have led jurors to consider whether they may be perjuring themselves to save their own necks.

After the conviction of the Wilmington 10, North Carolina courts knocked down their appeals. But in the meantime the prosecution's star witnesses came forward with stories about how their testimonies had been bought.

So the original trial stands revealed as a farce that violated the constitutional rights of Chavis and his co-defendants.

This is not just a down-home affair; it's something that concerns national integrity and the international drive for human rights.

AIR BAG ISSUE

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. RAHALL. Mr. Speaker, I would like to bring to the attention of my colleagues some information that I feel brings the controversial air bag issue into its proper perspective.

Although I am not a member of the Interstate and Foreign Commerce Committee, I wholeheartedly support Secretary Adams' June 30 decision regarding passive restraint systems. The fact that passive restraint systems will not only save lives, but they will drastically reduce maiming and crippling accidents, is reason enough to support this issue.

Opponents of the air bag argue that "big government" is forcing an unwanted device on the American consumer. However, "big government" has been responsible for life-preserving, life-saving devices such as pasturized milk, fire codes in buildings, collapsible steering columns, and safety plate glass. Some will argue that "free people have the right to choose to do foolish things even if it is harmful to themselves," and I wholeheartedly agree that free people should have the right to do foolish things—but only if it is harmful only to themselves.

Also, much has been said about the cost of air bags. However, it has been estimated that air bag systems would cost from $113—according to National Highway Administration figures—to $200—according to the automobile industry's volume production figures. Neither estimate seems extravagant when weighed against the thousands of lives that will be saved, and the serious injuries that will be reduced. In addition, insurance industry representatives have publicly testified that expected savings on bodily injury premiums will ultimately result in lower insurance rates.

Specifically, I want to call to the attention of my colleagues the following information that has been prepared by Allied Chemical Corp., the world's largest producer of seat belts. The following information succinctly and briefly answers many questions which have been raised as a result of the misinformation recently circulating in the Congress. I cannot state the potential benefits of air bags better by saying that the time and attention my colleagues give to this matter now may someday save their lives.

The material follows:

QUESTIONS AND ANSWERS

1. Q: Have seat belts been an effective safety device in the U.S.?

A: Seat belts, when used, are effective; but the majority of the citizens of our country choose not to wear them.

2. Q: What percentage of people uses seat belts?

A: 19% only. Take a look when you drive, starting with yourself and those riding in your car.

3. Q: Do laws mandating seat belt use in other countries work?

A: Laws mandating seat belt use do work in other countries; but usage rates vary considerably, depending on degree of enforcement.

4. Q: Is a passive restraint system more effective from a safety standpoint than an active restraint system such as a seat belt?

A: Laboratory tests prove unquestionably that air bags provide far better protection than seat belts in frontal crashes, where 55% of fatalities and serious injuries occur.

5. Q: Have air bags been tested?

A: Air bags have been tested thoroughly by suppliers and car companies. For example, Allied Chemical has conducted more than 8,000 tests on inflators and air bags and more than 3,000 tests on crash detectors.

6. Q: What will air bags cost?

A: In volume production, front seat air bags will cost the consumer anywhere from $198 to $250, according to the auto companies; $113 according to NHTSA.

7. Q: What is the replacement cost of an air bag?

A: The air bag system is a highly reliable device which must be replaced totally after deployment, resulting in a replacement cost equal to the initial cost plus bump shop labor to remove the used system and to install the new system, probably doubling the initial cost.

8. Q: Will insurance costs rise as a result of air bags?

A: The insurance industry has publicly stated that savings on bodily injury premiums over the life of a car would more than pay for the air bag insurance costs.

9. Q: How long does an air bag last in a vehicle before it needs to be repaired?

A: Air bags are designed, built and tested to last the lifetime of the vehicle. In addition, in case something does go wrong, a diagnostic system will indicate the air bag system should be checked.

10. Q: Who can repair a defective air bag system?

A: Any mechanic with a testing device, and training, can determine which part of the system is at fault, remove the faulty element and replace it in the vehicle, just as is done with numerous other devices in the vehicles of today.

11. Q: How fast does an air bag inflate?

A: An air bag inflates in anywhere from thirty to eighty thousandths of a second,

depending primarily on the size of the bag. Faster than you can blink your eye.

12. Q. Does the sound of an air bag inflating cause damage to the ear?

A: None of the real world air bag inflations has caused any known ear damage to the occupants of the vehicles involved. In fact, most people do not even remember hearing the air bag inflate.

13. Q: What happens to a child standing in the front seat when air bag inflates?

A: Special bag folding techniques can be utilized to minimize the adverse effect on a standing child to the point that, in dummy crash simulations, the deceleration on the child dummy is no worse than in a 30 m.p.h. barrier crash which, with an air bag, is very survivable.

14. Q: Is the air bag effective in double impact crashes?

A: Laboratory tests show that air bags do work in double impact situations; e.g., a vehicle strikes a parked vehicle, the air bag inflates, and the vehicle continues forward and impacts a barrier.

15. Q: Is the air bag effective in a rollover accident?

A: The rule issued by NHTSA requires that the test dummy remain in the vehicle during a rollover accident. This is best accomplished by using a lap belt. However, if the occupants are unrestrained (the majority are), air bags should provide improved protection as the occupants bounce around the interior of the vehicle.

16. Q: Does the air bag work on a side impact collision?

A: If the forward deceleration resulting from a side impact is sufficient to cause the crash detector to fire the air bag system, the occupants of the vehicle will move forward and be protected by the air bags.

17. Q: What's the story on sodium azide?

A: Sodium azide, in its raw form, is toxic but is not explosive. In the air bag system, the azide is completely sealed in an inflator housing. In a crash, the azide generates inert harmless nitrogen gas to fill the bag. When the vehicle is junked, the air bag should be fired or removed from the vehicle for controlled disposal.

18. Q: Is there an alternative to sodium azide?

A: Allied Chemical has a viable, tested, proven alternative to sodium azide; i.e., a hybrid inflator which uses a combination of stored inert argon gas and a small amount of non-azide propellant to inflate the bag.

19. Q: Would any gases or chemicals in any type of air bag inflator be accessible to the motorist?

A: No. Regardless of what kind of propellant is ultimately used, it will be in a completely sealed container and inaccessible.

20. Q: Should government force the driving public to buy safety devices against its will?

A: This is a matter of philosophy, but air bags are really no different than all other mandated passive safety materials and devices already in use in cars, such as the collapsible steering column, side door beams, safety windshield glass, recessed interior knobs, improved brakes, tires and so forth.

AGRICULTURAL TRADE

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. MATHIS. Mr. Speaker, on October 12, the Subcommittee on Oilseeds and Rice, which I chair, and the Subcommittee on Livestock and Grains, chaired by Congressman POAGE, will hold a hearing on problems and prospects for increased foreign sales of rice, soybeans, peanuts, grains, and livestock products, which now account for about two-thirds of our agricultural exports or 17 percent of total U.S. exports. Secretary of Agriculture Bob Bergland and Ambassador Robert Strauss, the special trade representative, are expected to appear to brief the subcommittees on international trade issues affecting these commodities. Various industry representatives have also agreed to testify.

With the United States now experiencing a record trade deficit and facing a continued devaluation of the dollar, the future of agricultural exports is an especially timely issue. Secretary Bergland outlined the importance of U.S. farm exports during a recent speech to the Agricultural Leaders' Trade Conference, sponsored by the National Council of Farmer Cooperatives. Furthermore, the New York Times on October 4 published an article entitled "Farm Exports: A Decline Likely After Record Year," which quotes the Department of Agriculture's new General Sales Manager, Dr. Kelly Harrison, as saying "We are concerned about the probable decline in agricultural trade."

Because agricultural trade is crucial to the well-being of the American economy, I am including the remarks of Secretary Bergland and the Times article in the RECORD:

REMARKS BY SECRETARY OF AGRICULTURE BOB BERGLAND

American agriculture and agricultural trade are playing a larger role than ever before in this country's economic life. The nonfarm public is more aware of agriculture than it has ever been. But too often this awareness stems from the wrong cause—a negative impact from such things as rising food prices and food-shortage scares in past years, cost figures on the new farm program bandied about, and publicity about milk and other marketing orders—things that farmers understand but the general public does not.

The public is aware that farm exports are good for agriculture and good for the nation, but few know why. The positive side needs to be told and retold by everyone of us who is interested in the American farmer.

Agriculture is a bulwark of the U.S. economy. Our 2.8 million farms constitute one-fifth of all the private business in this nation. Farmers this year will spend about $85 billion on production expenses and another $40 billion, earned on and off the farm, on family living. They operate more than 4 billion tractors and about 3 million trucks. They maintain assets of around $600 billion and pay interest on more than $90 billion in loans. The production, processing and distribution of food and fiber accounts for one-fifth of the U.S. GNP, and provides jobs for 15 million people—more than 15 percent of civilian workers.

Exports have become basic to U.S. farm growth and income. Farmers harvested 337 million acres last year—the most in two decades, and about 100 million of those acres produced for export. That is double the number in the late 1950's and half again the acreage for export late in the 1960's.

Exports this year will total about 100 million tons—double the volume of the middle 1960's. U.S. farmers have been exporting one-half or more of their wheat, soybeans and cattle hides; one-third of their cotton and tobacco; a fourth of their feed grains, and sizeable shares of many other commodities.

Farm export value this fiscal year is expected to be a record $24 billion. This is the fourth consecutive year of foreign shipments above $21 billion. It is triple the value of those exports just five years ago. Exports alone now bring in about one-fifth of farm income and generate more than one million jobs, on and off the farm.

Agriculture has contributed a surplus to the U.S. trade account every year since 1960. This has become of paramount importance since our petroleum import bill shot up after the oil embargo of 1973. It takes foreign exchange to pay for those imports, and agricultural exports have earned more than $20 billion in foreign exchange every year since the embargo. Agriculture's trade surplus—its positive contribution to the balance of payments—has been near or over $12 billion in each of those post-embargo years. (This year it will dip to around $10 billion, largely because of higher-priced coffee and cocoa imports.)

As U.S. agriculture has become more dependent on foreign markets, foreign countries have become more dependent on U.S. agriculture. In recent years, U.S. farmers have supplied about 16 percent of the value of agricultural commodities that move in world trade, compared with 12 percent in 1971. They supply about half the world grain exports, a third of the cotton, most of the soybeans and a fifth or more of the vegetable oils. U.S. food grains are important in sustaining life in developing countries, and U.S. feed grains support livestock production in developed nations as consumers strive to improve their diets.

There is no magic to the rapid rise in U.S. farm exports over the past five years. You are familiar with the story. Rising populations and rising incomes worldwide created demand for more food. Crop shortfalls in major regions dropped production below that demand. Here at home, more competitive pricing policies for U.S. farm products starting in the mid-1960's pointed agriculture toward the foreign market. When the big export opportunity came, U.S. farmers seized it, putting all their resources to work filling the gap between global supply and demand.

The grain situation has changed. Shortfalls gave way to record world grain production last year and what we estimate to be production not far short of that record this year. World grain stocks have increased by 45 percent the past two years, with almost 60 percent of the increase in the United States.

The trade situation has changed. Protectionism is rising. Oil-poor importers cut back on food imports to try to save foreign exchange. Food exporters distort trade to unload surpluses.

A sustained, active effort is required to keep farm exports moving, and the Administration has started such an effort. The domestic farm program is oriented to world markets; we have new flexibility in the use of P.L. 480; we are examining new uses for CCC credit, and are reorienting the total market development program toward countries and regions of greatest potential. At the same time, and most important, we have moved the Multi-lateral Trade Negotiations off dead center. You can't sell a product if you can't get it into a market on a competitive basis.

Freer agricultural trade is in the self-interest of American agriculture, for reasons I have described. But it is also in the self-interest of everyone, everywhere. The reason is that while the grain and trade situations have changed in two years, these things have not:

(1) National economies are in reality a single, global economy in which food is crucial to economic and political stability, as well as basic to human survival.

(2) No nation today can meet the expec-

tations of its people on its own—we are all interdependent on this planet.

(3) Short of conquest, trade is the only avenue by which these expectations can be fulfilled.

FARM EXPORTS: A DECLINE LIKELY AFTER RECORD YEAR

(By Thomas E. Mullaney)

WASHINGTON.—Almost obscured in the gloom that has enshrouded the nation's foreign-trade picture this year has been another outstanding performance by American agricultural exports. In the fiscal year ended last Friday, the value of this country's shipments of farm products to markets abroad reached a record level.

The flow, which exceeded official expectations of a year ago by about 5½ percent; has helped maintain the United States' favorable agricultural balance as a significant offset to the seriously negative figures resulting from other types of trade, notably high-cost petroleum imports. The $10 billion surplus for agriculture in the last fiscal year has helped to limit the overall American trade deficit, estimated at more than $25 billion for calendar 1977.

While Government officials have been heartened by the sustained strength of the agricultural sector through a fifth straight year, they are concerned about a possible decline in the value of export volume in the current fiscal year. The prospect is that the dollar value of American farm exports will drop by 5 to 10 percent. That could mean a significant narrowing of the agricultural surplus since the value of imported crops, which rose by $3.5 billion, or 33 percent, in the last year is expected to climb further in the next 12 months.

One new element that might enter the picture is the possibility of larger purchases of American wheat and corn by the Soviet Union than originally expected. There are trade reports that such buying has begun, based on a reduced estimate of this year's Soviet grain crop.

"Of course, we are concerned about the probable decline in agricultural trade," said Dr. Kelley M. Harrison, the nation's new general sales manager for agricultural products at the Agriculture Department in a recent interview. "Our resources are limited, but we'll do everything we can to try to minimize the decline."

He said that export-promotion efforts would be pursued as vigorously as possible through advertising, public relations and trade-fair promotions under the small $13 million budget the Agriculture Department has for such purposes, plus the similar amount put up by the private agricultural sector. The Government will also continue to push exports under the 1954 statute that set up Public Law 480, which allows the department to finance foreign Government purchases of American farm products with long-term concessionary-loans.

"We also have the Commodity Credit Corporation export sales credit program, a short-term plan under which the C.C.C. borrows money and they relends it to foreign buyers for the purchase of United States farm commodities," Dr. Harrison said.

"In the last year, our budget for that was $1 billion, and we'll use it all," he cautioned. "We never lost money on that financing in all the years we've had the program. Very shortly, we will request approval for a sizable increase in that borrowing authority."

Dr. Harrison, who recently left an agricultural economics professorship at Michigan State University to assume responsibility for the promotion and development of the nation's export potential in agricultural products, did not indicate the size of the additional borrowing ability he would like for the C.C.C. program. However, reports indicate the department's request is expected to be ready within the next few weeks.

What the Agriculture Department does not intend to do, several officials indicated, is to seek any reinstatement of the old export-subsidy program. The controversial program was ended in 1972 after many years of operation in which large amounts of direct payments—often as high as 50 cents a bushel on wheat and sometimes even higher for some products—were granted to producers to expand export activity. The peak year for payments was fiscal 1962, when $655.7 million was granted in subsidies, mostly for wheat.

An effort was recently made by one large grower group to seek reinstatement of the subsidy program, but the Agriculture Department, happily, wants to avoid that route. It would prefer to see surplus problems resolved by better management of world commodity stocks to avoid big price swings rather than through subsidies to make up for income losses to farmers from declining prices.

Wheat surpluses have built up the last two years under the influence of abundant crops and favorable weather in other growing areas of the world, which helped to moderate demand. It is estimated that the surplus of what equals 14 percent of world consumption.

Meanwhile, the export preformance by American agriculture this year has been highly surprising in the face of considerable difficulties.

The value of American exports of a wide range of farm commodities—particularly soybeans, cotton, animal feeds, hides, rice, vegetables, fats, poultry and dairy products—has increased by $1.25 billion in the last 12 months to a record $24 billion.

Meanwhile, shipments of wheat to foreign sources have dropped 26 percent in volume and 41 percent in value because of the vastly improved world supply picture and the substantial price drop.

As for the new fiscal year, the outcome will depend on things such as the 1977 crop harvests, the price impact of new farm policies in this country, the competitive actions of other producing nations, the outcome of discussions at the trade negotiations in Geneva and the general level of prosperity in both the industrialized and developing worlds.

AMERICAN CITIZENS BEING DETAINED IN SOVIET UNION

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. MIKVA. Mr. Speaker, today is the opening of the Belgrade Conference. It is, therefore, a particularly appropriate time to bring to the attention of Congress and the American people the plight of two American citizens being detained in the Soviet Union. Abe Stolar and his son, along with Mr. Stolar's wife, a Russian national, are currently being subjected to punishment by bureaucratic redtape tactics that the Russian Government is using with increasing frequency. Mr. Stolar and his family would like to leave Russia and emigrate to Israel. Indeed, he obtained permission to do so at one time. That permission was revoked under plainly false pretenses just before the Stolar family was to depart, and has not been restored.

I am inserting in the CONGRESSIONAL RECORD, a copy of a letter which Members of Congress have cosigned to protest the conduct of the Soviet authorities. I urge my colleagues to carefully examine this case. I am convinced that pressure exerted by this body will help to stop the violations of the human rights of Mr. Stolar and his family, as well as so many others living in the Soviet Union:

WASHINGTON, D.C.,
September 20, 1977.

His Excellency LEONID I. BREZHNEV,
Chairman, Presidium of the Supreme Soviet of the U.S.S.R., Moscow, U.S.S.R.

DEAR CHAIRMAN BREZHNEV: We are writing to express our deep concern for the welfare of two American citizens, Mr. Abe Stolar and his son, Michael, and Mr. Stolar's wife, Mrs. Gita Stolar, a Soviet citizen. The Stolar family resides at Prospekt Vernadskogo 117, Apartment 151, Moscow, RSFSR, USSR.

Mr. Stolar was born in Chicago, Illinois, and his son, Michael, holds derivative American citizenship. Both Mr. Stolar and Michael hold valid American passports.

On May 27, 1975, the Stolar family was issued exit visas for Israel, where they hoped to join Mr. Stolar's sister, who is his only living relative. On June 19, 1975, the Stolar family was detained at the airport as they prepared to depart for Vienna. They were informed that they would be permitted to leave on the next flight, but instead, their exit visas were revoked by the Office of Visas and Emigration. Officials of OVIR informed the Stolar family that they would not be permitted to leave the Soviet Union because of Mrs. Stolar's alleged knowledge of state secrets. The Stolars know of no time when Mrs. Stolar had access to classified documents, and she has never had a security clearance.

The government of the USSR considers the Stolar family to be Soviet citizens since Soviet law does not recognize dual citizenship. However, Mr. and Mrs. Stolar had great difficulty obtaining state pension checks and were told they had no right to them because they were foreign nationals, yet when they request exit visas as foreigners, they are told they are Soviet citizens.

We would be very grateful if you could use your good offices to determine when exit visas might be issued to the Stolar family. We would be particularly pleased if visas could be issued prior to the opening of the Belgrade Conference. Please express our strong interest and concern in this regard to your government.

Sincerely,

Abner J. Mikva, Max Baucus, James J. Blanchard, William M. Brodhead, Phillip Burton, William R. Cotter, Christopher J. Dodd, Don Edwards, Robert F. Drinan, Mickey Edwards, Joshua Eilberg, Millicent Fenwick, Donald M. Fraser, Bill Frenzel, and Willis D. Gradison, Jr.

Elizabeth Holtzman, Jack F. Kemp, Edward I. Koch, John Krebs, Raymond F. Lederer, Parren J. Mitchell, Joe Moakley, Richard L. Ottinger, Melvin Price, William Lehman, Charles B. Rangel, Benjamin S. Rosenthal, Paul Simon, Stephen J. Solarz, Frank Thompson, Jr., Henry A. Waxman, Charles Wilson (Texas), Leo C. Zeferetti, Bill Archer, and Gladys Noon Spellman.

NATIONAL WATER RESOURCE POLICY

HON. JAMES P. (JIM) JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. JOHNSON of Colorado. Mr. Speaker, once again I wish to bring to the attention of my colleagues a sampling

of reaction to the administration's current review of national water policy. The concerns of those of us who live in the West, where water is such a precious commodity, are well stated in the remarks of Mr. Robert N. Miller, district attorney for the 19th Judicial District in the State of Colorado. The statement follows:

STATEMENT BY ROBERT N. MILLER

I am Bob Miller, District Attorney for Colorado's Nineteenth Judicial District which covers a significant part of one of the finest, most productive agricultural areas of the United States—the South Platte River basin.

The strong economic base here, diversified with international industrial plants, institutions of higher education, commercial and recreational opportunities, affords its residents a fine way of life. This way of life would be impossible without the aggressive development and conscientious conservation of water.

I see many of Colorado's policies and laws reflected in the Option Papers in the July 15, 1977, Federal Register. For instance, Colorado was a leader in recognizing the relationship between surface flows and ground water. Colorado has enacted minimum stream flow legislation. Anti-waste laws have been with Colorado since statehood and the state's concern about water quality is shown by the activities of the Colorado Water Quality Control Commission. I believe the Issue and Option Papers are on the right track when they follow the Colorado pattern.

The earliest water resource development here was done entirely by individual effort and private enterprise. It was not until the Colorado Big Thompson Project of the 1930's/1950's that Federal assistance and cooperation was used. And what a fine plan to study: A reliable source of irrigation water for 750,000 acres, a hydro-electric power system generating 759 million kilowatt hours annually, ten major reservoirs affording multi-purpose recreational uses and it is financially solvent! Environmentalists should take note: the CBT project guaranteed a minimum stream flow on the upper Colorado River 30 years before it became "fashionable" to demand such.

Some of the July 15, 1977, Issue and Option Papers were drafted without knowledge of the Colorado water story. Had the writers been familiar with this system, some of the silly questions would not have been made.

For instance, there is no need to promote Federal condemnation of water rights and auction them to the highest bidder. Colorado water rights are property rights which can be (and are) sold and transferred readily. The development of new water rights in Colorado may be curtailed because of over-appropriation of the existing water supplies, but this is not what is stopping the energy development here. Existing water rights can be purchased and Colorado water law is flexible enough to accommodate changes of water use. Many Colorado Water Court decrees have been entered in recent years which recognize changes in existing water rights.

And the notion that water is too cheap is silly because it is out-of-date. Industry and municipalities have been into the water market actively. Costs of pumping, transporting and storing water all have risen sharply. In the last seven years since I became the District Attorney, the market value of water shares in the Colorado Big Thompson Project has quadrupled.

Which raises some serious questions about the Federal Reserved Rights Paper in the July 25, 1977, Federal Register. The western economy, certainly Colorado's strong economy, hinges on water availability. This economy did not develop overnight. A century of far-sighted planning, hard work, ingenious development, and cooperation with the Federal government and other states has led to Colorado's present water system. The recognition of any significant Federal Reserved Rights doctrine at this date (historically) could be disastrous to our economy and our fine way of life.

By Congressional approval of the many interstate water compacts; by federal cooperation on water projects based on state water rights; and by Federal inaction over nearly 100 years in developing any supposed reserved water rights; the Federal government should be legally—and certainly morally—estopped from claiming them now to the detriment of the citizens and the states. Colorado has conscientiously worked at developing and formalizing, through adjudication, a water rights system. In an analogy to my work in criminal law, the Federal government is guilty of an illegal "seizure" if it takes Colorado's water system with Reserved Rights.

Yes, there should be a National Water policy. I suggest you follow Colorado's lead and propose the fine aspects of its system as a plan for consideration in other states with regional coordination through the river basin commissions.

SOUTH AFRICA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. BOB WILSON. Mr. Speaker, our policy toward South Africa continues to greatly concern me. The recent recognition of Vietnam adds another anti-U.S. vote in the United Nations, while our friends dwindle. South Africa is, despite our heavy-handed insistence in interfering in its domestic affairs and our refusal to extend recognition until it conforms to our idealistic standards of equality, one of those friends.

Far more important is South Africa's strategic location at the tip of Africa, dominating passage between the Atlantic and Indian Oceans, a route over which is carried the preponderance of the Free World's oil. To emphasize South Africa's value to us, I wish to include a letter to President Carter from one of my constituents, Charles D. Doerr, who warns that U.S. security requirements will be impaired by the continuation of our present attitude toward South Africa.

The letter follows:

QUANDARIES-EXPLORATION-DECISIONS,
La Jolla, Calif., August 17, 1977.

President JIMMY CARTER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As a civic group concerned about the national defense and security of our United States of America, we wish to express our deep concern about the deteriorating situation on the southern African continent. We therefore request your careful consideration of the following statement as a matter of urgency.

Success in carrying out your oath of office to "preserve, protect and defend the Constitution of the United States" obviously requires that the preservation of our independence, territorial integrity, and existing social, political, and economic systems constitute the primary and overriding objective governing our relations with all foreign nations, whatever their ideological or political orientation.

Our free institutions and our very survival as a nation are threatened by the spread of an alien political, social, and economic Marxist-Leninist philosophy, advocated and supported worldwide by the aggressive military and political leadership of Soviet Russia. These leaders, in common with their predecessors, have never deviated one iota from their declared purpose to extend their system to all the countries of the world.

In recognition of the community of interest among other nations similarly threatened, the United States has entered into various mutual security arrangements, foremost of which is the North Atlantic Treaty. In common with the United States, the European members of NATO depend for their economic well-being and military security on oil from the Persian Gulf area, most of which must be transported by sea, currently around the continent of Africa. Our own economy, the foundation and source of our military capabilities, is heavily dependent, not only on Persian Gulf oil but also on the importation of crtical raw materials from the continent of Africa. Soviet appreciation of this fact is evidenced by their continuing—and so far successful—efforts to set up Marxist-Leninist regimes throughout Southern Africa in order to obtain bases for present and future military operations which will substantially augment their present capability to interdict this flow of materials critical to the survival of the West.

The Republic of South Africa provides the optimum strategically-based area from which the sea lanes whose focal point is the Cape of Good Hope can be protected. It possesses well-trained and capable military forces suited to this purpose. Further, the Republic is ideologically oriented toward the NATO nations, sharing with them a common heritage and an economic system based on private ownership of property and free enterprise. It is an industrialized nation, possessing important deposits of critical materials required to sustain the economy of the United States. Under the present government of the Republic, these materials would not be subject to preemption or denial in emergency under pressure from the Soviet Union—in marked contrast to the situation in other African countries.

It is true the the Republic pursues policies with respect to its "non-white" populations which are disapproved of by your Administration and by a segment of our population. This has resulted in the application of diplomatic, political, and economic pressures intended to bring about, in the name of "majority rule", a transfer of political power in the Republic and a radical transformation of South African society.

We regard these actions as flagrantly discriminatory and most unwise.

They are discriminatory because an overwhelming majority of the nations with which the United States maintains friendly relations or formal military security agreements—including most black-ruled African countries—do not grant any meaningful political liberties to their peoples, being under dictatorships or single-party political systems. We make no effort to interfere with the internal affairs of these countries. Our policies toward the Republic contrast sharply with those toward the other countries which fail to meet our standards of democratic government, including those under Marxist-Leninist regimes which pose a potential direct threat to the security of the United States.

We deem these policies unwise because they obviously are based primarily on domestic political considerations rather than on enlightened self-interest regarding the vital requirements of our national security.

We therefore urge you to take the lead in reorienting the political and economic policies of the United States toward the Republic

of South Africa so that they support, rather than undermine, the obvious and compelling security requirements of the United States.

Speaking for the members of QED, I am,

Sincerely,

CHARLES D. DOERR,
Chairman.

OIL CARGO PREFERENCE BILL

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. McCLOSKEY. Mr. Speaker, yesterday, Merchant Marine Chairman JACK MURPHY and I were privileged to debate the oil cargo preference bill before Members of the freshman and sophomore classes of the 95th Congress. Unfortunately, much of our debate came down to differing allegations of fact by Mr. MURPHY and myself. I think therefore it may be useful to examine one by one, some of the issues on which Mr. MURPHY and I disagree.

When I urged the necessity of subpenaing James Barker, president of the National Maritime Council—because he was named in a Federal indictment as having allegedly bribed former Committee Chairman Garmatz—Mr. MURPHY responded that Mr. Garmatz' alleged offense was one solely related to misuse of campaign funds and violation of the Federal election law.

Here, as in many of our disagreements, Chairman MURPHY is just plain dead wrong. The indictment of Chairman Garmatz was filed on August 1, 1977, in the U.S. District Court of Maryland, criminal action No. H–770379, and refers specifically to the bribery statute, 18 U.S.C. 201(g). Paragraphs 12 and 13 of the indictment read as follows:

12. From at least as early as September, 1971 and continuing thereafter until April, 1973, the exact dates being to the Grand Jury unknown, in the State and District of Maryland and elsewhere, the defendant Edward A. Garmatz together with other persons, did knowingly, willfully and unlawfully conspire, combine, confederate and agree to commit certain offenses against the United States in violation of Title 18, United States Code, Sections 201(g), that is:

A. Directly and indirectly, to ask, demand, exact, solicit, seek, accept, receive, and agree to receive a thing of value for the use and benefit of the defendant Edward A. Garmatz, being a public official of the United States, that is a member of the House of Representatives, otherwise than as provided by law for the proper discharge of his official duties, because of official acts to be performed by him, to wit: his sponsorship, support, vote, and decision on certain passenger ship legislation which might at any time be pending before him in his official capacity and in his position of trust and profit.

13. It was further a part of said conspiracy that on or about November, 1971, James R. Barker caused $5,000.00 in United States currency to be transported from New York, New York, to Washington, D.C. and delivered to Robert McElroy for the use and benefit of the defendant Edward A. Garmatz.

If we are to remove the cloud of public suspicion that understandably relates Congress to charges of bribery by maritime industry leaders, I hope the House will agree that we should not consider the cargo preference bill until Mr. Barker is required to appear and testify as requested by the Merchant Marine Committee.

The full indictment is here inserted in the RECORD.

[U.S. District Court, District of Maryland, Criminal No. H–770379, title 18, United States Code, Section 371]

UNITED STATES OF AMERICA VERSUS EDWARD A. GARMATZ

The Grand Jury in and for the District of Maryland, sitting in Baltimore, charges that:

1. At all times mentioned in this Indictment up to and including December 31, 1972, the defendant Edward A. Garmatz, was a United States Congressman and Chairman of the House Merchant Marine and Fisheries Committee and was a public official, as that term is defined in Title 18, United States Code, Section 210(a).

2. At all times mentioned in this Indictment Moore McCormack Lines, Inc. was a Delaware Corporation. Up to and including August 4 and August 21, 1972, respectively, it owned two American flag passenger vessels, the *S.S. Brazil* and the *S.S. Argentina*, which were constructed in 1958 with subsidies from the United States Government, under the terms of the Merchant Marine Act of 1936.

3. At all times mentioned in this Indictment, the Merchant Marine Act of 1936 required that vessels built with construction subsidies remain documented and registered under the laws of the United States.

4. At all times mentioned in this Indictment, James R. Barker was President of Moore McCormack Lines, Inc.

5. At all times mentioned in this Indictment, up to and including February 5, 1973, United States Lines, Inc. was a Delaware corporation that owned the *S.S. United States*, an American flag passenger vessel, which was constructed in 1952 with subsidies from the United States Government under the terms of the Merchant Marine Act of 1936.

6. At all times mentioned in this Indictment, Edward Heine was the President and Chief Executive Officer of United States Lines, Inc.

7. At all times mentioned in this Indictment, Robert McElroy was the Chief Clerk of the House Merchant Marine and Fisheries Committee.

8. At all times mentioned in this Indictment, up to and including their date of sale or transfer, the *S.S. Argentina, S.S. Brazil*, and *S.S. United States* had been laid up and taken out of active service as a result of operating losses incurred by Moore McCormack Lines, Inc. and United States Lines, Inc.

9. At all times mentioned in this Indictment up to and including May 16, 1972, Moore McCormack Lines, Inc. and United States Lines, Inc. sought legislation in the Congress of the United States which would authorize the sale or transfer of the *S.S. Argentina*, the *S.S. Brazil* and the *S.S. United States* to foreign ownership. Alternatively, United States Lines, Inc. sought legislation in the Congress of the United States which would authorize and direct the Secretary of Commerce to purchase the *S.S. United States* at its depreciated cost, less the unpaid principal and interest on the vessel's mortgage.

10. On or about February 12, 1971, Moore McCormack Lines, Inc. entered into a contract to sell the above mentioned ships to Nederlandsch-Amerikaansche Stoomvaart Maatschappij, N.V., a Netherlands corporation, for approximately twenty million dollars, which contract was conditioned upon appropriate legislation being passed by the Congress of the United States, exempting the above-mentioned ships from the terms of the Merchant Marine Act of 1936, thereby permitting their sale to the buyer and their transfer to foreign registry. On or about August 4, 1972, Moore McCormack Lines, Inc. transferred title to the *S.S. Brasil* pursuant to said contract to Cruiseship No. 7 N.V., a wholly owned subsidiary of Nederlandsch-Amerikaansche Stoomvaart Maatschappij, N.V., and on or about August 21, 1972, it transferred title to the *S.S. Argentina*, pursuant to the contract, to Cruiseship No. 6 N.V., another wholly owned subsidiary of Nederlandsche-Amerikaansche Stoomvaart Maatschappij, N.V.

11. On or about February 5, 1973, United States Lines, transferred title to the *S.S. United States* to the United States Government.

12. From at least as early as September, 1971 and continuing thereafter until April, 1973, the exact dates being to the Grand Jury unknown, in the State and District of Maryland and elsewhere, the defendant Edward A. Garmatz together with other persons, did knowingly, willfully and unlawfully conspire, combine, confederate and agree to commit certain offenses against the United States in violation of Title 18, United States Code, Sections 201(g), that is:

A. Directly and indirectly, to ask, demand, exact, solicit, seek, accept, receive, and agree to receive a thing of value for the use and benefit of the defendant Edward A. Garmatz, being a public official of the United States, that is a member of the House of Representatives, otherwise than as provided by law for the proper discharge of his official duties, because of official acts to be performed by him, to wit: his sponsorship, support, vote, and decision on certain passenger ship legislation which might at any time be pending before him in his official capacity and in his position of trust and profit.

13. It was further a part of said conspiracy that on or about November, 1971, James R. Barker caused $5,000.00 in United States currency to be tansported from New York, New York, to Washington, D.C., and delivered to Robert McElroy for the use and benefit of the defendant Edward A. Garmatz.

14. It was further a part of said conspiracy that on or about January 20, 1972, Edward J. Heine, on behalf of United States Lines, caused at least $5,000.00 in United States currency to be transported from New York, New York, to Washington, D.C., to be paid to the defendant Edward A. Garmatz.

15. It was further a part of said conspiracy that on or about January 21, 1972, Robert McElroy received $1,000.00 in United States currency from the United States Lines for the use and benefit of the defendant Edward A. Garmatz.

13. It was further a part of said conspiracy that on or about February, 1972, Robert McElroy received $5,000.00 in United States currency for the use and benefit of the defendant Edward A. Garmatz from James R. Barker in New York, New York.

17. It was further a part of said conspiracy that on or about August 11, 1972, United States Lines paid the defendant Edward A. Garmatz $4,000.00 in United States currency in Baltimore, Maryland.

18. It was further a part of said conspiracy that between September 1972 and April 1973, the defendant Edward A. Garmatz requested from Edward J. Heine, the payment by United States Lines of an additional $10,000.00 in cash or as a fictitious consulting fee.

19. It was further a part of said conspiracy that the defendant performed other and further acts in order to conceal the conspiracy and prevent detection thereof.

In violation of Title 18, United States Code, Section 371.

OVERT ACTS

In furtherance of the conspiracy and to effect the object thereof, the defendant committed and caused to be committed the following Overt Acts:

1. On or about November 3, 1971, at Washington, D.C., Edward J. Heine met with the defendant Edward A. Garmatz.

2. On or about November 8, 1971, Edward J. Heine had a telephone conversation with James R. Barker.

3. In or about November, 1971, Robert McElroy received $5,000.00 for the use and benefit of the defendant Edward A. Garmatz.

4. On or about December 9, 1971, at Washington, D.C., Edward J. Heine met with the defendant Edward A. Garmatz.

5. On or about January 17, 1972, Edward J. Heine had a telephone conversation with James R. Barker.

6. On or about January 21, 1972, Robert McElroy received $1,000.00 in cash for the use and benefit of the defendant Edward A. Garmatz.

7. In or about February, 1972, Robert McElroy received $5,000.00 in cash for the use and benefit of the defendant Edward A. Garmatz from James R. Barker.

8. On or about May 18, 1972, Edward J. Heine met with the defendant Edward A. Garmatz at Washington, D.C.

9. On or about August 11, 1972, the defendant Edward A. Garmatz received $4,000.00 in cash in Baltimore, Maryland.

10. On or about September 20, 1972, Edward J. Heine met with the defendant Edward A. Garmatz.

11. On or about September 20, 1972, Edward J. Heine met with Robert McElroy.

12. On or about October 4, 1972, Edward J. Heine spoke with Robert McElroy on the telephone.

13. On or about October 4, 1972, Edward J. Heine spoke with the defendant Edward A. Garmatz on the telephone.

14. On or about October 13, 1972, Edward J. Heine spoke with Robert McElroy on the telephone.

15. On or about January 8, 1973, Edward J. Heine spoke with Robert McElroy on the telephone.

16. On or about January 26, 1973, Edward J. Heine and Robert McElroy had breakfast at the Hay Adams Hotel in Washington, D.C.

17. On or about February 20, 1973, Edward J. Heine met with Robert McElroy and the defendant Edward A. Garmatz at the Lord Baltimore Hotel in Baltimore, Maryland.

18. On or about April 13, 1973, Edward J. Heine met with Robert McElroy for breakfast at the Hay Adams Hotel in Washington, D.C.

All in violation of Title 18, United States Code, Section 371.

WHAT THE TREATIES REALLY MEAN

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. DORNAN. Mr. Speaker, there are some Americans who are perplexed about the meaning of the Carter-Torrijos canal treaties.

These Americans know that the canal belongs to the United States and always has. They learned that in the first grade.

But these same Americans also learned something else in the first grade: to believe their Government and their President. It is these two lessons which are contradictory in this instance and which have led to the perplexity about the Carter-Torrijos treaties.

These perplexed Americans know that the canal is U.S. property and has never belonged to Panama. But their President has told them that the canal will be "returned" to Panama.

These perplexed Americans know that the Marxist strongman, Torrijos, is a close friend of Castro and is modeling his regime after the Cuban dictatorship. But their State Department has told them that Torrijos is a friend of the United States and not of Cuba.

These perplexed Americans know that Torrijos is anxious for closer ties to the Soviet Union and has just signed a long-range treaty with the Soviet Union. But their State Department has assured them that Torrijos is no friend of Communist Russia.

It is no wonder that there is confusion in some quarters and that some usually clear-thinking Americans are being misled.

To help these Americans understand what the Carter-Torrijos treaties really mean, I would like to have reprinted in the CONGRESSIONAL RECORD a recent address given by Mr. L. Francis Bouchey, Secretary, Council for Inter-American Security. I had the pleasure of sharing the dais with Br. Bouchey when he gave this address to the California Republican Assembly on September 24, 1977. It is one of the clearest explanations of what the Carter-Torrijos treaties really mean and how they will affect the U.S. presence in the canal, the zone, and in Panama itself.

It should clear some clouded eyes. The address follows:

SPEECH BY MR. L. FRANCIS BOUCHEY

Madam Chairman, distinguished guests, ladies and gentlemen.

The U.S. Canal at Panama, sometimes called the Panama Canal, and its future is a matter which is, and ought to be, troubling a good many people these days.

The treaty gives away a piece of our national patrimony, an American accomplishment which grade school teachers taught me was one of the 7 wonders of the modern world.

Building that canal was, in fact—technologically—the moon shot of its day. We bought it, we built it, we paid for it. We paid more for it than any other U.S. territorial acquisition. Now we are asked to give it away and pay the benefactors to accept it. That strikes many people as ludicrous! Still, a case might be made for some new arrangement concerning the control, status and operation of the U.S. Canal at Panama.

The 1903 treaty is not a divinely inspired document, and it is a mistake for opponents of the proposed Carter-Torrijos treaty to debate the subject as if there was no alternatives other than the original treaty arrangement or continuation of the 1903 based status quo. In other words, saying "no" to the treaty negotiated by Bunker, Linowitz, Carter and Torrijos does not and should not preclude a U.S. openness to exploration of alternative arrangements other than those which exist presently. Saying "no" to the Carter-Torrijos treaty leaves open the possibility of negotiating a different and better treaty, hopefully with a better and different Panamanian government.

The simple fact of the matter is that the treaty President Carter is asking the Senate to ratify is a bad treaty, which does not accomplish what the Administration and State Department purport. And it is that treaty which must be given close attention. The future of the U.S. Canal at Panama should be left aside as an open question—for the time being. Because that issue must not be confused with the particular treaty proposal now before the United States Congress and the American people.

Even if you hanker to give away the most expensive U.S. territorial acquisition and to pay—in McGovern fashion—every man, woman and child in Panama at least $1000, which is what the proposed treaty would do, there are compelling reasons to reject this Carter-Torrijos treaty.

What are they?

In the first place there are 2 treaties involved in the agreement which was signed in Washington, D.C. on September 7.

First, there is the canal transfer treaty. Secondly, there is the neutrality treaty. Finally, there is implementing legislation which will be necessary to effect the treaty provisions.

These are complex documents. I do not pretend to comprehend every nuance. However, the Council for Inter-American Security, together with a team of legal experts, has been analyzing these documents since they were made public. And we know enough to know that the agreements should be rejected.

Consider first the canal transfer treaty. It does two things. Upon the effective date of the treaty, which occurs 6 months after exchange of ratification documents at Panama City, actual and nominal sovereignty over the canal and Canal Zone passes completely, absolutely, and irrevocably to Panama.

From that date hence U.S. involvement in the operation and defense of the canal at Panama will be solely as a surrogate of the Republic of Panama. And that U.S. surrogate role would be subject to unilateral abrogation or cancellation by Panama.

The principal reason for the intricate provisions of the second part of this first treaty, providing for a 23 year long phased U.S. pullout, is a recognition by Panama that it currently lacks the technical expertise to run the canal. The other reason for the intricate second part of the first treaty is to facilitate the payment of U.S. taxpayers dollars to Panama.

The Administration's claim that this Panama Canal treaty was the product of long years of thoughtful negotiations is not credible to anyone who examines the document. For instance, what was supposed to be an exemption from dual taxation of U.S. citizens working for the canal—that is taxation of them by both Panama and the United States—turned out to read as an exemption from taxation by anybody. Why? Because the document was rushed to completion and the text was evidently never even carefully proof read.

That one is funny, but other ambiguities, unresolved issues and potentials for conflict are not. Article 11, which provides for the termination of the last vestiges of U.S. involvement in the year 2000 is so confused that it almost guarantees that final U.S. withdrawal would be exceedingly problematical.

Now, as I have already said, the United States gives up its sovereign rights, its exclusive control of the canal and Canal Zone upon the effective date of the treaty. It is not phased in over the next 23 years. What then happens between the effective date of the treaty and the year 2000, aside from the fact that Panama stands to collect slightly less than $2 billion? The U.S. Panama Canal Company is dissolved. In its place there is established a Panama Canal Commission with 9 members. For the first 13 years, only until 1990, the U.S. will have a majority on the Commission which will operate the canal. But in 1990—13 years from now—Panama will have a 5–4 majority on the Commission and the canal's chief operating executive will be a Panamanian.

After that, the U.S. will maintain some de-

fense forces in Panama, on a diminishing scale, until the year 2000. And, of course it will continue paying money to Panama.

Let us now consider the so-called neutrality treaty. What about the U.S. defense rights which President Carter assures us are provided in the treaty? Basically, there are none, aside from what Panama grants. There is no right, no right of U.S. intervention in Panama to protect the canal once our troops are removed, except by force of arms which would mean an act of war by the United States against Panama.

The best explanation of that second or neutrality treaty came from General Torrijos' chief negotiator, Romulo Escobar Bethancourt, in a news conference broadcast from Panama City on August 24:

"Now, there is the question of whether this does or does not give the United States rights to intervene in Panama.

"Now that is the real question. The pact does not establish that the United States has the right to intervene in Panama. This word (intervention) was discussed and eliminated and what is stated is that Panama and the United States will maintain a neutrality of the canal. What is the meaning of 'will maintain?' In practice, the meaning of 'will maintain' is that, if neutrality is ever violated, Panama on one hand and the United States on the other, or the two countries jointly, will determine how they will guard the canal against such a violation."

Continuing on the subject of neutrality, Escobar maintained that "the neutrality pact *does not* provide that the United States will say when neutrality is violated. That is simply not provided there. There *is* an article which reads that Panama and the United States will maintain the neutrality pact with the purpose that the canal remain open peacefully for all ships of all flags of the world. That is all it says. It does not say that it falls to the United States to decide when neutrality is violated or not."

Turning to an equally contentious subject, the rights of passage, Escobar uses some very curious diplomatic language and notes: "As to the famous 'expeditious passage', which seems to be what concerns Panamanians the most, whether the gringos' ship is going to pass before the Venezuelans'. We are struggling for our independence and we recognize that there are problems of greater concern. As to 'expeditious passage' there is no confusion. When I say that the United States may use the term 'expeditious passage' as privileged passage, what I am saying is that they are using all the means available to sell a treaty which their people and their Senate do not want to swallow."

If a dispute were to arise over the question of expeditious passage and its meaning, then, as Escobar explains, "The provision would be brought up and in the provision it would be seen that expeditious passage does not mean privileged passage. As a matter of fact, the concept of privileged passage *was rejected* and it was pointed out quite specifically that expeditious passage means passage as quickly as possible. If after examining the provision that gringos with their warships say, "I want to go through first,' then that is their problem with the other ships waiting there."

As Escobar makes clear, the United States cannot, in any sense, be said to benefit from Panamanian control.

One final element in the neutrality treaty must be brought into focus in order to round out a picture of what Americans are being asked to accept.

The neutrality treaty states quite clearly in Article III(e):

"Vessels of war and auxiliary vessels of all nations shall at all times be entitled to transit the canal, irrespective of their internal operation, means of propulsion, origin, destination or armament, without being subjected, as a condition of transit, to inspection, search or surveillance."

I wonder if the Senate wants to assent to a treaty by which the United States would be required to insure the safe passage through the canal of warships of the U.S.S.R. at a time we would be at war with the Soviets? Do you want the Senate to assent to that?

We cannot forget that "neutrality" is a vague, abstract concept which is defined by the rules and regulations set forth by the sovereign or the authority that controls the waterway. Clearly, after year 2000, that will be Panama, exclusively. We have that exclusive right today. Even before 2000, Panama could give us trouble on this point since she will have very substantial authority over the canal.

Panama, after 2000 A.D., can define "neutrality" as meaning no U.S.S.R., no U.S.A., no anybody through the canal whose policies she does not like, should that be her whim.

What is the prospect that the Carter-Torrijos treaty will be rejected? The answer to that is not quite as complex as the treaty package, but almost. There are any number of factors at work. But before reviewing them let me anticipate my conclusion and tell you "yes" Carter and Torrijos, Linowitz and Escobar Bethancourt can be defeated. Why do I think so? For two reasons. The more closely the treaty is examined the worse it is found to be. In order to secure an agreement, the Carter negotiators made every conceivable concession. Men like Senator Robert Byrd are going to have trouble voting for it.

The facts of the treaty must be made known. And that is up to you. As the facts of the treaty are made known, popular outrage will grow as we go into the election year. The House of Representatives must vote on the disposal of the property of the United States. Article IV of the Constitution declares that only the Congress has the authority to dispose of "the territory or other property of the United States". Our elected representatives are going to be reluctant to vote for it, if we, as opponents of the Carter-Torrijos agreement, maintain constant, relentless pressure.

And that, ladies and gentleman, is up to you and countless other Americans.

AIR BAGS AND CHILD SAFETY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. WAXMAN. Mr. Speaker, I believe the current debate on the need for passive restraints has gotten off track. Attention seems to be focused on the proposition that the Department of Transportation regulation will somehow compromise the personal freedom of automobile purchasers. Little consideration seems to be paid, however, to the lifesaving qualities of these safety devices; particularly with respect to the safety provided small children.

Opponents of the ruling have suggested that individual automobile purchasers should have the right to select the acceptable standard of safety in their personal transportation. If auto makers were in fact willing to offer consumers a choice in crash protection, and if automobile purchasers were the only users of automobiles, this argument might be credible.

Experience has demonstrated that the automobile industry is seldom willing, in the absence of Government prodding, to incorporate lifesaving devices into automobile design. Even more significant than industry's historic reluctance to build crashworthy cars is the fact that the vast majority of automobile drivers and accident victims are not original purchasers, but the purchaser's family and friends. Even if optional safety systems were available, these individuals, particularly children, would have little input into the initial decision to forgo purchase of such automobile safety devices.

The communal qualities of the automobile make safe operation the responsibility of the driver and safe design the responsibility of the manufacturer. However when industry is unwilling to accept the responsibility for the structural safety of its products Government has a necessary obligation to accept the burden.

I recently received a letter from Dr. Thomas E. Reichelderfer, chairman of the Committee on Accident and Poison Prevention of the American Academy of Pediatrics. His comments cut to the heart of the passive restraint debate and provide one of the most convincing arguments in favor of these lifesaving devices.

Dr. Reichelderfer points out that more children between ages 1 and 14 are injured or killed in automobile accidents than any other disease or illness. In 1975 alone, 5,000 children became automobile fatality statistics and another 60,000 suffered serious injuries. A recent survey conducted by the Insurance Institute for Highway Safety revealed that 94 percent of children riding in automobiles either do not wear seat belts or are improperly restrained.

The most startling point raised by Dr. Reichelderfer was that for children under age 4 or who weigh less than 40 pounds, conventional seat belts, if worn, are ineffective and in some cases can cause serious abdominal injuries. For these children, the only effective crash protection are specifically designed restraint devices used in combination with passive restraints such as air bags.

Dr. Reichelderfer's comments have much merit. The passive restraint debate is an opportunity to exhibit one's support for personal freedom. It is an opportunity to support the right of every American to freedom from unreasonable risk of injury. I believe this a a freedom worth preserving and urge my colleagues to support Secretary Adams' decision.

Mr. Speaker, I insert the letter from the American Pediatrics Association in the RECORD at this point:

SEPTEMBER 23, 1977.

Hon. HENRY WAXMAN,
House of Representatives,
Washington, D.C.

DEAR MR. WAXMAN: The Committee on Accident and Poison Prevention of the American Academy of Pediatrics has long been concerned with automobile safety for infants, children and adolescents. In view of the large number of deaths and serious injuries incurred by this age group, you are asked to give your support to Secretary Adams' passive restraint decision.

More children between the ages of one and 14 years of age are injured or killed in automobile accidents than by any other disease or illness. In 1975, approximately 5,000 of

these deaths occurred with an estimated 60,000 additional serious injuries as a result of these accidents. Head injuries, the most common cause of epilepsy, are sustained more frequently than any other type of injury. Automobile accidents constitute the major disease entity threatening our children yet could be largely prevented by the use of suitable restraints. However, at the sufferance of adults, children ride in automobiles without the protection that car restraints provide. A survey by the Insurance Institute for Highway Safety has demonstrated that 93% of all children riding in cars are unprotected and another 1% are improperly restrained. Hence 94% of that population most likely to sustain serious injury or death are completely unprotected. In order to provide at least minimal protection for all children, passive restraints should be required as standard equipment in all cars.

Recent technical developments have made passive restraint measures available and practical. Cars equipped with air bag devices in which children were front seat passengers have demonstrated a remarkable ability to provide increased protection against death/severe injury. This ability was vividly recounted in a recent incident in Florida involving two children ages four and six, otherwise unrestrained, in a head-on collision. With the protection afforded these children by the air bag, the four year old sustained only a mild limb injury while the six year old escaped unharmed.

At particular risk of injury are infants and children under age four or 40 lbs. for whom standard seat belts are inappropriate. Lap belts alone exert too much pressure on the abdominal area of a small child and may cause injuries in a frontal crash. Children under four tend to occupy more hazardous seat areas than older children which compounds their susceptibility to death and serious injury. For maximum protection such children should be restrained in restraint devices specifically designed for this age group in combination with passive restraints.

Given the data cited above, it is imperative that at least passive restraint devices be required to afford these children some measure of safety. While use of the air bag alone with infants and small children has not been totally effective, the American Academy of Pediatrics is convinced of the superior effectiveness of passive restraints as protective devices for infants and children.

When the lives of children are concerned, cost effectiveness and societal costs deserve only secondary deference. There is no excuse, now that technical means are available to reduce highway carnage, that these measures should not be put to immediate use.

Sincerely yours,

THOMAS E. REICHELDERFER, M.D.,
Chairman, Committee on Accident and Poison Prevention.

CAUTION ON SALT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. FINDLEY. Mr. Speaker, I would like to pass along to my colleagues in the House the following note of caution urged upon us by the British weekly journal, the Economist: In concluding a SALT agreement with the Soviet Union, the United States must consider shared interests with our Western European allies. The United States can ill-afford to risk the confidence of our allies—a confidence that is intrinsic to the vitality of the North Atlantic Alliance—to reach an accommodation with our principal adversary.

An article follows:

CRUISE FOR EUROPE—THE UNITED STATES SHOULD NOT BUY A NUCLEAR ARMS DEAL WITH RUSSIA AT THE PRICE OF ITS ALLIES' CONFIDENCE

President Carter already has enough problems in reaching an agreement with Mr. Brezhnev over nuclear weapons not to want another; it is now highly probable that the October 3rd deadline originally set for a Salt-2 agreement will pass without one. But another problem has to be added to his list. The nuclear deal Mr. Carter eventually strikes with the Russians—if he does—should not include a clause preventing the United States from helping some of its European allies to make cruise missiles.

Britain, in particular, may need the cruise missile for its own nuclear armoury, and Germany is keen that it should also be deployed in Europe with non-nuclear warheads by the Nato alliance. These tiny super-accurate hedgehoppers will be a cheaper way of keeping the British nuclear deterrent in existence than building a new generation of missile submarines. But Britain's decision whether to replace its present Polaris submarines with cruise missiles some time in the 1980s will depend in part on how much it will cost to do so. That in turn will depend on how much of the technology can be obtained from the United States and how much of this particular wheel Britain will therefore not have to reinvest on its own.

For the United States to accept any limits at all on cruise missiles would be a large concession. Certainly its present willingness to offer a three-year moratorium on deployment, while development of this complex piece of technology continues, is the farthest its allies should agree to its going, and even that requires a matching moratorium on Russia's deployment of its huge new SS-18 missile. The Americans have always insisted that they will make no deal with the Russians about nuclear weapons actually deployed which cannot be checked by some sort of inspection. Successive American administrations have stuck to this principle through thick and thin, and Mr. Carter has reaffirmed it. But checking cruise missiles on the ground, when that time does come, seems likely to be almost impossible. They are easily hidden, and even if they are seen it is impossible to tell whether they have nuclear or nonnuclear warheads, or to guess their range to within a thousand miles. If the American government promises to obey certain rules about cruise missiles the New York Times and the Washington Post will make sure it honours its promise. When Russia too makes cruise missiles—as it eventually will—Pravda is unlikely to perform the same service.

The Russians also want a guarantee that the United States will not transfer cruise-missile technology to its allies. The Americans should have no truck with such a notion from a country which argues that its new Backfire bombers and its medium-range SS-20 missiles should not be included in the American-Soviet nuclear negotiations because they can reach only as far as western Europe. These weapons pose the problem Europe has to deal with. If Russia wants to talk about the problem, it will have to talk to the Europeans.

The Russians will not like this; it will at the least delay a new Salt agreement. But the United States is in the position of many great powers before it: it has to choose between an accommodation with its adversary and the confidence of its allies. It can stand ready to share the cruise missile, or it can run a very real risk of damaging the alliance on which its own security, as well as Europe's, depends.

TEXTILE WORKERS UNIONS MAKE J. P. STEVENS LOOK LIKE CHOIR BOYS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. ASHBROOK. Mr. Speaker, I got a little sick when I listened to the debate today on H.R. 8410. The bad guys are the employers, the businesses. None of the speakers on the Democratic side even made a passing reference to any of the long list of threats, violence, union fines to discipline members, and unfair labor practices on the part of the Textile Workers Union. They would have you believe the No. 1 bad guy in America is J. P. Stevens.

Well, look at some of the unfair labor practices which the Textile Workers have been adjudged guilty. Also read my speech on violence, particularly those portions that deal with the Textile Workers Union, also in today's CONGRESSIONAL RECORD. J. P. Stevens looks like a collection of choir boys when you compare their record to the union.

Here are some of the citations involving the Textile Workers Union:

LISTING OF LAW VIOLATIONS COMMITTED BY THE TEXTILE AND CLOTHING WORKERS UNION

1. *International Packings Corp.*, 221 NLRB 479 (1975) (Textile Workers Union unlawfully caused the discharge of an employee and threatened employee.)

2. *Altman* v. *Clothing Workers*, — F. Supp. —, 90 LRRM 2777 (S.D.N.Y. 1975) (Amalgamated Clothing Workers motion for summary judgment denied in action charging the union with discriminating against former union official by preventing him from obtaining employment and getting him discharged after he found employment.)

3. *Amalgamated Clothing Workers (Shutzer Mfg. Co.)*. 210 NLRB 831 (1974) (Amalgamated Clothing Workers Union violated its duty to bargain in good faith.)

4. *Kayser-Roth Corp.* v. *Textile Workers*, 479 F. 2d 525 (6th Cir. 1973) (Textile Workers Union was ordered to pay over one million dollars for damage caused during violent strike.)

5. *Hartner* v. *Joint Board*, 339 F. Supp. 1257 (D. Md. 1972) (Clothing Workers Union violated union member's right to be free of improper disciplinary action when union disqualified member from running for union office for one year.)

6. *NLRB* v. *Textile Workers, Local 1029*, 409 U.S. 213 (1972) (Textile Workers Union violated the law by interfering with the rights of employees.)

7. *Corder* v. *Clothing Workers*, 305 NYS 2d 739, 72 LRRM 2878 (N.Y. Sup. Ct. 1969) (Retired Clothing Workers Union member sued union for pension benefits alleging fraud on the part of the union.)

8. *Blue Jeans Corp.* v. *Clothing Workers*, 169 S. E. 2d 867, 72 LRRM 2661 (N.C. Sup. Ct. 1969) (Clothing Workers Union and union members held in contempt of court for disobeying restraining order. Union members engaged in intimidation and harassment of employees, blocked traffic, and used vulgar and insulting language toward employees, all in violation of court's order.)

9. *NLRB* v. *Amalgamated Cothing Workers of America*, 430 F. 2d 966 (5th Cir. 1970) (Clothing Workers Union violated the law when it threatened employees that they would lose their jobs unless they joined the union.)

10. *Clothing Workers (Canton Mfg. Corp.)*, 171 NLRB 641 (1968) (Amalgamated Clothing Workers violated the law by interrogating employees and refusing to process employee grievances in an attempt to discourage the employees from consulting the National Labor Relations Board.)

11. *Simmons* v. *Avisco, Local 713, Textile Workers Union*, 350 F. 2d 1012 (4th Cir. 1969) (Textile Workers Union was sued by one of its own members for damages caused by the union's unlawful suspension of the member during an investigation of alleged election fraud. The jury's award of $15,000 in damages was upheld on appeal.)

12. *Clothing Workers Union (Jaymar Ruby, Inc.)*, 151 NLRB 555 (1965) (Union violated the law when it threatened two employees that they would lose their insurance benefits if they failed to pay fines imposed for missing union meetings.)

13. *North Carolina* v. *Walker*, —— S.E. 2d ——, 47 LRRM 2981 (N.C. Sup. Ct. 1960) (Several members and officers of Textile Workers Union were found guilty of conspiracy to explode a bomb in a textile plant in order to make a strike there more effective.)

14. *Textile Workers Union (Charles Weinstein Co.)*, 123 NLRB 590 (1959) (Textile Workers Union business agent unlawfully restrained and coerced employees by threatening and kicking company vice president who was entering plant gate. Employees were threatened and assaulted by union members in violation of the law.)

15. *Taylor Fibre Co.* v. *Textile Workers Union*, 151 A. 2d 79, 44 LRRM 2110 (Pa. Sup. Ct. 1959) (Court properly issued injunction prohibiting Textile Workers Union from continuing to engage in illegal mass picketing, threats and intimidation during strike.)

16. *National Automotive Fibres*, 121 NLRB 1358 (1959) (Textile Workers Union violated the law when it caused employee to be discharged because he did not pay union dues while he was on layoff. Employee tried to withdraw from union when on layoff but union refused because employee owed the union a fine for not attending meetings.)

17. *Ex parte Evett*, 89 So. 2d 88, 38 LRRM 2287 (Ala. Sup. Ct. 1956) (Textile Workers Union held in contempt of court for disobeying the court's restraining order against unlawful picketing including coercion, intimidation and use of physical restraint against employees and job applicants. Strikers severely beat applicants so that medical care was required, called them abusive names, threatened them, and broke their car windows.)

18. *New Orleans Laundries*, 114 NLRB 1077 (1955) (Clothing Workers Union violated the law when its business agent threatened employees that they would be discharged if they continued to support rival union and engage in activity on behalf of rival union. Clothing Workers Union also violated labor law by refusing to process grievances of employees who were trying to get different union.)

19. *Wortex Mills* v. *Textile Workers Union*, 109 A. 2d 815, 35 LRRM 2132 (Penn. Sup. Ct. 1954) (Textile Workers Union was enjoined from engaging in unlawful mass picketing which the court found to be accompanied by threats and intimidation of employees. Union was also required to pay employer over $66,000 in damages caused by the unlawful strike.)

20. *Anniston Yarn Mills, Inc.*, 103 NLRB 1495 (1953) (Textile Workers Union violated labor laws by causing employer to cancel a nonunion employee's seniority because of her failure to participate in a strike and her nonunion status.)

21. *Royal Cotton Mill* v. *Textile Workers Union*, 67 S. E. 2d 755, 29 LRRM 2142 (N. C. Sup. Ct. 1951) (North Carolina Supreme Court upheld contempt of court citations against members of Textile Workers Union for wilfully and contemptuously disobeying court order prohibiting mass picketing and assault of nonstriking employees.)

22. *NLRB* v. *Acme Mattress Co.*, 192 F. 2d 524 (7th Cir. 1951) (International Union held liable for wrongful acts of Textile Workers Union representative who caused discharge of employee in return for calling off strike and signing contract.)

23. *Erwin Mills* v. *Textile Workers Union*, 67 S. E. 2d 372, 29 LRRM 2092 (N. C. Sup. Ct. 1951) (Textile Workers Union members were held in contempt of court for not obeying restraining order which prohibited mass picketing and acts of violence, force, coercion and intimidation.)

24. *Grist* v. *Textile Workers Union*, 82 A. 2d 402, 28 LRRM 2405 (R. I. Sup. Ct. 1951) (Textile Workers Union picketed nonunion plant during nationwide strike. Pickets used threats, insults and force to keep nonunion employees from entering plant.)

25. *Bloomsburg Mills* v. *Textile Workers*, 26 LRRM 2024 (Pa. Ct. Com. Pls. 1950) (Court issued injunction against Textile Workers Union engaged in unlawful picketing. Court found that picketing was accompanied by violence, threats, assault, intimidation and molesting of nonstriking employees. Pickets also found to have damaged employees' cars and trespassed on private property. Several employees, including women, were kicked and assaulted as they attempted to enter the plant.)

REVOLUTIONARY TEACHING SYSTEM

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1977

Mr. McKINNEY. Mr. Speaker, a constituent, Dr. Peter C. Goldmark, has developed an electronic teaching device that encompasses a number of significant technological breakthroughs. If fully utilized the system could serve to bridge cultural and educational gaps in this country and throughout the world.

The system, known as rapid transmission and storage (RTS) embodies several unique capabilities. Dr. Goldmark has developed a highly technological process that enables the "packing" of up to 30 hours—60 half-hour lessons—of audio and visual information onto a conventional 1-inch magnetic tape. The lessons consist of a continuous sound format accompanied by still pictures. The still pictures are used to conserve space on the tape, however, moving pictures can be used when it is necessary for clarity. The tape is played back on a small mobile piece of transmission equipment, similar to a portable tape machine. The machine when hooked up to conventional television sets can transmit the 60 different half-hour lessons simultaneously to as many as 30 different television monitors. An electronic coding method enables each professor to chose any one of the 60 different lessons.

The system can also be used in conjunction with an educational or commercial television station. During the 8-hour period when the station is normally off the air, over 240 different half-hour lessons can be transmitted and received for the next day's use in a designated learning center. The material can be used as many times as is desired. When a sufficient quantity and variety of instructional material is developed and available, the RTS system would permit the transmission and storage of 40 hours of instructional material to be received and shown on one's home TV set.

North Carolina's community college system is the first to put the RTS to work. Lesson material is in preparation for 10 study centers in the Charlotte area, and lessons will eventually be extended to the 57 other institutions in North Carolina's community college system. Other community colleges joining in the initial RTS program are in Chicago and Glen Ellyn, Ill., Costa Mesa, Calif., Eugene, Oreg., and Kansas City. It is hoped that these programs will be able to expand the ability of the community colleges to deliver educational services closer to where people live and work, without a large investment in additional facilities.

I would like to gratefully recognize the contribution of the Department of Housing and Urban Development (HUD) whose funding of the rural society project enabled Dr. Goldmark to develop the RTS system. It is my hope that the system will reduce the gap between the city and country, giving those in less populated areas access to the many cultural and educational advantages that exist in the more densely populated areas.

Dr. Goldmark is president of his own company, the Goldmark Communications Corp. of Stamford, Conn. He holds more than 160 patents and is responsible for the invention of the long-playing record and the color television.

SENATE—*Wednesday, October 5, 1977*

(Legislative day of Tuesday, October 4, 1977)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. EASTLAND).

The PRESIDENT pro tempore. Our guest chaplain this morning is the Reverend E. J. Singletary, Church of the Nazarene, Jackson, Miss.

PRAYER

The Reverend E. J. Singletary, Church of the Nazarene, Jackson, Miss., offered the following prayer:

Our Father, we thank You for present privileges and past blessings. We come to share with these men in a prayer for Your blessings upon the proceedings of this day.

Grant us that sincere humility which gives You entrance into our affairs. Help us to pray, for no other resource offers such promise, as the apostle reminds us in James 1: 5: *If any of you lack*