

NOVEMBER 17  
10:00 a.m.  
Judiciary  
Improvements in Judicial Machinery Subcommittee  
To continue hearings on S. 2014, to provide greater protection to consumers in bankruptcy proceedings.  
2228 Dirksen Building

NOVEMBER 18  
10:00 a.m.  
Judiciary  
Improvements in Judicial Machinery Subcommittee  
To continue hearings on S. 2014, to provide greater protection to consumers in bankruptcy proceedings.  
2228 Dirksen Building

DECEMBER 13  
10:00 a.m.  
Judiciary  
Constitution Subcommittee  
To hold hearings on S.J. Res. 67, proposing an amendment to the Constitution with respect to the proposal and the enactment of laws by popular vote of the people of the United States.  
2228 Dirksen Building

DECEMBER 14  
10:00 a.m.  
Judiciary  
Constitution Subcommittee  
To continue hearings on S.J. Res. 67, proposing an amendment to the Constitution with respect to the proposal and the enactment of laws by popular vote of the people of the United States.  
2228 Dirksen Building

DECEMBER 15  
\*9:00 a.m.  
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee  
To hold hearings on the United Nations conference on science and technology for development in 1979.  
Until 5:00 p.m. 5110 Dirksen Building

CANCELLATIONS  
OCTOBER 19  
9:00 a.m.  
Human Resources  
To resume hearings to receive testimony from Executive branch officials in connection with recent studies on human resource programs.  
Until noon 4232 Dirksen Building

HOUSE OF REPRESENTATIVES—Tuesday, October 18, 1977

The House met at 12 o'clock noon.  
Rabbi Simcha Freedman, Temple Adath Yeshurun, North Miami Beach, Fla., offered the following prayer:

לחיים to Life  
Dear G-d, Scripture enjoins us "choose life."

This shall be a life of Independence, not an existence subject to isolation and coercion;

A life of Security, not an existence in fear of terrorism;

A life of Righteousness, not an existence at the mercy of international injustice;

A life of Amity, not an existence menaced by war;

A life of Earnestness, not an existence dependent upon questionable safeguards and promises;

A life of Love, not an existence threatened by plots of extinction.

Dear G-d, we pray You vouchsafe Your blessings upon the Members of this great House. May their continued support be granted the State of Israel and all democracies which cling to those self-same ideals upon which this Nation was founded and lives.

לחיים to Life!  
Amen.

CALL OF THE HOUSE

Mr. MARTIN. Mr. Speaker, under rule I, clause 1, of the rules of the House, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOLAND. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

	[Roll No. 663]	
Ambro	Chisholm	Drinan
Archer	Conyers	Ford, Mich.
Armstrong	Coughlin	Goldwater
Ashley	Davis	Harrington
Badham	de la Garza	Harsha
Badillo	Dent	Hollenbeck
Burton, John	Derrick	Koch
Cederberg	Diggs	Krueger

Meeds	Ruppe	Vanik
Metcalfe	Sarasin	Waxman
Mikva	Scheuer	Whalen
Miller, Calif.	Seiberling	Wolf
Nolan	Shuster	Young, Alaska
Pepper	Solarz	
Rangel	Teague	

The SPEAKER. On this rollcall 391 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

RABBI SIMCHA FREEDMAN

(Mr. LEHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEHMAN. Mr. Speaker, Rabbi Simcha Freedman was born in Philadelphia, Pa. He graduated Yeshiva University. He was ordained by the Rabbi Isaac Hanen Theological Seminary in 1962 and received a master's degree in Hebrew literature from the Bernard Revel graduate school that same year.

Rabbi Simcha Freedman has served congregations in Shenandoah, Pa., and Philadelphia. He is currently spiritual leader of Temple Adath Yeshurun in North Miami Beach, Fla. Rabbi Freedman is a past president of the Philadelphia branch of the Rabbinical Council of America, and is a past secretary of the board of rabbis of Greater Philadelphia.

He now serves as secretary of the Rabbinical Association of Greater Miami and serves on the City Advisory Council of the Planning Commission of North Miami Beach. He has contributed articles to various local and national publications.

Rabbi Freedman is married to the former Anna Becher Wasser and they have two children, Sammy and Benjy.

During the years that I have known Rabbi Freedman personally and been acquainted with the extent of his community involvement, I have been impressed by not only his active commitments to Jewish causes but also his concern for the well-being of our entire religious and secular community. Rabbi Freedman is a great humanitarian as well as a true spiritual leader.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 573. Joint resolution commemorating General Thaddeus Kosciusko by presenting a memorial plaque in his memory to the people of Poland on behalf of the American people.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3387. An act to continue until the close of June 30, 1979, the existing suspension of duty on synthetic rutile.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1811) entitled "An act to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended, and for other purposes," agreed to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. BUMPERS, Mr. ABOUREZK, Mr. FORD, Mr. DURKIN, Mr. MATSUNAGA, Mr. HANSEN, Mr. HATFIELD, Mr. DOMENICI, Mr. McCLURE, and Mr. BARTLETT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the House amendment to Senate amend-

ment numbered 82 to the bill (H.R. 7555) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1978, and for other purposes," disagreed to by the House; agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. PROXMIRE, Mr. HOLLINGS, Mr. EAGLETON, Mr. BAYH, Mr. CHILES, Mr. BURDICK, Mr. INOUE, Mr. MCCLELLAN, Mr. BROOKE, Mr. CASE, Mr. SCHWEIKER, Mr. MATHIAS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 57. Concurrent resolution to correct the enrollment of S. 717; and

S. Con. Res. 58. Concurrent resolution to correct the engrossment of Senate amendments to H.R. 4018.

#### PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

#### JENNET JUANITA MILLER

The Clerk called the bill (H.R. 1405) for the relief of Jennet Juanita Miller.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

#### MILOS FORMAN

The Clerk called the bill (H.R. 3085) for the relief of Milos Forman.

Mr. BAUMAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### FIDEL GROSS-PADILLA

The Clerk called the bill (H.R. 3090) for the relief of Fidel Gross-Padilla.

There being no objection, the Clerk read the bill, as follows:

H.R. 3090

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a) (23) of the Immigration and Nationality Act, Fidel Grosso-Padilla may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CATHY GEE YUEN

The Clerk called the bill (H.R. 1777) for the relief of Cathy Gee Yuen.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### PAZ A. NORONA

The Clerk called the bill (H.R. 1787) for the relief of Paz A. Norona.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

#### KWI SOK BUCKINGHAM (NEE KIM)

The Clerk called the bill (H.R. 4401) for the relief of Kwi Sok Buckingham (nee Kim).

There being no objection, the Clerk read the bill, as follows:

H.R. 4401

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a) (23) of the Immigration and Nationality Act, Kwi Sok Buckingham (nee Kim) may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### KWONG LAM YUEN

The Clerk called the bill (H.R. 1798) for the relief of Kwong Lam Yuen.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with at this point, and I further ask unanimous consent that the remaining bills and resolutions on the Private Calendar be called up on next Tuesday, October 25, 1977.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### REQUEST FOR RECOMMITTAL OF H.R. 3085 TO COMMITTEE ON THE JUDICIARY

Mr. EILBERG. Mr. Speaker, I ask unanimous consent to revert to Calendar No. 16 for the purpose of reconsidering the bill (H.R. 3085) for the relief of Milos Forman and having the bill recommitted.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk called the bill (H.R. 3085) for the relief of Milos Forman.

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that the bill (H.R. 3085) for the relief of Milos Forman be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BAUMAN. Mr. Speaker, I object. The SPEAKER. Objection is heard.

#### CORRECTING ENGROSSMENT OF SENATE AMENDMENTS TO H.R. 4018, SUSPENDING DUTY ON CERTAIN DOXORUBICIN HYDROCHLORIDE ANTIBIOTICS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 58) to correct the engrossment of Senate amendments to H.R. 4018, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. ROUSSELOT. Reserving the right to object, Mr. Speaker, could the gentleman explain to us what this language is all about?

Mr. STAGGERS. If the gentleman will yield, Mr. Speaker, I would like to explain to the gentleman that an amendment was passed in the other body and somehow did not get into the bill. It was actually passed, but the other body made a mistake and did not get the amendment into the bill.

All we are asking is that it be put into the bill as it was passed by the Senate.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, the gentleman says that something did not get into this critical energy bill through a mistake in the Senate, is that correct?

Mr. STAGGERS. That is right. It did not get into the bill.

Mr. ROUSSELOT. You mean in preparing the material to be included in the House-Senate conference, the Griffith amendment was omitted? How could that possibly happen?

Mr. STAGGERS. I do not know, but it did happen. Since we are all human, we make mistakes, and this is one of them.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring), That the following language be inserted immediately after section 141 in the engrossment of the Senate amendments to H.R. 4018 and be considered as being in conference:

Sec. 141A. No action by the Federal Power Commission pursuant to this or any other Act shall, directly or indirectly, take from a natural gas distribution company any volumes of gas which such company demonstrates resulted from energy conservation measures: *Provided, however,* That such conserved volumes shall be applied first to existing residential customers, second to existing small commercial customers, third to existing industrial customers with nonsubstitutable natural gas requirements, and fourth to other customers.

For purposes of this section, the term "natural gas distribution company" means any utility which sells natural gas.

For purposes of this section, the term "energy conservation measures" includes but is not limited to measures taken pursuant to a residential energy conservation plan as defined in the National Energy Conservation Policy Act.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### A SIGNIFICANT VICTORY AGAINST THE TERRORISTS

(Mr. McDONALD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDONALD. Mr. Speaker, last night West German commandos scored a major victory against the international terrorist apparatus. The victory of the German GSG-9 unit not only freed the 86 hostages held on a Lufthansa plane by 4 terrorists, but dealt a major blow to the terrorist movement. This morning three terrorists held in West German jails, whose freedom had been demanded by those holding the hostages, committed suicide. These included the important terrorist leaders Andreas Baader and Gudrun Ensslin. A fourth terrorist was unsuccessful in her suicide attempt. It is clear that the severe defeat of the terrorists caused the frustration that resulted in these suicides.

The dramatic rescue in Somalia has been referred to as "Entebbe Two." While it is true that the Israelis were the innovators of this successful antiterrorist tactic, other governments have also learned from them. Egyptian and Syrian commandos have won victories in airline multiple hostage situations. Dutch Marines stormed a hijacked train last May rescuing the hostages. More recently Japanese police using the same tactic freed hostages on a hijacked bus.

Experience shows that yielding to the blackmail demands of terrorists results in escalating the terrorist threat. Dramatic and forceful action that defeats the terrorists reduces the threat. When we make the price of terrorism too costly for the terrorists to pay, we will have eliminated the problem.

We mourn the loss of Jurgen Schumann, the courageous Lufthansa

captain, who was murdered by the terrorists. We fear for the life of the German businessman, Hanns-Martin Schleyer, who remains in the hands of the terrorists, who kidnaped him. But, our warmest congratulations are extended to the courageous young German men who risked their lives to free the hostages.

#### WEST GERMANY STRIKES AGAINST TERRORISTS

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, an international sigh of relief was heard last night following the news that West German commandos had rescued 86 hostages from a Lufthansa airplane hijacked and diverted to Somalia.

The daring rescue by a squad of highly trained West German soldiers ended one of the most harrowing of all hijackings. All told, the hijacking lasted 5 days and involved six different nations. At its conclusion there were five deaths—the four air pirates and the pilot of the plane who was gruesomely executed in front of the hostages. Miraculously, none of the hostages were seriously injured.

As President Carter observed, the Government of West Germany must be commended for its courage and resistance to the forces of terrorism. The world community is growing more apprehensive about the threat of terrorism. Yet the actions of West Germany in Somalia, much like those of Israel in Entebbe, may work to reduce the threat. Terrorism cannot be condoned. Those nations which harbor terrorists must be ostracized by the world community. Terrorism is a menace to the health and safety of the world. Its eradication must be considered a priority by all concerned nations.

#### KUDOS TO WEST GERMANY IN PUTTING DOWN THE LATEST ACT OF TERRORISM

(Mr. KREBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KREBS. Mr. Speaker, I believe I am expressing the sentiment of the rest of the civilized world in saying that I am overjoyed at the success of the operation yesterday in Somalia and the release of the 86 innocent victims of the latest act of terrorism.

I think it represents a lesson well learned from the operation at Entebbe conducted last year by the forces of the State of Israel.

Mr. Speaker, I hope that West Germany's action will make it abundantly clear to those who are willing to knuckle under to terrorists' blackmail that this type of conduct is not going to be tolerated by the rest of the world.

#### A TRIBUTE TO A GREAT AMERICAN

(Mr. DORNAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, at this very moment on the other side of our country, in my former parish, a Requiem Mass is being said for my friend Bing Crosby. The unique thing about this gifted entertainer is that everyone thought of him as their special friend. My lifelong pal, his eldest son Gary, proudly observed that his dad's large and beloved family literally had to share him with the world.

His career spanned an incredible half century. Whether you reach into the thirties or the seventies, or some fondly remembered moment between, a Bing Crosby ballad lifted from its recording year will bring back loving memories to people of every age. His dream of a white Christmas will touch our hearts for as long as America remembers the birthday of the Prince of Peace.

I know it is for all the Members of this Congress when I speak of a Nation's love for this fine man. From his special shows for wounded GI's at battlefield hospitals to his poignant goodbye in last week's performance for the poor at the London Palladium, Bing always made his country proud of him.

The church where Bing's Mass of the Resurrection is being celebrated is named after the great Apostle St. Paul, who ended his courageous life with the resounding words:

I have run the course, I have fought the good fight, I have kept the faith.

So did Harry Lillis Crosby, Jr.

It would embarrass Bing to have himself described as a man of loyal faith, but he was. When God said to this humble man, "Are you going my way?" Bing's answer was, "Yes."

#### THE LATE HONORABLE J. FLOYD BREEDING OF KANSAS

(Mr. SEBELIUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEBELIUS. Mr. Speaker, I would like to take this time to inform this body of the untimely death yesterday of a former colleague, the Honorable J. Floyd Breeding of Kansas.

Congressman Breeding was elected to the House in 1956 and held the seat until 1963. A farmer, he was appointed to the Agriculture Committee in 1959.

After he left Congress and because of his fine work in agriculture, both Presidents Kennedy and Johnson appointed him to tour 68 countries in the interests of U.S. agriculture.

Mr. Breeding was born in 1901 and attended college at Kansas State University. After his marriage to Mary Tavis in 1921, he and his bride moved to a farm in western Kansas. Like many farm families in the 1920's, they were "wiped out" by a succession of bad crops.

Not a man to be defeated, Breeding and his wife started over. He took on extra jobs and Mrs. Breeding raised turkeys to supplement their income. Always an activist, he helped organize the Kansas Association of Wheat Growers

and the Southwest Royalty Association, a group of gas property owners. He also served in the Kansas House of Representatives in 1947 where he was named minority leader in 1949.

Using his agricultural expertise, after his retirement he also served as economic consultant for 4 years to the U.S. Department of Agriculture.

J. Floyd Breeding will be remembered by his many friends as a gentleman and a tribute to the political profession. Both Kansas and agriculture have lost an irreplaceable friend.

Funeral services for Mr. Breeding will be held Wednesday morning, October 19, in Dodge City, Kans.

#### BING CROSBY—THE TOTAL ENTERTAINER

(Mr. DEL CLAWSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DEL CLAWSON. Mr. Speaker, services in California today held by the family of Bing Crosby—if the experience of our own family is any criterion—hold shared meaning for countless others throughout the Nation. For those of us who recall the early career of Bing Crosby, then his later development into an international figure, his songs, his lopsided grin, his style, combining personal charisma with the art of understatement, paralleled our own growth. The resonant voice, words, and music, "The blue of the night and the gold of the day," "I'm dreaming of a White Christmas," "Would you like to swing on a star, carry moonbeams home in a jar," were background for courtship, for family holidays, and transcending the generation gap, the universal language of music captured the imagination of our children. His generous gift of talent and time will also be remembered by millions of men and women either now serving in our military forces, or U.S. Army, Navy, Marine, and Coast Guard veterans.

A gentle style of communication was characteristic of Bing Crosby. It is significant that it was so successful in reaching the hearts of so many of his countrymen and women. Our prayers and our sympathy are with his family. Their loss is shared worldwide. Bing Crosby's singing is so nostalgically entwined with the events of our personal lives that the sadness is almost overwhelming when we realize that this unique career has come to an end. But the memories endure and are the deeper for the gifts of this extraordinary American who found a warm welcome as he entertained us in the movies, as he entered our homes over the airwaves and later on the television screen during the course of his lifetime.

Bing Crosby, the total entertainer, will be missed.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

Pursuant to the provisions of clause

3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated, and after those motions to be determined by "nonrecord" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

#### STUDY OF CERTAIN LANDS TO DETERMINE SUITABILITY FOR DESIGNATION AS WILDERNESS

Mr. RONCALIO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 393) to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes.

The Clerk read as follows:

S. 393

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Montana Wilderness Study Act of 1977".*

SEC. 2 (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132), the Secretary of Agriculture (hereinafter known as the "Secretary") shall, within five years after the date of enactment of this Act, review certain lands designated by this section, as to their suitability for preservation as wilderness, and report his findings to the President, as follows:

(1) certain lands in the Beaverhead National Forest, Montana, which are generally depicted on a map entitled "West Pioneer Wilderness Study Area" and dated April 1976, comprising approximately one hundred and fifty-one thousand acres, which shall be known as the West Pioneer Wilderness Study Area;

(2) certain lands in the Beaverhead and Gallatin National Forests, Montana, which are generally depicted on a map entitled "Taylor-Hilgard Wilderness Study Area" dated April 1976, comprising approximately two hundred and eighty-nine thousand acres, which shall be known as the Taylor-Hilgard Wilderness Study Area;

(3) certain lands in the Bitterroot National Forest, Montana, which are generally depicted on a map entitled "Bluejoint Wilderness Study Area" and dated April 1976 comprising approximately sixty-one thousand acres, which shall be known as the Bluejoint Wilderness Study Area;

(4) certain lands in the Bitterroot and Deerlodge National Forests, Montana, which are generally depicted on a map entitled "Sapphire Wilderness Study Area" and dated April 1976, comprising approximately ninety-four thousand acres, which shall be known as the Sapphire Wilderness Study Area;

(5) certain lands in the Kootenai National Forest, Montana, which are generally depicted on a map entitled "Mount Henry Wilderness Study Area" and dated January 1974, comprising approximately twenty-one thousand acres which shall be known as the Mount Henry Wilderness Study Area;

(6) certain lands in the Kootenai National Forest, Montana, which are generally depicted on a map entitled "Ten Lakes Wilderness Study Area" and dated April 1976, comprising approximately thirty-four

thousand acres, which shall be known as the Ten Lakes Wilderness Study Area;

(7) certain lands in the Lewis and Clark National Forest, Montana, which are generally depicted on a map entitled "Middle Fork Judith Wilderness Study Area" dated April 1976, comprising approximately eighty-one thousand acres, which shall be known as the Middle Fork Judith Wilderness Study Area;

(8) certain lands in the Lewis and Clark National Forest, Montana, which are generally depicted on a map entitled "Big Snowies Wilderness Study Area" and dated April 1976, comprising approximately ninety-one thousand acres, which shall be known as the Big Snowies Wilderness Study Area;

(9) certain lands in the Gallatin National Forest, Montana, which are generally depicted on a map entitled "Hyalite-Porcupine-Buffalo Horn Wilderness Study Area" and dated April 1976, comprising approximately one hundred and fifty-one thousand acres, which shall be known as the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area; and

(10) certain lands in the Kootenai National Forest, Montana, which are generally depicted on a map entitled "Mount Henry Wilderness Study Area" and dated April 1976, comprising approximately twenty-one thousand acres, which shall be known as the Mount Henry Wilderness Study Area.

(b) The Secretary shall conduct his review, and the President shall advise the United States Senate and House of Representatives of his recommendations, in accordance with the provisions of subsections 3(b) and 3(d) of the Wilderness Act, except that any reference in such subsections to areas in the national forests classified as "primitive" shall be deemed to be a reference to the wilderness study areas designated by this Act and except that the President shall advise the Congress of his recommendations with respect to such areas within seven years after the date of enactment of this Act: *Provided, however,* That the Secretary shall give at least sixty days' advance public notice of any hearing or other public meeting concerning such areas.

(c) The maps referred to in this section shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

SEC. 3. (a) Except as otherwise provided by this section, and subject to existing private rights, the wilderness study areas designated by this Act shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

(b) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(c) Nothing herein contained shall (1) limit the President in proposing, as part of his recommendation to Congress, the alteration of existing boundaries of any wilderness study area or recommending the addition to any such area of any contiguous area predominantly of wilderness value, or (2) limit the authority of the Secretary of Agriculture to establish, protect, study, or make recommendations to the President and Congress with respect to additional wilderness study areas within national forests in the State of Montana.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER. Is a second demanded? Mr. JOHNSON of Colorado. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Wyoming (Mr. RONCALIO) will be recognized for 20 minutes, and the gentleman from Colorado (Mr. JOHNSON) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, there is a point of historic merit and personal honor in my function today to ask this wonderful body of lawmakers to support S. 393. I say honor because this Montana wilderness study proposal really represents a culmination of about 25 years of work and service on the part of two of our most distinguished lawmakers, Senator LEE METCALF, who will not be running again for his office in the other body, and Senator Mike Mansfield, whose great third of a century of service to us was just concluded last year and who is now our Ambassador to Japan and serving us there.

We, because of the lack of time, were unable to pass this legislation in the last Congress. However, Senator METCALF reintroduced the bill this year, and it passed the Senate unanimously in May. It comes up here now, on its second attempt under suspension of the rules. We have passed it by a majority of 101 votes just a few weeks ago.

It is a complex piece of legislation in that it does represent one State that has two Congressmen, unlike the State of Wyoming which has only one Congressman. However, it is an impossibility to pass legislation that is always and in every detail exactly what the Congressmen of that particular area or State would like.

No one in Wyoming wanted the Grand Teton National Park enlarged 35 years ago. If either of the Senators or the Congressman from my State 25 years ago would have introduced a bill to enlarge the Grand Teton National Park, they probably would have been impeached or recalled from office; that is how much hatred there was in Wyoming 40 or 50 years ago of national parks. Today there is not a citizen of the State who does not live in everlasting gratitude for the vision, foresight, and guts of President Franklin Roosevelt for enlarging that park by Executive order, when nobody else in the country had the guts to do it. This is not unlike a parallel that is occurring today.

Montana has nine areas that ought to be studied for our wilderness system. Seven of them are in the area represented by the gentleman from Montana (Mr. BAUCUS). Two of them are in the area represented by my good friend, the gentleman from Montana (Mr. MARLENEE). Some would like to have some changes made.

I submit to the Members that it is not in the public interest to delay this bill in order that those changes be made because the time needed to make those changes next year will be time wasted, in the sense that we can get the wilder-

ness studies started now, if we pass the bill today.

I would like to engage my colleague, the gentleman from Montana (Mr. MARLENEE) on these points. One, if we are going to try to bring the bill back next year under the rule with amendments and take half of next year to pass it—when it will again pass by 101 votes—what good will there be to do that, or what gain, when it costs 6 months to 9 months of a study period on a study that could very well be completed in 2 to 3 years? The Forest Service in compliance with our request has indicated that the nine studies can be completed within 2 to 3 years, and has assured us that these areas will receive the priority attention requested in our committee report on S. 393. In the two areas in Mr. MARLENEE's congressional district, timber harvesting cannot begin anyway until land management plans have been completed in early 1982. So I submit that his objection to this is invalid as relates to the impact of S. 393 on timber harvesting in his district.

Mr. SYMMS. Mr. Speaker, will the gentleman yield?

Mr. RONCALIO. I would rather yield to the gentleman from Montana, if anybody. I would rather do that because I feel an affinity with him. I represent an area with a lot of similar problems, and I believe this is legislation we have a duty to go on with. If there are at times big, vigorous, hot, vehement objections by some, in 10 years they will thank us for passing this bill.

Mr. MARLENEE. Mr. Speaker, will the gentleman yield?

Mr. RONCALIO. I will be happy to yield to the gentleman from Montana.

Mr. MARLENEE. I thank the gentleman for yielding.

The gentleman spoke of the direction of the Forest Service to limit the time or to expedite the time the bill would be studied, but that does not address the problem of Congress taking its sweet time to act on this bill. Once the recommendation has been made by the President and until Congress acts, these areas are treated as wilderness and could be treated so in perpetuity.

Mr. RONCALIO. May I respond to that observation. Under the law, wilderness study areas are to be managed so as to preserve their wilderness characteristics. However, this does not mean they are to be managed as if they had already been designated as wilderness. For example, in wilderness study areas the use of off road vehicles is permitted. In designated areas it is not.

Further, I am sure the gentleman is aware that Congress is very quick to act when controversy arises in wilderness caliber areas, and I cannot agree that Congress would sit on these areas if important resource conflicts were in need of resolution. Thus, I do not share his fears that these areas economies could be adversely affected because Congress would somehow fail to act expeditiously on problems that may arise.

I will not be here the year after next. The gentleman from Montana may very well be here for a great many years and

I wish him well in that regard. He will have years ahead in which to change nuances or make adjustments where we wish in this legislation, but now the package asks his support on the basis of two of the finest men who have ever come out of Montana. There is a great tradition in the Senate of the gentleman from Montana and his name begins with an "M", so I commend the gentleman in this regard but the Mansfields and the Metcalfs are not asking that this become law. Their reputations ask it. The goodness of the thousands of those the gentleman represents ask it on his part.

I plead with the gentleman from Montana in public and before our Creator and everyone else to please give this some thought and to give some consideration to the arguments for it. It means a great deal to me and to our committee and to the gentleman's constituents.

Mr. JOHNSON of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Montana (Mr. MARLENEE).

Mr. MARLENEE. Mr. Speaker, I rise in opposition to consideration of this bill under suspension of the rules and in opposition to this bill as it is now written.

First, let me point out that I do not object to the study of most of the areas within S. 393. As a matter of fact, I wholeheartedly support the study of six of the nine areas. However, neither the bill as it is now written nor the procedure we are following in consideration of this bill today, is responsive to the needs of the people who have to live with these studies once this bill is passed.

My concern is that under suspension of the rules I am not even able to offer and debate amendments to this legislation that directly affects my district. I believe that any Member should be given the opportunity to offer amendments on any piece of legislation that directly affects his district and would move to allow any Member such consideration.

My primary objection to the bill as written is with the indefinite time given for action to be taken on these nine Montana areas. The bill provides for 5 years for the Forest Service to study the areas, an additional 2 years for the President to make his recommendations to Congress and an indefinite amount of time for a final decision by Congress on whether or not these areas should be wilderness.

In the meantime, we have State and local governments, local industries, workers, and citizens who must live with the uncertainty of potential economic disruptions for an indefinite period of time.

For several of the areas, removing the timber from production during the wilderness study, even for a limited amount of time, will cause hardships on local industries and communities. With the extended time for study and with an unlimited period given for congressional action, as proposed with the present language in S. 393, timber mill closures are a very real possibility. And in communities in Montana that are totally dependent upon timber and its availability,

mill closures spell economic disaster for everyone.

I am convinced that the Federal Government can complete the necessary studies within 3 years and that Congress can make a decision within two terms of Congress.

In fact, the Indian Affairs and Public Lands Subcommittee accepted my amendments to shorten the study period, but the full Interior Committee deleted this provision.

I am also opposed to the inclusion of two areas in my district—the Big Snowy Mountains and the Middle Fork of the Judith River. Both areas are included in the Forest Service's new roadless area review evaluation where the wilderness characteristics of both areas will be compared with those of all other roadless areas and if the characteristics are of comparable quality, wilderness or additional wilderness study will be recommended at less cost to the taxpayer and less public resentment and controversy than with a congressionally mandated wilderness study that S. 393 mandates.

In addition, it appears that the cost of the studies mandated by S. 393 may be over 200 percent above the Congressional Budget Office's estimates submitted to the Congress May 6, 1977. The Congressional Budget Office may have failed to take into consideration the cost of studies that will be required of the U.S. Geological Survey and the Bureau of Mines to determine the mineral, oil and gas resources. In any event, if this bill fails to receive the necessary two-thirds vote today, we will have accurate and reliable cost figures during future consideration under an open rule.

I ask my colleagues to defeat S. 393 under the suspension of the rules so the bill can be amended to shorten the study period and to force a more timely decision.

If you share the growing frustration of many people over the lack of timeliness of the Federal Government in making decisions that affect local economies and jobs, then I urge you to join with me in voting "nay" on S. 393 under suspension of the rules.

Mr. RONCALIO. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. LONG).

Mr. LONG of Louisiana. Mr. Speaker, I rise in support of S. 393, the Montana wilderness study bill. I was present on the floor at the time we debated it the prior time, and was convinced at that time that since it had been under consideration by the Senate and this body for as many years, that it ought to fit under a suspension of the rules and we ought to proceed with it. Consequently, I think that having to go back to the Committee on Rules, having to go back through all the other processes, is an unnecessary procedure.

The study is ultimately going to be made. I think that the right thing to do is to go ahead and consider it now rather than to delay it for another year.

Mr. Speaker, S. 393, the Montana Wilderness Study Act would require the Forest Service to study nine roadless

areas in Montana for their possible inclusion into the national wilderness system.

This bill was first introduced in 1974. Since that time it has been amended dramatically to avoid boundary conflicts. Additionally, the bill contains a provision which allows existing uses such as snowmobiling and off-road vehicle use to continue virtually unaffected during the course of the study.

The time for passage of S. 393 is today. The delays and stalling must end. Let us get on with the study of all nine areas so that Congress can make wise and equitable decisions regarding these lands.

I urge the passage of S. 393.

Mr. JOHNSON of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. SKUBITZ).

Mr. SKUBITZ. Mr. Speaker, I rise in opposition to S. 393. This is exactly the same bill which failed to muster a two-thirds vote under suspension of the rules on September 27. Because it is again being brought up under suspension of the rules, the reasons for opposing it remain unchanged.

As written, S. 393 provides a 7-year period for studies and Presidential recommendations to Congress regarding wilderness classification of nine national forest areas in Montana totaling 973,000 acres. The bill further provides that these study areas shall be managed as wilderness until Congress determines otherwise.

The bill sets no limit on the amount of time Congress has to act on the recommendations, which means that the study areas could remain in de facto wilderness status indefinitely. Consequently, the future of whole economies of adjacent communities which depend on multiple use of the timber and other resources in the national forests would be uncertain for years until Congress got around to acting on whatever recommendations would be submitted by the President.

In Montana this legislation is not without controversy, which is one reason why it should not be considered without possible amendments.

As I understand it, the Montana congressional delegation is evenly divided over this bill with Senator METCALF and Congressman BAUCUS favoring it in its present form and Senator MELCHER and Congressman MARLENEE favoring an amended bill. Their differences are not merely partisan in nature. Rather, they concern whether some areas should be included in wilderness study at all, whether certain boundary changes should be made, and whether the study period should be shortened and Congress required to take action on the wilderness recommendations by a date certain. These questions arise out of valid differences of opinion and reflect what we have been told is considerable local opposition as well as support for the proposed study areas. For this reason, I think the House has an obligation to consider S. 393 with amendments.

During subcommittee and full committee consideration of S. 393, the gentleman from Montana (Mr. MARLENEE)

whose district includes two of the nine proposed study areas, offered several amendments which were narrowly defeated. The committee rejected all attempts to amend the bill, including boundary adjustments suggested by the Forest Service to reduce resource use conflicts in several of the study areas. When you consider that 9 of the 14 votes recorded in subcommittee were cast by proxy and that at full committee markup no more than 16 members of the 43-member committee were present at any one time, perhaps you will agree that the gentleman from Montana is entitled to further consideration from the full House.

To bring this bill up under suspension a second time and thus continue to deny him the right to appeal to the collective judgment of the House the committee's close decisions on matters of great significance to his district is simply unfair and an abrogation of our responsibilities as legislators. I would point out that in Mr. MARLENEE's case, we are talking of his interest in two areas totaling 172,000 acres, or 269 square miles.

My understanding of the legislative process is that it is supposed to encourage full airing of issues to allow competing interests to be heard and to facilitate compromise. Given the sharp differences of opinion over the implications of the proposed wilderness study area in S. 393, it clearly merits further consideration by this House.

I see no reason to rush this bill through this session. Certainly, Montana is in no danger without it for the time being. Congress already has designated some 1,796,000 acres of wilderness in that State. Proposed wilderness areas cover some 605,000 acres, and an additional 1,738,475 acres is currently under study for wilderness. The combined areas comprise almost 25 percent of the national forest system lands in the State of Montana.

Mr. Speaker, I believe it is imperative that this bill be voted down so it can be reconsidered at a later date under a rule permitting amendments. This is only appropriate for such a controversial piece of legislation. I therefore strongly urge that the Members join today in voting down S. 393.

Mr. RONCALIO. Mr. Speaker, I yield 2 additional minutes to the gentleman from Kansas (Mr. SKUBITZ).

Will the gentleman yield?

Mr. SKUBITZ. I yield to the gentleman from Wyoming.

Mr. RONCALIO. In the matter of Congress creating wilderness, of assuring there will be satisfactory yield and annual renewable cuts in the timber industry, in the continuation of oil and gas exploration, is it not necessary that we look at each area and each particular development and take the facts as they are in each area? In Montana, facts indicate no need to wait for 7 long years. It will set back oil and gas exploration, which this bill does not do. It does not create a delay where a man is in lawful pursuit of a bona fide BLM oil and gas claims.

We met recently with John Maguire of the Forest Service, to proceed with a systematic approach to the drilling requirements and provisions, and for putting in the pipe for removing hydrocarbons where found. I do not mind the objection my good friend raises for those who are categorically opposed to it now, but why say the time lag is too long and then add on to the time lag by insisting on a rule?

Mr. SKUBITZ. May I say to my colleague that the factions in Montana have been coming closer and closer together on this legislation, trying to correct their differences. It seems to me that inasmuch as it is in the State of Montana, they should try to correct their own problems, without the Congress interfering.

Mr. RONCALIO. If we had waited for the lawmakers of Wyoming to have preserved Grand Teton National Park, we would still be waiting.

Mr. SKUBITZ. The people of Montana are far more farsighted than that.

Mr. JOHNSON of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from Idaho (Mr. SYMMS).

Mr. SYMMS. Mr. Speaker, I just say to my friend from Wyoming that although I have personally enjoyed the pleasure of visiting the Grand Teton National Park and it is wonderful, it might not have been so bad if the Government had not made it a national park and Walt Disney would have gotten control of it. It might have been easier to get around in the park than it is now. Maybe people would be going around in a cable car or something of that sort. It is only what we see that concerns us, and what we do not see is more difficult to understand.

I would say to my good friend from Wyoming that we had this bill in the Committee on Interior and Insular Affairs, of which he is such a valued and hardworking member, but our good colleague who is now in the other body, Senator MELCHER, sat on this bill all the time he was in the House. It barely passed the House, with controversy, and he asked the question, Why should we oppose this bill under suspension?

One reason is that many Members disagree with the budget projection. Does not the gentleman from Wyoming approve of the House adopting the budget process? This bill is in clear violation of the House budget process. If this bill were in here under an open rule a point of order would stand against this bill because there has been no allocation in the budget. It calls for \$3 million and is going to cost \$6 million because they have not gotten the minerals study embodied in it.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. SYMMS. I yield.

Mr. RONCALIO. The gentleman is correct if we were to bring this bill back under a rule, but it is not quite applicable here, under suspension.

Mr. SYMMS. If this came up under an open rule with the points of order being raised, a point of order would stand

against this bill today because it is in direct violation of the House budget process.

Mr. RONCALIO. Correct, but that point of order does not stand against this legislation under suspension of the rules today.

Mr. SYMMS. That is right. That is one of the reasons I am going to vote against the bill.

Mr. RONCALIO. I thought perhaps the gentleman would give consideration to voting for the bill because of new materials that have been presented today, and the strong appeal to reason they contain.

Mr. SYMMS. I have not yet been able to get that reason from my former distinguished colleague in this body, now in the U.S. Senate on the other side of the Hill, to be in favor of this piece of legislation, whom we worked so closely with in the passage of the National Forest Management Act. In fact, I doubt if that act would have been passed in Congress if it had not been for Senator MELCHER.

Mr. RONCALIO. It is my feeling that the gentleman opposed that bill and voted against it.

Mr. SYMMS. No. I voted for and was the Republican floor manager for the national forest management bill of 1976. And I helped work very closely with Mr. MELCHER at that time to help pass it. I think we would not have needed this then. But now here we are, putting the cart ahead of the horse. This is, in fact, putting 993,000 acres in Montana into a wilderness system now by de facto, instead of letting the Forest Service complete the resource planning studies and the RARE I and RARE II studies.

Mr. Speaker, I ask for a "no" vote.

Mr. RONCALIO. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Speaker, I rise in strong support of S. 393. I think if I were involved in the forest products industry I would like this bill. Despite the protestations of the length of time that is going to be taken to study this issue and to bring it before the House, I submit to this body that it is a lot shorter time frame than we generally get. In fact, I wish we had in my State 5 years ago legislatively designated what areas we wanted to be put in wilderness, rather than leaving it to the administrative process of roadless area review, process No. 1, process No. 2. We have been dragging on out there now for 6 or 7 years, and we still do not have answers about areas which should be in wilderness.

Here is a bill that straightforwardly places in a wilderness study area nine areas, seven of which could not be otherwise designated, and says to the Secretary, "You come forward with a plan for putting these in wilderness in 30 months, not 5 years or 10 years, like we have been going through, but 30 months, and we will have an answer."

It is stated by the gentleman from Montana (Mr. MARLENEE) that that does not require the Congress to act with

alacrity. Nothing requires the Congress to act with alacrity. The wilderness area review never required it, nor does any other process. We will work in due fashion here. I suggest we are working very rapidly to create these nine areas for a wilderness area, for a wilderness study area, and that this is the fastest way for the people of Montana to resolve this issue and get it behind them.

Mr. JOHNSON of Colorado. Mr. Speaker, I yield 1 minute to the gentleman from Idaho (Mr. SYMMS).

Mr. SYMMS. I thank the gentleman for yielding.

Mr. Speaker, I know the gentleman from Washington is very sincere when he comes here and says that if he were in the forest products industry he would favor the bill. I would like to read to the Members what the Inland Resource Council and the Montana Wood Products Association say. These are people who make their living in the forest products industry in Montana and they say:

The forest products industry opposes S. 393. It feels the bill circumvents a process that Congress charged the Forest Service with fulfilling. The bill causes unnecessary delays in implementation of multiple use management. It will continue to do so in the future unless killed by Congress. Delays disrupt timber sale plans of the Forest Service and companies with lands inside the proposed areas. Timber supplies to the mills are delayed and may not be available from these areas in the future.

That is what the people who are in the forest products industry in Montana are saying, that we are circumventing the process.

Mr. RONCALIO. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the forest products industry, like the character in Shakespeare whose name escapes me, "protests too much." The forest products industry has taken a firm stand against the USDA set-asides and is now lobbying us from one end of this Hill to the other because they do not care to have a small area set aside for small mills and small plants. Another example involves the Medicine Bow National Forest in Wyoming. It is without one single solitary acre of wilderness.

The Endangered American Wilderness Act, which we just passed recently, put only 14,960 acres of the Medicine Bow into wilderness, but they protested vehemently about that. And now industry is before us again and is protesting on land which they know good and well ought to be studied for wilderness, because it has unique and undisputable value as a wilderness region in Montana. It seems to me that we must not yield too much on this issue.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. RONCALIO. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I would just like to ask the gentleman a question:

Why is this legislation being considered under suspension, as opposed to going before the Committee on Rules and getting a rule?

Mr. RONCALIO. Mr. Speaker, let me answer the gentleman in this way: In order to save Montana 9 months of time.

Mr. Speaker, I yield such time as he may consume to the gentleman from Montana (Mr. BAUCUS), who has seven of the nine areas involved in his district. I yield this time because he has a right to be heard, and he deserves the consideration of the minority members.

Mr. BAUCUS. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I would like to begin with the point made by the gentleman from Kansas (Mr. SKUBITZ), who said that the main point of our issue today should be to bring people together. Let me say to the Members of the House that is precisely why we are here supporting this bill—to bring people together.

The problem in Montana, as in every other State, particularly the Western States, is that people are competing with one another and making more demands for natural resources. We all know of the demands for hunting and fishing. We know of the demands of snowmobilers and campers. And we all know of the increased demands for recreation. There are many demands on our Nation's unsettled areas, and these demands are getting more and more intense in the West.

We in Montana feel that the best way to resolve conflicting and competing demands is to deal with them quickly but thoughtfully. That, Mr. Speaker, is the whole purpose of this bill.

The problem is that if this bill does not pass now, the question of a wilderness study will be prolonged. Debate will become more acrimonious and more intense. And factions in Montana will become more and more divisive.

If we begin the study now and shorten the term of the study period, which indeed I favor, then I think all of us in Montana will be in a much better position to resolve these demands. At this time I would like to point out that although the bill calls for a 5-year study, the committee report asks the Forest Service to complete the study within 3 years. I am happy to report that the Forest Service is willing to comply with this request as my colleagues can see from this reply from U.S.D.A. Assistant Secretary, Rupert Cutler:

WASHINGTON, D.C., October 12, 1977.

HON. MORRIS K. UDALL,  
Chairman, Committee on Interior and Insular Affairs, House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: We have already provided the Committee with the Department's report on S. 393, "the Montana Wilderness Study Act of 1977," and on September 13, 1977, we commented on the length of the study period provided by the bill. We stated that we would try to conduct the wilderness studies in as short a time as possible, not taking the entire 5-year period for all areas.

Because of continuing concern over the study period and other matters, I wish to offer the following clarification for your consideration. The Committee Report for S. 393 recommends that the study and recommendation period for all nine studies be limited to three years. Since land manage-

ment planning has been largely completed on portions of the involved areas, we believe that this Department can adhere to a 3-year deadline for all or most of the areas.\* We can certainly give priority to the West Pioneers, Mount Henry and Taylor-Hilgard areas as requested by the Committee.

The average estimated cost to this Department for the wilderness studies is approximately \$3 per acre. We will seek to hold the study costs to the minimum amount necessary to complete appropriate studies, and we will utilize the information available from land management plans to expedite the studies.

We appreciate this opportunity to clarify questions that have been brought to our attention.

Sincerely,

M. RUPERT CUTLER,  
Assistant Secretary for Conservation,  
Research, and Education.

If we do not go ahead now, various groups are going to protest timber sales and land use plans, and, consequently, the resolution of these issues will be dragged out further and further and longer and longer.

#### PERMISSIBLE USES

During the study period, as the Members of the House know, grazing can be continued as before. There is no diminution required in those uses. Similarly, vehicular use can be continued; there is no change there. In fact, the only change is that there can be no cutting of timber during the study period.

To insure that my colleagues understand the intent of the drafters of the bill with respect to permissible uses, I would like to quote from the committee report:

#### USE OF AREAS

During hearings on S. 393 the committee encountered many doubts by witnesses as to what uses and activities are and are not permissible in wilderness and wilderness study areas. While many of these issues are discussed in House Report 95-540, the committee would like to elaborate further on two points which were most commonly mentioned during the S. 393 hearings:

#### OFF ROAD VEHICLE USE

The use of off-road vehicles, while generally prohibited in designated wilderness areas, is entirely appropriate in wilderness study areas, including the nine areas contained in S. 393. Nothing in S. 393 will prohibit the use of off-road vehicles, unless the normal Forest Service planning process and travel planning process, which applies to all national forest lands, determines off-road vehicle use to be inappropriate in a given area. Of course, commonsense dictates that certain areas may be temporarily closed to off-road vehicle use where fire danger or physical damage to terrain indicate a closure is warranted. However, absent such circumstances or Forest Service planning decisions, it is the intention of the committee that the areas in S. 393 (and other wilderness study areas) remain open to off-road vehicle use unless and until they are formally designated as wilderness.

#### GRAZING

Section 4(d)(4) of the Wilderness Act states that grazing in wilderness areas, if established prior to designation of the area as wilderness, "shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of

\* Emphasis supplied.

Agriculture". To clarify any lingering doubts, the committee wishes to stress that this language means that there shall be no curtailment of grazing permits or privileges in an area simply because it is designated as wilderness. As stated in the Forest Service regulations (36 CFR 293.7), grazing in wilderness areas ordinarily will be controlled "under the general regulations covering grazing of livestock on National Forests . . .". This includes the establishment of normal range allotments and allotment management plans. Furthermore, wilderness designation should not prevent the maintenance of existing fences or other livestock management improvements which are consistent with allotment management plans and/or which are necessary for the protection of the range.

While on the subject of permissible interim uses, I would like to include for the RECORD a letter I received this morning from the International Snowmobile Industry Association. I think this letter, especially the second paragraph, reflects an understanding that snowmobiling will be permitted during the study period:

OCTOBER 18, 1977.

HON. MAX BAUCUS,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. BAUCUS: The Montana Snowmobile Bill, S. 393, slated for action on the floor of the U.S. House of Representatives today, is a matter of concern to the snowmobilers in Montana and throughout the United States. As you know, both the Montana Snowmobile Association and our organization originally were actively opposed to the legislation during the 94th Congress because of the immediate closure of areas now open to snowmobiling which would have resulted.

Subsequently, and in part through your efforts, clarifying statements by the Senate author of the legislation have asserted that current snowmobiling usage shall be authorized until and unless Congress acts to designate these areas as Wilderness because snowmobiling results in no permanent, adverse effects. This interpretation would allow continued use of the Big Sky Trail and other important snowmobiling areas in Montana. However, there is disagreement within the Montana Congressional delegation about the adequacy of this legislative history. We rely upon your judgment to protect the legitimate interests of snowmobilers in Montana.

Although this action has led the snowmobile community to abandon vigorous opposition to the measure, we are unable to support the legislation for reasons with which you are very familiar and with which you, too, have indicated serious concern.

First, the studies would duplicate previous and ongoing U.S. Forest Service planning efforts, such as the so-called RARE-II undertaking.

Second, the sense of the Montana snowmobile community is that alternatives to wilderness designation could better serve both to protect the areas and to allow access by those utilizing snowmobiles without incursions on the natural grandeur of the areas. As you know, many of these areas are essentially impossible to see in winter without the snowmobile.

Third, the areas will be in a "limbo" situation for an extended period of time: five years of Forest Service study and an unknown time period while Forest Service recommendations are before the Congress. We know you share our concern in this area. You offered an amendment to the bill in subcommittee to reduce this period of limbo, but were unable to achieve its acceptance by the full committee.

Finally, we are concerned about the impact this legislation will have on Forest Service efforts to control and eradicate disease which has become rampant throughout large portions of U.S. Forest Service lands in Montana. We hope that any action taken by the U.S. Congress will support, not hinder, Forest Service actions to exercise all available management expertise to control a condition which threatens Montana's aesthetic and economic environment. Vast areas of forest are dead and dying, and present acute fire hazards.

We are hopeful that this provides insight into the position of the snowmobile community on this important issue.

Sincerely,

DERRICK A. CRANDALL,  
Director of Government Affairs.

TIMBER SALES

Mr. Speaker, there are no planned sales during the study period in any of the areas mentioned, save one, and that is down the road. In that particular area we are taking the necessary steps to insure that adequate timber will be available so as to prevent mill closings.

I can tell the Members, as one Member from Montana, that I will not stand for the loss of one job due to the wilderness study. I do not intend to let that happen, and I know the rest of the Members do not want to see this result.

My good friend the gentleman from Montana (Mr. MARLENEE), alluded to the point that a Member's own wishes should be respected whenever legislation affects his district. That is an excellent point. I do not want to get involved in tit for tat and in a discussion of small points, but I would like to remind the gentleman, as he knows, that we had a similar discussion last month when the endangered American wilderness bill came before the House. The full committee included in that bill, despite my objections, an area called Welcome Creek.

I did not make a fuss about that because I thought the merits of the entire bill overrode my objections to the particular area.

In that light, I would ask the gentleman from Montana (Mr. MARLENEE) to defer to the larger interests in Montana in this case, because seven of the nine total areas are in this Member's district, whereas only two are in his district. I remind the gentleman that although as a general rule it is wise to defer to a Member's wishes relating to his particular district, sometimes life is not black and white and all general rules have some exceptions.

Mr. RONCALIO. Mr. Speaker, I thank the gentleman for a great presentation.

Mr. BAUCUS. Mr. Speaker, I thank the Members of the House. I strongly urge them to help us resolve our interests in Montana. This is the way to go, and I urge an affirmative vote on this bill.

Mr. RONCALIO. Mr. Speaker, I yield the balance of the time to the gentleman from Arizona (Mr. UDALL), the chairman of the committee.

The SPEAKER pro tempore (Mr. YATES). The gentleman from Arizona (Mr. UDALL) is recognized for 2 minutes.

Mr. UDALL. Mr. Speaker, this is a modest, little bill involving a study. It

does not put one acre of land in the wilderness. It involves only a study.

Mr. Speaker, this bill passed the other body unanimously. It came out of our committee without a great deal of support. Last month, this House, by a margin of 100 votes, said that we wanted to pass the bill.

Mr. Speaker, this is getting in the road of major wilderness legislation, as are other bills. It is important that we dispose of it today, and I would like to see a resounding vote in favor of this bill.

There is a political power play from Montana politics which is involved. I have said to the opponents of the bill that I am prepared to go into the problems they have, but we have to get this bill on track now.

As my friend, the gentleman from Kansas, mentioned, we need to get people together. This bill is designed to get people together. It sets up a study and this matter will not be resolved until the study is completed and recommendation get back to Congress. The Montana delegation and the people of that State will be consulted, and then we will decide what goes into wilderness.

Again, Mr. Speaker, I think it would be a mistake not to pass this bill.

Mr. Speaker, I would like to read what the Great Falls Tribune, a Montana newspaper, one of the most respected in the State, says about this bill.

After saying that it was disappointed that the House did not pass the bill previously, it said the following:

The failure only means more delay in passage of a bill that has widespread congressional and public support. It only stirs up bill opponents and proponents with one more bit of misleading information.

The newspaper goes on to say:

What truly is needed is an end to scare stories about wilderness lock-up and some intelligent discussion of the need for wilderness and whether any of the nine areas should indeed be wilderness. That's what comes after the bill is passed.

Mr. Speaker, I urge my colleagues to support the gentleman from Montana (Mr. BAUCUS), the gentleman from Wyoming (Mr. RONCALIO), and those of us on the committee and to pass this bill by a two-thirds vote.

Mr. JOHNSON of Colorado. Mr. Speaker, I yield myself 5 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I would like to say to the gentleman from Arizona (Mr. UDALL) that I was not trying to be facetious a moment ago when I directed a question to the gentleman from Wyoming (Mr. RONCALIO). I was seeking information as to why this legislation was scheduled on the Suspension Calendar when there was this controversy.

Why did we not go to the Committee on Rules, I ask the gentleman?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, may I say that I do not like to legislate in this way, other

things being equal. There are some amendments I could go along with. I told the gentleman from Montana (Mr. MARLENEE) that if we went ahead and passed the bill, the amendments could be incorporated in other legislation.

The fact is, Mr. Speaker, that we are going to lose the bill this year unless we pass it today, and everybody knows it.

Again, I do not like to legislate in this way, but we are dealing with practical facts.

Mr. DON H. CLAUSEN. Mr. Speaker, was there some reason for not going to the Committee on Rules because of the time set by the Speaker and the Committee on Rules?

Mr. UDALL. Yes. That was one of the problems. There is another problem that relates to disputes and personalities in the Montana delegation which I do not want to get into.

However, I think we can get what everybody wants if we pass the bill on suspension today.

Mr. DON H. CLAUSEN. Mr. Speaker, if the gentleman will again yield, may I say further that the Suspension Calendar has traditionally offered a means to expedite passage of bills known to be noncontroversial. Clearly, the Montana Wilderness Act is controversial. It is a matter of record that Montana's Senators and Congressmen are evenly divided on the wisdom of designating all of the areas in S. 393 for wilderness study under the terms of the bill. The appropriate course of action is to go to the Rules Committee to get an open rule that will allow amendments on the floor. To do otherwise is contrary to the purpose of the Suspension Calendar. It is a situation that would seem to call for compromise or accommodation on at least some of the issues in disagreement. However, under suspension of the rules, no such accommodations are possible.

I would also point out that the Suspension Calendar is being used for this bill because if it were to come to the floor under a rule, it would in all probability be subject to a valid point of order, since it authorizes funds for the coming fiscal year in violation of the Budget Act. The Budget Committee has indicated that it would not grant a waiver of the Budget Act provisions for S. 393, so we find the bill coming to the floor under suspension of the rules and not subject to a point of order. We find ourselves facing a choice that appears to be: "better a bad bill than no bill at all."

I strongly believe that in considering legislation which may be of intense controversy within a single State or congressional district, the Members of the House should give great weight to the views of the local representatives who must live with the issue on a daily basis. We are here to represent the wishes and express the concerns of our constituents. Generally, the House defers to the judgment of an individual Member on legislation affecting matters solely within his district. While this custom does not extend to provide the individual Member with a veto over such matters, neverthe-

less, it represents a sound principle of representative democracy.

It certainly appears that this principle has been given short shrift in the consideration of S. 393.

The chairman of the full Interior Committee has stated that there are some amendments he could go along with. If that is the case, why did he not agree to any amendments in committee and why then is this bill on the floor under suspension, where it cannot be amended?

I urge the House to reject S. 393. If we must have a Montana wilderness study bill, let us at least consider it fairly and under appropriate procedures.

Mr. JOHNSON of Colorado. Mr. Speaker, I hate to disagree with the chairman of the full committee and the chairman of the subcommittee, with whom I have worked closely on other legislation. They have been most thoughtful and most considerate when it comes to wilderness areas in my own district, but I am constrained to disagree, and I hope our relationship is such that they will not take offense.

However, Mr. Speaker, this is not a "modest, little bill." This is not even a study bill, Mr. Speaker, as it has been characterized. They call it a "study bill" on the first page; but, Mr. Speaker, this is a bill that will designate 973,000 acres in varying blocks in Montana for wilderness study, and it will be treated as wilderness until Congress says otherwise.

Mr. Speaker. I suggest the Members read section 3(a), on page 5, if they have any question about it. It reads as follows:

SEC. 3. (a) Except as otherwise provided by this section, and subject to existing private rights, the wilderness study area designated by this Act shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

Mr. Speaker, what should, of course, happen is that the wilderness designation should require affirmative action on the part of the Congress. It is not happening here.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Missouri.

Mr. ICHORD. The gentleman said it will be treated as wilderness area under section 3(a).

I thought under a "wilderness" designation that you could not graze.

Mr. JOHNSON of Colorado. The gentleman is incorrect, you can graze.

Mr. ICHORD. You can?

Mr. JOHNSON of Colorado. Yes.

Mr. ICHORD. I thank the gentleman.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Speaker, first let me assure my colleague from Colorado that our relationship is much too solid to be hurt. I may carry a hurt feeling

but not for very long, maybe for only 24 hours.

Second, let me say that we took some 5 years to get the 650 acres to set up the Shoshonee area and that was a modest amount. The gentleman should remember that all things in this world are relative. Nine hundred thousand acres in Montana are a relative number of acres to the total number of square miles in that State and the number of magnificent mountains that God put there. So the numerical figure itself does not mean too much. But this is very similar to the formula we have used before such as in the Sawtooth Peaks area. That is all we are doing. We will save 6 months' time if we pass this bill. You cannot saw timber until 1982 in the light of all the litigation because of Sierra versus Butz.

Mr. JOHNSON of Colorado. Mr. Speaker, what the gentleman from Wyoming (Mr. RONCALIO) has said is true, but it is not the whole story. The studies involved here are 5 year studies. They are under consideration in five out of the seven areas. The two areas not studied are in the district of the gentleman from Montana (Mr. MARLENEE). So we are talking in terms of 973,000 acres, and 172,000 acres are in the district of the gentleman from Montana (Mr. MARLENEE).

All we have to do is to bring this bill to the floor under an open rule and amend it so that the wishes of the gentleman from Montana (Mr. MARLENEE) can be met that the study be conducted but no affirmative action be required after the study is made, unless we want it to be a wilderness area. It seems to me that is a perfectly proper procedure. If you want it to be a wilderness area, then you can subsequently take affirmative action. We did not take action in other instances until there were wilderness studies and then they were designated after that. You know how difficult it is to redesignate something once it has been designated a wilderness area.

All we are asking for is simple justice for the gentleman from Montana (Mr. MARLENEE). We are not telling the gentleman from Montana (Mr. BAUCUS) what he should do in his district, what he has to have. And we are not saying that Mr. MARLENEE should have carte blanche. We are simply saying that we do not, by this process, by this study process, slip it into a wilderness designation where it will perhaps be impossible to remove it at a later time.

Remember that the two representatives from Montana are split and the two Senators from Montana are split.

I appreciate the gentleman from Wyoming (Mr. RONCALIO) giving us this impressions on behalf of Senator METCALF and Mr. Mansfield, both of whom were very fine Senators, but that really does not make a whole lot of sense to me because both of those gentlemen were here for over 30 years either in the House or in the Senate, and they were not in any rush to pass this legislation in that period of time.

So, Mr. Speaker, I do not see why we

cannot bring this legislation to the floor of the House under an open rule so that it can meet the objections of the gentleman from Montana (Mr. MARLENEE) and so that it will subsequently come back to the floor and let the House designate by affirmative action whether it should be a wilderness or not. That is the proper method in which to do it.

You know, I doubt if there is a person in this Chamber who would be willing in his own area—and I repeat—in his own area, to do what you are asking the gentleman from Montana (Mr. MARLENEE) to do.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Wyoming.

Mr. RONCALIO. Mr. Speaker, the gentleman from Colorado knows that in the other instance the gentleman from California (Mr. KETCHUM) was happy with what we did.

Mr. JOHNSON of Colorado. Mr. Speaker, that is not an entirely correct statement because in that act, the endangered American Wilderness Act, those boundaries were approved by Mr. KETCHUM and we did not impose anything on Mr. KETCHUM, because the ultimate solution was one that was acceptable to him. In this case, we are indicating it to be a study, but it actually becomes a designation and you know how hard it is to remove something from an area that is being treated as a wilderness. So it is a totally unfair proposition, and to have this as an environmental vote, this cheap environmental vote imposing a burden on somebody else, is unfair.

When we went through the subcommittee, 9 out of 14 votes were cast by proxy. When we went through the full committee, 16 out of 43 people were there. That is not the way to legislate. It is not fair to the gentleman from Montana. It is not fair to the people of Montana for us to behave this way. If we want to impose something on them, we ought to do it through an open rule and at least have an opportunity for amendment.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wyoming (Mr. RONCALIO) that the House suspend the rules and pass the Senate bill S. 393.

The question was taken.

Mr. SYMMS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 3, rule XXVII, the Chair's prior announcement, further proceedings on this motion will be postponed.

#### FISHERMEN'S PROTECTIVE ACT OF 1967, EXTENSION

Mr. MURPHY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4140) to extend the provisions of the Fishermen's Protective Act of 1967, relating to the reimbursement of seized commercial fishermen, until October 1, 1978.

The Clerk read as follows:

H.R. 4140

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7(e) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by striking out "October 1, 1977" and inserting in lieu thereof "October 1, 1978".

The SPEAKER pro tempore. Is a second demanded?

Mr. FORSYTHE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. MURPHY) will be recognized for 20 minutes, and the gentleman from New Jersey (Mr. FORSYTHE) will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 4140 is to extend the cooperative insurance program carried out under section 7 of the Fishermen's Protective Act for an additional year, until October 1, 1978. This bill has the strong support of the administration. In fact, it was introduced as a result of an Executive communication from the Department of Commerce.

The need for the legislation—other than the fact that the appropriation authorization under section 7 expires at the end of this fiscal year—arises from the fact that the United States does not recognize the right of any nation to regulate tuna. Tuna is a highly migratory species which spawns and migrates over vast distances in the Pacific, Atlantic, and Indian Oceans and, therefore, necessitates international regulation. Consequently, whenever a tuna vessel of the United States is illegally seized by a foreign nation in contradiction of this policy, it is incumbent of the United States to indemnify the owners of such seized vessels for their losses when such vessel owners are following a policy clearly established by the U.S. Government.

This policy on the part of the United States which, incidentally, is shared by many other nations, dates back to 1954 when the Fishermen's Protective Act first came into being. Under that act, the U.S. Government agreed that when American fishing vessels were fishing in conformity with that policy and their vessels were seized and fines, fees and other direct charges were required to be paid to obtain release of their vessels and crews resulting from such seizure beyond 3 miles from the shores of any nation, then the U.S. Government would reimburse the vessel owners and crews for those charges.

In 1967, the act was broadened to add a new section 7 to the act which would allow any vessel owner—whether fishing for tuna, shrimp, or any other species of fish—to voluntarily enter into an agree-

ment with the Secretary of Commerce for the purpose of providing reimbursement for certain losses incurred other than those for fines, fees, and other direct charges which are fully reimbursable under section 3 of the act. The losses to be covered by section 7 of the act would include such things as damage, destruction, loss or confiscation of the vessel, fishing gear or other equipment, dockage and utility fees, confiscated or spoiled fish, and 50 percent of the loss of fishing time during the detention period.

Mr. Speaker, this is the program under the act that would be extended by this legislation. Under this program, the participating vessel owners have been paying about 40 percent of the cost and the U.S. Government the remaining 60 percent.

It is estimated that the extension of this program for an additional year would cost the taxpayers of this country only \$60,000.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEGGETT), a very distinguished member of the subcommittee.

Mr. LEGGETT. Mr. Speaker, as just explained by Chairman MURPHY, H.R. 4140 would extend the voluntary insurance program authorized by section 7 of the Fishermen's Protective Act for an additional year, until October 1, 1978.

Mr. Speaker, I would like to bring to the attention of the Members one additional feature of the program that should be highlighted.

Section 403 of the 200-Mile Fishery Zone Act amended section 2 of the Fishermen's Protective Act, which bears on the insurance program carried out under section 7 of that act.

Section 2 of the Fishermen's Protective Act, as rewritten, makes it clear that the United States does not recognize the claim of any foreign nation to a fishery conservation zone beyond such nation's territorial sea—recognized by the United States as of this date to be only 3 miles—if such nation fails to take into account traditional fishing practices of U.S. vessels; or fails to recognize that all species of tuna are to be managed by international agreements, whether or not such nation is a signatory to any agreement; or imposes conditions or restrictions on U.S. fishing vessels which are unrelated to fishery conservation and management, or which are greater or more onerous than the conditions and restrictions which the United States applies to foreign fishing vessels subject to the fishery management authority of the United States.

Mr. Speaker, the net effect of these provisions is to allow seizure insurance protection under certain conditions for vessels other than tuna, such as shrimp, snapper, and grouper vessels, when such vessels are operating in the 200-mile fishery zones of other nations.

Mr. Speaker, if for no other reason, the insurance program provided by section 7 of the act should be continued so that our vessel owners can take ad-

vantage of this extended coverage which was just added to the act last year.

There were 166 vessels voluntarily participating under this program from July 1, 1976 to July 1, 1977. Of this 157 were tuna vessels and 9 were shrimp vessels. During the transition quarter, from July 1, 1977 to October 1, 1977, there are 126 vessels participating in the program, of which 119 are tuna, 4 are shrimp, and 3 are grouper and snapper vessels.

Mr. Speaker, I am pleased to report that there have been no seizures of any vessels since 1975. Naturally, no one knows what the attitude of the nations will be off whose shores our vessels might fish. Therefore, in the case of any seizures of such vessels when fishing off any nation's shores, this insurance program should be available to them so that any losses incurred by our fishermen while abiding by the policy of our country, as it was just recently expressed in the passage of our 200-Mile Fishery Zone Act, should be reimbursed as provided by section 7 of the Fishermen's Protective Act. The cost for administering this program for the past year has amounted to only about \$20,000.

Mr. Speaker, earlier this year, H.R. 4140 was considered on the Suspension Calendar, but it failed to receive the necessary two-thirds majority. The Members expressed reservations about the extension of this act for an additional 3 years, however, I believe that these reservations have been somewhat dissipated since the bill, as amended, would extend this program for 1 year only.

Mr. Speaker, H.R. 4140 has the strong bipartisan support of the Members of our full Committee on Merchant Marine and Fisheries, and it has the strong support of the administration and our tuna and shrimp industry.

In fact, the administration forwarded to our full committee an executive communication calling for an extension of this act for an additional 2 years, instead of 1 year, as called for by H.R. 4140, as amended.

Mr. Speaker, I think this is a good piece of legislation, and I urge my colleagues to support its passage.

Mr. FORSYTHE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4140 which extends section 7 of the Fishermen's Protective Act for 1 year.

A review of the historical origins of the Fishermen's Protective Act reveals why there is a continuing need for section 7. In 1967, when section 7 was added to the act, the United States did not recognize the jurisdictional claims of nations asserting control over waters beyond 12 miles of their coast. Section 7, which established a cooperative insurance program to assist U.S. fishermen whose vessels were seized by nations claiming oceans jurisdiction not recognized by the United States, became an extension of our foreign policy.

Today section 7 of the Fishermen's Protective Act continues to represent the fisheries policy of the United States. The Fishery Conservation and Management

Act, which extended our fisheries jurisdiction to 200 miles, specifically excluded tuna from its jurisdictional reach. Tuna, which is found off the coast of several nations, including the United States, was excluded because the Congress recognized that the effective conservation and management of highly migratory species demanded a coordinated international program.

Section 7 of the Fishermen's Protective Act, therefore, continues to be a reflection of the U.S. fisheries policy. To defeat this legislation would be to signal a dramatic change in that policy. A negative vote by the House would telegraph to the world that the United States no longer recognizes the need to establish a coordinated international management program for highly migratory species. Such a change in U.S. fisheries policy will seriously undermine current efforts to negotiate a comprehensive international conservation program for tuna.

In view of these facts, it is important that section 7 of the Fishermen's Protective Act be extended for 1 additional year while U.S. fisheries negotiators are attempting to establish an international management regime for the conservation and protection of tuna.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MURPHY) that the House suspend the rules and pass the bill H.R. 4140.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate bill S. 1184, to amend section 7(e) of the Fishermen's Protective Act of 1967, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1184

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 7 of the Fishermen's Protective Act of 1967, as amended (82 Stat. 729, as amended; 22 U.S.C. 1977), is further amended by deleting the date "October 1, 1977" and inserting in lieu thereof "October 1, 1979".*

Sec. 2. The Fishermen's Protective Act of 1967, as amended, is further amended by adding at the end thereof the following new section:

"Sec. 10. (a) After October 1, 1977, the Secretary may make a loan to the owner or operator of any vessel of the United States which is documented or certified as a commercial fishing vessel if—

"(1) he receives an application for a loan under this section after such date; and  
 "(2) he determines that such vessel, or its fishing gear, was lost, damaged, or destroyed by any vessel (or its crew or fishing gear) of a foreign nation.

Any such loan—

"(A) may be for an amount not exceeding the value of such loss, damage, or destruction;

"(B) shall be conditional upon assignment to the Secretary of any right to recover for such loss, damage, or destruction;

"(C) shall bear interest at the rate of 2 per centum per annum; and

"(D) shall be subject to such terms and conditions as the Secretary deems necessary or appropriate for the purposes of this section.

The Secretary shall use the Fishermen's Protective Fund created under section 9 for the amounts of any loan made under this section. Loans may be made for any loss, damage, or destruction occurring within one year prior to, and anytime after, October 1, 1977.

"(b) The Secretary, in conjunction with other agencies or departments, shall investigate each incident of loss, damage, or destruction for which a loan was made under this section. If he determines that the owner or operator who received the loan was not at fault, the Secretary shall cancel repayment of such loan and refund to such owner or operator any principal and interest payments thereon made prior to the date of such cancellation.

"(c) The Secretary, with the assistance of the Attorney General and the Secretary of State, shall take appropriate action, pursuant to the provisions of title 28, United States Code, to collect on any right assigned to him under subsection (a). Amounts collected under this subsection shall—

"(1) if such loan was canceled pursuant to subsection (b), be paid into the Fishermen's Protective Fund created under section 9, to the extent of the amount so canceled;

"(2) if not so canceled, be applied to the repayment of such loan; or

"(3) to the extent not used pursuant to paragraph (1) or (2), paid to the owner or operator who assigned such claim.

"(d) For the purposes of this section, the term 'Secretary' means the Secretary of Commerce."

MOTION OFFERED BY MR. MURPHY OF NEW YORK

Mr. MURPHY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURPHY of New York moves to strike out all after the enacting clause of the Senate bill, S. 1184, and to insert in lieu thereof the provisions of H.R. 4140, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To extend the provisions of the Fishermen's Protective Act of 1967, relating to the reimbursement of seized commercial fishermen, until October 1, 1978."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4140) was laid on the table.

GENERAL LEAVE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

## ENDANGERED SPECIES ACT AMENDMENTS

Mr. MURPHY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6405) to amend the Endangered Species Act of 1973 regarding the requirements for State cooperative programs thereunder and to authorize appropriations through fiscal year 1981 to carry out such programs.

The Clerk read as follows:

H.R. 6405

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535) is amended—*

(1) by striking out the period at the end of subsection (c) and inserting in lieu thereof "; or", and by adding at the end of such subsection the following: "that under the State program—

"(A) the requirements set forth in paragraphs (3), (4), and (5) of this subsection are complied with, and

"(B) plans are included under which immediate attention will be given to those resident species of fish and wildlife which are determined by the Secretary or the State agency to be endangered or threatened and which the Secretary and the State agency agree are most urgently in need of conservation programs."; and

(2) by amending subsection (1) to read as follows:

"(1) APPROPRIATIONS.—For the purposes of this section, there are authorized to be appropriated not to exceed the following sums:  
 "(1) \$10,000,000 through the period ending September 30, 1977.

"(2) \$16,000,000 for the period beginning October 1, 1977, and ending September 30, 1981."

The SPEAKER pro tempore (Mr. YATES). Is a second demanded?

Mr. FORSYTHE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. MURPHY) and the gentleman from New Jersey (Mr. FORSYTHE) are recognized for 20 minutes each.

The Chair recognizes the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1973, Congress passed the Endangered Species Act in an attempt to slow the alarming rate at which wildlife species were becoming extinct in the United States and around the world. The Endangered Species Act provided for the development of a program for the protection of endangered and threatened species, and the conservation of the ecosystems on which endangered and threatened species depend. H.R. 6405 reauthorizes one small, but nevertheless vital, element of this historic act.

This legislation would authorize appropriations of \$16 million under section 6 of the Endangered Species Act. In addition, the bill would amend section 6(c) of the act to facilitate the development

of cooperative agreement programs with the States.

Section 6 of the Endangered Species Act is a little known, but highly important part of the act. It established a mechanism for the development of cooperative endangered species programs with the individual States. The cooperation envisioned by section 6 includes consultation with the States concerned before acquiring any land or water under the Endangered Species Act, and the development of cooperative management agreements with States that establish a program for the conservation of endangered species. Those States that qualify under the act are eligible to receive section 6 matching grants on a 2-to-1 basis.

Section 6 of the Endangered Species Act expresses the congressional realization that a successful endangered species program depends upon a good working relationship with the States. Although the Federal agencies have the broad policy perspective and authority to carry out the Endangered Species Act, the States have the physical facilities and the personnel to see that State and Federal endangered species policies are properly executed.

Traditionally, State fish and game departments have had the primary responsibility for managing resident species of fish and wildlife. Section 6 of the Endangered Species Act insured that the States would continue to play an important role in the management of resident endangered and threatened species despite the Federal Government's assertion of general authority in the endangered species area. We recognized in 1973, as we do now, that if we want an endangered species program that works in fact, as well as on paper, it is imperative that the States be given authority to manage their resident species which are classified as endangered or threatened.

Unfortunately, the cooperative agreement program of the Endangered Species Act has not developed as rapidly as we had originally hoped. To date, only 17 States have signed cooperative agreements with the Federal Government and have qualified for Federal matching funds under the act. It is hoped that the changes proposed in this legislation, along with an increase in funding for State endangered species programs, will bring around the 33 States not now participating in the endangered species program.

Mr. Speaker, I would like to emphasize the noncontroversial nature of this legislation. It was reported out of the Committee on Merchant Marine and Fisheries without a single dissenting voice. This bill has nothing whatsoever to do with some of the more controversial aspects of the Endangered Species Act which have received press attention in recent months. Specifically, this bill has nothing to do with the conflict between some water development projects and the designation of critical habitat for a variety of endangered species.

Mr. Speaker, I yield such time as he may consume to the chairman of the subcommittee, the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Speaker, I rise in support of H.R. 6405. This legislation authorizes appropriations of \$16 million through fiscal year 1981 to carry out a small but important part of the Endangered Species Act of 1973. That act stands as the most far-reaching Federal effort to slow and prevent the destruction of hundreds of fish and wildlife species that are facing extinction as a result of man's activities. The important goal of the Endangered Species Act is the maintenance of a healthy diversity of wildlife species, and to conserve the all important ecosystems on which the wildlife species of the world depend for survival.

Although the Endangered Species Act expressed the preeminent authority of the Federal Government in the management of endangered species, it recognized that any effective conservation program demands active State involvement. Thus, section 6 of the Endangered Species Act established a mechanism for continuing State involvement in the management of resident threatened and endangered species.

Under the act, the Federal Government is authorized to enter into cooperative agreements with individual States that develop a qualifying endangered species program. Once a State has developed an acceptable endangered species program, it is eligible to receive Federal matching funds to carry out its program. In the past, these matching funds have been used for such activities as conducting peregrine falcon and bald eagle surveys, developing special gates to protect Indiana bats and propagating falcons for release into the wild.

The goal of this section is clear—the management of resident endangered species at the State level by those wildlife biologists best equipped to insure continued protection of the most beleaguered members of the animal kingdom. Unfortunately, we are not close to achieving this goal.

Only 17 States have signed cooperative agreements with the Federal Government under section 6. What is worse, some of the States with the greatest number of species under their jurisdiction have not yet joined the program. Many States have not qualified for Federal financial assistance because they are frankly unwilling to provide blanket protection for any species which may be listed as endangered or threatened. The existing law requires the States to authorize such blanket protection before they can qualify for any Federal assistance.

H.R. 6405 would ease the requirements of existing law and encourage the remaining 33 States to join this all important program. I want to emphasize that this bill in no way diminishes the force or effect of the Endangered Species Act. In fact, if anything, the proposed amendment of section 6 should help to insure the full implementation of the act by en-

couraging the full participation of State agencies.

*Authorizations and appropriations of section 6, Endangered Species Act*

[In millions]

Authorization:	
1974 -----	2.5
1975 -----	2.5
1976 -----	2.5
1977 -----	2.5
1978 -----	*4
1979 -----	*4
1980 -----	*4
1981 -----	*4
Appropriation:	
1974 -----	0
1975 -----	0
1976 -----	2
1977 -----	4
1978 -----	4
1979 -----	---
1980 -----	---
1981 -----	---

\*Proposed in H.R. 6405.

STATES SIGNING COOPERATIVE ENDANGERED SPECIES AGREEMENTS

Arkansas, California, Colorado, Delaware, Florida, Maine, Maryland, Michigan, Missouri, New Jersey, New Mexico, New York, South Carolina, South Dakota, Virginia, Washington, and Wisconsin.

Mr. FORSYTHE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the legislation, H.R. 6405, which would authorize section 6 of the Endangered Species Act of 1973. This bill has three purposes. First, it would extend the authorization section for section 6 of the act from October 1, 1977, through September 30, 1981. Second, the bill would establish a funding level of \$16 million which would be authorized to be appropriated during the 4-year period October 1, 1977, through September 30, 1981. Third, it would amend section 6 of the act to facilitate development of cooperative and endangered species programs with the individual States.

H.R. 6405 has the broadest bipartisan support. Since 1973 we have made a great deal of progress as a nation under the Endangered Species Act in our efforts to provide a program for the protection of endangered and threatened species and the conservation of ecosystems on which endangered and threatened species depend. Much work remains to be done. In addition to extending the authorization period of the act, this bill concentrates its attention in an area which is very important to me.

The successful development of an endangered species program depends on a good working arrangement between Federal and State agencies. Federal agencies have broad powers and perspective to carry out their authority under the act. State agencies, however, must have the physical facilities and personnel to see that the policies which are set by State and Federal interaction are properly executed. Without this strong State role, no endangered species program will be fully effective.

However, one of the greatest impediments to the development of cooperative agreements between the States and Fed-

eral Governments has been the five requirements found in section 6(c) of the act. These requirements must be met before a State can qualify for a grant in aid funds. In essence these paragraphs require States to provide blanket protection for any species listed as endangered or threatened by the Secretary.

A number of States have failed to qualify for funds under section 6 because for internal policy reasons they have been unwilling to grant their State agency the broad authority required under the present wording of the act. Under H.R. 6405, States would be able to qualify for cooperative agreement funds if they met the requirement of present paragraphs 3, 4, and 5 under section 6(c) and if the State has a plan which would result in immediate attention being given to those species most urgently in need of conservation programs.

Mr. Speaker, I urge my colleagues to join with me in approving the authorization of these much-needed funds.

Mr. MURPHY of New York. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MURPHY) that the House suspend the rules and pass the bill H.R. 6405.

The question was taken; and (two thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1316) to authorize appropriations for fiscal years 1978, 1979, and 1980 to carry out State cooperative programs under the Endangered Species Act of 1973, a similar bill to H.R. 6405, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1316

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(1) of the Endangered Species Act of 1973 (16 U.S.C. 1535(1)) is amended to read as follows:*

"(1) APPROPRIATION.—For the purposes of this section, there are authorized to be appropriated not to exceed the following sums:

"(1) \$10,000,000 through the period ending September 30, 1977.

"(2) \$9,000,000 to the Secretary of the Interior through the period ending September 30, 1980; and

"(3) \$3,000,000 to the Secretary of Commerce through the period ending September 30, 1980."

MOTION OFFERED BY MR. MURPHY OF NEW YORK

Mr. MURPHY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MURPHY of New York moves to strike out all after the enacting clause of the Senate bill (S. 1316) and to insert in lieu thereof the provisions of H.R. 6405, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend the Endangered Species Act of 1973 regard the requirements for State cooperative programs thereunder and to authorize appropriations through fiscal year 1981 to carry out such programs."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 6405, was laid on the table.

#### GENERAL LEAVE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### PACIFIC ISLANDS TECHNICAL AMENDMENT TO HIGHER EDUCATION ACT

Mr. FORD of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9512) to amend the Higher Education Act of 1965 to include the Trust Territory of the Pacific Islands in the definition of the term "State" for the purpose of participation in programs authorized by that act.

The Clerk read as follows:

H.R. 9512

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 1201 of the Higher Education Act of 1965 is amended to read as follows:*

"(b) The term 'State' includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, the government of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands."

(b) Subsection (a) of section 491 of the Higher Education Act of 1965 is amended by striking out "includes the Trust Territory of the Pacific Islands" and inserting in lieu thereof "has the meaning set forth in section 1201(b)".

(e) Sections 602(a)(2), 1001(b)(2), and 1012(a) of the Higher Education Act of 1965 are each amended by inserting "the government of the Northern Mariana Islands, the Trust Territory of the Pacific Islands" after "American Samoa".

(d) Nothing in this Act, the Higher Education Act of 1965, or any other provision of law shall invalidate any payments or other benefits provided under the Higher Education Act of 1965 to an agency or institution in the Trust Territory of the Pacific Islands or to the government of the Northern Mariana Islands prior to the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BUCHANAN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. FORD) and the gentleman from Alabama (Mr. BUCHANAN) will be recognized for 20 minutes each.

The Chair recognizes the gentleman from Michigan (Mr. FORD).

Mr. FORD of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation before us, H.R. 9512, seeks to correct a recent determination by the Office of Education that institutions of post-secondary education in the Trust Territory of the Pacific Islands are not eligible to participate in several programs authorized by the Higher Education Act. While statutory authority exists to allow these institutions to receive funds under title IV (student assistance) and title VII (academic facilities), no such authority exists for the remaining titles.

This determination is contrary to the widely held belief in both the executive branch and Congress that these institutions were included in the Higher Education Act for all purposes in the same manner as institutions in other dependent jurisdictions such as Guam, American Samoa, and the Virgin Islands.

This determination was made by the Office of Education after several years of providing funds to two institutions under title II (college library programs) and of considering them eligible for all Higher Education Act-authorized programs. This ruling denies these schools eligibility in programs authorized by the following titles: title I, community services and continuing education; title II, college library programs; title III, strengthening developing institutions; title V, teacher training and teacher corps programs; title VI, financial assistance for the improvement of undergraduate instruction; title VIII, cooperative education; and title X, establishment and expansion of community colleges.

On Wednesday, October 12, my distinguished colleague (Mr. PHILLIP BURTON) and I brought this situation to the attention of the members of the Committee on Education and Labor. There was unanimous agreement at that meeting that this omission was not intended and this legislative effort to correct it was endorsed. With the cosponsorship of Mr. BURTON, I introduced H.R. 9512 and have received letters supporting this effort from the Department of the Interior and the Department of Health, Education, and Welfare. Additionally, I have received a letter from the Congressional Budget Office which states: "it appears that no additional cost to the government would be incurred as a direct result of enactment of this bill." These three documents were printed in the CONGRES-

SIONAL RECORD on Thursday, October 13, at my request so that my colleagues could be aware of this legislation before it reached the floor.

It is my hope that my colleagues will join me today in voting for this bill so that the Trust Territory can regain its intended eligibility for these important programs.

Mr. PHILLIP BURTON. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from California.

Mr. PHILLIP BURTON. Mr. Speaker, I commend the gentleman from Michigan for permitting a clarification of the situation and, more importantly, for the next month or so, as we have learned over the past 4 or 5 months, the Northern Mariana Islands is moving into its own governmental system. It is important that they be specifically enumerated or there would be a risk—although I think it would be an improper interpretation of the law—that they may not qualify for the very limited amounts that they otherwise would be getting under the Higher Education Act.

So, I commend the gentleman from Michigan and urge the adoption of the proposal.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. FORD of Michigan. I will be happy to yield to my colleague from Ohio.

Mr. ASHBROOK. I think I heard the gentleman right when he said that this came out of the committee unanimously.

Mr. FORD of Michigan. Yes, I did say that.

Mr. ASHBROOK. I think that is a rare occasion when any bill can come out of our committee unanimously. My only regret, when I see Governor Burton of the Territories—my only regret is that there are about 24 Members, 6 House personnel and 1 staff member on the floor. Really, I wish there were more to see that something comes from the Committee on Education and Labor.

Mr. PHILLIP BURTON. We almost pulled off a similar miracle last Friday. We missed—

Mr. ASHBROOK. By \$30,000.

Mr. PHILLIP BURTON. We missed by \$12,500, which I think is more than we have in this proposal, in annual terms.

Mr. BUCHANAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for me to speak would be redundant. As the gentleman from Ohio has underlined and as the distinguished chairman of the subcommittee has made plain, this does fulfill the intent of the committee and the Congress, in the first place. It is needed action. I can see no reason for any objection to the passage of this measure, and I urge its passage.

Mr. PERKINS. Mr. Speaker, the U.S. Office of Education has only recently concluded that postsecondary educational institutions in the Trust Territory of the Pacific Islands are not eligible to participate in institutional assistance programs authorized under five specific titles of the Higher Education Act, as amended.

While these institutions have traditionally been certified as eligible for all titles of the Higher Education Act, they were advised earlier this year that eligibility certification was being terminated for title I, community services and continuing education; title II, college library programs; title III, strengthening developing institutions; title VI-A, undergraduate instructional equipment, and title VIII, cooperative education programs.

I hasten to add, Mr. Speaker, that eligibility for title IV, student assistance programs and for grants and loans under the academic grant facilities program is not in question. Statutory authority exists in both titles providing eligibility for these institutions.

Members of the Committee on Education and Labor have unanimously agreed that this technical oversight in the Higher Education Act should be corrected. Last week in committee there was agreement that we should seek a satisfactory resolution of this matter at the earliest possible date.

Pursuant to that agreement, the distinguished chairman of our Subcommittee on Postsecondary Education—BILL FORD—and the distinguished chairman of the Interior and Insular Affairs Subcommittee on National Parks and Insular Affairs—PHIL BURTON—cosponsored H.R. 9512, the bill before us.

This legislation proposes a technical amendment to provide eligibility for the two institutions of postsecondary education in the Trust Territory.

The legislation will provide eligibility for all titles and programs in the Higher Education Act. The practical result of this will be to make institutions in the Trust Territories eligible participants in the title I program of community services; the title II program of library assistance; the title III program of aid to developing institutions; the title VI program of grants for equipment assistance; the title X program of grants for community colleges; and the title XII program of grants for postsecondary education planning.

The Congressional Budget Office has advised that there are no additional costs to the Government which would be incurred as a direct result of an enactment of this kind. It is purely a technical matter which will provide statutory basis for what the Congress intended.

Mr. Speaker, before closing, I want to compliment Chairman FORD and Chairman BURTON for their prompt attention to this matter and for the very expeditious and fine way in which they have handled it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. FORD) that the House suspend the rules and pass the bill H.R. 9512.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. FORD of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 9512, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### ESTABLISHING POSITION OF ASSOCIATE ATTORNEY GENERAL

Mr. KASTENMEIER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2089) to establish within the Department of Justice the position of Associate Attorney General.

The Clerk read the Senate bill as follows:

S. 2089

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 31 of title 28, United States Code, is amended by adding immediately after section 504 the following new section:*

"§ 504a. Associate Attorney General

"The President may appoint, by and with the advice and consent of the Senate, an Associate Attorney General."

(b) The section analysis at the beginning of chapter 31 of title 28, United States Code, is amended by adding immediately after

"504. Deputy Attorney General."

the following new item:

"504a. Associate Attorney General."

SEC. 2. Section 508(b) of chapter 31 of title 28, United States Code, is revised to read:

"(b) When by reason of absence, disability, or vacancy in office, neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of the office of Attorney General, the Associate Attorney General shall act as Attorney General. The Attorney General may designate the Solicitor General and the Assistant Attorneys General, in further order of succession, to act as Attorney General."

SEC. 3. Section 5314 of chapter 53 of title 5, United States Code, is amended by adding the following item at the end thereof."

"(66) Associate Attorney General."

The SPEAKER pro tempore. Is a second demanded?

Mr. ASHBROOK. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. KASTENMEIER) and the gentleman from Ohio (Mr. ASHBROOK) will be recognized for 20 minutes each.

The Chair recognizes the gentleman from Wisconsin (Mr. KASTENMEIER).

Mr. KASTENMEIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the caption of the Senate bill suggests, this is merely a

proposal to establish within the Department of the Justice the position of Associate Attorney General. This has been under consideration for some time. My recollection is that it passed the subcommittee and it passed the full committee without objection or opposition.

As the bill states, chapter 31 of title 28, United States Code, is revised to read:

"(b) When by reason of absence, disability, or vacancy in office, neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of the Office of Attorney General, the Associate Attorney General shall act as Attorney General. The Attorney General may designate the Solicitor General and the Assistant Attorneys General, in further order of succession, to act as Attorney General."

Mr. Speaker, the bill would also provide that this Associate Attorney General will receive a salary at level III of the executive schedule.

Mr. Speaker, before reserving the balance of my time, I would state that the bill would result in an additional cost of \$2,500. That comes about from the raising of the salary level from level IV to level III of the executive schedule.

Mr. Speaker, I reserve the balance of my time.

Mr. ASHBROOK. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Speaker, the administration has requested this legislation with the laudable objective of improving the administration of the Department of Justice. The Associate Attorney General, who would be made a Presidential appointee by this bill, has been given supervisory responsibility for the civil activities of the Department under a recently adopted reorganization plan, while the Deputy Attorney General has been assigned similar authority over the criminal justice programs.

It should not go unnoticed, however, that the substantially equal authority of the Associate Attorney General and the Deputy Attorney General has not been recognized in equality of pay; the Deputy is compensated at level II of the executive schedule, \$57,500, while this bill provides that the Associate shall be paid at level III, \$52,500. The Deputy has precedence over the Associate in order of succession to the Attorney General. Perhaps this justifies the \$5,000 difference in pay. However, I feel that careful consideration should be given to legislation placing the position of Associate Attorney General, and perhaps the Solicitor General as well, at level II.

We should also be alert, in my opinion, to any difficulties which this departmental reorganization may impose upon the supervision of the 94 U.S. attorneys, who handle both civil and criminal matters and will be receiving policy guidance through the Executive Office for U.S. Attorneys from two different people. I understand that Attorney General Bell is sensitive to this problem, and it is certainly my hope that he will be successful in minimizing tension and conflicts in this area.

Mr. Speaker, I know of no reason not to support this measure (S. 2089) and I urge an aye vote.

Mr. RODINO. Mr. Speaker, S. 2089 is a simple bill, and it is a bill this House can pass comfortably without a great deal of discussion.

But it is nonetheless important legislation about which the Attorney General feels very strongly, and it is legislation the administration believes is essential to an improved operation of the Justice Department.

The bill establishes officially, by statute, the Office of Associate Attorney General, a position first created administratively 4 years ago. Though the nature and function of the Office has varied over the course of the position's off again, on again history since 1973, in recent months the Office has evolved into that of a major policy official within the Department, and has become one upon which the incumbent Attorney General, Judge Bell, has relied very heavily.

Initially, the Office was envisioned as that of basically a senior staff adviser. Given the limited nature of the duties assigned to the Associate Attorney General, level IV of the executive schedule was considered to be the appropriate management level for the Office, and authority for the position was assigned from the President's pool.

Judge Bell, however, upon assuming office last January, evaluated the needs of the Department and concluded that proper policy level supervision was not being given to the Department's activities and that the complexity and scope of demands on the time of the Attorney General and the Deputy Attorney General actually precluded the proper policy level supervision required. Consequently, in March, Judge Bell reactivated the then dormant position of the Associate and reorganized the Department's central management activities, placing responsibility for coordinating programs in the criminal justice area with the Deputy Attorney General, and assigning to the Associate Attorney General responsibility for coordinating the Department's civil activities. In addition, the Associate was given the task of coordinating the Department's reorganization activities and overseeing the Department's executive selection process.

The incumbent Associate Attorney General, Mr. Egan, has become, in effect, the No. 3 man at the Department and is presently supervising individuals who have been appointed by the President and confirmed by the Senate. Mr. Egan, however, has not himself been confirmed and can not be until this legislation is passed and the Office becomes official by statute.

The Senate, as you may know, acted expeditiously in passing this bill last month after the Senate Judiciary Committee had assured the Attorney General it could confirm Mr. Egan this session if the authorizing legislation were enacted promptly. The Judiciary Committee in the House heard Judge Bell's testimony on September 27 and the full

committee ordered the bill reported the following week. I am hopeful the full House will now bring this legislation to the President's desk by its action today.

Mr. ASHBROOK. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. KASTENMEIER. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. KASTENMEIER) that the House suspend the rules and pass the Senate bill S. 2089.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### IMMIGRATION STATUS OF INDOCHINESE REFUGEES

Mr. EILBERG. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 7769) to authorize the creation of a record of admission for permanent residence in the cases of certain refugees from Vietnam, Laos, or Cambodia.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

#### TITLE I—ADJUSTMENT OF STATUS OF INDOCHINA REFUGEES

SEC. 101. That (a) the status of any alien described in subsection (b) of this section may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if—

(1) the alien makes an application for such adjustment within six years after the date of enactment of this title;

(2) the alien is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence, except for the grounds for exclusion specified in paragraph (14), (15), (20), (21), (25), and (32) of section 212 (a) of the Immigration and Nationality Act; and

(3) the alien has been physically present in the United States for at least two years.

(b) The benefits provided by subsection (a) shall apply to any alien who is a native or citizen of Vietnam, Laos, or Cambodia and who—

(1) was paroled into the United States as a refugee from those countries under section 212(d)(5) of the Immigration and Nationality Act subsequent to March 31, 1975, but prior to January 1, 1979; or

(2) was inspected and admitted or paroled into the United States on or before March 31, 1975, and was physically present in the United States on March 31, 1975.

SEC. 102. Upon approval of an application for adjustment of status under section 1 of this title, the Attorney General shall estab-

lish a record, of the alien's admission for permanent residence as of March 31, 1975, or the date of the alien's arrival in the United States, whichever date is later.

SEC. 103. Any alien determined to be eligible for lawful admission for permanent residence under this title who acquired that status under the provisions of the Immigration and Nationality Act prior to the date of enactment of this title may, upon application, have his admission for permanent residence recorded as of March 31, 1975, or the date of his arrival in the United States, whichever date is later.

SEC. 104. When an alien has been granted the status of having been lawfully admitted to the United States for permanent residence pursuant to this title, his spouse and children, regardless of nationality, may also be granted such status by the Attorney General, in his discretion and under such regulations as he may prescribe, if they meet the requirements specified in section 1(a) of this title. Upon approval of the application, the Attorney General shall create a record of the alien's admission for permanent residence as of the date of the record of admission of the alien through whom such spouse and children derive benefits under this section.

SEC. 105. Any alien who ordered, assisted, or otherwise participated in the persecution of any person because of race, religion, or political opinion shall be ineligible for permanent residence under any provision of this title.

SEC. 106. When an alien is granted the status of having been lawfully admitted for permanent residence pursuant to the provisions of this title the Secretary of State shall not be required to reduce the number of visas authorized to be issued under the Immigration and Nationality Act, and the Attorney General shall not be required to charge the alien any fee.

SEC. 107. Except as otherwise specifically provided in this title, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this title. Nothing contained in this title shall be held to repeal, amend, alter, modify, effect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of the Immigration and Nationality Act or any other law relating to immigration, nationality, and naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this title shall not preclude him from seeking such status under any other provision of law for which he may be eligible.

#### TITLE II—EXTENSION OF THE INDOCHINA MIGRATION AND REFUGEE ASSISTANCE ACT OF 1975

SEC. 201. Section 2 of the Indochina Migration and Refugee Assistance Act of 1975 is amended to read as follows:

"SEC. 2 (a) (1) Subject to the provisions of subsection (b), there are authorized to be appropriated, in addition to amounts otherwise available for such purposes, such sums as may be necessary for carrying out the provisions of paragraphs (3), (4), (5), and (6) of section 2(b) of the Migration and Refugee Assistance Act of 1962 with respect to aliens who have fled from Cambodia, Vietnam, or Laos.

"(2) Funds appropriated under this Act shall be made available to State or local public agencies to reimburse them for the non-Federal share of costs under titles IV and XIX of the Social Security Act for the provision of cash or medical assistance to aliens who have fled from Cambodia, Vietnam, or Laos.

"(b) (1) None of the funds authorized to be appropriated by subsection (a) may be

available for obligation after September 30, 1981.

"(2) The amount of assistance (including the amount of reimbursement as described in subsection (a) (2) provided to a State or local public agency under section 2(b) of the Migration and Refugee Assistance Act of 1962 for the purpose of providing cash or medical assistance to aliens who have fled from Cambodia, Vietnam, or Laos may not exceed—

"(A) for the fiscal year ending September 30, 1979, 75 per centum, and

"(B) for the fiscal year ending September 30, 1980, 50 per centum, and

"(C) for the fiscal year ending September 30, 1981, 25 per centum,

of the cost (including the non-Federal share of costs as described in subsection (a) (2)) of the State or local public agency in providing such assistance for such purpose for the fiscal year ending September 30, 1978.

"(c) In addition to amounts otherwise available for the purposes of this Act, there are authorized to be appropriated \$25,000,000, to remain available until expended, for special projects and programs, administered in whole or in part by State or local public agencies or by private voluntary agencies participating in the Indochina refugee assistance program, to assist minor and adult refugees in resettling and in gaining skills and education necessary to become self-reliant."

SEC. 202. (a) Section 4(b) of the Indochina Migration and Refugee Assistance Act of 1975 is amended to read as follows:

"(b) Not later than December 31 of each year ending prior to January 1, 1982, the Secretary of Health, Education, and Welfare shall transmit to such committees a report describing fully and completely the status of refugees from Cambodia, Vietnam, and Laos."

(b) Section 4(c) of such Act is repealed.

Amend the title so as to read: "An Act to authorize the creation of a record of admission for permanent residence in the cases of certain refugees from Vietnam, Laos, or Cambodia, and to amend the Indochina Migration and Refugee Assistance Act of 1975 to extend the period during which refugee assistance may be provided, and for other purposes."

The SPEAKER pro tempore. Is a second demanded?

Mr. FISH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. EILBERG) will be recognized for 20 minutes, and the gentleman from New York (Mr. FISH) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. EILBERG).

Mr. EILBERG. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, before I discuss the Senate amendment, I want to explain to my colleagues "why" we are bringing this matter up under suspension of the rules.

The reason is very simple. The program for providing assistance to Indochina refugees expired at the end of last month. Therefore, unless we approve the Senate amendment which extends that program, the various forms of Federal assistance designed to help these refugees become self-sufficient will be abruptly terminated.

The arbitrary termination of the program at this time will have the effect of placing undue burdens on those States where large numbers of refugees have resettled and this may result in unfair tax increases to residents in those States.

In my judgment it is illogical and unreasonable for the Federal Government to terminate its responsibilities, for this group of refugees, just 2 short years after authorizing their admission and resettlement.

I should advise my colleagues that my Subcommittee on Immigration, Citizenship, and International Law was very aware of the expiration date for the program. Unfortunately, our consideration of this matter was delayed by the failure of the administration to submit its extension legislation to the Congress in a timely fashion.

In fact, the administration's legislative proposal was submitted just 3 weeks before the program actually expired. At that time, my subcommittee held emergency hearings to consider the administration's bill and related proposals introduced by the distinguished gentleman from California (Mr. STARK).

During the course of these comprehensive hearings, it became evident that the administration's bill was deficient in several respects. For example, it would have immediately reduced Federal reimbursement to State and local governments from 100 to 75 percent for the current fiscal year and discontinued special projects and social services which are urgently needed by the refugees.

The Senate amendment, on the other hand, provides a rational and orderly phase-down of the Federal program—and the Federal responsibility—over a 4-year period. Specifically, it continues 100 percent reimbursement for the first year. In each of the 3 succeeding years the reimbursement formula is scaled down by 25 percent—in other words 75, 50, and 25 percent—with the program terminating in fiscal year 1981. In addition, the Senate amendment authorizes a total of \$25 million for special projects over the 4-year period. These funds will be used to assist the refugees in obtaining the skills and training which they need in order to become productive members of their respective communities.

I might add that my subcommittee met last week to consider the approach embodied in the Senate amendment to H.R. 7769. We were unanimous in our support of the Senate amendment. It was our belief that it adequately reflects the continuing Federal responsibility for this particular group of refugees, and at the same time, it assures us that the program will be terminated.

Mr. Speaker, the Senate amendment is strongly supported by the State governments, the private voluntary agencies responsible for resettling the refugees, and by all of the members of my subcommittee. I might add that the administration also strongly supports the enactment of legislation extending the Indochina refugee assistance program, despite the fact that they may have

some reservations about the formula we are today considering.

In view of the fact that the Senate amendment has been extensively considered by my subcommittee and because it will not be processed through normal legislative channels I believe it is important to create a legislative history on several issues addressed by that amendment. First of all it is not the intent of the House bill nor the Senate amendment to authorize funds for the movement of any additional Indochina refugees to the United States.

In addition, this legislation is not intended to provide Federal assistance—in the form of reimbursement to State and local governments or direct assistance through special contract or services—to any Indochina refugees other than those already here on the day of enactment, the 15,000 additional refugees whose admission has already been authorized under the new parole program, or to those coming under the normal immigration law.

Likewise, the Senate amendment to the adjustment of status provision in H.R. 7769 is not intended to include within the scope of eligibility any additional refugees coming to the United States under any other new parole program other than the previously mentioned 15,000 refugees. Finally the House bill and the Senate amendment have no relation whatsoever to the issue of reimbursing school districts for assistance provided to Indochina refugee children.

The Senate amendment is carefully structured to carry out in a reasonable and cost effective manner those objectives which the Congress established when it enacted the Indochina Migration and Refugee Assistance Act of 1975. The abrupt—and in my opinion premature—termination of the programs and services authorized by the 1975 act could well be disastrous. In order to avoid such a situation, I urge my colleagues to support my motion to concur with the Senate amendments.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. PHILLIP BURTON).

Mr. PHILLIP BURTON. Mr. Speaker, I thank the gentleman for yielding.

I would like to commend our most distinguished and able colleague, the gentleman from Pennsylvania (Mr. EILBERG).

Once again, Mr. Speaker, he has moved with great sensitivity and dispatch in this very important problem. The end of our involvement in Indochina carried with it the very difficult situation confronting the individual refugees involved, as well as the problem confronting a number of our local communities, in assisting the refugees playing a more meaningful role in life here in the United States.

Again, Mr. Speaker, I thoroughly applaud the Congressman EILBERG's action and leadership in this respect.

Mr. EILBERG. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Speaker, I wish to commend the chairman and the mem-

bers of the committee for their prompt yet thorough action on this bill.

Without passage of this bill, which provides for extension of the Indochina Migration and Refugee Act of 1975, State and local government treasuries will suffer a shocking blow.

This is an especially serious problem in California where 1 in 3 of the 150,000 Indochinese refugees have settled. The State Department estimate of an additional 15,000 refugees entering the country each year for the next 3 years demonstrates that the problem will not improve.

Continuing assistance to these refugees without Federal funding could cost the State of California \$35 million this next fiscal year alone.

Extension of the Refugee Act of 1975 is the only reasonable means of relief for the State and local governments with far more than their equal share of these refugees.

Since 1975, this act has provided the most important help for these families as they adjust to their own personal losses and the shock of a new culture.

I urge your support of this measure.

Mr. FISH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of the motion to suspend the rules and pass H.R. 7769 with the Senate amendment. As you know, on September 27 of this year, the House passed my bill, H.R. 7769, to permit the refugees from Indochina to adjust their immigration status to that of permanent resident alien after they had been in the United States for 2 years. At that time, our Subcommittee on Immigration had held 2 days of hearings on legislation to extend the Indochina Migration and Refugee Assistance Act of 1975. Those hearings indicated the need for a short extension of the Federal assistance program for these refugees. The most recent report of the HEW refugee task force dated September 21, 1977, indicated that 85 percent of all refugee households receive income from employment. However, over one-third of these households must also resort to supplemental cash assistance. This is due to the fact that these refugees, while obviously willing to work, are experiencing difficulty in obtaining jobs adequate to support themselves. This is the result of the obvious difficulty they experience in making the cultural and economic adjustment to our society.

The original administration proposal to extend the existing Federal program failed to include any funding authority for social services and special projects. These include language and employment training, and I am pleased to note that the Senate has seen fit to authorize \$25 million for just such projects. It is only through programs such as the 62 English and vocational programs now being funded under the original refugee assistance program that these refugees will be able to become self-sufficient.

The Senate has provided for a 4-year phase-out of this assistance program, with 100 percent Federal reimbursement during the present fiscal year of 1978,

and a 25 percent reduction during each of the 3 succeeding fiscal years. This formula for Federal reimbursement would apply to social services programs such as day care and aid to the elderly. The non-Federal share of Medicaid and aid for dependent children (AFDC) and similar State-funded programs, and the administrative costs connected with such a program.

Mr. Speaker, I want to emphasize that this extension in no way enlarges the assistance programs authorized by our 1975 legislation. However, failure to enact an extension of this program would shift the entire burden of welfare and public assistance for refugees to the various States. At this time only 17 States have general welfare assistance programs. This would leave refugees in the other 33 States without access to supplemental cash assistance, the very type of assistance that those working, but underemployed refugees need to supplement their present low incomes.

The Senate also made two minor amendments in what is now title I of H.R. 7769 which is the bill that passed the House on September 27, 1977. As passed by the Senate, refugees who are paroled into the United States before January 1, 1979, would be eligible to adjust their status, as contrasted with our bill which would have applied only to those refugees paroled as of the date of enactment. This will make coverage extend to the recent group of 15,000 refugees who have begun to arrive under the August action of the Attorney General authorizing their admission. The Senate version also provides 6 years rather than 3 as in the House version, for eligible refugees to seek adjustment of status.

With this new group of refugees not yet all here, it seems appropriate that this bill be drafted to cover them as well. Of course, they would not be eligible to adjust their status until they meet the requirement of 2 years physical presence in the United States.

The passage of title I of this bill to allow refugees to become permanent residents will open many more job opportunities for these refugees, and thereby decrease their need to rely on any cash assistance.

I am happy to join Subcommittee Chairman EILBERG in supporting the motion to suspend the rules and agree to the Senate amendment to my bill, H.R. 7769, and urge my colleagues to do likewise.

Mr. SAWYER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Michigan (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

Mr. Speaker, I rise in support of this legislation. The Senate version in my opinion—and I have spent time looking at it, being on the subcommittee—is a distinct improvement over the bill that was proposed by the administration. In particular, because it contains provisions

for social services which include training in jobs and in language. These people are a very industrious and work oriented people. We have 700 of them in Grand Rapids, Mich. Out of those that are on the labor market only one is unemployed. Out of 150 families some 19 require some form of public assistance. This is not because they are not working but because they are under-employed and have not yet been able to measure up to their skills because of the language problem and customs problems. That is what the \$25 million social service program is designed to cure. It strikes me that this represents, as opposed to an expense, a very worthwhile investment in these new people in our community.

I want to congratulate again the subcommittee chairman, the gentleman from Pennsylvania (Mr. EILBERG) for expeditiously handling this matter. Hopefully, it will go through before the funds that are left on hand from the already expired program are exhausted.

Mr. EILBERG. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. STARK).

Mr. STARK. Mr. Speaker, I am rising in strong support of H.R. 7769. Of special interest to me is the Senate's amendment to this bill extending the Indochinese refugee assistance program, known as IRAP. I have introduced several pieces of legislation over the past 6 months to extend IRAP. These gained over 50 cosponsors in the House. I was gratified that many of my provisions were included in the Senate's bill.

This extension is absolutely necessary. Although over 86 percent of the nearly 150,000 refugees in the United States employed last year, nearly 35 percent were receiving some sort of cash assistance under the program to supplement their very low wages. Without the continuation of Federal assistance, State and local taxpayers in many communities across the Nation will be faced with increased local taxes to meet the cost of assisting these refugees.

In California, where approximately 46 percent of Indochinese refugees were receiving cash assistance, these extra costs will amount to more than \$34 million. Unless this bill is passed, about \$12 million of this amount would have to be raised by increasing local property taxes.

Action is especially urgent since the program expired on September 30. HEW is currently continuing the program on a limited basis with unspent funds. These funds, however, will be completely exhausted by the end of the month. Not only would termination of IRAP at this time work undue hardship on more than 30 States and the refugees living therein, but it would also effectively deny assistance to the 15,000 additional refugees whose admission the Attorney General authorized on August 11. The Federal Government cannot deny assistance to these refugees who will be arriving over the coming year.

The Senate amendment to H.R. 7769 satisfies the need for a continuing Federal program refugee assistance, while avoiding the danger of institutionalizing

dependency among the refugees. It provides for an orderly phase-down of IRAP and the transfer of the refugees into ongoing Federal and/or State programs over a 4-year period. Reimbursement to State and local governments would continue at 100 percent for the first year and then successively drop 25 percent over the next 3 years. The program would end in fiscal year 1981.

In addition, the amendment authorizes \$25 million for special projects. These projects, run largely by voluntary agencies, have transmitted the skills and training necessary for the refugees to become self-sufficient. They have proven very effective in helping to take refugees off of cash assistance and are responsible for the remarkably high employment rate among the refugees.

This legislation is strongly supported by the administration. It also has the full support of the voluntary agencies and local communities involved in the resettlement effort. Of special importance in this regard, is the support of an ad hoc coalition of State governments and voluntary agencies called the Coalition for the Effective Resettlement of the Indo-Chinese Refugees. I have been working with Mr. Stan Breen, Special Assistant to the Governor of Minnesota, who has ably led this group, for over 6 months.

I would also like to thank the chairman of Judiciary's Subcommittee on Immigration, Citizenship, and International Law, Mr. EILBERG, and the ranking minority member, Mr. FISH, for their recognition of the need for this legislation and their support. It has been essential.

An extension of the Indochinese refugee assistance program will allow us to complete the process of resettlement we began in the spring of 1975. It is responsible, cost-effective, and humane. I urge you to join me and vote "yes" on H.R. 7769.

Mr. FISH. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. PRITCHARD), one of the original cosponsors of this legislation.

Mr. PRITCHARD. Mr. Speaker, today we consider Senate amendments to H.R. 7769, a bill calling for the adjustment of status of Indochinese refugees and, as amended by Senator KENNEDY, providing for a 4-year extension of Federal funding of a refugee assistance program. This bill is of crucial importance to 150,000 refugees and of special significance to all Americans.

September 30, 1977 marked the termination of the Indochinese resettlement program. That program represented an essential and successful first step in our efforts to help resettle the largest influx of refugees at any time in this Nation's history. While that program extended our country as a haven from persecution, this bill extends our country as a permanent home for the refugees. This bill represents both the next logical step and the final step we must take in assimilating our newest refugee group.

If I may comment briefly on the refugees response to the resettlement program to date, it is especially noteworthy. During the first 2 years of resettlement, these people quickly displayed their willingness to become productive members of our society. Of those possessing an understanding of English and a competence in such professions as journalism, teaching, and business, many have accepted employment in such unrelated jobs as painters, carpenters, and security guards. Their efforts over this short period indicates a desire not to burden our society, but to contribute to it. But their quest for a productive self sufficiency depends on our actions today, as many of the paths to their goal are closed to them because of their status.

For example, most States limit employment in certain professions to U.S. citizens or permanent resident aliens who have declared their intention to become U.S. citizens. Enactment of this bill would authorize these refugees to adjust their status from parolees to permanent resident aliens and thus open a wide range of employment opportunities. Also, their present parole status effectively closes the door to higher education as most States require refugees with such an uncertain status to pay substantially higher out of State tuition to attend their community colleges and universities. These are but two of the many important consequences of passage of this bill.

Enactment of this bill as amended will also provide \$25 million for special projects. These special projects to assist refugees in gaining skills and education necessary to become self-reliant have proven effective in removing refugees from the welfare rolls and thus warrant our continued support.

A 4-year phaseout of the program built into this bill clearly indicates that this is the final step toward completion of our refugee resettlement efforts.

For these reasons, I urge my colleagues to join me in support of this bill. With your support, we may today write an epilogue of hope to a long and despairing chapter in our Nation's history.

Mr. FISH. I thank the gentleman from Washington very much for his statement.

Mr. Speaker, I know of no opposition to this legislation.

I have no further requests for time and reserve the balance of my time.

Mr. EILBERG. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. HARRIS).

Mr. HARRIS. Mr. Speaker, I am pleased to support today the Senate's amendment to H.R. 7769, a bill to grant permanent residence to Indochinese refugees. The Senate amendment will extend the Indochinese Migration and Assistance Act of 1975 for 4 years and provide funds for special language and vocational training.

It is my feeling—and the feeling of the other members of the Subcommittee on Immigration, Citizenship, and International Law—that providing such special services as language and vocational

training to meet the unique needs of Indochinese refugees will greatly reduce the possibility of these refugees becoming dependent on welfare and cash assistance and expedite their adjustment to American society. This bill would terminate Federal funding of social services and special programs after 4 years, at which time the refugees would be better prepared to market their skills in the economy.

As you may know, the Indochinese refugee assistance program expired on September 30, 1977. In my home State of Virginia alone, which has the fourth highest population of Indochinese refugees in the Nation, some two-thirds of the 541 refugees currently receiving cash assistance will not get their monthly checks unless the program is extended. Moreover, those refugees who are currently benefiting from social services and special programs may not be able to receive these benefits at all if Federal funding is cut back this year.

The record indicates that 85 percent of the Indochinese refugees in Virginia are employed. But since they are often only able to find low-paying jobs, some refugees require supplemental cash and medical assistance to make ends meet. I believe that continuation of social services and special programs for language and vocational training is a vital part of any program to help the Indochinese refugees make a smooth transition into the mainstream of American society.

Again, I urge my colleagues to join in support of the amendment to extend the Indochinese refugee and assistance program for 4 years.

Mr. EILBERG. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. EDWARDS).

Mr. EDWARDS of California. Mr. Speaker, I rise in support of the Senate amendment to H.R. 7769, which provides for adjusting the immigration status of the Indochina refugees and for extending the Indochina refugee assistance program.

I would like to commend my good colleagues JOSHUA EILBERG and HAMILTON FISH for the fine work they have done in developing the legislation we are considering today. I would also like to compliment my colleague and friend from California, PETE STARK, for his role in the effort to extend the refugee assistance program. The gentleman from California was one of the first Members of Congress to recognize the urgent need for an extension of the resettlement program and to introduce legislation to provide for further Federal reimbursement to the States for services to Indochina refugees.

The House last month passed H.R. 7769 by a vote of 390 to 22. The bill as approved by the House at that time provided for the adjustment of status of the Indochina refugees from that of parolees to permanent residents. I shared the feeling of the great majority of my colleagues that this action was necessary to provide for a successful settlement of the refugee population in the United States.

By allowing the refugees the opportunity to become permanent residents, the uncertainty of their immigration status is removed, and the way is cleared for the refugees to move into the mainstream of society as legal permanent residents, and eventually as U.S. citizens. It will make the refugees feel they have been accepted into our society, and will further encourage them to become active participants in our communities.

The Senate amendment to H.R. 7769 modifies only slightly the provisions for adjustment of status which the House approved. It extends the time period within which the refugees may apply for adjustment and extends the eligibility date to cover refugees admitted prior to January 1, 1979. This will enable the latest group of refugees paroled into the country to take advantage of this legislation. I am sure my colleagues would agree with me that these two small changes in the adjustment provision will make the bill even more effective.

The Senate language adds to the House bill provisions to extend the Indochina migration and refugee assistance program for 4 years. It provides for continued Federal reimbursement to States for the costs involving in providing assistance to the refugees. The Federal role will be reduced each year, to enable the States to gradually assume responsibility for public assistance costs. For fiscal year 1978, there will be 100 percent reimbursement, with 75 percent reimbursement in fiscal year 1979, 50 percent in fiscal year 1980 and 25 percent in fiscal year 1981.

The need for continued reimbursement to the States is clear. While some 34 of our 50 States have substantial refugee populations, the situation is particularly acute in my own State of California. It is estimated that over 50,000 or about one-third of the total Indochina refugee population has already settled in California, with this number continually increasing as secondary migration from other States continues and as more refugees are paroled into the country. In the San Francisco bay area, which includes my own congressional district, there are estimated to be some 18,000 Indochina refugees. The estimated public assistance costs for the refugees in California is \$39 million for fiscal year 1978. Without the 100 percent Federal reimbursement, California will have to shoulder \$27 million of this cost. The cost would have to be met by increasing local taxes or cutting back on services in other areas.

We are making good progress in the resettlement effort. The programs and services we are providing for refugees in California, and throughout the country, are paying off and the refugees are gradually becoming self-sufficient. It would be disastrous, in my opinion, to abruptly halt Federal reimbursement to the States. To do so would totally disrupt the resettlement process.

I strongly feel that the 4-year extension, as provided by the Senate amendment to H.R. 7769, is essential if the Federal Government is to meet its

responsibility to assist in the resettlement of the refugees which it paroled into the United States. The gradual reduction in the rate of Federal reimbursement will insure that this assistance program will not go on indefinitely. We can expect that by the end of the 4-year extension this bill provides, the great majority of the Indochina refugees will have been successfully integrated into society and will no longer be reliant on public assistance programs.

I urge my colleagues to vote in favor of the Senate amendment to H.R. 7769.

Mr. VAN DEERLIN. Mr. Speaker, I am pleased to rise in support of H.R. 7769 which, as amended by the Senate, would continue the Indochinese refugee assistance program for another 4 years.

Enactment of this legislation will come as welcome news to my home county of San Diego, which otherwise would have to assume more than \$2 million in welfare and related costs for these refugees.

When the arrangements were made to allow Vietnamese, Laotian, and Cambodian nationals to seek sanctuary in our country, it seemed only fitting that the Federal Government would assume the primary financial burden.

To precipitously end this commitment is to renege on a promise. Our county governments were not responsible for the unfolding of the tragic events which forced these people, some 150,000 of them, to seek refuge in our country.

Without the relief provided by this legislation, the taxpayers of San Diego would face a 3.3-cent increase in the property tax rate—which comes to about \$5.25 for the typical household in the county. I urge swift approval.

Mr. OBERSTAR. Mr. Speaker, I rise in support of the Indochina Migration and Refugee Act amendments as approved by the House Judiciary Committee and modified by the amendments of the other body. We have the opportunity to fulfill our obligation to the States and people we represent and to the Indochinese refugees here in this country as the result of action taken by Congress following the fall of South Vietnam.

The readjustment for these refugees is an enormous challenge. The nature of their emigration from their homelands and the significant language and cultural differences are so great that they have required the assistance of both the private and public sectors in making that adjustment.

The response of the American people and the performance of the refugees have been excellent.

The States and local governments have provided cash, medical and social service assistance to the refugees under the Indochina Migration and Refugee Assistance Act.

The special projects to train and educate refugees and to place them in jobs have yielded encouraging results. The jobs programs has made 5,000 placements at an average cost of \$700 per applicant. To help understand what an exceptional record that is, compare those figures to CETA, whose placement figures indicate an average cost per job

placement under CETA programs to be approximately \$6,000 per job.

These programs have both humanitarian and practical aspects. Successful readjustment by the refugees will reduce their dependence on governmental assistance and will enable them to contribute to the American economy.

The employment rate of the refugees is already higher than that of the nation. Only 14 percent of the refugees receive no wage or salary income. While 34 percent receive cash assistance, only 17 percent are totally dependent on welfare. Thus for half of the recipients of cash assistance, that assistance represents only a supplement to earned income—income gained at low-paying jobs. While these jobs show the willingness of the refugees to work, they do not always provide them with a living wage to support themselves and their families.

The legislation we are considering today recognizes that the adjustment is progressing so well that in 4 years the States will be left with a vastly diminished assistance program.

The bill gives communities the time they need to adjust to gradually decreased support through the reimbursement program. During each successive year Federal reimbursement will drop 25 percent from the level of 1978 funding.

Furthermore, the amendment provides a one-time authorization of \$25 million for special job training and placement programs.

At the same time as the States are assuming a larger burden of the costs, the refugees are becoming increasingly self-supporting. In this regard, the experience in my State of Minnesota has been exemplary. Under the leadership of Gov. Rudy Perpich, former Gov. Wendell Anderson and program director Stan Breen.

These programs will be necessary for the next 4 years whether or not we support them. Without our support, they will, of course, be diminished. The States and local communities will be forced to seek additional revenue to support the remaining programs; that simply would be neither fair nor reasonable. The Federal Government has an obligation here, one that cannot be abandoned to State or local governments. The legislation before us today will meet that obligation by providing the funds necessary to complete this highly successful and humanitarian program.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. EILBERG) to suspend the rules and concur in the Senate amendments to the bill H.R. 7769.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EILBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks on the Senate amendments to the bill (H.R. 7769), just concurred in.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 3, rule XXVII, the Chair will now put the question on the motion on which further proceedings were postponed on S. 393, on which the yeas and nays were ordered.

STUDY OF CERTAIN LAND TO DETERMINE SUITABILITY FOR DESIGNATION AS WILDERNESS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill (S. 393).

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wyoming (Mr. RONCALIO) that the House suspend the rules and pass the Senate bill S. 393, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 315, nays 103, not voting 16, as follows:

[Roll No. 664]

YEAS—315

Addabbo	Carney	Flippo
Akaka	Carr	Flood
Alexander	Carter	Flowers
Allen	Cavanaugh	Flynt
Ambro	Chappell	Foley
Ammerman	Chisholm	Ford, Mich.
Anderson, Calif.	Clay	Ford, Tenn.
Andrews, N.C.	Collins, Ill.	Fountain
Annunzio	Conable	Fowler
Applegate	Conte	Fraser
Ashley	Corman	Fuqua
Aspin	Cornell	Gammage
Badillo	Cornwell	Gaydos
Bafalis	Cotter	Gephardt
Baldus	Cunningham	Gibbons
Barnard	D Amours	Gilman
Baucus	Daniel, Dan	Ginn
Beard, R.I.	Danielson	Glickman
Bedell	Davis	Gonzalez
Beilenson	de la Garza	Gore
Benjamin	Delaney	Grassley
Bennett	Dellums	Gudger
Bevill	Dent	Hall
Biaggi	Dicks	Hamilton
Bingham	Dingell	Hanley
Blanchard	Dodd	Hannaford
Blouin	Downey	Harkin
Boggs	Drinan	Harrington
Boland	Duncan, Oreg.	Harris
Bolling	Duncan, Tenn.	Hawkins
Bonior	Early	Heckler
Bonker	Eckhardt	Hefner
Brademas	Edgar	Hefelt
Breaux	Edwards, Ala.	Hightower
Breckinridge	Edwards, Calif.	Holland
Brinkley	Elberg	Hollenbeck
Brodhead	English	Holtzman
Broomfield	Erlenborn	Howard
Brown, Calif.	Ertel	Hubbard
Buchanan	Evans, Colo.	Huckaby
Burke, Calif.	Evans, Del.	Hughes
Burke, Mass.	Evans, Ga.	Ichord
Burleson, Tex.	Evans, Ind.	Ireland
Burlison, Mo.	Fary	Jacobs
Burton, John	Fascell	Jeffords
Burton, Phillip	Fenwick	Jenkins
Byron	Fish	Jenrette
Caputo	Fisher	Johnson, Calif.
	Fithian	Jones, N.C.

Jones, Okla.	Moorhead, Calif.	Scheuer
Jones, Tenn.	Moorhead, Pa.	Schroeder
Jordan	Moss	Seiberling
Kasten	Murphy, N.Y.	Sharp
Kastenmeier	Murphy, Pa.	Shipley
Kazen	Murtha	Simon
Keys	Myers, Gary	Sisk
Kildee	Myers, Michael	Skelton
Koch	Natcher	Slack
Kostmayer	Neal	Smith, Iowa
Krebs	Nedzi	Solarz
Krueger	Nichols	Spellman
LaFalce	Nix	Spence
Lagomarsino	Nolan	St Germain
Le Fante	Nowak	Stanton
Leach	O'Brien	Stark
Lederer	Oakar	Steed
Leggett	Oberstar	Steers
Lehman	Obey	Stokes
Levitas	Ottinger	Stratton
Lloyd, Calif.	Panetta	Studds
Lloyd, Tenn.	Patten	Thompson
Long, La.	Patterson	Thone
Long, Md.	Pattison	Thornton
Lujan	Pease	Traxler
Luken	Perkins	Tsongas
Lundine	Pettis	Tucker
McCloskey	Pickle	Udall
McCormack	Pike	Ullman
McDade	Preyer	Van Deerin
McEwen	Price	Vanik
McFall	Pursell	Vento
McHugh	Quie	Volkmer
McKay	Quillen	Waggonner
McKinney	Rahall	Walgren
Maguire	Rallsback	Walsh
Mahon	Rangel	Watkins
Mann	Reuss	Weaver
Markey	Richmond	Weiss
Martin	Rinaldo	White
Mathis	Risenhoover	Whitley
Mattox	Roberts	Whitten
Mazzoli	Rodino	Wiggins
Meeds	Roe	Wilson, C. H.
Meyner	Rogers	Wilson, Tex.
Mikulski	Roncalio	Winn
Mikva	Rooney	Wirth
Milford	Rose	Wright
Miller, Calif.	Rosenthal	Wydler
Mineta	Rostenkowski	Wylie
Minish	Roybal	Yates
Mitchell, Md.	Runnels	Yatron
Mitchell, N.Y.	Russo	Young, Mo.
Moakley	Ryan	Young, Tex.
Moffett	Santini	Zablocki
Mollohan	Sawyer	Zefeller
Montgomery		

NAYS—103

Abdnor	Florio	Myers, John
Anderson, Ill.	Forsythe	Poage
Andrews,	Frenzel	Pressler
N. Dak.	Frey	Pritchard
Archer	Gialmo	Quayle
Armstrong	Goodling	Regula
Ashbrook	Gradison	Rhodes
AuCoin	Guyer	Robinson
Bauman	Hagedorn	Rousselot
Beard, Tenn.	Hammer-	Rudd
Bowen	schmidt	Ruppe
Brown, Mich.	Hansen	Satterfield
Brown, Ohio	Harsha	Schulze
Broyhill	Hillis	Sebelius
Burgener	Holt	Shuster
Burke, Fla.	Horton	Sikes
Butler	Hyde	Skubitz
Cederberg	Johnson, Colo.	Smith, Nebr.
Clausen,	Kelly	Snyder
Don H.	Kemp	Staggers
Clawson, Del.	Ketchum	Stangeland
Cleveland	Kindness	Steiger
Cochran	Latta	Stockman
Cohen	Lent	Stump
Coleman	Livingston	Symms
Collins, Tex.	Lott	Taylor
Corcoran	McClory	Trible
Crane	McDonald	Vander Jagt
Daniel, R. W.	Madigan	Walker
Derwinski	Marks	Wampler
Devine	Marlenee	Whitehurst
Dickinson	Marriott	Wilson, Bob
Dornan	Michel	Young, Alaska
Edwards, Okla.	Miller, Ohio	Young, Fla.
Emery	Moore	
Findley	Mottl	

NOT VOTING—16

Badham	Goldwater	Treen
Brooks	Metcalfe	Waxman
Conyers	Murphy, Ill.	Whalen
Coughlin	Pepper	Wolf
Derrick	Sarasin	
Diggs	Teague	

The Clerk announced the following pairs:

Mr. Wolff with Mr. Badham.  
Mr. Pepper with Mr. Coughlin.  
Mr. Derrick with Mr. Goldwater.  
Mr. Conyers with Mr. Sarasin.  
Mr. Brooks with Mr. Treen.  
Mr. Waxman with Mr. Whalen.  
Mr. Murphy of Illinois with Mr. Teague.  
Mr. Diggs with Mr. Metcalfe.

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 7797,  
FOREIGN ASSISTANCE AND RE-  
LATED PROGRAMS APPROPRIA-  
TIONS ACT, 1978

Mr. LONG of Maryland. Mr. Speaker, I call up the conference report on the bill (H.R. 7797) making appropriations for Foreign Assistance and related programs for the fiscal year ending September 30, 1978, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ROSTENKOWSKI). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 12, 1977.)

Mr. LONG of Maryland (during the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. LONG) will be recognized for 30 minutes, and the gentleman from Florida (Mr. YOUNG) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I make only a brief introduction of the fiscal year 1978 foreign assistance and related programs appropriation conference agreement.

First, as a result of the overwhelming acceptance by the House of the Miller amendment, the conferees felt compelled to bring back a bill providing total new budget authority as close as possible to \$6.7 billion. I am pleased to report that the conferees have been able to do this.

No meat-ax cut was made, but the House managers considered this provision in dealing with each of the specific appropriation accounts. This is reflected by the fact that the final conference amount totals \$6,772,654,000, which is a level lying halfway between the \$6,851,854,000 as recommended by the Senate

and the \$6,694,131,300 as recommended by the House, including the provision requiring a general 5-percent reduction. This final figure was arrived at after much deliberation over individual items.

Second, I call to your attention several of the programs which shall be funded if this conference agreement is accepted: \$931 million for development assistance; \$23 million for the American schools and hospitals abroad program; \$25 million for Italian disaster relief; \$50 million for the Sahel development program; over \$1.8 billion for Israel;

Over \$100 million to help bring stability to Southern Africa; \$63 million to help refugees all over the world; \$231 million for various U.N. and OAS programs; \$37 million for International Narcotics Control; \$300 million for a balance of payments loan to Portugal; \$15 million for Cyprus; \$82 million for the Peace Corps; and \$1.9 billion for six international financial institutions. This final figure for the international banks cuts the administration request by 26 percent.

As you well know, the original conference agreement was filed on September 26, 1977, and the House conferees brought back 10 amendments in disagreement. Since that time, the President made significant assurances regarding the House position on these issues and the Senate indicated a willingness to reach an agreement on the 10 items in disagreement. Because of these changes in position after the original conference agreement was filed, the Foreign Assistance Appropriation bill was sent back to the committee of conference and acceptable solutions were worked out on October 12, 1977.

As I said earlier, the administration has made unprecedented commitments regarding the U.S. position on loans or financial assistance by the international institutions to specific countries—commitments which would not have been forthcoming had it not been for the efforts of the gentleman from Florida (Mr. YOUNG). To quote from a letter which I received the week before last from the President:

Additionally, as we discussed earlier, I shall instruct the U.S. Executive Directors in the banks to oppose and vote against, throughout fiscal year 1978, any loans to the seven countries mentioned in the House amendments. Our representatives will also oppose and vote against loans for the production of the three commodities where such production is for export and could injure producers in the United States. You may be certain that I shall closely watch and review the lending practices of the banks during this fiscal year.

For the longer run, I have directed the Secretary of the Treasury, in consultation with the leadership and appropriate committee of the Congress, to undertake a thorough study of how the whole range of U.S. objectives, including the type envisaged in these amendments, can best be pursued in the banks. I would expect that the results of this appraisal could help guide our efforts for fiscal year 1979 and beyond, in partnership between the Administration and the Congress.

Not only will the President direct the

U.S. representatives to the international financial institutions to vote against and oppose loans to Vietnam, Laos, Cambodia, Uganda, Mozambique, Angola, Cuba and for the production of sugar, palm oil, and citrus crops for export if it could injure U.S. producers, but he has also directed the Secretary of the Treasury to undertake a thorough study of the international banks. I thank the gentleman from Florida (Mr. YOUNG) for his help in getting these commitments from the administration.

In this endeavor, the Congress will take leadership. The chairman of the House Appropriations Committee, Mr. MAHON, has, at my suggestion, directed that the Foreign Operations Subcommittee, which I chair and of which Mr. YOUNG of Florida is the ranking minority member, conduct oversight hearings on these multilateral institutions with the following objectives in mind:

First. Is the multilateral assistance reaching the very poor—not only the poor countries but the poor people within those poor countries?

Second. Are the institutions' operations publicly accountable in the same way that the operations of U.S. Government agencies are accountable—through audits, openness, and disclosures?

Third. What amounts of multilateral assistance are channeled to countries, both Communist and right wing dictatorships, that are gross violators of human rights, and what measures are being used to stop these flows?

Fourth. What loan subsidies have been going to establish or expand production for export of commodities that could injure U.S. producers?

Fifth. How effectively and how economically are these international financial institutions being administered, with attention to the large salaries paid to management and staff, the benefits received by the institutions' staffs, the effectiveness of the administrators in directing assistance to the problem areas and to the poor people in poor countries.

Thus, as the year progresses, the multilateral institutions will be subjected to oversight by our committee, by other House Committees and by Congress in general. If the institutions are not performing in the manner Congress feels they should, it will have the opportunity in fiscal year 1979 to take additional corrective steps. I can assure you that I have no intention of allowing these institutions to receive large U.S. contributions without the proper oversight to insure that these contributions are properly obligated.

In view of the willingness of the President to take these very stringent steps and with the cooperation of the Senate, we have been able to work out the following compromise on issues originally reported in true disagreement:

First. On the amendments dealing with the prohibition of indirect assistance to Vietnam, Laos, Cambodia, Uganda, Angola, Mozambique, and Cuba (amendments Nos. 42, 45, and 79), the "indirect" language has been eliminated. This can now be done because the President, in his

letter to me, said in no uncertain terms that he will instruct the U.S. representatives to the international institutions to vote against and oppose loans or other financial assistance to these countries. Language is included in the conference report which states that extensions of assistance to any country by multilateral institutions during fiscal year 1978, contrary to the opposition of the U.S. representatives as directed by the President, will be the subject of intensive committee oversight.

Second. On the provision prohibiting funds to the international financial institutions from being used for the purpose of establishing or expanding production of sugar, palm oil or citrus crops, (amendment No. 77) this language has also been deleted. Again, this deletion has been recommended based on the assurances of the President that he will direct the U.S. representatives to oppose and vote against loans for establishing or expanding production for export of palm oil, sugar, or citrus crops if such assistance will cause injury to U.S. producers of the same, similar or competing agricultural commodity. In addition, the authorization bill (Public Law 95-118) also addresses this subject.

Third. The House retained its provisions dealing with human rights (no military training to Argentina, amendment No. 37, no military aid, military training or military credit sales to Ethiopia and Uruguay, amendment No. 72,

and no military credit sales to Argentina, Brazil, El Salvador, and Guatemala, amendment No. 73). One modification was made with regard to the limitations of military assistance, training and credit sales to the Philippines, amendment No. 74. We split the money amounts with the Senate but retained the provision setting these limits for the Philippines.

Mr. Speaker, the conference agreement is a compromise. I hope the House adopts it.

Mr. Speaker, I insert the letter I received from the President concerning the international financial institutions and a table which lists the amounts contained in the conference agreement:

THE WHITE HOUSE,  
Washington, October 6, 1977.

HON. CLARENCE D. LONG,  
Chairman, Subcommittee on Foreign Operations,  
Committee on Appropriations, U.S.  
House of Representatives, Wash-  
ington, D.C.

TO CHAIRMAN CLARENCE LONG: Secretary Blumenthal has informed me of your constructive efforts to achieve a successful resolution of the problems posed by the amendments to the foreign aid appropriations bill restricting the use of U.S. contributions to the international development banks.

I deeply appreciate your helpful suggestions and the role you have played thus far in steering this vitally important legislation through the House.

As I stated in our meeting last Friday, I fully agree with you and your colleagues in the House that U.S. assistance through the banks must take full account of the human

rights policies of recipient countries. Accordingly, I will shortly sign into law the recently passed authorizing legislation for U.S. participation in the international development banks which require that the U.S. representatives to the banks oppose loans to gross violators (except where those loans are directed specifically to programs which serve the basic human needs of citizens of such countries).

Additionally, as we discussed earlier, I shall instruct the U.S. Executive Directors in the banks to oppose and vote against, throughout FY 1978, any loans to the seven countries mentioned in the House amendments. Our representatives will also oppose and vote against loans for the production of the three commodities where such production is for export and could injure producers in the United States. You may be certain that I shall closely watch and review the lending practices of the banks during this fiscal year.

For the longer run, I have directed the Secretary of the Treasury, in consultation with the leadership and appropriate committee of the Congress, to undertake a thorough study of how the whole range of U.S. objectives, including the type envisaged in these amendments, can best be pursued in the banks. I would expect that the results of this appraisal could help guide our efforts for FY 1979 and beyond, in partnership between the Administration and the Congress.

I would hope that these steps would enable the House to avoid adopting any of the restrictive amendments, previously passed, in the final foreign assistance appropriations bill for FY 1978.

I appreciate your support and counsel on these critically important issues confronting our foreign policy.

Sincerely,

JIMMY CARTER.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY

	New budget authority					Conference compared with—			
	Enacted fiscal year 1977	Estimates fiscal year 1978	House fiscal year 1978	Senate fiscal year 1978	Conference fiscal year 1978	Fiscal year 1977 enacted	Fiscal year 1978 estimate	House bill	Senate bil
<b>TITLE I</b>									
<b>FOREIGN ASSISTANCE ACT ACTIVITIES</b>									
Funds Appropriated to the President									
Economic Assistance									
Food and nutrition, development assistance	505,000,000	550,000,000	535,000,000	515,000,000	515,000,000	+10,000,000	-35,000,000	-20,000,000	.....
Population planning, development assistance	143,600,000	167,000,000	160,600,000	155,000,000	155,000,000	+11,400,000	-12,000,000	-5,600,000	.....
Health, development assistance	70,400,000	104,903,000	100,000,000	95,000,000	95,000,000	+24,600,000	-9,903,000	-5,000,000	.....
Education and human resources development, development assistance	70,000,000	84,430,000	80,000,000	75,000,000	76,000,000	+6,000,000	-8,430,000	-4,000,000	+1,000,000
Technical assistance, energy, research, reconstruction and selected development problems, development assistance	67,000,000	99,950,000	95,000,000	90,000,000	90,000,000	+23,000,000	-9,950,000	-5,000,000	.....
Subtotal	856,000,000	1,006,283,000	970,600,000	930,000,000	931,000,000	+75,000,000	-75,283,000	-39,600,000	+1,000,000
Loans	(300,000,000)	(325,000,000)	(310,500,000)	(310,500,000)	(310,500,000)	(+10,500,000)	(-14,500,000)	.....	.....
Grants	(556,000,000)	(681,283,000)	(660,100,000)	(619,500,000)	(620,500,000)	(+64,500,000)	(-60,783,000)	(-39,600,000)	(+1,000,000)
International organizations and programs	228,000,000	266,500,000	257,000,000	224,750,000	231,250,000	+3,250,000	-35,250,000	-25,750,000	+6,500,000
United Nations Environment Fund	(10,000,000)	.....	.....	.....	.....	(-10,000,000)	.....	.....	.....
American schools and hospitals abroad	19,800,000	7,500,000	25,000,000	19,800,000	23,750,000	+3,950,000	+16,250,000	-1,250,000	+3,950,000
American schools and hospitals abroad (foreign currency program)	(7,000,000)	(7,000,000)	(7,000,000)	.....	.....	(-7,000,000)	(-7,000,000)	(-7,000,000)	.....
Indus Basin Development Fund, grants	15,750,000	.....	.....	.....	.....	.....	.....	.....	.....
Contingency fund	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	.....	.....	.....	.....
International disaster assistance	25,000,000	45,000,000	18,500,000	18,500,000	18,500,000	-6,500,000	-26,500,000	.....	.....
Italy relief and rehabilitation	.....	.....	20,000,000	30,000,000	25,000,000	+25,000,000	+25,000,000	+5,000,000	-5,000,000
Lebanon relief and rehabilitation assistance	20,000,000	.....	.....	.....	.....	-20,000,000	.....	.....	.....
Sahel development program	.....	50,000,000	50,000,000	50,000,000	50,000,000	+50,000,000	.....	.....	.....
International narcotics control	34,000,000	39,000,000	39,000,000	38,000,000	37,100,000	+3,100,000	-1,900,000	-1,900,000	-900,000
Payment to the Foreign Service Retirement and Disability Fund	21,250,000	21,450,000	21,450,000	21,450,000	21,450,000	.....	.....	.....	.....
Overseas training (foreign currency program)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	.....	.....	.....	.....
Middle East Special Requirements Fund	.....	.....	.....	.....	.....	.....	.....	.....	.....
Middle East special requirements fund	23,000,000	25,000,000	8,000,000	8,000,000	8,000,000	-15,000,000	-17,000,000	.....	.....
Security Supporting Assistance	.....	.....	.....	.....	.....	.....	.....	.....	.....
Security supporting assistance	1,734,700,000	1,887,200,000	2,214,700,000	2,202,200,000	2,202,200,000	+467,500,000	+315,000,000	-12,500,000	.....
Assistance to Portugal	.....	.....	.....	.....	.....	.....	.....	.....	.....
Assistance to Portugal (Balance of Payments Loan)	.....	300,000,000	.....	.....	.....	.....	-300,000,000	.....	.....

## COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY—Continued

	New budget authority					Conference compared with—			
	Enacted fiscal year 1977	Estimates fiscal year 1978	House fiscal year 1978	Senate fiscal year 1978	Conference fiscal year 1978	Fiscal year 1977 enacted	Fiscal year 1978 estimate	House bill	Senate bill
TITLE I—Continued									
FOREIGN ASSISTANCE ACT									
ACTIVITIES—Continued									
Funds Appropriated to the President—Con.									
United Nations Forces in Cyprus									
United Nations Forces in Cyprus.....		9,600,000	9,100,000	9,100,000	9,100,000	+9,100,000	-500,000		
Operating Expenses of the Agency for International Development									
AID operating expenses.....	195,055,000	220,200,000	215,200,000	210,200,000	213,000,000	+17,945,000	-7,200,000	-2,200,000	+2,800,000
Inter-American Foundation									
Inter-American Foundation (limitation on obligations).....	(7,000,000)	(7,062,000)	(7,062,000)	(7,062,000)	(7,062,000)	(+62,000)			
Israel-United States Binational Industrial Research and Development Foundation									
Israel-United States Binational Industrial Research and Development Foundation.....	30,000,000						-30,000,000		
Total, economic assistance, title I.....	3,207,555,000	3,882,733,000	3,853,550,000	3,767,000,000	3,775,350,000	+567,795,000	-107,383,000	-78,200,000	+8,350,000
Military Assistance									
Military Assistance Program									
Military assistance.....	264,550,000	230,000,000	220,000,000	220,000,000	220,000,000	-44,550,000	-10,000,000		
Drawdown authority.....		(67,500,000)					(-67,500,000)		
International Military Education and Training									
International military education and training.....	25,000,000	35,000,000	30,000,000	30,000,000	30,000,000	+5,000,000	-5,000,000		
Total, military assistance, title I.....	289,550,000	265,000,000	250,000,000	250,000,000	250,000,000	-39,550,000	-15,000,000		
Total, title I, new budget (obligational) authority, Foreign Assistance Act activities.....	3,497,105,000	4,147,733,000	4,103,550,000	4,017,000,000	4,025,350,000	+528,245,000	-122,383,000	-78,200,000	+8,350,000
TITLE II									
FOREIGN MILITARY CREDIT SALES									
Foreign military credit sales.....	740,000,000	707,750,000	675,850,000	677,000,000	675,850,000	-64,150,000	-31,900,000		-1,150,000
Rescissions approved.....	-41,500,000					+41,500,000			
Total, titles I and II, new budget (obligational) authority.....	4,195,605,000	4,855,483,000	4,779,400,000	4,694,000,000	4,701,200,000	+505,595,000	-154,283,000	-78,200,000	+7,200,000
TITLE III									
FOREIGN ASSISTANCE (OTHER)									
Independent Agency									
ACTION—International Programs									
Peace Corps.....	80,000,000	84,803,000	81,000,000	84,800,000	82,900,000	+2,900,000	-1,900,000	+1,900,000	-1,900,000
Department of Health, Education, and Welfare									
Cuban refugee assistance.....	82,000,000					-82,000,000			
Special assistance to refugees from Cambodia, Vietnam, and Laos in the United States.....	50,000,000					-50,000,000			
Total, Department of Health, Education, and Welfare.....	132,000,000					-132,000,000			
Department of State									
Migration and refugee assistance.....	28,755,000	30,054,000	53,054,000	53,054,000	53,054,000	+24,299,000	+23,000,000		
Assistance to refugees from the Soviet Union and other Communist countries in Eastern Europe.....	15,000,000					-15,000,000			
United States Emergency Refugee and Migration Assistance Fund.....	3,660,000	15,000,000	10,000,000	10,000,000	10,000,000	+6,340,000	-5,000,000		
Total, Department of State.....	47,415,000	45,054,000	63,054,000	63,054,000	63,054,000	+15,639,000	+18,000,000		
Funds Appropriated to the President									
International Financial Institutions									
Asian Development Bank:									
Paid-in capital.....	24,127,000	20,357,156	16,000,000	17,939,178	16,799,000	-7,328,000	-3,558,156	+799,000	-1,140,178
Callable capital.....	66,350,000	183,214,407	124,000,000	163,060,822	151,189,000	+84,839,000	-32,025,407	+27,189,000	-11,871,822
Development fund.....	25,000,000	60,000,000	60,000,000	54,000,000	49,512,000	+24,512,000	-10,488,000	-10,488,000	-4,488,000
Total, Asian Development Bank.....	115,477,000	263,571,563	200,000,000	235,000,000	217,500,000	+102,023,000	-46,071,563	+17,500,000	-17,500,000

	New budget authority					Conference compared with—			
	Enacted fiscal year 1977	Estimates fiscal year 1978	House fiscal year 1978	Senate fiscal year 1978	Conference fiscal year 1978	Fiscal year 1977 enacted	Fiscal year 1978 estimate	House bill	Senate bill
<b>Inter-American Development Bank:</b>									
Inter-regional paid-in capital.....	56,000,000	40,007,026	40,000,000	40,000,000	36,711,000	-19,289,000	-3,296,026	-3,289,000	-3,289,000
Callable capital.....	320,000,000	199,998,937	199,000,000	199,000,000	182,639,000	-137,361,000	-17,359,937	-16,361,000	-16,361,000
Inter-regional callable capital.....	159,997,304	159,997,304	159,000,000	159,000,000	145,927,000	+145,927,000	-14,070,304	-13,073,000	-13,073,000
Fund for special operations.....	210,000,000	200,000,000	125,000,000	125,000,000	114,723,000	-95,277,000	-85,277,000	-10,277,000	-10,277,000
<b>Total, Inter-American Development Bank.....</b>	<b>586,000,000</b>	<b>600,003,267</b>	<b>523,000,000</b>	<b>523,000,000</b>	<b>480,000,000</b>	<b>-106,000,000</b>	<b>-120,003,267</b>	<b>-43,000,000</b>	<b>-43,000,000</b>
<b>International Bank for Reconstruction and Development:</b>									
Paid-in capital.....	52,295,211	40,000,000	40,000,000	40,000,000	38,000,000	+38,000,000	-14,295,211	-2,000,000	-2,000,000
Callable capital.....	470,656,895	360,000,000	360,000,000	360,000,000	342,000,000	+342,000,000	-128,656,895	-18,000,000	-18,000,000
<b>Total, International Bank for Reconstruction and Development.....</b>	<b>522,952,106</b>	<b>400,000,000</b>	<b>400,000,000</b>	<b>400,000,000</b>	<b>380,000,000</b>	<b>+380,000,000</b>	<b>-142,952,106</b>	<b>-20,000,000</b>	<b>-20,000,000</b>
International Finance Corporation.....	44,597,200	40,000,000	40,000,000	42,000,000	38,000,000	+38,000,000	-6,597,200	-2,000,000	-4,000,000
International Development Association.....	430,000,000	1,175,000,000	950,000,000	800,000,000	800,000,000	+370,000,000	-375,000,000	-150,000,000	-150,000,000
African Development Fund.....	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000				
<b>Subtotal, International Financial Institutions.....</b>	<b>1,141,477,000</b>	<b>2,616,124,136</b>	<b>2,123,000,000</b>	<b>2,010,000,000</b>	<b>1,925,500,000</b>	<b>+784,023,000</b>	<b>-690,624,136</b>	<b>-197,500,000</b>	<b>-84,500,000</b>
<b>Total, title III, new budget (obligational) authority, Foreign Assistance (other).....</b>	<b>1,400,892,000</b>	<b>2,745,978,136</b>	<b>2,267,054,000</b>	<b>2,157,854,000</b>	<b>2,071,454,000</b>	<b>+670,562,000</b>	<b>-674,524,136</b>	<b>-195,600,000</b>	<b>-86,400,000</b>
<b>TITLE IV</b>									
<b>EXPORT-IMPORT BANK OF THE UNITED STATES</b>									
Limitation on program activity.....	(6,334,443,930)	(5,458,207,000)	(5,458,207,000)	(5,458,207,000)	(5,458,207,000)	(-876,236,000)			
Limitation on administrative expenses.....	(12,306,000)	(12,695,000)	(12,695,000)	(12,695,000)	(12,695,000)	(+389,000)			
<b>Total, title IV, Export-Import Bank of the United States, limitations on use of corporate funds.....</b>	<b>(6,346,749,930)</b>	<b>(5,470,902,000)</b>	<b>(5,470,902,000)</b>	<b>(5,470,902,000)</b>	<b>(5,470,902,000)</b>	<b>(-875,847,000)</b>			
<b>Subtotal, new budget (obligational) authority, titles I, II and III.....</b>	<b>5,596,497,000</b>	<b>7,601,461,136</b>	<b>7,046,454,000</b>	<b>6,851,854,000</b>	<b>6,772,654,000</b>	<b>+1,176,157,000</b>	<b>-828,807,136</b>	<b>-273,800,000</b>	<b>-79,200,000</b>
5-percent adjustment.....			-352,322,700					+352,322,700	
<b>Grand total, new budget (obligational) authority, titles I, II and III.....</b>	<b>5,596,497,000</b>	<b>7,601,461,136</b>	<b>6,694,131,300</b>	<b>6,851,854,000</b>	<b>6,772,654,000</b>	<b>+1,176,157,000</b>	<b>-828,807,136</b>	<b>+78,522,700</b>	<b>-79,200,000</b>
Romanian relief and rehabilitation fiscal year 1977 supplemental.....		13,000,000		13,000,000	13,000,000	+13,000,000		+13,000,000	

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I am delighted to yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Speaker, I want to say to the distinguished chairman of the subcommittee, the gentleman from Maryland (Mr. LONG) that, in my judgment, the gentleman has done the best job that could be done with this legislation under the circumstances.

We all know that the foreign aid bill is a difficult bill for most of us and not all of us can support it. There are a number of reasons that this is so. However, let me say this, the subcommittee, through long and diligent effort on both sides of the aisle, have sought to come forward with a conference report that could be accepted by most Members.

Under the circumstances I hope the plea of the gentleman from Maryland (Mr. LONG) will be heeded and the conference report adopted.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I will be glad to yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. I thank the gentleman for yielding. I want to join with the distinguished chairman of the committee, the gentleman from Texas (Mr. MAHON) in commending the gentleman from Maryland (Mr. LONG) and the ranking minority member, the gentleman from

Florida (Mr. YOUNG) for the diligent and effective manner in which they have attempted to carry out the express wishes of the House. I think they have done a good job. They have gained from the President of the United States some significant recognition of the views of this body. They have driven as hard a bargain as could be driven. I think they have gotten as good a bill as could be written. I believe this conference report is a good balance between the wishes of the House and the responsibilities of the House. I think it ought to be passed, and I want to commend the gentlemen for their efforts in that regard.

Mr. LONG of Maryland. I thank the distinguished majority leader for his very kind comments.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, is the language regarding direct aid to those named countries included in this conference report?

Mr. LONG of Maryland. Yes.

Mr. SKELTON. So there can be no direct aid to Cuba, Vietnam, et cetera?

Mr. LONG of Maryland. That is correct.

Mr. SKELTON. Now regarding the so-called indirect aid which I suppose would go to the various world banking-type institutions, it is my understanding that the President is directing our repre-

sentative to vote against such aid from those banks to those places.

Mr. LONG of Maryland. That is correct.

Mr. SKELTON. Let me ask the gentleman this. What type of oversight does his committee plan? Does it plan periodic oversight, an oversight of every vote, or just what does his committee plan?

Mr. LONG of Maryland. If I may respond to the gentleman, the committee intends to conduct oversight hearings into the banks on a broad range of issues. In addition to the issues of salaries paid to the bank personnel and public accountability, we shall look closely at specific loans to the countries where the U.S. representatives have been instructed to vote against such loans.

I will be writing a letter to the various banks, particularly to the World Bank and the International Development Association, warning them that if any money is provided to these countries or if any aid is given notwithstanding the direction of the President to vote against such assistance, that the Congress will take a very serious view of this conduct. I am asking them to regard this as a warning not to give the loans to these countries. If they do, it will be at their own risk, and then it will be up to the Congress in the next session to judge the actions they have taken in light of this criticism.

Mr. SKELTON. The gentleman has answered my question. I believe they have carefully thought this out and it is

the intent that this be a continuing serious oversight from this point on out.

Mr. LONG of Maryland. I can assure the gentleman it will be a serious oversight. We will conduct careful oversight hearings and I shall make recommendations according to our findings.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Speaker, it is with some reluctance that I rise in opposition to this conference report. It is not because I am generally opposed to so-called foreign aid. I think that there are international responsibilities that we have as a nation that should be properly handled in this legislation. The chairman of the subcommittee has adequately told the House just what happened. If Members will recall, when this bill went through the House we got into the country-naming business.

We named the countries all over the world as to those that were better than others in the area of human rights and we put on limitations and so forth. This has seriously disturbed the administration. As a matter of fact, my position is exactly the same as that of the administration.

We ought not name any countries in this bill. We should let the President of the United States, the Secretary of the Treasury, the Secretary of State, do what they think is in the best interests of the United States in this area.

Some of us have gone down to the White House several times and the President said very clearly that he did not want us to restrict him in dealing with these other countries.

When the conference report came back, we had all these amendments in disagreement, mainly in the area of human rights; so we recommitted the matter back to the conference.

When the minority went back to the conference, we did not know that a deal had already been made, that the House conferees knew, except the minority, just exactly what was going to happen. The House conferees receded from the so-called Young amendment, which applies to the international banks and other multilateral organizations. It provides that none of the banks' funds could be used for the countries that were named: Uganda, Laos, and Cambodia. The Senate receded on all of the amendments having to do with our friends in Latin America: Argentina, Brazil, Guatemala, and El Salvador.

So we find ourselves in the position of naming only countries in Latin America, where we have been trying to make friends.

My position has been exactly the same as the Senate position. We should name no countries. As a matter of fact, when the conferees met, we had a vote. A motion was made that we would name no countries. All the conferees on our side of the aisle supported that motion, even though some had reservations about it. But the majority defeated the motion.

Now I find myself in an untenable position. I voted against the bill when it

passed the House, for the simple reason that I did not like naming countries. Now I am asked to vote for the conference report by administration officials. I understand their problem, but I want them to understand mine. I cannot vote for the conference report when we name in one part of the bill the countries in Latin America, and in the other part of the bill we recede from naming other countries that are in the Young amendment.

If we name countries, we lose the opportunity that I believe the President needs to try to make some progress in the area of human rights. The amendments in this report which single out for discrimination such friendly countries as the Philippines, Argentina, Brazil, El Salvador, and Guatemala, if adopted, will be in effect at least until October 1, 1978. There is no discretion left to the President in case one of these countries changes its internal policies which supposedly led to their being singled out. That is not wise policy if our intent is to improve the human rights of the citizens of these neighboring countries. What incentive is there for improvements in human rights policies? Our aid will be cut off no matter what they do in the next year.

I know there is concern here this afternoon in regard to what effect the defeat of this conference report would have on our aid programs elsewhere, particularly for Israel. I share that concern, but there is no doubt in my mind that if this report is indeed rejected, the committee will quickly bring out another conference report which will take care of Israel and our other friends around the world.

Frankly, I cannot understand how the majority leadership can support the adoption of this conference report, and, at the same time, say they are supporting the President. If the report is adopted, it will be the Congress, not the President, who will be directing the day-to-day operation of our foreign policy. How can the President's leadership in the House support that?

It would be my hope that any new bill would not include any provisions identifying individual countries for discriminatory or arbitrary treatment without some presidential discretion. The President needs and deserves a degree of flexibility in the exercise of his constitutional responsibilities, and we should not tie his hands in an appropriations bill.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Speaker, I rise in opposition to the Foreign Aid Appropriations Conference Report now before this body.

My reasons for doing so center around the very persuasive and incisive remarks made by my distinguished colleague from the State of Florida. How is it that this Congress is applying double standards in allocating direct and indirect aid to certain countries and not to others? Whereas Vietnam, Uganda, Laos, and Cambodia stand to receive our aid through such channels as the United Nations Development Program and the International Development Association,

the U.S. allies of Argentina, Brazil, Guatemala, and the Philippines do not.

Somehow the United States appears to be extending the Monroe Doctrine into Big Brother persuasion within the Western Hemisphere; that is where Argentina, Brazil, and Guatemala come into the picture. As for the Philippines the United States is still pulling the strings with its former colonial territory. It gave it its independence after World War II, but it continues to tell the Philippine Government how to run its own business under the nebulous banner of human rights.

On the other side of the coin U.S. aid is being furnished to the closed societies of Vietnam, Cambodia, Laos, and Uganda and I need not remind my colleagues what atrocities continue to be committed daily in each of these countries. Foreign journalists and expatriates who are able to provide bits and pieces of information on the internal strifes in these nations report mass murders and other bizarre atrocities. Such infamy far surpasses any so-called "human rights" violations among those countries in the conference report's "hit list."

What is the explanation? Are we witnessing a backdoor attempt by the authors of this bill to supply post-war reparations to our former adversaries on the battlefield? Are we handling Idi Amin's Uganda with kid gloves in light of some ambiguous Carter policy in the handling of our country's affairs with the continent of Africa?

Mr. Speaker, if the Members of this House choose to accept the Foreign Aid Appropriations Conference Report without attaching the crucial Young amendment, we will have cowered to a shallowness which borders on hypocrisy. Our allies will have lost while our adversaries will have handsomely gained. I therefore call upon the House to assert its constitutionally mandated initiative and soundly defeat the conference report as it currently stands.

Mr. YOUNG of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, Members of the House, I rise very reluctantly to support this conference report. First of all, let me say that this bill, as I have said on the floor for the last 2 years and as long as I have been on this committee, has really no constituency whatsoever. It is not like the public works bill where Members are bringing home dams, irrigation projects, and so forth to their districts. Here, they are bringing back nothing to their districts. They are giving something away to the more underdeveloped and poor countries of this world.

And believe me, when they argue about the shortcomings of this bill, it is true that this bill really is a kettle of worms. It is very, very difficult for me to stand in the well of this House and try to justify this bill. But I support the bill. Government is the art of compromise, and I think that we have reached a compromise here. We need a foreign aid bill, and we should get it to the President as soon as possible.

Why am I upset? First of all, I think

that the President—and I told him so when we met at the White House with 100 or so Congressmen—that he should not have written a letter to the chairman of the committee as he did. He capitulated to the chairman of the committee and to Mr. Young, stating that he is going to instruct his representatives to international financial institutions not to vote any loans to those specific countries Mr. Young has delineated in his amendment, and for the commodities of palm oil, sugar, and citrus Mr. MOORE included in the bill.

Well, the Members know the reason why these Banks were started in the first place. It was to provide some flexibility to deal with the underdeveloped countries of the world. By capitulating, as the President has, I hate to say it, but next year everyone—and everyone rightfully so—who has a commodity in his district which has a problem will and should tack on an amendment. We will see amendments on steel, on footwear, on textiles, on dingleberries—you name it, everyone will have an amendment limiting loans for commodity production.

The only thing this will accomplish is to cripple the entire international banking program to which we contribute.

In addition some liberals will tack on further amendments restricting funds to conservative regimes and dictatorships.

Likewise some conservatives will include restrictive amendments for countries that, they feel, are not run by individuals who adhere to their particular political philosophy. And, as a result, they are going to cripple international financial institutions.

Let me tell the Members a little something about this bill and why we should vote for this compromise and for the entire bill.

There is \$1,805 million in this bill for Israel; \$1 billion in foreign military credit sales; \$785 million in security supporting assistance; \$20 million for refugees from the Soviet Union and Eastern Europe.

Of that \$1 billion in foreign military credit sales, \$500 million is to be forgiven.

There is \$515 million for food and nutrition; there is \$155 million for population planning; there is \$95 million for our health program around the world; there is \$75 million for education; there is \$90 million for technical assistance; there is \$231.25 million for the international organizations.

And besides Israel, in the Middle East we have \$750 million for Egypt; \$93 million for Jordan; \$90 million for Syria; \$20 million for Lebanon; \$15 million for Cyprus.

And I will say to those Members, who, like myself, are interested in the problems of Africa, we have \$80 million for South Africa for the special request fund; \$3 million for Botswana; \$5 million for Lesotho; \$10½ million for Swaziland; \$10 million for Zaire; \$6½ million for regional Africa.

Mr. Speaker, this is a very important bill. This is a very important bill in regard to our foreign policy. As I men-

tioned earlier, there are a lot of sections of this bill that I do not like, but I think overall it is a good compromise and it should be approved.

Mr. LONG of Maryland. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. PEASE).

Mr. PEASE. I thank the gentleman for yielding.

Mr. Speaker, I commend the conference committee for arriving at a reasonable compromise, one which not many of us will be entirely happy with. Some of us would like to have no restrictions at all by specified nations. Others in the House want the particular nations named. I think the compromise is a reasonable one, as I say. I am particularly happy to have removed from the bill the language referring specifically to indirect aid as it would affect international financial institutions. I say that as a sponsor of bills which would impose a trade ban on Uganda, one of the seven nations mentioned. But I make a distinction between a trade ban, which is a direct obligation and responsibility and authority of the Congress, and a ban on U.S. aid by international financial institutions, which is quite different and, I think, beyond the proper role, by specific language, of the House.

As I say, I am happy that that language has been worked out of the bill. I think the assurances of President Carter will help in that respect.

Mr. Speaker, again, I commend the conference committee for its good work.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nebraska (Mrs. SMITH).

Mrs. SMITH of Nebraska. Mr. Speaker, I urge my colleagues to reject this second conference report on the fiscal year 1978 Foreign Assistance Appropriations bill.

This is the only course remaining if the House wishes to stand fast in opposition to U.S. funds financing indirect or direct assistance or reparations to Vietnam, Uganda, Laos, or Cambodia.

The key word has always been "indirectly." Without it section 107 of the bill is meaningless. No direct U.S. aid was ever proposed for these countries.

Two proposals since the September 26 first conference report should actually reinforce our opposition to the indirect aid through the World Bank, IDA and the UNDP, now permitted in the second conference report.

The first is the so-called compromise by President Carter, whereunder he will instruct our Bank and IDA representatives to vote against loans to the four countries named in the Young amendment, and the other three in the Crane and Ashbrook amendments.

The second is the recommendation by the Development Coordination Committee, chaired by AID Director John Gilligan, that U.S. development assistance alone be increased to \$14.5 billion by 1982. This is more than three times what is proposed in the fiscal year 1978 bill, and does not include the billions we spend on security supporting assistance.

Taken together, these proposals mean an enormous increase in foreign aid

spending, and an enormous decrease in congressional control over that spending.

With all due respect to President Carter, his "compromise" fails on two counts.

First, quite simply accedes to World Bank President Robert McNamara's imperious assertion that the Charter forbids acceptance of funds to which the donor country attaches restrictions. Second, it proposes a remedy already tried by Congress with no success: Last year, for example, our IDA representative voted seven times against loans to India as required under the Long amendment, and seven times the loans were approved.

Now, Mr. Speaker, let us set forth five facts in this dispute the facts are clear.

First, the World Bank, IDA, and the UNDP have already given and are going to continue to give millions of dollars to Uganda. They are also preparing to give millions of dollars or soft loans—to Vietnam and Laos.

There is no doubt, there can be no argument on this. Mr. BILL YOUNG—to his great credit—has laid it all out for us.

Nor has there been any denial, or attempt to rebut by the administration, the Banks, or the UNDP.

It is, therefore settled policy. This is fact No. 1.

On the other hand, the House on June 23, 1977, voted against direct or indirect assistance to these countries. Two hundred and ninety-five Democrats and Republicans so voting makes for an emphatic statement. This was not a party-line or liberal versus conservative vote.

This is fact No. 2.

On the same date, the House made the point even more strongly with respect to Vietnam. Immediately after voting for the Young amendment, 339 Democrats and Republicans approved the Wolf amendment that there shall be no direct or indirect use of U.S. funds as reparations to Vietnam.

This is fact No. 3.

This month, in New York, the U.N. and the UNDP are planning to provide a large new assistance program for Vietnam or Laos.

This is fact No. 4.

To repeat, the World Bank, IDA and the UNDP wish to provide such aid. It is already their policy to do so. Thus a share of the unspent millions we already have given to these institutions will be used to assist Uganda, Vietnam, and Laos.

Now, we are being pressured to agree that fiscal year 1978 and future U.S. funds be given to these institutions with no restrictions attached, which means the money can continue to go to these countries.

In other words, the Banks and the UNDP are making no compromises or modifications in their policy. Why, then should a Presidential directive at this late date have any effect on such policy?

What then is the role of the House insofar as appropriating funds for the Bank and the U.N.?

Remember, we are speaking of one of the basic constitutional powers of the House. Remember, the administration

has before it a Cabinet-level proposal to spend \$14.5 billion by 1982 on development assistance alone. Remember, the Banks and UNDP reject with scorn our claim to have any oversight power over them.

Well, we can shout and clamor, and do rain dances in our own little arena against U.S. taxpayers money going to such governments as Uganda, Vietnam, Laos, and Cambodia.

But nothing more than that.

After we have had our annual exercise, we are expected to give Mr. McNamara and his associates, and the UNDP, the money in fee simple.

The unrestricted \$2 billion—which may balloon to \$10 billion or more by 1982—is all that really matters and all they are interested in. And this is a fact.

Finally, next January, even as winter predictably is followed by spring, we will have a big, fat supplemental appropriations request to restore the funds we cut from the Banks and the UNDP in this bill.

So much for compromise and modifications.

It is indeed interesting that those hard-nosed Communists in Hanoi see so clearly the passive role Congress is supposed to play in funding the World Bank, IDA, and the UNDP.

Mr. Tran Duong, director of Vietnam's Central Bank says the U.S. will pay the "promised reparations to Vietnam." He explains it very simply:

In the process the United States will put money into IDA—and these commitments would be fulfilled to Vietnam.

Would that others in our Government, the Banks, and the U.N. were so brutally candid.

It has been charged that the House, through the Young and Wolf amendments, is attempting to dictate policy to the Banks and the U.N.

No, Mr. Speaker, it is just the reverse. The Banks and the U.N. are, in fact, determining an important and costly segment of our foreign policy.

There will no longer be any doubt on this, if the House reverses itself and accepts this conference report.

Mr. LONG of Maryland. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SIMON).

Mr. SIMON. Mr. Speaker, this is a compromise, and, as a compromise, I support it. But the gentleman from Michigan (Mr. CEDERBERG) was absolutely correct in what he had to say. We are excessively tying the hands of the Executive, and we simply do not have the flexibility to deal with foreign affairs that the Executive has. The time will come when we will regret doing this.

I recall about a year ago when my colleague, the gentleman from Illinois, JOHN ANDERSON, standing right over at the microphone, where the gentleman from California and the gentleman from Nebraska are now sitting, stood up and pointed to those of us on the Democratic side of the aisle and said,

The trouble with you Democrats is that you think Richard Nixon is still President of the United States.

There was and there is some validity to what he had to say. We went through the era of Watergate and Vietnam when Congress abdicated a good portion of its responsibilities, and now we have gone to another extreme and we are getting involved excessively in things that the Executive can handle much more effectively. We ought to handle broad policy considerations, not details of administration.

But this is a compromise. I recognize this is the best we can get right now. The responsible vote is a vote in support of the conference committee.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think one of the greatest sighs of relief that the Members will heave today will be because of the fact that they are probably not going to get any more "Dear Colleague" letters from me on the subject of foreign aid for the next couple of weeks, anyway.

Mr. Speaker, I want to pay a compliment to the chairman of the subcommittee and to all the members of the subcommittee, including those on the minority side, and especially to the gentleman from Massachusetts (Mr. CONTE), who has spent more time as a member of his subcommittee than any of the rest of us. Although we have had strong disagreement on occasion, he has been very, very helpful in the conduct of the committee's affairs, and he certainly helped to give me an education on the subject of foreign aid.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, let me say this to the gentleman in the well: He is absolutely right. I have been on the committee for almost 20 years. I have seen a lot of men come and go on that committee; and although the gentleman in the well and I have disagreed on this issue and perhaps several others in this foreign aid bill, I have yet to see anyone on that committee who has done his homework better and has prepared himself better than has the gentleman in the well.

Mr. Speaker, whether it was here on the floor of the House or in the committee or down at the White House when we spoke to President Carter, the gentleman from Florida (Mr. YOUNG) was well prepared, he did his homework well, and we are proud of him.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for his comments.

I want to further compliment our colleague, the gentlewoman from Nebraska (Mrs. SMITH). She and I served for the first time in our careers on this subcommittee this year. I want to say that she has been just a tremendous strength in trying to do what is right and in developing a bill that is going to be good for this country.

All of the members of the subcommittee worked hard together, and the chairman deserves a special compliment for being able to bring those divergent factors together.

With the nice words behind us, Mr. Speaker, I want to talk about the compromise. I will tell the Members that this compromise which they are hearing about is the compromise that allows U.S. dollars to go indirectly in aid to Vietnam, Laos, Uganda, Cuba, Mozambique, and a number of others, while placing restrictions on the direct aid to our old friends like Argentina, Brazil, and the Philippines.

That is the compromise, Mr. Speaker. Those were the only controversial issues that went back to the second conference committee to be compromised out.

I do not think it was a compromise, and I am not going to vote for it.

After having said that, I have to be honest with the Members and say that there is no doubt that we have made some strides toward an eventual goal.

Mr. Speaker, when we started this argument earlier this year, I said I was not going to try to kill the foreign aid program, but that I was going to try to make it a responsible program, one in which the aid and assistance got to the people whom we intended it to help, and one under which we would have some accountability for the dollars and some control over how our dollars were used, even through the international banks.

That is what we are working toward, Mr. Speaker. We have not reached that goal yet. This compromise does not reach that point, but we are on the way to it.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I am sure the gentleman in the well will recognize that there is no language, direct or indirect, which could affect the money going from the banks to these countries because of the fungibility of money. There is not a Treasury stain on each dollar to make sure that it does not go to the wrong place even if they put it in a separate account.

Mr. Speaker, let me point this out: In view of the President's letter to the committee stating that he shall direct the U.S. Representatives to vote against and oppose any loans to these seven countries—and that means not just U.S. money, but any money—and in view of the fact that this committee, with the gentleman's help, is going to conduct stringent oversight investigations into that question, they are now on warning that they had better not give any money, ours or anybody else's, to these countries or they are traveling at their own risk.

In some respects an informal Young amendment is stronger than the formal Young amendment.

Mr. YOUNG of Florida. Mr. Speaker, I understand what the gentleman is saying, but the gentleman, of course, realizes that our representatives to all of these organizations, with one minor exception, can vote "no" all day long and the loan is still going to go through to countries like Vietnam and Uganda.

Mr. Speaker, I have conceded that the President's commitment certainly is a

step toward our eventual goal but we have not arrived at that goal yet.

Mr. Speaker, the members of our committee, I hope, will help us reach that goal one day. Maybe one day we will get some accountability for U.S. funds spent by the multinational financial institutions.

Not only accountability, but a consistent concern for human rights throughout the world. Not only a concern for human rights, but a concern about how much of our dollars are being loaned or given to countries that are often openly hostile to the United States.

I am concerned about what is to be the future of the foreign aid program. Maybe what we do today will help us find some answers.

I want to be able to find out, for example, what does the administration mean when they say they want to create a new international economic system? I want to know how that ties in with the words of Under Secretary of State Cooper, who said that the international banks should become the umbrella—the catalyst for all international finance.

I could not find answers to these questions in our hearings, hopefully through the oversight hearings that we will hold we will get the answers.

There are some good programs in this bill. I do not want anybody to get the idea that I am totally opposed to the bill. There are good things in the bill such as the gentleman from Massachusetts (Mr. CONTE) has mentioned and also the gentleman from Maryland (Mr. LONG) has mentioned, things that I can enthusiastically support. But the bill weighs still heavily in favor of a negative vote, so I will vote no.

I am sorry that the limitation of time will not allow us to go into new material that was developed since this proposal was on the floor the last time.

This so-called compromise bill calls for more dollars than the House bill contained when it left the House. However, this compromise bill has done something worthwhile and that is that the other body decided to cut IDA by \$150 million.

IDA, as I am sure the Members know, is one of my favorite targets. I am happy to see that \$150 million was cut from IDA.

But what does this mean? It means that we will have a supplemental appropriation for IDA before too many more months have gone by because the compromise not only does not provide the \$375 million for the IDA 4 replenishment, it only provides the first installment of IDA's fifth replenishment.

Am I getting you confused? IDA 4 and IDA 5, the first replenishment and the last replenishment? I think the program is intended to confuse you. We are working on IDA 4 and IDA 5, the third installment and the first installment. There is going to have to be another supplemental because there is not enough money in this for IDA 4, especially since we are cutting IDA by \$150 million.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I believe that we should make it perfectly clear in the record, though, that the bill that we are voting on today is \$828,807,000 below the request of the President.

Mr. YOUNG of Florida. That is correct, but the bill is some \$76 million over the figure originally passed by this House.

Mr. CONTE. I thank the gentleman for yielding.

Mr. YOUNG of Florida. Mr. Speaker, in closing, there are just so many things that I could not cover—because of the short time that I have remaining—that I may have to send a new "Dear Colleague" letter to the Members.

But, Mr. Speaker, if we have done nothing else, we have gotten a commitment from the committee to hold oversight hearings. These oversight hearings hopefully will permit us to get some accountability for some of our dollars going through the international banks. But, more than that, one of the things that I have been talking about for nearly a year, and that is the fact that those who set our foreign policy, those who spend our tax dollars, have too often ignored the constitutional role of the Congress to be the appropriating body to spend the tax dollars, and at least we have now gotten their attention. We now have the attention of the State Department. The Treasury Department, the White House, the World Bank and many national organizations headquartered here in Washington, have written to you or called you on the phone. The representatives from the U.N. have called you, you have gotten all kinds of attention, and if we have done nothing else for the Members of this House, we have let the other people who have been making foreign aid commitments in advance know that the Congress has a constitutional role to play, and, whether you vote yes or no, they at least know who you are today.

Mr. LONG of Maryland. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. HARKIN).

Mr. WEISS. Mr. Speaker, will the gentleman yield?

Mr. HARKIN. I will be glad to yield to the gentleman from New York.

Mr. WEISS. I thank the gentleman for yielding.

Mr. Speaker, on September 29, the United Nation's Economic and Social Council issued a resolution entitled "Assistance for reconstruction of Vietnam." Offered as a complement to the resolution granting Vietnam admission to the U.N., the new resolution expressed deep concern "over the grave economic and social consequences of the long years of war further aggravated by recent severe natural calamities," and urged "the Secretary-General to continue to encourage further mobilization of resources and efforts from the international community with a view to achieving the social and economic rehabilitation of Vietnam."

Regrettably, the United States did not

support this resolution. Such action only adds to the painful memories of the Vietnam war. It also contradicts a written promise made by then President Richard Nixon in a 1973 message to Pham Van Dong, Prime Minister of the former Democratic Republic of Vietnam, stating that:

The Government of the United States of America will contribute to postwar reconstruction in North Vietnam without any political conditions.

That there is a great need for rebuilding that war torn country is self-evident. Thirty years of fighting have devastated its land. To restore just its agricultural economy, which last year had a shortfall of 1 million tons of rice, would alone require \$142 million. Restoring the transportation system would require another \$290 million.

As the representative from Sri Lanka said in introducing the resolution, what is needed is a spirit of reconciliation rather than confrontation. I further believe that withholding our support for the reconstruction of Vietnam is as shortsighted and tragic a decision as our entry into the Vietnam war itself. We must correct rather than add to the mistakes of the past. Supporting reconstruction provides us with an excellent opportunity for doing so. For the sake of our national conscience and our national honor I urge the President to provide leadership to our people in accord with the United Nations resolution.

A copy of the entire resolution follows: [United Nations General Assembly, 32d session, Second Committee, Agenda item 12]

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Algeria, Angola, Austria, Bangladesh, Belgium, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Guinea, Guyana, Hungary, India, Lao People's Democratic Republic, Mongolia, Mozambique, Netherlands, Norway, Pakistan, Poland, Portugal, Romania, Sri Lanka, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Yugoslavia: revised draft resolution

ASSISTANCE FOR RECONSTRUCTION OF VIETNAM

The General Assembly,

Having warmly welcomed the admission of the Socialist Republic of Viet Nam to the United Nations,

Expressing profound admiration to the courageous Vietnamese people in their struggle for independence and national reunification and their constant efforts devoted to national reconstruction,

Deeply concerned over the grave economic and social consequences of the long years of war further aggravated by recent severe natural calamities,

Recalling the Secretary-General's statement in his annual report for 1974/75 expressing the hope that the United Nations system would be able to assist countries in the Indo-China Peninsula in their efforts for national rehabilitation after the war,<sup>1</sup>

Recalling Economic and Social Council resolution 1944 (LVIII) of 7 May 1975 ap-

<sup>1</sup> Official Records of the General Assembly, Thirtieth Session, Supplement No. 1A (A/10001/Add.1), sect. XVII.

pealing to all States to come to the assistance of the peoples of Indo-China in their efforts to bring about the reconstruction of their countries, in accordance with the needs and requests of those countries, in the manner in which the latter deem most appropriate and consonant with full respect for their national sovereignty.

Recalling further resolution 33 adopted by the World Conference of the International Women's Year held at Mexico City from 19 June to 2 July 1975 on assistance to the Vietnamese people,

Noting with appreciation the prompt and pertinent efforts made by the Secretary-General and by the organs, agencies and programmes of the United Nations to mobilize assistance to meet the most pressing humanitarian needs in Viet Nam and to help organize relief, rehabilitation and reconstruction assistance to the Vietnamese people,

Further concerned that massive international assistance, notably in respect of food, equipment and project aid, remains urgently needed to speed up the rehabilitation and reconstruction of the social and economic infrastructure of the country,

Noting with satisfaction that the non-aligned group of countries has established, by resolution 28 adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries, a Solidarity Fund for the Reconstruction of Laos and Viet Nam, to help in the reconstruction effort,

1. Recommends that the Socialist Republic of Viet Nam be included in the list of most seriously affected countries;

2. Appeals to the peoples and Governments of all Member States and all international economic, financial and social institutions to increase and intensify their efforts and contributions on a bilateral and/or multilateral basis to help the Vietnamese people in the reconstruction of their country;

3. Urges the Secretary-General to continue to encourage further mobilization of resources and efforts from the international community with a view to achieving the social and economic rehabilitation of Viet Nam;

4. Authorizes the Secretary-General to utilize the necessary resources for implementing the present resolution.

Mr. HARKIN. Mr. Speaker, I, too, am now supporting this compromise. I had not before. In fact, I had voted against it on previous occasions and voted to recommit the conference report before.

Let me just say in my brief 2 minutes that the concept of a World Bank or of pooling the rich nations' resources in an independent lending institution to help the less-developed countries is, I believe, an honorable concept and one that we ought to pursue. But I believe in recent years the direction that the World Bank and the international lending institutions have been taking is wrong. They have been lending more and more money to the more and more repressive governments throughout the world, but they have not been lending the money to the poor in the poor countries. I think there is a distinction there that must be redressed.

I have had a personal talk with President Carter, and he has assured me that he is going to take every step necessary to try to redirect these banks within the limits of the power that we have on those banks to redirect the money to the poor in the poor countries.

We have an authorization bill that spells out what we can do within our power in these international lending institutions. I would tell the Members that

we have a strong human rights amendment in that authorization bill that provides for an even-handed approach, a comprehensive, consistent approach to every nation without singling out nations. But there is one thing in the authorization bill that I think is necessary, and that is to allow these banks and these institutions to meet the basic human needs of the poor people in the poor countries.

The gentleman who preceded me spoke about Argentina and Cambodia in the same breath, and I will, too. I do not feel that we ought to give direct aid or indirect aid either to the Governments of Cambodia or Argentina. But I do not want to unjustly punish the poor in these countries for the actions of their Governments. Therefore, the authorization bill allows our representative on the multilateral institution to vote "aye" and support loans to meet basic human needs of the people in countries with repressive governments. This is the decent and humane approach and is consistent with our Nation's ideals. So I support this appropriations bill, and urge my colleagues to support it also, because of the human rights language that controls our bilateral and multilateral aid.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. GRASSLEY).

Mr. GRASSLEY. Mr. Speaker, we are being told by supporters of the conference report on both sides that, "You have come a long way, Baby." I do not see it that way. I rise in opposition to this conference report.

I was a conferee on a similar subject on the Banking Committee's authorization bill on international financial institutions last summer when the House's position was totally rejected, and I say, "Here we are again." The House is being asked to totally retreat from amendments adopted by wide margins by this House.

Compromise? Yes. And that is a legitimate position to take. It is part of the parliamentary process. Retreat? No. Especially when asked to retreat from such an overwhelming position of strength as this House has shown on these issues before. Retreat once, maybe, as in the case of the IFT authorization bills, but retreat twice—twice in a row—no. A retreat from a strong position twice is not an admirable trait of any respected legislative body, and it leads to weakness and disrespect.

I ask just when will our conferees on foreign aid stand behind the strong House majority? We have a right to expect a negotiated compromise from our colleagues and not a wholesale cave-in.

The American people are asking us not to retreat. The American people do not want to pay reparations directly or indirectly to Vietnam. This Congress would never vote reparations directly to Vietnam. How can we do it, then, indirectly through the World Bank?—Only because we think that the American people are too dumb to figure it out. We should not try to deceive the American people by doing through the back door what we cannot do through the front door.

Then we ought to ask ourselves as

Members of this body: Why retreat? Congressmen for the last 10 years have been trying to make Congress a copartnership in the establishment and formulation of foreign policy with the Executive. The adoption of these strong amendments previously by this House, now rejected by our conferees, is an extension of the principle of copartnership. Let us not now throw in the sponge and lose all that has been accomplished in the way of giving the American people a voice in foreign policy. If we reject a strong role now, the next time Congress wants to stop an unpopular "Vietnam war"—we may not have the muscle to do it.

Mr. LONG of Maryland. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. TSONGAS).

Mr. TSONGAS. Mr. Speaker, the criteria by which many of us judge individuals and by which we often judge nations is by the compassion they show for those less well off. We are voting today on a foreign aid conference report which shows U.S. compassion for the less-developed nations of the world through the assistance we offer them for food and nutrition, health and education, human resource development, and emergency relief for the devastation caused by drought, floods, and earthquakes. The appropriation measure includes both bilateral and multilateral aid, and it is through these programs that the United States can exercise its leadership among the Third World nations.

I strongly support this conference report because I believe that foreign aid is a critically important program. I am in basic agreement with the provisions of the bill which come to us today. I am not happy, however, with the process through which this comes to the floor and the fact that promises were made outside the legislative language. I hope this will not happen again.

There are parts of this bill which I do not like.

I opposed amendments which were added by the House to place sanctions on aid to specific countries. I believe the language of the authorizing legislation which places sanctions based on adherence to basic human rights and which waives the sanctions when the programs meet basic human needs, is a much more satisfactory and evenhanded approach. Nevertheless, my strong belief in U.S. assistance for the LDC's overrides this reservation and I am working hard for passage of the legislation.

On another point, I think some legitimate questions are being raised about multilateral lending institutions that need to be answered.

Chaff is the debate over Vietnam, Argentina, and palm oil and other commodities.

These issues have consumed the committee, the House, and the conference.

It has dominated the discussion today.

I strenuously oppose the dominance of these issues.

I, for one, reject the President's letter.

I deeply regret it. I regret the role of the committee to bring that letter into reality.

I do, however, feel that the bill is worth it.

This bill is meant to help people—poor people.

There are those who want to end foreign aid—the same ones who voted \$150 billion in military aid to decimate Southeast Asia.

It's an attitude that baffles me, saddens me, and does injustice to what this country stands for. And it will come back to haunt us.

I cannot participate in this attempt.

This aid is needed.

The multilateral development banks are needed.

That is the bottom line.

I do not like the conference report, but I can live with it.

And I ask your support of the conference report.

In the authorizing legislation for the World Bank, we adopted an amendment to review the salary structure of the employees of this institution and to pay the executive director according to Level IV of the executive schedule. Recently, in the International Trade Subcommittee we adopted an amendment to cut the salary of the U.S. Director to the International Monetary Fund and to review the salaries of that agency.

We have also been struggling in Congress and with the administration regarding the best way to achieve our human rights objectives through multilateral lending agencies where strings cannot be attached to our contributions and where our vote cannot veto a proposed loan. President Carter, in his letter which accompanies this bill (legislative history of a sort) has asked for a review of how U.S. objectives can best be pursued in the Banks. I hope that Congress will take the leadership role in calling for oversight hearings along these lines, so that our future contributions to the banks will not become bogged down over the rhetoric of whether indirect aid should go to right- or left-wing governments. Instead, we should be involved in trying to assess if the programs of these institutions are meeting the basic needs to which they are directed and achieving the development from which all nations will benefit.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I think basically we are concerned with two points. The first point is whether or not we as Members of the Congress have a right to condition funds of the American taxpayers to these international lending institutions. I would say we do. These funds belong to the taxpayers and not to the international institutions.

The question is if we would not give money directly to these countries, how then can we do it indirectly through these international banks? We should not and should leave our peoples' money so conditioned. The international institutions are not prevented from accepting such conditioned money. The Library of Congress in a letter to me dated October 3, 1977, has said there is nothing in their charters to prevent it.

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The second point is the economic future of this country. How can we lend our money to these foreign countries at rates far better than we can do for our own producers in this country to finance unfair competition? The President of the United States has verified that this is a serious problem by agreeing to instruct our representatives to vote against such loans. The Treasury Department has agreed that it will do what it can as well since we have a \$30 billion trade deficit. The Department of Agriculture agrees and by its most recent report on foreign agriculture trade states in headlines, "Exports of U.S. Oilseeds and Products Decline, Palm and Coconut Oil Imports Climb."

So all agree we have a significant economic problem. But we have studied the matter to death. Two subcommittees of this House have already found this to be a problem, but the loans continue. Our representatives to these institutions have only one vote. Studies and voting instructions are not enough. The fact remains that \$20 million in loans for palm oil were made earlier this year in direct contravention of previous similar promises and \$200 million more are to be considered.

The only way we have to prevent these loans was adopt my amendment. Since the amendment has been deleted, all we can now do is vote against this conference report, to establish the conditions the people of the United States want and to give us the economic future this country deserves.

Mr. LONG of Maryland. Mr. Chairman, I yield such time as she may consume to the gentleman from California (Mrs. BURKE).

Mrs. BURKE of California. Mr. Speaker, I rise in support of the conference report.

Mr. LONG of Maryland. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. SOLARZ).

Mr. SOLARZ. Mr. Speaker, I thank the gentleman.

I realize, as Emerson once said, that:

A foolish consistency is the hobgoblin of little minds, . . .

But I am nonetheless always amazed when we find people outraged at the suppression of civil liberties in rightwing regimes but who totally ignore the suppression of civil liberties in leftwing dictatorships, just as I am equally amazed by those who thunder against suppression of civil liberties in leftwing dictatorships but ignore the suppression of those rights in rightwing regimes. It seems to me we ought to be against all forms of repression whether it is repression of the right or repression of the left.

In those terms, while I think we have every right and, indeed, a responsibility to terminate our bilateral economic assistance to repressive regimes, I think it is utterly inappropriate to condition our contributions to multilateral international financial institutions on such a basis. After all, Congress can add provisos to the U.S. direct-aid programs in any manner we so choose; to add political conditions to our assistance to multi-

lateral lending institutions, however, violates the very purposes for which those institutions were created—that is, aid to needy people no matter what the regime.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I intend to vote for the passage of the conference report on H.R. 7797, the foreign operations appropriations bill, because I am convinced that on the whole it contains many needed provisions that warrant my support. I do, however, want to note my displeasure with several aspects of the bill and conference report and the manner in which that report was developed.

As a result of an apparent compromise with the White House, the conference committee acted to remove the possibility of the full House analyzing the amendments in disagreement with the Senate and debating them on an individual basis. Several of these provisions call for singling out specific countries for legislative reprimand based on human rights reports on those countries. Unfortunately, these well intentioned provisions may prove to be more counterproductive than helpful.

A case in point is Argentina. I opposed restrictive provisions against that nation during the initial passage of H.R. 7797, not because I differ with its proponents in their concern for the human rights situation in Argentina, but because of the personal concerns I have that the real effect of such an amendment will be to intensify the crisis that is taking place. Without taking into consideration the complex internal political struggles of Argentinian politics, these well intended efforts may in fact hinder rather than improve the human rights situation in Argentina.

Because of my belief that such an amendment would have little or no practical effect and my past efforts to oppose it, I welcomed the opportunity along with other members of the Subcommittee on Inter-American Affairs to visit Argentina during the recent August recess. One of the major objectives of that trip was to provide each member of the delegation with a personal assessment of the internal crisis that exists in Argentina and the human rights situation that it has caused.

Our scheduled activities during this fact-finding mission included private meetings with President Videla, the Foreign Minister, the Defense Minister, and the Minister of Finance. We were also briefed by the head of our mission and the full country team. In addition, we met with opposition party leaders and labor leaders. Finally we sought out the leaders of the religious community and representatives of several human rights organizations.

As a result of this visit, I am more convinced than ever that the complex nature of the problems in Argentina are not fully understood by this Congress. The present government, which is trying to bring some order to that nation after the political and economic chaos of the Isabel Peron government, remains critically fractionalized. President Videla has

emerged as a moderating force in the military government that includes clicks of radicals and hardline right wingers.

As pointed out in a New York Times editorial on May 25, 1977:

If these hard-line generals seize power, they will surely further disrupt Argentina's economy, deal an even more disastrous blow to the cause of human rights and raise the chances of full-scale civil war. Only if they are headed off can President Videla regain his moderate bearings and be persuaded to move toward long-overdue national political reform and reconstruction.

However, there are encouraging signs that President Videla slowly is stabilizing his position, thereby increasing his efforts to bring both extremes under control. Recently, the New York Times, in an article by Juan de Onis on October 2, 1977, revealed that the Argentine Government has made substantial gains against leftist extremists. Since the armed forces took power 18 months ago, they have eliminated over 80 percent of the left-wing guerrillas engaged in subversive activities.

The success they have had is not seen as a total victory, and in fact has revealed the complex terrorist problem in that country. As the Times article points out:

With the decline in activity of the left-wing extremists, another form of terrorism from right-wing extremists is challenging the authority of President Jorge Rafael Videla. It has become a threat to his program for achieving political unity and eventually restoring democratic government, with free unions and independent universities.

Now is not the time to let our good intentions backfire and risk destabilizing the efforts of a man who is seeking a return to democracy and an improved human rights situation. As part of the first step toward this goal, President Videla spoke to President Carter last month here in Washington about the goal of "peace by Christmas." This phrase is known to mean bring the right-wing groups and the security forces under control, as well as dismantling the remaining left-wing guerrilla pockets.

Continuing our interest in the political and human rights crisis that exists in Argentina after returning to Washington, Congressman ROBERT LAGOMARSINO—who also visited Argentina—and I recently met with Ambassador Jorge A. Aja Espil of Argentina. We expressed the need for his country to respond to the calls for a return to a democratic state and to protect the human rights of all their citizens. I am pleased to announce that last week I received a letter from the Ambassador, noting recent actions by his government to help ease the present situation. On September 27, 1977, the Government of Argentina restored the constitutional option to leave the country for those individuals who were being held without charges under the state of siege that began under the Peron government. Also, on the same date, a commission was established to study, on an individual basis the corresponding cases. Finally, he informed me that—

In the continuous process that is taking place and according to information received yesterday, October eleventh, 132 persons were freed.

The inclusion of an assistance program for Argentina in this legislation would not by itself expend one dollar for that nation. Such action would however, provide the administration with the flexibility needed to implement its human rights program. If the situation in Argentina should continue to improve, the administration would then have the ability to implement the programs as a form of encouragement. As H.R. 7797 now stands, that flexibility is lost.

Mr. Chairman, my other displeasure about the conference report focuses on this Nation's contribution to international narcotics control programs.

The President, through his chief narcotics administrators, has assured the Select Committee on Narcotics Abuse and Control, of which I am a member, of his deep commitment toward waging "war" on drug abuse. Under H.R. 7797, the President requested an appropriation of \$39 million for fiscal year 1978, an amount that was approved and adopted by the House last June; the Senate version proposed a \$38 million appropriation. Unfortunately, the conference report accompanying this measure proposes to further reduce this Nation's efforts to control international narcotics trafficking to \$37.1 million and to slash by 50 percent the administration's requested contribution to the United Nations Fund for Drug Abuse Control (UNFDAC) from \$6 million to \$3 million.

The administration has regarded these funds to be "the cutting edge of our efforts to develop more effective international control programs in order to curtail the flow of illicit drugs, particularly heroin, coming into this country."

The \$39 million requested by the administration and adopted by the House for international narcotics control represents less than 5 percent of the total Federal Government's \$805 million expenditure that is budgeted for fiscal year 1978 for narcotics abuse and control, and the requested \$6 million contribution to UNFDAC represents three-quarters of 1 percent of the budgeted Federal drug effort.

Mr. Speaker, last February, along with the distinguished gentleman from New York (Mr. SCHEUER), I attended the 27th United Nations Commission on Narcotics and urged the nations of the international community to contribute to UNFDAC and to those nations that have already contributed, we urged them to increase their contributions to the Fund. We are now beginning to see some results in that direction. Only last summer, Norway and Sweden substantially increased their contributions to UNFDAC by providing needed funds for UNFDAC crop substitution programs that would replace the cultivation of poppies by opium producing nations. And other nations have joined with our law enforcement agencies in assisting in a concerted international effort to interdict narcotics trafficking and to eradicate opium production at its source.

Mr. Speaker, at a time when other nations are increasing their support in interdicting narcotics trafficking and eradicating opium production, it is a grievous error for this Congress to cut

back support of the very programs that are beginning to accomplish these tasks—tasks that this Nation has so tirelessly sought to accomplish.

If we truly mean what we say concerning the global fight against narcotics trafficking and our commitment toward that effort, then we must back up that commitment with dollars, not words.

Mr. YOUNG of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Speaker, I yield to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, since the start of U.S. foreign aid programs in 1946, U.S. taxpayers have provided nearly \$300 billion. The fiscal year 1978 appropriation probably will be close to \$6.77 billion.

The President requested a \$7.6 billion foreign aid appropriation, over \$2 billion higher than in fiscal year 1977, despite promises to curtail Government spending. The Appropriations Committee pared this down and then the House approved our 5-percent reduction amendment.

This foreign aid bill, H.R. 7797, has come back from the conference at a figure \$78.5 million over the House version. We are sorry to see this increase, but we are gratified that the conferees were able to hold it down as well as they did.

Our 5-percent reduction amendment the House attached to the bill has been reduced to approximately 4 percent, but I suppose we should be thankful that we were able to retain that much of what was a \$352 million reduction. If we approve the measure at the \$6.7 million agreed to by the conferees, it is still over a billion dollars higher than last year's appropriation.

Many of us are concerned with the size of this appropriation, particularly at a time of mounting inflation, high energy costs, and economic problems here at home. We want to insure that the money that is spent will be for productive and efficient programs, and for plans that benefit the needy of developing nations.

A major factor cited by opponents of high foreign aid appropriations is that we must borrow the money before we can give it away. Deficit spending has created a national debt of almost \$800 billion on which the interest alone adds up to about \$120 million a day.

Several nations which once received U.S. aid are now providing aid to other nations. But, not only that, we helped some so well that they have loaned us money for our national debt and we pay them interest.

For example, to West Germany and Berlin between 1946 and 1963, we provided aid to the tune of nearly \$4 billion while they have loaned us over \$22 billion on our national debt. Our interest payment to Germany in 1976 was \$1.3 billion. To Japan, between 1946 and 1965, we provided \$3.5 billion in aid. Today they have loaned us \$12 billion and collected \$800 million from us in interest in 1976.

By the late 1960's, nations giving foreign aid included earlier recipients: Ger-

many and Japan (which now loan us money), France, the United Kingdom and Italy. The emphasis has changed from European aid to aid to the developing nations of Africa, Asia, and Latin America. But few observers expect the success of Europe to be repeated in the Third World.

I want to urge my colleagues here today to hold the line on these foreign aid expenditures and resist attempts to increase appropriations levels. We must be alert, also, that the administration might request supplemental appropriations to bring the expenditure level nearer to what they want.

Mr. LAGOMARSINO. Mr. Speaker, I rise in opposition to the conference report on H.R. 7797, appropriations for foreign assistance and related programs for fiscal year 1978.

I do, as I have in the past, support the bill's funds for Israel.

Among my many problems with the legislation are the amendments prohibiting funds for military training assistance and credit sales to Argentina.

The issue of human rights is the focal point of debate on the question of providing assistance to Argentina. I believe, as does the Carter administration, that it can best implement its human rights objectives by retaining the option to make funds for training programs available. I must repeat what Assistant Secretary of State for Latin American Affairs Terence Todman has said about security assistance. He says that it is "a political tool that provides us an opportunity to exert some influence on (governments') attitudes and actions." The administration should be allowed to retain these funds for Argentina so that it may have flexibility in pursuing its goals in human rights and in promoting hemispheric security. If we cannot maintain a dialog with Argentina on the question of human rights, we will restrict the possibility of exercising any significant influence on them.

Already, we see that the conditions in Argentina are improving. Late this summer I, along with several of my colleagues on the Inter-American Affairs Subcommittee, had the opportunity to visit Argentina. Our discussions with government officials there left me with the clear understanding that American ties with Argentina serve as a positive influence in that country. I strongly believe, and my personal visit reconfirms this, that an elimination of assistance to Argentina would be counterproductive. By singling out Argentina, we offend their national pride and enhance the prospects of a new military regime—a regime which would be more repressive and less willing to accept American representations for improved respect of human rights.

Just recently, the Argentine Government has taken significant steps to improve its internal conditions. On October 12, I received a letter from the Argentinian Embassy stating that 132 prisoners had been released from jail, as well as the release of 3 members of the Deutch family. Also, President Videla has given certain prisoners detained in prison under the state of seige the option of exile over a term in prison. These positive ac-

tions in the area of human and political rights illustrate that, given the right combination of pressure and persuasion, the situation in Argentina can be improved.

Some of my colleagues have argued that U.S. assistance helps to glorify the military in Argentina and ties our country to the repressive policies of the Argentine Government in the eyes of its people.

The repressive policies of that Government, as unacceptable as they are, do not occur in a vacuum, but are prompted by serious terrorist activities. Threats to American diplomats and business executives, kidnappings of businessmen and even an American child, and destruction of American property are all facts which we should equally deplore. In fact this last Friday, after the release of the 132 prisoners and the relaxation of controls, the Montonero guerrillas killed 2 people while blowing up the car of an official of Chrysler Corp. Therefore, one can easily see the problem that President Videla faces. We certainly will not protect American interests by passing legislation in this body which only serves to reduce the administration's leverage and credibility with the Government of Argentina.

During our visit to Argentina I met with many individuals and groups concerned with human rights. While none of them could be said to be satisfied with the situation in Argentina, almost all of them did say that they felt that President Videla was an honest man trying to do his best. They did say that things could and probably would be worse should Videla be replaced by others in the military.

Finally, I find it difficult to understand why, in particular, the training programs for Argentina should be so controversial. The courses included are: Aircraft rotor-propeller repair, aircraft electrician, aircraft instrument repair, maintenance management, quartermaster officer advanced, academic instructor school, English language, and personnel management officer. These courses are clearly not designed for police training or civilian police action.

I also oppose the manner in which the report deals with Brazil. In the past, Brazil has shown extreme sensitivity to our criticism of its human rights situation. The result of U.S. criticism has been the rejection of U.S. sales credits. Why must we further reprimand and single out Brazil and greatly increase tensions between our countries over foreign aid which the Brazilian Government has already rejected? Further, I find it ironic that Congress is openly and vehemently criticizing Brazil at the same time as President Carter is planning a visit to that country in order to improve our relationship.

I cannot accept a bill with such provisions. I strongly urge my colleagues to reject this conference report.

EMBAJADOR DE LA REPUBLICA ARGENTINA,  
Washington, D.C., October 12, 1977.

HON. ROBERT LAGOMARSINO,  
U.S. Congress,  
Washington, D.C.

DEAR MR. LAGOMARSINO: For your information I am enclosing the text of Law No.

21.650, as it was published in the Argentine morning daily "La Opinión". By this law, put into effect on September 27, 1977, the Government has restored the constitutional option to leave the country, granted to people held without charge under the state of siege.

I would also like to point out that on the same date a commission was established to study, on an individual basis, the corresponding cases.

Finally, I want to tell you that in the continuous process that is taking place and according to an information received yesterday, October eleventh, 132 persons were freed.

Sincerely,

JORGE A. AJA ESPIL,  
Ambassador.

Mr. LONG of Maryland. Mr. Speaker, I yield 4 minutes to the distinguished majority leader, the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, what is involved here today is not how we feel about a handful of unpopular countries. We have expressed ourselves on that. The President of the United States has taken official judicial notice and is going the second mile in a good faith effort to comply with our express wishes.

Moreover, this conference committee report contains every prohibition voted by the Members of this House against bilateral aid from this country to other countries of the world.

What is involved is whether we, the richest and most blessed of the nations, will continue to participate in the international development and lending institutions. Those institutions by their charters cannot receive contributions with legal limitations attached. If we were to insist upon those legal limitations, quite manifestly we would be rendering our participation inoperable.

Do we want to continue as participating members of the international lending institutions? I think we do. It is not a question of whether we can unilaterally direct every decision of the banks. Of course we cannot. The question is whether we want to be a part of an ongoing international effort to try to assist the developing world—good friends of the United States, countries like Mexico, Costa Rica, Colombia, Kenya, and Malaysia, countries which have established an excellent record of repaying these loans. The history of these banks and the loans they have extended is a history of success. In all these years there has not been a default on these loans and the banks have not lost any money.

During this period of time other successful nations have joined us and are bearing their share of the burden to an ever-increasing extent. In the beginning we financed 41 percent of the World Bank loans. Now we finance only 19 percent of the loans. Our portion of the burden for the Asian Development Bank is only 16 percent.

Our portion of the World Bank's burden began at 41 percent. Today we shoulder only 19 percent of the load. We provide only 16 percent of the funds for the Asian Development Bank.

The other question which we must answer today is whether we will uphold the President of the United States who, like his predecessor, President Ford, has

openly encouraged other nations—including Middle Eastern nations—to increase their share.

Shall we repudiate that position? Shall we turn our backs upon the President? Shall we pull the rug from under him in his effort to provide a constructive example and a sense of moral leadership to the world?

And if we do, when again would the voice of an American President be credible in the council of nations? Someone must speak for America.

Today we have a choice. We can stamp our feet in childish anger and forfeit any claim to world leadership. Or we can demonstrate the reason and maturity which must be the hallmarks of any nation which aspires to set an example for the world.

The conference committee report strikes a good balance between our wishes and our responsibilities. It deserves our support. I am confident that in this crucial test the House of Representatives will not be found wanting.

Mr. MONTGOMERY. Mr. Speaker, I would like to take this opportunity to point out that there is some confusion, because of restrictive language in our foreign aid laws, as to whether the President can send humanitarian aid to countries such as Vietnam, Laos, and Cambodia.

There seems to be a serious shortage of food and medicines in Vietnam and Laos; we have no information on Cambodia. Sources for this information are not only the Vietnamese but also the International Red Cross and the United Nations High Commissioner for Refugees.

I do not think there is any question that we are all in agreement this country is not going to give foreign or reconstruction aid to Vietnam. But, if humanitarian aid is needed and this country has a surplus in food, I have no problem with supplying medicines and food. In fact, the House Select Committee on Missing Persons in Southeast Asia in its final report to the House stated that if humanitarian aid was needed in Southeast Asia, the administration should consider this need.

In my opinion, Vietnam has not bowed to the wishes of Russia and China and is trying to survive some kind of independence. The Vietnamese have not let the Russians have a seaport at Cam Ranh Bay nor have they sold to our potential enemies great quantities of the American military equipment captured after the fall of Saigon. And in the last 6 months the Vietnamese have cooperated with the United States in the return of American remains.

I feel that if there is hunger in these countries, we should consider their needs. I do not believe that humanitarian aid would offend Americans or would be in conflict with our stated strong opposition to economic or reconstruction aid. The question of whether our previously approved foreign aid language and its barriers apply to humanitarian aid must be resolved.

Mr. McCCLORY. Mr. Speaker, I will vote against this conference report on the bill (H.R. 7797) because I do not believe

we can legislate on the basis of what is included in a letter from President Jimmy Carter.

Mr. Speaker, we should embody our legislative intent in the legislation which we develop—and vote upon. To compromise our prerogatives by an exchange of correspondence is both novel—and inconsistent with our governmental system.

Mr. Speaker, I do not favor loans to nations where basic civil rights are violated. Nor do I favor loans to nations which enable them to compete unfairly with our Nation in commodities which our citizens produce.

But, Mr. Speaker, I expect our President and his representatives to respect these principles of human rights and economic justice. If they fail, we must hold them accountable. However, I do not want us to act on the basis of letters, oral statements, or any informal arrangements which are at variance with the legislative process—or which confuse our existing tripartite system.

Mr. Speaker, the new President has brought new ideas and new personalities to the White House. But he seems also to have brought a lack of understanding of the legislative process. I would support this conference report without the President's letter to our colleague from Maryland (Mr. LONG). Also if the amendment proposed by our colleague from Florida (Mr. YOUNG) were in the bill, I could support that. But, Mr. Speaker, this way of legislating, and so forth, modifying the law by a letter should be rejected. I will vote against the conference committee report.

Mr. BONKER. Mr. Speaker, I would like to urge my colleagues to support the conference report accompanying foreign aid appropriations bill H.R. 7797. This bill provides essential funding for both bilateral and multilateral assistance efforts vital to U.S. foreign policy.

At the same time, I would like to express my deep concern regarding the "compromise" which has been reached on the question of providing direct or indirect assistance to various countries. President Carter's letter to Chairman LONG promises that U.S. delegates to international financial institutions will vote against all loans to seven countries. What is most disturbing is that the United States will have to cast its vote against assistance even if it would benefit those needing assistance most in these countries. Is Congress now prepared to say that assistance should be barred to countries even when such assistance will benefit needy people? Have we become so preoccupied with identifying countries for our human rights "hit list" that we have lost all sense of proportion as to what our foreign development assistance is supposed to accomplish in the first place?

Each year, as additional countries are added to the list we are establishing today, I believe we will be moving further away from the very purposes and objectives that we as a Nation have established in providing humanitarian assistance.

Mr. Speaker, I strongly oppose any further politicization of our development assistance through multilateral organizations, and efforts to dictate to interna-

tional bodies which countries should be automatically prohibited from receiving development aid. If this process is allowed to continue, instead of promoting better international understanding through assisting those in the world who need this assistance most, we will be setting the stage for a vindictive, isolationist policy which will be totally counterproductive in achieving any significant progress in the human rights field.

The President's letter to Chairman LONG follows:

THE WHITE HOUSE,  
Washington.

HON. CLARENCE D. LONG,  
Chairman, Subcommittee on Foreign Operations,  
Committee on Appropriations, U.S.  
House of Representatives, Washington,  
D.C.

To Chairman Clarence Long:

Secretary Blumenthal has informed me of your constructive efforts to achieve a successful resolution of the problems posed by the amendments to the foreign aid appropriations bill restricting the use of U.S. contributions to the international development banks.

I deeply appreciate your helpful suggestions and the role you have played thus far in steering this vitally important legislation through the House.

As I stated in our meeting last Friday, I fully agree with you and your colleagues in the House that U.S. assistance through the banks must take full account of the human rights policies of recipient countries. Accordingly, I will shortly sign into law the recently passed authorizing legislation for U.S. participation in the international development banks which require that the U.S. representatives to the banks oppose loans to gross violators (except where those loans are directed specifically to programs which serve the basic human needs of citizens of such countries).

Additionally, as we discussed earlier, I shall instruct the U.S. Executive Directors in the banks to oppose and vote against, throughout FY 1978, any loans to the seven countries mentioned in the House amendments. Our representatives will also oppose and vote against loans for the production of the three commodities where such production is for export and could injure producers in the United States. You may be certain that I shall closely watch and review the lending practices of the banks during this fiscal year.

For the longer run, I have directed the Secretary of the Treasury, in consultation with the leadership and appropriate committee(s) of the Congress, to undertake a thorough study of how the whole range of U.S. objectives, including the type envisaged in these amendments, can best be pursued in the banks. I would expect that the results of this appraisal could help guide our efforts for FY 1979 and beyond, in partnership between the Administration and the Congress.

I would hope that these steps would enable the House to avoid adopting any of the restrictive amendments, previously passed, in the final foreign assistance appropriations bill for FY 1978.

I appreciate your support and counsel on these critically important issues confronting our foreign policy.

Sincerely,

JIMMY CARTER.

Mr. BURKE of Florida. Mr. Speaker, it is with a great deal of concern that I will vote in favor of the conference report to H.R. 7797, the foreign assistance appropriations. When H.R. 7797 came before the House I strongly supported

both the Young amendment and the Wolff amendments, which would have prohibited any appropriations from being used to finance reparations to the Socialist Republic of Vietnam. In addition, the Young amendment would have precluded the International Development and Lending Institutions from authorizing loans to Vietnam, Laos, Cambodia, Uganda, Mozambique, Angola, and Cuba.

Mr. Speaker, I still strongly support the prohibitions of loans and funds to these countries at the expense of the American taxpayer. But, Mr. Speaker, my opposition has been solved to some extent by the assurances of President Carter that he will instruct the U.S. representative to the international financial institutions to oppose and vote against loans to Vietnam, Laos, Cambodia, Uganda, Mozambique, Angola, and Cuba. I feel that the President who, after all, has the responsibility will do what he has assured the Members of the House he will. True, I have some concern because no such statements appear in the conference report, but I feel that the message has been clear by the previous House action on both the Wolff and Young amendments of the congressional intent.

Mr. Speaker, I have never been a strong supporter of our foreign aid programs since I have been in the Congress. However, I have not carried blinders or refused to recognize the need for a sensible program, the prime purpose of which would be to strengthen our economic and security position in the world. I, like many, am concerned with the problems existing in the Middle East today. I believe that the threat of Soviet intervention in that area could well upset the present world balance of power not only in that area but in the world. I believe the appropriations for that area and other areas involving our friends are vital to our future security and far outweigh my other objections to the conference report.

Mr. Speaker, I hope the future oversight hearing by the Congress of the loans by the various international organizations to which the United States contributes, or more accurately, overcontributes, will put a damper on loans to our enemies. Such loans are, in my opinion, detrimental to our own interests and to the security of our friends.

Mr. Speaker, I have never approved the package-type of foreign aid legislation which is practiced by the State Department. I am hopeful that it can and will be changed by the Congress. To me the present practice is deceptive and certainly difficult for the public to understand. To me it is wrong.

In any event, Mr. Speaker, there are some questions and suspicions which I have concerning the ability of the President to halt the international institutions from lending money to nations whose interests are incompatible with our own. In fact, I wish we could withdraw from many of our international commitments, but this wish does not carry with a cyanide bill for the suicide of our friends.

For the reasons stated I will, as I said earlier, vote no matter how reluctantly, for the conference report.

Mr. FRENZEL. Mr. Speaker, this conference report on foreign aid is too expensive. It is also flawed in that it sets a multiple standard for human rights for various recipient countries.

Had this not been a new President's first foreign aid bill, I would have voted against it. But, despite my dislike for the spending levels and inconsistencies, I believe assistance programs are a necessary tool for the President in the conduct of foreign policy. A new President especially needs those tools.

I also like the multinational development banks. They have made unwise loans, but, in general, they are the best form of foreign aid we indulge in. I think it is important that we continue to participate in these banks, even though I agree that U.S. directors must be instructed to vote such projects as palm oil development, or aid to Vietnam.

If the foreign aid appropriation next year is in the same shape as H.R. 7797, I shall not support it. We need an affordable, uniform, aid policy with an accent on multinational assistance. I hope the Congress comes closer to these goals next year.

Mr. STOKES. Mr. Speaker, I rise in support of the foreign assistance appropriation conference report for H.R. 7797. On October 12, 1977, the House recommitted the bill to conference to afford the House the opportunity to present a new compromise package regarding amendments in disagreement to the Senate. The compromise called for the House to delete the onerous Young amendment which barred indirect aid to Vietnam, Cambodia, Laos, Cuba, Uganda, Mozambique, and Angola. The compromise also deleted the Mathis/Moore provisions which barred U.S. funding of international financial institution loans for palm oil, sugar, and citrus. All of these restrictions were removed because President Carter has indicated that he will instruct the U.S. executive directors and representatives within the international organizations "to oppose and vote against" aid to the aforementioned countries and "to oppose and vote against" loans for the production of the three commodities.

Mr. Speaker, I voted for this compromise because the practical result will be to remove the restrictions on the U.S. contributions to the international financial institutions which would have made it impossible for them to accept U.S. funds. Moreover, I did not feel that we should remove the President's flexibility to correct global human rights violations by needlessly tying his hands.

Mr. Speaker, as a result of the House's willingness to compromise—I believe that we have a bill which is deserving of passage. It is not all that it could be, but it does represent the annual renewal of our concern for the world's poor. In demonstrating our commitment to assist those least able to help themselves, we keep faith with a long tradition of humanitarianism which this country has exhibited time and time again.

Mr. Speaker, in supporting this bill I feel that I am giving some support to those who are not really represented anywhere. I am talking about the 15 million people annually who starve to death, or die of diseases related to malnutrition. Just think about that, yearly 15 million people or 41,000 people each day, starve to death in a world where there is enough food for all. This is a world where we have the know-how and the technical skills to end hunger.

Mr. Speaker, hunger is not the only enemy we face, we must realize that the maladies afflicting the human race are interrelated. For instance, it has been estimated that up to 20 percent of the food that actually does get to the hungry is wasted because when eaten it does not nourish bodies but is consumed by the parasites living in those bodies. A successful program to reduce the incidence of bodily parasites would have the effect of increasing the food supply by up to 20 percent.

Mr. Speaker, we must also attack the diseases that seem to be a constant fact of life in the developing world, river blindness that can displace entire villages, malaria, that the modern world has long since conquered, and cholera, the scourge of the young and the weak. But we know that miracles can occur if we work hard enough. Just a generation ago smallpox was considered to be a fact of life, and now, through the efforts of such organizations as the world health organization and the United Nations development program it has almost been wiped out. Through our bilateral and multilateral programs of development assistance we can continue to wage war on these blights.

Mr. Speaker, I am aware that the costs are not small. However, when we realize that by 1980 that the number of illiterate adults in the developing world will total 865 million and that there are Sahelian countries, like Upper Volta, with a per capita gross national product (GNP) of under \$90 and an infant mortality of 182 per 1,000 live births, I do not believe that the one-quarter of 1 percent of our GNP which we spend to save a starving world is too much.

Mr. Speaker, I urge you to avoid the demagoguery of those who would restrict the power of the President to remedy human rights violations and deny assistance to the poor because they have political differences with the leaders of individual countries. Mr. Speaker and my distinguished colleagues, I urge you to support the foreign assistance appropriation conference report in an effort to help the poorest of the poor.

Mr. BADILLO. Mr. Speaker, I rise hesitantly and reluctantly to support this bill. As my colleagues well know, that reluctance is certainly not based on any lessening of my firm commitment to our continuing foreign aid throughout the world. My problem lies with certain assumptions underlying the acceptance of this report by the House.

There has been a great deal of discussion during this debate about the President's letter. This is a letter sent by President Carter to the esteemed chairman of the Appropriations Subcommittee

tee, Representative CLARENCE LONG. The text of that letter reads:

THE WHITE HOUSE,  
Washington.

TO CHAIRMAN CLARENCE LONG: Secretary Blumenthal has informed me of your constructive efforts to achieve a successful resolution of the problems posed by the amendments to the foreign aid appropriations bill restricting the use of U.S. contributions to the international development banks.

I deeply appreciate your helpful suggestions and the role you have played thus far in steering this vitally important legislation through the House.

As I stated in our meeting last Friday, I fully agree with you and your colleagues in the House that U.S. assistance through the banks must take full account of the human rights policies of recipient countries. Accordingly, I will shortly sign into law the recently passed authorizing legislation for U.S. participation in the international development banks which require that the U.S. representatives to the banks oppose loans to gross violators (except where these loans are directed specifically to programs which serve the basic human needs of citizens of such countries).

Additionally, as we discussed earlier, I shall instruct the U.S. Executive Directors in the banks to oppose and vote against, throughout FY 1978, any loans to the seven countries mentioned in the House amendments. Our representatives will also oppose and vote against loans for the production of the three commodities where such production is for export and could injure producers in the United States. You may be certain that I shall closely watch and review the lending practices of the banks during this fiscal year.

For the longer run, I have directed the Secretary of the Treasury, in consultation with the leadership and appropriate committees of the Congress, to undertake a thorough study of how the whole range of U.S. objectives, including the type envisaged in these amendments, can best be pursued in the banks. I would expect that the results of this appraisal could help guide our efforts for FY 1979 and beyond, in partnership between the Administration and the Congress.

I would hope that these steps would enable the House to avoid adopting any of the restrictive amendments, previously passed, in the final foreign assistance appropriations bill for FY 1978.

I appreciate your support and counsel on these critically important issues confronting our foreign policy.

Sincerely,

JIMMY CARTER.

The commitments that the President has made in exchange for our continued and necessary participation in the international lending institutions are very troubling to me.

TOM HARKIN and I, and many of our caring colleagues, successfully waged and won a most difficult battle to assure a broad, strong, and forthright human rights policy in our relations with the banks. I am concerned that the President's letter undermine the intent of the Badillo-Harkin amendment by providing exceptions to the uniform, single standard which we developed for that provision. By singling out specific countries, he is providing a dangerous precedent that could threaten the very existence of the multilateral institu-

tions by setting a dangerous precedent that other countries could follow by voting on narrow national political grounds.

More important, however, is the fact that the President has chosen to ignore the very foundation of the Badillo-Harkin amendment, that part of the amendment that permits a "yes" vote on loans that will serve the basic human needs of a country's citizens. In his letter, the President takes note of that in discussing the authorization for the multilateral institutions, but fails to make that exception in the case of the seven countries under question now.

I am hopeful that this was only an oversight on the part of the administration, and that I can receive some clarification that our uniform standard will prevail. The very root of the "basic human needs" language is to encourage the kinds of programs in all developing countries—free or not—that will provide for increased literacy, better nutrition, more jobs; in short the tools of freedom.

I am aware that the President's language only applies through fiscal year 1978, but its implications could prove unfortunate for any supplemental appropriations bills that come before us. The policy of placing specific restrictions on multilateral funds is dangerous. And that danger is only compounded by immediately establishing a double standard in our newly developed human rights policy toward those institutions.

Mrs. LLOYD of Tennessee. Mr. Speaker, we have today been called upon to make a most difficult decision regarding this Nation's ability to continue to provide massive financial assistance to foreign nations. I oppose the continuation of the foreign assistance program, because I cannot support the giveaway of \$6.8 billion to other countries while we face severe economic problems at home. We no longer have the capability to meet both domestic and international needs solely from our limited national resources.

Since the end of World War II, we have poured \$172 billion into foreign aid. The results of some of these programs are little short of miraculous. The Marshall plan rebuilt a destroyed Europe and stabilized the Governments of U.S. allies in the Mediterranean.

However, in recent years, our aid has too often been readily accepted by nations who have consistently opposed U.S. interests. Foreign aid has been the basis for drawing this Nation into long and bloody conflicts under the guise of protecting "our investments." Many nations in receipt of foreign assistance have lined the pockets of corrupt leaders with U.S. taxpayers' dollars while doing nothing to meet their internal needs. U.S. assistance has come to be regarded as the norm by some nations who refuse to tax themselves so that they might stand on their own.

So long as there is desperate need in this Nation—elderly citizens who must

choose between food and shelter, workers unable to support their families, sickness and illiteracy—I will not support the expenditure of our tax dollars on foreign needs.

I deeply regret that by voting against this bill I am in the position of voting against assistance to Israel, a nation which has borne the brunt of its own defense. Israel is a nation determined to fight for its existence, a fight which, without the outside interference of the Soviet Union, it would easily win. In light of these circumstances, I feel that continued U.S. assistance to Israel is fully justified and deserved. I would support such a proposal if offered independent of this bill. Since this is not the case, I must reluctantly vote against the Foreign Assistance Appropriations Act for fiscal year 1978.

The SPEAKER pro tempore (Mr. NATCHER). All time has expired. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken.

Mr. YOUNG of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 195, answered "present" 1, not voting 9, as follows:

[Roll No. 665]

YEAS—229

Addabbo	Conable	Hannaford
Akaka	Conte	Harkin
Alexander	Corman	Harrington
Ambro	Cornell	Harris
Ammerman	Cornwell	Hawkins
Anderson, Ill.	Cotter	Heckler
Annunzio	D'Amours	Hefel
Ashley	Danielson	Hightower
Aspin	Delaney	Hollenbeck
AuCoin	Dicks	Holtzman
Badillo	Diggs	Horton
Baldus	Dingell	Howard
Baucus	Downey	Ireland
Beard, R.I.	Drinan	Jenrette
Bedell	Duncan, Oreg.	Johnson, Calif.
Bellenson	Eckhardt	Jordan
Benjamin	Edgar	Kemp
Biaggi	Edwards, Calif.	Keys
Bingham	Eilberg	Kildee
Blanchard	Erlenborn	Koch
Blouin	Ertel	Kostmayer
Boggs	Evans, Colo.	Krebs
Boland	Fary	Krueger
Bolling	Fascell	LaFalce
Bonior	Fenwick	Le Fante
Bonker	Findley	Leach
Brademas	Fisher	Lederer
Breckinridge	Fithian	Leggett
Brodhead	Flood	Lehman
Brooks	Foley	Lent
Broomfield	Ford, Mich.	Levitas
Brown, Calif.	Ford, Tenn.	Lloyd, Calif.
Brown, Mich.	Forsythe	Long, La.
Buchanan	Fowler	Long, Md.
Burke, Calif.	Fraser	Luken
Burke, Fla.	Frenzel	Lundine
Burke, Mass.	Fuqua	McCloskey
Burlison, Mo.	Gammage	McFall
Burton, Phillip	Gephardt	McHugh
Caputo	Giaimo	McKay
Carney	Gilman	McKinney
Carr	Glickman	Maguire
Cavanaugh	Gore	Markey
Chisholm	Gradison	Marks
Clay	Guyer	Mattox
Cohen	Hamilton	Mazzoli
Collins, Ill.	Hanley	Meeds

Meyner	Quie	Steiger
Mikulski	Railsback	Stockman
Mikva	Rangel	Stokes
Mineta	Reuss	Studds
Minish	Richmond	Thompson
Mitchell, Md.	Rodino	Thornton
Moakley	Roe	Traxler
Moffett	Roncallo	Tsongas
Mollohan	Rooney	Tucker
Moorhead, Pa.	Rosenthal	Udall
Murphy, Ill.	Rostenkowski	Ullman
Murphy, N.Y.	Roybal	Van Deerin
Myers, Michael	Ruppe	Vanik
Nedzi	Ryan	Vento
Nix	Sarasin	Walgren
Nolan	Scheuer	Waxman
Nowak	Schroeder	Weaver
O'Brien	Seiberling	Weiss
Oberstar	Sharp	Wilson, Bob
Obey	Shipley	Wilson, Tex.
Ottinger	Simon	Wirth
Patten	Skelton	Wright
Patterson	Smith, Iowa	Yates
Pattison	Solarz	Yatron
Pease	Spellman	Young, Mo.
Pettis	St Germain	Young, Tex.
Preyer	Stanton	Zablocki
Price	Stark	Zeperetti
Pritchard	Steed	
Pursell	Steers	

NAYS—195

Abdnor	Fountain	Myers, John
Allen	Frey	Natcher
Anderson, Calif.	Gaydos	Neal
Andrews, N.C.	Gibbons	Nichols
Andrews, N. Dak.	Ginn	Oakar
Applegate	Goldwater	Panetta
Archer	Goodling	Perkins
Armstrong	Grassley	Pickle
Ashbrook	Gudger	Pike
Badham	Hagedorn	Poage
Bafalis	Hall	Pressler
Barnard	Hammer-	Quayle
Bauman	schmidt	Quillen
Beard, Tenn.	Hansen	Rahall
Bennett	Harsha	Regula
Bevill	Hefner	Rhodes
Bowen	Hillis	Rinaldo
Breaux	Holland	Risenhoover
Brinkley	Holt	Roberts
Brown, Ohio	Hubbard	Robinson
Broyhill	Hughes	Rogers
Burgener	Hyde	Rose
Burleson, Tex.	Ichord	Rousselot
Burton, John	Jacobs	Rudd
Butler	Jeffords	Runnels
Byron	Jenkins	Russo
Carter	Johnson, Colo.	Santini
Cederberg	Jones, N.C.	Satterfield
Chappell	Jones, Okla.	Sawyer
Clausen,	Jones, Tenn.	Schulze
Don H.	Kasten	Sebellus
Clawson, Del	Kastenmeier	Shuster
Cleveland	Kazen	Sikes
Cochran	Kelly	Sisk
Coleman	Ketchum	Skubitz
Collins, Tex.	Kindness	Slack
Conyers	Lagomarsino	Smith, Nebr.
Corcoran	Latta	Snyder
Coughlin	Livingston	Spence
Crane	Lloyd, Tenn.	Staggers
Cunningham	Lott	Stangeland
Daniel, Dan	Lujan	Stratton
Daniel, R. W.	McClory	Stump
Davis	McCormack	Symms
de la Garza	McDade	Taylor
Dellums	McDonald	Thone
Dent	McEwen	Treen
Derwinski	Madigan	Trible
Devine	Mahon	Vander Jagt
Dickinson	Mann	Volkmer
Dornan	Marienee	Waggonner
Duncan, Tenn.	Marriott	Walker
Early	Martin	Walsh
Edwards, Ala.	Mathis	Wampler
Edwards, Okla.	Michel	Watkins
Emery	Milford	White
English	Miller, Ohio	Whitehurst
Evans, Del.	Mitchell, N.Y.	Whitley
Evans, Ga.	Montgomery	Whitten
Evans, Ind.	Moore	Wiggins
Fish	Moorhead,	Wilson, C. H.
Flippo	Calif.	Winn
Florio	Moss	Wylder
Flowers	Mottl	Wyllie
Flynt	Murphy, Pa.	Young, Alaska
	Murtha	Young, Fla.
	Myers, Gary	

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—9

Derrick	Metcalf	Teague
Dodd	Miller, Calif.	Whalen
Huckaby	Pepper	Wolf

The Clerk announced the following pairs:

On this vote:

Mr. Wolf for, with Mr. Teague against.  
Mr. Pepper for, with Mr. Derrick against.  
Mr. Metcalfe for, with Mr. Huckaby against.

Until further notice:

Mr. Dodd with Mr. Miller of California.

Messrs. LUKEN, ZEFERETTI, and PURSELL changed their vote from "nay" to "yea."

Messrs. COUGHLIN, HUGHES, and MAHON changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: On page 2, line 21, strike out "Provided," down through and including "Program." on page 3, line 2.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "Provided, That \$2,000,000 shall be available for the World Health Organization Onchocerciasis Control Program".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 3, line 19, "Provided, That of this amount \$75,000,000 shall be available for loans repayable within forty years following the date on which the funds were initially made available under such loans; \$87,000,000 shall be available for loans repayable within thirty years following such date; and \$148,500,000 of such amount shall be available for loans repayable within twenty years following such date."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: Page 4, line 7, insert " of which amount \$500,000 shall be for the Organization of American States Special Cultural Account, \$500,000 shall be for the Organization of American States Special

Development Assistance Fund, and \$1,500,000 shall be for the Organization of American States Special Multilateral Fund; *Provided*."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 4, line 15, insert: "Provided further, That no part of any such appropriation for "International organizations and programs" may be available to make any contribution of the United States to the United Nations University,".

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 6, line 1, insert: "Provided, That no part of such appropriation may be available to make any contribution of the United States to the Sahel development program in excess of 10 per centum of the total cash contributions to such program."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following: "Provided, That no part of such appropriation may be available to make any contribution of the United States to the Sahel development program in excess of 10 per centum of the total contributions to such program".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 6, line 7, strike "\$39,000,000" and insert "\$38,000,000".

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$37,100,000".

The motion was agreed to.

The SPEAKER pro tempore. The

Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 6, line 8, insert: "Provided, That not to exceed \$3,000,000 shall be for the United Nations Fund for Drug Abuse Control: *Provided further*, That \$12,475,000 shall be available only for programs in Mexico."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 7, line 1, strike "purposes for which appropriated" and insert: "appropriation account and under the same terms, conditions, and limitations as originally provided in appropriations Acts".

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 7, line 8, strike out: "purpose as any of the subparagraphs under 'Economic Assistance,' 'Middle East Special Requirements Fund,' 'Security Supporting Assistance,' 'Operating Expenses of the Agency for International Development,' 'International Military Education and training,' and 'Indochina Postwar Reconstruction Assistance,' are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress, and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs", and insert: "appropriation account and under the same terms, conditions, and limitations as originally provided in appropriations Acts: *Provided*, That the Appropriations Committees of both Houses of the Congress are notified fifteen days in advance of the obligations of such funds for activities, programs, projects, type of materiel assistance, countries or other operations not justified or in excess of the amount justified for fiscal year 1978."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 8, line 3, insert:

The Mutual Security Appropriation Act, 1956, is amended by striking out section 108 thereof.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"The Mutual Security Appropriation Act, 1956, is amended by striking out section 108 thereof, effective as of October 1, 1977."

The motion was agreed to.

The SPEAKER pro tempore. The clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 29: Page 9, line 9, insert: "*Provided further*, That none of the funds appropriated under this heading may be used to carry out those provisions of section 903 of the Foreign Assistance Act of 1961 which pertain to the Sinai support mission."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein.

The SPEAKER pro tempore. The clerk will report the next amendment in disagreement.

The clerk read as follows:

Senate amendment No. 31: Page 9, line 18, insert: "and those provisions of section 903 of the Foreign Assistance Act of 1961 which pertain to the Sinai support mission."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: page 10, line 1, insert:

Loan Allocation, Security Supporting Assistance: Of the new obligational authority appropriated under this Act for Security Supporting Assistance, not to exceed \$856,800,000 shall be available for grants: *Provided*, That of the amounts available for loans, not to exceed \$865,400,000 shall be available for loans with maturities in excess of thirty years, but not to exceed 40 years, following the date on which funds were originally made available under such loans.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 10, line 22, insert:

"*Provided further*, That not to exceed \$700,000 of funds provided to the Agency for International Development by this Act shall be available for hiring experts and consultants pursuant to 5 U.S.C. 3109 and of this amount not to exceed \$100,000 shall be available for hiring experts and consultants who are retired employees of the Agency for International Development: *Provided further*, That none of the funds made available by this Act shall be available for leasing, purchasing, renovating, or furnishing of housing or office space in Cairo, Egypt, except through the Foreign Building Operations of the Department of State: *Provided further*, That none of the funds made available by this Act shall be available for the Administrator's Development Seminar of the Agency for International Development."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "*Provided further*, That not to exceed \$700,000 of funds provided to the Agency for International Development by this Act shall be available for hiring experts and consultants pursuant to 5 U.S.C. 3109 and of this amount not to exceed \$100,000 shall be available for hiring experts and consultants who are retired employees of the Agency for International Development: *Provided further*, That none of the funds made available by this Act shall be available for leasing, purchasing, renovating, or furnishing of housing or office space in Cairo, Egypt, except through the Foreign Building Operations of the Department of State: *Provided further*, That not to exceed \$125,000 for the funds made available by this Act shall be available for the Administrator's Development Seminar of the Agency for International Development."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 47: Page 16, line 22, insert: ", except that the President with the concurrence of both Houses of Congress may waive his prohibition with respect to any such country if he determines (and so reports to Congress) that furnishing such assistance to that country would further the foreign policy interests of the United States."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein.

The SPEAKER pro tempore. Without objection, the motion offered by the gentleman from Maryland (Mr. LONG) will be agreed to.

Mr. BAUMAN. Mr. Speaker, reserving the right to object, if objection is heard to agreeing to the Senate amendment,

then 1 hour would be allotted to the manager of the bill (Mr. LONG of Maryland), half of which time would be yielded to the gentleman from Florida (Mr. YOUNG). Is that correct?

The SPEAKER pro tempore (Mr. NATCHER). There would be 30 minutes allotted to each party, the Chair would advise the gentleman.

Mr. BAUMAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The gentleman from Maryland (Mr. LONG) is recognized for 30 minutes.

Mr. LONG of Maryland. Mr. Speaker, this amendment allows the President with the concurrence of both Houses of the Congress to waive the direct aid prohibition to Mozambique and Angola. Therefore, Congress will keep control over the direct U.S. assistance to these two countries.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would point out that this gives the President with the concurrence of both Houses of Congress the right to waive the restrictions on aid with regard to Mozambique and Angola. I would take just a moment to point out that this is one of those inconsistencies we talked about before. The President was not given any right to waive the language as it related to the Philippines or to waive the language as it related to Brazil or Argentina or El Salvador or Guatemala or some of the others.

But he was given the right by this conference report with the concurrence of both Houses to waive aid restrictions in the case of Mozambique and Angola. I just point out again, Mr. Speaker, that is one of the glaring inconsistencies of this whole program.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Speaker, I wonder if the gentleman from Florida could tell me exactly what this phrase means, "with the concurrence of both Houses of Congress?"

I notice that the language requires that the President will have to make a determination that the aid to either Angola or Mozambique is in the interest of the U.S. foreign policy. Exactly what would be the role of the House and of the Senate?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield.

Mr. YOUNG of Florida. Mr. Speaker, it seems to me it would require some form of resolution, probably a concurrent resolution, to obtain the consent of Congress in this regard.

The gentleman is aware that we have used this type of language before. In effect, what it does is pretty much give to the White House the latitude to do whatever it pleases with respect to the handing out of foreign aid.

We have had this requirement in some cases on the military sales programs. I think the gentleman understands it gives the White House much more freedom, but this time only in the case of Mozambique and Angola. That is what I find

hard to understand. Why in the world we are going to give him this latitude in the case of Mozambique, ruled by a Marxist dictator; Angola, who is controlled by the Russians through their clients the Cubans?

It is said that Cuba has stabilized the situation in Angola. There is no doubt they have stabilized it, much as the Communists stabilized Poland, as they stabilized Czechoslovakia and in many other places.

Yes, Ambassador Young is right. The Communists did stabilize certain parts of the world, but not in a manner acceptable to me or my country. That is not even part of the conversation the gentleman from Maryland and I are having; but it does give us the opportunity to talk about the problem of Mozambique.

Mr. BAUMAN. When a provision like this is inserted in a foreign aid bill, usually there is some method provided in the bill for concurrence or disapproval; is the gentleman saying that lack of action on the part of either House would amount to approval and this section would not require affirmative action from either body?

Mr. YOUNG of Florida. I would not understand it that way. The language is simply this, except that the President with the concurrence of both Houses of Congress may waive this prohibition. My understanding is that he can only do it with the concurrence of both Houses, so that one House by lack of action could prevent the President from waiving this prohibition.

Mr. BAUMAN. Mr. Speaker, I would say that this amendment points up the basic fallacy of this legislation and the pitfalls it contains. The administration has already made it plain in its original determination creating a Southern African fund, which this bill finances, to give aid to both these Communist-dominated African countries. Both of these countries currently are engaged in violence, one against its own citizens, as in the case of Angola, where the Communist dictator Neto is trying to put down a revolution. Revolutionary soldiers control perhaps one-third of the country fighting against Neto and Cuban mercenaries.

In the case of Mozambique, we have a Communist dictator, Samora Machel, who also is engaged in training terrorists to attack the government and people of Rhodesia. This American aid to finance Communist warfare underscores the folly of the total foreign policy contained in this legislation.

It is highly unfortunate that in the recent vote on the conference report itself that the House would have backed down on numerous prohibitions against direct or indirect aid to Communist nations. This bill offers a blank check for the President, although he may go through the charade of coming to the House with a message that giving aid to Communist countries is in the best interests of America.

Mr. Speaker, this bill points up the dubious future of the foreign aid program. The conferees have stricken out the word "indirectly" governing aid to these two Communist countries. This will allow aid indirectly through the multilateral

institutions to both Angola and Mozambique, as the gentleman from Florida (Mr. YOUNG) and others have pointed out.

I would call attention of the House to a statement from John Gilligan, the Director of the Agency for International Development, in which Mr. Gilligan told the world what the foreign giveaway intentions of this administration are. He said by 1982 the Carter administration should recommend an annual level of foreign aid of \$14.5 billion, and apparently most of this is going to be taken out of the hands of Congress and, instead, run through the hands of these international lending agencies over which we have no control.

I honestly think in this amendment and in similar amendments and in the conference report as a whole, we have no compromise. We have a complete sellout. We have a case of these multilateral lending institutions digging our graves with our own money and we are paying the gravediggers.

After 30 years and \$200 billion, starting with the Marshall plan, this is what foreign aid has come to. It was supposed to be a program to protect the best foreign policy interests of the American people and instead it is being used to finance the destruction of the American people and this Nation.

I, for one, do not approve of this particular amendment. There should be an absolute prohibition of aid to these two Communist countries and to any other countries that are controlled by communism.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Illinois.

Mr. YATES. May I say to the gentleman that he made a very detailed statement, but is it appropriate in this instance inasmuch as whatever action the President takes in this case must be approved by both Houses of Congress? The President cannot act on his own in this case. Before he can provide any assistance to either Mozambique or Angola, he has to get the approval of both Houses of the Congress. Now, what greater protection or control do we have in this kind of bill?

Mr. BAUMAN. I would point to page 16, line 21. This particular aid prohibition requiring the concurrence of Congress only deals with direct bilateral aid. That would include the Southern African fund, but "indirectly" has been omitted and aid may be given through international banks, undoubtedly. That is what I particularly object. This will be the reckless road the administration chooses, wasting the taxpayers' money financing Communist revolutions and even indeed aligning themselves with the Cubans who are, at least in the case of Angola, infesting that country and holding it in bondage.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield.

Mr. LONG of Maryland. The gentleman knows that the legislative process is the most inconsistent business in the world. When we are in there with a Senate committee trying to hammer out

a bill, everything that comes out is not apt to be totally consistent. In this case, what we did was insist on concurrence. Actually, that was the Senate language, which seemed to me to be good language.

I think we ought to make legislative history here by saying that what we mean by concurrence of Congress is a concurrent resolution and not something that the chairmen of committees can simply give assent to. That does seem to me to give us considerable protection here against an arbitrary waiver by the President.

Mr. BAUMAN. I thank the gentleman for lending me some small comfort.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I was interested in my colleague from Maryland, the manager of the bill, indicating the give-and-take. I am wondering what we took. It sounds to me as though we gave most. As far as the so-called restrictive amendments are concerned, it would be a fair generalization to say that any restrictive amendments relating to Communist countries we lost on, and any related to countries that might be called friendly, such as Argentina and others, we won on the House position. Would that be a fair generalization?

Mr. BAUMAN. I think the gentleman put his finger on what the net balance is in this foreign aid bill. The American people lost, and lost badly. The Communist countries have gained considerably because under this bill they will be getting aid out of the American taxpayers' pockets.

But the gentleman understands that we have a letter, a famous letter signed by Jimmy Carter—and you can believe that—and the letter contains full assurances that the President will direct all the directors of these multilateral lending institutions not to vote for the loans to the named countries. Of course, the President does not point out that we do not control by a majority vote any of these institutions.

All the delegates to these international banks say, "Well, the President had to say that to get it through Congress, and we all understand that. We will vote the way we want and laugh in their faces."

Mr. ASHBROOK. That letter will increase foreign aid \$14.5 billion.

Mr. BAUMAN. The gentleman can depend on that just as he can depend on the President's announced plan to balance the budget by 1981. Perhaps this now famous letter should be called "the crimson letter."

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. As the gentleman knows, Members of the House have been subjected to one of the strongest lobbying efforts ever put on by the administration, and with the help of national and international organizations. One of these lobbying efforts includes a

letter that said how our involvement in these international institutions was encouraging other countries to make larger contributions. I am sure the gentleman did not see that letter.

But I saw a copy of that letter. It was not addressed to me, by the way. In talking about this business of how much others are contributing, I want to tell the gentleman about a resolution that is pending at the United Nations right now, introduced by the Russians and some of the Soviet bloc countries, that calls on the United Nations through the UNDP, and all of the members of the U.N., to rebuild Vietnam. Now, talk about how much these other countries are contributing, Russia is the prime sponsor of that resolution that is pending. Last year, Russia contributed \$4.2 million to the UNDP and the United States contributed \$100 million to UNDP. So in effect what they are saying is, "Go ahead and rebuild Vietnam, but with U.S. money."

If we analyze this particular situation with regard to Vietnam—and there are those who say we ought to rebuild Vietnam—we had an amendment to prohibit reparations to Vietnam, and 33 Members even voted against that amendment.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, it seems to me that we certainly do not want to provide foreign aid to countries that oppress their citizens by denying their civil rights and human rights, and if we feel that way and we mean it, we should put it in this legislation—or some other appropriate legislative measure.

On the other hand, if we are going to repose this kind of responsibility in the executive to carry out a national policy in that respect, then the responsibility should be reposed there and the President and his administration should be held accountable.

But it seems to me to be a distortion of our legislative process to omit language from a piece of legislation and then try to remedy it through a letter or some other type of informal arrangement. We either ought to preserve the legislative process in the way it has been traditionally practiced and consistent with our tripartite system of government, or we should acknowledge that we are abandoning it, but not pretend that we are legislating and then adopt this kind of hybrid system in which we set forth our intent through legislation and then purport to modify it through a letter to a Member of the House of Representatives.

Mr. BAUMAN. Mr. Speaker, I would say to the gentleman from Illinois that I concur with his concern about the lack of adherence to traditional parliamentary procedure that is inherent when attempts are made to raise a Presidential letter to the level of statutory law. Perhaps there are those who consider the Congress of the United States to be no better than the Georgia Legislature, and letters were enough to carry the

day there. I do not think it is quite the same in the Congress of the United States.

Mr. LONG of Maryland. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. LONG).

The question was taken; and the Speaker pro tempore being in doubt, the House divided, and there were ayes 35, noes 45.

Mr. LONG of Maryland. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device; and there were—yeas 188, nays 219, answered "present" 1, not voting 26, as follows:

[Roll No. 666]  
YEAS—188

Addabbo	Flood	Nix
Akaka	Florio	Nolan
Alexander	Ford, Mich.	Nowak
Ammerman	Ford, Tenn.	Oberstar
Annunzio	Fraser	Obey
Ashley	Gaydos	Ottinger
Aspin	Gephardt	Panetta
AuCoin	Gialmo	Patten
Badillo	Gore	Patterson
Baldus	Hamilton	Pattison
Baucus	Hanley	Pease
Beard, R.I.	Hannaford	Perkins
Bedell	Harkin	Pickle
Bellenson	Harrington	Preyer
Benjamin	Harris	Price
Bingham	Hawkins	Rahall
Blanchard	Hefter	Rangel
Blouin	Hightower	Reuss
Boggs	Holtzman	Richmond
Boland	Howard	Rodino
Bolling	Hughes	Roe
Bonior	Johnson, Calif.	Roncalio
Bonker	Jordan	Rooney
Brademas	Kastenmeier	Rosenthal
Breckinridge	Keys	Rostenkowski
Brodhead	Kildee	Roybal
Brooks	Kostmayer	Ryan
Brown, Calif.	Krebs	Santini
Buchanan	Krueger	Scheuer
Burke, Calif.	LaFalce	Schroeder
Burke, Mass.	Lederer	Seiberling
Burlison, Mo.	Leggett	Sharp
Burton, John	Lloyd, Calif.	Simon
Burton, Phillip	Long, La.	Slack
Carney	Long, Md.	Smith, Iowa
Carr	Lundine	Solarz
Cavanaugh	McCloskey	Spellman
Chisholm	McCormack	St Germain
Clay	McFall	Stark
Collins, Ill.	McHugh	Steed
Conte	McKay	Steers
Corman	Maguire	Stokes
Cornell	Mahon	Studds
Cornwell	Markey	Thompson
Cotter	Marks	Thornton
Danielson	Mattox	Tsongas
Delaney	Mazzoli	Tucker
Dellums	Meeds	Udall
Dicks	Meyner	Ullman
Diggs	Mikva	Van Deerlin
Downey	Milford	Vanik
Drinan	Miller, Calif.	Vento
Duncan, Oreg.	Mineta	Walgren
Eckhardt	Mitchell, Md.	Waxman
Edgar	Moakley	Weaver
Edwards, Calif.	Moffett	Weiss
Ellberg	Mollohan	Wilson, Tex.
Evans, Colo.	Moorhead, Pa.	Wirth
Fary	Murphy, Ill.	Wright
Fascell	Murtha	Yates
Fenwick	Myers, Michael	Young, Tex.
Findley	Natcher	Zablocki
Fisher	Nedzi	

**NAYS—219**

Abdnor	Frey	Murphy, Pa.
Allen	Fuqua	Myers, Gary
Ambro	Gammage	Myers, John
Anderson,	Gibbons	Neal
Calif.	Gilman	Nichols
Anderson, Ill.	Ginn	O'Brien
Andrews,	Glickman	Pettis
N. Dak.	Goldwater	Pike
Applegate	Goodling	Poage
Archer	Gradison	Pressler
Armstrong	Grassley	Pritchard
Ashbrook	Gudger	Pursell
Badham	Guyer	Quayle
Bafalis	Hall	Quillen
Barnard	Hammer-	Railsback
Bauman	schmidt	Regula
Bennett	Hansen	Rinaldo
Bevill	Harsha	Risenhoover
Bowen	Heckler	Roberts
Breaux	Hefner	Robinson
Brinkley	Hillis	Rogers
Broomfield	Holland	Rose
Brown, Mich.	Hollenbeck	Rousselot
Brown, Ohio	Holt	Rudd
Broyhill	Hubbard	Runnels
Burgener	Hyde	Ruppe
Burke, Fla.	Ichord	Russo
Burleson, Tex.	Ire, and	Sarasin
Butler	Jacobs	Satterfield
Byron	Jeffords	Sawyer
Caputo	Jenkins	Schulze
Carter	Jenrette	Shibley
Cederberg	Johnson, Colo.	Shuster
Clausen,	Jones, N.C.	Sikes
Don H.	Jones, Okla.	Sisk
Clawson, Del.	Jones, Tenn.	Skelton
Cleveland	Kasten	Skubitz
Cochran	Kazen	Smith, Nebr.
Cohen	Kelly	Snyder
Coleman	Kemp	Spence
Collins, Tex.	Ketchum	Staggers
Conable	Kindness	Stangeland
Corcoran	Lagomarsino	Stanton
Coughlin	Latta	Steiger
Crane	Leach	Stockman
Cunningham	Lent	Stratton
D'Amours	Levitas	Stump
Daniel, Dan	Livingston	Symms
Daniel, R. W.	Lloyd, Tenn.	Taylor
Davis	Lott	Thone
de la Garza	Lujan	Traxler
Derwinski	Luken	Treen
Devine	McClory	Trible
Dickinson	McDade	Volkmer
Dingell	McDonald	Waggonner
Dornan	McEwen	Walker
Duncan, Tenn.	McKinney	Walsh
Early	Madigan	Wampler
Edwards, Ala.	Mann	Watkins
Edwards, Okla.	Marlenee	White
Emery	Marriott	Whitehurst
English	Martin	Whitley
Erlenborn	Mathis	Whitten
Ertel	Michel	Wiggins
Evans, Del.	Mikulski	Wilson, C. H.
Evans, Ga.	Miller, Ohio	Winn
Evans, Ind.	Minish	Wylder
Fish	Mitchell, N.Y.	Wylie
Fithian	Montgomery	Yatron
Flippo	Moore	Young, Alaska
Flowers	Moorhead,	Young, Fla.
Flynt	Calif.	Young, Mo.
Forsythe	Moss	Zeferetti
Fowler	Mottl	
Frenzel	Murphy, N.Y.	

**ANSWERED "PRESENT"—1**

Gonzalez

**NOT VOTING—26**

Andrews, N.C.	Fountain	Pepper
Beard, Tenn.	Hagedorn	Rhodes
Biaggi	Horton	Sebelius
Chappell	Huckaby	Teague
Conyers	Koch	Vander Jagt
Dent	Le Fante	Whalen
Derrick	Lehman	Wilson, Bob
Dodd	Metcalfe	Wolf
Foley	Oakar	

The Clerk announced the following pairs:

On this vote:  
 Mr. Biaggi for, with Mr. Derrick against.  
 Mr. LeFante for, with Mr. Huckaby against.  
 Ms. Oakar for, with Mr. Teague against.  
 Mr. Pepper for, with Mr. Fountain against.  
 Mr. Wolf for, with Mr. Sebelius against.  
 Mr. Lehman for, with Mr. Bob Wilson against.

Mr. Whalen for, with Mr. Hagedorn against.  
 Mr. Metcalfe for, with Mr. Beard of Tennessee against.

Until further notice:

Mr. Dent with Mr. Conyers.  
 Mr. Dodd with Mr. Vander Jagt.  
 Mr. Foley with Mr. Andrews of North Carolina.

Mr. SISK changed his vote from "yea" to "nay."

So the motion was rejected.

The result of the vote was announced as above recorded.

**PERSONAL EXPLANATION**

Mr. HAGEDORN. Mr. Speaker, on roll-call No. 666 I was unavoidably detained in my office. Had I been present, I would have voted "no."

**MOTION OFFERED BY MR. YOUNG OF FLORIDA**

Mr. YOUNG of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YOUNG of Florida moves that the House insist on its disagreement to the amendment of the Senate No. 47.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. YOUNG) for 1 hour.

Mr. YOUNG of Florida. Mr. Speaker, the House has just voted against receding, so obviously the House wants to insist. Therefore, I offer a motion that we insist, which is exactly what the House has just voted on.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. YOUNG).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 17, line 8, insert:

SEC. 116. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated.

**MOTION OFFERED BY MR. LONG OF MARYLAND**

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 49 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Sec. 115. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated without the written prior approval of the Appropriations Committees of both Houses of the Congress."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: Page 19, line 11, strike "expended," and insert: "expended: *Provided*, That no such payment may be made while the United States Director to the Bank is compensated by the Bank at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section

5315 of title 5, United States Code, or while any alternate United States Director to the Bank is compensated by the Bank in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code."

**MOTION OFFERED BY MR. LONG OF MARYLAND**

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 57: Page 20, line 10, strike out: "expended" and insert: "expended: *Provided*, That no such payment may be made while the United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position of level V of the Executive Schedule under section 5316 of title 5, United States Code."

**MOTION OFFERED BY MR. LONG OF MARYLAND**

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 57 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 59: Page 21, line 3, strike out: "expended," and insert: "expended: *Provided*, That no such payment may be made while the United States Executive Director to the Bank is compensated by the Bank in a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code."

**MOTION OFFERED BY MR. LONG OF MARYLAND**

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 59 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 61: Page 21, line 18, strike out: "\$40,000,000" and insert: "\$42,000,000."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 61 and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment, insert the following: "\$38,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 64: Page 22, line 7, strike out: "expended" and insert: "expended: *Provided*, That no such payment may be made while the United States Executive Director to the International Bank for Reconstruction and Development is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 66: Page 23, line 1 insert:

**FUTURE UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL FINANCIAL INSTITUTIONS**

It is the sense of the Senate that the United States' share of contributions to future replenishments of the International Financial Institutions should not exceed the percentages enumerated below for each of the respective accounts within these institutions:

Asian Development Bank:  
Paid-in capital, 16.3 percent;  
Callable capital, 16.3 percent;  
Asian Development Fund, 22.2 percent;  
African Development Bank:  
Special Fund, 10.6 percent;  
Inter-American Development Bank:  
Paid-in ordinary capital, 34.5 percent;  
Callable ordinary capital, 34.5 percent;  
Paid-in interregional capital, 34.5 percent;  
Callable interregional capital, 34.5 percent;  
Fund for Special Operations, 40 percent;  
International Bank for Reconstruction and Development:  
Paid-in capital, 18.7 percent;  
Callable capital, 18.7 percent;  
International Development Association, 25 percent;  
International Finance Corporation, 23 percent.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the

amendment of the Senate numbered 66 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 74: Page 27, line 24, strike out:

SEC. 507. Of the funds appropriated or made available pursuant to this Act, not more than \$16,600,000 shall be used for military assistance, not more than \$1,700,000 shall be used for foreign military credit sales, and not more than \$600,000 shall be used for international military education and training to the Government of the Philippines.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 74 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"SEC. 503C. Of the funds appropriated or made available pursuant to this Act, not more than \$18,100,000 shall be used for military assistance, not more than \$1,850,000 shall be used for foreign military credit sales, and not more than \$700,000 shall be used for international military education and training to the Government of the Philippines."

The SPEAKER pro tempore. Without objection, the motion offered by the gentleman from Maryland (Mr. LONG) will be agreed to.

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Does the gentleman from Maryland (Mr. LONG) seek recognition?

Mr. LONG of Maryland. Mr. Speaker, I do not, at this time.

The SPEAKER pro tempore. Does the gentleman from Florida (Mr. YOUNG) desire to be recognized?

Mr. YOUNG of Florida. Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. LONG) and the gentleman from Florida (Mr. YOUNG) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, during the second conference committee meeting, in an attempt to resolve the differences that we found ourselves faced with, I offered a solution to the conference committee. That solution was that I would be willing to withdraw from my position on the restrictive language relative to aid to Vietnam, Cambodia and Laos, and to the language including Mozambique and Cuba and a number of other countries, if the conference committee would also be willing to withdraw from the restrictions on Argentina, the Philippines, Brazil, Guatemala, El Salvador and a few other countries.

I thought if the arguments that the President's hands should not be tied, if those arguments were valid, then we should remove all the restrictions and have no restrictions mentioned in the

bill whatsoever; but if we were going to have restrictions, we certainly ought to include them against the countries of Vietnam, Cambodia, Laos, and Uganda.

The case we are talking about at the moment is the Philippines. Does anybody question our friendship with the Philippines? Does anybody question the strength of the Philippines as an ally of the United States? Does anybody question the need to the security of this Nation to have the bases we have in the Philippines now? I do not think very many would question that. I do not think the American people do.

What we did in the conference and what we included in the House bill does not amount to a lot of money, but it is a symbolic slap in the face at an old friend, the Philippines. Now, their historic and unique ties with the United States, as well as their important military and strategic location, is well known. Any potential enemy we might have in that part of the world would love for us to give up our relationship with the Philippines.

Mr. Speaker, I will conclude my argument on this issue. I have made the argument so many times in the subcommittee and in the full committee and on the floor that I feel I am repeating myself, and I know I am; but this is a message that bears repeating. How in the world are we going to be able to keep what few friends we have left in the world if every one of them wonders, "When am I next? When does the U.S. Congress or the U.S. Government take me on next? When do they cut my assistance?"

I say that we are traveling dangerous waters. We ought to be realistically looking at the world. We ought to be improving present relationships and creating new relationships. We certainly should not be taking a symbolic slap at the face of our friends.

Mr. Speaker, I reserve the balance of my time.

Mr. LONG of Maryland. Mr. Speaker, I yield 7 minutes to the gentlewoman from California (Mrs. BURKE).

Mrs. BURKE of California. Mr. Speaker, if we review this conference report, it is an increase of \$1.5 million over what we voted in this House for military assistance to the Philippines. If we look at page 27 of the bill, when we voted on this bill we voted \$16,600,000 for military assistance. This is an increase in the conference report to \$18,100,000. So, what this conference report represents is a compromise between the position of this House and the position of the Senate.

Let me give the Members another clarification of where we are on this particular appropriation. This is more than the appropriation last year for the Philippines. The question becomes, How much of an increase should we give in military aid to the Philippines? The request by the administration was originally for an increase of some \$2.6 million. However, the committee held exten-

sive hearings and listened to many charges by people who were being detained in the Philippines.

The Philippines has been a recipient of our military aid since 1947. Since the imposition of martial law by President Ferdinand Marcos, however, U.S. military aid has escalated from \$80.8 million in the 4-year period preceding martial law—fiscal years 1969–72—to \$166.4 million in the 4-year period following its declaration—fiscal years 1973–76. This represents a 106-percent increase.

The Carter administration, although supporting the policy of phaseout in regards to the military assistance program, has requested that the Philippines receive a \$2.6 million increase for fiscal year 1978. This is the only country in the world where military assistance program requests have increased.

The justification for this increased aid is, supposedly, demonstration of continued U.S. support in the defense of the Philippines. But even the Pentagon admits that the Philippines is not subject to any viable external threat. It seems that the defense envisioned is, rather, defense of the Marcos regime.

Military assistance program funds given to the Philippines have been questioned by the Government Accounting Office in regards to support for police-related units which may be in violation of legislation prohibiting U.S. assistance to foreign police forces and prisons.

The questionable practices of police support included support through common-use facilities, rotation of MAP-trained personnel, lack of clear identification of units which have dual military-police functions, and support to law enforcement units while under martial law. MAP-trained units, in effect, have often become law enforcement agencies as the delineation between the two faded. It is noteworthy that out of 85 alleged torturers identified by Amnesty International 42 were officers ranking from lieutenant to brigadier general.

The GAO study found military forces in the Philippines were given responsibility for maintaining internal security against "subversives." The training for these forces was often received through the international military education and training program. Between 1970 and 1975, 34 Filipino officers were trained in such courses as intelligence, criminal investigating, and military police functions at the U.S. Military Police School.

The continued training of armed forces personnel operating under conditions of martial law is disconcerting to the Filipino people, who are increasingly becoming the objects of the torture by these officers.

The instances of torture have increased so rapidly that even the World Bank threatened postponement of a \$15 million resettlement loan to the Philippines at the suggestion of Canadian Director Earl Drake. Drake was concerned with the arrest on April 25 of Trinidad Herrera, a Manila slum leader. Ms. Herrera had been detained by authorities after having expressed some concern about aspects of the World Bank project in Manila's Tondo slum district. She was

ordered freed only after reports of U.S. interest in her arrest and possible torture became apparent.

The State Department estimates that political prisoners in the Philippines range in number from 500 to 6,000. Amnesty International investigated the Philippines in late 1975 and "found unavoidable the conclusion that torture was used frequently and with extreme cruelty often over long periods."

Ms. Herrera, the 35-year-old spokesman for an estimated million persons living in Manila's slums does not, therefore, represent a rare case. The State Department, Amnesty International, and Friends of the Filipino People have found that torture of political prisoners is common.

The most distressing aspect of this practice is our support of it through the military assistance program and the international military and education training program. Among the several high-ranking officials who have been involved in the torture of political prisoners is Col. Greg R. Perez, a director of the National Intelligence and Security Authority—NISA. Colonel Perez has undergone training in the Johns Hopkins School for Strategic Studies which is known for its having produced CIA agents. In addition, Colonel Perez frequents military and civilian intelligence units such as those supervised by the 5th Military Intelligence Group, 5th Constabulary Security Unit, and the NISA/Civil Intelligence and Security Agency—CISA. He conducts interrogations and dictates the type and duration of torture.

The cuts in military aid to the Philippines are small when compared to the \$36.9 million left. But they are, I believe, a sign to the Filipino people—a signal of disapproval by this country of the martial law tactics of Ferdinand Marcos. They in no way impair our alliance with the nation he leads.

There is just one additional thing that I think must be clarified. I think all of us know that when the State Department is concerned with the level of aid, we hear from them. When they are concerned about whether or not negotiations on military bases are in jeopardy, we hear from them. I know that Members have not heard from them because they have said that the military bases allocations will be voted on totally separately; that there is nothing that is involved in this allocation that will affect the negotiations. The State Department has said that they are perfectly willing to live with this. It is reasonable; it sends out the word, but at the same time penalizes no one. I ask the Members to sustain the conference committee report, which is a compromise between what this House voted and what the Senate voted in terms of military assistance and military training for the Philippines.

Mr. LONG of Maryland. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I do not want to get into the issue of whether or not the Philippines are a good friend or not, or whether we approve of their human rights position or not. I simply want to make sure that the House understands

exactly what is in this bill right now. I simply want to read the six figures when this bill passed, and which have already been mentioned by the gentlewoman from California, but which bear repeating.

When this bill passed the House, we had for military assistance \$17.6 million for the Philippines. In this bill now, it is \$18.1 million. We are up from the amount originally approved by the House.

In credit sales, the House had \$1,700,000. In this bill, we are now at \$1,850,000. For training we were, when the bill left the House originally, at \$600,000. We are now at \$700,000. In other words, we are above the level which the House approved originally. So, anyone who feels that we are treating the Philippines unfairly ought to understand that we are giving them a better deal now than we gave them in the original bill which left the House.

In addition to that, the administration indicated they could live with the figures which the House provided in the bill when it passed the bill originally. And we are substantially above the amount which the administration said they could live with. I do not think the House ought to give in to a case of special pleading here. I think what we ought to do is to accept the judgment of the committee, which accepted the judgment of the administration and then added a little bit more as a safety factor.

The Philippines have been dealt with very well in this amendment. And again I repeat that it is the only real consideration at this time. We are above the amount that the House originally provided for the Philippines. And if the Members think we ought to be providing aid to the Philippines, what is wrong with that?

Mr. LONG of Maryland. Mr. Speaker, I certainly want to support the statements of the gentlewoman from California and the gentleman from Wisconsin. In no way is this a cave-in by the House, except to give more money to the Philippines than we originally did. I think the whole position here has been misconstrued as though somehow we came out of that conference hurting the Philippines. We came out of the conference giving the Philippines more money than the House originally voted a couple of months ago.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from Texas.

Mr. MAHON. I thank the gentleman for yielding.

Mr. Speaker, the gentleman from Maryland (Mr. LONG), the chairman of the subcommittee, is eminently correct. By all means, the House position ought to be sustained.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with the statement of the gentleman from Maryland that this is more money than the House passed, but the House reduces the administration's request for aid to the Philippines. Everybody paid close attention today to the position of the President and

the White House on the overall foreign aid and the conference report, so the Members might want to know what the administration position is on this amendment No. 74. The executive branch favors the Senate amendment. The Senate amendment is not a symbolic slap at the Philippines. I conceded and acknowledged in my opening remarks that it is not a lot of money. I agree with that. It is not a lot of money, but it is symbolic. It is a slap at an old friend.

Mrs. BURKE of California. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentlewoman from California.

Mrs. BURKE of California. I thank the gentleman for yielding.

Mr. Speaker, will the gentleman concede that this is more than the House passed when it voted on the bill?

Mr. YOUNG of Florida. I just said that. But I also said it is less than the Senate. And the Senate did not make a symbolic slap at the Philippines. Again I concede it is not a lot of money. We are not talking about a lot of money. But it is symbolic. The gentlewoman from California urged us to send out a message. In her words, I think she said we should send out the word. I agree that we ought to send out the word all over the world that we are not going to be financing anybody who flagrantly violates human rights anywhere in the world. But why start with a friend? Why do we not send out the word to Uganda, where the leader of Uganda admits that he eats his opponents? Why not send out the word that we will start with Uganda?

PREFERENTIAL MOTION OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. YOUNG of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 74 and concur therein.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I object to the motion.

Mr. BAUMAN. Regular order, Mr. Speaker.

Mr. YOUNG of Florida. Mr. Speaker, I move the previous question on the preferential motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion offered by the gentleman from Florida (Mr. YOUNG).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. YOUNG of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 160, nays 254, not voting 20, as follows:

[Roll No. 667]

YEAS—160

Abdnor	Forsythe	Myers, Gary
Anderson, Ill.	Fountain	Myers, John
Andrews,	Frey	Myers, Michael
N. Dak.	Fuqua	Nichols
Archer	Giulmo	O'Brien
Armstrong	Gibbons	Pettis
Ashley	Gilman	Pritchard
Badham	Ginn	Pursell
Bafalis	Goodling	Quayle
Barnard	Guyer	Quillen
Bauman	Hagedorn	Regula
Beard, Tenn.	Hall	Robinson
Bennett	Hammer-	Rogers
Bevill	schmidt	Roussetot
B.anchard	Hansen	Rudd
Bowen	Harsha	Ruppe
Breckinridge	Hillis	Sarasin
Brinkley	Holland	Satterfield
Broomfield	Holt	Sawyer
Brown, Mich.	Hubbard	Schulze
Brown, Ohio	Hyde	Sebelius
Buchanan	Ireland	Shuster
Burgener	Jeffords	Sikes
Burke, Fla.	Kasten	Skubitz
Butler	Kelly	Smith, Nebr.
Byron	Kemp	Spence
Carter	Ketchum	Staggers
Cederberg	Kindness	Stange, and
C.ausen,	Lagomarsino	Stanton
Don H.	Latta	Steiger
Clawson, Del	Leach	Stockman
Cleve, and	Leggett	Stratton
Cochran	Lent	Stump
Cohen	Levitas	Symms
Co.eman	Livingston	Taylor
Collins, Tex.	Lloyd, Tenn.	Thone
Conable	Lott	Treen
Conte	Lujan	Trible
Corcoran	McCloskey	Waggonner
Coughlin	McDade	Walsh
Crane	McDonald	Wampler
Cunningham	McEwen	White
Daniel, R. W.	McKinney	Whitehurst
Davis	Madigan	Wiggins
Derwinski	Mann	Winn
Devine	Marks	Wydler
Dickinson	Marriott	Wyllie
Dingell	Martin	Young, Alaska
Dornan	Michel	Young, Fla.
Duncan, Tenn.	Miller, Ohio	Young, Tex.
Edwards, Ala.	Mitchell, N.Y.	Zablocki
Erlenborn	Montgomery	Zeferetti
Evans, Del.	Moore	
Findley	Moorhead,	
Fish	Calif.	
Flynt	Murphy, N.Y.	

NAYS—254

Addabbo	Chisholm	Fowler
Akaka	Clay	Fraser
Alexander	Collins, Ill.	Frenzel
Allen	Conyers	Gammage
Ambro	Corman	Gaydos
Ammerman	Cornell	Gephardt
Anderson,	Cornwell	Glickman
Calif.	Cotter	Gonzalez
Andrews, N.C.	D'Amours	Gore
Annuozio	Daniel, Dan	Gradison
Applegate	Danielson	Grassley
Aspin	de la Garza	Gudger
AuCoin	Delaney	Hamilton
Badillo	De'lums	Hanley
Baldus	Dent	Hannaford
Baucus	Dicks	Harkin
Beard, R.I.	Diggs	Harrington
Bedell	Downey	Harris
Bellenson	Drinan	Hawkins
Benjamin	Duncan, Oreg.	Heflicker
Bingham	Early	Hefner
Blouin	Eckhardt	Heftel
Boggs	Edgar	Hightower
Boland	Edwards, Calif.	Holtzman
Bonior	Edwards, Okla.	Horton
Bonker	Elberg	Howard
Brademas	Emery	Hughes
Breaux	English	Ichord
Brodhead	Ertel	Jacobs
Brooks	Evans, Colo.	Jenkins
Brown, Calif.	Evans, Ind.	Jenrette
Broyhill	Fary	Johnson, Calif.
Burke, Calif.	Fascell	Johnson, Colo.
Burke, Mass.	Fenwick	Jones, N.C.
Burleson, Tex.	Fisher	Jones, Okla.
Burlison, Mo.	Fithian	Jones, Tenn.
Burton, John	Filippo	Jordan
Burton, Phillip	Flood	Kastenmeier
Caputo	Florio	Kazen
Carney	Flowers	Keys
Carr	Foley	Kildee
Cavanaugh	Ford, Mich.	Kostmayer
Chappell	Ford, Tenn.	Krebs

Krueger	Nix	Sharp
LaFalce	Nolan	Shipley
Lederer	Nowak	Simon
Lehman	Oberstar	Sisk
Lloyd, Calif.	Obey	Skelton
Long, La.	Ottinger	Slack
Long, Md.	Panetta	Smith, Iowa
Luken	Patten	Snyder
Lundine	Patterson	Solarz
McClory	Pattison	Spellman
McCormack	Pease	St Germain
McFall	Perkins	Stark
McHugh	Pickle	Steed
McKay	Pike	Steers
Maguire	Poage	Stokes
Mahon	Pressler	Studds
Markey	Preyer	Thompson
Marlenee	Price	Thornton
Mathis	Quie	Traxler
Mattox	Rahall	Tsongas
Mazzoli	Rallsback	Tucker
Meeds	Rangel	Udall
Meyner	Reuss	Ullman
Mikulski	Richmond	Van Deerin
Mikva	Rinaldo	Vanik
Milford	Risenhoover	Vento
Miller, Calif.	Roberts	Volkmer
Mineta	Rodino	Walgren
Minish	Roe	Walker
Mitchell, Md.	Roncallo	Watkins
Moakley	Rooney	Waxman
Moffett	Rose	Weaver
Mollohan	Rosenthal	Weiss
Moorhead, Pa.	Rostenkowski	Whitley
Moss	Roybal	Whitten
Mottl	Runnels	Wilson, C. H.
Murphy, Ill.	Russo	Wilson, Tex.
Murphy, Pa.	Ryan	Wirth
Murtha	Santini	Wright
Natcher	Scheuer	Yates
Neal	Schroeder	Yatron
Nedzi	Seiberling	Young, Mo.

NOT VOTING—20

Ashbrook	Hollenbeck	Rhodes
Biaggi	Huckaby	Teague
Bolling	Koch	Vander Jagt
Derrick	Le Fante	Whalen
Dodd	Metcalfe	Wilson, Bob
Evans, Ga.	Oakar	Wolff
Goldwater	Pepper	

Mr. SCHEUER changed his vote from "yea" to "nay."

So the preferential motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection the previous question is ordered on the motion offered by the gentleman from Maryland (Mr. LONG).

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 80: Page 29, line 2, insert:

"SEC. 507. It is the sense of the Congress that, where other means have proven ineffective in promoting international human rights, and except where the President determines that the cause of international human rights is served more effectively by actions other than voting against such assistance or where the assistance is directed to programs that serve the basic needs of the impoverished majority of the country in question, United States representatives to the International Bank for Reconstruction and Development, the International Development Association, the African Development Fund, the Asian Development Bank, and the Inter-American Development Bank should oppose loans and other financial or technical assistance to any country that persists in a systematic pattern of gross violations of fundamental Human Rights."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 80 and concur therein.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I yield to the gentleman from Iowa (Mr. HARKIN).

Mr. HARKIN. Mr. Speaker, I would just like to have this amendment to section 507 clarified. This is the language that originally had surfaced on the authorization bill from the Senate. That was defeated here in the House by a substantial vote. It went back to conference. That language was removed, and that language does not now appear in the authorization bill. What I would just like to have clarified is, in my opinion correct that the authorization language is really the controlling language in the appropriations bill and not this technical language here? Is that the judgment of the chairman of the committee?

Mr. LONG of Maryland. Mr. Speaker, in response to the gentleman's statement, I would like to assure him the provision contained in this amendment is simply a sense of the Congress provision on human rights and in no way is it intended to overturn or preclude the provision contained in the International Financial Institutions Authorization Act, Public Law 95-118, dealing with the same subject. As I indicated previously, this is a sense of the Congress provision and could not overrule the provision contained in the authorization bill because it does not have the force of law. Also, it was not the intention of the House conferees in any way whatsoever to circumvent the effect of the gentleman's authorization provision.

Mr. HARKIN. I thank the Chairman. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. LONG).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 81: Page 29, line 17 strike lines 17 through 22.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 81 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"Sec. 508. Notwithstanding the budget authority levels of \$523,000,000 for the Inter-American Development Bank and \$400,000,000 for the International Bank for Reconstruction and Development provided elsewhere in this Act, not more than \$480,000,000 shall be made available by this Act for obligation or expenditure for a United States contribution to the Inter-American Development Bank and not more than \$380,000,000 shall be made available by this Act for obligation or expenditure for a United States contribution to the International Bank for Reconstruction and Development: *Provided*, That this section shall apply only to the establishment of budget authority

levels for the aforementioned Banks and shall not alter limitations, restrictions or other language provisions elsewhere in this Act."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 82: Page 29, line 23, insert:

"Sec. 508. None of the funds appropriated or otherwise made available by this Act to the Export-Import Bank and funds appropriated by this Act for direct foreign assistance may be obligated for any government which aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism, unless the President of the United States finds that the national security requires otherwise."

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Sec. 509. None of the funds appropriated or otherwise made available by this Act to the Export-Import Bank and funds appropriated by this Act for direct foreign assistance may be obligated for any government which aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed an act of international terrorism, unless the President of the United States finds that the national security requires otherwise."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 83: Page 30, line 6 insert:

SEC. 509. It is the sense of the Senate that the Secretary of State should prepare and submit to the Speaker of the House of Representatives and to the President of the Senate—

(1) not later than six months after the date of enactment of this section, a report on the adequacy of insurance provided by the accredited diplomatic missions to the United States to cover loss or injury arising from the wrongful acts or omissions of the employees of such missions in the United States;

(2) not later than one year after the date of enactment of this section, a report on what efforts the President and the Secretary of State have made to encourage the provision of such coverage; and

(3) not later than six months after the date of enactment of this section, a report on what the Secretary of State has done to encourage the Government of Panama to make satisfactory compensation to Dr. Halla Brown for loss or injury arising out of the accident of April 20, 1974.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 83 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Sec. 510. It is the sense of the Congress that the Secretary of State should prepare and submit to the Speaker of the House of Representatives and to the President of the Senate—

(1) not later than six months after the date of enactment of this section, a report on the adequacy of insurance provided by the accredited diplomatic missions to the United States to cover loss or injury arising from the wrongful acts or omissions of the employees of such missions in the United States;

(2) not later than one year after the date of enactment of this section, a report on what efforts the President and the Secretary of State have made to encourage the provision of such coverage; and

(3) not later than six months after the date of enactment of this section, a report on what the Secretary of State has done to encourage, the Government of Panama to make satisfactory compensation to Dr. Halla Brown for loss or injury arising out of the accident of April 20, 1974."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 84: Page 31, line 1, insert:

#### TITLE VI—ROMANIAN RELIEF AND REHABILITATION

Sec. 601. For expenses necessary to carry out the provisions of section 495D of the Foreign Assistance Act of 1961, as amended, \$13,000,000 for the fiscal year 1977 for Romanian relief and rehabilitation assistance, to remain available until expended.

MOTION OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LONG of Maryland moves that the House recede from its disagreement to the amendment of the Senate numbered 84 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

#### GENERAL LEAVE

Mr. LONG of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to and also on the amendments in disagreement.

Mr. Speaker, I also ask unanimous consent that I may include certain extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 9346, SOCIAL SECURITY FINANCING AMENDMENTS OF 1977

Mr. SISK, from the Committee on Rules, submitted a privileged report (Rept. No. 95-714), on the resolution (H. Res. 839) providing for the consideration of H.R. 9346, to amend the Social Security Act and the Internal Revenue

Code of 1954 to strengthen the financing of the social security system, to reduce the effect of wage and price fluctuation on the system's benefit structure, to provide coverage under the system for officers and employees of the United States, of the State and local governments, and of nonprofit organizations, to increase the earnings limitation, to eliminate certain gender-based distinctions and provide for a study of proposals to eliminate dependency and sex discrimination from the social security program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have asked for this time for the purpose of inquiring of the distinguished majority leader if this concludes the business for the day and, if so, what the adjustment in the program will be for tomorrow.

Mr. WRIGHT. Mr. Speaker, will the distinguished gentleman from Illinois yield?

Mr. MICHEL. Mr. Speaker, I am happy to yield.

Mr. WRIGHT. Mr. Speaker, the hour of 5:30 having arrived, it will be the purpose of the leadership to schedule no further legislative business for today.

It will be our intent to ask unanimous consent, immediately following this colloquy, that when we adjourn today, we adjourn until 10 o'clock tomorrow morning. The plan is to come in at 10 o'clock tomorrow morning, take up the cargo preference bill. Following that, we will go to the supplemental appropriations bill.

Thereafter, we will try to do as much as we can on the social security adjustment bill.

Mr. MICHEL. Mr. Speaker, the distinguished majority leader made mention that after the rule on cargo preference, we would go to the supplemental appropriations bill. Do I assume that the majority leader is indicating there is a chance of defeating that rule and, therefore, to put that matter to rest?

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield further, the majority leader had no such thought in mind in speculating over a rule. I would assume the rule would be adopted.

Mr. MICHEL. Mr. Speaker, if it is, we would go to the remainder of the legislation?

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield further, we would debate the remainder of the legislation. It is a 2-hour rule.

Mr. MICHEL. Mr. Speaker, is it my understanding we would be prepared to go to about 8 o'clock tomorrow evening?

Mr. WRIGHT. Mr. Speaker, the gentleman is correct. The plan of the leadership would be to continue through Wednesday until approximately 8 o'clock. This would facilitate the week's business. Depending on how far we go tomorrow by 8 o'clock on the social

security adjustment bill, we would have relatively less to complete on Thursday. We should be able to complete the social security bill on Thursday and whatever else is on the schedule, so we can conclude the week's work.

Mr. MICHEL. Mr. Speaker, if the Dodgers win tonight, would that make any difference?

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I would like to inquire of the leadership if they can give the House any possibility of a vote on any conference bill, particularly the one with respect to the minimum wage. Can the gentleman tell us when that matter might be ready for action by the House?

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield further, I do not have any information with respect to the bill and the intention to bring up the conference report.

Mr. PICKLE. Mr. Speaker, if the gentleman will yield further, I assume it will not be tomorrow.

Mr. WRIGHT. Mr. Speaker, if the gentleman will yield further, the gentleman is probably correct. I know of no plan to bring that conference report to the House tomorrow; but as has already been said when the program is announced, conference reports may be brought up at any time.

Mr. PICKLE. So far as the gentleman knows, it is not?

Mr. WRIGHT. I know of no plan to bring it up tomorrow. There has been, so far as I know, no requests to schedule it.

Mr. JOHN T. MYERS. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Indiana.

Mr. JOHN T. MYERS. Along this same line, as I understand it, tomorrow evening, regardless of the hour and so far as it is reasonable, supposing that at 6 o'clock we complete the supplemental appropriation bill, would we nevertheless go to the social security bill at that time? Is it the intention of the leadership to give that flexibility?

Mr. WRIGHT. If the gentleman will yield, let us leave the flexibility to fit the circumstances. It is the present plan to go to social security tomorrow evening. It is conceivable that we might be late concluding the supplemental appropriation bill and we will not be able to reach that other matter. But, I hope we will be able to reach it.

Mr. JOHN T. MYERS. I thank the gentleman.

#### HOUR OF MEETING TOMORROW

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, Wednesday, October 19, 1977.

The SPEAKER pro tempore (Mr. NATCHER). Is there objection to the request of the gentleman from Texas?

There was no objection.

#### DANVILLE, VA., REGISTER GOES "OFFSET" WITH NEW PRESS

(Mr. DAN DANIEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DAN DANIEL. Mr. Speaker, in 1848 gold was discovered at Sutter's Mill; chewing gum was first sold commercially; a primitive form of "air-conditioning" was installed in a New York theater; three colleges and universities presently in existence were founded; as was the American Association for the Advancement of Science; and the Associated Press was established.

All in all, while it is not a year recognized immediately, it was not without its accomplishments.

And in my hometown, Danville, Va., it was notable for another reason. For in that year, the Danville Register was established to provide, as its masthead states, a public service to the people of the area. This it did and has done, for these past 129 years.

Earlier this month, the Register Publishing Co., parent company of the Danville Register and the Bee, an evening paper, installed one of the most modern offset presses in the State of Virginia. This was reported with justifiable pride by Nelson Benyunes, editor of the Bee.

I respectfully request, that Mr. Benyunes' article, which reports this milestone in better style than I might do, be reprinted in the RECORD at this point. The article follows:

#### REGISTER GOES "OFFSET" WITH NEW PRESS (By Nelson Benyunes)

The Register Publishing Co. today begins publication of The Danville Register and The Bee and allied publications on a new Goss Urbanite offset press.

The nine-unit press, one of the most modern and the largest of its kind in Virginia, is capable of producing a 72-page newspaper or a 144-page tabloid.

In addition, the press, housed at new facilities on Monument Street, has full-color publishing capabilities.

"We're extremely proud of this new press which will provide our readers with a superior newspaper product," said E. Stuart James Grant, president of The Register Publishing Co. "This investment is consistent with our policy of keeping our publications abreast of the latest in newspaper technology."

Even now, Mr. Grant continued, innovations are being considered to make the new press more flexible and to enhance further the quality of the newspapers.

"This press will greatly improve the production and delivery of The Danville Register and The Bee," said R. James Grant, executive vice president and general manager of The Register Publishing Co.

Grant said the offset press is capable of printing full-size papers at a rate of up to 45,000 per hour, including full color editions.

"It's a 30-year dream come true," said C. Leon Townsend, superintendent of printing and platemaking at the new plant on Monument Street. "The quality of reproduction is far superior to our old letterpress unit, especially in the areas of photographic reproduction."

The new press, purchased earlier this year from the MGD Graphics Division of Rockwell International and installed under the supervision of Tony Stoffel, is located in a

new 8,400 square-foot building constructed by P. L. Anderson and Son, said Mr. Grant.

The new plant is adjacent to The Register Publishing Co.'s existing newsprint storage facilities, he added, and has sufficient parking facilities for the circulation department's delivery fleet and press employes.

Mr. Grant said that circulation and distribution of the daily newspapers from the new plant will alleviate traffic problems heretofore encountered at the Rorer A. James Building at the corner of S. Union and Patton Streets.

The business offices of the Register Publishing Co. as well as the news, advertising and composition departments will continue to operate from the James Building.

#### A TRIBUTE TO EARLE C. CLEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON. Mr. Speaker, former Congressman, Governor, and Senator Earle C. Clements will be celebrating his 81st birthday tomorrow, and I want to take this opportunity to say a few words about this remarkable man.

He has served with distinction in more public offices than any man I know of. He began his career as the sheriff of Union County, Ky., and then was elected county clerk and county judge. He became a State senator, State senate majority leader, a member of our own body, Governor of the State of Kentucky, and then a U.S. Senator from Kentucky.

He was a close friend and adviser to Presidents Harry S. Truman and Lyndon B. Johnson. Several Members of this body, and I am proud to be among their number, call upon him often for his counsel. His keen mind is finely tempered by decades of weighty decisions in some of the highest offices in our land.

He is a lover of horses and is considered an expert on horses.

He loves young people, and thousands of Job Corps graduates around the country can be grateful to him for his unremitting fight to preserve and protect the Job Corps program.

His own very beautiful daughter, Mrs. Bess Abel, is continuing his tradition of public service by occupying an important post in Vice President MONDALE's office.

I know my colleagues will join me in saying happy birthday to Earle Clements. You have our lasting affection, respect, and friendship.

#### NO CARGO PREFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KOCH) is recognized for 10 minutes.

Mr. KOCH. Mr. Speaker, the fundamental issue is whether or not this country should adopt a policy of cargo preference as a means of strengthening our maritime industry. I believe this issue needs further study because, as the President's economic policy group memorandum states, cargo preference will not solve the longrun problems of the indus-

try. Even with cargo preference the industry will soon be back seeking additional Federal assistance. For this reason I support the EPG suggestion of an in-depth study of the maritime industry.

A reading of the various administration memorandums makes clear that the essential issue to the industry is whether or not we now set the precedent for cargo preference, no matter how limited by amount or commodity. I do not believe we should take this important step in the face of the general objection that this step will not solve the longrun problems of the industry and in the face of the many specific objections that have been raised.

The national security arguments in favor of cargo preference are false. The EPG memorandum states that—

Defense believes that the essential national security problem is access to, not carriage of, oil, and does not support H.R. 1037 on national security grounds.

With respect to the adequacy of the U.S. merchant fleet for national security purposes, the Department of Defense has repeatedly indicated that we need not tankers, but break bulk ships, roll-on roll-off ships, LASH ships, and self-sustaining container ships.

In addition the EPG memorandum states:

State believes that, on balance, oil cargo preference would not be beneficial to national security. U.S. cargo preference, if emulated by others, would reduce U.S. flexibility in future supply disruptions should U.S.-flag tankers be banned from suppliers' ports.

The net impact on the economy as a whole would be a decrease in total employment and GNP. This was the finding of both the President's Council of Economic Advisers and the General Accounting Office. The GAO reported specifically that—

Purchasing power, which previously was spent on a range of goods and services, would under cargo preference be spent on the transport differential. Thus, the gross national product and the employment engaged in the production of these other goods and services would both decline. . . . Cargo preference will cause a net loss in employment.

If the President's energy program takes hold and we are importing 6 million barrels a day in 1985, by then only 2,100 seagoing jobs will have been created and no shipyard jobs, at a cost per seagoing job of \$110,000, excluding the price increase of domestic oil. The GAO report predicts that, following the price increase of imported oil due to cargo preference costs, the price of domestic oil will be allowed to rise as well or a wellhead tax will be imposed to equalize prices. In either case Americans will be paying more. As the American Farm Bureau Federation points out, this includes the farmer, who will have to pass the additional cost on to the consumer.

Including the expected price increase of domestic oil, the cost to the consumer has been estimated by the GAO to be \$610 million a year by 1985. Furthermore

New England consumers will bear the brunt of this cost increase, as New England uses much of the imported oil. As Deputy Assistant Secretary of the Treasury Gary Hufbauer wrote in a March 8, 1977 memorandum:

The cost of building the tankers and paying the crew will fall on U.S. consumers and will mean a sharp increase for oil, particularly in the New England states, which are the big importers.

If the aim is to subsidize seagoing jobs, it would certainly be cheaper to do so by expanding the current operating subsidy program. If the aim is to expand our merchant marine fleet, it would certainly be cheaper to purchase foreign-flag ships, which are currently glutting the market, at a fraction of their value, transfer them to U.S. registry, and reconstruct them here to meet U.S. safety and anti-pollution standards. Reconstruction will provide jobs. An increased operating subsidy program that extends to U.S. reconstructed, foreign-flag ships, as outlined in option 2 of the EPG memorandum, would generate 5,000 additional seagoing jobs as well as the reconstruction jobs at a total annual cost of \$100 million, or \$20,000 per seagoing job.

On a related matter I would like to point out that improved environmental protection will not be achieved through this bill, under which no new tankers will be built until 1985. Rather the best way is through enforcement of the current U.S. Coast Guard regulations concerning new construction, safety, and equipment standards for all oil tankers entering U.S. waters.

In summary, Mr. Speaker, I oppose cargo preference and urge further study of other means better able to strengthen our marine industry.

#### CONGRESSMAN ENGLISH INTRODUCES LEGISLATION TO CREATE A CABINET-LEVEL DEPARTMENT OF EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Speaker, I am today introducing H.R. 9618, to create a separate Cabinet-level Department of Education. This measure continues the legislative effort I began in the 94th Congress to provide a central authority to supervise our Nation's commitment to educational excellence.

Today, Mr. Speaker, there are 40 different agencies in Washington which are involved in education in one way or another—yet we do not have any central agency with the primary responsibility of overseeing the effectiveness of these many programs.

In fact, the U.S. Office of Education has too often been buried beneath the redtape at its overgrown parent agency, the Department of Health, Education, and Welfare. As other social programs have expanded, the importance of HEW's

Office of Education has been diminished, and our schools have often paid the price for this neglect.

As a member of the Government Operations Committee, I have been disturbed by the continuing revelations of fraud and abuse within HEW—abuses which have rarely taken place in educational programs. These difficulties emphasize the need to make this huge agency more manageable, and to end the burden which waste in other areas is placing on legitimate educational programs.

The bill I am introducing today would reaffirm the commitment which the founding fathers made to providing this Nation's children with the best possible preparation for life in our free society. I do not believe that we can afford to settle for less than the best, and I urge my colleagues to join me in working for the swiftest possible passage of legislation to set up an independent, Cabinet-level Department of Education.

#### LEGISLATION TO SUSPEND DUTY ON IMPORTED NITROCELLULOSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. PREYER) is recognized for 5 minutes.

Mr. PREYER. Mr. Speaker, I am today introducing legislation on behalf of myself, Mr. BROYHILL, and Mr. VANDER JAGT, to suspend until June 30, 1980, the duty imposed on nitrocellulose imported into the United States.

Nitrocellulose is the basis for a large number of fast drying, durable laquer coatings and is used for automotive refinishing, for primers, and other fast drying coatings for metal and plastics. It is also used for nonfurniture wood finishes, paper coatings, and many novelty coatings. However, one of the principal uses for nitrocellulose and one for which there is no substitute is in the manufacture of finishes for wood furniture. This is vital to the furniture manufacturers in the State of North Carolina and in the Nation.

The need to suspend the import tariff on this item has resulted from the termination of manufacture by the E. I. du Pont de Nemours & Co., Inc., one of only two domestic suppliers of nitrocellulose. Du Pont's supply will be exhausted by the end of 1977, leaving the remaining domestic manufacturer, Hercules, Inc., to make up the expected shortfall which will be at least 20 percent.

Hercules, Inc., has indicated that it is going to do everything possible to help meet the demand but acknowledges that it will take some time to expand their production. Therefore, Hercules supports the suspension of duty so that there will be as few disruptions in the marketplace as possible. There will simply not be enough nitrocellulose to meet the demand. If the shortfall has to be made up significantly through imports, the price increase caused by a 9.7-cents-

per-pound duty will alter substantially the competitive stance in the marketplace for paint and coatings manufacturers. A suspension of the tariff would provide the necessary time to allow Hercules to make decisions on expanding production and permit time for other domestic manufacturers to enter the market.

I urge the Trade Subcommittee and the full House Ways and Means Committee to give this matter early consideration.

#### FINANCING SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 30 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I am here to address my distinguished colleagues in regard to a subject which is of great interest to virtually every American—social security.

It is true that in recent years the social security system has been paying out more in benefits than has been deposited in the funds as contributions. I am proud to say today that the Congress is about to act on legislation to reverse this deficit and to insure the financial stability of the social security trust funds.

The Committee on Ways and Means has adopted a rather traditional method of financing the social security system by increasing the tax rate and the taxable wage base. While the committee bill, H.R. 9346, assures the financial integrity of the system, I believe that it is placing too great a burden on the low- and middle-income worker. It is imperative that we put a stop to the regressivity of the social security tax, and provide tax relief at the employment level.

A proposal which I have supported for many years and was first introduced by Senator Robert F. Kennedy, is the one-third, one-third, one-third tax method—one-third from the employer, the employee, and general revenues. Such a proposal would reduce the OASDI tax rate from 6.05 to 3.09 percent in 1979, eliminate the taxable wage base, and provide for a one-third contribution from general revenues to the trust funds.

Estimates which have been provided by the Social Security Administration show that my proposal would result in a surplus of \$180 billion in the OASI, DI, and HI trust funds in 1987—which would earn close to \$14 billion a year in interest—compared to a deficit of \$121 billion under present law. The interest earned under my proposal would amount to close to \$140 billion over a 10-year period. The universal coverage provision which was adopted by the House Committee on Ways and Means would further increase the revenues of my proposal.

The key to this proposal is the reduced tax rate. This reduction would introduce a great incentive to create jobs in this country. Under the present system an

employer who wishes to expand output will find it in his interest to do this by utilizing his existing work force more intensively rather than by hiring new workers if his existing workers receive wages in excess of the payroll tax base. An increase in wage payments above the existing base entails no additional payroll tax, whereas the hiring of a new worker will force the employer to pay additional social security taxes which already are too high under present law. The reduced tax rate under my proposal would eliminate this disincentive and would actually result in the creation of about 2 million new jobs.

A reduced social security tax would mean more take-home pay for workers and would certainly make employment more attractive than welfare and food stamps. We must provide the incentive to get more people back to work—off the welfare rolls, off public service jobs, off unemployment compensation, off food stamps, and back to jobs where they are earning a living and contributing to the social security system.

The one-third, one-third, one-third proposal has been supported by leading economists in this country who have had the perception to understand the entire proposal. They realize that for every million jobs created by my proposal, the general treasury would receive \$16 billion in revenues—a combination of added tax revenues and reduced welfare payments. Therefore the 2 million jobs to be created by the one-third approach would yield approximately \$32 billion to the Federal Treasury.

Developed countries throughout the world have used general revenues for a portion of their social insurance programs for many years—Austria, Belgium, Canada, Finland, Great Britain, Ireland, Italy, Japan, the Netherlands, Norway, Sweden, Switzerland, West Germany, and others.

In fact, Canada has a social security tax rate of 1.8 percent on the employer and employee, each. You will note that the unemployment rate in the Canadian automobile industry was 5 percent. Compare this to the 17 percent unemployment rate out in Detroit, Mich. It is evident what the regressivity of the social security tax is doing to our economy.

It is important to note that the idea of general revenues is not a new concept to social security in the United States. The Advisory Council of 1939 recommended a tripartite approach by equal contributions by employers, employees, and the Government. There is nothing sacrosanct about the social security trust funds which prohibits the use of general revenues for social security.

I understand that President Carter's tax reform message will be sent to Congress in the very near future. Sources have indicated that the Carter plan will include approximately \$22 billion in income tax relief. At this time I think it is extremely important for the Congress to provide tax relief for employers and

employees in the form of reduced social security taxes, rather than further reductions in income and corporate taxes. Tax relief at the employment level would provide tremendous assistance to businesses in the country. It would have a domino effect on the economy creating more jobs, reviving manufacturing plants for textiles, shoes, steel, and all manufactured products increasing profits, providing more funds for capital formation, holding down utility rates, and so forth.

I realize that I am 5 years ahead of my time in supporting the general revenue approach for social security financing. However, I am confident that the time will come when Members of this House will recognize the need to reduce the tax burden on low- and middle-income workers. In the past I have had over 150 cosponsors for the one-third, one-third, one-third proposal. In the future, I know that more of my distinguished colleagues will come to recognize the far-reaching benefits of my proposal—benefits to employers and employees in all sectors of our economy.

Attached is a list of responsible Members of the House and the Senate who had the wisdom to cosponsor my one-third, one-third, one-third social security tax proposal in 1976:

LIST OF COSPONSORS

1. Congresswoman Bella S. Abzug.
2. Senator James Abourezk.
3. Congressman Glenn M. Anderson.
4. Congressman Joseph P. Addabbo.
5. Congressman Frank Annunzio.
6. Congressman Thomas L. Ashley.
7. Congressman William Barrett.
8. Congressman Herman Badillo.
9. Congressman Max Baucus.
10. Congressman David R. Bowen.
11. Congressman John Brademas.
- \* Congressman George E. Brown, Jr.
12. Congressman Edward P. Beard.
13. Congressman Mario Biaggi.
14. Congressman Edward G. Biester, Jr.
15. Congressman Jonathan B. Bingham.
16. Congressman James J. Blanchard.
17. Congressman Edward P. Boland.
18. Congresswoman Yvonne B. Burke.
19. Congressman John L. Burton.
20. Congressman Charles J. Carney.
21. Congresswoman Shirley Chisholm.
22. Congressman Bob Carr.
23. Congressman William Clay.
24. Congresswoman Cardiss Collins.

25. Congressman John Conyers, Jr.
26. Congressman James C. Corman.
27. Congressman Robert J. Cornell.
28. Congressman Norman E. D'Amours.
29. Congressman Dominick V. Daniels.
30. Congressman Mendel J. Davis.
31. Congressman Ronald V. Dellums.
32. Congressman Ron de Lugo.
33. Congressman John H. Dent.
34. Congressman Charles C. Diggs, Jr.
35. Congressman Thomas J. Downey.
36. Congressman Robert F. Drinan.
37. Congressman Robert Duncan.
38. Congressman Joseph D. Early.
39. Congressman Robert W. Edgar.
40. Congressman Don Edwards.
41. Congressman Jack Edwards.
42. Congressman Joshua Eilberg.
43. Congressman David W. Evans.
44. Congressman Frank E. Evans.
45. Congressman Walter E. Fauntroy.
46. Congressman Daniel J. Flood.
47. Congressman William D. Ford.
48. Congressman Donald M. Fraser.
49. Congressman Louis Frey, Jr.
50. Congressman Benjamin A. Gilman.
51. Congressman William J. Green.
52. Congressman Mark W. Hannaford.
53. Congressman Tom Harkin.
54. Congressman Michael Harrington.
55. Congressman Augustus F. Hawkins.
56. Senator Mark Hatfield.
57. Congressman Ken Hechler.
58. Senator William Hathaway.
59. Senator Vance Hartke.
60. Congressman Henry Helstoski.
61. Congressman Floyd W. Hicks.
62. Congresswoman Elizabeth Holtzman.
63. Congressman James J. Howard.
64. Congressman William L. Hungate.
65. Congressman Andrew Jacobs, Jr.
66. Congressman John W. Jenrette, Jr.
67. Congresswoman Barbara Jordan.
68. Congressman Joseph E. Karth.
69. Congresswoman Martha Keys.
70. Congressman Edward Koch.
71. Congressman John Krebs.
72. Congressman John J. LaFalce.
73. Congressman Robert L. Leggett.
74. Congressman William Lehman.
75. Congressman Norman Lent.
76. Congressman Jim Lloyd.
77. Congressman Mike McCormack.
78. Congressman Stewart B. McKinney.
79. Senator George McGovern.
80. Congressman Matthew F. McHugh.
81. Congressman Spark Matsunaga.
82. Congressman Ray J. Madden.
83. Congressman Andrew Maguire.
84. Congressman Ralph H. Metcalfe.
85. Congressman George Miller.
86. Congressman Norman Y. Mineta.
87. Congressman Parren J. Mitchell.
88. Congressman Joe Moakley.
89. Congressman Morgan F. Murphy.
90. Congressman Robert N. C. Nix.
91. Congressman Richard Nolan.
92. Congressman James G. O'Hara.
93. Congressman James Oberstar.
94. Congressman Richard L. Ottinger.
96. Congressman Edward J. Patten.
97. Congressman Claude Pepper.
98. Congressman Jerry Patterson.
99. Congressman Edward W. Pattison.
100. Congressman Joel Pritchard.
101. Congressman Carl Perkins.
102. Congressman Charles B. Rangel.
103. Congressman Frederick W. Richmond.
104. Congressman Robert A. Roe.
105. Congressman Peter W. Rodino, Jr.
106. Congressman Benjamin S. Rosenthal.
107. Congressman Don Riegle.
108. Congressman Charles Rose.
109. Congressman Ferdinand J. St Germain.
110. Congressman Ronald A. Sarasin.
111. Congressman Paul S. Sarbanes.
112. Congressman James H. Scheuer.
113. Congresswoman Patricia Schroeder.
114. Congressman John F. Selberling.
115. Congressman Paul Simon.
116. Senator Hugh Scott.
117. Congressman Stephen J. Solarz.
118. Congresswoman Gladys N. Spellman.
119. Congressman James V. Stanton.
120. Congressman Pete Stark.
121. Congressman Louis Stokes.
122. Congressman Louis Stokes.
123. Congressman Gerry E. Studds.
124. Congressman Frank Thompson.
125. Congressman Bob Traxler.
126. Congressman Paul E. Tsongas.
127. Congressman Morris K. Udall.
128. Congressman Charles A. Vanik.
129. Congressman Joseph P. Vigorito.
130. Congressman Henry A. Waxman.
131. Congressman Timothy E. Wirth.
132. Congressman Lester L. Wolf.
133. Congressman Antonio B. Won Pat.
134. Congressman Jim Wright.
135. Congressman Gus Yatron.
136. Congressman Andrew Young.
137. Congressman Clement J. Zablocki.
138. Congressman Leo C. Zeferetti.
139. Congressman James A. Burke.
140. Congressman George E. Brown, Jr.

SENATORS

141. Senator Hathaway, S. 546.
142. Senator Hatfield, S. 546.
143. Senator McGovern, S. 546.
144. Senator Hartke, S. 2055.
145. Senator Abourezk, S. 2055.
146. Senator Scott (Pa.), S. 2055.

The attached table is submitted for the RECORD to show the savings which my proposal would yield for businesses—employers and employees—particularly in the low- and middle-income brackets:

SOCIAL SECURITY (OASDI) CONTRIBUTIONS—1979

Earnings	Employer/employee, each		Savings to employee under Burke proposal	Savings to employer under Burke proposal	Total savings under Burke proposal	Earnings	Employer/employee, each		Savings to employee under Burke proposal	Savings to employer under Burke proposal	Total savings under Burke proposal
	Burke proposal	H.R. 9346					Burke proposal	H.R. 9346			
\$1,000	\$39	\$60.50	\$21.50	\$21.50	\$43.00	\$18,000	702	1,089.00	387.00	387.00	774.00
\$2,000	78	121.00	43.00	43.00	86.00	\$19,000	741	1,149.50	408.50	408.50	817.00
\$3,000	117	181.50	65.50	65.50	129.00	\$20,000	780	1,210.00	430.00	430.00	860.00
\$4,000	156	242.00	86.00	86.00	172.00	\$21,000	819	1,270.50	451.50	451.50	903.00
\$5,000	195	302.50	107.50	107.50	215.00	\$22,000	858	1,331.00	473.00	473.00	946.00
\$6,000	234	363.00	129.00	129.00	258.00	\$23,000	897	1,385.45	488.45	488.45	976.90
\$7,000	273	423.50	150.50	150.50	301.00	\$24,000	936	1,385.45	449.45	449.45	898.90
\$8,000	312	484.00	172.00	172.00	344.00	\$25,000	975	1,385.45	410.45	410.45	820.90
\$9,000	351	544.50	193.50	193.50	387.00	\$26,000	1,014	1,385.45	371.45	371.45	742.90
\$10,000	390	605.00	215.00	215.00	430.00	\$27,000	1,053	1,385.45	332.45	332.45	664.90
\$11,000	429	665.50	236.50	236.50	473.00	\$28,000	1,092	1,385.45	293.45	293.45	586.90
\$12,000	468	726.00	258.00	258.00	516.00	\$29,000	1,131	1,385.45	254.45	254.45	508.90
\$13,000	507	786.50	279.50	279.50	559.00	\$30,000	1,170	1,385.45	215.45	215.45	430.90
\$14,000	546	847.00	301.00	301.00	602.00	\$35,000	1,365	1,385.45	20.45	20.45	40.90
\$15,000	585	907.50	322.50	322.50	645.00	\$50,000	1,950	1,385.45	-564.55	-564.55	-1,129.10
\$16,000	624	969.00	344.00	344.00	688.00	\$100,000	3,900	1,385.45	-2,514.55	-2,514.55	-5,029.10
\$17,000	663	1,028.50	365.50	365.50	731.00						

Note: The 1/2, 1/4, 1/8, social security tax proposal will build up the trust funds to over \$180 billion in approximately 10 yr. At the going rate of interest the trust funds would earn close to \$140 billion in the 10-yr period, thereby eliminating any need for future increases in taxes. Such a proposal would stabilize the social security trust funds for hundreds of years into the future.

## GENERAL LEAVE

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## RUSSIA WANTS THE CAPE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, Russia, which is constantly seeking control of new lands and more people, looks enviously at the harbor facilities at the Cape of Good Hope at the southern tip of the African Continent. The reason is clear. The cape route, now followed by the supertankers, is considered to be the most crowded sea lane in the world. Twenty-four thousand ocean-going ships make the long trip around the tip of Africa each year. The major oil imports which travel this route are vital to all members of the Western Alliance and to the West's Asian ally, Japan.

Almost all of these imports come from the Persian Gulf. The United States Strategic Institute has estimated that by the 1980's 60 percent of American oil imports, equalling at least 40 percent of national consumption, will reach this country via the cape. Already more than 60 percent of French industry's energy demands are made by imported oil. For West Germany, the figure is over 50 percent.

Obviously, Russian control of the South African ports would place them in a position to dominate the lifeline of the west. With the conceivable exception of Mombassa in Kenya, no ports on the East African coast between the formerly French base at Djibouti and the South African harbor of Durban at present seem likely to be open to Western warships in an emergency situation. The West has imposed a political ban on the use of the harbor at the cape because of the apartheid policies of the South African Government. Apart from Diego Garcia there are no permanent naval shore facilities available to our naval vessels nearer than Australia or the Philippines. This shows how little control the Western powers can exercise over the shipping lanes of the area.

On the contrary, the Russians have a military presence in one African nation after another and the use of many important ports. We have none of consequence anywhere on the African continent. The Russians are in Iraq at the head of the Persian Gulf and Berbera in Somali and in Aden in South Yemen. This gives them a substantial hold on the northern extreme of the continent in the area known as the Horn of Africa.

They are in Conakry in Guinea. There are Soviet interests in Mali, Nigeria, and Guinea-Bissau. They have important links with Tanzania and Mauritius. Angola is a classic example of Communist conquest and the use of a nation's port cities for Russia's gain. Their naval units make regular use of the anchorages near Seychelles. There are others.

It would seem that this threat of the stranglehold on an area through which the oil of the West must pass would have generated more concern by the United States and the Western World.

The cape is vulnerable because of the constant growth of the Soviet Navy and the constant increase of the number of ports in Africa which are available to Russian ships. This presents a real threat to the peace and prosperity of the world. Unfortunately, there has been no sign of realistic and coordinated Western policies designed to deter, or if need be, to overcome, this Soviet challenge to the future of the Western World.

The future could be ominous indeed. In this huge continent, the Cape of Good Hope may be the last important key to untroubled water traffic which can be kept in Western hands.

## COMMITTEE RULES OF SELECT COMMITTEE ON ASSASSINATIONS

(Mr. STOKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STOKES. Mr. Speaker, I insert into the RECORD a copy of the committee rules of the Select Committee on Assassinations as adopted by the committee on March 7 and amended on September 9. As I have previously stated, I hope these rules can serve as a model for future investigative committees of the Congress.

The rules follow:

## RULES OF THE SELECT COMMITTEE ON ASSASSINATIONS

(As Adopted March 7, 1977 and Amended September 9, 1977)

## RULE 1. GENERAL PROVISIONS

1. The Rules of the House, and in particular the committee rules enumerated in Clause 2 of Rule XI, are the rules of the Select Committee on Assassinations, to the extent applicable, and by this reference are incorporated. Any subcommittee shall be part of the committee, and subject to the authority and direction of the committee and to its rules so far as applicable.

## RULE 2. MEETINGS

2.1 The regular meeting time of the committee is 10 A.M. on the first Tuesday of each month when the House is in session. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the committee in accordance with Clause 2(c) of Rule XI of the House of Representatives.

2.2 The committee and any subcommittee thereof may not sit, without special leave, while the House is reading a measure for amendment under the 5-minute rule.

2.3 In accordance with Clause 2(g) of Rule XI, each meeting of the committee or any subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a

majority present, determines by roll call vote that all or part of the remainder of the meeting shall be closed to the public: *Provided however*, that no persons other than Members of the committee, and such congressional staff as they may authorize, shall be present at any meeting which has been closed to the public.

2.4 *Record votes.* A roll call vote of the committee may be had on the request of one Member. The result of each roll call vote shall be recorded and the record shall be made available for inspection by the public at reasonable times at the committee office. Such record shall include a description of the amendment, motion, order or other proposition; the name of each Member voting for or against, and whether by proxy or in person; and the Members present but not voting.

2.5 *Quorum.* One-third of the committee or subcommittee shall constitute a quorum for the purpose of transacting business other than reporting. However, a quorum for the purpose of taking testimony and receiving evidence by the committee or a subcommittee shall consist of two Members. *Ex officio* members of each subcommittee shall not be considered a member of the subcommittee for the purpose of determining whether a quorum is present.

2.6 *Records.* It shall be the duty of the clerk and staff director to keep or cause to be kept a verbatim transcript of all committee or subcommittee hearings; and where practicable, committee or subcommittee meetings, the practicability of which is to be decided by a roll call vote of the committee or subcommittee on the request of one Member. Whether a verbatim transcript of meetings is made or not, the clerk and staff director shall keep or cause to be kept the record of votes on any matter on which a record vote is taken and of all quorum calls together with all motions, points of order, parliamentary inquiries, rulings of the Chair and appeals therefrom. The record shall show those Members present at each meeting.

2.7 *Proxies.* A vote by any Member in the committee or in any subcommittee may be cast by proxy, but such proxy must be in writing for use during each roll call in which such Member's proxy is to be voted. Each proxy shall designate the Member who is to execute the proxy authorization and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum. The Member does not have to appear in person to present the proxy.

## RULE 3. HEARING PROCEDURES

3.1 *Participation of Members.* All other Members of the committee may have a privilege of sitting with any subcommittee during its hearing or deliberations and may participate in such hearings or deliberations, but no such Member who is not a Member of the subcommittee shall vote on any matter before such subcommittee. *Ex officio* members of each subcommittee may vote on any matter before such subcommittee.

3.2 *Interrogation of Witnesses.* Committee Members may question witnesses only when they have been recognized by the Chair for that purpose, and only for a 5-minute period until all Members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one Member can be extended only with the unanimous consent of all Members present. The questioning of a witness in both full and

subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party Member and all other Members alternating between the majority and minority. In recognizing Members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority Members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the Members of the majority. The Chairman may accomplish this by recognizing two majority Members for each minority Member recognized. The Chairman or any Member may recognize staff counsel for the purpose of questioning a witness for a period to be determined by the Chairman.

3.3. *Additional Rules.* The following additional rules shall apply to all investigative hearing procedures:

(1) The Chairman at an investigative hearing shall announce in the opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings, and the committee may cite the offender to the House for contempt.

(5) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any persons, it shall—

(a) Receive such evidence or testimony in executive session;

(b) Afford such person an opportunity voluntarily to appear as a witness; and

(c) Receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the Chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

3.4 Witness' counsel may submit written questions to be propounded to his or her client. Such questions will be asked by the committee if a majority of the members consent.

3.5 Any objection by witness' counsel must be specifically ruled upon by the Chairman or presiding Member and such rulings shall be the ruling of the committee, unless a disagreement thereon is expressed by a majority of the committee present. In the case of a tie, the rule of the Chair will prevail.

3.6 The Chairman of the committee or subcommittee shall offer each witness and/or counsel, at the conclusion of his or her testimony, the opportunity to explain or amplify that testimony. The time afforded each witness or counsel shall not exceed 5 minutes, unless extended for good cause by the Chairman. The committee or subcommittee may ask additional questions to the witness at the conclusion of any such explanation or amplification.

3.7 If a witness who desires counsel, but is financially or otherwise unable to secure

counsel, informs the committee in writing at least 48 hours in advance of his or her inability to retain counsel, the committee will secure voluntary independent counsel for the witness. Such attempts by the committee to secure counsel will not include the payment of fees to an attorney representing a witness at a committee hearing. Failure of a witness to agree to the counsel provided will not excuse the witness from appearing and testifying.

3.8 A witness shall, upon request, be given an opportunity to inspect the preliminary transcript of his or her testimony to determine whether it was correctly transcribed and may be accompanied by his or her counsel during such inspection. A witness shall, upon request, be notified by the clerk when the transcription of his or her testimony is complete. If the testimony was given in executive session, the witness may only inspect the preliminary transcript at a location to be determined by the committee. Any corrections in the transcription of the testimony of the witness which the witness desires to make shall be submitted in writing to the committee within 5 days after the transcription of his or her testimony. However, changes shall only be made for the purpose of making minor grammatical corrections and editing, and not for the purpose of changing the substance of the testimony. Any questions arising with respect to such editing shall be decided by the Chairman.

The committee will furnish the witness a copy of the transcript of his or her testimony when it is made public, at no expense.

3.9 *Notice of Hearings.* The Chairman, in the case of hearings to be conducted by the committee, and the appropriate subcommittee Chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date. In the latter event the Chairman or the subcommittee Chairman, whichever the case may be, shall make such public announcement at the earliest possible date. The Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

#### RULE 4. STATEMENTS UNDER OATH BY DESIGNATED COUNSEL

4.1 Pursuant to House Resolution 222, counsel on the committee staff may be designated to obtain statements from a witness who is placed under oath by an authority who is authorized to administer oaths in accordance with the applicable laws of the United States or of any State.

4.2 Subpenas may not be utilized to obtain such statements. Counsel must advise the person that such statements are voluntary. The person giving a statement shall be provided a copy of that statement by designated counsel. Such statements are not to be considered testimony before the committee, but may be used by the committee or its staff in pursuing investigative leads and as a basis for questioning witnesses before the committee; and may be incorporated as part of the record only when (a) the person is dead or (b) the committee determines that in the interest of justice and economy, with due regard to the importance of presenting oral testimony, the statement should be so used.

4.3 Witnesses giving statements under oath to designated counsel must be advised by counsel that they have the right to have their own counsel while giving such statements.

#### RULE 5. SUBPENAS

5.1 *Procedure.* Subpenas shall be issued only in accordance with the procedure speci-

fied in Clause 2(m)(2)(A) of Rule XI of the Rules of the House of Representatives. Each subpoena shall be served with a copy of House Resolutions 222 and 433, 95th Congress, First Session, and all other substantive resolutions of the House concerning the power and authority of the committee, and a copy of the Rules of this Committee which are in effect at the time of issuance of the subpoena.

#### 5.2 *Power to Sit and Act; Subpena Power.*

(a) For the purpose of carrying out any of its functions and duties under House Resolutions 222 and 433, and all other substantive resolutions of the House concerning the power and authority of the committee, the committee or subcommittee is authorized (subject to subparagraph (b) of this paragraph)—

(1) To sit and act at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tangible objects, and other things of any kind, as it deems necessary. The Chairman of the committee or subcommittee, or any Member designated by the Chairman, may administer oaths to any witness.

(b) A subpoena may be authorized and issued by the committee or subcommittee under subparagraph (a)(2) in the conduct of any investigation or series of investigations when

(1) Authorized by a majority of the Members voting, a majority being present or

(2) Authorized and issued by the Chairman of the committee, provided that prior to its authorization and issuance, the Chairman have the clerk send a notice to the office of each member of the committee or subcommittee before which the subpoena is returnable of the intent of the Chairman to authorize and issue a subpoena. If two or more members of the committee or subcommittee before which the subpoena is returnable object to the issuance of the subpoena, and so notify the clerk prior to the Chairman's authorization and issuance of the subpoena, the Chairman may not authorize and issue a subpoena pursuant to this subsection.

Authorized subpoenas shall be signed by the Chairman of the committee or by any Chairman of the committee or by any Member designated by the committee.

(c) Compliance with any subpoena issued by the committee under subparagraph (a)(2) may be enforced only as authorized or directed by the House.

5.3 Except as otherwise specifically authorized by the committee, no Member of the committee, designated personal staff member of each committee member, or staff shall make public the name of any witness subpoenaed by the committee.

5.4 Witnesses shall be subpoenaed at a reasonably sufficient time in advance of any hearing in order to give the witness an opportunity to prepare for the hearing, employ counsel should he or she so desire, and/or produce the materials called for by a subpoena *duces tecum*. The committee shall determine in each particular instance what period of time constitutes reasonable notice; however, in no case shall it be less than 48 hours, unless the witness waives such notice.

#### RULE 6. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS AND GENERAL PRESS POLICY OF THE COMMITTEE

6.1 Upon approval by the committee, all committee and subcommittee hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage.

6.2 The Chairman of the full committee or the Chairmen of the subcommittees are authorized to determine on behalf of the full committee or its subcommittees, respectively, whether hearings which are open may be broadcast, unless the committee or its subcommittees respectively by majority vote determine otherwise.

6.3 Permission for such coverage shall be granted only under the following conditions:

(1) Live coverage by radio or television shall be without commercial sponsorship.

(2) No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) Not more than four television cameras, operating from fixed positions, shall be permitted in the room. The allocation among the television media of the positions of television cameras in the room shall be in accordance with fair and equitable procedures as devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any Member of the committee or the visibility of that witness and that Member to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Television and radio media equipment shall not be installed in, or removed from, the room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used, except that the television media may install additional lighting in the room, without cost to the Government, in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage at the then current state-of-the-art.

(8) Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the section of those photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests is made by more than five of the media for coverage, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage by the other media.

(11) Television and radio media personnel shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Still photography personnel shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

6.4 The staff of the committee, and designated personal staff member of each committee member, shall not discuss with anyone outside the staff either the substance or procedure of their work or that of the committee unless specifically authorized by the Chairman or the subcommittee Chairman.

#### RULE 7. INVESTIGATIVE GUIDELINES

7.1 *Tape Recordings.* No conversation of committee members or staff with any person shall be recorded without the prior knowledge and/or written consent of the person whose conversation is to be recorded. A transcribed copy of any recording so made will be furnished to the recorded party upon his or her request, at no expense to the recorded party.

7.2 (a) *Polygraphs.* No person will be required to take a polygraph test, nor shall any such tests be made or given without the specific, written authorization of the person concerned. No such tests may be made or given without the specific, prior and written authorization of a majority of the committee or subcommittee, a majority being present. No such test may be used as a basis for a finding of fact, or be referred to in any public report or public hearing. Results of any such test shall not be disclosed to any person, other than the person tested, who is not a member of the committee or staff employee authorized by the Chairman. Nor shall the failure or agreement to take a polygraph test form the basis of any finding of fact, or be referred to in any public report or public hearing, or be otherwise publicly disclosed.

(b) *Voice Analysis.* No recording made with the permission of the recorded party pursuant to Rule 7.1 shall be subject to mechanical voice analysis without a written consent from the recorded party specifically authorizing such analysis. No such tests may be made or given without the specific, prior and written authorization of the committee or subcommittee, a majority being present. Results of any such test shall not be disclosed to any person, other than the person tested, who is not a member of the committee or staff employee authorized by the Chairman. Neither the results of any such test nor the failure or agreement to take such test shall form the basis of any finding of fact, or be referred to in any public report or public hearing, or be otherwise publicly disclosed.

7.3 *Electronic Surveillance; Wiretapping.* There shall be no electronic surveillance or wiretapping of any person.

7.4 *Interrogations.* In all interrogations of prospective witnesses, committee investigators and counsel shall first identify themselves as representatives of the Select Committee on Assassinations of the United States House of Representatives and shall present official credentials issued by the Clerk of the House. The investigator or counsel shall advise each such person of the nature of the investigation being conducted.

7.5 Prior to the utilization of any investigative techniques not otherwise covered by these Rules, such techniques will be discussed and voiced upon by the full committee.

#### RULE 8. TRAVEL

##### 8.1 *Travel of Member and Staff.*

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel to be reimbursed for any Member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any Member and any staff member in connection with the attendance of hearings conducted by the committee or of any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

- (1) The purpose of the travel;
- (2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made;
- (3) The location of the event for which the travel is to be made; and

(4) The names of Members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of Members and staff of the committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittee, prior authorization must be obtained from the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

- (A) The purpose of the travel;
- (B) The dates during which the travel will occur;
- (C) The names of the countries to be visited and the length of time to be spent in each;
- (D) An agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and
- (E) The names of Members and staff for whom authorization is sought.

(2) Requests for travel outside the United States shall be initiated by the Chairman and shall be limited to members and permanent employees of the committee.

(3) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or Members and staff attending meetings or conferences) shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Select Committee on Assassinations pertaining to such travel.

#### RULE 9. PROCEDURES, REGULATIONS, AND RULES

9. The Procedures, Regulations, and Rules of the Select Committee on Assassinations shall be established, modified, amended or repealed only by a majority vote of the committee, a majority of the committee being present, provided that prior written notice of the proposed change has been provided each member of the committee not less than 48 hours before those changes are to be discussed by the committee.

#### RULE 10. PROCEDURES FOR HANDLING ASSASSINATIONS INQUIRY MATERIAL

10.1 Before the commencement of any presentation at which testimony will be heard or papers and things considered, each committee member will be furnished with a list of all papers and things that have been obtained by the committee by subpoena or otherwise. No Member shall make the list or any part thereof public unless authorized by a majority vote of the committee, a quorum being present.

10.2 The chief counsel, after discussion with the Chairman and the ranking minority Member, shall initially recommend to the committee the testimony, papers, and things to be presented to the committee. The determination as to whether such testimony, papers, and things shall be presented in open or executive session shall be made pursuant to the rules of the House and of this committee.

10.3 Before the committee is called upon to make any disposition with respect to the testimony or papers and things presented to it, the committee members shall have a reasonable opportunity to examine all testi-

mony, papers, and things that have been obtained by the inquiry staff. No Member shall make any of that testimony or those papers or things public unless authorized by a majority vote of the committee, a quorum being present.

10.4 All examination of papers and things other than in a presentation shall be made in a secure area designated for the purpose. Restricted (including classified and confidential) information may not be reproduced without the written authorization of the Chairman and chief counsel to the security director.

10.5 Any committee member may bring additional testimony, papers, or things to the committee's attention.

10.6 Only testimony, papers, or things that are included in the record will be reported to the House; all other testimony, papers, or things will be considered as executive session material.

10.7 The committee or its subcommittees will at all times endeavor to obtain access to full, complete and unedited material considered relevant for its investigations and now held by any local, State or Federal criminal justice or intelligence agency.

Any agreements regarding committee or subcommittee access to agency files made between the committee and the appropriate local, State, or Federal agency will be made by majority vote of the full committee.

10.8 The chief counsel and deputy chief counsels shall have authority to designate materials and documents as sensitive. The contents of all such materials and documents, in addition to any materials or documents already classified or marked confidential by any agency or department of the United States Government, shall not be released or divulged in any way, form, shape or manner without the approval of the select committee or one of its subcommittees.

#### RULE 11. RULES FOR THE ASSASSINATIONS INQUIRY STAFF

In addition to rules of conduct for staff contained in other rules of this committee and the House, the following rules shall apply:

11.1 Staff offices of the committee shall operate under strict security precautions. One guard shall be on duty at all times to control entry. All persons entering the committee area shall identify themselves.

11.2 Restricted (including classified and confidential) and other material the committee deems sensitive shall be segregated in a secure storage area. Restricted (including classified and confidential) material may only be examined in the committee's security office or a secure reading room designated for such purpose. Sensitive material may be examined anywhere within the committee's offices. Copying or duplicating of restricted (including classified and confidential) documents is prohibited except upon authorization of the Chairman and chief counsel. Copying and duplicating of sensitive documents is prohibited except upon authorization of the chief counsel or a deputy chief counsel authorized to grant access to such materials.

11.3 Access to restricted (including classified and confidential) information supplied to the committee shall be limited by the committee and chief counsel to those committee staff members with appropriate security clearances and a need to know.

11.4 Testimony taken or papers and things received by the staff shall not be disclosed or made public by the staff or designated personal staff member of each committee member unless authorized by a majority of the committee.

11.5 Executive session transcripts and records shall be available to designated staff for inspection in person but may not be released or disclosed to any other person with-

out the consent of a majority of the committee.

11.6 The professional and clerical staff of the committee shall be appointed and their remuneration determined in such manner as the committee shall determine by a majority vote, a majority of the committee being present, within the budget approved for such purposes by the committee.

The professional and clerical staff of the committee:

(a) Shall be appointed without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions; and

(b) Shall not be assigned any duties other than those pertaining to committee business.

The committee may terminate the services of any professional or clerical staff member by a majority vote, a majority of the committee being present.

#### RULE 12. SUBCOMMITTEE

12.1 Each subcommittee is authorized to exercise all powers conferred on subcommittees by the resolution establishing the Select Committee on Assassinations, including but not limited to the authority to meet, hold hearings, authorize subpoenas, receive evidence, and report to the full committee on all matters referred to it or under its jurisdiction. Subcommittee Chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee Chairmen with a view toward avoiding simultaneous scheduling of full committee and subcommittee meetings or hearings whenever possible.

12.2 There shall be the following standing subcommittees of the Select Committee on Assassinations:

(a) Subcommittee on the Assassination of John F. Kennedy; and

(b) Subcommittee on the Assassination of Martin Luther King, Jr.

#### RULE 13. ACCESS BY MEMBERS OF THE HOUSE OF REPRESENTATIVES TO RESTRICTED (INCLUDING CLASSIFIED AND CONFIDENTIAL) OR SENSITIVE INFORMATION

13.1 Members of the House of Representatives who desire access to restricted (including classified and confidential) or sensitive information will be escorted to a reading room within the committee's offices after requesting access to such information from the chief counsel and director.

13.2 Before receiving access to such information, Members will be required to identify the material, document or information they desire to read, identify themselves to the staff member assigned, and sign the Access Information sheet.

13.3 The Access Information sheet to be signed by Members will state the Member has read all the committee's rules and in particular rule 13, and agrees to honor them.

13.4 Restricted (including classified and confidential) or sensitive information shall be treated as such by all Members who receive access.

13.5 Restricted (including classified and confidential) or sensitive information will be available only during regular committee hours. Only Members of the House of Representatives may have access to such information.

13.6 Information to which the Member receives access may not be removed from the reading room, and a staff member will be present at all times.

13.7 An access log will be kept identifying the material, staff member assigned, and the time of arrival and departure of all Members having access.

13.8 The staff member assigned will insure that the material examined by the Member is returned to the proper custodian for safekeeping.

13.9 No notes, reproductions or recordings may be made of any restricted (including classified and confidential) or sensitive information.

13.10 Restricted (including classified and confidential) or sensitive information will not be divulged by Members who receive access in any way, form, shape or manner.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. PEPPER (at the request of Mr. WRIGHT), for today, on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LIVINGSTON) to revise and extend their remarks and include extraneous material:)

Mr. MILLER of Ohio, for 10 minutes, today.

(The following Members (at the request of Mr. IRELAND) to revise and extend their remarks and include extraneous material:)

Mr. THOMPSON, for 5 minutes, today.  
Mr. KOCH, for 10 minutes, today.  
Mr. ANNUNZIO, for 5 minutes, today.  
Mr. GONZALEZ, for 5 minutes, today.  
Mr. ENGLISH, for 5 minutes, today.  
Mr. PREYER, for 5 minutes, today.  
Mr. BURKE of Massachusetts, for 30 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LIVINGSTON) and to include extraneous matter:)

Mr. YOUNG of Alaska.  
Mr. RHODES.  
Mr. HANSEN in five instances.  
Mr. HAGEDORN.  
Mr. ANDERSON of Illinois.  
Mr. CUNNINGHAM.  
Mr. CARTER in two instances.  
Mr. MARKS.  
Mr. SHUSTER.  
Mr. HAMMERSCHMIDT.  
Mr. MCCLOSKEY.  
Mr. HARSHA.  
Mr. DERWINSKI in two instances.  
Mr. COHEN.  
Mr. STOCKMAN.  
Mr. FINDLEY.  
Mr. ARCHER.  
Mr. GILMAN in two instances.  
Mr. RUDD.  
Mr. SKUBITZ.

(The following Members (at the request of Mr. IRELAND) and to include extraneous matter:)

Mr. HARRIS in two instances.  
Mr. TEAGUE.  
Ms. KEYS.  
Mr. ANDERSON of California in three instances.  
Mr. GONZALEZ in three instances.  
Mr. LUKEN.  
Mr. McDONALD in five instances.

Ms. OAKAR.  
 Mr. EILBERG in two instances.  
 Mr. BRECKINRIDGE.  
 Mr. MAZZOLI.  
 Mr. CORRADA.  
 Mr. DODD.  
 Mr. STAGGERS.  
 Mr. HAMILTON in two instances.  
 Mr. BRODHEAD.  
 Mr. RANGEL.  
 Mrs. MEYNER.  
 Mr. ROBERTS in two instances.  
 Mr. BAUCUS in two instances.  
 Mr. PATTEN.  
 Mr. MOAKLEY.  
 Mr. KOSTMAYER.  
 Mr. VENTO in two instances.  
 Mrs. LLOYD of Tennessee.  
 Mr. ROE.  
 Mr. CHARLES H. WILSON of California.  
 Mr. HARKIN.  
 Mr. ST GERMAIN.  
 Mr. PICKLE in five instances.  
 Mr. RICHMOND.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following title:

On October 14, 1977:

H.R. 6415. To extend and amend the Export-Import Bank Act of 1945.

On October 17, 1977:

H.R. 4836. To extend by seven months the term of the National Commission on New Technological Uses of Copyrighted Works; and

H.R. 5675. To authorize the Secretary of the Treasury to invest public moneys, and for other purposes.

#### ADJOURNMENT

Mr. IRELAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 19, 1977, at 10 o'clock a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2566. A letter from the Assistant Secretary of Defense (Comptroller), transmitting reports of transfers of various amounts appropriated to the Department of Defense, pursuant to section 733 of Public Law 94-419; to the Committee on Appropriations.

2567. A letter from the Secretary of the Treasury, transmitting the sixth quarterly report on antirecession fiscal assistance to State and local governments, pursuant to section 213 of the Public Works Employment Act of 1976, as amended; to the Committee on Government Operations.

2568. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2569. A letter from the Associate Administrator for Administration, National Highway Traffic Safety Administration, Department

of Transportation, transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2570. A letter from the Assistant Secretary of the Interior for Land and Water Resources, transmitting supporting information to accompany the authorization request of the Bureau of Land Management for fiscal years 1979 through 1982; to the Committee on Interior and Insular Affairs.

2571. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of a proposed license for the export of certain defense articles sold commercially to the United Kingdom (MC-61-77), pursuant to section 36(c) of the Arms Export Control Act; to the Committee on International Relations.

2572. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of a proposed license for the export of certain defense articles sold commercially to Israel (MC-1-78), pursuant to section 36(c) of the Arms Export Control Act; to the Committee on International Relations.

2573. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 213(d)(6) of the act (66 Stat. 182); to the Committee on the Judiciary.

2574. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a draft of proposed legislation to establish the position of General Counsel in the Environmental Protection Agency; to the Committee on Post Office and Civil Service.

2575. A letter from the National Adjutant, Disabled American Veterans, transmitting the report of the proceedings of the organization's 57th national convention, including a report of receipts and expenditures as of December 31, 1976, pursuant to 44 U.S.C. 1332 and section 3 of Public Law 88-504 (H. Doc. No. 95-244); to the Committee on Veterans' Affairs and ordered to be printed.

2576. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 78th national encampment of the United Spanish War Veterans (H. Doc. No. 95-245); to the Committee on Veterans' Affairs and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIGGS: Committee on the District of Columbia. Report on allocation of budget authority and outlays by major programs (Rept. No. 95-715). Referred to the Committee of the Whole House on the State of the Union.

Mr. REUSS: Committee on Banking, Finance and Urban Affairs. Report on allocation of budget authority and outlays for fiscal year 1978 (Rept. No. 95-716). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLARZ: Committee on Post Office and Civil Service. H.R. 9282. A bill to provide that adjustments in the rates of pay for Members of Congress shall take effect at the beginning of the Congress following the Congress in which they are approved, and for other purposes (Rept. No. 95-717, Pt. I). Ordered to be printed.

Mr. BOLLING: H.R. 9346. Committee on Rules. House Resolution 839. Resolution providing for the consideration of H.R. 9346. A bill to amend the Social Security Act and the

Internal Revenue Code of 1954 to strengthen the financing of the social security system, to reduce the effect of wage and price fluctuation on the system's benefit structure, to provide coverage under the system for officers and employees of the United States, of the State and local governments, and of non-profit organizations, to increase the earnings limitation, to eliminate certain gender-based distinctions and provide for a study of proposals to eliminate dependency and sex discrimination from the social security program, and for other purposes (Rept. No. 95-718). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 9614. A bill to extend Regulation Q; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BRODHEAD:

H.R. 9615. A bill to encourage and assist the States in the conservation of whole ecosystems including all species of native fish, wildlife, and plants, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 9616. A bill to establish a compensation system for victims of toxic substance pollution; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. BYRON (for himself, Mr. PANNETTA, Mr. MANN, Mr. McCLOSKEY, Mr. CARR, Mr. FISHER, Mr. COUGHLIN, Mr. WYLLIE, Mr. BLANCHARD, Mr. ALEXANDER, Mr. HUGHES, Mr. STEERS, and Mr. EDWARDS of California):

H.R. 9617. A bill to amend the National Trails System Act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ENGLISH:

H.R. 9618. A bill to establish a Department of Education, and for other purposes; to the Committee on Government Operations.

H.R. 9619. A bill to amend the River and Harbor Act of 1960 relating to the conveyance of land by the Secretary of the Army for development of public port or industrial facilities; to the Committee on Public Works and Transportation.

By Mr. STAGGERS:

H.R. 9620. A bill to amend the Communications Act of 1934 to extend and improve the provisions of such act relating to long-term financing for the Corporation for Public Broadcasting and relating to certain grant programs for public telecommunications, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GLICKMAN (for himself and Mr. NOLAN):

H.R. 9621. A bill to encourage the use of alcohol in motor vehicle fuels by requiring certain retailers to make alcohol-blended fuels available for sale, by allowing the rapid amortization of facilities producing alcohol for use in motor vehicle fuels, and by exempting alcohol-blended fuels from certain requirements of the Clean Air Act; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. KASTENMEIER (for himself, Mr. EDWARDS of California, Mr. DANIELSON, Mr. DRINAN, Mr. BENNETT, Mr. RAILSBACK, Mr. WIGGINS, and Mr. BUTLER):

H.R. 9622. A bill to abolish diversity of citizenship as a basis of jurisdiction of Federal district courts, to abolish the amount in controversy requirement in Federal question cases, and for other purposes; to the Committee on the Judiciary.

By Mr. LEHMAN:

H.R. 9623. A bill to amend title 13 of the United States Code to establish a decennial census procedure, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9624. A bill to incorporate the American Ex-Prisoners of War, Incorporated; to the Committee on the Judiciary.

By Mr. GARY A. MYERS:

H.R. 9625. A bill to amend the National Labor Relations Act to provide that the duty to bargain collectively includes bargaining with respect to retirement benefits for retired employees; to the Committee on Education and Labor.

By Mr. GARY A. MYERS (for himself, Mr. LUKE, and Mr. MANN):

H.R. 9626. A bill to amend the Trade Act of 1974 to provide that the President may not reduce or terminate import relief if the Congress disapproves such action; to the Committee on Ways and Means.

By Mr. NEAL (for himself, Mr. MOFFETT, Mr. NOLAN, Mr. CARTER, Mr. LEDERER, Mr. BONIOR, Mr. WALGREN, Mr. MICHAEL O. MYERS, Mr. HARKIN, and Mr. PREYER):

H.R. 9627. A bill to establish a Solar Energy Development Bank to provide long-term low-interest loans for the purchase and installation of solar energy equipment in commercial and residential buildings in the United States; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PREYER (for himself, Mr. BROYHILL, and Mr. VANDEE JAGT):

H.R. 9628. A bill to suspend until the close of June 30, 1980, the duty on certain nitrocellulose; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 9629. A bill to delay for 6 months the effective date of the increase in the hospital deductible for 1978 under part A of the medicare program; to the Committee on Ways and Means.

By Mr. SKUBITZ (for himself, Mrs. SMITH of Nebraska, Mr. BRINKLEY, Mr. FASCELL, Mr. MCKAY, Mr. BAUCUS, Mr. SIKES, Mr. STAGGERS, Mr. FITHIAN, Mr. BRADEMANS, Mr. MURPHY of New York, Mr. STEERS, Mr. BYRON, Mr. MARRIOTT, Mr. GUDGER, Mr. LAGOMARSINO, Mr. LUJAN, Mr. QUILLEN, Mr. JONES of North Carolina, Mr. ANDREWS of North Dakota, Mr. MARLENEE, Mr. RONCALIO, Mr. YOUNG of Alaska, Mr. TAYLOR, and Mr. BAUMAN):

H.R. 9630. A bill to provide for increases in development ceilings in certain units of the national park system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SKUBITZ (for himself, Mr. DON H. CLAUSEN, Mrs. HOLT, Mr. JOHNSON of California, Mr. MEEDS, Mr. CHAPPELL, Mr. FREY, Mr. WHITE, Mr. LOTT, Mr. LATTI, Mr. HIGHTOWER, Mr. HOLLAND, Mr. NICHOLS, Mr. GRADISON, Mr. FAUNTROY, and Mr. LEDERER):

H.R. 9631. A bill to provide for increases in development ceilings in certain units of the national park system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GOODLING (for himself, Mr. MCHUGH, Mr. DERWINSKI, Mr. BALDUS, Mr. DUNCAN of Tennessee, Mr. PEPPER, Mr. JONES of North Carolina, Mr. YOUNG of Florida, Mr. RODINO, Mr. DANIELSON, Mr. MCCLORY, Mr. KETCHUM, Mrs. LLOYD of Tennessee, Mr. WINN, Mr. WHITEHURST,

Mr. CARTER, Mr. WALSH, Mr. WALGREN, Mr. DORNAN, Mr. BEVILL, Mr. BENNETT, Mr. MOLLOHAN, Mr. SPENCE, Mr. STEIGER, and Mr. RAHALL):

H.J. Res. 631. Joint resolution designating November 15, 1977, as a Day of National Observance of the Two Hundredth Anniversary of the Adoption of the Articles of Confederation; to the Committee on Post Office and Civil Service.

By Mr. GOODLING (for himself, Mr. FLOOD, Mr. McDADE, Mr. NIX, Mr. COUGHLIN, Mr. MOORHEAD of Pennsylvania, Mr. SHUSTER, Mr. EILBERG, Mr. SCHULZE, Mr. ROONEY, Mr. GAYDOS, Mr. YATRON, Mr. MURTHA, Mr. EDGAR, Mr. MICHAEL O. MYERS, Mr. MARKS, Mr. ERTEL, Mr. WALKER, Mr. KOSTMAYER, Mr. LEDERER, Mr. MURPHY of Pennsylvania, Mr. COLLINS of Texas, Mr. LAGOMARSINO, and Mr. MICHEL):

H.J. Res. 632. Joint resolution designating November 15, 1977, as a Day of National Observance of the Two Hundredth Anniversary of the Adoption of the Articles of Confederation; to the Committee on Post Office and Civil Service.

By Mr. DODD:

H. Con. Res. 382. Concurrent resolution expressing the sense of Congress that the United States should establish direct diplomatic relations with the Governments of the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic; to the Committee on International Relations.

By Mr. ABDNOR (for himself, Mr. RONCALIO, Mr. PATTISON of New York, Mr. WINN, and Mr. SEBELIUS):

H. Res. 840. Resolution expressing the sense of the House with respect to a reorganization of the Department of Housing and Urban Development; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ANDERSON of Illinois (for himself, Mr. RHODES, Mr. MICHEL, Mr. DEL CLAWSON, Mr. FRENZEL, Mr. LOTT, and Mr. COUGHLIN):

H. Res. 841. Resolution to establish a select committee to be known as the Select Committee on the Committee System; to the Committee on Rules.

By Mr. BEDELL:

H. Res. 842. Resolution reaffirming support for the vigorous enforcement of laws designed to protect American industries from unfair competition by foreign industries; to the Committee on Ways and Means.

By Mr. SCHEUER (for himself and Mr. ERLBORN):

H. Res. 843. Resolution to provide for the expenses of investigations, and studies to be conducted by the Select Committee on Population; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. BOGGS:

H.R. 9632. A bill for the relief of Mrs. Elizabeth Dennis; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 9633. A bill for the relief of Rohini; to the Committee on the Judiciary.

H.R. 9634. A bill for the relief of Sohini and Sheela; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 9635. A bill for the relief of Marija Artis; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

294. The SPEAKER presented a petition of the Denver Democratic Executive Committee, Denver, Colo., relative to public confidence in Government; which was referred jointly, to the Committees on the Judiciary, and Standards of Officials Conduct.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 8681

By Mr. MATHIS:

Add the following new section at the appropriate place:

SEC. . . Section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act is amended by adding the following new paragraph at the end thereof:

"(4) RULE AND REGULATION REVIEW.—

"(A) CONGRESSIONAL REVIEW.—Notwithstanding any other provision of this Act, simultaneously with promulgation or repromulgation of any rule or regulation under this Act, the Administrator shall transmit a copy thereof to the Secretary of the Senate and the Clerk of the House of Representatives. Except as provided in subparagraph (B), the rule or regulation shall not become effective, if—

"(1) within 90 calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: 'That Congress disapproves the rule or regulation promulgated by the Administrator of the Environmental Protection Agency dealing with the matter of which rule or regulation was transmitted to Congress on . . .', the blank spaces therein being appropriately filled; or

"(2) within 60 calendar days of continuous session of Congress after the date of promulgation, one House of Congress adopts such a concurrent resolution and transmits such resolution to the other House, and such resolution is not disapproved by such other House within 30 calendar days of continuous session of Congress after such transmittal.

"(B) EFFECTIVE DATE.—If at the end of 60 calendar days of continuous session of Congress after the date of promulgation of a rule or regulation, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the rule or regulation, and neither House has adopted such a resolution, the rule or regulation may go into effect immediately. If, within such 60 calendar days, such a committee has reported or been discharged from further consideration of such a resolution, or either House has adopted such a resolution, the rule or regulation may go into effect not sooner than 90 calendar days of continuous session of Congress after its promulgation unless disapproved as provided in subparagraph (A).

"(C) For the purposes of subparagraphs (A) and (B) of this paragraph—

"(1) continuity of session is broken only by an adjournment of Congress sine die; and

"(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of 30, 60, and 90 calendar days of continuous session of Congress.

"(D) IDENTICAL NEW RULE.—The Administrator may not promulgate a new rule or regulation identical to one disapproved pursuant to this paragraph unless a statute is adopted affecting the agency's powers with respect to the subject matter of the rule or regulation.

"(E) New rule on same subject matter.—If the Administrator proposes a new rule or regulation dealing with the same subject matter as a rule or regulation disapproved pursuant to the paragraph, the Administrator shall comply with the procedures required for the issuance of a new rule or regulation.

"(F) Effect of congressional inaction.—Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of such rule."

H.R. 9346

By Mr. BLOUIN:

Page , after line , insert the following new section:

TAX CREDIT FOR EMPLOYEE SOCIAL SECURITY TAXES

SEC. 704. (a) Section 31 of the Internal Revenue Code of 1954 (relating to tax withheld on wages) is amended by adding at the end thereof the following new subsection:

"(c) CREDIT FOR SOCIAL SECURITY TAX.—

"(1) IN GENERAL.—Under regulations prescribed by the Secretary, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to 10 percent of the aggregate amount of tax imposed by sections 3101 and 1401 and paid by the taxpayer.

"(2) MAXIMUM AMOUNT OF CREDIT.—The amount of credit allowed by paragraph (1) to an individual for a taxable year shall not exceed—

"(A) \$100 in the case of a single individual, a joint return where only one spouse is eligible for the credit under paragraph (1) for such year, or a married individual filing a separate return, or

"(B) \$200 in the case of a joint return where both spouses are eligible for the credit under paragraph (1) for such year.

"(3) YEAR OF CREDIT.—Any amount to which paragraph (1) applies shall be allowed as a credit—

"(A) in the case of tax imposed by section 1401, for the taxable year for which such amount is paid, and

"(B) in the case of tax imposed by section 3101, for the taxable year beginning in the calendar year during which the wages were received on which such amount is paid.

For purposes of subparagraph (B), if more than one taxable year begins in the calendar year, any amount to which paragraph (1) applies shall be allowed as a credit for the last taxable year so beginning.

"(4) AMOUNT OF CREDIT TREATED AS TAX WITHHELD AT SOURCE.—For purposes of this subtitle, any amount allowed as a credit under this subsection shall be considered an amount withheld at source as tax under section 3402."

(b) The amendments made by this section shall apply to taxes (imposed by sections 3101 and 1401 of the Internal Revenue Code of 1954) paid with respect to remuneration received after December 31, 1977, in taxable years ending after December 31, 1977.

Page , line , strike out "704" and insert in lieu thereof "705".

Offered by Mr. CORMAN:

Page 133, strike out "may be less" in line 13 and all that follows down through page 134, line 2, and insert in lieu thereof the following:

may be less than an amount equal to \$11.50 multiplied by the individual's years of coverage in excess of 10, or the increased amount

determined for purposes of this clause under subsection (i).

Page 134, line 3, strike out "clause (i) (II)" and insert in lieu thereof "clause (i)".

Page 137, line 13, strike out "subparagraph (C) (i) (II)" and insert in lieu thereof "subparagraph (C) (i)".

Page 138, lines 1 and 2, strike out "subparagraph (C) (i) (II)" and insert in lieu thereof "subparagraph (C) (i)".

Page 139, line 6, strike out "and (II)" and insert in lieu thereof the following: ", (II) there shall be no statutory minimum primary insurance amount as otherwise set forth on the first line of column IV of that table, and for purposes of determining primary insurance amounts below the amount so set forth the Secretary shall extend columns II, III, IV, and V of the table backwards to zero by the insertion of additional figures on lines ahead of the first line therein, and (III)".

Page 149, lines 14 and 15, strike out "section 215(a) (1) (C) (i) (II)" and insert in lieu thereof "subsection (a) (1) (C) (i)".

Page 151, line 5, strike out "subparagraph (C) (i) (II)" and insert in lieu thereof "subparagraph (C) (i)".

Page 152, line 6, strike out "subparagraph (C) (i) (II)" and insert in lieu thereof "subparagraph (C) (i)".

Page 152, lines 8 and 9, strike out "such subparagraph (C) (i) (II)" and insert in lieu thereof "such subparagraph (C) (i)".

Page 162, strike out lines 5 through 21 and insert in lieu thereof the following:

Sec. 204. (a) (1) Section 202(m) of the Social Security Act is repealed.

(2) Section 202(k) (2) (A) of such Act is amended by striking out "or subsection (m)".

(3) Section 227(b) of such Act is amended by striking out "(and section 202(m))".

Page 163, line 2, strike out "section 215(a) (1) (C) (i) (II)" and insert in lieu thereof "section 215(a) (1) (C) (i)".

Page 163, line 4, strike out "section 215(a) (1) (C) (i) (II)" and insert in lieu thereof "section 215(a) (1) (C) (i)".

Page 184, strike out lines 1 through 17 and insert in lieu thereof the following:

"(2) Any such agreement may provide that an individual who is entitled to cash benefits under this title shall, notwithstanding the provisions of section 202(t), receive such benefits while he resides in a foreign country which is a party to such agreement.

Page 120, strike out lines 2 through 4 (as previously amended), and insert in lieu thereof the following: "5.50 percent;

"(5) with respect to wages received during the calendar years 1990 through 1999, the rate shall be 6.05 percent; and

"(6) with respect to wages received after December 31, 1999, the rate shall be 6.10 percent."

Page 120, strike out lines 20 through 22 (as previously amended) and insert in lieu thereof the following: "5.50 percent;

"(5) with respect to wages paid during the calendar years 1990 through 1999, the rate shall be 6.05 percent; and

"(6) with respect to wages paid after December 31, 1999, the rate shall be 6.10 percent."

Page 121, line 18, strike out the figure immediately preceding "percent" (as previously amended) and insert in lieu thereof "8.25".

Page 121, line 19, strike out "and".

Page 121, strike out lines 20 through 23 (as previously amended) and insert in lieu thereof the following:

"(5) in the case of any taxable year beginning after December 31, 1989, and before January 1, 2000, the tax shall be equal to 9.05 percent of the amount of the self-employment income for such taxable year; and

"(6) in the case of any taxable year beginning after December 31, 1999, the tax shall be equal to 9.15 percent of the amount of the self-employment income for such taxable year."

By Mr. PICKLE:

Strike out section 104 (beginning on page 127, line 16, and ending on page 131, immediately before line 4).

Page 131, line 5, strike out "105" and insert in lieu thereof "104".

Page 131, strike out the sentence beginning in line 7.

Conform the table of contents on page 117.

Page 169, strike out lines 1 through 5 and insert in lieu thereof the following: "of 1954 (the Federal Insurance Contributions Act) is amended by redesignating sections 3125 and 3126 as sections 3126 and 3127, respectively, and by inserting after section 3124 the following new section:"

Page 169, line 6, strike out "1326" and insert in lieu thereof "3125".

Page 169, in the matter following line 22, strike out "3126", "3127", and "3128" and insert in lieu thereof "3125", "3126", and "3127", respectively.

Page 170, line 4, strike out "3127" and insert in lieu thereof "3126".

Page 170, line 15, strike out "3126" and insert in lieu thereof "3125".

Page 170, line 19, strike out "3127" and insert in lieu thereof "3126".

Page 171, line 5, strike out "3126" and insert in lieu thereof "3125".

Page 171, line 17, strike out "3126" and insert in lieu thereof "3125".

Page 171, lines 21 and 22, strike out "3127 (a)", "3127(b)", and "3127(c)" and insert in lieu thereof "3126(a)", "3126(b)", and "3126(c)", respectively.

Page 171, line 25, strike out "3127".

H.R. 9375

By Mr. DINGELL:

Page 8, strike out line 2 and all that follows down through line 2 on page 9 and insert:

FEDERAL ENERGY ADMINISTRATION  
SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$31,338,000: *Provided*, That \$3,872,000 of such amount shall not be available except for compliance activities, in addition to the sums available herein for compliance contract activities, in connection with regulatory programs administered by the Federal Energy Administration: *Provided, further*, That of the total amount of this appropriation, not to exceed \$6,000,000, shall remain available until expended for a reserve to cover any defaults from loan guarantees issued to develop underground coal mines as authorized by Public Law 94-163: *Provided further*, That the indebtedness guaranteed or committed to be guaranteed under such law shall not exceed the aggregate of \$62,000,000.

By Mr. DUNCAN of Oregon:

On Page 11, strike line 5 through and including line 11, and insert in lieu thereof the following: "No money provided in this or any other appropriations Act shall be used by any officer, employee, or other official of the Federal Government to issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of the date of enactment of this section), other than oil to be refined for consumption in the States of Washington and Oregon."

## EXTENSIONS OF REMARKS

RELAXATION OF TENSIONS IN  
KOREA

HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mrs. MEYNER. Mr. Speaker, I was pleased to participate in a conference of Japanese and U.S. Parliamentarians on Korean problems, which was held in the Cannon Caucus Room on September 19 and 20. Various aspects of the current situation in Korea were discussed in four working sessions.

I took a particular interest in the third working session on "Prospects for Tension Reduction and Political Accommodation in Korea." I have been impressed by the vicious circles that seem to entrap us when we consider what policies to adopt on Korean problems.

Many interesting observations were made by the participants on the issue of tension reduction. Some of the most thoughtful views were expressed by Mr. Tokuma Utsunomiya, a member of the House of Representatives of the Japanese Diet, in his paper on "Relaxation of Tensions and Korean Reunification."

Although space limitations preclude the insertion of his complete paper, I would like to offer his opening section on "Causes of Tension in the Korean Peninsula" for the attention of my colleagues:

## CAUSES OF TENSION IN THE KOREAN PENINSULA

Military and political tensions, said to stem from differences in the political systems of the two Koreas, continue to exist in the Korean Peninsula. The South Korean Government, for instance, constantly refers to the dangers of direct and indirect Communist aggression from the North and this fear of the "threat from the North" forms the cornerstone of its domestic and foreign policies.

However, in addition to the simple reason of two states with differing systems existing in what was once a single nation, there are a number of other factors contributing to the present tension in the Korean Peninsula and I believe that we need to clarify these different factors in finding ways of lessening this tension.

I would first like to list these causes of tension and, later, add explanations.

(1) North and South Korea are more identical in their language, their alphabet and their culture than East and West Germany. Whereas a unified Germany emerged only a little over 100 years ago, Korea has been one nation and substantively maintained its independence from the year 938, when Wang Kon established the Kingdom of Koryo, until 1910 when it was annexed by Japan. Thus, there is today among the peoples of both North and South Korea a keen realization of the irrationalities inherent in the division of their country into two separate entities and a deep desire for unification of the entire Korean race. The governments of both North and South Korea interpret these identical sentiments on the opposite side of their border as threats and indications of aggressive intent against themselves.

(2) The Korean Peninsula is the only region in the world where the East-West Cold War of the post-World War II era erupted

into a large-scale hot war. Regardless of what may have sparked the Korean War, the fact remains the 38th Parallel has been for many years the most tense of all frontlines in the East-West Cold War.

Because of this, the Korean Peninsula is where a situation and a consciousness of tension still remains the strongest. This is particularly so in South Korea, while it was North Korea, which was able to observe at first-hand confrontation developing between the Soviet Union and China, that early realized the East-West Cold War had lost its original significance and had substantially become a facade. However, in South Korea, the reapproachment between Japan and China and between the United States and China and the sudden change in Vietnam, served only to arouse a sense of heightened danger and to lead to a further strengthening of South Korea's Cold War setup. This sense of danger is evident in the covert activities of such organs as the Korean CIA aimed at expanding the influence of those circles in Japan, the United States and elsewhere still interested in perpetuating and escalating the Cold War.

(3) Economically, South Korea has always been a country centered on small-scale rice farming and small-scale fisheries along its complex seacoast. It has not been blessed, as in the case of North Korea, with underground mineral wealth, hydro-electro power and forestry resources. However, in such an economy as that of South Korea, the farming and fishing villages provide a constant source of surplus labor. The situation is the opposite to that in North Korea, which constantly complains about its labor shortage. The North-South division of Korea has made it impossible for both parts of the country to mutually complement each other and has made the economic independence of the Korean peoples extremely difficult.

In order to continue its economic growth, South Korea has no alternative but to push its industrialization by relying on foreign aid and foreign capital. To cover the deficits in its balance of payment arising from the induction of foreign capital, South Korea has had to rely on foreign trade earnings and cumulative foreign loans, aside from U.S. military procurements and tourist revenue, some of it earned in a questionable manner. The need to earn through foreign trade has resulted in brutal labor conditions in South Korea, including low wages and long hours of work. In order to suppress the dissatisfaction of the general populace at these conditions, the South Korean Government has found it necessary to resort to repressive measures and spying on its own people by the KCIA. To justify this repression, the South Korean Government has had to place undue emphasis on "the threat from the North." These policies have not only made natural economic exchange with North Korea impossible, but has resulted in an expansion of military expenditures. This, in turn, has forced the South Korean Government into the vicious cycle of having to further emphasize "the threat from the North," in order to gain greater military and economic assistance from abroad.

As one means of improving its balance of payments position and earning foreign exchange, South Korea has been exporting to Japan, at prices based on low wages raising suspicions of dumping, light industrial products and imitations of Japanese quality goods, such as Japan's famous hand-woven Oshima "kasuri" kimono material. This practice has come as a heavy blow to Japan's small and medium enterprises. In addition, South Korea has succeeded in winning bids

on construction and public works projects in the oil-producing countries of the Near and Middle East by undercutting all other bidders and has dispatched Korean workers to work on these projects under poor working and living conditions. All this is being done in order to earn foreign exchange. As a result, some 2,000 South Korean workers rioted in protest in Saudi Arabia on March 13 of this year. Further, the common practice of providing Korean prostitutes to foreign tourists, including Japanese, is regarded in Japan as a deliberate policy on the part of the South Korean Government to earn foreign exchange.

Practices unthinkable in a country that respects freedom of the press and human rights are rife in South Korea. All these practices may be regarded as arising out of the requirements of South Korea's economic expansion program. Whatever the case, these practices have aroused popular dissatisfaction and are one of the major causes of continued tension in the Korean Peninsula.

(4) Political freedoms, in the sense we know them, do not exist in North Korea and it is not difficult to imagine that repression of human rights, such as that described by Aleksandr Solzhenitsyn, is common in North Korea. However, repression is common in all Communist countries, in varying degree, and does not necessarily make North Korea a particularly dangerous country. When we examine North Korea's policies in the field of light industries, farming and housing, it is apparent North Korea needs peace to carry out its economic program.

However, North Korea fears war, for reasons which are apparent, and has built most of its war industries underground. There is no doubt the North Koreans are making preparations to maintain their war potential against sustained bombing over a long period of time.

At the same time, North Korea's excessive military expenditures and war preparations are obstructing its economic development and, it is apparent that the popular livelihood of the North Korean peoples is being subjected to heavy pressures. In addition, when North Korea has to purchase new and advanced arms from the Soviet Union, the conditions imposed by the Soviet Union both as to price and method of payment are most severe. There is no doubt these conditions have had a grave and adverse effect on North Korea's balance of payments position.

Further, the fact that North Korea has close to 600,000 men under arms or assigned to military tasks has deprived the country of its most productive and youthful industrial and farm workers. Judging from North Korea's population, announced as being 15,950,000 in 1975, the maintenance of this large military force has placed a great strain on North Korea's economy. South Korea's rapid economic growth, sustained by foreign capital, has made the leaders of North Korea worried and fretful and has prompted them to import industrial plants on a vast scale from West Germany, Japan and other countries on a commercial deferred-payment basis. However, the unexpected drop in the world prices of mining products, which are North Korea's prime export items, has made it extremely difficult for North Korea to keep up its payments for these imports of industrial plants. It appears North Korea must become more versed in international trading practices and, at the same time, must overcome its bureaucratic rigidity.

When we examine in detail North Korea's management of its present economy, it is difficult to imagine that North Korea has intentions of advancing south by force just for the sake of exporting its socialism to

South Korea. Further, it is impossible for North Korea to wage a long-range war without the participation or without the assistance of the Soviet Union and China. The possibilities of such participation or assistance are far less today than in the 1950s. Further, it is much more apparent today than in the 1950s that the North Korean Government authorities do not want to have their country become a military appendage to either the Soviet Union or China.

However, there is one problem that could arise. If the withdrawal of U.S. forces from South Korea is carried out without any approach or any understanding being reached with North Korea and if vast military and economic aid is given to South Korea in compensation for the withdrawal and, furthermore, if the Park Chung-hee Government continues to maintain its deep hostility toward the North, there is no guarantee North Korea's leaders might not succumb to the temptation of getting rid of the Park Chung-hee regime should they find themselves at a military advantage over the South. This same thing may be said of the South.

### TOXIC SUBSTANCE POLLUTION VICTIM COMPENSATION ACT

#### HON. WILLIAM M. BRODHEAD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. BRODHEAD. Mr. Speaker, today I am introducing the Toxic Substance Pollution Victim Compensation Act. The bill is designed to accomplish three purposes: First, to increase our knowledge about the dangers and risks associated with toxic substances; second, to encourage the safe manufacture and use of these substances; and third, to provide compensation to the victims of toxic substance pollution. I believe this legislation will greatly increase public safety without the imposition of unfair costs on either manufacturers or victims.

Each year an estimated 500 to 700 new chemical substances enter the marketplace, in addition to the hundreds of thousands of chemicals already in use. Increasingly, American industry is making use of heavy metals, minerals, fibers, petrochemicals, and synthetics that have proven useful for a number of purposes. Increasingly, however, Americans are exposed to substances that are toxic or potentially toxic, often with devastating results.

The PBB disaster in my home State of Michigan, the kepone poisoning in Virginia, and the leptophos contamination in Texas are well known. In recent years, numerous toxic substance pollution mishaps across the country have injured hundreds of people. Perhaps thousands more are undiagnosed or cannot be identified because of the limits of medical knowledge.

Diagnosis of toxic poisonings is often difficult or impossible. Seemingly safe, low-level discharges of toxicants may accumulate in the body undetected for years until a threshold level is passed and human injury results; some toxicants do not even have readily discernible "safe" threshold levels. Toxicants may also commingle or combine with water, the air or other substances to form

new poisons of greater toxicity than any one of the original discharges. Toxic substances may also be transferred to future generations in the form of gene mutations or birth defects.

Too often victims of toxic substance poisoning are also the victims of our inadequate remedies and programs to assist them. Victims seeking compensation through tort law, social security, or workmen's compensation are frequently frustrated and face long and costly delays, primarily because these means of assistance are not equipped to deal with the special problems posed by toxic substance contamination. In effect, then, the victims are forced to pay the costs of toxic contaminations. This problem will not simply go away and shows every indication of getting worse.

Although the Toxic Substances Control Act (TSCA) which Congress passed last year, represents a legislative milestone in environmental protection, it has serious limitations. While the TSCA can rely on regulatory techniques ranging from premarket testing to the seizure of dangerous substances, they can only be invoked when an "unreasonable risk" or an "imminent hazard" becomes known to the EPA. Effectively, the TSCA is limited to regulating the most toxic of substances. A substance of low toxicity, however, although it may not pose an imminent hazard to health at the present time, may wreak more human devastation at some later date than one that is highly toxic. While the TSCA requires manufacturers to supply information about their new products, it does not encourage manufacturers, on their own, to conduct research into the presently unknown but scientifically ascertainable effects of toxic substances.

The Toxic Substances Pollution Victim Compensation Act would expand on the TSCA. It would encourage all manufacturers of toxic substances to strengthen safety procedures and conduct research into the effects of their products by levying a "pollution charge" based on the level of risk that the substance poses for human health. The Administrative Board for Compensation (ABC) established under the bill will set the highest pollution charge on substances which pose the highest risks.

Lower rates will be set for other substances of lesser risk. As a manufacturer implements safer ways of handling a toxic substance, the pollution charge is reduced to reflect the lesser risk.

Even more important from the standpoint of optimizing public safety, in the case of actual harm to people, the polluter would be required to pay the amount of the compensation award determined by the ABC. The bill will thus encourage manufacturers to develop innovative safety techniques to protect human health and, at the same time, provide victims of toxic substances poisoning with adequate compensation, expenses which properly should be borne by those who create the risks rather than by victims or society in general.

Mr. Stephen M. Soble, statute editor of the Harvard Journal on Legislation and author of this bill, further explains its operation in his article, "A Proposal for

the Administrative Compensation of Victims of Toxic Substance Pollution: A Model Act," which appears in volume 14, page 683 of the Journal. I commend this article to the attention of my colleagues.

I believe the time has come for Congress to seriously consider this legislation. Toxic substances are one of our most pervasive and potentially most harmful health problems today. It is time we start looking for solutions.

### UNIVERSAL SOCIAL SECURITY

#### HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HARSHA. Mr. Speaker, I wish to express my deep distress over the precipitate action of the House Ways and Means Committee in reporting a measure which is designed to rescue the social security system at the expense of our teachers and other Federal, State, and local government employees.

I have long been concerned over the fiscal soundness of the social security system and strongly support appropriate action to place it on a financially sound and viable basis. However, to sacrifice our Federal, State, municipal, and teachers retirement programs toward this goal does not make sense and represents a betrayal of government employees at all levels.

As reported, H.R. 9346, the Social Security Financing Amendments of 1977, provides for mandatory coverage of Federal, State, and local government employees, effective in 1982. This action would bring about 2.6 million Federal and approximately 4 million State and local government employees and teachers under mandatory social security coverage. While this expanded coverage would bring about a massive influx in social security taxes, the end result might well be the end of government retirement systems as they now exist.

To integrate such different retirement programs would, at best, pose a most difficult problem. This is evidenced by the fact that H.R. 9346 also provides for a study to be undertaken by the Department of Health, Education, and Welfare and the Civil Service Commission of methods of integrating the social security and civil service retirement programs and other Government retirement programs and requires the Secretary to present to the Congress a specific and detailed plan for the integration of these systems by January 1, 1980.

It may well be that this study will prove that these systems cannot be equitably and effectively merged. In my judgment, it would be foolhardy to mandate that these systems are to be integrated before the study is undertaken. If the supporters of H.R. 9346 feel this proposal merits such a study, then by all means let us wait until the results are available for evaluation before determining whether or not the integration of these systems is feasible. But let us not commit ourselves blindly to a course of action before the details are resolved.

I am adamantly opposed to H.R. 9346 in its present form. It would be extremely shortsighted of the Congress to attempt to solve the fiscal problems of the social security system at the expense of millions of teachers and Government workers who have set aside money in good faith to assure themselves of adequate retirement income under their existing retirement programs. They have paid into their own retirement programs, and they are entitled to count on the benefits they have been promised. It would be extremely unfair to them to change the rules without giving them an opportunity to study the detailed proposal and make their views known.

I strongly urge my colleagues to join with me in defeating this proposal.

#### TRIBUTE TO LOUIS PUSKAR

### HON. MARC L. MARKS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. MARKS. Mr. Speaker, this coming weekend, Saturday, October 22, several hundred persons will gather to pay tribute to Louis Puskar on his retirement as subdistrict director, United Steelworkers of America District 20, AFL-CIO. He is a resident of Mercer County, Pa.

Because Lou is a personal friend and because he has distinguished himself over the years as a faithful union and community leader and as a man with true devotion to his family and his church, I should like to make note of the occasion of his retirement banquet with a brief sketch of his background.

Lou was a furnace operator at Sharon Steel from 1933 to 1956 when he became a staff representative for the Steelworkers. He served in that capacity until 1972, when he was appointed subdistrict director of district 20, which covers a large portion of western Pennsylvania. There has not been an area of unionism in which he has not been involved.

Perhaps his involvement in community activities would provide a good insight into this man's enthusiasm and zeal. He helped guide the Shenango Valley Community Fund and United Way to one successful campaign after another as well as other charitable fund drives. Also, he has been a member of the following boards of directors:

Citizens Advisory Council of the Sharon Community Service Center,

Mercer County Crippled Children's Society,

Multi-County Human Resources Corp., Sharon General Hospital, Shenango Valley Charitable Capital Improvements Association,

Shenango Valley Industrial Development Corp.,

United Way of Mercer County.

Noteworthy also are the distinguished service and community service awards over the years:

USWA Local 1174 AFL-CIO "Testimonial of Deep Appreciation," 1956,

Mercer County Crippled Children's Society, "A Brace for an Ace," 1961,

Shenango Valley Junior Chamber of Commerce, Distinguished Service Award, 1962,

Mercer County Central Labor Council, Community Service Award, 1962,

State of Israel Bond Organization, Humanitarian Award, 1969

United Way of Shenango Valley Area, Distinguished Service Award, 1975,

United Way of Mercer County, George S. Warren, Jr. Community Service Award, 1976.

Perhaps the greatest award will be the Saturday night testimonial when hundreds of Lou's friends will rise to their feet and pay a very deserving living tribute to a very deserving man. I wish the best to Lou and his family.

#### COAL GASIFICATION—PART II

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. CARTER. Mr. Speaker, two gentlemen visited me in my office last week to discuss the development of their coal gasification system in South Africa.

Mr. Carl Noffke and Mr. Piet Gerber from the South African Embassy had the greatest enthusiasm about coal gasification which is being used in their country with great success. Actually, 8 percent of that country's oil needs are currently met by gasification of coal with predictions that by 1980 South Africa will make 40 percent of its motor fuel from its own coal at competitive prices.

In the past, South Africa's reliance on foreign sources of energy spurred them to welcome the "Second Renaissance of Coal." Coal, Mr. Speaker, is the greatest known energy resource that the United States possesses yet much of it sits idle in the Earth's depths. It is time to begin to consider a second renaissance of coal here in the United States.

Mr. Noffke and Mr. Gerber left with me a report on the state of their country's experience with coal gasification. Yesterday I inserted into the RECORD part I of that report. Part II follows:

#### SASOL—PART 2

In its 25-year existence, the Sasol enterprise has grown into a group of companies and has spawned a number of others.

But everything was not plain sailing. In the first place, the erection of a plant of such size in the interior was a formidable task. The complex consisted of a synthetic oil plant, comprising some twenty interlinked production units, and a colliery, water works, steam and power stations, sewage and waste disposal plant, a railway siding, roads, administrative buildings and workshops, and a village.

When one looked at the tons of equipment turning up at the site, the huge towers and vessels being put into position, one could only marvel at how they had all got there, for the plant was, after all, hundreds of kilometres away from the harbours and many thousands from overseas factories. But ton upon ton of plant parts arrived, some items so large that they had to be dismantled for loading and unloading in special trucks.

Construction started in May 1952, and 15 million man-hours later, after 10,426 railway

trucks had been off-loaded and 24,448 hacksaw blades sawed blunt, the plant was completed in basic design in August 1955, right on schedule.

Wild excitement prevailed as the first of the co-products were recovered and despatched—ammonium sulphate, phenol, a drum of creosote. But the main product, motor fuel, obstinately refused to put in an appearance. For seventeen days the men in the plant battled round the clock to put the Synthol reactors into operation. And only after many adjustments and modifications to the equipment, much stress, many a silent prayer and some honest swearing, did the plant begin to hum in a deep bass in the early hours of 23 August 1955, indicating that it was producing petrol.

Sasol's managing director at the time, who was to become chairman in later years, Dr. P. E. Rousseau, had warned about the plant: "This giant", he said, "has to be domesticated into a purring animal. To courage and perseverance have to be added deliberation and meticulous care and thoroughness if we are not to have a wild beast on our hands . . ."

In spite of the size and complexity of the Sasol plant, which represents an investment of about \$300 million, a profit was shown after only five years of operation, in 1960. During the early sixties the animal was indeed purring gently while the world looked on with some amusement, for oil had become plentiful and was cheap. Old man coal was no match for strong man oil. The world lessened its dependence on coal as a major source of energy from seventy per cent in 1937 to thirty per cent three and a half decades later, and increased its dependence on oil from eighteen to forty-eight per cent during that time.

So what was Sasol, a very small producer of oil by world standards, to do? Expansion was necessary if the economics of large-scale operations were to be enjoyed. The major decision then to be taken was whether to increase the capacity of producing liquid fuels from coal, or whether to pursue further development of chemicals production. As the availability of crude oil was no problem, the growing demand for feedstocks for South Africa's secondary chemical industry influenced the decision to extend the production of chemicals. Furthermore, Sasol had developed know-how and had steadily increased its profitability, and was accordingly in a position to grasp many opportunities to diversify.

An important step in the expansion program was the erection of a synthetic ammonia plant in 1963. The sources of raw material for production already existed. Hundreds of tons of nitrogen were vented to the atmosphere by Sasol's huge air separation, or oxygen, plant, and the hydrogen produced in the coal gasification plant could be economically extracted. These two gases could be combined to form ammonia for the production of nitrogenous fertilizers. As a result, there are today three independent fertilizer factories operating at Sasolburg which draw their feedstocks from Sasol.

In the mid-sixties Sasol started producing butadiene and styrene for the synthetic rubber industry in South Africa. This enabled a synthetic rubber company to establish its factory at Sasolburg and have these feedstocks piped from the Sasol plant.

The needs of the plastics industry for raw materials, such as ethylene and styrene, led to naphtha cracking at Sasol through the use of petroleum naphtha available at South African refineries and imported from abroad. As a result, Sasolburg has become the nucleus of the country's chemical industry.

A development in the history of Sasol that must be highlighted is the formation of the South African Gas Distribution Corporation, called Gascon for short, in 1964 to dis-

tribute fuel gas produced by Sasol. Because South Africa has no natural gas, and cheap fuel oil was not readily available far inland in the country's most densely developed industrial area of the Witwatersrand and the southern Transvaal, a need had always existed for a refined gas for specialized purposes. The approximately 350 industrial customers linked to Gascor's distribution network use the gas mainly for metal processing and in glass and ceramic works. Of all fuels in South Africa, the growth of the Gascor market has been the fastest. This growth in demand of more than 20 per cent per annum has necessitated the erection by Sasol of additional gas-making facilities which will, when completed at the end of this year, be able to supply 150,000 normal cubic metres of pipeline gas per hour.

Being a producer of liquid fuels, it was only natural that Sasol became aware of the Iranian desire to move downstream in the oil business. And in 1966 Sasol and the National Iranian Oil Company, with the French CFP (Compagnie Francaise des Pétroles) as a third partner, agreed to erect a crude oil refinery at Sasolburg by making use mainly of Iranian feedstock. This led to a complex which, during the financial year 1975, had a sales turnover of R389 million. Of this amount, R223 million could be described as added value achieved because R166 million represented purchases of feedstock in the form of crude oil and naphtha.

In common with industry in general, Sasol's oil-from-coal operation had been faced with increasing costs over the years, while the price of oil had remained near-static. The price Sasol could ask for a gallon of petrol at its factory gate in 1970 was about the same as in 1955. Clearly, there was only one way of staying in competition with natural oil, and that was to improve operating efficiency continuously.

For example, in 1971 a R1 million per annum financial gain was reflected as a result of shortening the scheduled factory shutdown from a previous 28-day period to 11½ days by means of critical path planning. During the past eight years, through the use of the same mining methods, coal production was increased by 38 per cent while the number of mine workers decreased by 20½ per cent. During the period 1968 to 1975 final products produced and sold from the oil-from-coal and petrochemical units more than doubled while the number of Sasol employees decreased from 7,685 to 7,122.

So when, from 1970, a series of events on the international oil front showed signs of an impending energy crisis, which was precipitated by the outbreak of the Yom Kippur War in October 1973, the Sasol enterprise came into clear-cut focus. Prospective producers of gas and liquid fuels from coal were beginning to beat a path to Sasol's door in the quest for know-how.

In 1971 the Sasol entrepreneurs reported that oil-from-coal had benefited by the world-wide increases in the prices of petroleum products, but warned against undue optimism about its economic future. In 1972 they sounded more hopeful, but maintained that normal escalation of capital costs might well keep pace with the increases in the price of crude oil. In 1973 they reported that in spite of a material change for the better in the oil-from-coal situation, it would be unwise to erect new plants with undue haste. And in 1974 they disclosed that at the Government's request they had made a detailed study of the technical and financial implications of the establishment of a second oil-from-coal plant.

On 5 December 1974 the SABC's News at Nine featured Senator O. P. F. Horwood, then Minister of Economic Affairs, announcing: "The Cabinet has decided that a second Sasol must be built with least possible delay . . . The new plant, Sasol 2, will produce more than ten times the amount of petrol and

petroleum products than the existing oil-from-coal plant, and will be one of the largest industrial undertakings yet embarked upon in South Africa . . . At present cost levels, its fixed capital requirements, township development excluded, will exceed R1 000 million . . ."

#### FIRE CHIEF ROBERT WEITZEL AND THE MACK VOLUNTEER FIRE DEPARTMENT

### HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. LUKEN. Mr. Speaker, I would like to bring to the attention of the House the testimony given by Fire Chief Robert Weitzel of the Mack Volunteer Fire Department in Green Township, Ohio, during the Military Installations and Facilities Subcommittee's hearings on civil defense preparedness.

Chief Weitzel has been a member of the Mack VFD for 20 years, an officer for the last 15. He has been chief for 5 years. He is a member of the Western Hamilton County Fire Association and the Hamilton County Fire Chiefs Association as well as the Ohio State Fire Chiefs and the International Fire Chiefs.

Mack is one of the largest fire departments in the State of Ohio with over 120 members as listed at the end of these remarks. They provide fire and paramedical service while receiving no pay—not even gas money—to all of Green Township which covers 30 square miles and has a population of over 63,000. The Mack VFD operates out of three stations, and has assisted in rescue and paramedical operations following three tornadoes in 1974, 1976, and again in 1977. As the fire chief for Green Township, an area hard hit by tornadoes in 1974, 1976, and again this year on October 1, Chief Weitzel had much to contribute to the subcommittee's understanding of civil defense preparedness problems.

The Hamilton County civil defense siren system failed to warn residents of the approaching tornado on October 1. The tornado struck at 7:10 a.m., yet the warning system was not activated until 7:50 a.m.

We in Hamilton County have learned the hard way that we do not have an effective warning system either for tornadoes or enemy attack. A system that warns us only after we have been struck is unacceptable. I am thankful to the trustees of Green Township for making Chief Weitzel available to us. With the help of experts like the chief, I truly hope that the Armed Services Committee can begin to resolve this serious problem.

The list of volunteers at three stations follows:

#### STATION NO. 1

Ray Adams, Don Aisenbrey, Jim Belschel, Terry Brockhoff, Dale Brockhoff, Robert Brown, Ken Case, Steve Claytor, Joe Day, Mike Diehl, Mike Donohue, Dan Dreier, Dave Driskell, Bob Eisenecher, Charles Evans, Daniel A. Fluegeman, Rick Fox, Tom Fox, Bert Frondorf, Paul Garbon, Dave Gemmell, Ray Gemmell, George Gibeau, Ray Hollmeyer, Jim Huber, Brian Hummeldorf, Bob Kallendorf, and Richard Kist.

Tom Kotte, Dale Knapp, Shelby Loudon, Dale Matthey, Bob Miles, Stan Mueller, Bill

Neu, Harvey Pfaff, Jim Rack, Dick Rhoades, Roger Ruberg, Russ Ruberg, Butch Ruehlman, Marty Schloss, Bob Sweeney, Tom Sweeney, Tim Tate, Gary Theurer, Mike Thorp, Timothy Trame, Bob Viox, Dwight Waldorf, Stan Wasserman, Dough Weberding, Carl Weghorst, Ron Weidner, Bob Weitzel, Hal Welge, Mike Wernke, George Willenbrink, and Ed Wortman.

#### STATION NO. 2

Tom Arend, Jack Bohning, Dave Chastang, Tom Dietz, Dominic Donisi, Tom Elsbernd, Dave Filbert, Ed Fischer, Lou Geiger, Glenn Hanekamp, Carl Hoog, Tom Huth, Ken Inderhees, Tom Lecture, Mark Leytze, Larry Ludwig, Charles Mader, Dean Marshall, Wayne Misch, Cliff Pickens, Stanley Rauh, Jim Rutenschroer, Jeff Sellar, Steve Seft, Carl Seng, Roger Seng, Jim Sunderhaus, Frank Sutton, John Troescher, Mike Williamson, Marty Wilz, Mike Wilz, and Duane Yeazel.

#### STATION NO. 3

Tom Carmack, Dennis Chastang, Tim Chastang, Bill Fulton, Steve Greek, Dan Hildebrand, Mark Hildebrand, Bud Hustedt, Rick Kreft, Gary Louderback, Jack Pflanzner, Steve Pflanzner, Mike Pursifull, Frank Rottmueller, Ed Thomas, Clarence Triplett, and Bud Westlund.

#### TRIBUTE TO POLICE SUPERINTENDENT JAMES M. ROCHFORD

### HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. RUSSO. Mr. Speaker, recently James M. Rochford, the superintendent of the Chicago Police Department, retired after 30 years with the police force.

In his 45 months as superintendent he distinguished himself, as he had throughout his career, as a man of character, courage, and wisdom, and I agree enthusiastically with a comment by Columnist Bob Wiedrich of the Chicago Tribune that Mr. Rochford "has been the best police superintendent the city ever has known."

The people who elect to spend their lives in the service of protecting others often stand quietly in the background while praise is heaped on more obvious "heroes." I think men like Jim Rochford are far better heroes than any television drama could possibly depict.

I wish him the best in the future and I would like to share with my colleagues some of the facts about this extraordinary administrator by inserting Mr. Wiedrich's column of October 13:

#### A MAN WHO MADE POLICE PROUD AGAIN

(By Bob Weidrich)

James M. Rochford took a wild bull by the horns and did a top job of taming it.

He took command of the 13,000-member Chicago Police Department when it was at its lowest ebb.

He rebuilt its self-confidence and morale and, by skillful leadership, restored to the citizens of Chicago the quality of police service they deserved.

For our money, Rochford has been the best police superintendent the city has ever known.

From the first day Rochford became acting chief in 1973, he set sparks flying in an emotionally charged atmosphere that best could be described as a hand grenade factory.

In theory, he had everything going against him.

Honest police officers were dismayed and disgruntled by the shame of widespread corruption.

And those few remaining officers who viewed their badges as a license to steal were merely waiting for the heat of federal grand jury inquiries to abate before resuming their crooked lifestyles.

Rochford recognized that. So he immediately made it clear who was the boss.

He carefully selected a command and management team on which he knew his personal reputation and that of the department would rise and fall.

He demanded of them no less than he demanded of himself or any patrolman on the street—selfless dedication to duty and a high degree of professionalism.

And he set forth to refashion the image and operations of a police department whose pride and motivation had been sorely tried by public humiliation and the tragic sight of more than 50 members of its ranks being dispatched to federal prisons for corruption.

Rochford knew that what was needed was a highly visible superintendent—a man who would be accessible to the community and the department and who would not play favorites or curry support by condoning incompetence.

Above all, the police needed a leader who would not resort to dilatory or protective tactics when things went wrong but would instead face up to the issues and speak out, even when what he believed might be unpopular.

Rochford filled that bill. He adhered to its requirements throughout much of his tenure.

Very often, he became the target of public and media ire. At other times, his own men rattled the cages with indignation.

However, he never deviated from his conviction that the citizens of Chicago deserved to know where he stood and that hiding behind a cloak of silence served no one.

And that while a leader should inspire his men, he never should do so at the expense of the public trust.

To start with, Rochford was a streetwise cop, having come up through the ranks from a fledgling patrolman who had joined the force in 1947. He knew cops and their joys and their failings.

He could spot the deviousness of the con men. And he recognized the abilities of honest men.

He also knew, however, that a police department is not a municipal island.

And that a police force cannot perform its mission effectively without the support of the public it serves.

So Rochford went out and actively solicited the views of taxpayers. He fended off attempts by outsiders to impose what he viewed as unreasonable restraints on the department's operations, but he listened to complaints from within and without.

He used those complaints he deemed legitimate to refine the quality of police service where it most counts—in the streets and the neighborhoods where the people of Chicago live.

In doing so, Rochford proved conclusively that an effective police commander needs a personal knowledge of his city and its people born of experience, and that the respect of the community is not automatically granted, but must be earned.

To that end, Rochford personally rode subway trains to check on the safety of passengers. He visited police district stations to let police officers see him. He appeared on the front lines of civil disturbances.

He demonstrated his personal leadership in a manner never before seen in this city.

Rochford's firm stand against hiring and promotional quotas for minorities brought him enemies. It also won him the admiration of those who believe advance should be based

on competence and merit, rather than sex or race.

The 13,000 men and women of the Chicago police department should thank Rochford for restoring their self-respect.

And the people of Chicago owe him a debt of gratitude for thirty years of distinguished police service.

#### PERSONAL EXPLANATION

### HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mrs. MEYNER. Mr. Speaker, I was unavoidably absent from the session on Monday, October 17, 1977, because of illness. Had I been present, I would have voted:

Roll No. 659, saccharin ban moratorium, "yea."

Roll No. 660, Customs Procedural Reform Act, "yea."

Roll No. 661, Technical Corrections Act of 1977, "nay."

Roll No. 662, disaster payments exemption, "nay."

#### YOUTH AND JOBS

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. RANGEL. Mr. Speaker, every 4 years the usual campaign rhetoric and promises are made by men who seek high offices. Invariably, these promises always include words to soothe the unemployed. Especially the young black unemployed. Well, its been another 4 years and the job picture in our urban centers is not better. It is worse.

The temptations for an idle mind in an urban center are great. Reducing unemployment among youths will help to reduce our crime rates. Drug addiction and alcoholism will also be reduced as a result.

If the tremendous amount of efforts and money our country spends on defense were instead spent on employment programs, we would see a marked difference in the face and morale of our urban communities.

Before the minority youth revolts, let us lick this problem once and for all.

Jerome Cahill from the New York Daily News has written some further comments with respect to this matter. I would urge my colleagues to carefully consider his views on this most timely subject. His comments follow:

[From the New York Daily News,  
Oct. 6, 1977]

THE URBAN TIMEBOMB: YOUTHS WITHOUT JOBS

(By Jerome Cahill)

Trapped in the blighted neighborhoods of older cities and rural slums, victims of the profound economic and social changes of the post-World War II period, thousands upon thousands of young blacks have been passed over in the nation's slow but steady recovery from the 1975 recession.

In numbers that have surprised some government officials and alarmed others, they have flocked to the labor market in search of work, enticed by signs of a generally improving economy and perhaps the siren song of Jimmy Carter's election-year campaign promises.

But for many, the signs and promises have proved to be bitterly illusory. Since the low point of the recession two years ago, unemployment among black youths in the 16 to 21 age bracket has increased by 100,000 to a staggering 34.7 percent rate nationally. And it is even worse rates in some localities.

The experience of young blacks is a magnified picture of the black unemployment picture generally—an unemployment rate that in August equaled the postwar record of 14.5 percent, more than double the white rate of 6.1 percent. One out of four of the nation's 7 million unemployed was black. The 1.7 million officially listed on the government's jobless rolls represented a 300,000 increase from the April total. And most of these people are concentrated in the nation's central cities.

Rep. Parren Mitchell (D-Md.), chairman of the Congressional Black Caucus, calls the concentration of black joblessness in the cities social dynamite. "It's reached the crisis state," he says. "I don't think we've experienced anything like this even during the depression."

For Rep. Charles B. Rangel (D-Harlem) the jobs crisis in the cities is so grave he believes it constitutes a threat to America's security. At a recent meeting at the White House, Rangel warned President Carter that the lives of local officials may be in jeopardy because of hopes generated by the new administration, which are as yet unfulfilled.

President Carter himself appears to be deeply concerned with the problem. When Mitchell and Rangel led a delegation of Black Caucus members to the White House in the wake of the gloomy August employment report, they found him stunned by the figures. "He was jolted by those statistics," Mitchell recalls. "It was clear that they hit him and hit him hard."

Carter gave voice to that concern when he signed into law the Youth Employment and Demonstration Projects Act of 1977, a \$1.5 billion measure that will provide job and training opportunities for unemployed young people over the next 12 months to three years.

Over the next 12 months, the Labor Department estimates, \$1 billion dispensed under the new law will provide training or employment for 443,000 young people, or about one out of four on the current unemployment rolls. Young blacks and other minorities, whose job prospects are the most bleak, will account for about 60% of the total.

A myriad of job projects, some as old as the New Deal, some borrowed from the Great Society, and some involving schemes never before tested, will receive funds under the new law.

One of the most visible of the new projects is the Young Adult Conservation Corps, which will provide up to 12 months of work at the minimum wage in national, state and local parks for as many as 46,000 unemployed young people between the ages of 16 and 23.

Perhaps the most novel of the projects is an attempt to use the concept of "entitlements" that worked in the GI Bill of Rights for veterans as a way to keep disadvantaged young people, who now drop out of school at a rate of 700,000 a year, in the classroom. Called the Youth Incentive Entitlement Pilot projects, the \$115 million program will provide about 20,000 in-school young people and dropouts guaranteed jobs under the government's Public Service Employment programs if they will earn their high school diplomas. The concept will be tested on a large scale in a half dozen cities.

And the new law also will finance 22,600 community improvement jobs that will be assigned mainly to out-of-school young people, and a big expansion of youth employment training programs, which will receive \$537 million, or more than half of the \$1 billion available under the law.

Although the unemployment rate has dropped in our country more than one percent already since last December, we still have enormous unemployment among young people," Carter told dignitaries who gathered in the Rose Garden for the signing ceremony. "More than half the total number of unemployed in our country are under 24 years of age. And, of course, this falls much more heavily on minority young people than it does on those of us who are male and white.

"This bill will take a great stride forward in trying to correct this serious affliction on our nation's economy which is mirrored within the nations of all the western democracies," the President declared. "I think all of us realize that if a young person reaches the age of 16, 17, 18—all the way up to 24 years of age—and can't get a job in the formative years of a life, there is a feeling of despair, discouragement, a loss of self-esteem, an alienation from the structure of society, a lashing out against the authorities who are responsible, which can shape that life for years to come."

As the President noted, high unemployment among young people has been a feature of the postwar American economy, and more recently in other industrial democracies. To some extent, it has been an inevitable reflection of work force, and from job to job, in an increasingly complex and demanding labor market. At least, that has been generally the case with white youth.

But for young blacks locked in the ghettos of the nation's declining cities, the situation is far different. By the thousands, they are leaving school for the most part ill-prepared for any but the most menial jobs. And they are entering a job market in which the demand for unskilled labor is at a minimum.

New York is a prime example. Between 1969 and 1976, the city lost 542,000 manufacturing jobs to the suburbs or to other parts of the country. Those were the jobs that Herbert Bienstock, regional commissioner of the Bureau of Labor Statistics, describes as the traditional "port of entry" to the world of work for young Americans.

Pointing to that massive erosion of the city's economic base, Bienstock says flatly, "Employment as a fact of life no longer exists for most New York City youth." He estimates that of the 515,000 young people between the ages of 16 and 19 in New York City, only one in five has a job. Among young blacks, the picture is twice as bad. Only one in 10 can be found on an employer's rolls.

For Rangel, who grew up in Harlem, the loss of employment opportunities is a personally wrenching thing. "When I was a kid, I worked in a shoe store, a hardware store, a drug store, a hotel, a flower shop. Today those jobs are gone because the shops are gone," he says.

"I don't have the hotel I worked in, the Hotel Theresa. I don't have the hardware store, Lincoln Hardware on Lenox Ave. I don't have the drugstore, Bergman's Pharmacy. I don't have the ice cream parlor that I worked in. I don't have Adler's shoe store.

"All these things I did after school as a teen-ager, so no matter how bad things were nationally, these were jobs that were community jobs. They were available."

Today, unless a young person can enroll in a government training program or get back into school, his or her alternative is the street where, Rangel says, only the strong can survive the temptations of drugs, alcohol and crime.

James Norris, a 19-year-old high school dropout from Brooklyn, described the street life of the jobless teen-ager: "You hustle,

Like if you ain't working or anything, you try to scrape out. You gamble, you play cards . . . you find yourself swooping, that's like dipping in cash registers.

"There is always a con going on to get some more money . . . you got to con and con and con, you know, in order to survive."

Norris is trying to make it, to achieve somehow his ambition to be a disc jockey in a disco-club. He was interviewed at the message center at City Hall where he is employed by Wildcat, Inc., a nonprofit private corporation that hires hardcore jobless, and helps them build work records and eventually move on to permanent jobs in the private sector.

Indeed, Labor Secretary Ray Marshall believes jobs program like Wildcat may be the answer to the urban crime problem. "If you are unable to find a job, then you make a living by hustling, or in illicit activity," Marshall says. "I don't know what the exact correlation is, but I would bet that if we could provide meaningful job opportunities for people, we could greatly reduce crime rates in many of these places."

Former New York Police Commissioner Patrick V. Murphy, now president of the Police Foundation, agrees. "When I was police commissioner in New York I had available census tract data that noted the areas of high unemployment," Murphy has said. "I also had the figures available on levels of crime in New York City. Invariably, where there was high unemployment and the degradation that accompanies unemployment, there were high crime rates . . . 50 to 100 times as high as those in other parts of the city."

Murphy's conclusion was straightforward: "There can be no significant long-lasting effort to reduce crime permanently without a major reduction in rates of unemployment, especially among the high crime age group that includes males under 25."

#### FEDERAL FLOOD INSURANCE

### HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. ROBERTS. Mr. Speaker, I rise to congratulate the distinguished gentleman from Missouri, the honorable GENE TAYLOR, on the signing into law last week of his amendment to the Federal flood insurance program.

The final approval of the Taylor amendment is an important victory for residents of small communities across the country. Federal officials will no longer be able to use economic coercion to force communities into the Federal flood insurance program.

Those of us who have experienced the operation of the flood insurance program within our congressional districts have witnessed the manner in which the power to sanction a community by cutting off Federal aid and also private bank lending has corrupted the administration of the program.

Insensitive Federal bureaucrats have fallen down on their obligation to consult with local communities. Without a full or fair opportunity to provide input, communities have been forced to accept what is in effect a Federal land use control program, designed and carried out by Federal bureaucrats.

We are indebted to Congressman TAYLOR for seizing the initiative to author

legislation to solve the problems that arose in the administration of the program. Complaints and criticisms of the program had been mounting for some time, yet there was a feeling that a legislative solution was not within reach.

Representative TAYLOR decided to let the Members of the House of Representatives exercise their own judgment on this issue. He carefully drafted an amendment to restore balance to the Federal flood insurance program, without at the same time harming its essential features.

The Taylor amendment was brought up for a vote on the floor of the House of Representatives on May 11, 1977 where it was approved by a strong majority of 220 to 169.

A few weeks later, Senator EAGLETON of Missouri adopted the language of the Taylor amendment and offered it for consideration on the floor of the Senate where it passed by a vote of 49 to 36.

Mr. Speaker, I believe the Members of this body acted wisely and responsibly in passing the Taylor amendment. Under the terms of the amendment, there is no way for the Federal Government to suffer losses on property located in flood hazard areas. Federal disaster bailouts are prohibited for such property.

All that the sponsors and a good majority of the House of Representatives have sought and achieved is the elimination of some overreaching by the Federal Government by repealing the sanction on private lending to property located within a designated flood area. We do not feel that it is any of the Federal Government's business if a prudent lender wishes to make a loan on such property, providing the borrower is given notice that the property is not eligible for flood-related disaster assistance, leaving him to accept the risk of loss.

We are fortunate that Congress is unwilling to place the interests of the program administrators over that of the people.

Mr. Speaker, I was glad to have the opportunity to support the Taylor amendment, which reaffirms the principle that the Federal Government is the servant and not the master of the people.

ABE AND GITA STOLYAR

### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. VENTO. Mr. Speaker, recent events in United States-Soviet relations seems to indicate a renewed spirit of cooperation in seeking and maintaining peace by seeking a reduction in the nuclear arms race. This is a highly laudable goal and I applaud the efforts of both President Carter and President Brezhnev.

It is in this new atmosphere of cooperation that the 35-Nation Conference on European Security and Cooperation opened in Belgrade on October 4. It is my hope that in our quest for progress in the arms limitation talks with the U.S.S.R., the goal of human rights for all people will not be forgotten. Our

President has frequently and most eloquently declared that our concern for human rights should be a cornerstone of American foreign policy. The failure to speak out at Belgrade would seem to indicate that our dedication to human rights is fleeting at best and, at worst, our statements of concern could be called mere propaganda. The failure to speak out against the infringement of the rights of any individual in any and all countries will dash the hopes of the world's oppressed.

Thus as we sit across from the Soviet delegation in Belgrade, we must closely question them about their observance of the Helsinki Agreement, especially on their observance of the provision dealing with human rights, provision three. We must review the Soviet Union's treatment of all minorities and nationalities: Baptist, Lutheran, Catholic, Jew, German, Ukrainian, Tartar, Mongol, and Pole. The provisions of the Helsinki Agreement apply to all people regardless of race, color, or creed.

Mr. Speaker, I believe that the U.S.S.R. cannot stand up to any serious questioning on their observance of the Helsinki Agreement. Many of my colleagues have already presented documented cases of Soviet infringement of basic human rights. Each of these situations has been tragic and has cried out for justice. I have another example of Soviet abuse that I would like to present to my colleagues: The case of Abe and Gita Stolyar. Abe Stolyar is an American citizen and until his parents emigrated to the Soviet Union, Abe lived in the United States. Abe and his wife, Gita, applied to emigrate to Israel and in June 1975, they received exit permits. The joys and dreams of starting life anew were soon destroyed for the Stolyar family. On June 19, after they had already taken their seats on the plane for Vienna, the Stolyars were abruptly removed from the airplane by the KGB. Their visas were then nullified and they were prohibited from leaving the country. This act left them completely destitute since they had given up their apartment and had already shipped their possessions to Israel.

The KGB claimed that Gita had once worked in a plant where she was exposed to state secrets and because of this she is unable to emigrate. In August of this year the Stolyars once again requested permission to emigrate and once again permission was denied.

Mr. Speaker, the case of the Stolyar family and the other examples brought to our attention provide overwhelming proof of the Soviet disregard for its citizens' human rights. While the suffering and abuse that these people endure is tragic, they do have the comfort in knowing that someone is concerned about their plight and is trying to help them. How many more people in the U.S.S.R. and other nations are suffering and have no champion or defender? The cause of human rights does not end when an individual or nation are freed. It is a never ending struggle that demands constant vigilance and complete dedication. It is my hope that we will be able to meet this challenge.

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#### COMMENDATION OF BLUE CROSS- BLUE SHIELD OF VIRGINIA

**HON. HERBERT E. HARRIS II**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HARRIS. Mr. Speaker, I would like to take this opportunity to share with my colleagues some good news about the cost of health care. Blue Cross-Blue Shield of Virginia, under the dynamic leadership of its president Alden E. Flory, is taking an increasingly active role in the health planning process to hold down health care costs. Below are a few highlights of their current operations:

Since 1969, joint Blue Cross and Blue Shield of Virginia operating expense ratios have been reduced from 11.2 percent of the subscriber dollar to about 5 percent. These ratios are now among the lowest in the entire health care system.

Administrative costs per claim were reduced from \$13.40 to \$4.87 during this period.

Employee productivity in processing claims has increased more than 400 percent during this time. (Meanwhile, the actual number of employees is less now than it was in 1969.)

For the past five years, the Richmond-based plans have led all others of similar size in enrollment growth.

Our organizations were among the first in the country to develop a "plain-language" contract for nongroup consumers.

A recent review of their operations by the national Blue Cross and Blue Shield associations showed the plans to be among the most efficient and economically-run organizations in the Blue Cross and Blue Shield system.

They are taking an aggressive role in cost containment and regional health care planning. Currently they are opposing several major hospital construction projects in areas where there is a serious surplus hospital bed problem because they feel the projects are unnecessary and duplicative. They also have an active educational program on cost containment for area health care providers and consumers.

#### ON THE ANNIVERSARY OF WOMEN GAINING ADMISSION TO THE COAST GUARD

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. BIAGGI. Mr. Speaker, as chairman of the Coast Guard and Navigation Subcommittee of the House Merchant Marine and Fisheries Committee, it gives me great pleasure to observe the 53rd anniversary of the signing of Public Law 77-73 which established the Women's Reserve of the U.S. Coast Guard.

The association of women in the Coast Guard has been a beneficial one. The Women's Reserve which at its peak reached 10,000 enlistees, proved invaluable to our World War II effort. The reserve was terminated in the mid-1940's but was reestablished in 1949. Under the terms of Public Law 93-174, the Women's Reserve was again abolished. This time it was replaced with the transfer of

women into the Coast Guard Reserve, permitting them to be commissioned and enlisted in the regular Coast Guard.

I was proud to have been the sponsor of legislative last year, permitting women to enter the Coast Guard Academy. The most recent development regarding women in the Coast Guard was the decision in May by Transportation Secretary Brock Adams, that women would be assigned to duty afloat in October, 1977.

The contributions of women in the Coast Guard have been varied and significant. At one time, the military was the primary bastion of discrimination against women. Its abandonment of this policy has worked to our Nation's benefit. The Coast Guard has always been a leader in providing opportunities for women. I therefore salute the thousands of dedicated women, past and present, who have added to the success of the Coast Guard.

At this point in the RECORD, I wish to insert an excellent article entitled, "Women in the Coast Guard and the Coast Guard Reserve." The article was written by Captain Mary E. Bachand of the Coast Guard Reserve and it provides an excellent historical examination of the role of women in Coast Guard service:

#### WOMEN IN THE COAST GUARD AND THE COAST GUARD RESERVE

(By Capt. M. E. Bachand, USCGR)

Women first entered full military duty in the Coast Guard Reserve during World War II, but during the First World War there had been a small number of women serving with the Coast Guard—their status and duties as yeomen closely paralleling those of the women who served with the Navy and Marine Corps.

During the bleak months of the summer and fall of 1942, when the nation's resources were being strained in two hemispheres, the Congress recognized not only the pressing need for women in all the military services, but also the right of women in a democracy to participate in the total war effort. In that atmosphere of dedication and commitment the Women's Reserve of the Coast Guard was born.

On November 23, 1942, Public Law 773 of the 77th Congress, was signed by the President, establishing the Women's Reserve of the Coast Guard, so as "to expedite the war effort by providing for releasing officers and men for duty at sea and their replacement by women in the shore establishment of the Coast Guard, and for other purposes." Appointed as Director of the Women's Reserve was Dorothy C. Stratton, then serving as Lieutenant in the Women's Naval Reserve, on leave from Purdue University where she was Dean of Women. Captain Stratton is credited with having coined the name "SPAR" from the first letters of the Coast Guard's motto and its English translation—Semper Paratus—Always Ready.

Under terms of an agreement between the Coast Guard and the Navy the first personnel of the Women's Reserve were to come from the Navy. Fifteen officers and one hundred fifty-three enlisted women requested discharge from the Navy and formed the nucleus of the CGWR. During the 25-month period following, that number had grown to approximately 10,000 enlisted and 1,000 officers by December, 1944.

Early training for enlisted women was conducted at Naval Training Schools in Bronx (Hunter), New York, Madison, Wisconsin, Cedar Falls, Iowa, Stillwater, Oklahoma, and

Bloomington, Indiana, while officer candidates were trained at Northampton with the Waves, followed by a period at the Coast Guard Academy in New London.

By March of 1943, it became evident to the Coast Guard that there was a need for separate training facilities—the training requirements for the Navy and Coast Guard differed substantially despite the fact that the Coast Guard was operating under the Secretary of the Navy. Adopting much from the Wave Training Program, the newly commissioned Coast Guard Training Station, Palm Beach, Florida (Palm Beach Biltmore), began indoctrination of Spars in late June 1943. In addition to "boot" training, there were four specialist schools located there—yeoman, storekeeper, cooks and bakers, and pharmacist mate striker.

Rate training expanded and diversified to the point where, by the end of the war, women were serving in a great variety of jobs in the Coast Guard. A partial listing of these ratings would include:

Yeoman, storekeeper, parachute rigger, radioman, link trainer, radarman.

Radio technician, air control tower operator, motion picture technician, chaplain's assistant, coxswain.

Gunner's mate, musician, cook, radarman, quartermaster.

In January 1945, the Palm Beach TRASTA closed and training was transferred to Manhattan Beach, New York.

Women officers of the Coast Guard had the distinction of being the only ones to be trained on the grounds of a regular service Academy. Enlisted women were encouraged to apply for OCS, and by the end of officer training, 21% of total number of general duty Spar officers had come from enlisted ranks. Adding the Spar Pay and Supply Officers, all of whom had been previously enlisted, the number increased to 31% overall. Approximately one-third of the women commissioned received additional specialized training in Pay and Supply or Communications, while the general duty officers served in a variety of billets—personnel, legal, intelligence, training, barracks management, recruiting, and morale and recreation. Late in December, 1943, Congress removed some of the limitations for women and provided for the highest rank in Women's Reserve to be Captain, but there was not to be more than one. About one year later the limitation of assigning women only to shore stations in CONUS was also removed and Spars were assigned "overseas" to Hawaii and Alaska. The limitation of military authority, however ("to be exercised over women of the Reserve only and limited to administration of the Women's Reserve"), remained on the books for a long while!

By June 30, 1946, most of the women in the Coast Guard had been released.

In July 1947, Congress terminated emergency Coast Guard legislation, including authority for Women Reservists. All women officers and enlisted personnel were discharged.

Legislation was enacted in July 1949 to re-establish Women's Reserve of the Coast Guard Reserve. Former members were invited to re-enlist or re-affiliate with prior date of rank for inactive duty only. Volunteer Training units and correspondence courses were the only training opportunities available for ALL Coast Guard Reservists.

In the early 50's, as the Coast Guard Reserve Program was developing, women could be enlisted for inactive duty assignment to Reserve Units. A few former enlisted women who had attained degrees were given inactive duty direct commissions. During the Korean conflict some 35-40 women Reservists—officer and enlisted returned to active duty and of those, eight remained to com-

plete 20 years of active duty and retire. The enactment of Public Law 87-482 on June 12, 1962 granted constructive service credit for women who had served prior to July 1947. In the mid-60's, after a long period of practically no recruiting of women, a program was developed to bring some women on active duty to fill medical and administrative positions—HM's were trained by the Navy at Great Lakes, and two groups of YN's and SK's received a combination of Navy "boot" training at Bainbridge and Coast Guard rate training at Groton. Meanwhile, attrition continued to thin the ranks—by the end of Fiscal Year 1971 there were only 2 officers and 25 enlisted women on extended active duty and they were all Reservists. In all other Reserve categories—Selected, Ready and Standby—there were 96 officers and 43 enlisted women.

In 1972, a board was convened by the Coast Guard to study the utilization of women in the Coast Guard. That board recommended expansion of the Reserve program with a view toward opening the way for women to enter the regular Coast Guard.

A Reserve Inactive Duty Petty Officer program was initiated in 1973 and the number of enlisted women reached 414 by end of the year. In January 1973, women were assigned to OCS classes. This was the first time that women were totally integrated into an officer candidate program—selection had been made based upon the same criteria as males, housing in same barracks, curriculum identical except for minor modifications in physical education. In each of the classes since that time two or three women have consistently qualified for honor platoon, and many qualify as small arms experts and marksmen.

Enlistment of women for four year tours of active duty was authorized later in 1973. The ratings to be held by these women were limited to yeoman, storekeeper, hospital corpsman, photo-journalist, dental technician and musician.

On December 4, 1973, enactment of Public Law 93-174, amended chapters 3 and 21 of Title 14, USC. The most significant provisions of this landmark piece of legislation were the abolishment of the Women's Reserve and the transfer of women into the Coast Guard Reserve thus enabling them to be commissioned and enlisted into the regular Coast Guard.

The opening to women of the ratings of radioman, fire control technician, telephone technician, and boatswain's mate, and enlistment of non-rated women in February 1974, was another step forward.

All aviation ratings were opened to women and the first female ensign reported for pilot training at Pensacola in January 1976.

Women officers presently on active duty perform a wide variety of duties and are eligible for assignment to all Coast Guard units except floating units and isolated duty stations. The women who are assigned to flight training will undergo that training in an unrestricted status—fixed wing and/or rotary—and upon completion will be assigned to any operational aviation command in an unrestricted flying status.

At this time women officers on active duty include 2 regulars and 50 Reservists, four of whom are direct commission lawyers in the grade of Lieutenant, and the others are Lieutenants Junior Grade and Ensigns—Four hundred enlisted women are serving on active duty. Inactive Duty Reservists include 26 officers and 948 enlisted as of December 1975. Women are assigned to practically every Reserve unit in the country and are performing duties commensurate with their rank or rating. In addition to the more traditional ratings for women—yeoman, storekeeper, photo-journalist, hospital corpsman—enlisted women have been rated as

port security specialist, and telephone lineman. The basic training for enlisted and the indoctrination classes for officers are given in co-ed companies.

In November 1975, the Commandant approved a new uniform for women in the Coast Guard, designed by Edith Head, Hollywood fashion expert, and it is hoped that it will be available for all women by October 1977.

The Coast Guard is proud of the fact that it was the first of the Armed Services to open its Academy doors to women. Except for minor modifications in the physical aptitude tests, the program will be identical with that for the male cadets. Female cadets will make the summer practice cruises on the sailing barque EAGLE and on the high endurance cutters where facilities are available. At this time it is anticipated that of the 325 member class of 1980, 20-25 will be females.

Some recent policy changes have certainly improved the quality of life for women in the Coast Guard—the assigning of married couples to the same station or area wherever possible, and the permission for pregnant women to remain on active duty providing there is certification that future child care will not interfere with job performance. Prenatal and post-natal sick leave, as medically indicated, are now routine entitlements as opposed to requiring use of annual leave for part of an absence.

The future of women in the Coast Guard looks bright. Admiral Owen W. Siler, Commandant of the Coast Guard, stated recently: "Women in the Coast Guard have a long and proud record of service that dates back to lighthouse keeper days. Today, the opportunities for women are greater than ever . . . We have fully integrated women into the regular service . . . Old barriers to women serving in certain rating specialties have all but disappeared. Only those ratings with very poor sea/shore duty rotations are closed to women since our present policy restricts women from serving afloat or at isolated stations."

#### FEDERAL PAPERWORK COMMISSION REPORT

### HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. KOSTMAYER. Mr. Speaker, yesterday the Federal Paperwork Commission presented its final report to the Government Operations Committee's Subcommittee on Government Information and Individual Rights. As a member of that subcommittee I am particularly interested in fighting excess paperwork in our Government. I thank the Federal Paperwork Commission and especially my colleague Congressman HORTON for his efforts in this regard.

Since coming to Washington a little over 10 months ago I have often been shocked at the appalling waste created by the overabundance of paper in our Government. Congress contributes liberally to this glut by exhibiting a blind disregard for the consequences of many of its actions. Millions of dollars every year go to send various forms of paper to our constituents. Much of it is repetitive, self-serving, and limited in

value. However, it serves an allegedly important purpose for Members of Congress; it gets our name before the public. Last June I made an effort on the floor of the House to cut funding for the so-called "free" calendars Members of Congress send to their constituents each year. My proposal to cut what amounted to \$1 million in printing and mailing costs met with stiff opposition. Its resounding defeat proved that many of us who speak out against excess paper are not willing to put our money where our mouths are. Instead 1 million more American homes will receive calendars from their Congressman this year.

I note the Federal Paperwork Commission makes no mention of the waste which spews forth from the Congress due to our exorbitant franking privileges. These privileges give Congressmen carte blanche to contribute to the flood of unnecessary paper in our Government. I would hope that although franking privileges are not part of the oversight responsibilities of the Subcommittee on Government Information that the subcommittee will recommend they be examined with an eye toward reduction.

The Commission makes many valuable suggestions on how to cut paperwork. I hope the Congress and the President move quickly to enact the recommendations calling for greater coordination of information, gathering, simplified language in rules and regulations, and consideration of the paperwork impact of legislation before it is passed by the Congress. While I applaud these admirable goals I must point to some problems I have with other aspects of the Commission's recommendations.

In calling for a Cabinet-level Department of Administration the Commission has fallen into its own trap. Such a department would create more paperwork instead of less. The desire to cut back on paperwork stems from the philosophy that "small is beautiful." Indeed, the less Government involves itself in our day-to-day lives the better. We can encourage each department to tighten up its operation without hiring thousands of more bureaucrats who, as we know, have an unsurpassed ability to produce paperwork. The proposed Department of Administration is a bureaucrat's bureaucracy, Mr. Speaker, and I feel it is ill-conceived. I urge my colleagues to oppose the creation of a new Cabinet-level agency.

Mr. Speaker, asking the Government to reform itself invites many problems. The Federal Paperwork Commission has done admirably well in defining the causes of excess paperwork and setting targets for action. It is my hope we will be able to cut back on wasteful and confusing paperwork for both the Government and the public without creating more offices and agencies to produce more paperwork and Government waste.

Additional rules and regulations requiring more paperwork strike at the heart of our free enterprise system and I believe inevitably at our most basic freedoms as well.

## EXTENSIONS OF REMARKS

### COMMANDOES TO BE PRAISED IN SOMALIA RAID

Hon. John E. "Jack" Cunningham

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. CUNNINGHAM. Mr. Speaker, last evening like other Americans, I was relieved and pleased to hear that specially trained commando units from the Federal Republic of Germany successfully rescued the passengers of a hijacked Lufthansa plane while it was on the ground at Mogadishu, Somalia. I commend the incisive and direct action of the German Government, the cooperative attitude of the Somali Government, and the individuals involved in carrying out this daring rescue.

Mr. Speaker, since the ghastly raid on Israeli athletes at the Munich Olympics, the world has watched with horror as leftist terrorism has increased around the globe. I believe that its increase is tied to the number of times that governments have been unwilling to act to prevent the terrorists from gaining their objectives: flight to a country friendly to terrorists, cash, or the release of fellow terrorists from jails around the world.

Like other Americans, I rejoiced at the successful Israeli raid on the Entebbe airport in that "State of Blood" Uganda. The German raid on Mogadishu is in the same heroic mold.

The comparison with the extreme weakness of the Japanese Government when a JAL flight was recently hijacked has not escaped the attention of Americans and of the world. Japan, whose economy flourishes at the expense of that in other lands, chose to act in fear of the terrorists. Mr. Speaker, terrorists have no human rights, whether attacking Israeli athletes, capturing planes or trains, or striking nameless fear into the hearts of our citizens in urban streets. For any government to behave as if they have an argument worth hearing at the point of a gun is an act of supreme foolishness.

I commend the German commandoes, the cooperative Government of Somalia, and others concerned with protecting the lives of innocents. And I hope that if, God forbid, the United States ever is faced with such a situation, we choose the course of honor taken by the Israelis and Germans as opposed to the course of shame.

### FOOD PROBLEMS IN NORTHERN GHANA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues some correspondence I had recently with John J. Gilligan, Administrator for the Agency for International

Development, regarding press reports of starvation, food shortages, and food distribution problems in northern Ghana. A Manchester Guardian article of August 28, 1977, cited an Oxfam report which indicated that cases of starvation in northern Ghana were increasing and that large quantities of U.S.-supplied food were being diverted from those in need and stolen for personal use.

I was concerned with these reports and I wrote Gov. John J. Gilligan, Administrator for AID, requesting a verification of the accuracy of the press reports and his most recent information about the situation. I am pleased to say that Governor Gilligan's response was both forthright and informative.

Mismanagement and misuse of food aid was verified by an AID mission visit in late August and corrective measures were recommended to the Government of Ghana. Thousands of people still desperately need food assistance in northern Ghana although the extent of starvation there is difficult to judge accurately. AID has made an effort to monitor the situation and to urge the Government of Ghana to tighten its supervision and control of the food distribution program. AID is also conducting a month-long audit of the Public Law 480 program in Ghana. AID has obviously confronted a difficult situation and I trust the situation will be monitored closely. I do hope that the problems will be resolved so that the food assistance will reach those people in northern Ghana who need it.

My correspondence with Governor Gilligan and the Manchester Guardian article follow:

AUGUST 29, 1977.

HON. JOHN J. GILLIGAN,  
Administrator, Agency for International Development, Washington, D.C.

DEAR GOVERNOR GILLIGAN: I noted from a recent article in the Manchester Guardian that a confidential Oxfam report which was released indicates that cases of starvation in northern Ghana are increasing and the large quantities of U.S. supplied food is being diverted from intended recipients and stolen for personal use. One estimate suggest that up to fifty percent of internationally supplied food is being stolen.

I would like to know the following: Has the Agency seen the Oxfam report? Is it fairly accurate? Why is the food being stolen, by whom and for what apparent purposes? What is AID doing about it? Who are the groups responsible for distributing U.S. food supplies? And what is your assessment of the situation in this region and of the performance of international organizations and groups in reporting and dealing with the problems existing there?

I would appreciate the attention of your staff to this matter.

With best regards,  
Sincerely yours,

LEE H. HAMILTON,  
Chairman, Subcommittee on Europe and the Middle East.

OXFAM FINDS AID GRAFT IN GHANA  
(By Harold Jackson)

Because of growing concern about the food situation in Northern Ghana, Oxfam has taken the unprecedented step of releasing for publication the confidential reports of its field staff in the region.

The reports tell of increasing numbers of deaths from nutritional deficiency, food prices rocketing to five or six times the normal level, "gross irregularities" among officials responsible for distributing supplies, and a refusal by foreign governmental agencies to acknowledge the situation for fear of offending the Government in Accra.

The report gives a grim picture of life in the area of Bolgatanga, a town near the northern border with Upper Volta.

"Food is not reaching those who need it because those who don't need it are taking supplies for their own ends. This is not directly the fault of the national government, who are successfully getting food to the north, but reflects the gross irregularities among regional officials in the north, especially local district chief executives and regional commissioners, but pervading throughout the local structure," the report says.

The problems are not acute in the towns but appear to be reaching crisis proportions in the outlying villages. "Deaths relating to starvation," the report says, "are only taking place in village pockets where the poorest, such as lepers, the blind, the elderly and the mad are not able to travel to the source of food in the towns.

"A few cases have been reported of suicide by parents with no food for their children. One local church leader showed a pile of perhaps a hundred letters from village heads pleading for food for their poorest people."

The report emphasizes that the problem is not so much the supply of food—supplies have arrived from the US Aid Agency and the Common Market, and more has been promised. The transport of food from the south to the north is also going well under the supervision of the Government.

But the losses once the supplies reach the north are causing widespread difficulties. One foreigner working in the region has estimated that 50 per cent is lost to "friends, workers, bank managers, etc." "The present situation in the north reflects a bad situation which has got worse," the Oxfam field worker cabled last week "and there is every likelihood that the situation will get worse day by day."

One of the worst hit areas appears to be south of Bolgatanga, around the area of Wale Wale. There has been no rain there for six weeks, though nearby areas have had enough. "Some women have walked 10 miles from Wale Wale to the north to collect grain left by the combine harvesters (i.e. the over-spill as the machines worked) to carry back home to feed their families.

"Rainfall has varied from village to village and even from field to field. Early millet should be harvested by the end of August but the crop has been severely destroyed in some areas through lack of rain.

"Rice warehouses are empty because of the heavy rain at harvest time causing the grain to rot in the fields. Also grain has been exported from Ghana to the Ivory Coast for much-needed cash, although reliable statistics are not available. Some reports say the government will stop food distribution at the time of the harvest for early millet, which would greatly set back hopes of relieving the food shortages."

The report says that in many cases the local churches are best equipped to distribute food because they have the vehicles and more reliable distribution networks in the villages. "But they have been receiving only scant quantities of food at erratic intervals. Local church authorities are now showing signs of strain at having to say no to requests for food, knowing that most of the relief food is going to the wrong people.

The Oxfam official criticises the international organizations working in Ghana for their failure to draw attention to the starvation in the north.

"When one sees American grain sent supposedly for relief purposes being carried off from a distribution centre in the boot of an expensive German car, one wonders to what extent the West is really interested."

WASHINGTON, D.C.,  
September 29, 1977.

HON. LEE H. HAMILTON,  
Chairman, Subcommittee on Europe and the Middle East, Committee on International Relations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of August 29, 1977 concerning an article in the Manchester Guardian with reference to an Oxfam report of increasing starvation in Northern Ghana and misuse of food donated for disaster relief.

Ghana is receiving food donations from several donors, including Canada, Netherlands and the EEC. Under Title II of Public Law 480, the U.S. has donated about 6,000 tons of grain sorghum and soy-fortified processed food to the Catholic Relief Services for free distribution to drought victims in Northern Ghana. In addition, we entered into an agreement with the Government of Ghana to provide up to 10,000 tons of grain sorghum for the same purpose. Before authorizing the program, the Government of Ghana was required to establish a formal organization to plan and manage the food distribution and to assure that port and storage facilities were adequate.

Our A.I.D. Mission assigned a food aid monitor to make end-use checks in Northern Ghana. When controls in the Takoradi port proved inadequate and some small diversions were reported, the Mission contracted for another end-use checker to work in the port. Our A.I.D. Mission has continuously urged the Ghanaian Government, which is largely responsible for distributing the relief food, to augment its supervision and control of the program.

Our A.I.D. Mission in Ghana had commented upon the article in the Guardian before we had received the Oxfam report which has just become available to us. The article contains some statements—such as increasing deaths from starvation and suicides—which cannot be verified without more specific information. There is no doubt, however, that pilfering and distribution irregularities have occurred.

On a trip to Northern Ghana late in August, representatives of our A.I.D. Mission, the EEC delegation, UNICEF and the Government of Ghana found that program management had deteriorated markedly. The A.I.D. Mission immediately reported these findings to the Government of Ghana and asked for assurances that a proposed course of corrective actions would be undertaken at once. These actions include periodic inspections of each district, accurate and timely reporting and auditing; discontinuation of distribution of Title II food to government employees and other paid workers and the use of food to pay for contract services. In addition, it was strongly urged that greater use should be made of distribution networks established by the missionary organizations.

The A.I.D. Mission and Embassy in Ghana seriously considered asking whether the last two shiploads of grain sorghum which were about to be delivered could be rerouted for use elsewhere. But it was obvious there were still thousands of people in desperate need of food assistance. In view of the strong representations made to the Government about improving program management and the past record of its general responsiveness to such suggestions, they concluded that at least a substantial portion of the sorghum would be distributed to the needy. The program is not administratively perfect but for humanitarian reasons, it was decided that

the U.S. should continue to participate in the relief effort.

The main reasons that emergency food supplies are subject to pilferage, distribution irregularities, and unauthorized use are that food is generally in short supply and prices are extremely high. Wages are low and workers do not earn enough to feed their families. There have been no reports of Title II food appearing in the black market—in other words, the food is consumed, not sold.

The Agency Auditor General began an audit of the P.L. 480 Title II program in Ghana on September 7, 1977 and anticipates completion of the audit by October 7, 1977. Meanwhile, our A.I.D. Mission continues to work with the Government of Ghana on problems associated with distribution of our Title II food assistance. Recently, in the second personnel move believed directly related to pressure brought by our Mission, the Government of Ghana relieved the current Regional Commissioner for the Upper Region and assigned a new officer.

If I can be of further assistance, please let me know.

Sincerely,

JOHN J. GILLIGAN.

#### PERSONAL EXPLANATION

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. DODD. Mr. Speaker, on yesterday, Monday, October 17, I missed three recorded votes as a result of my attendance at several meetings at the White House.

Had I been here to cast my vote, I would have done so in the following way: H.R. 8518, Saccharin Ban Moratorium, yes; H.R. 8149, Customs Procedural Reform Act, yes; and H.R. 6715, Taxes, Technical Corrections Act of 1977, yes. Thank you.

WILFRED BURCHETT, KGB SPY, TO  
TOUR UNITED STATES

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. McDONALD. Mr. Speaker, a notorious agent of the Soviet KGB, the Australian writer Wilfred Burchett, is scheduled to enter the United States tomorrow to start a lecture tour of American cities and campuses.

Starting in the 1930's, Burchett has often been assigned to countries in which Soviet-sponsored Communist forces have been actively conducting campaigns of terrorism and subversion. In those areas Burchett has served the Communists as a propagandist and adviser to aspects of their operations. Although previously granted highly restricted visas so that he could cover the United Nations in New York City, Burchett has for many years been denied a visa for free access to this country. Now Burchett is able to take advantage of the recently passed "McGovern waiver" which he received, according to the U.S. Marxist-Leninists organizing

his tour, with the assistance of the White House.

The public evidence of Burchett's vicious activities on behalf of the Communists includes proposing to the KGB that he blackmail his former mistress who had later married a U.S. Air Force general; identifying Western newsmen to the KGB as possible targets for subversion; identifying to the KGB possible anti-Communist intelligence agents among Western correspondents to Soviet controlled territory; participating as a member of Communist Chinese and North Korean interrogation teams who were brutally extracting false germ warfare confessions from captured U.S. airmen in Korea; performing similar services as an interrogator and coordinator of interrogations for the Vietnamese Communists; and serving as a propagandist and covert political agent for Ho Chi Minh and Chou En Lai.

In 1971, while in the United States on a restricted visa allegedly so that he could act as a United Nations correspondent, Burchett illegally visited Washington, D.C., at the instigation of then Secretary of State Henry Kissinger to discuss the withdrawal of U.S. troops from Vietnam. According to Burchett, he had been in contact with Kissinger also in 1967, when Kissinger was a private citizen employed by the Rockefeller Foundation, in an abortive attempt to arrange America's abandonment of the South Vietnamese. This contact was made 4 years after Burchett had been identified to Western intelligence services as a KGB agent by a defecting KGB officer.

Peter Wilfred Burchett, also known as Wilfred G. Burchett, was named in sworn testimony as an agent of the KGB by Yuri Visilevich Krotkov (George Karlin), who from 1946 until his defection in 1963 was a KGB officer assigned to subverting Western journalists and later to entrapping Western diplomats in Moscow.

Karlin described in his testimony before the Senate Internal Security Subcommittee in November 1969, how shortly after his "cooptation" into the KGB he was assigned to Berlin under the very thin cover of being a writer for the Soviet Informational Bureau (now renamed Novesty). He told how he was assigned to act as a "coat-trailer" hoping to be recruited by the British intelligence service, clearly designed to be the start of a KGB double agent career.

Burchett, whom Karlin described as a highly intelligent man, clearly surmised Karlin's role as an espionage agent of the Soviet secret police. For as Karlin testified, after a visit to the German rocket center at Peenemunde on a tour for Western journalists Karlin conducted, Burchett went out of his way to tell Karlin that a British Government official had asked him what he had seen at Peenemunde. Said Karlin:

That's a man who wants to sell himself. He was looking for a buyer too.

Karlin then reported Burchett's overtures to his superiors in the KGB: Overtures that included Burchett's father, then visiting Berlin from Australia, pro-

claiming his own Communist views to Karlin so that "it would be easier for Peter." Karlin was then assigned elsewhere.

Following these 1947 overtures to the Soviet KGB secret police, Burchett covered the trial of Cardinal Mindszenty in Hungary. Looking back on his "free lance" work there, Burchett boasted:

It completely knocked out the rubbish about tortures, drugs and extracted confessions and showed the Cardinal for the miserable, intriguing, ambitious little man he was.

Following his service in Budapest, Burchett moved on by way of Australia, where he did a little disarmament propaganda for the Soviet Union's international psychological warfare apparatus, the World Peace Council, to Peking and thence to North Korea where in 1952 he was a member of a joint Chinese-Korean Communist interrogation team which extracted phoney germ warfare confessions from U.S. POW's.

In 1956, Burchett again met with Karlin, this time in Moscow. Burchett, whose Australian passport had been denied after his activities in North Korea, was traveling on documents provided by the North Vietnamese Communists.

As set forth in Karlin's testimony, Burchett informed Karlin that he was a member of the secret Australian Communist Party underground. Burchett further informed him that when he had been in the People's Republic of China and North Korea as a "free lance" writer:

He was supplied, he was paid by the Chinese Communist Party all that period. Then when he came to Vietnam \* \* \* all his expenses were paid by the Vietnamese Communist Party, by Ho Chi Minh.

Burchett boasted of his close personal relationships with Chinese Premier Chou En-lai and with Vietnamese Communist boss Ho Chi Minh and said:

That Ho gave him a house in Hanoi, and a car, a secretary, that he was "equipped" very beautifully by the Vietnamese Communist Party.

Burchett then proposed that he move to Moscow and act "in the same position as he was in China and in Vietnam. In other words, to be a free lance correspondent, representing the American newspaper 'National Guardian.'" The House Committee on Un-American Activities characterized the National Guardian in 1956 as having "manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia." Now renamed the Guardian, the newspaper states its purpose is "to assist in bringing to birth a new revolutionary political party, based on the working class, armed with the science of Marxism-Leninism, committed to Socialist revolution." A national political organization in addition to a publication, the Guardian specializes in promoting Marxist-Leninist terrorist movements in the Third World and in publicizing the new Communist regimes in Angola, Mozambique, Vietnam, Laos, and Cambodia, as well as North Korea. Despite its alignment with the Soviet-sponsored Third World Communist forces, the Guardian attempts to keep open channels of com-

munication with the People's Republic of China.

Burchett told Karlin that even with "accreditation" from the U.S. Communist newspaper, money would still be a problem, and asked to be paid by the Soviet Communist Party. Representatives of the Australian Communist Party then in Moscow for the Soviet Communist Party Congress were asked by Burchett to intervene on his behalf with Soviet officials. The KGB then supplied Burchett with a large luxury apartment during his Moscow residency.

Karlin further testified that in Moscow, Wilfred Burchett has a close relationship with Col. Borodin Barsegov, then head of the special KGB department responsible for subversion of foreign correspondents in Moscow.

Burchett's Moscow "case officer" was identified by Karlin as a "top rank KGB man" named Victor Alexandrevich Kartzev who was using the alias Victor Karev.

In November 1974, Wilfred Burchett lost a libel suit he had brought in Australia's supreme court in which he challenged the charges that he had been a Soviet KGB agent made by Karlin in sworn testimony which had been brought to the attention of the Australian Senate and then republished in a magazine. The trial lasted 10 days.

During the trial the defense brought out dramatic proof from former Korean war POW's that Burchett was a Communist agent who had participated in extorting germ warfare confessions. Karlin restated his charges in an affidavit; and a former North Vietnamese officer and a South Vietnamese former Vietcong officer both gave testimony as to their personal knowledge of Burchett's activities as an adviser to the Communists' propaganda and psychological warfare efforts.

Although Burchett denied that he had participated in brainwashing, torture of interrogations of allied prisoners, his evidence was contradictory and in several instances obviously false. He repeatedly denied that he had ever been paid by the Soviet, Red Chinese or North Vietnamese governments or that he had acted as an espionage agent. But there is no indication that Burchett was asked whether he was paid by the Communist parties of the U.S.S.R., Peoples' Republic of China, North Vietnam, Cuba or Iron Curtain countries acting as surrogate paymasters for their official governmental spy apparatus. Nor was he asked about his acting as a propaganda agent or "agent of influence."

The jury took less than 4 hours to find against Wilfred Burchett and to order him to pay the \$100,000 cost of the trial.

At the time of the libel trial, when Australia's Government was controlled by an anti-U.S. Marxist social democratic party, Australia returned his passport to Burchett. It was suggested that if he won his libel action, Burchett could become the Australian Government's "roving ambassador in the Communist world" with the goal of healing the split between Moscow and Peking—one of Burchett's ambitions.

Burchett did not clear his name; the radical leftist government in Australia

was defeated in subsequent elections; and such an ambassadorship for Burchett is now out of the question. However, his ambition to reconcile Moscow and Peking remains and is reflected in the composition of the "Support Committee" formed to sponsor his American tour which reflects all points of the leftist ideological spectrum from the "willing dupes" through Maoists and Castroites to Moscow's détente-conscious camp followers.

Cosponsors of the Wilfred Burchett Support Committee, 33 West 17th Street, New York, N.Y. 10011 (212/691-0404) include Mia Adjali, Frances Beal, Norma Becker, Noam Chomsky, Ossie Davis, Ruby Dee, Dave Dellinger, Dick Gregory, William Kunstler, Corliss Lamont, Erwin Salk, Sidney Lens, Ruth Meyers, Beatrice Milwe, Sidney Milwe, Sidney Peck, Irwin Silber, Jack D. Spiegel, Amy Swerdlow, Cora Weiss, and Howard Zinn. Coordinators of the group are Guardian staffers Naseem Jamali and Abe Weisburd.

In 1969 and 1971 when Burchett was in the United States, he was issued with a restricted visa to cover the United Nations which limited his lawful travel to a 25-mile radius of New York City. This year, Burchett will be free to travel at will. His itinerary will take him to New York City, October 21; Buffalo, October 23; Chicago, October 28; Seattle, November 3; San Francisco, November 4; Los Angeles, November 11; and Boston, November 18. He will also lecture at Columbia University, Wesleyan University, the University of Michigan, Harvard, Yale, and other colleges.

For his triumphal venture onto the U.S. leftist and collegiate lecture circuit, his visit to be made on an Australian passport reissued this summer in Paris, Burchett is being hailed by his Support Committee promoters as "one of the world's most respected and most knowledgeable journalists."

Apparently this version of Burchett's career is behind the White House's intervention to make his tour possible. According to Support Committee coordinator Naseem Jamali, there were initial delays in obtaining a visa for Burchett. But then "we went to the White House and when they heard of the roadblocks they went out of their way to help." Jamali would not say who went to the White House or who in the White House went out of their way to aid identified KGB agent Burchett. The State Department denied any official White House involvement.

In his most recent book, "Grasshoppers and Elephants," Burchett has written with great satisfaction of "the total defeat—by superior intelligence and morale—of the United States in every field: military, political, diplomatic, and psychological" in Vietnam. He can now claim yet another victory.

This paid agent of the Communists and propagandist for their terrorist forces in the Third World could have been excluded from this country had

Congressman JOHN ASHBROOK's antiterrorism bill been reported out by the Judiciary Committee. Yet the Judiciary Committee has taken no action on this vitally needed legislation. Wilfred Burchett's entry is yet another glaring example of why the House needs a full Internal Security Committee which would develop necessary legislation to cope with terrorist and subversive threats.

#### A TRIBUTE TO MR. THOMAS C. LAWLER

#### HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HARRIS. Mr. Speaker, I would like to take this opportunity to share with my colleagues the outstanding tribute that was given to one of my constituents, Mr. Thomas C. Lawler, in a recent issue of Our Sunday Visitor. Mr. Lawler is a member of St. Rita's Catholic Church in Alexandria, Va. The text of the article follows:

##### THE MAN WHO DID SOMETHING

Tom Lawler was like a lot of other people these days. He didn't like the way religion was being taught. He talked about it with friends, said someone should get out a good, solid Catholic catechism for adults. His friends said it was true, someone ought to do something about it, and they suggested maybe he ought to do something about it himself.

So Tom, who had been talking about it with his brother, Capuchin Fr. Ronald Lawler, and Fr. Donald Wuerl, did something. Not by himself but with Father Wuerl and Father Lawler.

They got together in late August, 1973, and the three of them spent a couple of days, outlining what needed to be done, deciding on the general approach that should be taken, deciding who they would call on to carry out the work with them. By the first day of January, 1974, they were ready to begin.

From this start came "The Teaching of Christ: A Catholic Catechism for Adults." The editors brought to the task some of the top people in the Church and the work has been praised by a cross section of the Church from Archbishop Joseph L. Bernardin, president of the National Conference of Catholic Bishops, to Fr. Andrew Greeley, the Chicago priest-sociologist who doesn't offer praise easily.

For Tom Lawler it was a high point in a dedication to Catholic learning he's carried on for a quarter of a century. It led to his decision to give his full time to Catholic religious education, and last month he became director of the Department of Religious Education in the Diocese of Arlington, working with his old friend, Bishop Thomas Welch, and under the direction of Msgr. Richard J. Burke, chancellor and director of Catholic education for the Diocese of Arlington.

Thomas Comerford Lawler was born Dec. 19, 1920, in Cumberland, Md., the first son and the third of the six children of Leo Thomas and Lillian Laing Lawler. The father of the family was an electrical engineer.

The six children were Mrs. Mary Busch, who lives in Bethesda, Md.; Lillian-Marie

Lawler, no longer living; Thomas Comerford Lawler, whose middle name was the maiden name of his father's mother; Mrs. Frances Laing Baker, Cumberland; Fr. Ronald Lawler, a Capuchin priest who teaches philosophy at Catholic University, and the youngest, Albert J. Lawler, who lives in Cumberland.

Tom Lawler began his elementary school work at SS. Peter and Paul school in Cumberland, and went to LaSalle Institute in Cumberland for the seventh and eighth grades.

When he was ready for high school he decided to go to the minor seminary and enrolled at the Cauchin's St. Fidells school at Herman, Pa. There he wrote for the school paper, worked on the school annual and played the trumpet in the school band. He graduated summa cum laude and gave the valedictory address in Latin. Although Tom has become a recognized scholar, written books that would qualify as doctoral dissertations, his formal education ended in 1940 with his graduation from St. Fidells.

He realized then he did not have a vocation to the priesthood and he returned to his hometown, took a job with Celanese there. That was a brief period, for the United States entered World War II the next year and a few months later Tom was in the Army.

He graduated from Officer Candidate School, was commissioned an officer in the Corps of Engineers, served the next four years both in the European Theater of Operations and the Pacific, his last assignment being in Okinawa. He ended his service years as a captain in 1946.

He returned to Cumberland and Celanese, but in 1949 he became a civilian instructor for the Army Engineers at Fort Belvoir, Va. In Cumberland he had met Patricia Fullerton, a newspaperwoman with the Cumberland Daily News and the daughter of Max Fullerton, the Associated Press bureau chief in Baltimore.

They were married Sept. 16, 1950, with Fr. Austin Murphy, now auxiliary bishop of Baltimore, as the priest who witnessed their marriage.

The next year Tom entered the Central Intelligence Agency where he remained until a few months ago. Those years are, by the nature of intelligence service, confidential and Tom, as all involved in intelligence work, is pledged not to speak of them publicly.

But those were years in which he delved deeply into theology. In 1952 he completed a work: "St. Augustine: Sermon and Letters," which became a volume in the series, Ancient Christian Writers. He also contributed another in this series, "The Letters of St. Jerome." He is today with the famed Msgr. Johannes Quasten of Catholic University, the co-editor of Ancient Christian Writers.

He wrote frequently for Homiletic and Pastoral Review, the Catholic Educational Review, the Josephinum Review, and was a contributor to the New Catholic Encyclopedia. Through his scholarly contributions he received the only degree he holds—an honorary doctorate of Humane Letters from St. Joseph's College.

He and his wife, Patricia, have three children: Peter Augustine, who is completing his doctoral dissertation in political theory at the University of Virginia. Thomas Aquin, who works with the federal reserve bank in Richmond and is completing graduate studies in economics, and Gregory Francis, a graduate student in mathematics at Princeton.

His only hobbies are reading and studying. Ruddy-complexioned, he is 5-10, weighs 170 pounds, has green eyes and brown hair showing some gray.

THE OPTICAL DELUSION—PARTS  
IV AND V

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. BIAGGI. Mr. Speaker, I am pleased to insert the final two articles in the major investigative series in the New York Daily News dealing with the retail eyeglass industry.

Part IV is a discussion of various State laws regulating the eyeglass industry. The article discusses the ineffectiveness of these laws especially those in New York State. The Federal Trade Commission in the near future is expected to hand down new rules relative to the eyeglass industry. State and Federal agencies have a responsibility to the consumer to enforce laws which are for their protection. The extent to which Americans have been exploited by the eyeglass industry certainly merits a concerned response by State and Federal lawmakers and agencies.

Part V is devoted to giving consumers practical tips with respect to obtaining eye examinations and purchasing eyeglasses.

I commend the Daily News and especially the main author of these series, William Sherman for an outstanding eye examination and the purchase of eyeglass equipment. Consumers should be grateful for these important guides.

I commend the Daily News and especially the main author of the series, William Sherman. They have performed an exemplary public service in the completion of this outstanding and informative series. The quality of a newspaper is measured by the degree to which it serves its readers. The Daily News series will result in many thousands of American consumers being less vulnerable to the ripoffs which pervade the retail eyeglass industry.

Parts IV and V of the optical delusion follow:

HOW TO BUY GLASSES WITH YOUR EYES  
OPEN

(By William Sherman)

You can buy a \$15,000 pair of glasses with diamond and ruby studded frames and cool blue-tinted lenses on Fifth Ave., or you can take the IND subway down to Delancey St. on the lower East Side and pick up a plain pair for \$15.

It's possible you will see better with the \$15 pair, for it all depends on the examination and the workmanship in filling the prescription.

But it also depends on you—how you choose the frame and the lenses, whether you make sure the examination is thorough and whether you insist that the glasses you get meet the proper specifications at the right price.

In effect, your eyes are in your hands.

According to Jan Dorman, executive director of the New York State Optometric Association, "the ophthalmic industry is almost totally unregulated and without standards."

And today, much of the retailer's emphasis in this \$4.2 billion-a-year industry is on selling what they call high-fashion frames and lenses. There are sexy salesgirls to wait

on you in boutiques filled with stereo sounds. And there is same-day service.

There are glasses to keep the sun out, match your hair, change the color of your eyes, and the ads promise you transformation into a range of personalities from a whacked-out rock-and-roll star to a menacing Mafia hit-man.

You will drip sophistication, the ads implicitly promise women. Men, the ads subtly trumpet, you will seem more masculine, jazzier. And for both sexes, there are contact lenses which eliminate the "four-eyes" look altogether.

The transformation of the industry into its present go-go state has its roots in the common belief that people don't look as good with frames and glass on their faces.

"Men seldom make passes at girls who wear glasses," humorist Dorothy Parker wrote.

And the industry changed. But with all of today's powerful hype, one element has been forgotten, a News investigation disclosed. That is: medically proper glasses, glasses that fit and help you see correctly.

Most people don't know what that means and the business of buying glasses is an impenetrable mystery. It can, however, be cleared up.

First, there is the aspect of price. Most lenses are plastic and most are "stock," prefabricated to a whole range of prescriptions and ready to be edged and slipped into frames with no special grinding.

About 80% of the lenses sold in America are manufactured by two companies, Bausch and Lomb and the American Optical Co. They compete with each other to get retailers' business. The quality of production from both houses is excellent and the process of making lenses is automated.

Most lenses a retailer buys for sale to the public are single-vision lenses. Most cost under \$7 wholesale. Bifocal and trifocal lenses need special grinding at laboratories and usually have a wholesale price tag of about \$18.

Before the lenses are sold to you, they are marked up in price by retailers, but there is no reason why you shouldn't be able to get a perfectly good pair of single-vision lenses for under \$25, even with the markup. But you have to shop around and compare prices. You won't find them in the newspaper because of statutory prohibitions against optometric price advertising.

Contact lenses are another story. Fitting and prescribing these lenses is a complicated business, so most of what you're paying for is the retailer's dispensing fee.

Surveys by the Federal Trade Commission disclose that most contact lenses wholesale for under \$50, but the average price paid by customers is over \$200 and goes as high as \$300.

Here again, shop around for prices, but beware of several things; nobody has yet perfected soft contact lenses that accurately correct for astigmatism and are comfortable.

Also, the fitting is very crucial and takes a lot of time. That fit should be checked several times by an optometrist or ophthalmologist.

If you're smart, say optometrists at the State University of New York's Optometric Center, you'll make sure the contacts come with a guarantee and can be returned at no cost to correct imperfections. It costs more, but it's worth it in the long run.

The next item is pricing frames and here there is great variation, both in the price at different stores for the same frame and the prices for different frames.

However, optometrists at the university center say you can buy a good serviceable frame for under \$22. There will be a markup from the wholesale cost.

In New York City it's especially important to comparison-shop. One News reporter visited 20 retail stores in Manhattan and got

18 different prices for a frame that wholesaled for \$11.60. The prices she was quoted ranged from \$22 to \$48.50.

Obviously, you will buy the frames and lenses at the same store, but it's a good idea to know the price of both. Don't be embarrassed to ask the retailer what he paid for them. Check his catalogues for a selection. If he doesn't have the frame you want in his store, he can always order it. There are 45 major frame manufacturers in the United States all anxious to sell their wares.

So unless you're going in for something fancy, you should be able to buy an excellent pair of glasses for under \$40. Tinting lenses is extra, but again, if you shop around that shouldn't cost you more than another \$10.

However, that pair of glasses won't do you a bit of good unless it accurately corrects your vision problem and fits properly. If it doesn't, you're throwing your money away.

There are several steps to insure that you get the right pair of glasses. All involve a certain amount of trust in the retailer, but if you know the right steps, you can ask the right questions which gives you some insurance.

First is the examination. There are choices here. You can go to an ophthalmologist, a medical doctor with advanced training in the care and treatment of the eye, or an optometrist, who cannot treat disease, but has four years special training in optometry in addition to a college degree. An ophthalmologist will be more expensive, but it's up to you.

When the tests are over, you have another choice: where to get your prescription filled. Most ophthalmologists don't sell glasses, they only prescribe; most optometrists do sell glasses. But you can also buy your glasses from an optician, a man licensed only to fill prescriptions and check the fit of resulting glasses. Again, it's up to you, although some optometrists will charge you extra for an examination if you don't buy your glasses from them.

At this point, you select the frames and lenses. If your optometrist or optician tells you a particular frame or size lens is no good for your prescription or the size of your head, listen to him.

In choosing lenses, say optometrists at the university center, you should avoid orange, blue and red tints. They only tend to distort colors and have nothing but a cosmetic effect. They cannot be used as sunglasses. Neither can gray-tinted lenses.

If you buy your glasses from the same person who prescribed them, ask for an itemized bill. You ought to know what you're paying for and shouldn't settle for a line like, "It's all included in the total package".

Always ask for a copy of your prescription. It must be provided under state law and it's your only way of knowing whether the resulting glasses meet the specifications written down.

Some optometrists may be reluctant to give you this copy. For whatever reasons they cite, their basic thrust is they don't want anybody else to make money on filling the prescription.

When the prescription is filled and you've got the glasses in hand, you're at another critical juncture. The glasses must be checked against the prescription that was written to make sure they match. If the glasses don't, they're incorrect.

Ask to have the glasses checked for the following:

To see if the prescription of the lenses matches the prescription written. This is a simple procedure that shouldn't take more than five minutes. It involves placing the glasses under a lensometer, a calibrated device that looks like a long microscope. It provides a readout of the prescription.

The distance between the optical centers of the lenses should match the distance between the pupils, or centers of your eyes. This takes less than a minute and involves only placing a ruler to your eyes and a ruler to the glasses.

In bifocals, the segment heights should be measured.

The length of the temple pieces and the front should also be measured.

You should look at the glasses to make sure there are no pocks or dents in the frame resulting from overheating the frame while slipping the lenses in.

You should look for any imperfections in the lenses including any flecks, bubbles, scratches or pits.

When you put the glasses on, make sure they don't slip down your nose, not even with a little bit of a tug. The frame shouldn't fit too tightly against the side of your head and you shouldn't feel any squeeze against your nose.

If it all checks out correctly, you've got a good pair of glasses. If there's a problem, ask to have it fixed.

#### EXAMINING YOUR EYE EXAM

Every expert in the ophthalmic field says that a thorough eye examination is a crucial component for prescribing accurate glasses or contact lenses that will correct your vision problem.

And it should take no less than 30 minutes, especially if it's your first visit to a particular practitioner, according to optometrists at the State University of New York's Optometric Center.

"It is impossible to do a decent examination in less time," says Alden Haffner, president of the center, "and if it's a good examination on the first visit it should take 45 minutes."

Haffner and other optometrists at the center believe that every person with vision problems should know what makes up a proper examination.

Here are the basic steps:

A case history or account of your vision problems. This should take about five minutes.

A test for glaucoma. It takes two minutes at the most with proper equipment and it is done by measuring the pressure of the fluid in your eye. High pressure is an indication of glaucoma.

Binocular tests: This is a 10-minute battery of tests to see how well your eyes work as a team, whether they "see" on the same planes.

Visual acuity exam: A familiar test usually done by asking you to read a series of letters at a particular angle at a particular distance. It helps determine whether you are nearsighted or farsighted. Usually this takes about three minutes.

Examination for internal or external defects: A detailed look at the visible structures of your eyes including the retina, cornea and eyelids. This should take from five to eight minutes.

The subjective examination: A series of tests where the practitioner slips trial lenses into a device, asks you to look through the lenses at a chart and determines, through trial, what type of corrective lenses will help you most. It also helps determine whether you're nearsighted or farsighted. This should take from seven to 10 minutes.

A retinoscope test: This is an objective verification of your own choice of the best lenses. It is done by an examination of how light is received by your eye. This should take about two minutes.

Optical centers: The distance between the centers of your eyes should be measured so that the resulting lenses in glasses will match that distance. Should not take more than 30 seconds and is done with a ruler.

A look at your old glasses: This should be done only after all the other tests are com-

pleted and it is only a check to see if your prescription has changed.

#### NEED HELP?

If you're having problems with your glasses; if they don't fit correctly, or you're getting headaches, or you're not seeing well, the first thing to do is bring them back to the place you bought them and have them checked.

If you don't get satisfaction there, or you believe you were cheated on the price or other services, there are several agencies that will hear your problem and possibly solve it.

Optometrists and opticians are licensed by the State Education Department. Complaints against those professionals should be taken to the Division of Professional Conduct, State Department of Education, 261 Madison Ave., New York City. Their telephone number: 687-3513.

The New York State Optometric Association is a professional fraternal organization of optometrists that also hears complaints:

Bureau of Optometric Consumer Affairs, 90 Swan St., Albany, N.Y. 12210.

And they've set up a consumer "hot line" with a toll-free number: 800-342-9836.

#### HOW EYEGLASS LAWS KEEP YOU IN THE DARK

(By William Sherman)

With an eye on self-protection, the eyeglass industry has seen to it that the regulation of the business is by the retailer and for the retailer. The person who wears glasses is usually the last factor considered.

In nearly every state, including New York, the practice of optometry is regulated by appointed boards totally dominated by professionals from the business. The net effect is that eyeglass prices are kept high and consumer control and education is kept at a minimum.

In much the same way as doctors, lawyers, certified public accountants and pharmacists run their professions, so do optometrists and opticians regulate the merchandising and practice of eye care, from setting standards to penalizing those who break the rules.

These rules, established over the years by industry professionals and enacted into the state education laws by legislatures, are generally full of loopholes.

For example, in states such as Oklahoma, a person doesn't have the right to a copy of his eyeglass prescription. As a result, in those states you cannot buy your glasses from anyone except the person who examined your eyes.

In some states like Michigan, a customer must be given his prescription upon request, but local optometric associations advise members to resist such demands.

Federal Trade Commission surveys show that in areas of Kansas and Mississippi, optometrists reluctantly give out copies of prescriptions, but charge \$5 to \$12.50 extra for writing them up on a blank, a process that takes 30 seconds at most. In addition, some state retailer associations urge their members to ask patients to sign waivers of liability on their prescriptions. If the prescription is improperly filled, the retailer can't be sued.

In New York, where a prescription must be handed over on request, a News reporter had to insist on his copy at nearly every store visited. Most retailers agreed reluctantly. One store manager refused the reporter saying, "The guy who examined you is a bum. He got fired. We don't have it."

The reporter had the advantage of knowing the rules, but most people don't. Federal questionnaires disclosed that most eyeglass buyers don't know the first thing about the business. For example, the majority of people in the FTC surveys believed that most lenses are made of glass, while more than

90% are made of plastic, and hardly anyone was able to explain their prescription.

Meanwhile, practitioners who break state laws, cheat customers on price, or provide sloppy service or unfit glasses usually get nothing more than a slap on the wrist. That is, if a consumer's complaint is heard at all, for the redress mechanism is slow and cumbersome.

Despite 450 complaints last year, for example, the New York State Board of Examiners in Optometry heard only four cases.

So the person buying glasses is left out of the picture. Boards of optometry in 37 states, including New York, are composed entirely of optometrists; eight states require one lay member on the board, four state boards have two consumer members and California recently passed a law requiring that three of nine members be nonprofessionals. In 46 states, there is a political connection; board members are appointed by governors.

To further confuse the situation, there are no national standards for eyeglass merchandising and optometry. This results in as many sets of rules as there are states despite the FTC's repeated pleas for uniformity.

Often, there are no laws at all. For example, there is no law requiring that a manufacturer's name be stamped on a frame. Almost every other item of commerce must be stamped or tagged—milk, television sets, clothing, automobiles, appliances and on and on, ad infinitum. But not glasses.

Empowered by the state to recommend changes in the law, hear customer complaints and recommend license revocation or other penalties for opticians and optometrists they find guilty of malpractice, these boards seem unusually timid about coming down hard on their colleagues.

In New York State, processing complaints is a complicated business. A complaint first goes to the State Board of Education, then to that board's Division of Professional Conduct and, if the case has merit, to the seven members of the Board of Examiners in Optometry. If this board finds the practitioner guilty, they can make a recommendation to the State Board of Regents, which can revoke a license or impose other penalties.

Of course, the practitioner can appeal the decision in the courts and many cases drag on for years.

"By the time a case comes up, witnesses have vanished and the case quietly dies," said optometrist Edwin Simmons, chairman of the New York board of examiners.

In the last nine years, out of about 4,500 consumer complaints about eyeglasses, the Board of Regents took action against five optometrists. No licenses were revoked.

Four of the five optometrists were practitioners who were found guilty of violations of advertising laws or violations of criminal law in the courts such as ordering merchandise and not paying for it. The fifth, a referral from California, was a man who prescribed glasses that were unnecessary and charged for other services not rendered. His licenses in both New York and California were suspended for two years. He is appealing that decision.

New York State is not alone in the way it handles complaints against optometrists. For example, a Federal Trade Commission study of actions taken by the California Board of Optometry shows that between 1972 and 1975, 72 of the 86 disciplinary actions taken by the board concerned improper Yellow-Page advertisements by licensees.

Optometrist Edwin Simmons, chairman of the New York Board of Examiners in Optometry, said that regulating practitioners is difficult because there are too few investigators to look into complaints. "The number is

scandalous," he said, "and there can't be proper and rapid investigations."

Oscar London, in charge of the investigators at the Department of Education's Division of Professional Conduct agreed. "There are only six to eight investigators to watchdog nine state-licensed professions including optometry and ophthalmic dispensing." The others include speech pathology, landscape architecture, public accounting, and land surveying. "Nine hundred to a thousand cases are handled each year; about half have to do with optometry and ophthalmic dispensing. The problem is both manpower and expertise," he said.

London's unit initiates no investigations of its own, does no spot checking, and many of the cases eventually heard by the board of examiners are referrals from the courts or from other states.

"Another big problem we have," London added, "is that most of the mistakes in making glasses are errors by lab men who fill prescriptions. They're not licensed and we have no jurisdiction over them."

Jan Dorman, executive director of the State Optometric Association, a group separate from the state board, said, "There is no question New York is too lax on people who break the rules."

He added that his own association of 1,000 members expels sloppy practitioners, has peer-review procedures and recommends disciplinary action to the state board. "But what we do is just an administrative sanction," he said. "Meanwhile, there are 500 optometrists in the state who aren't members of our group and there's nothing we can do with them."

Many of those 500 belong to a rival group, the Optical Retailers' Association made up of optometrists who work in large incorporated stores. Dorman's group represents individual practitioners.

Said Dorman, "If you go to a large commercial house, who do you sue?" An optometrist works for the company. All he does is examine your eyes. If the prescription is filled wrong, you can't sue him, you've got to sue the corporation and that's more difficult."

Spokesmen for several of the large chain stores disagreed, saying that anybody with a complaint about glasses can have them looked at and fixed at no charge. They added that a corporation can be sued just as quickly as an individual.

Dorman insisted that the State Optometric Association acts to protect the consumer. "We want lay people on the state board. We have lay people on our own association board and we'd like to see people learn more about glasses. We'd like to see manufacturers' names on frames, we'd like to see commercial houses registered with the states."

Despite the statements, the loopholes are still there. And Nobel Prize-winning economist Milton Friedman has this to say about situations where the state assigns self-regulatory powers to the professions: "It almost inevitably becomes a tool in the hands of a special producer group to obtain a monopoly position at the expense of the public."

#### THE FRAME GAME

When somebody buys a pair of glasses, how do they know what they're buying, if they are getting their money's worth? "They don't," says Jan Dorman, executive director of the New York State Optometric Association.

Many frames have no name at all; some have "Frame/Italy" or "Frame/USA stamped on the side; some have a model name like "Captain."

But even when there is a name embossed on the frame it can be deceiving. One optometrist who testified before the FTC found the following in a frame catalogue;

Eleven frames made by 11 different companies with 11 different prices all designated

on with the name "Aida" stamped on the side.

Nine "Alpha" frames made by domestic manufacturers in either metal or plastic.

Twenty-four frames named "Astro" made by 15 foreign and domestic companies.

Seventeen foreign and domestic companies that manufacture a frame called the "Apollo."

Then, there are the imitations. For example, there is a Christian Dior frame, which costs \$48 wholesale, that is impossible to distinguish from copies, or "knockoffs" as they are known in the trade, that are made in Hong Kong. These Christian Dior "knockoffs" wholesale for \$17.50 and retail for \$50.

News reporter Kiki Levathes, who compared prices at Manhattan stores for duplicates of her Bausch and Lomb Ray Ban "Aviator" glasses, ran into several sales people who insisted that she was wearing something else.

At Sterling Optical, 795 Lexington Ave., a sales woman told her, "You're not wearing a Ray Ban frame. Listen, what you really want is a Maverick frame, or maybe a Horse frame."

Levathes had the advantage of knowing who made her frame even though it is not so marked.

Most people questioned by The News, however, didn't care who made their glasses, or never thought about it in the first place. Thirty people questioned said they didn't know who made their glasses, although they were able to quickly recite the manufacturer of their clothes, or car.

Many think there's no difference in frames. But a poorly made frame will not hold the lens properly for very long. The setting of the lens in relation to the eye is crucial for good vision, when it comes loose, you're not seeing properly.

Lenses are another item free of regulation, although there are two distinct grades produced, first and second quality.

A first quality lens contains no physical defects. Second quality lenses are marred either with chips, bubbles, flakes, or heat marks that are often invisible to the naked eye but can affect the prescription.

How does a customer know if he's getting a first or second quality lens in his glasses or contacts? "He doesn't," says Dorman, the executive director of the State Optometric Association. And Louis Feldman, owner of North Star Optical Co., an optical lab at 157 Chambers St., said, "Most chain stores won't throw a lens away just because there's a flake in it."

However, Alan Cohen, vice president of Cohen's Optical Co., one of the nation's largest eyeglass retailers, said, "We have to return about 10% of our frames and 20% of our lenses to the manufacturer because of minor imperfections. They replace them at no extra cost."

The president of Cohen's biggest rival, Sterling Optical Co., said something quite different. "We have returned stock—either frames or lenses—very infrequently. The last time we had a bad shipment of lenses was a couple of years ago," said Gerard J. Cevaseo.

Ironically, both Sterling and Cohen's buy their lenses and frames from the same manufacturing companies.

#### DEE MAGNANI: ABLE AND COMPASSIONATE LEADER OF THE ELDERLY

#### HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. PATTEN. Mr. Speaker, the Neighborhood Care Team Project of New

Brunswick, N.J., is doing fine work for the elderly of the city, which number 6,000 persons.

Financed by a \$240,000 Federal grant by CETA, this active group is providing the elderly with real help—from their legal and human rights, to a project for the winter months to be known as "Project Identification."

I know that many others are making valuable contributions to the Neighborhood Care Team, but the outstanding leader of this program is Dee Magnani, of New Brunswick, its coordinator and supervisor. Dee is remarkable in so many ways, for she is not only very able, but very compassionate. Her interest in the problems and hopes of the elderly is deep and strong and rare. She is one of my most talented and versatile constituents. I am extremely proud of Dee Magnani.

Recently, the Home News, of New Brunswick, N.J., published an article on the achievements of the Neighborhood Care Team, and it is hereby inserted in the CONGRESSIONAL RECORD:

[From the Home News, Oct. 3, 1977]

NEIGHBORHOOD CARE TEAM IS THERE TO SERVE ELDERLY

(By Valerie Hendy)

NEW BRUNSWICK.—Her apartment has been robbed once and she has been mugged twice on the streets of the city. She suffered minor injuries as a result of those muggings within the last three years, but Mrs. Genevieve Garcia, 71, is not bitter.

"I just want my legal rights," said Mrs. Garcia quietly at a staff meeting of the Neighborhood Care Team Project at the Joyce Kilmer House recently.

It is the legal and human rights of New Brunswick's 6,000 elderly citizens which concern the newly formed Neighborhood Care Team, according to Miss Dee Magnani, the project's coordinator and supervisor.

With a \$240,000 grant from CETA, sponsored by the Community Development Agency of New Brunswick under Special Projects Title VI, Miss Magnani and her staff of 23 neighborhood workers, seek to identify and assist those senior citizens who are experiencing difficulty with public or private service agencies.

English and Spanish speaking team workers are available to help eligible elderly citizens with needs varying from disputes with unions over pensions to locating low-cost housing.

But Miss Magnani's team of young workers do not devote themselves exclusively to extricating the elderly from the crush and confusion of social service bureaucracy.

"This is an action group," Miss Magnani said, "they're out on the streets."

The project's enthusiastic team of workers, all referred to the project by Manpower, have created several news services for the aged which encompass members of the New community at large.

Joy McCracken, one of the team's block leaders, has established an escort service for the elderly.

Many of New Brunswick's senior citizens have suffered muggings similar to Mrs. Garcia's while shopping downtown.

McCracken thought that if youths who might be inclined to rob elderly people worked instead to know them and aid them, future robberies might be avoided.

Working with volunteers from the Community Youth Service Center, she said, "It might be good reinforcement for the kids." It is harder to rob someone whom you have known as a friend.

Ted Gorke and Will Bailey, both assistant block leaders, have found 25 rooms for uni-

versity students in the homes of 17 of New Brunswick's elderly citizens.

The room location program not only provides a source of revenue for persons on a fixed, low-budget income, but enables students to experience a bit of home life.

A unique dimension of the Neighborhood Care Team Project is the home maintenance program. Miss Magnani, who has worked with and for the elderly in New Jersey for the last 5 years, said she discovered many old people are unable to finance minor home repairs and care for shrubbery and lawns.

Team workers, skilled in landscaping, carpentry, plumbing, masonry and other skills, are available to make home repairs if the client supplies work materials.

Although the project workers often serve as arbiters for New Brunswick's elderly, they also assume the intensely personal role of just listening to their clients.

Mary Alexander, an assistant block leader, reported that a woman whom she'd visited recently was greatly depressed by the death of her sister.

"She's very afraid, very lonesome," said Miss Alexander.

"Can you interest her in the Senior Resource Center," asked Miss Magnani, thumbing through a book of contact people for various social agencies. "Visit her once a week. Make friends with her," Miss Magnani advised.

A project planned for the winter months will be known as "Project Identification." With the collaboration of the New Brunswick Police Department, the elderly will be able to have their Social Security numbers engraved on valuable household appliances as a deterrent to thieves. If items are stolen, the police will better be able to identify and return stolen property.

In several weeks, the Neighborhood Care Team will move into newly constructed offices on the second floor of the City Hall Annex at 155 Memorial Parkway.

Although the project has been funded for one year only, Miss Magnani and her staff are optimistic that they will be able to find sufficient funding to continue their work beyond that time. "We have found only half of New Brunswick's elderly," Miss Magnani said.

If the project's funding is not renewed, Bailey, the project's photographer said, "We've created a mechanism that can be continuous."

The project is in need of office equipment of all types and would welcome donations. If anyone you know might be in need of assistance, call the Neighborhood Care Team Project at 745-5090.

Dr. Yalow is a senior VA medical investigator. She was awarded half the prize for her pioneering work in endocrinology, the study of glandular secretions, using the technique of radioimmunoassay which she and the late Dr. Solomon A. Berson, also of the Bronx VA Hospital, devised and introduced. She has spent her entire professional career in the Bronx VA Hospital, and has won numerous other high honors for her scientific contributions.

Dr. Yalow was the first woman to be appointed a VA senior medical investigator. She holds the rank of distinguished service professor at the Mt. Sinai School of Medicine, in addition to serving as chief of the nuclear medicine service and director of the Solomon Berson Research Laboratory at the Bronx VA Hospital.

Dr. Andrew V. Schally is the senior medical investigator at the New Orleans, La. VA Hospital. He shares the other half of the prize with Dr. Roger Guillemin of the Salk Institute. Dr. Schally and Dr. Guillemin have made many pioneering discoveries in peptide hormone chemistry. Dr. Schally has been chief of the endocrinology and polypeptide laboratory of the New Orleans VA Hospital since 1962. He holds the academic rank of professor of medicine at Tulane University School of Medicine.

Mr. Speaker, the Nobel Prize awarded for the brilliant accomplishments of Dr. Yalow and Dr. Schally is not only a tribute to two outstanding physicians, but is a great tribute as well to the Veterans' Administration and its research program. Many of us have long known that some of the best research in medicine is being conducted by physicians in VA hospitals. The \$100 million annual VA research effort is, and will continue to be, a major part of the VA's total health care program. The results of the work being done by these two individuals, and all others involved in research projects within the VA are helping all mankind.

I am proud of Dr. Yalow, Dr. Schally, and all VA employees who are equally dedicated to our on-going research program within the Veterans' Administration.

leading economic benefactors as potential "war profiteers," and their belief in the free enterprise system as "the biggest rip-off in history."

These are not thoughtful words. Indeed, some might see them as inflammatory words. Nor do I find it possible to view them as words which properly symbolize the stature of what I and most other citizens rightfully regard as the most powerful office in the world.

It is not my purpose—nor does the need exist—to defend the record of the United States petroleum industry, even though as a Representative of the State of Texas I do profess more than a nodding acquaintance with the contributions which this industry has made to the military power and the economic might of our Nation. Nor do I desire at this time to offer specific remedies which I believe necessary to redirect and make whole the national energy program which our President has unwisely proposed and intemperately defended.

Rather, I seek today to smooth troubled waters. I should like, if it be my role, to apply a healing balm to wounds unnecessarily opened. I would, if I am able, serve as the catalyst to clarify in the minds of a confused and frustrated American people the basic issues that are at stake.

Certainly, there was much in the President's message that is good. I would be the first to agree with him that the acuteness of the Nation's energy crisis grows with each passing month. I would agree, also, with his assessment of the international implications of the United States' growing dependence on foreign oil. I would further commend his stern warnings and stalwart efforts to conserve every precious drop of petroleum that remains under the lands and waters of this Nation.

But I cannot, in good conscience, blind myself to the inadequacies of an energy program which taxes but does not serve, which costs but does not benefit, which takes and does not give. The ruggedly individualistic oilmen of this country have perceived the same woeful inadequacies in the program which the President's advisers have devised. As economic pragmatists, oilmen realize that we cannot—as a Nation—meet our growing energy demands unless capital is available for reinvestment. As technical realists, oilmen know that the President's energy program does not adequately address the important question of providing a transitional petroleum energy base until alternative sources can be realized at some point in the future.

I find that I must reject the President's spoken conclusion that pragmatism and realism equate to unconscionable profiteering. Indeed, the fiscal and economic facts and forecasts with which I am familiar lead me to a very different conclusion. I would direct your attention, first, to the behavior of oil-company stocks. If the stock market saw, as the President says he does, the potential for enormous oil-company profiteering, I believe that petroleum industry equities—as a group and as individual stocks—would be soaring despite the market's current deflated condition. Such, as you

## TWO VETERANS' ADMINISTRATION PHYSICIANS RECEIVE NOBEL PRIZE

### HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. ROBERTS. Mr. Speaker, as most of my colleagues know, two full-time career Veterans' Administration physicians have been awarded the 1977 Nobel Prize in medicine.

The winners are Dr. Rosalyn S. Yalow of the Bronx, N.Y. VA Hospital, and Dr. Andrew V. Schally of the New Orleans VA Hospital. The awards represent one of the few times Nobel awards have ever gone to scientists employed by the U.S. Government, and are the first ever to go to VA medical researchers.

## THE PRESIDENT PLAYS THE POLITICS OF ENERGY

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. TEAGUE. Mr. Speaker, today, I must address this body with a heavy heart. Without eloquence—of which I have little—or emotionalism—which I seek always to conceal—I feel that I must make known to you, my congressional colleagues, the deep sense of personal sorrow and abiding regret which I feel at this time.

Mr. President, whose office I admire above all others, has sought to achieve commendable, if ill-advised, energy goals by characterizing one of this Nation's

know, is not the case. Oil stocks are down an average of 10 points or more below their levels at the beginning of this year.

I would point, second, to oil company earnings as measured by rates of return. COMPUSAT, the independent statistical service which compiles data on 900 companies whose stocks are used in the Standard & Poor's indices, shows that oil industry returns are lower than those for all manufacturing. Based on shareholder equity, COMPUSAT's group of 41 oil companies earned a rate of return last year of 13.9 percent. Based on total borrowed and invested capital, these same companies earned a rate of return of 11.2 percent last year.

I would invite your comparison of these rates of return with those for all U.S. manufacturing. Here, the rate of return on shareholder equity was 15 percent—1.1 percent higher than oil's—and the rate of return on borrowed and invested capital was 11.7 percent—or 0.5 percent higher than oil's. The earnings of the oil industry do not, to me, appear to warrant the terms the President has chosen to apply to them.

More to the point, perhaps, are forecasts by the Nation's financial and business community of what American oil companies must spend between now and 1985—the time period covered by the President's energy proposals. The facts are that, between now and 1985, the industry will need upwards of \$900 billion to finance its exploration and capital expenditures programs. For these purposes, the U.S. petroleum industry is each year spending more than twice—may I repeat that, twice—its annual net profit. It is obvious to me, as I am sure it is to the Nation's oilmen, that they cannot go on indefinitely spending more than they earn. Only the Federal Government can long endure deficit spending.

The President has stated that under his proposal the oil companies of this Nation will, by 1985, have a total annual income of \$100 billion. He has said, further, that the oil companies are seeking an annual income of \$150 billion by 1985. Others have questioned the President's numbers, and I believe they have done so with justification. Yet today, I will not quarrel with the numbers he has used. Rather, I will suggest only that even the larger number—regardless of its reality—will be none too large if oil companies are to provide the petroleum necessary to this country's continued economic growth.

These are large numbers. They are, in fact, enormous numbers. But I would say to you that the job before us is enormous. It is not enough that we merely conserve our petroleum resources, as the President's plan has emphasized. We also must find and develop new petroleum supplies that are dependable. There is no alternative to oil supplies controlled by Americans, save that of continued and increased imports. As the President has correctly noted, our foreign oil imports will cost U.S. consumers approximately \$45 billion this year. Besides the disquieting effect of this drain on our balance of payments and on the interna-

tional financial situation, these are dollars that create no American jobs.

I am concerned, as I am sure the President is, that we do everything in our power to provide more jobs for more Americans. Importing additional quantities of foreign oil will not help with our achievement of this objective. Expanded exploration and production here at home will.

The President has said that additional funds will not encourage increased production of oil, but will go instead into the pockets of the oil companies. This is a particularly difficult concept for me to comprehend. As we have already seen, the money going to American oil companies today is flowing out a lot faster than it is coming in. I am at a loss to understand where the President and his advisers think this money will go if the Congress does not approve his national energy plan as submitted. I have a great many oilmen among my constituents, and I do not find them wallowing in unthinkable luxuries. Those whom I know, in fact, lead rather ordinary lives. They owe their bankers, treasure their families, and love their country.

I do not believe that the oilmen I know are "war profiteers." I do not believe that they seek to rip off the American public of which they are, in fact, an integral part. Nor, in fact, do I believe that any fact or any figure with which I am familiar can conceivably support the President's accusations. Our Nation—God bless it—has its problems, its differences of opinions, and its differing lifestyles. I, for example, do not see much in the President's energy program except one of the most massive tax measures upon which I have ever been called to vote. I do not believe that the President's energy program will do what he believes it will do.

My President and I have an honest disagreement, in principle if not in purpose. Yet both of us, I am certain, fervently wish only that which we—in our hearts—believe best for the land we both love. This is how I would prefer to characterize the dispute between the President and this Nation's petroleum industry: An honest disagreement. I do not believe that all people who disagree with the President of the United States are profiteers, or rip-off artists, or anything even remotely approaching these unfortunate and ill-chosen terms.

If the time is at hand—and I for one do not believe that it is—when we, as a people, cannot honestly and forthrightly disagree on the solutions to our problems, then I would say to you that this in itself is the gravest problem we have.

I believe that we, as a Congress and as a nation, can solve our energy problems. I believe that we have an abundance of natural resources, and the ingenuity to discover and extract them. I would urge you, my colleagues of the House, and I would urge my President: Let us put recrimination behind us. Let us disagree if we must, but let us do so as gentlemen and patriots. And above all else, let us get on with the job of building a better America.

## ONE WIFE'S REVENGE

### HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HANSEN. Mr. Speaker, I recently came across a rather amusing story expressing well the frustrations of American citizens toward overregulation by the Federal Government. The story is fictional and meant partly for amusement but the points intended come through loud and clear and should be useful reading to those making laws.

Therefore, I include for the RECORD the article "One Wife's Revenge," by John Brennan, which appeared in the Review of the News on September 14, 1977. The article follows:

#### ONE WIFE'S REVENGE

It was a lazy late summer afternoon and I was watching a rerun of Dracula on television. I calculated it was about the 276th time I had seen it. I sat there mumbing each line from the script a half second before the actors and actresses, and from time to time I ventured a sound effect. I sometimes do the same thing during Jimmy Carter press conferences.

"Isn't that the 276th time you've watched that movie?" asked my wife as she paused in her vacuuming. "Lift your feet!" She began vacuuming under them. "Look at you. You are going to be mistaken for Bert Lance if you don't get some exercise. I should think you could find something useful to do about the house."

"I'm watching this movie." I explained, "because to me Dracula represents all the government agencies who are draining us dry. Too bad there aren't more people in Congress willing to start hammering stakes."

She snorted in derision. "Always so melodramatic." The dear thing gestured toward the TV screen upon which Dracula was descending into a dark and gloomy cellar. "Look at your pal. He's going down the cellar and you can bet he's not going to get his feet wet. We've had water knee deep on the floor of our cellar since the last rainstorm and I am getting sick and tired of wearing fisherman's waders to do the laundry."

"Exactly what I was talking about," I explained as Dracula climbed into his coffin. "There is nothing we can do about water in the cellar." I went over to my desk and rifled through a stack of unpaid bills and threatening letters. "Ah, yes. Here it is."

"Here's what?"

"The letter from the Environmental Protection Agency. It seems a man went into our cellar a week ago to read the meter and it turned out he was an ardent environmentalist. He sent samples of the cellar water to E.P.A. headquarters in Washington. Now the E.P.A. has absolutely forbidden us to do anything about draining the cellar."

"And why not, pray tell?"

"There are Snail Darters in it, that's why! The very same endangered species that held up construction of that Tennessee dam for so long."

My wife is nothing if not persistent. "Then how about getting up on the roof and patching that leak by the chimney?" she said. "And don't give me the old story about not having to patch it when it's not raining, because when it is not raining it's not leaking and when it is raining, and is leaking, it's too wet to go up there."

I held my palms out in deprecation. "That's not the reason at all. If it were just up to me, I would be out on that roof with

hammer, nails, and shingles in a flash." I shrugged. "But I think of you here home alone while I am languishing in jail, and for your sake I don't go up there."

"Jail?" She stared up at the ceiling as though she could see through to the roof. "How can you get sent to jail for patching your own roof?"

"You can if a Whooping Crane has built a nest atop your chimney and is trying to hatch an egg." I explained. "Government people were here this morning while you were down cellar with the Snail Darters doing the wash. We can't even turn on the furnace until that egg hatches."

I am married to a woman ill-equipped to appreciate my need for occasional leisure, and she stood over me more determined than ever. "Then why don't you go out in the yard and do some weeding?" she demanded, pointing toward the rear of the house. "Our yard looks like a film set from The African Queen, and I think I saw the Reverend Clennon Ryan prowling through the brush before dawn yesterday morning looking for benighted savages."

"That was probably the man from the National Park Service," I answered. "He says the Service has been checking land titles here and our back yard has been designated as conservation land. He handed me this." I extracted a paper from my wallet; a court order. "From now on our back yard is going to be forever wild."

"Forever wild?"

"That's right. I signed a paper agreeing never to cut the grass, plant flowers or vegetables, slap mosquitoes, or do anything that will change our back yard from its original primitive state."

"You never did anyway," snorted my wife, "except to plant that Kudzu vine." She rolled her beautiful hazel eyes. "What an idea that was. Somewhere out in that jungle you call a yard is a 1949 Edsel station wagon which may be worth a lot of money and we can't even find it!"

"Probably wouldn't meet the Clean Air standards anyway," I muttered.

"Well, if you can't drain the cellar, shingle the roof, or clean the yard, you can at least start painting the house. The old paint is so cracked and blistered an alligator came up out of the swamp in the side yard yesterday thinking it had found its mother."

"Paint the house for the Indians? I really don't want to spend money and effort painting a house we are going to have to hand over to those red devils."

"What are you talking about?"

"The Welfarin tribe has a suit in Federal Court claiming the land this house is built on was taken from them illegally in 1810 by an ancestor of mine. There's a good chance we will be tossed out of here on our ears."

The dear thing was on the ropes.

"You men are just hopeless," she exclaimed. "I know you get worn out fighting foolish government regulations down at the factory, but you should have some energy left to fight them here on the home front." She struck a Shakespearean pose. "I'm sure I could handle these situations," she said, "if only I were a modern, liberated woman."

"You may get your chance!" I warned. "That car in front of the house, the one with the air bags bulging out the windows. See what it says on the side: 'O.S.H.A. U.S. Government!'"

"The Occupational Safety and Health Administration!" exclaimed my wife. "Something must be wrong at the factory. Don't let anyone in until I get rid of you-know-what in the kitchen."

The doorbell jangled. "O.S.H.A.! It's O.S.H.A. Open up!"

"You can't come in!" I bellowed, bracing my shoulder against the door. I pressed against it until I heard the garbage disposer begin to grind. Mother was dumping the last

of our supply of apricot pits down the drain. When I heard the disposer stop grinding I gave the door a final shove and landed on the front lawn. I had forgotten it opened outward.

"Better get that door fixed," sneered the Oshacrat, making a notation in his notebook with a stubby pencil.

"How'd you like to get your nose fixed?" I growled, getting to my feet and brushing various biodegradable substances from my shirt and trousers. "A man's home is his castle. You can plague me down at the factory, but you can't come into my home without a warrant from the court."

"Then read this," crowed the Oshacrat. "We have evidence that on the Fourth of July you held a company picnic for your employees and that your wife made the potato salad right here in this house. According to law, that makes this house part of the factory and I can come in here and inspect. I'm referring to Section 8(a) of Public Law 91-596, which has already been upheld by the 10th Circuit Court of Appeals."

"Section Eight? Who mentioned Section Eight?" My wife appeared in the kitchen doorway. "Does this mean the Navy wants Uncle Jimmy back?"

"No," I explained. "It's not the old Section Eight by which the Army, Navy, and Marines discharged their kooks. This is Section Eight of the O.S.H.A. Act, and I'm afraid you'll have to let him see your kitchen."

My wife was simmering like soup on the stove as the agent brushed by her.

"Quick," I hissed. "Now is your chance. Deal with this fellow with your wiles, your intuition, your intellect. Be Portia. Be a second Eleanor Roosevelt if you have to."

The Oshacrat spun around the kitchen leaving tiny heel marks on the floor.

"Quick," I continued. "Do what you are going to do before it is too late." But my wife just stood and watched and listened like a bird before a snake.

"Is this really the kitchen?" sneered the Oshacrat. "I think I may have arrived too late." He whipped out his notebook. "I see waxy yellow build-up on the floor!" He picked up a plate. "And I can't see myself in the china." He took a glass from the dishwasher. "And this is all filmy and spotted."

My wife was making small burbling noises not unlike those heard on the slopes of Vesuvius prior to an eruption. But the agent danced over to us, reached out, and grabbed my shirt. "And you, sir, having ring around the collar!"

My bride's punch caught the Oshacrat on the side of the ear and sent him spinning down the front hall and out the door onto the front walk. He lay there motionless for a moment until the family aardvark came up and nuzzled him. Awakening at last, he took one last look at my wife standing in the open doorway and fled.

"So that's how you'd deal with them," I said in amazement. "That wasn't the way I would have handled it at all."

"You do it your way; I'll do it my way," replied my newly liberated woman. She dusted her knuckles on the sleeve of her dress, smiled sweetly, and headed for the cellar in her fisherman's waders.

#### SELECT COMMITTEE ON THE COMMITTEE SYSTEM

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. ANDERSON of Illinois. Mr. Speaker, today I am joining with six of

my colleagues from the Republican leadership in introducing a resolution to create a Select Committee on the Committee System. It is our strong feeling that this recommendation of the Obey Commission should be passed by the House in this session so that the select committee can report back its recommendations for House consideration and action next session.

At this point in the RECORD, Mr. Speaker, I insert the joint release issued by the cosponsors of the resolution along with the text of the resolution. We will be circulating a "Dear Colleague" letter to all House Members tomorrow inviting their cosponsorship of this resolution:

#### HOUSE GOP LEADERS URGE COMMITTEE OVERHAUL

WASHINGTON, D.C.—A group of House Republican leaders today introduced a resolution to create a Select Committee on the Committee System to make recommendations for overhauling the outdated and overlapping committee structure of the House.

The resolution is nearly identical to a provision contained in a resolution proposed by the House Commission on Administrative Review chaired by Rep. David Obey (D-Wis.). The Obey Commission's resolution was shelved by the House on October 12, 1977, on a procedural vote. In introducing today's resolution to revive the select committee proposal, the House Republican leaders issued the following joint statement:

"While we support many of the provisions of the Obey Commission resolution, we think the House must take priority action on the proposal to create a select committee to study and make recommendations on our tangled committee jurisdictions and the proliferation of subcommittees and committee staff. We are appalled, for instance, that over the last decade the number of subcommittees has increased from 106 to 144 and committee staff has increased from 182 to 1,674, and yet in the process there has been no comprehensive attempt to rationalize committee jurisdictions. All this has produced an overload on the system and Members' time and has greatly exacerbated conflicts between committees.

"While a Select Committee on Committee Reform in the 94th Congress made a noble and constructive attempt to reverse this trend, its efforts were unfortunately undermined by a Democratic Caucus substitute that left present jurisdictions virtually intact. We think a renewed effort to overhaul the committee structure can succeed in this Congress due to the infusion of New Members and the growing frustration over jurisdictional disputes.

Under the GOP proposal, the select committee would be comprised of seven Democrats and six Republicans and would report back to the House by July 1, 1978. Cosponsoring the resolution are: Rep. John J. Rhodes, Minority Leader; Rep. Robert H. Michel, Minority Whip; Rep. John B. Anderson, Republican Conference Chairman; Rep. Del Clawson, Republican Policy Committee Chairman; Rep. Bill Frenzel, Republican Research Committee Chairman; Rep. Larry Coughlin, Republican Reform Task Force Chairman; and Rep. Trent Lott, ranking Republican on the Rules Committee's Subcommittee on the Rules and Organization of the House.

H. Res. —

Resolved, That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on the Committee System (hereinafter referred to as the "select committee").

**FUNCTIONS**

SEC. 102. The select committee is authorized and directed to conduct a thorough and complete study with respect to the operation and implementation of Rules X and XI of the Rules of the House of Representatives including committee structure of the House, the number and optimum size of committees, the appropriate committee and subcommittee assignments per Member, their jurisdiction, the number of subcommittees, committee rules and procedures, media coverage of meetings, staffing, space, equipment, and other committee facilities.

**APPOINTMENT AND MEMBERSHIP**

SEC. 103. (a) The select committee shall be composed of thirteen Members, not more than seven of whom shall be of the same political party, who shall be appointed by the Speaker, one of whom he shall designate as chairman.

(b) Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

(c) For purposes of this section, the term "Members" shall mean any Representative in, or Delegate or Resident Commissioner to, the House of Representatives.

**AUTHORITY AND PROCEDURES**

SEC. 104. (a) For the purposes of this resolution, the select committee or any subcommittee thereof is authorized to sit and act during sessions of the House and during the present Congress at such times and places whether or not the House has recessed or adjourned.

(b) The provisions of clauses 1, 2, and 3 of Rule XI of the Rules of the House of Representatives, except the provisions of clause 2(m) relating to subpoena power and clause 2(i), shall apply to the select committee.

(c) The majority of the Members of the select committee shall constitute a quorum for the transaction of business, except that two or more shall constitute a quorum for the purposes of taking testimony.

**ADMINISTRATIVE PROVISIONS**

SEC. 105. (a) Subject to the adoption of expense resolutions required by clause 5 of Rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out its functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to prescribe the duties and responsibilities of such staff;

(3) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code; and

(4) to terminate the employment of any such staff as the select committee considers appropriate.

(c) The select committee and all authority granted in this title shall expire sixty days after the filing of the report of the select committee with the House.

**REPORT AND RECORDS**

SEC. 106. (a) The select committee shall report to the House as soon as practicable during the present Congress, but not later than July 1, 1978, the results of its study, together with such recommendations as it deems advisable.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

(c) The records, files, and materials of the select committee shall be transferred to the Committee on Rules.

**THINK "POSITIVE"?**

**HON. JOHN J. RHODES**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. RHODES. Mr. Speaker, for years those of us in the Congress who have expressed concern over the continuing growth of the Federal Government often have been characterized in the news media as being "negative" while those who support the expansion of Government are pictured as being "positive" and "for the people."

The editor's page of the October 17, 1977, issue of U.S. News & World Report carries an essay by Warren T. Brookes, which eloquently and cogently describes the true impact on the American people of the continuing expansion of central government, and ask who really is "positive" and "for the people."

I commend this essay to my colleagues and ask that it be placed in the RECORD:

**THINK "POSITIVE"?**

(The following is an eloquent commentary on big government written recently by Warren T. Brookes in the Boston Herald American. With their permission, excerpts are reprinted here.—Marvin Stone, Editor)

During the past few years, it has become fashionable in the media, generally, to refer to any politician who votes against major spending programs as "negative," or "lacking in compassion."

Similarly, politicians who regularly vote for vast government social enterprises are regarded as "positive" or "compassionate" or "liberal" (i.e. "for the people").

What is "positive" about a government that runs annual deficits of over 60 billion dollars—and prints money to finance them?

What is "positive" or "compassionate" about a constant inflation rate of nearly 7 per cent—a rate at which half of your life savings are destroyed every 10 to 12 years?

What is "positive" about a government whose regulations now cost consumers more than 100 billion dollars a year?

What is "positive" about government health programs that have singlehandedly driven the nation's spending on health care from 5 per cent of the GNP to nearly 9 per cent, in just 10 years?

What is "positive" or "liberal" about a Social Security System that is now taking more from the taxpayers than they can ever get back—and is still going bankrupt?

What is "positive" about a public education system that now spends over \$1,500 a year per student—and doesn't teach them how to read, write, or do arithmetic?

What is "positive" or "compassionate" about a welfare system that is turning millions of Americans into helpless wards of the state, and encouraging millions of others to choose dependency instead of work?

What is "positive" about a government whose total accumulated long-term debt and obligations are over 5 trillion dollars—more than the total worth of the economy?

What is "positive" about a government energy policy that succeeds only in putting millions of people out of heat and work in the middle of a severe winter?

What is "positive" about more than 4 billion dollars in known welfare abuse, error and fraud?

What is "positive" about a nation where there are nearly 85 full-time dependents or employes of government for every 100 productive private taxpayers?

What is "positive" or "compassionate" about government housing and urban-development programs that have only accelerated urban decay, and isolated the poor in bleak warehouses?

What is "positive" about a government which is printing money at a rate more than twice as fast as the nation's economy is growing?

What is "positive" or "liberal" about asking government bureaucrats to make decisions for you, which you are better able to make for yourself—and at much lower cost?

What is "positive" about government policies that first create energy shortages, and then demand billions in new taxes to "solve" them, that create a crisis, and demand even more power and control to "alleviate" it?

In short, what is "positive" or "compassionate" or "liberal" about big government, with all its trappings of bureaucratic power, waste and arrogance, with all its constant threats to individual freedom, privacy and expression?

We think we know what Thomas Jefferson would have said to these rhetorical questions. In 1801 he wrote:

"Every man wishes to pursue his occupation and to enjoy the fruits of his labors and the produce of his property in peace and safety, and with the least possible expense. When these things are accomplished, all the objects for which government ought to be established are answered."

**PERSONAL EXPLANATION**

**HON. MARTHA KEYS**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mrs. KEYS. Mr. Speaker, on Friday, October 14, 1977, I was unavoidably absent from the House. Had I been present, I would have voted on matters coming before the House as follows:

"Yea" on roll No. 654, on agreeing to the conference report on H.R. 6415, to extend and amend the Export-Import Bank Act of 1945;

"Nay" on roll No. 655, on House Resolution 688, to disapprove reorganization plan numbered 1 of 1977;

"Yea" on roll No. 656, on H.R. 2176, passage of the Federal Banking Agency Audit Act; and

"Yea" on roll No. 657, on H.R. 4297, to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal year 1978.

**AGRICULTURAL EXPORT POLICY**

**HON. WILLIAM C. WAMPLER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. WAMPLER. Mr. Speaker, American farmers are vitally concerned about the adoption and pursuit of U.S. trade and farm policies that have the greatest potential for improving the export of American agricultural products to foreign markets.

In recent months we have seen a serious decline in farm prices, a growth in farm surpluses, and a strong indication that the Federal Government will soon ask the American farmer to take expensive farmland out of production. Simultaneously, we as a people are importing increasingly more oil to run our factories and to power our automobiles, trains, and buses to get back and forth to work. Unfortunately, farm exports which play such a vital role in this equation—since they are used to pay for much of these foreign oil imports—have been in serious decline.

We can and should take action to reduce our dependence on foreign oil imports by adopting practices that conserve energy, by increasing our own oil-producing capacity and by utilizing other energy resources, such as coal and solar. However, there will still remain a great need for foreign oil imports to help drive this Nation's huge industrial machine that provides the life's blood—jobs—for our economy.

The question is, Mr. Speaker, are we now practicing adequate U.S. trade and farm policies that will successfully meet our Nation's requirements to provide sufficient exports to pay for necessary oil imports; to provide for quality and economical farm products for our own consumer needs; and to provide for adequate income to allow the American farmers to stay in business?

I think not.

The other day former Assistant Secretary of Agriculture Richard E. Bell, an expert on farm export policies, while appearing before the House Agricultural Subcommittees on Oilseeds and Rice and Livestock and Grains, set forth some interesting views that bear on this subject.

Mr. Speaker, I insert his testimony in the RECORD:

**STATEMENT OF RICHARD E. BELL**

I appreciate this opportunity to be here today, Mr. Chairman, and present my views regarding the prospects and opportunities for exports of U.S. agricultural products.

Mr. Chairman, the views which I express here today are my own and not necessarily those of Riceland Foods or its Board of Directors. Riceland Foods is a farmer-owned marketing cooperative headquartered in Stuttgart, Arkansas. It receives, processes and markets rice, soybeans and feed grains grown by its 25,000 farmer-members in Arkansas, southeastern Missouri, northwestern Mississippi, northeastern Louisiana and western Tennessee. Riceland Foods' sales are around \$500 million yearly, split about evenly between rice and soybean products. About half of the sales are exported.

Exports of agricultural products continue to be of paramount importance to the economic well-being of American farmers, American agribusiness and American consumers.

This hearing is particularly timely, Mr. Chairman, since it appears likely that the value of U.S. agricultural exports in fiscal 1978 will decline 5 to 10 percent from last year. If this occurs, it will be the first decline in nine years.

Such a decline would occur at a particularly unfortunate time. It would occur when the United States is experiencing its largest trade deficit in history. Secretary of the

Treasury Blumenthal has said that the overall U.S. trade deficit may run as much as \$30 billion this year.

It is impossible, Mr. Chairman, to overstate the contribution that our agricultural exports has made to U.S. international economic relations during the past five years. Since the summer of 1972, U.S. agricultural exports have doubled in volume and tripled in value.

The dramatic increase in U.S. agricultural exports during the past five years has been the result of a combination of factors. Weather was undoubtedly a factor. Adverse weather in the USSR and China in 1972 sharply increased our exports of farm products in 1972/73 and 1973/74. Bad weather in the Asian rice bowl in early 1973 resulted in a sharp increase in the export demand for both U.S. rice and wheat in 1973/74 and 1974/75. Adverse weather in the U.S. in 1974 kept export prices high for U.S. farm commodities and more than offset a decline in export volume in 1974/75. The Soviets had another poor crop in 1975, and drought took its toll in Western Europe in 1976. In 1977, adverse growing weather has been present in China, North Africa and parts of West Asia.

Weather has not been the sole contributor, however, to the steady increase in U.S. agricultural exports during the past five years. Policies of the U.S. Government have been of tremendous importance. Devaluation of the U.S. dollar in 1971 was an important stimulant to U.S. agricultural exports in subsequent years. The opening in 1971 of the USSR and other Communist countries in Eastern Europe to American farm products was also an extremely important factor. These new markets not only expanded the volume of U.S. agricultural exports, but perhaps more importantly, their extra dimension of demand boosted the unit values of U.S. agricultural exports to all destinations.

Domestic agricultural policy has also played a vital part in the expansion of U.S. agricultural exports during the past five years. The annual farm programs stemming from the Agricultural Act of 1970, the Agriculture and Consumer Protection Act of 1973 and the Rice Production Act of 1975 have kept U.S. farm products competitive in world markets.

This past fiscal year, U.S. agricultural exports made a positive contribution of \$10 billion to the overall U.S. trade balance. This was more than any other individual sector. The contribution of U.S. agricultural exports to the overall trade balance was about \$2 billion in fiscal 1972. It is easy to see that without the dramatic increase in U.S. agricultural exports during the past five years that the U.S. international economic situation would indeed be grim. The United States cannot afford to go backwards in its drive to expand export markets for U.S. farm products.

A successful export policy for U.S. farm products first of all depends on our having the right kind of domestic farm policies. We cannot sell if we are not competitive in world markets.

A successful agricultural export policy also requires strong leadership from the Executive Branch of the U.S. Government, particularly from the U.S. Department of Agriculture. It is important that the Department set a positive tone and environment for U.S. agricultural exports.

In my view, Mr. Chairman, there recently has been too much emphasis on negative aspects of U.S. agricultural exports. For example, there has been repeated references to the quality of U.S. grain in export markets,

with emphasis on a few unfortunate incidents of a few years ago.

I am confident, Mr. Chairman, that overseas customers are generally well satisfied with the quality of U.S. grain, as they have been in the past. I am also confident that the work now being done by the new Federal Grain Inspection Service will ensure that this will continue to be the case.

It is important to remember that no other country in the world can match the U.S. in overall capacity to deliver a wide range of high quality grains in a quick, reliable manner at all seasons of the year and at generally competitive prices. These are the aspects we need to emphasize when discussing U.S. grain exports.

Likewise, Mr. Chairman, there has been too much talk during the past several months about the so-called export embargoes of several years ago. I agree that they were unfortunate and damaged our reputation at the time. But in recent months, their impact has been blown out of proportion to their real significance.

First of all, in each of the years they occurred, the U.S. set new records in the export value of farm products. Secondly, despite all the talk of their impact on wheat prices, there was not one case where export of U.S. wheat were interfered with.

A prolonged dock strike at the East and Gulf ports this fall and winter will do much more damage to our reputation as a reliable supplier than have the so-called export embargoes of the past several years.

The United States has been the most reliable supplier of farm products to the world since the end of World War II. It remains so today. This is well recognized and understood abroad. We should emphasize it in our efforts to sell more abroad.

If we are going to continue the momentum of U.S. agricultural exports of the past five years, there are several actions that need to be taken:

First of all, we should emphasize our advantages as a supplier to the world market.

We should complete the policy framework we began several years ago regarding sales of U.S. farm products to Communist countries.

We should provide most-favored-nation tariff treatment on industrial products from the USSR since no country can continue to buy if it cannot sell.

We need to provide short-term government credit to the Peoples' Republic of China for the purchases of U.S. farm products.

We need to emerge from the multilateral trade negotiations with improved access to the markets in Western Europe and Japan.

We need to develop a policy framework for the development of export markets in the developing world.

Perhaps this last point is the most important of all. It means the development of a realistic alternative to the UNCTAD program which in reality is a non-starter as far as trade expansion is concerned. It is a political policy, not an economic policy.

In fiscal 1977 we exported about \$7.6 billion worth of U.S. farm products to developing countries. This is a substantial amount. In fact, it accounts for nearly one-third of our total exports of agricultural products.

Our greatest potential for increasing U.S. agricultural exports lies in the developing countries. The 1950's and 1960's were periods when we opened and developed markets for U.S. farm products in Western Europe and Japan. In the 1970's we opened and developed markets for U.S. agricultural products in the Communist countries. The 1980's will

need to be a period when we concentrate our efforts in the developing countries. We need to begin now, which means developing a policy framework by which the trade can be developed.

About two-thirds of our present U.S. agricultural exports are accounted for by grains, oilseeds and oilseed products. These have been the commodities of most dramatic export growth during the past five years. If the export values of livestock products are added to the list, about 80 percent of our annual agricultural exports are accounted for by grains, oilseeds and grain-related products.

One of our most successful export efforts in recent years has been in rice. Although the U.S. accounts for only about 1½ percent of the world's rice production, we are the dominant supplier of rice to the world market and usually supply between one-fourth and one-third of the world's export of rice. About 60 percent of our yearly rice production is exported.

U.S. exports of rice on a milled basis were about 2.1 million metric tons in the 1976/77 marketing year ended last July 21. Exports should remain at about the same level in 1977/78.

The amazing story about rice exports, however, is that they have fully recovered to the level of several years ago when we were supplying huge quantities of rice to Southeast Asia as part of our defense effort there.

When the U.S. withdrew from Viet Nam and the Khmer Republic in the spring of 1975, American rice growers lost a large part of their export market for U.S. rice. Exports plummeted from a record of 2.2 million tons in 1974/75 to only 1.7 million tons in 1975/76.

During the past two years, however, the American rice industry has found new markets for U.S. rice in Iran, Syria and Nigeria; and Indonesia has reemerged as a major market for U.S. rice under the Food for Peace Program.

The U.S. rice industry was able to develop new markets for U.S. rice during the past two years because domestic farm programs for rice have been developed and administered in a manner which has kept U.S. rice competitive in world markets while at the same time providing a degree of income protection to American rice growers.

The sudden loss of export markets in Southeast Asia in the spring of 1975 caused a tremendous buildup in U.S. rice stocks during the 1975/76 marketing year. In the summer of 1976, carryover stocks of U.S. rice were equal to one-third of our utilization of U.S. rice in 1976/77. Roughly half of these stocks were in the hands of the Commodity Credit Corporation (CCC) as a result of loan defaults under the federal price support program.

U.S. rice stocks at the end of the 1977/78 marketing year next summer may well be down again to pipeline levels. This supply adjustment will take place without any government program directed at cutting U.S. rice acreage. American rice growers made the supply adjustments themselves by responding to signals in the market, and the American rice milling and export industries have opened and developed new markets for U.S. rice, particularly in export markets. Admittedly, weather this year has also been a factor in the supply-adjustment process. This year's U.S. rice crop may be down 20 to 25 percent from last year, and probably will be the smallest crop since 1972.

With this year's smaller rice crop, it is important that the rice industry get access to the stocks now held by the Commodity Credit Corporation. Access to these stocks

will be necessary if the U.S. rice industry is to hold the new markets built during the past two years.

The Administration let the earlier sales policy for CCC-held rice to lapse in July. A new one has not yet been announced, despite our being in the third month of the 1977/78 marketing year. The lack of an announced sales policy for CCC-held rice stocks is badly hampering efforts to hold the newly-developed rice markets overseas.

A new record was set again this past marketing year in the export of U.S. soybeans and soybean products. New records should be set again in 1977/78. The larger supply and lower prices for U.S. soybeans in 1977/78 should stimulate demand for U.S. soybeans and meal abroad, particularly in the countries of the European Community where grain prices are kept artificially high by the price-support structure. The level of U.S. exports of soybeans and soybean products in 1977/78, however, ultimately will probably depend on the size of purchases of soybeans and soybean products from the world market by the USSR and the People's Republic of China.

Soybeans and their products have been one of the fastest growing sectors in U.S. agricultural exports in recent years. The value of U.S. exports of soybeans and soybean products has more than doubled since the summer of 1972. This has occurred despite a fourfold increase in soybean production in Brazil, with most of the increase in Brazilian production going into export.

The U.S. has expanded its export markets for U.S. soybeans and soybean products during the past five years because U.S. soybeans have remained competitive in world export markets. We have been fortunate that we have not had a price support structure that has caused us to be periodically uncompetitive in soybeans and soybean products.

Unfortunately, the U.S. Department of Agriculture has been talking of raising the CCC loan rate for soybeans. This could ultimately lead to our being uncompetitive in world markets. American soybean growers, processors and exporters are right in their unanimous opposition to raising the loan rate.

The major U.S. agricultural commodity with the most disappointing export performance during this past year was wheat and flour. Exports were down nearly 20 percent from the previous year, and for the first time in four years our exports of wheat and flour fell below a billion bushels.

Part of the decline in U.S. wheat and flour exports during 1976/77 was due to a general decline in world trade in wheat and flour as a result of record world wheat production. Unfortunately, however, the U.S. absorbed two-thirds percent of the world decline in trade. Canada, Australia and Argentina actually increased their exports of wheat and flour. The U.S. share of world exports, which had been averaging about half, fell to 42 percent. It may fall even lower in 1977/78.

The decline in the U.S. share of world trade in wheat and flour is basically the result of Canada, Australia, Argentina and several other countries pursuing much more aggressive export policies than in earlier years. Contrary to earlier beliefs, the higher government loan rate announced for wheat was not a factor in the decline in U.S. wheat and flour exports this past year. Early in the year, large quantities of wheat were readily available at discounts of up to 25 cents a bushel below the loan rate. The monopoly marketing boards in other exporting countries used other techniques such

as special pricing to increase their market shares.

The U.S. is being handicapped again this year by not having the same access as other exporting countries to the large Chinese market. China's greater imports in 1977/78 will account for much of the growth in world trade in wheat and flour this year.

The U.S. Government needs to be firmer in questioning of sales practices by the monopoly export boards of other countries, and if necessary, introduce measures designed to offset those practices.

Perhaps the most phenomenal success story in U.S. agricultural exports, however, has been in feed grains. The U.S. exported 50 million metric tons of feed grains in each of the last two marketing years. This is more than double annual exports prior to the summer of 1972.

U.S. feed grain exports are concentrated in a few key markets: Western Europe, Japan, the USSR, Eastern Europe, the Republic of China (Taiwan), Korea and Israel.

U.S. feed grain exports in 1977/78 may not be down as much as the U.S. Department of Agriculture is estimating. The Soviet Union is likely to be a much larger buyer of corn than the Department is now estimating.

Future work for U.S. feed grain should be primarily aimed at doing something about the European Common Market's import levy on corn. The levy is now \$2.70 a bushel. This is equivalent to 120 percent of the import value of U.S. corn being imported into the European Common Market and compares with prices of \$1.60 to \$1.70 a bushel that American corn growers are now receiving for their 1977 crop.

The European Common Market import levies are also exceedingly high for wheat and rice. At present, they are \$3.30 a bushel on wheat and \$4.45 a cwt. on long grain rice.

The U.S. will need to be exporting 100 million metric tons of grain—rice, wheat and flour and feed grains—on a sustained basis by the early 1980's if the U.S. grain/oilseed economy is to run at full capacity. An annual export rate of this level is clearly within our production capability, and with the right kinds of domestic farm policies and international trade policies it is makeable from a market standpoint.

Thank you, Mr. Chairman. I will be pleased to answer any questions.

#### PUBLIC BROADCASTING ACT

**HON. HARLEY O. STAGGERS**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Mr. STAGGERS. Mr. Speaker, today I introduced President Jimmy's Carter's legislative proposal (H.R. 9620) to strengthen our public broadcasting system and to insulate it from political manipulation. I welcome the President's interest in public broadcasting. At the request of the President's staff, we have had legislative counsel prepare the bill for introduction.

I have been deeply interested in broadcasting during my years in Congress. In presenting the first public broadcasting bill on the floor of the House in 1967, I commented that—

When all the factors that have made the 20th century such a great century have been considered and entered on the ledger books of history and a balance struck, I believe that the peculiar mark of this century will be that of wireless broadcasting. Without it, I believe we would be living in an entirely different world today, without a great many of the advances that we have made.

I still believe that today, 10 years later.

I urge my colleagues to give the President's message full consideration:

*To the Congress of the United States:*

I am transmitting to the Congress today proposals to strengthen our public broadcasting system and to insulate it from political manipulation.

The impact of television and radio on our lives can scarcely be overestimated. Television now bulks larger than all its rivals for our leisure time. In the daily routine of many individuals, it consumes more hours than family, school, church, or job. Radio is just as important; with some 400 million receivers in American homes, cars, and workplaces, radio listening is nearly as pervasive as the air that carries it.

In these circumstances, a strong and varied public broadcast system has a crucial role to play. Because it is free of the scramble for ratings, public broadcasting has room for experimentation and risk-taking. Public broadcasting is for all Americans. It can meet the needs of audiences that number in the millions but are seldom served anywhere else. That is why, during my campaign for the Presidency, I pledged my best efforts to strengthen it.

The bill I am submitting with this message continues and increases long-term Federal funding for public television and radio. Financial stability is needed if public broadcasting is to provide better programs for more citizens and protect those programs from political pressures.

The bill also makes statutory changes to increase cooperation, reduce overlap, and clarify the missions of the three primary national organizations in the field—the Corporation for Public Broadcasting (CPB), the Public Broadcasting Service (PBS), and National Public Radio (NPR).

These changes will also increase public broadcasting's insulation from inappropriate political influence. Other amendments will give it greater journalistic independence. I want to encourage public broadcasters at all levels to engage in active news reporting and public affairs programming. This Administration will not try to strafe controversy on public television and radio. No President should try to dictate what issues public broadcasting should cover or how it should cover them. And this legislation will make such an attempt more unlikely.

This bill also proposes amendments that require public broadcasting to:

Devote more resources to high-quality national programming.

Set long-range goals by which its progress can be judged.

Plan how public television and radio signals can be brought within reach of all citizens.

Provide greater accountability to the public.

Stimulate greater participation by minorities and women.

Without these statutory changes, not even a long-term authorization bill would insure diverse and high-quality programming.

Public broadcasting's organizational problems and its need for better planning and greater diversity should not blind us to its

accomplishments. In the ten years since the Public Broadcasting Act first provided Federal funds for programming, public broadcasting has set new standards in children's programs, drama, music, science, history, and educational services. Its coverage of local, state, and national hearings, its documentaries, and its in-depth news analyses have helped make government more understandable.

Public broadcasting has done more than simply entertain us. It has encouraged us and our children to think and to act. It has also pioneered in such technical innovations as captioning for the deaf, and satellite broadcasting.

This bill will renew Federal funding while improving the ways the money is spent. The money will be used, among other purposes, to:

Strengthen the PBS national television service to provide a first-rate schedule of cultural and public affairs programs.

Support and expand National Public Radio, which provides a lively alternative schedule that includes music, public hearings and events, news analysis, and original radio drama.

Plan the best use of the public broadcasting satellite system and other new communications technologies. These advances make possible new television and radio networks devoted entirely to adult instruction, children's programming, or the special needs of Hispanics, Blacks, women, the elderly, or other distinct audiences.

Extend the reach of public television and radio signals. All taxpayers contribute to public broadcasting, but only about half receive a good public television signal, and fewer than two-thirds can receive public radio.

Increase public broadcasting's contribution to in-school and adult instruction. Public television's most popular prime-time series have been widely used for college extension courses. Lifelong learning should remain one of its principal goals.

Increase employment, training, and ownership opportunities for minorities and women.

Support local, state, and regional programming. Programming of local interest is an important resource.

Except for the key area of national programming, this legislation does not mandate specific allocations of Federal funds for each of these purposes. It is desirable to allow CPB the flexibility to choose among competing priorities. But the bill does set a direction that allows all these efforts to be pursued.

My specific proposals are as follows:

#### ASSURE LONG-RANGE FUNDING

Enactment of this legislation will allow continuation of the present system of five-year authorization and two-year advance appropriations, which was designed to assist planning and enhance insulation. Congress is currently considering an appropriation of \$152 million for fiscal 1980, the last year of the current authorization. New legislation is needed early next year for public broadcasting to be included in next year's appropriations process.

The funds authorized in the enclosed bill total \$1.041 billion. This includes a five-year authorization for CPB at \$180 million for fiscal year 1981 and \$200 million in each of the four succeeding years. It also includes a separate grant program of \$30 million annually for technical facilities in fiscal 1979 and 1980, and \$1 million for telecommunications demonstrations by HEW in fiscal 1979. These figures represent recommended authorization levels. Appropriations requests

must come from the annual budget review process.

This bill maintains an authorized level of Federal funding at \$200 million after the second year. Such leveled funding will ensure that both we and the public broadcasting system will reexamine appropriate funding levels based on its needs and potential in 1979, after the new Carnegie Commission on the Future of Public Broadcasting delivers its report. This Commission has taken on the difficult job of looking at the public system's creative process in light of new technology. It is also examining both the existing sources of Federal and non-Federal funding and potential new ones. The Task Force that established the Commission has urged us and Congress to move forward with a long-term authorization and related structural issues so that it can concentrate on funding methods, technology, and programming.

Leveling the authorization also insures that in two years we and Congress will evaluate the success of the organizational and other changes proposed in this bill.

#### CLARIFY FUNCTIONS OF NATIONAL ENTITIES

Since 1967, most Federal funds for public broadcasting have gone to the Corporation for Public Broadcasting (CPB). CPB is an independent unit run by a 15-member Board appointed by the President and confirmed by the Senate. One of CPB's key missions is to distribute Federal funds for programming in ways that shield program content from political pressure. Another is to provide system-wide leadership in planning, budgeting, resource allocation, research, evaluation, fund-raising from private sources and government agencies, and development of new communications services.

The public radio and television networks are run by two other units that represent the local stations: National Public Radio (NPR) and the Public Broadcasting Service (PBS). The stations decide what programs get on the air. There are also five regional television networks and several special program exchanges like the Latino Consortium. National production centers exist at larger stations and at independent entities like Children's Television Workshop. All these units have their own programming staffs.

At present, CPB itself often chooses which individual programs or series to fund. This:

Reduces CPB's effectiveness as a political insulator.

Reduces its ability to focus on long-range planning and new educational services.

Duplicates staff, wastes money, and causes unproductive feuds between CPB and PBS, NPR, and other public broadcasting organizations.

The public cannot afford to pay duplicate organizations to do the same job. The greater the bureaucratic overhead, the smaller the sums that can be used for programming. It is time to define organizational roles clearly so that the public and program producers can understand how the system operates and there can be a rational, efficient basis for future planning.

I propose three steps to resolve this issue:

CPB's role would be clarified to be that of a system overseer operating much like an endowment or foundation. Based on its planning process, it would make broad allocations among radio, TV, and other distribution systems and among children's, public affairs, minority, and other program types. It would implement these decisions by giving annual or multi-year bloc grants to PBS, NPR, regional and other specialized networks, and production centers. The grantees would select the specific programs to be produced.

Two members chosen by PBS and two by NPR would be added to the CPB Board to increase both cooperation and insulation. (Four Presidentially appointed slots would be phased out to keep the total at 15.)

CPB would be required to prepare a five-year development plan for public broadcasting in concert with PBS and NPR to guide the allocation of Federal resources and update it annually in its report to Congress.

This will decentralize creative decisions, place them further from any potential political control, and refocus CPB on the important job of overall system development. But, under this mode of operation, CPB should require only a limited full-time staff to assist its Board in its priority setting and oversight tasks. It can draw upon distinguished experts in the arts, science, journalism, and education to help it evaluate current and future needs. This does not eliminate, but makes more appropriate, CPB's critical role in programming.

CPB would not need a substantial staff for program decision-making and program-related legal, public information, audience research, and similar functions. These operational tasks can be done by PBS, NPR, and other grantees without adding persons to their staffs.

CPB would need substantially fewer than its current staff of 130 to carry out its missions. The savings from these cuts and greater efficiency in CPB's retained functions should go into programming.

#### INCREASE FUNDS ALLOCATED FOR ADDITIONAL PROGRAMMING

There are now 271 public television stations and 203 public radio stations. They provide a vital service to their states and communities. But each of these stations cannot separately produce the high quality cultural, public affairs, and instructional programming their communities need.

Federal support for strong national program services was a principal recommendation of the first Carnegie Commission. It was a primary aim of the 1967 Act that created CPB. But CPB now devotes only \$17 million of its current \$103 million appropriation directly to national programming. In addition, about \$19 million of the \$58 million CPB gives to local stations is pooled for that purpose.

More Federal funds should be concentrated on national programming. By devoting more funds to national needs, public broadcasting can give producers adequate lead time and budget to create high quality domestic productions. It can and should support more first-rate production centers, like Children's Television Workshop and similar centers for independent producers, minorities, educators, and women. It can provide the complete coverage of news events, such as important Congressional hearings, that commercial broadcasting rarely offers.

This bill provides that at least 25% of funds appropriated to CPB in future years shall be used for a National Programming Fund for bloc grants for such productions. This will insure that by FY 1982 up to \$50 million, depending on the appropriation level, would be earmarked for national programming. These programs will continue to be produced on a decentralized basis by producers throughout the country, but intended for national distribution.

In addition, I call on the public broadcasting system to devote another 25% of the Federal money to national programming. The stations can do this by pooling money, as the TV stations do now through the Station Program Cooperative, or it can be done by other mechanism. This would provide a total of up to \$100 million for national programming in FY 1982. Minorities, women, and independent as well as station producers should have

access to these funds as well as those in CPB's National Programming Fund.

Local, state, and regional services also need substantial support. A significant aspect of that support has been the funds CPB passes through to local stations for their discretionary use for local or national purposes. Unlike the current law, my bill does not place either a ceiling or floor on those funds. Allocations for this purpose should be made from year to year, as determined through CPB's cooperative planning process with PBS, NPR, and the licensees.

I also call on the other funding sources—particularly the states—to hold up their end of this funding partnership. Currently, non-Federal sources such as state and local governments, individuals, foundations, and corporations still supply the vast bulk of funds for local public stations. But, while Federal funds and individual contributions have increased during the past few years, state funds have levelled off.

As a former governor, I know the pressures on state budgets. But state support of public broadcasting, which brings state legislative proceedings and other vital services to citizens, should be maintained. I urge states that have contributed to do more, and those that have not, to begin.

#### REDUCE THE PERCENTAGE PUBLIC BROADCASTING MUST RAISE TO MATCH CPB FUNDS

The current law requires the system to raise \$2.50 for every \$1.00 the Federal Government gives CPB. CPB has indicated that such levels of non-Federal support cannot be achieved to match the proposed increased authorizations.

Even if states increase their share, there are realistic limits to the amounts that public broadcasting can hope to raise by on-air appeals to its audience and by corporate and foundation support. I am therefore proposing a reduction in the match to \$2.25-to-\$1.00. This figure assures a continued incentive for fund-raising without asking the system to achieve the impossible. The minimum dollar amount of matching funds that could be required to meet the upper limit of appropriations under this bill would rise gradually until the authorization is levelled off.

CPB itself can also increase incentives for non-Federal funds. It might revise its formula for allocation of local community service grants to encourage such support. Individual citizens should recognize that their funds help maintain the diversity and independence of their local stations.

I intend to review the matching concept and formula in 1979 after assessing its impact on fund raising and the Carnegie Commission's report as to future funding sources and needs.

#### TRANSFER PUBLIC COMMUNICATIONS FACILITIES PROGRAM FROM HEW TO CPB

A key part of my plan is the effort to bring public broadcasting to as many people as possible. Much of the Federal funding for station facilities comes from the Educational Broadcast Facilities Program now run by HEW. That effort should be fully coordinated with the system's own long-range planning. I am therefore recommending that this program be transferred to CPB.

As part of the planning required by this bill, CPB will estimate the cost of reaching as close to the total American population as would be feasible using the most efficient technologies. For the next two years, pending submission of such a plan, I propose to continue the Facilities Program's present \$30 million annual authorization.

I also propose changes in the Facilities Program to:

Make assistance to minority public television and radio stations a funding priority. No public television station in the conti-

mental United States is operated by a minority-controlled institution, although Howard University and others have applied for licenses. There are only a handful of minority-controlled public radio stations.

Allow planning grants to be made to groups wishing to start stations. These grants would enable them to do the legal, engineering, and other studies needed to apply for actual communications facilities.

Make regional networks and other groups of stations eligible for facilities funds.

Make facilities grants open to any broadcast or nonbroadcast communications technology chosen by an eligible applicant. Federal funds should support the most efficient technical means to make publicly funded programming available to the widest audiences.

CPB will be able to use a portion of the facilities funds being transferred for demonstrations of new public service delivery systems, such as two-way communication via satellite.

#### ENCOURAGE JOURNALISTIC INDEPENDENCE

Unlike commercial broadcasters, public broadcasters are forbidden by current law to editorialize on issues of public importance. This ban makes sense for stations licensed to a state or local government instrumentality. But Congress has recently amended the tax code to allow private non-profit organizations to advocate positions on public issues. The Public Broadcasting Act should be similarly amended to allow non-governmental licensees to exercise their First Amendment rights.

This change would not require editorials, but it would permit them. Public broadcasters should have an equal opportunity with commercial broadcasters to participate in the free marketplace of ideas.

States hold about half of the U.S. public television station licenses. Another step toward journalistic independence would be for state and local governments to better insulate these stations. The danger of undue political control is as real here as at the Federal level. This bill does not compel any particular form, but I want to encourage states to establish independent boards to assure insulation.

#### REQUIRE PUBLIC ACCOUNTABILITY

Independence from government control does not mean a public station has no obligation to account for its stewardship. But such accountability is best exercised directly to the local citizens who contribute to the station's support. I therefore propose sunshine for public stations that receive Federal funds; they should be required to open their board meetings and financial records to the public.

This legislation is not intended to restrict a public station board's privacy on personnel matters, or otherwise sanction unwarranted invasions of personal privacy. But local citizens should have access to the basic decisions public stations make in allocating tax funds and private donations. This is already standard practice at CPB, PBS, NPR, and many public stations.

#### INCREASE PARTICIPATION OF MINORITIES AND WOMEN

This bill makes it clear that the employment discrimination laws apply to stations and other producers that receive CPB funds. It conditions such grants on nondiscrimination, just like receipt of a grant from a Federal agency. Since CPB is not a Federal agency, enforcement of this requirement will be delegated to a Federal agency with expertise in this field.

This change, combined with making minority ownership a goal of the facilities program, will help bring greater diversity to the decision-making levels of public broadcasting. But statutory amendments alone are not enough. Public broadcasting should

make its own effort to become an entry-level training ground and model for the other media in meeting the needs of women, Blacks, Hispanics, and other minorities.

**STUDY OF FEDERAL AGENCY PROGRAM FUNDING**

Last year approximately \$25 million was contributed to public broadcasting directly by four agencies—HEW, the National Endowment for the Arts, the National Endowment for the Humanities, and the National Science Foundation.

This is an important source of Federal funds that is outside of the CPB appropriation. It accounts for one-fourth of the national public TV schedules, as well as many local and state productions. And it is not covered by CPB's insulation from political pressure.

This funding should be coordinated with the work of CPB, PBS, and NPR to assure that it is used efficiently for programs that get on the air. I propose that CPB inventory all such grants in its annual report to Congress and that it act as a consultant to the agencies and a clearinghouse for grant information. In addition, we are drafting administrative rules for the agencies to assure there is no improper manipulation of program content.

**PUBLIC STATION FREQUENCY ALLOCATIONS AND RECEPTION**

Most public television stations are on UHF channels, and most public radio stations are on the FM band. I urge the Federal Communications Commission to seriously consider pending proposals that would bring public television and radio closer to parity with commercial stations. These include proposals for better standards for TV set reception of UHF channels and better allocation of FM channels for public radio. I am hopeful that the new leadership at the FCC will give UHF and FM improvements priority attention.

Better spectrum management and reception standards may do more to make public broadcasting more widely available than substantial Federal grants for transmitters and increased power. The costs and benefits of each approach should be carefully weighed.

I urge Congress to consider promptly, and to pass the legislation I am submitting containing the proposals described in this message. This will provide a firm foundation for planning the next decade of public communications in this country.

JIMMY CARTER.

THE WHITE HOUSE, October 6, 1977.

**AID LEVELS AND EXPENDITURES TO THE MIDDLE EAST**

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues correspondence I have had with the Office of Management and Budget (OMB) on the aid expenditures to states in the Middle East over the last 5 fiscal years. OMB has provided me with a series of useful charts on our program levels and budgetary expenditures for Israel, Egypt, Jordan, and Syria. Each category of assistance is detailed.

These statistics indicate that from fiscal year 1974 through fiscal year 1978, nearly \$15 billion in assistance has been provided to this one region. Israel will receive over \$10 billion in assistance from the United States. Egypt will have received \$3.2 billion, Jordan \$1.1 billion, and Syria \$425 million. Over these same 5 years, Israel will receive 35.7 percent of total worldwide security supporting assistance funds (SSA), and 51.3 percent of total FMS financing, while Egypt will receive 33.5 percent of SSA funds. The Middle East accounts for over 78.6 percent of all SSA funds for this period.

This information provides a useful indicator of our deep involvement and high stakes in the Middle East and in the process of peace. Without some progress toward peace, it may be difficult to justify to the American people such large outlays indefinitely.

The material provided by OMB, which has been supplemented by my staff to include totals and percentages, follows:

COMMITTEE ON INTERNATIONAL RELATIONS, August 19, 1977.

Mr. BERT LANCE, Director, Office of Management and Budget, Washington, D.C.

DEAR MR. LANCE: I would like your office to prepare a list of all expenditures from the

Budget from Fiscal Year 1974 to 1977 for Israel, Egypt, Syria and Jordan.

These figures should be broken down into major categories of expenditures so as to give a fair picture of the nature of assistance.

In addition, I would like to have your estimates for these expenditures in Fiscal Year 1978.

I thank you for considering this request and hope you will be able to provide an early reply. If you need further information, Mike Van Dusen, Staff Director of my subcommittee, can be reached at 225-3345.

With best regards,

Sincerely yours,

LEE H. HAMILTON, Chairman Subcommittee on Europe and the Middle East.

OFFICE OF MANAGEMENT AND BUDGET, Washington, D.C., October 4, 1977.

HON. LEE H. HAMILTON, Chairman, Subcommittee on Europe and the Middle East Committee on International Relations, Washington, D.C.

DEAR MR. HAMILTON: The enclosed tables are forwarded in response to your August 19, 1977 query. The data presented in them were cross-checked with the appropriate agencies to insure that they were accurate and up to date. In some instances they may vary from statistics found in other publications, but this would be the result of their reflecting more recent information or their being rounded for brevity of presentation.

In your letter, you requested budgetary expenditures to Egypt, Israel, Jordan, and Syria. Since we believe that this statistic alone would not be a useful frame of reference for a comparison of U.S. programs to these countries, we have provided you with program level (obligations), budget authority, and outlays (expenditures).

U.S. funds provided to international organizations such as the United Nations or international financial institutions were not included in the enclosed tables. It would be extremely difficult to trace U.S. dollars through the budgets of these organizations to determine the specific U.S. portion of any country's program.

I hope that you find the enclosed material useful.

Sincerely,

HUBERT L. HARRIS, Jr., Assistant to the Director.

Enclosures.

TOTAL AID PROGRAM LEVELS BY CATEGORY OF ASSISTANCE FOR PERIOD FISCAL YEARS 1974-78

[In millions of dollars]

	Egypt	Israel	Jordan	Syria		Egypt	Israel	Jordan	Syria
Foreign military sales credit.....		4,300.0	265.5		Export-Import Bank:				
Emergency security assistance.....		2,182.7			Direct loans.....	75.5	168.8	3.8	
Military assistance program.....			273.9		Guarantees.....	50.2	412.4	40.0	1.0
International military education and training.....	0.2		4.9		Refugee assistance.....		108.3		
Middle East special requirements fund.....			10.0	83.0	Israel-United States Binational Industrial Research and Development Foundation.....		30.0		
Security supporting assistance.....	2,503.3	2,669.5	426.3	265.0	American schools and hospitals abroad.....	1.4	15.3		
Desalination.....		20.0			USIA.....	3.4	4.4	2.4	1.5
Public Law 480 food.....	538.4	40.9	52.1	68.5	State Department.....	48.2	15.3	6.7	6.0
Housing guarantees.....		125.0			Total.....	3,220.6	10,087.6	1,082.6	425.0

TOTAL AID PROGRAM LEVELS BY FISCAL YEAR

[In millions of dollars]

	1974	1975	1976	1977	1978	Total
				(estimate)	(estimate)	(1974-78)
Egypt.....	119.7	271.1	459.1	538.8	924.4	3,220.6
Israel.....	2,726.8	797.9	2,476.8	307.7	1,937.8	10,087.6
Jordan.....	116.3	202.9	201.1	88.8	238.9	1,082.6
Syria.....	.4	91.1	42.0	78.9	100.9	425.0
Total.....	2,963.2	1,363.0	3,179.0	1,014.2	3,202.0	14,815.8



	1974 actual			1975 actual			1976 actual			1977 estimate			1978 estimate		
	Pro-gram	BA	Outlay	Pro-gram	BA	Outlay	Pro-gram	BA	Outlay	Pro-gram	BA	Outlay	Pro-gram	BA	Outlay
Export-Import Bank:															
Direct loans.....	3.8	3.8	2.1			7.5	1.4	.3		1.4	.4				
Guarantees.....	6.2	1.6		2.9	.7								28.1	7.0	
Refugee assistance.....													NA	NA	NA
Israel-United States Binational Industrial Research and Development Foundation.....															
American schools and hospitals abroad.....															
U.S.I.A.....	.3	.3	.3	.3	.3	.3	.3	.3	.3	.8	.8	.1	.3	.3	.3
State Department.....	.8	.8	.8	.8	.8	.8	1.0	1.0	.9	.4	.4	.3	1.7	1.7	1.3
SYRIA															
Foreign military sales credit (FMS).....															
Emergency security assistance.....															
Military assistance (Grant MAP).....															
International military education and training (IMET).....															
Middle East special requirement fund.....				83.0	83.0	( <sup>2</sup> )			1.7			NA		20.5	NA
Supporting assistance (total).....							16.5	16.5	.7	78.5	78.5		80.0	80.0	47.8
Suez area reconstruction Development.....							14.5	14.5	NA	78.5	78.5	NA	74.7	74.7	NA
Commodity import.....															
Cash grant.....															
Budget support.....							2.0	2.0	NA				5.3	5.3	NA
Technical assistance.....															
Desalination.....															
Public Law 480 food.....				7.1	7.1	7.1	24.3	24.3	24.3				17.9	17.9	17.9
Housing guarantees.....															
Export-Import Bank:															
Direct loans.....															
Guarantees.....													( <sup>3</sup> )	( <sup>3</sup> )	
Refugee assistance.....													1.0	.2	
Israel-United States Binational Industrial Research and Development Foundation.....															
American schools and hospitals abroad.....															
USIA.....	.2	.2	.2	.3	.3	.3	.2	.2	.2	.1	.1	.1	.3	.3	.3
State Department.....	.2	.2	.1	.7	.7	.6	1.0	1.0	1.0	.3	.3	.3	1.7	1.7	1.2

<sup>1</sup> Includes transition quarter.

<sup>2</sup> Less than \$50,000.

<sup>3</sup> \$1.5 billion forgiven.

<sup>4</sup> 50 percent forgiven.

<sup>5</sup> Export market value.

<sup>6</sup> Funded under the development loan fund or development assistance but included in supporting assistance for brevity of presentation.

## PRESIDENT CARTER AND THE TRI-LATERAL COMMISSION: ARTICLE III

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. McDONALD. Mr. Speaker, until recently the policies, plans and operations of the Trilateral Commission established by Chase Manhattan Bank head David Rockefeller were the concern of a relatively small number of expert political analysts. Now thanks to the pioneering examinations by conservative political analysts of this powerful special interest group working to influence our Government's policies, the activities of the Trilateral Commission are beginning to receive a public airing.

In recent weeks several of my constituents have submitted extensive magazine articles and newspaper stories on the Trilateral Commission. Several of these are of particular interest and I intend to submit them for the attention of my colleagues.

Attached is the second article in the series by Craig Karpel which appeared in September 1977:

WHO RUNS JIMMY CARTER?

(By Craig S. Karpel)

The President and Vice-President of the United States and the Secretaries of State,

Defense and the Treasury are Commissioners of an elite international organization that is on record as being opposed to democracy.

The key strategy of this organization has been to install one of its 67 United States Commissioners in the nation's highest elective office, thus enabling him to choose a Vice-President and Cabinet from its ranks. This strategy has been stunningly successful. Jimmy Carter was selected more than four years ago to be this organization's candidate for the Presidency. At that time, Carter was governor of Georgia and a political unknown.

This organization has issued a report advocating the limitation of democracy by such means as Governmental secrecy, laws allowing public officials to sue reporters for libel, regulation of the press and reduced higher education.

In his speech accepting the Democratic Presidential nomination, Carter denounced "unholy, self-perpetuating alliances [that] have been formed between money and politics." Carter and Mondale are the only major U. S. political figures who are Commissioners of this organization, most of whose members are the world's most influential and powerful bankers and businessmen.

This remarkable organization is called the Trilateral Commission. It was founded and funded in 1973 by David Rockefeller. Rockefeller is a prominent Republican, youngest brother of Nelson Rockefeller and chairman of New York's giant Chase Manhattan Bank. He is widely considered to be the preeminent leader and spokesman of the international banking community. The purpose of the Trilateral Commission is to weld the corporate and financial sectors of the United States, Western Europe and Japan into a united front to cope with the escalating demands of

disadvantaged groups at home and underdeveloped countries abroad.

Until two weeks before Carter's nomination, the Trilateral Commission was headed by Zbigniew Brzezinski, now the National Security Advisor to the President (the post to which Henry Kissinger was originally appointed). Brzezinski contrasts himself with Kissinger by noting that Kissinger was formerly an employee of Nelson Rockefeller, while he is an "associate" of David Rockefeller. In contrast to Carter's human-rights campaign, a recent article by Brzezinski in *Foreign Policy*, "America in a Hostile World," proposes that the U.S. stop championing democracy in the world arena.

A delegate to the Democratic National Convention attempted to deliver a speech revealing Carter's relationship to David Rockefeller, Zbigniew Brzezinski and the Trilateral Commission, but was cut off as he spoke.

Before the election, Carter's then-campaign manager and current staff chief Hamilton Jordan said in *Playboy* that he would quit if Carter were to appoint Trilateral Commissioners Brzezinski and Cyrus Vance to his Administration. In addition to Brzezinski and Vance, Carter's appointments of Trilateral Commissioners include Harold Brown as Secretary of Defense, W. Michael Blumenthal as Secretary of the Treasury, Warren Christopher as Deputy Secretary of State, Richard Cooper as Undersecretary of State for Economic Affairs, Richard Holbrooke as Assistant Secretary for East Africa and Pacific Affairs, Richard Gardner as ambassador to Italy and Paul Warnke as director of the Arms Control and Disarmament Agency and chief negotiator at the abortive Strategic Arms Limitation talks with the

Soviet Union. Most recently, Carter appointed Gerard C. Smith, North American chairman of the Commission, as ambassador at large for international nuclear-power negotiations. Jordan has not yet submitted his resignation.

Jimmy Carter has presented himself to the American people as, variously, a populist, a conservative, a liberal, a born-again Christian and an aficionado of Bob Dylan. In reality, he was chosen to be President by the quasi secret coordinating council of the financial and corporate elite of the United States, Western Europe and Japan. Contrary to his public positions, Carter is expected by this council to preside over the implementation of its basic program: the reduction and limitation of democracy at home and accommodation with undemocratic regimes abroad.

The time has come for the President of the United States to explain his continued association with the Trilateral Commission to the American people. Does Carter subscribe to the Commission's proposals for limiting democracy? If not, he must explain why he did not resign from the Commission long ago. He must publicly repudiate Brzezinski and dismiss other Trilateral Commissioners from his Administration.

If Jimmy Carter does subscribe to the Commission's proposals, the American public has a right to know how he justifies his participation in a plan to use the Presidency as a vehicle for limiting the democratic process.

#### THE TRILATERAL WORLD

The Trilateral Commission calls its headquarters on Manhattan's East 46th Street its Secretariat—a nomenclature designed to parallel that of the United Nations building down the block, and to subtly implant the notion in the minds of those who receive correspondence on its ostentatiously plain letterhead that it has proto-governmental powers.

According to Richard J. Barnet and Ronald E. Müller in *Global Reach: The Power of the Multinational Corporations*, the Trilateral Commission is an "attempt by David Rockefeller to organize 'leading citizens' of the United States, Japan and Western Europe . . . designed to minimize the friction and competition that divide the giants and make them more vulnerable to the organizing efforts of the poor."

The Trilateral Commission was founded in July 1973 by David Rockefeller and Zbigniew Brzezinski. Initial funding came directly from Rockefeller. Approximately 200 Commissioners were chosen by Rockefeller and Brzezinski from among the world's most influential industrialists and financiers. The inclusion of a few academics, labor leaders and politicians has not kept the Commission from being called "a rich man's club" in the pages of *Foreign Affairs*, published by the Council on Foreign Relations, itself often called a rich man's club.

Jimmy Carter has given an eloquent description of his fellow Trilateral Commissioners. It came during the speech by which he accepted the Democratic nomination, in which he described:

. . . a political and economic elite who have shaped decisions and never had to account for mistakes nor to suffer from injustices. When unemployment prevails, they never stand in line looking for a job. When deprivation results from a confused welfare system, they never do without food, or cloth-

ing, or a place to sleep. When the public schools are inferior or torn by strife their children go to exclusive private schools. And when the bureaucracy is bloated and confused, the powerful always manage to discover and occupy niches of special influence and privilege.

In the 1973 Prospectus of the Trilateral Commission, David Rockefeller said that he intended "to bring the best brains in the world together to bear on the problems of the future." Professor Richard Falk holds the Albert G. Milbank chair of International Law and Practice at Princeton University. He is a colleague of Brzezinski's on the editorial board of *Foreign Policy* but doesn't think much of Brzezinski's pet project.

"Unless 'the best brains' are defined as those inhabiting the most affluent bodies," says Professor Falk, "It has many intelligent individuals, but virtually none of the best brains among its membership. It does bring together a very impressive array of influentials, almost all of whom possess easy and effective access to the topmost levels of power, wealth and prestige.

"In *Dialogue*, the newsletter of the Commission, Rockefeller is reported as believing that 'private citizens are often able to act with greater flexibility than governments in the search for new and better forms of international cooperation.' What is not explicit . . . is a fear about the consequence of uncooperative governments that become beholden to domestic constituencies whose interests are at variance with those of the multinational corporation, because such constituencies become either nationalistic, or ideological, or humanistic. . . .

"First of all, its formation expresses a general recognition by the elites in the most powerful states that there is an emergent global crisis of unprecedented proportions that involves, in particular, the capacity of capitalism to adapt to the future . . . Second, the Commission's formation reflects the view that national governments are not necessarily capable on their own of working out the adaptations that are necessary to sustain the existing elites in power. . . . Such a non-governmental initiative can be currently understood as a complement to the managerial geopolitics of Henry Kissinger, which, by its stress on a so-called 'structure of peace,' conceivably imperils the structure of wealth constituted by the capitalist sector of the highly industrialized portion of the world. The Trilateral Commission can be conceived, I think, as a geoeconomic search for a managerial formula that will keep this concentration of wealth intact, given its non-territorial character and in light of the multiple challenges to it from Arab oil interests, the Communist bloc and various expressions of statism. In a sense, the vistas of the Trilateral Commission can be understood as . . . representing the transnational outlook of the multinational corporation.

"The Trilateral Commission embodies a strategy of transition that does not emphasize empathy and equity, much less equality, and hence has to rely upon patterns of dominance, repression and violence, administered if possible by territorial governments that provide local police protection."

#### JIMMY CARTER AND THE CRISIS OF DEMOCRACY

The most noteworthy project of the Trilateral Commission has been the report of its Task Force on the Governability of Democracies, which was set up in the spring of 1974. The task force included Zbigniew

Brzezinski in its meetings and submitted its report, titled *The Crisis of Democracy*, in 1975. The report's section on the United States was written by Professor Samuel P. Huntington. Huntington holds the Frank G. Thomson chair of Government at Harvard University and its associate director of Harvard's Center for International Affairs. He is a founder and editor of *Foreign Policy*. He has been a consultant to the policy-planning council of the Department of State, the Agency for International Development and the office of the Secretary of Defense. It was Huntington who lent intellectual validity to the carpet-bombing of South Vietnam—to "dry up" the base of the Viet Cong in the countryside by driving the rural population into refugee camps and cities, where they would be under the control of the South Vietnamese military government. His books include *The Common Defense: Strategic Programs in National Politics* (1961) and *Political Power: USA/USSR* (1964), co-authored with Zbigniew Brzezinski.

The Trilateral report begins by describing the "democratic surge of the Sixties."

The predominant trends of that decade involved the challenging of the authority of established political, social and economic institutions, increased popular participation in and control over those institutions, a reaction against the concentration of power in the Executive Branch of the Federal Government and in favor of the reassertion of the power of Congress and of state and local government, renewed commitment to the idea of equality on the part of intellectuals and other elites, the emergence of "public interest" lobbying groups, increased concern for the rights of and provision of opportunities for minorities and women to participate in the polity and economy, and a pervasive criticism of those who possessed or were even thought to possess excessive power or wealth. The spirit of protest, the spirit of equality, the impulse to expose and correct inequities were abroad in the land.

"Views as to what constitutes the precise desirable balance between power and liberty, authority and democracy," the report continues, ". . . obviously differ. . . . Some fluctuation in the balance is not only acceptable but may be essential to the effective functioning of constitutional democracy. At the same time, excessive swings may produce either too much government or too little authority. The democratic surge of the Sixties raised once again in dramatic fashion the issue of whether the pendulum had swung too far in one direction"—i.e., in the direction of liberty and democracy.

The report of the Trilateral Commission concludes that the pendulum has indeed swung too far. "The vigor of democracy in the United States in the Sixties thus contributed to a democratic distemper, involving the expansion of Governmental activity on the one hand and the reduction of Governmental authority on the other." ["Distemper. 1. (a) . . . a specific infectious disease of young dogs . . . 2. a deranged condition of mind or body; a disorder or disease 3. disorder or disturbance, esp. of a political nature," *The Random House Dictionary of the English Language*, 1967 edition—C.S.K.]

"Finally, a government which lacks authority and which is committed to substantial domestic programs will have little ability, short of a cataclysmic crisis, to impose on its people the sacrifices which may be necessary to deal with foreign-policy problems and defense. . . . The U.S. Government has

given up the authority to draft its citizens into the Armed Forces and is now committed to providing the monetary incentives to attract volunteers with a stationary or declining percentage of the Gross National Product. . . . The question necessarily arises, however, of whether in the future, if a new threat to security should materialize, as it inevitably will at some point, the Government will possess the authority to command the resources and the sacrifices necessary to meet that threat.

"The implications of these potential consequences of the democratic distemper extend far beyond the United States. For a quarter century, the United States was the hegemonic power in a system of world order. The manifestations of the democratic distemper, however, have already stimulated uncertainty among allies and could well stimulate adventurism among enemies. If American citizens don't trust their Government, why should friendly foreigners? If American citizens challenge the authority of American Government, why shouldn't unfriendly governments? . . . A decline in the governability of democracy at home means a decline in the influence of democracy abroad."

Translated from the tortured Trilateralism of the report, what the Commission is saying is that the United States was forced out of Vietnam by too much democracy at home, thereby losing its credibility as a world military power—and that this trend must be stopped. Then comes the most ominous paragraph of all:

"Al Smith once remarked" the report continues in sober Roman type, which is italicized here, "that 'the only cure for the evils of democracy is more democracy.' Our analysis suggests that applying that cure at the present time could well be adding fuel to the flames. Instead some of the problems of governance in the United States today stem from an 'excess of democracy.' . . . Needed instead, is a greater degree of moderation in democracy."

"In practice, this moderation has two major areas of application. First, democracy is only one way of constituting authority, and it is not necessarily a universally applicable one. In many situations, the claims of expertise, seniority, experience and special talents may override the claims of democracy as a way of constituting authority. . . . The arenas where democratic procedures are appropriate are, in short, limited."

"Second, the effective operation of a democratic political system usually requires some measure of apathy and noninvolvement on the part of some individuals and groups. In the past, every democratic society has had a marginal population, of greater or lesser size, which has not actively participated in politics. In itself, this marginality on the part of some groups is inherently undemocratic, but it has also been one of the factors which has enabled democracy to function effectively."

Astonishingly, the Commission insists that it is inherently undemocratic factors that enable democracy to function. "Marginal social groups, as in the case of the blacks, are now becoming full participants in the political system. Yet the danger of overloading the political system with demands which extend its functions and undermine its authority still remains. Less marginally on the part of some groups thus needs to be replaced by more self-restraint on the part of all groups. . . ."

"Democracy is more of a threat to itself in the United States than it is in either Europe or Japan, where there still exist residual inheritances of traditional and aristocratic values. . . . In the United States, the strength of democracy poses a problem

for the governability of democracy in a way which is not the case elsewhere.

"The vulnerability of democratic government in the United States thus comes not primarily from external threats, though such threats are real, nor from internal subversion from the left or the right, although both possibilities could exist, but rather from the internal dynamics of democracy itself in a highly educated, mobilized and participant society. . . . A value which is normally good in itself is not necessarily optimized when it is maximized. We have come to recognize that there are potentially desirable limits to economic growth. There are also potentially desirable limits to the indefinite extension of political democracy."

The Commission ends with several recommendations of ways "to restore a more equitable relationship between governmental authority and popular control," including: Centralized economic and social planning. "Centralization of power within Congress." Repeal of laws prohibiting political contributions by corporations, which "serve little useful purpose."

Improved working conditions to reduce pressure for "industrial democracy modeled on patterns of political democracy."

"A program . . . to lower the job expectations of those who receive a college education."

Such limitations on freedom of the press as "prior restraint" of what newspapers may publish in unspecified "unusual circumstances," the assurance "to the government [of] the right and the ability to withhold information at the source," "moving promptly to reinstate the law of libel as a necessary and appropriate check upon the abuses of power by the press," and press councils enforcing "standards of professionalism," the "alternative [to which] could well be regulation by the government."

The Crisis of Democracy was presented to the full membership of the Trilateral Commission on May 30-31, 1975, at a plenary meeting at the ultramodern convention complex outside Kyoto, Japan. "It looked like one of those meetings of S.M.E.R.S.H. they always have in Ian Fleming movies," says one observer. "You know—the ones where they carve up the world and say 'James Bond must die!'" Jimmy Carter and Walter Mondale were in attendance, Carter's presence was the most flamboyant of all. Newsweek was sufficiently impressed to begin its story of the Kyoto meeting with a reference to Carter's campaign activities at the meeting—almost a year before his primary pluralities brought him to national prominence. Carter spent much of his time huddled with Zbigniew Brzezinski, who, speaking from the dais, praised Carter's candidacy in front of the Commissioners.

When *The Crisis of Democracy* was presented, a lively discussion ensued. One Commissioner said that the report would do well to balance its focus on governability with an equal concern for protection of the rights of citizens. Another Commissioner agreed, suggesting that it might be more appropriate to examine the excesses of the governors than those of the governed. Another insisted that the need was not for "less democracy," that, contrary to the pessimism of the report, recent developments indicate "triumph" and a "finest hour" for American democracy.

Throughout the debate on the report, Jimmy Carter remained conspicuously silent. "He just sat there trying to look statesmanlike," says one observer. He did not have to be concerned that he would read about his abstention in the next day's New York Times,

because the ground rules under which reporters were admitted to the meeting forbade them—as if in accordance with the report's advocacy of prior restraint and secrecy—from attributing statements to Commissioners by name.

#### THE MAKING OF JIMMY CARTER 1973

Jimmy Carter was appointed to the Trilateral Commission by David Rockefeller in the fall of 1973. It is surprising to find Carter, who did not become known nationally until the spring of 1976, sitting as an equal with global luminaries of the stature of Giovanni Agnelli, usually considered the most powerful man in Italy, the chief executive officers of two out of three of the world's largest banks, the former foreign minister of West Germany, the current foreign minister of Japan, the head of the world's largest oil company, the head of the United States' largest oil company, partners of several of the most powerful investment-banking houses on earth and the cream of Japanese industry and finance, including the heads of the Bank of Tokyo, Sony, Hitachi, Seiko, Datsun and Toyota. What was an obscure Southern peanut warehouseman and local politician with no national—let international—reputation doing in such company?

Carter's membership on the Trilateral Commission had its origin in David Rockefeller's desire to install Zbigniew Brzezinski in a high State Department or White House foreign-policy-making role in the Administration taking office in January 1977. It was Rockefeller's feeling that his efforts to construct a post-Vietnam world order were being hampered by Henry Kissinger's neo-Metternichian balance-of-powers approach. Kissinger and Nixon wanted to broker a triangular alliance between the United States, China and Russia that would give those three national governments the strength to negotiate with their emerging common adversaries: the developing world—most immediately, the Arab and Iranian oil producers. Rockefeller believed that the international banking community, of which he is the most influential member, and the multinational corporations that form its clientele would pay the price for such a deal. The national interest of the U.S. as a sovereign state would be put before the profits of the multinationals that are headquartered in the U.S. but, because of their global operations, have been rapidly sloughing off their national allegiance.

David Rockefeller envisioned the formation of a smaller, tighter, less grandiose and more manageable triangle than the one his brother, Nixon and Kissinger were trying to pull together: a gentlemen's agreement among the United States, Japan and Western Europe that would be able to resist, and ultimately profit from, the economic demands of the rest of the world. The Trilateral world would be the new model of yesterday's Free World—with the anti-communism dropped and the under-developed countries added to the enemies list. Brzezinski has called his ultimate goal "a community of the developed nations." The ideological baggage of the post-World War Two era would be jettisoned and replaced with a naked economic self-justification that could have been lifted from the late Lyndon B. Johnson's characterization of the Communist bloc while addressing troops in Korea: "They want what we got, but we ain't gonna give it to 'em."

This Trilateral entente was not, however, to be brokered by the national governments of the three regions. It was to be directly negotiated by representatives of the indus-

trial and financial communities involved. Rockefeller subscribed to the view expressed by U.S. industrialist John Diebold in the fall 1973 issue of *Foreign Policy* in an article titled "Multinational Corporations: Why Be Scared of Them?" in which Diebold maintained that "the logical and eventual development [of the increased role of multinational corporations] . . . would be the end of nationality and national governments as we know them." Which was all right by David Rockefeller, who was worried by the prospect of increased regulation and taxation of the multinationals by national governments. Rockefeller did not want to stick any feathers in the caps of the national governments that Diebold saw withering away—much to the convenience of the multinationals—by allowing them to broker the Trilateral entente. Multinational corporations don't want nations—they want multinationals.

David Rockefeller considers himself to be a citizen of the world. His bank's and his family's business interests are worldwide. He is as comfortable conversing in French as in English. He spends as much of his time as possible on the tiny Caribbean island of St. Barthelemy, a French possession, where his tightly guarded compound is approachable only by sea. He does not spend any time *futz*ing around in Albany or Washington like Nelson. To David Rockefeller, the national interests of the United States are parochial and particularistic, the sentimental preoccupations of smaller minds than his—such as that of his older brother, patron of that largest of small minds, Henry Kissinger—not to mention the vast majority of the American people.

David Rockefeller thus set about to replace Kissinger with the ambitious Zbigniew Brzezinski, a streamlined practitioner of *Realpolitik* who harbors no anachronistic attachment to those values traditionally expressed through America's national Government which might get in the way of world trade.

It is, however, considered gauche to campaign publicly for the job of National Security Advisor to the President. One of the main reasons for setting up the Trilateral Commission, therefore, was to supply Brzezinski with a forum in which to campaign privately. There was, moreover, a technicality: Brzezinski would have to be appointed to one or both of these posts by a President. Therefore, no sooner had Rockefeller and Brzezinski set up the Trilateral Commission in the summer of 1973 than they began casting about for a politician whom they could project into the Presidency in 1976.

Carter came to Rockefeller and Brzezinski's attention via several paths. Carter met with Rockefeller at least once in 1971, as indicated in his appointments book, now in the Georgia state archives. The page for November 23, 1971, reads as follows:

7:45 a.m. Arrive Dobbins AFB ¼ Dobbins Gate.

8:00 a.m. Depart Lockheed Jet Star.

10:00 a.m. Teterboro Airport, N.Y.

12:30 p.m. Lunch; Board of Directors, Dining Room, The Chase Manhattan Bank, David Rockefeller.

3:00 p.m. Depart Teterboro.

5:00 p.m. Arrive Atlanta.

Carter was subsequently noticed by W. Averell Harriman, former governor of New York, former ambassador to the United Nations, a senior investment banker and certifiable grand old man of the Democratic Party, who touted Carter to Milton Katz, director of international-law studies at Harvard and chairman of the Carnegie Endowment for International Peace, publisher of the ubi-

quitous *Foreign Policy*. Katz, in turn, touted Carter to David Rockefeller.

Simultaneously Carter was organizing a series of unusual overseas-trade missions for which he traveled to Europe and Japan to promote the sale of Georgia products abroad. Foremost among Georgia products is, of course, Coca-Cola. In the course of developing his trade missions, Carter caught the eye of Coca-Cola chairman J. Paul Austin, a Trilateral Commissioner who was a sizable contributor to Carter's gubernatorial campaign. Austin commended the Georgia governor to David Rockefeller's attention. It might, in fact, be argued that Carter's personally conducted trade junkets were organized more for the purpose of commending himself to Austin and Rockefeller's attention than for flogging his state's products—i.e., that the main Georgia product he was promoting abroad was himself.

Sometime in 1973, Carter, while on one of his trade visits to Europe, accepted an invitation to dine with David Rockefeller at Rockefeller's palatial home in London. At this dinner, Rockefeller asked Carter to join his Commission, intimating that if he did so, Rockefeller would line up the entire global foreign-policy establishment behind Carter's Presidential candidacy.

Brzezinski was extremely impressed with Carter's political finesse. "He was discussing his Presidential candidacy with a group of American newsmen" during a Trilateral meeting, Brzezinski recalls. "There were hostile and sardonic questions. It struck me that here was an intelligent and cool guy who could not be provoked. He also had a clear scheme for how he would proceed to the nomination."

Rockefeller and Brzezinski's most important consideration was the need to induct a Presidential candidate into the foreign-policy establishment who, if elected, would be beholden to no other constituency. This ruled out such men who were considered Presidential contenders in 1973 as:

Senator Edward Kennedy, who was seen as having too large a personal following based on the Kennedy name and his effective liberal work in the Senate and as carrying with him the liability of Chappaquiddick;

Senator Hubert H. Humphrey, whose personal popularity was enormous and whose ties to the major unions were so strong that he would not fall in line with the Trilateral Commission's subordination of the interests of labor and those of management;

Senator Henry Jackson, whose relationship with huge West Coast defense contractors such as Boeing would make him relatively independent of the Trilateral Commission's support and allow him to mount a strong defense of Israel, which would conflict with the policies of David Rockefeller's Chase Manhattan Bank, which is financial advisor to Egypt and has extensive dealings with other Arab countries.

Carter, by contrast, had no such powerful constituency to satisfy—or to rely on. He had no backlog of political debts to pay or to collect should he be elected President. The deal was simple: All Carter had to do was promise to appoint Brzezinski to high office and give him the sort of free rein that Nixon had given Kissinger, and the entire resources of David Rockefeller's pyramid of influence would be at his disposal both in the following three years—during which it would do all in its power to get him nominated and elected—and in the ensuing eight years, during which it would help him govern. Harvard professor Samuel P. Huntington, the Trilateral Commission's chief expert on domestic political operations, has written that

Harry Truman "made a point of bringing a substantial number of . . . Republican bankers and Wall Street lawyers into his Administration. He went to the existing sources of power in the country to get the help he needed in ruling the country. . . . Truman had been able to govern the country with the cooperation of a relatively small number of Wall Street lawyers and bankers." This dynamic was driven home to Carter: If he wanted to be another Truman, he should play ball with the Trilateral Commission, under the cover of which today's Wall Street lawyers and Republican bankers had opened an uptown office.

Carter realized that he was being offered a unique opportunity to short-cut the tedious process of deal-making with backslapping local pols, which was the conventional way of securing a Presidential nomination. This way he could bypass the smoke-filled rooms of the past and proceed directly to a seat in the nonsmoking section. There would be, of course, a crucial difference between Truman's relationship with the Wall Street establishment and Carter's. When Truman made his arrangement with Wall Street, he was already President of the United States. He thus dealt from a position of formidable administrative and legal power. Wall Street helped Harry Truman, but it didn't invent him. Carter, by contrast, made his pact with the Trilateral Commission when he was a nobody. His listing on the roster of the Commission was the first time anyone outside of Georgia had thought enough of his name to put it on anything—and they could have as easily substituted the name of Reuben Askew, in which case Jimmy Carter would have been back in Plains shelling peanuts on January 20, 1977. Gerold Rafshoon, Carter's media specialist, told Playboy reporter Robert Scheer that Carter's selection to the Trilateral Commission was "one of the most fortunate accidents of the early campaign and critical to his building support where it counted." The business about "fortunate accidents" is nonsense. David Rockefeller does not appoint people to commissions by accident. The purpose of making an ambitious political unknown a member of the most powerful private association in the world was to indebt him deeply to it.

#### CENSORSHIP AT THE DEMOCRATIC CONVENTION

Jimmy Carter's Rockefeller connection would be common knowledge today if Alex Garnish had had his way. Garnish, a refrigeration engineer by trade, was a Massachusetts delegate to the Democratic National Convention. On the night that Trilateral Commissioner Walter F. Mondale was nominated to the Vice-Presidency, Garnish was recognized by chairwoman Lindy Boggs to nominate one Gary Benoit, a fellow Massachusetts delegate, for the Vice-Presidential spot. Under the rules of the convention, this gave Garnish the right to speak before the cameras for ten minutes. He made his way to the podium and began as follows:

"It is an old cliché in politics that a good ticket is a balanced ticket. We need to balance our ticket. Now, what I am going to tell you is not going to be very popular. I hate to be the bearer of bad tidings on this joyous occasion. But I plead with you to judge what I am going to say on whether it is true, not on the fact it makes you very uncomfortable.

"A powerful, big-money group wants to take over the Democratic Party. Behind the scenes, the fat cats and limousine liberals of the Eastern establishment have moved in to manipulate our party. The grim truth is that the Carter bankwagon runs on Standard Oil, not peanut oil."

No sooner did this bon mot pass Garnish's lips than he was ruled out of order and

escorted hurriedly from the rostrum. Boggs acted on a rule to the effect that no speaker was permitted to say anything derogatory about anyone whose name has been placed in nomination.

But, though Garnish's words may have been out of order at the Carter-dominated Democratic Convention, they are very much in order now. Here is how the refrigeration engineer would have continued if he had not been frozen out:

While the people mistakenly believe the grass roots have spoken, it is a small cabal of men closely tied to the Rockefeller empire who engineered the nomination of Jimmy Carter. The Rockefellers want the American people to have the choice between the Rockedems and the Rockepubs.

The Rockefeller establishment is not content just to own the G.O.P. Because the Rockefellers own assets in 125 nations, they need to control American foreign policy whether the Republicans or the Democrats are in the White House.

After going into Carter's relationship with David Rockefeller, Zbigniew Brzezinski and the Trilateral Commission, Garnish would have continued:

The party of Jefferson and Jackson has been grabbed by monopolists. . . . The Carter clan does not want you to know that they sold out to the establishment in order to get the nomination. A Jimmy Carter Administration will be controlled by the big-money boys, not grassroots Americans. There will be no real tax reform and our foreign policy will be tailor-made to suit the Rockefeller empire, just as Henry Kissinger has done under Nixon and Ford.

We can balance our ticket by having one candidate who belongs to the Rockefellers and one who belongs to the people. Therefore, I place in nomination for the office of Vice-President Gary Benoit of Massachusetts.

If this speech had been delivered, it would have electrified the convention. It would have explained the Carter "phenomenon" to millions of voters and changed the course of a close election. For all the televised yawning about how totally orchestrated, how thoroughly predictable the Democratic Convention was, nobody could have anticipated Garnish's outpouring of disconcerting truth. But when the unexpected finally happened, when somebody actually started speaking lines that weren't in the script, the media assumed that Garnish must be a kook and a crank; they never bothered to find out what he had planned to tell his fellow delegates—let alone to determine whether his charges were true.

#### WHY NOT THE BEST?

The law firms, the investment banks, the corporations and the men who represent them on the Trilateral Commission are, with the exception of Jimmy Carter, not new to American Government. Far from it: For years, sophisticated analysts have observed that high officials of the State Department, the Defense Department and the Central Intelligence Agency have been drawn from their ranks and have conducted a so-called "bipartisan foreign policy" on their behalf. But never before has this foreign-policy elite tried to gain direct control of the Presidency.

There are several reasons why the foreign-policy establishment has seized the reins of domestic Government.

First, its efforts to conserve and extend its power overseas have been frustrated everywhere, from Indochina to Greece to Italy to Angola. So the foreign-policy elite took its experience at installing "cooperative" national leaders abroad and turned its sights inward on the biggest prize of all: the United States Presidency.

Zbigniew Brzezinski has expressed the underlying reason why it has become necessary for the foreign-policy establishment to have one of its own members in the White House. "Resist as it might," he wrote recently, "the

American system is compelled gradually to accommodate itself to this emerging international context, with the U.S. Government called upon to negotiate, to guarantee and, to some extent, to protect the various arrangements that have been contrived even by private business." The multinational corporations now require a President who can be counted on as negotiator, guarantor and protector of their private arrangements. They can no longer leave the selection of the President up to chance—that is, up to the democratic process.

The multinationals' problem was compounded by the new campaign-financing law, which limits individual contributions to \$1000. In the past, bankers, lawyers and executives of the multinationals could give as much as they wanted to a Presidential contender. This power of the purse over Presidential campaigns was an effective form of positive control over the selection process. But the new law made it necessary for the multinationals to find a way of supporting a candidate that didn't involve a direct cash contribution. The Trilateral Commission was set up, in large part, to enable the multinationals to make their contribution to the next President's campaign not in the form of dollars with which to build a prestigious image but in the form of prestige itself. What Carter's listing as a Trilateral Commissioner said to status-conscious editors of television networks, newsmagazines and newspapers was that it was not Udall, not Church, not Fred Harris, not Milton Shapp but this Carter guy who was to be taken seriously.

Lastly, Professor Alan Wolfe, of Berkeley, whose book "The Limits of Legitimacy" will be published by The Free Press, has argued that there is no longer any room for the foreign-policy elite in the Republican Party. "Excluded by the zealous ideologues of the Republican right from playing a major role in that party," Wolfe says, "Wall Street investment bankers, who traditionally had cast their lot with both parties, are leaning more toward open identification with the Democrats."

"One important sign of this shift is the role of David Rockefeller in organizing the Trilateral Commission, which now sees itself as the primary supplier of both people and ideas to the Carter Administration."

The Republican right has for years harbored a devil theory by which the Wall Street investment community is trying to create a socialist world government. Its chief culprits are not the Communists, as most people suppose, but the Rockefeller family. One of the right's basic tracts is, in fact, called "The Capitalist Conspiracy." In reality, the right's analysis is overblown. The foreign-policy establishment does not want an overtly socialist world government—merely a private alliance of the elites of the United States, Western Europe and Japan that will be able to get national governments to enforce their policies, which include socialist-style central economic planning. And the Rockefellers are not mustache-twirling comic-book villains plotting a sinister capitalist conspiracy; they are simply the most influential, ambitious and cunning capitalists. Nevertheless, the fears of the right have forced Wall Street out of the Republican Party, out of domestic bipartisanship and into Democratic national politics, where it has successfully—and, by and large, secretly—fielded its first President.

We need not ask Carter whether he approves of the Trilateral Commission's recommendations on limiting democracy. Carter's candidacy is itself an exercise in the limitation of democracy. An obscure politician comes out of nowhere to grab the nomination from men whose careers, if nothing to write home about, are at least known to the public. He utters populist mouthings while his true base of support is not among the electorate but among international bankers and

officers of multinational corporations. The fact is that the United States today is starved for democracy. For two and a half years, it had an appointed President who vetoed 58 acts of an elected Congress. The government of New York City is in the hands of an appointed Emergency Financial Control Board composed of businessmen and bankers who hold no public office. (This board is, coincidentally enough, also intimately connected with David Rockefeller and the Trilateral Commission, as explained in this writer's article "There Are 8,000,000 Stories in the Naked City and This Is the Last One" in the November 1976 *Playboy*.) The public-school system of Boston is being run by a single Federal judge. Jimmy Carter recognized the desire of the public for democratic control of Government—the so-called "anti-Washington" sentiment the media say Carter plays to—and pandered to it with demagogic cynicism.

The first President in America's history to promise not to lie has told a whopper. Speaking on all three television networks at once, he vilified a nameless political and economic elite and catigated unholy, self-perpetuating alliances between money and politics. One is, presumably, permitted to infer that the speaker had not himself been recruited into such an elite and was not himself a member of such an alliance. Jimmy Carter's service on and sponsorship by the Trilateral Commission means that these statements are lies so bald, so shameless, so outrageous, that they shame the Presidency.

There is only one defense against Jimmy Carter's big lie, and America is entitled to it at once: the whole truth.

#### SAFEGUARD RELIGIOUS FREEDOM: SUPPORT H.R. 3384

### HON. DAVE STOCKMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. STOCKMAN. Mr. Speaker, the House will soon consider H.R. 3384, a bill to provide that no employee shall be required to join or financially support a labor organization if he or she is a member of a religion or sect which conscientiously objects to doing so. I strongly urge my colleagues to support this bill when it comes before us.

This amendment to the National Labor Relations Act will extend legislative relief to the many sincere, reliable workers who are forced to choose between their jobs and adherence to their religious beliefs. Union security agreements frequently make it necessary for people with deep convictions to compromise their religious principles in order to remain employed. To keep a clear conscience, or simply to avoid having to fight the system, many other people have had to seek other kinds of work.

As the influence of organized labor has spread through our economy, it has become increasingly difficult for persons imbued with such convictions to remain employed in their fields of choice and expertise. Although the number of citizens affected is small in comparison to the total work force of the Nation, the problem becomes in personal terms, one of the utmost severity. Particularly to the half-million Seventh-day Adventists who, among others, suffer this injustice,

America cannot truly be said to afford religious freedom.

Congressional redress of this legitimate grievance is long overdue. Twelve years ago the Executive Council of the AFL-CIO declared a policy of encouraging member unions to accommodate themselves to individual religious scruples. Moreover, the council expressly sanctioned the principle, provided in H.R. 3384, of giving to religious objectors the option of contributing to a nonreligious charity sums equal to union dues and initiation fees.

The significance of the proposed legislation for all who cherish the right to live their religious belief is reflected in its widespread support. Religious organizations representing faiths which have no prohibition on union membership have spoken out on behalf of those which make it doctrine. The National Council of Churches, the National Catholic Welfare Conference, and the Central Conference of American Rabbis are among the many who recognize the fundamental nature and unassailable virtue of the freedom involved. We are charged with nothing less than the duty of safeguarding a most basic and most treasured heritage.

For these reasons, Mr. Speaker, I urge support of H.R. 3384.

PHILADELPHIA TO DEDICATE PLAYGROUND IN MEMORY OF ELIZABETH PICARIELLO

**HON. JOSHUA EILBERG**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Mr. EILBERG. Mr. Speaker, I am pleased to be able to inform my colleagues that this Thursday, the city of Philadelphia will officially open the Elizabeth M. Picariello Playground, dedicating it to the memory of a lady who contributed much to the youth of our city.

It was my privilege, Mr. Speaker, to have known Mrs. Picariello and to have observed the work which she did on behalf of young people. Mrs. Picariello, who died in 1973, had been active with youngsters of the Liberty Bell Youth Organization, of which she was a founder, and she coached girls' softball and girls' baseball teams until she became ill and was unable to continue.

During her lifetime, she served as president of the Liberty Bell Youth Organization Ladies Auxiliary and, at one time, also was the organization's vice president. She also had been active with the Morrell Park Civic Association and with other community groups.

Her husband, Samuel, who is one of my close friends, will be present on the platform to receive a copy of the ordinance naming the facility for his late wife. Also present will be her five children, Samuel, Jr., Rosina, Stephen, Patricia, and Elizabeth.

Recreation Commissioner Robert W. Crawford will be chairman of the program and Councilman Melvin J. Green-

berg will be the speaker. Local guests will include Rev. Gerald Scherf, pastor of St. Martha's Roman Catholic Church; Rev. Robert J. McGee, pastor, Christ the King Roman Catholic Church; Raymond Scheetz, president and John News, vice president of the Morrell Park Civic Association; Eugene Falcone, secretary, Steven Super, treasurer, and Salvator Ferrante, athletic director of the Liberty Bell Youth Organization; Capt. Weldon Jones of the Seventh Police District; Capt. Michael Steinberg of the Fire Department; Robert J. Brockway, director of the Northeast YMCA and Marion Mostovoy, principal of J. Harry LeBrum School.

Rev. Harold Burkett, pastor of United Methodist Church of the Good Shepherd will offer the invocation prayer. Music will be provided by the Police and Firemen's Band.

PENN CENTRAL TAX NOTES

**HON. MARY ROSE OAKAR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Ms. OAKAR. Mr. Speaker, this Thursday the Subcommittee on Transportation is scheduled to mark up H.R. 8882. I introduced this legislation on August 5, and in the intervening 10 weeks I have been joined by 64 of my colleagues in sponsoring this important measure. As my colleagues on this subcommittee begin consideration of this bill, I believe it will be useful to recount certain aspects of this issue and broach some new questions.

The bankruptcy of the Penn Central Transportation Co. has produced a number of unfortunate and complex problems. Of these difficulties, the plight of the State and local taxing authorities is the most compelling. There are approximately 2,500 taxing authorities to which the Penn Central has a tax delinquency of nearly \$500 million. Yet, these taxing authorities have been prevented from pursuing the normal process of tax collection. An amalgam of public laws and court orders have changed the ground rules with regard to the tax collection and bankruptcy procedures. One of the consequences of these legislative and judicial initiatives has been the inability of cities and towns in the depressed Northeast and Midwest from collecting taxes that are due and owing to them.

H.R. 8882 is intended to bring some equity to this situation. The bill would authorize the Secretary of Transportation to guarantee long-term notes that the Penn Central trustees will offer in lieu of their tax delinquency. The guarantee will be of little or no risk to the Federal Treasury. This contention has been supported by those most familiar with this monumental and historic bankruptcy. The guarantee is not the bailout of a private corporation or a handout to the State and local taxing authorities. The purpose of the bill is not to put the Federal Government in the position of paying notes issued by private concerns.

The likelihood of this is quite small. The bill will, however, give these notes immediate marketability. This would give the taxing authority the opportunity to sell these notes in private markets when they receive them. The need for this marketability cannot be overstated. Approximately 70 percent of the taxes owed by Penn Central are targeted for the operation of schools. We all know the financing difficulties that our schools face. I know of no better argument for this legislation than to demonstrate the financial needs of these school systems.

During the hearing on H.R. 8882, there were some questions raised with regard to the precedent that this legislation might set. In order to accommodate those members who are concerned about such precedents, I have drawn up amendments that would limit this bill in three ways: First, limit the guarantee to Penn Central; second, limit the applicability of the guarantee to postbankruptcy taxes; and third, limit the existence of this program to December 1992 (that is, 5 years from the maturity date of the 10-year notes). I believe that these amendments will make this bill acceptable to those concerned with precedent.

In sum, I would only say that this bill addresses a problem that is urgently in need of remedy. The inability of the Congress to act will be most acutely felt by schoolchildren. This is a modest effort to make on their behalf.

Mr. Speaker, I urge my colleagues on the Subcommittee on Transportation and Commerce to favorably report H.R. 8882. Moreover, I appeal to the members of the Committee on Interstate and Foreign Commerce to act quickly and favorably on this vital piece of legislation.

DEATH OF J. FLOYD BREEDING

**HON. JOE SKUBITZ**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Mr. SKUBITZ. Mr. Speaker, it is with great sorrow that I report the death of J. Floyd Breeding, our former colleague and a Kansan who served his State and his Nation with great distinction. We counted Floyd as one of our own from 1957 to 1962 when he represented the old Fifth Congressional District of Kansas in this House.

J. Floyd Breeding began his long career of service to the people of his beloved Kansas long before he became a Member of Congress. As a farmer-stockman from Rolla, Kans., Floyd was first elected by his friends and neighbors to represent them in the Kansas Legislature in 1947. He became the minority leader of that body in 1949 and was the Democratic nominee for lieutenant governor of Kansas in 1950.

Before coming to Congress, Floyd served as president of the Western Kansas Development Association and a strong spokesman for the National Association of Wheat Growers. He was also active in the Kansas Farm Bureau.

Farmers Union, and Kansas Livestock Association.

When J. Floyd Breeding first came to Congress in 1957, he quickly became known as a knowledgeable, vocal foe of the administration's farm policy. Congressman Breeding's agricultural expertise was widely recognized.

When he retired from Congress in 1963, he was appointed by President Kennedy to serve as an assistance to the Secretary of Agriculture, a position he held until he retired from public service in 1966.

Few Kansans have been more dedicated to representing the interests of the farmer and the rancher in Washington. J. Floyd Breeding had those rare qualities of leadership and agricultural expertise that enabled him to serve as an outstanding representative of the people.

All Kansans have lost a true friend and the presence of J. Floyd Breeding will be sorely missed.

#### REMOVING THE AIR FORCE GAG ON THE PANAMA CANAL TREATIES

### HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HANSEN. Mr. Speaker, I call your attention to the contents of a priority message dated August 20 from Air Force Chief of Staff, Gen. David C. Jones, addressed to all major Air Force commands concerning the Panama Canal which in paragraph 5 is suggestive of Singlaub style squelching.

I am absolutely shocked and appalled by the contents of General Jones' message. It seems to me that free speech and honest opinions would be in the "best interest" of this Nation during the consideration of the highly controversial proposed Panama Canal treaties.

General Jones' statements are highly indicative of wide scale "Singlaubistic" thinking in the military and in addition they provide speculation of White House terror tactics and bullying.

Also included in paragraph 3 is a Carter statement obviously designed to gain military support giving unilateral assurance that the United States "will have the right to assure the maintenance of the permanent neutrality of the canal as we may deem necessary" which should be interesting in light of Panamanian thinking as shown in the Dole interception.

You might note in paragraph 2 the strongest possible statement of need for the canal which stands quite in contrast with the watered-down statements being fed to the civilian sector suggesting another dicotomy of sales pitch.

I suggest this message may warrant renewed questioning of the military to clarify General Brown's statement as to just how much pressure is being applied from the White House on down to prevent independent judgment and gain military support by coercion for these questionable and controversial treaties.

Mr. Speaker, it is indeed evident that President Carter's plans for the Panama Canal are in serious jeopardy, a fact to which even the President and many close aides have admitted. It is obvious that the administration is becoming desperate in its attempts to sell the proposed treaties. Even President Carter's recent effort to clarify the treaty language with Panamanian dictator Gen. Omar Torrijos failed when neither party signed the joint agreement. The killing blow came, however, when Torrijos stated publicly upon his return to Panama that he had agreed to nothing in his meeting with President Carter and the communications gap continues to widen.

Mr. Speaker, I include for the RECORD a copy of General Jones' message to all major Air Force commands. Additionally, I include a copy of my protest letter to General Jones and a news release given to members of the press on Monday, October 17.

The articles follow:

#### FOR COMMANDERS FROM GENERAL JONES ON PANAMA CANAL TREATIES

1. On 10 Aug. 1977 Panamanian and U.S. negotiators announced agreement in principle on a conceptual framework for two new treaties. One, the Neutrality Treaty, provides for the permanent neutrality of the canal; the second, the Panama Canal Treaty, deals with the operation and defense of the canal. Both treaties would enter into effect after ratification and document exchange processes are complete. The Neutrality Treaty will be of indefinite duration, whereas the Panama Canal Treaty will terminate in all aspects on 31 Dec. 1999.

2. The Panama Canal is a major defense asset, the use of which enhances United States capability for timely reinforcement of United States Forces. Its strategic military advantage lies in the economy and flexibility it provides to accelerate the shift of military forces and logistic support by sea between the Atlantic and Pacific Oceans and to overseas areas. United States military interests in the Panama Canal are in its use, not its ownership. The proposed treaties would assure that access to and security of the Panama Canal are protected in time of war and peace.

3. As President Carter has stated, "We will have operating control and the right to protect and defend the Panama Canal with our own military forces until the end of this century. Under a separate neutrality treaty we will have the right to assure the maintenance of the permanent neutrality of the canal as we may deem necessary."

4. The Air Force actively participated in the development of all defense related aspects of the proposed treaties, and fully supports them. They would provide a basis for development of a continuing friendly relationship between the United States and Panama which would be of significant importance in insuring that the Panama Canal would be available to the United States when needed. Once the U.S. no longer operates the canal, the proposed neutrality treaty would provide an adequate basis for safeguarding our interests in the canal.

5. It is important that our personnel, particularly our senior people, understand our support for the proposed treaties.

DEAR GENERAL JONES: I am deeply appreciative of your integrity and many years of service to our country. I regret that it is necessary to confront you with a matter of serious concern.

However, I am in possession of an August 20 message which you sent to all major Air

Force commands regarding the Panama Canal, the contents of which I have this day released to the Press.

It is appalling that you have apparently "caged" all Air Force personnel, especially those senior officers whose true opinion would be of great use to the public and the security of this nation.

The information I received along with your message indicates that, "Paragraph 5 of this message makes it quite clear that we, as military personnel, are expected to support these treaties," and that any action otherwise would be highly detrimental to a military career. It is quite apparent to me that this is a clever but still blatant attempt to deprive the American people of the full information to which they are entitled on a matter so serious.

In light of the controversy over the Dole interception, are the assurances contained in your message still valid? The question is particularly pertinent in light of the recent so-called agreement between Carter and Torrijos which was not signed by either person and which was gutted by statements of Torrijos on his return to Panama. If a Senior Officer did express a contrary opinion could he expect the same treatment as General Singlaub?

In light of your contention in paragraph 2 does this mean that the United States with no control over the Canal would have to make good any operational deficits of the Canal's operation or pay for any needed maintenance?

Did you receive any pressure from the White House for your own support or to send such a message to the members of your command?

Your comments in paragraph 2 show significant contradiction between what the military is telling itself about the military value of the Panama Canal and what they were telling the public in past Senate hearings. I would like to know just exactly what the official military position really is.

Furthermore, I have serious doubts that in light of recent controversies over treaty interpretation that the Panamanians would accept the unilateral authority of President Carter's statement in paragraph 3 which says that the United States "... will have the right to assure the maintenance of the permanent neutrality of the Canal as we may deem necessary." (Emphasis added.)

As I already have strong indications of numerous complaints of senior military personnel who are being "squelched," I must demand an immediate retraction of this "muzzling" order along with proper apologies from you and any higher authority responsible.

Finally, in your further statements to the Congress, the public, or your command, I would strongly suggest that you arrive at a consistency that is compatible with national security and with the basic rights of individuals in a free nation. I assure you that my colleagues will be most interested in observing the action of the high command of the nation's armed forces during deliberations over the proposed Panama Treaties in the days ahead.

Your expeditious reply to my questions will be greatly appreciated.

Sincerely,

GEORGE HANSEN,  
Member of Congress.

#### HAS THE MILITARY BEEN MUZZLED ON PANAMA?

WASHINGTON, D.C.—U.S. Rep. George Hansen today released the contents of a priority message from Air Force Chief of Staff, General David C. Jones to all major Air Force commands concerning the Panama Canal.

Hansen quoted General Jones as saying, "The Panama Canal is a major defense asset, the use of which enhances United States capability for timely Reinforcement of United States forces. Its strategic military

advantage lies in the economy and flexibility it provides to accelerate the shift of military forces and logistic support by sea between the Atlantic and Pacific oceans and to overseas areas."

The Idaho Congressman noted with interest General Jones' statement in light of numerous recent statements by the Joint Chiefs of Staff downplaying the military importance of the Panama Canal.

"The highly controversial circumstances surrounding the proposed treaties added to General Jones' statement continue to prove beyond a shadow of a doubt that the proposed treaties are a fraud," Hansen stated.

"The American people have a right to know that the White House is attempting to subvert the truth, even to the point of gagging Senior military personnel and demanding their support of the Administration's mis-conceived foreign policy," Hansen said.

The following comments of a member of the Air Force from whom I received General Jones' message are very revealing as to the message's intent: "Although I agree with your position against ratification of the Panama Canal Treaties, I am unable by virtue of my position as a member of the United States Air Force to get involved publicly ... Paragraph 5 of this message makes it quite clear that we, as military personnel, are expected to support these treaties." Paragraph 5 states, "It is important that our personnel, particularly our Senior people, understand our support for the proposed treaties."

"Does the threat of coercion exist in the military? The General's message suggests that support is mandatory and individual military members, especially senior military personnel are not allowed to express their own opinions," Hansen charged.

"It is quite evident that any Senior officer who dares to express his own feelings will suffer the same fate as General Singlaub. I wonder if the Joint Chiefs received a similar message from the White House demanding their allegiance?" queried Hansen.

And do the Joint Chiefs even know exactly what they are supporting? "President Carter's recent attempt to rectify the different U.S. and Panamanian interpretations of the proposed treaties have not eased the suspicion created by a recent shocking message interception of Senator Dole. General Torrijos and President Carter hurriedly met in Washington to issue a statement of agreement which neither signed and which was gutted by Torrijos' own comments upon returning to Panama," Hansen stated.

Finally, can the Panamanians accept the unilateral authority of the Carter statement in paragraph 3 of the Jones message that the U.S. "will have the right to assure the maintenance of the permanent neutrality of the Canal as we may deem necessary?" Hansen concluded.

EXPLANATION OF MISSED VOTE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. CONYERS. Mr. Speaker, unfortunately, I was not present to cast my vote on the foreign assistance and related programs, H.R. 7797. If I were present I would have voted "aye" on this measure. In my judgment it is unfair to single out these two nations for punitive treatment, and this amendment would have provided the President a minimal amount of flexibility in shaping our relations with these two nations.

1977 LEGISLATIVE QUESTIONNAIRE RESULTS

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. RUDD. Mr. Speaker, earlier this year I asked all residents of Arizona's Fourth Congressional District to give me their views on pressing State and national issues before the Congress.

I received responses from more than 21,000 people, representing a good cross-section of my 36,500 square mile district. I would like to share the results of my 1977 legislative questionnaire with all my colleagues in the Congress, so that they might also benefit from this input from so many concerned citizens:

RESULTS OF CONGRESSMAN ELDON RUDD'S 1977 LEGISLATIVE QUESTIONNAIRE

[In percent]

1. Do you favor continued Federal funding and completion of the Central Arizona Project?

Yes ----- 89  
No ----- 8  
No Opinion ----- 3

2. Do you favor increasing the Federal minimum wage from \$2.30 to \$2.50 per hour?

Yes ----- 44  
No ----- 54  
No Opinion ----- 2

3. Last year the Federal government had a \$76 billion budget deficit. For FY 1977 and FY 1978, the projected Federal budget deficit is \$124 billion. Do you favor reducing government spending, even if it means cutting some programs that you support?

Yes ----- 89  
No ----- 6  
No Opinion ----- 5

4. Do you believe that the following Federal agencies have too much authority and power, which should be reduced?

a. Environmental Protection Agency (EPA):

Yes ----- 81  
No ----- 16  
No Opinion ----- 3

b. Occupational Safety and Health Administration (OSHA):

Yes ----- 76  
No ----- 16  
No Opinion ----- 8

5. Do you favor increased Federal support for energy research and development, to move the nation promptly towards greater use of:

a. Nuclear Energy:

Yes ----- 61  
No ----- 26  
No Opinion ----- 13

b. Solar Energy:

Yes ----- 86  
No ----- 8  
No Opinion ----- 6

c. Geothermal Energy:

Yes ----- 75  
No ----- 11  
No Opinion ----- 14

6. In order to help redirect the economy to more productivity, do you favor a permanent tax reduction for citizens as an alternative to the \$50 tax rebate scheme proposed and later withdrawn by the President?

Yes ----- 86  
No ----- 8  
No Opinion ----- 6

7. Do you favor either of the following changes in the election laws which have been proposed by the administration?

a. Federal financing of Congressional elections:

Yes ----- 11  
No ----- 78  
No Opinion ----- 11

b. National universal postcard voter registration:

Yes ----- 15  
No ----- 79  
No Opinion ----- 6

8. Do you favor re-evaluating the U.S. policy of detente with the Soviet Union and other nations, in light of charges that it is not a "two-way street"?

Yes ----- 79  
No ----- 13  
No Opinion ----- 8

9. Please indicate whether you favor or oppose the legislation I have sponsored, which is summarized on Page 2 of this Report to the People:

a. Jobs Creation Act (H.R. 2598):

Favor ----- 94  
Oppose ----- 4  
No Opinion ----- 2

b. End Federal Deficits (H.J. Res. 188):

Favor ----- 95  
Oppose ----- 4  
No Opinion ----- 1

c. Repay National Debt (H.R. 3254):

Favor ----- 84  
Oppose ----- 12  
No Opinion ----- 4

d. Repeal Automatic Pay Raises (H.R. 2430):

Favor ----- 84  
Oppose ----- 12  
No Opinion ----- 4

e. Inflation-Proofing Pay Raises (H.R. 2407):

Favor ----- 88  
Oppose ----- 8  
No Opinion ----- 4

f. Repeal Social Security Earnings Limitation (H.R. 2080):

Favor ----- 96  
Oppose ----- 2  
No Opinion ----- 2

g. Retain U.S. Ownership of Panama Canal (H. Res. 185):

Favor ----- 95  
Oppose ----- 2  
No Opinion ----- 3

h. Repeal Bilingual Ballot Requirements (H.R. 2007):

Favor ----- 80  
Oppose ----- 12  
No Opinion ----- 8

i. Limit Food Stamps (H.R. 1347):

Favor ----- 88  
Oppose ----- 8  
No Opinion ----- 4

j. Prohibit Military Unions (H.R. 3262):

Favor ----- 98  
Oppose ----- 1  
No Opinion ----- 1

k. Stop Saccharin Ban (H.R. 5508):

Favor ----- 80  
Oppose ----- 8  
No Opinion ----- 12

## 1. Limit Foreign Aid (H.R. 5337):

Favor	97
Oppose	2
No Opinion	1

## m. National Patriotism Week (H.J. Res. 135):

Favor	72
Oppose	20
No Opinion	8

## n. Additional Federal Judges (H.R. 4482):

Favor	88
Oppose	8
No Opinion	4

## o. Navajo Community College (H.R. 3827):

Favor	72
Oppose	16
No Opinion	12

10. Priorities: Please rank, in order, the following issues as to the urgency of their consideration by Congress:

1. Curb Inflation.
2. Cut Government Wastes.
3. Adequate National Defense.
4. Increase U.S. Energy Supply.
5. Stronger Penalties Against Criminals, Especially Those Who Use Guns to Commit Crimes.
6. Welfare Reform.
7. Return Power to Local Government.
8. Tax Cut Linked to Spending Cut.
9. Income Tax Simplification.
10. Stronger Environmental Laws.

## CAPITOL PAGES PROVE IT'S ACADEMIC

## HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. MOAKLEY. Mr. Speaker, on last Saturday, October 15, the Capitol Page School became only the second school in 5 years to win in its initial appearance on the NBC-TV high school competition, "It's Academic." In three lightning rounds the Page School team vanquished the opposing teams from St. Anselms and Churchill High Schools.

Page School, the smallest school ever to compete on "It's Academic," was capably represented by team captain Tom Daniels, Peter Neil, and Jennifer Gay. Tom and Peter are both House pages while Jennifer serves in the Senate. They were backed up by alternates Holly Glenn, Chris Clark, and Noreen Beatley, who are all House pages.

Out of 81 schools in the first competition, Page School has won the right to compete in the quarter finals. We all share the hope that the pages will be able to continue to the semifinals and ultimately the finals.

I think it is important to say that our Page School participants on "It's Academic" are representative of the fine young men and women who serve us so well and faithfully in the Congress. In spite of their long and demanding hours of work in the House and Senate, they still find time to distinguish themselves in worthy activities such as this. A word of commendation is well-deserved by Mr. Leo Balducci, of the Page School faculty who was the team coach.

I hope that many of my colleagues will be able to view the airing of "It's Academic" at 11 a.m. on Sunday, November 20 on NBC-TV Channel 4 in Washington. Those who do will certainly share my pride in our congressional pages.

## CATHOLIC CHURCH IN NORTHEAST PHILADELPHIA MARKS 50TH ANNIVERSARY

## HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. EILBERG. Mr. Speaker, the Roman Catholic parish of St. Agatha's, which lies in the Fourth Congressional District of Pennsylvania, has just observed its 50th anniversary.

In this connection, the Catholic Standard and Times, the weekly publication of the archdiocese of Philadelphia, carried an excellent article in its October 13, 1977, issue about the growth and development of this church in northeast Philadelphia.

It is with pride and pleasure that I place the full text of this article in the RECORD:

## FIFTY YEARS NOTED BY GREATER NORTHEAST CHURCH

During the second week of October, 1927, Father John Mc Menamin, erstwhile assistant pastor at St. Agatha's Church, alighted from a rt. 66 trolley at the corner of Frankford and Cottman aves, and looked over the empty fields of his new parish, St. Matthew.

In the 50 years that have passed since that day, the empty fields of the Greater Northeast have blossomed into one of the largest parishes in the Archdiocese.

The first parish church was a rowhouse on Cottman ave. which doubled as a rectory and in which Masses were offered for over a year.

The first church (chapel) was placed on the site of the present convent. It was a wooden building used as a barracks at Hog Island during World War I, and had served as the original church building for a budding St. Ambrose parish after the war. The first Mass was offered in the chapel on Oct. 14, 1928.

After the new church was constructed, the old chapel building was used as a school annex and finally was dismantled for the construction of the convent.

Father Mc Menamin remained as pastor of St. Matthew's until 1934 when he was transferred as pastor to St. Francis Xavier Church and Father James J. Rice was named pastor to replace him.

Father Rice continued the labors that the founding pastor had laid out. He constructed the school and a new permanent church. The school building was completed by the beginning of the school year, 1937, and was staffed by Sisters, Servants of the Immaculate Heart of Mary.

Ground was broken for the church in June, 1941, and the building was completed in nine months.

Father Rice died on April 30, 1946, and was succeeded by Father Laurence A. Maher. In a moving speech to his new congregation, Father Maher said: "I come amongst you, today, as your new pastor, and with the help of God, to carry on the work so well begun by Fathers McMenamin and Rice . . . I am no stranger . . . I grew up in St. Leo's."

Under Father Maher the parish came to its fullness. Buildings were completed and added

to, new projects undertaken and Catholic life flourished at all levels.

However, there was little cloud in the sky. Where would Father Maher put the terrific overload of students now coming to school. Enrollment had increased from 320 in 1937 to 750 in 1946. A school building fund was started and by October, 1948, enough money had been raised to start a new school which was completed and opened for the 1949 school year.

As the year of 1962 drew to a close—The 35th anniversary of the parish—all parish buildings were opened and in use and paid for. The work was over. Within a few months, on Feb. 15, 1963, Father Maher died.

Father John O'Mella, pastor of St. Malachy's Church in the inner-city was transferred to St. Matthew's as pastor to succeed Father Maher in 1963 and remained until his death in 1968.

Msgr. Francis Gaughan, who had been founding pastor of St. Paul in East Norriton, was appointed fifth pastor of St. Matthews in October, 1968.

Father Gaughan presided over all the changes made in the church buildings dictated by Second Vatican Council.

On March 22, 1976, recognition came to Father Gaughan. He was called to the chancery to meet Cardinal Krol and to be informed by him that Pope Paul had named him a domestic prelate with the title of Monsignor. The honor was a personal one, granted to a priest who had labored long and had produced excellent results.

With 50 years of activity in the Northeast passed, the parishioners of St. Matthew's look forward to many more years of expansion.

## GOODLING ON THE CANAL—A PROFILE IN COURAGE

## HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. SHUSTER. Mr. Speaker, as we all know there has been a great debate going on over the Panama Canal treaties for quite some time now. I have very serious reservations about not only the intent of both parties to these treaties, but also the constitutional justification given for the mechanism of approving a treaty that dispenses with U.S. territory.

In reference to this issue, I wanted to bring to the attention of my colleagues an article which appeared in the Hanover Evening Sun entitled, "Goodling Writes Chapter in Political Courage." Although Congressman GOODLING and I do not agree on this issue, I certainly admire his courage and respect his convictions in this area. I also know that the distinguished gentleman from the 19th District of the Commonwealth is highly respected by his colleagues on whatever issue he speaks on and will be listened to seriously on this matter as the crucial decision draws near.

The article follows:

## GOODLING WRITES CHAPTER IN POLITICAL COURAGE

(By Kenneth B. Dalecki)

WASHINGTON.—If someone writes a sequel to John F. Kennedy's "Profiles in Courage," they might consider devoting a chapter to Rep. William F. Goodling of Pennsylvania.

Kennedy's book recounted rare incidents of political courage in American history.

Goodling may be risking his young political career by taking a highly unpopular stand

on perhaps the most emotional issue before the electorate: the Panama Canal treaties.

Goodling has strongly endorsed the treaties which would relinquish U.S. control over the canal by the year 2000 while permitting U.S. military intervention to insure its neutrality.

His position conflicts with his conservative position on most other issues and, judging from his mail count, is contrary to what the vast majority of his constituents want.

The canal issue is a sensitive one House members can easily sidestep since only the Senate votes on treaty ratification.

"I feel strongly that we're wrong when we bury our heads in the sand," Goodling said in an interview. "The issue (of Panamanian demands) is not going to go away because we don't want to talk about it."

"We should be working for the cultivation of friendship and ties with Latin America," said Goodling. While some opponents of the canal treaties argue their approval would be a sign of American weakness, Goodling said he feels "just the opposite." He feels it would weaken anti-American elements in Central and South America.

The Pennsylvania Republican has not always favored relinquishing U.S. control of the canal. His initial feeling was to oppose the negotiations.

But earlier this year he began to study the issue after being selected to serve on the House International Relations Committee. He said his own research made him "a little reluctant to say boldly: 'It's ours, we paid for it and we're not going to talk about it.'"

In March, Goodling traveled to the Canal Zone and came back convinced that the Panamanians have "real legitimate gripes." Briefings by U.S. military officials convinced him that "a couple of sticks of dynamite" detonated in the right place could close the canal for years.

Goodling made no secret of his about-face on the treaties issue. He has devoted several weekly newsletters to the topic and has arranged for Ambassador Ellsworth Bunker, a negotiator of the treaties, to speak in his 19th Congressional District.

Bunker will speak Tuesday at 8 a.m. at The Yorktowne Hotel.

As a result of his outspoken position, Goodling has been dogged by what appear to be organized anti-treaty questioners during a series of "town meetings" he has held this summer in his district.

He said Rep. Steven D. Symms (R-Idaho), a leading opponent of the treaties, "has warned me that 'the canal issue will beat you'" when he seeks re-election next year.

But Goodling, in his second term, said he would rather go back to being a school superintendent than compromise his convictions concerning the need for a new agreement with Panama.

His mail has been four-to-one against the treaties but the flow of letters has diminished from some 200 a week earlier this year to about 35 a week now. A recent poll commissioned by the Associated Press showed 50 percent of voter-age Americans against the treaties, 29 percent in favor and 21 percent undecided.

Goodling said he detects a gradual change in public mood on the treaties in his south-central Pennsylvania district. "There are many more people now who use two sides of the issue," he said. "Many have been misled with a lot of publicity that has come out."

He is critical of the role former California Gov. Ronald Reagan has played in the canal issue. In 1976, Reagan found his anti-treaty stance to be one of his strongest GOP primary campaign issues against President Ford.

But Goodling thinks it is time for Reagan to step out of the foray—a prescription he also makes for Ford, who supports the treaties, and ex-Treasury Secretary John

Connally of Texas. "I feel their time has come and gone," Goodling said. "I don't think they should be in the forefront of the Republican Party. We've got to come up with new leadership and they stand in the way."

Goodling's position on the treaties has won him supporters in and out of his district. "I admire him even though I've never met him," said a top aide to a southern senator who would like to support the treaties but is fearful of constituent reaction.

"I was really impressed with his courage," said the Rev. Charles Bleber, a pastor of the Black Rock Church of the Brethren, Brodbeck, in Goodling's district. Bleber went to Panama in April, 1976, as part of a National Council of Churches fact-finding mission.

"I had no strong opinion one way or the other when I went," Rev. Bleber said. But he came away convinced that the new treaties are necessary to improve U.S. relations in Latin America and to do what is just for Panamanians.

Bleber attributes the furor over the canal to "nostalgia for the heyday of American power. Many people fear that maybe America isn't as great as it once was. I believe giving something up like this is a mark of greatness."

IT IS NOW THE B-1, THE B-52, OR NOTHING

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. SIKES. Mr. Speaker, the House is scheduled to vote Wednesday on the procurement of five B-1 combat bombers. When the House voted 202 to 199 against funding for the B-1 in the fiscal year 1978 military budget conference report, it was assumed the B-1 was dead and buried. The Speaker's influence had changed enough votes to defeat the appropriation. However, subsequent events have brought about an entirely different ball game. The B-1 has obstinately refused to stay dead and it may be in process of resurrection. Supporters propose to add \$1.4 billion for the B-1 to the pending supplemental appropriations bill.

President Carter's decision to kill the B-1 procurement program was made despite the recommendation of military experts that the program be continued. New life was breathed into the B-1 when the Secretary of Defense stated it would be "a prudent step" to appropriate \$20 million for initial work on a stretch version of the existing FB-111 to be known as the FB-111H. It is now clear that DOD feels there is a requirement for a penetrating bomber for the security of America and the free world. It has to be assumed this disclosure did not come to Congress without the knowledge of the White House. This caused eyebrows to be raised.

Why, it is asked, do we not have the best if a penetrating bomber is required? The B-1—an entirely new aircraft—is clearly superior to the FB-111H, even though the FB-111H would use engines and other parts from the B-1. Actually, two FB-111H aircraft and additional tanker support would be required to match the performance of one B-1. And the total costs could be higher for the

FB-111H. Both are multi-billion-dollar programs. Modern weaponry is not found in bargain basement.

House opponents of both bombers have sought to obtain assurances from the White House and from DOD that a penetrating bomber is not warranted. However, the responses leave room for doubt on their position. Both appear to hedge on a straightforward answer. Future courses are left in doubt.

The recent House defeat of the FB-111H narrows the field at this stage to the B-1 or the B-52.

In the bomber fleet, the United States now depends principally upon the aging B-52—a great airplane, but one which cannot penetrate the sophisticated, modern air defenses of Europe. The B-52 would use the new Cruise missile and stand off the coast of Europe during an attack. There are weaknesses here. The long-range Cruise missile is several years from procurement. It is still being tested. More importantly, it reputedly has been offered as a bargaining chip in the coming SALT talks. This may result in serious impairment of its value. The Russians know how to drive hard bargains.

In the meantime, according to reports, the Russians are building five Backfire bombers a month. The Backfire is inferior to the B-1, but it is a very advanced bomber capable of inflicting heavy damage on U.S. targets from bases behind the Iron Curtain.

Prior to the House action in defeating authorization of \$20 million for the FB-111H, the House Appropriations Committee, by a vote of 34 to 21, rejected President Carter's request for rescission of the fiscal year 1977 B-1 funds. No further action on the rescission is required. The funds involved would provide principally for two advanced R. & D. models of the B-1, which would be capable of quick modification to combat models. Already in being are three R. & D. models of an earlier type and a fourth is under construction. It is the fiscal year 1978 procurement funds for five B-1 combat aircraft which we now seek.

There are many supporters of a stronger defense program who feel that America has been practicing unilateral disarmament in both conventional and strategic weapons. United States forces are at their lowest figure since the Korean war in manpower, in naval ships, in combat aircraft; this despite a very rapid increase in numbers in each category in the Russian forces.

The strategic force picture is only a little less gloomy. In the aftermath of SALT I the term "parity" was replaced by "essential equivalence" which symbolized acceptance by the United States of Soviet numerical superiority. Moreover, in the last 5 years, the Soviets have added to their numerical advantage, and have made important strides in overtaking our former qualitative advantage. At present, the term "essential equivalence" is at best a euphemism for marginal U.S. inferiority; at worst, it reflects U.S. acquiescence to Soviet strategic superiority.

The President has said time and again that he wants to strengthen the security of the Western world. Many military experts agree that failure to procure the

B-1 combat aircraft, originally scheduled for fiscal year 1978, can be exceedingly dangerous to our defense posture. Acquiring this aircraft will be a signal to Russia and our allies that we are not sleeping while Russia arms; that we will not be content to play out the second-best poker hand to its inevitable conclusion.

## INDIAN LAND CLAIMS

### HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. COHEN. Mr. Speaker, few issues confronting Congress and the Nation today have greater implication and are less understood than the proliferation of Indian land claims cases based on the Indian Non-Intercourse Act of 1790.

We in Maine are experiencing the difficulties brought on by one of the largest of these claims, but dozens of other States have encountered similar problems in suits of their own. There are few documents which provide a clear, concise overview of this complicated situation. The latest issue of Title News, a publication of the American Land Title Association, however, contains a very good summary of Indian claims.

Of course, this article reflects the viewpoint of those concerned with the validity of land titles, but it provides interesting reading for all those concerned about Indian land claims. The article concludes that some kind of legislative solution will be needed to clear up the current legal difficulties—a conclusion to which I certainly subscribe.

I urge my colleagues to read closely the Title News article:

#### INDIANS LAND CLAIMS: A PERSPECTIVE

Whatever one's view on the merits of the issues involved in the present Indian claims or how they ought to be resolved, the claims are of great significance politically, historically and in terms of their potential impact on the lives and economies of the land claim areas concerned.

Original news of this Indian litigation often prompted joking responses and substantial disbelief. However, following some preliminary success in court and an intensive review of history and precedent, a more sober and concerned reaction has surfaced.

In order to comprehend this concern and before summarizing the present status of the dispute, a brief review of the nature of the claims and the litigation history is appropriate.

One of the first orders of business of the first Congress after the Revolutionary War and the formation of the federal government was the passage of an act with the somewhat exotic title, "The Indian Non-Intercourse Act of 1790." This Act, with certain amendments over the years, remains as a part of the federal code today. It provided in relevant part (Act of July 22, 1790, Ch. 33, Section 4, 1 Stat. 138):

"No sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state . . . unless the same shall be made and duly executed at some public treaty, held under the authority of the United States."

In other words, the language of the Act on its face appears to comprehend the ap-

proval of the federal government of any land transfers from an Indian tribe as a prerequisite to the validity of the transaction.

The Non-Intercourse Act was essentially drafted by the first Secretary of War, General Henry Knox. In writings to General Washington, Knox had expressed appreciation for Indian battle efforts on behalf of the colonies during the Revolutionary War and was concerned for their well-being following the war.

The intent of Congress in creating the Act—as subsequently interpreted by the Supreme Court—was to obligate the federal government to protect a "simple, uninformed people, ill-prepared to cope with the intelligence and greed of other races" and to act "to forestall fraud," to "prevent the unfair, improvident or improper disposition by Indians of their lands."

The obligation to provide this sort of Indian protection was seen to arise from the Constitution which vests in the federal government—as opposed to the states—exclusive power and responsibility over Indian affairs.

As subsequently discussed by Chief Justice Marshall, the Indian tribes occupied a unique position which he denominated as "domestic dependent nations." As such, he suggested that their "relation to the United States resembles that of a ward to his guardian." In the time since Justice Marshall's opinion, numerous federal court opinions have referred to the federal government's guardian-like role vis-a-vis the Indians with the implication that it had a fiduciary's obligation to speak and act on behalf of the Indians' best interests.

The United States has performed this fiduciary's role with varying degrees of care and attention. In the years after the passage of the Non-Intercourse Act of 1790, this was particularly so with respect to Indian tribes remaining in the lands which had belonged to the 13 original colonies.

Those Eastern tribes—in land essentially east of the Mississippi—were largely ignored by the federal government and whatever was done for them or to them was done by the states concerned. On the other hand, the so-called Western Indians—generally west of the Mississippi—were traditionally conceived of as "federal Indians" and dealt with more or less exclusively by the federal government.

Against this historical background, we arrive quickly in the present. The title of this article could easily be, "The Opening of Louise Sockabasin's Trunk and What Happened Thereafter." For, as rumor has it, it was in the trunk of an old Indian woman by the name of Louise Sockabasin, residing in a remote part of eastern Maine, that a second key part of the legal underpinning of today's claims was discovered in 1957 by the present-day chief of the Passamaquoddy tribe of Maine.

In the trunk under her bed, reportedly wrapped in straw, was a copy of a long ago forgotten treaty between that tribe and the Commonwealth of Massachusetts on Sept. 29, 1794—some four years following the passage of the Non-Intercourse Act.

At different times and degrees prior to that date, the Passamaquoddy had roamed over various portions of what is now the state of Maine. As the Indians would describe it in litigation, "since time immemorial," they had engaged in hunting, trapping, fishing and, to a more limited extent, growing crops on this land.

During the Revolutionary War, the Passamaquoddy had joined the colonists in the fight against the Crown in exchange for promises by John Allen, an agent of the Continental Congress, that the tribe would be given ammunition and protection. After the war and the formation of the federal government, Allen urged Congress to fulfill the promises. Congress responded by firing him.

In 1792, the Passamaquoddy tribe petitioned Massachusetts for land upon which to settle. In a response not unusual in modern times, the Commonwealth appointed a committee to study the problem—a committee which, incidentally, included John Allen, the former agent of Congress.

Then, in 1794, Massachusetts entered into an agreement with the tribe whereby the Indians relinquished whatever interest they might have, if any, in lands in Massachusetts in exchange for approximately 23,000 acres of land specifically reserved to them with the proviso that all pine trees fit for masts were reserved to the state for a reasonable compensation.

Pursuant to the 1820 Act of Separation, Maine became a state and thereby assumed all the pre-existing obligations Massachusetts owed to Indians within its boundaries.

Since the 1794 Treaty, Maine has enacted numerous laws which relate specifically to the tribe, including laws which provide for appropriation of necessities such as housing, health care, indigent relief, roads and water. In contrast, the United States has virtually ignored the tribe. Much of the land concerned has, over the years, by various grants and acquisitions largely found its way into private ownership, passing from owner to owner.

The significance of the 1794 Treaty belatedly rediscovered under Louise Sockabasin's bed can be seen in the context of the language of the Non-Intercourse Act. The Indians would argue in court that if that Act were applicable to the Passamaquoddy, and if they constituted a tribe within the meaning of the Act, the Act renders void the original relinquishment of land to the state and all subsequent reconveyances of that land down to the present—unless the requisite approval or acquiescence of the federal government were established.

The Indian chief who came upon Mrs. Sockabasin's treaty considered it important because he believed that the State of Maine had unjustly taken from the Indians some 6,000 of the 23,000 acres of land promised them by the state.

The treaty ultimately found its way to an attorney for the tribe who comprehended its larger significance in the context of the Non-Intercourse Act. With considerable research behind him, supported in large part by the Ford Foundation and the federal government's legal aid program, the attorney, on behalf of the Indians, filed a lawsuit in the United States District Court for the District of Maine on June 22, 1972 against the Secretary of Interior and the Attorney General of the United States seeking a judgment that the tribe was entitled to federal help on its behalf to prosecute a Non-Intercourse Act claim for the ultimate return of all of its original tribal or aboriginal land.

The land claim area involved represented 12.5 million acres of land and \$25 billion in alleged back rents and damages for improper use of the land since 1794. This constituted approximately 58 per cent of the land area of Maine, one-third of its population and over 100 of its cities and towns.

Defended quietly by the Justice Department and the attorney general of Maine, the case proceeded for several years through briefs and argument with little or no publicity or outside interest. Then on Jan. 20, 1975, the District Court held that the Non-Intercourse Act itself established a trust relationship between the United States and the Passamaquoddy tribe and that the United States acted improperly in refusing to prosecute the action against the state and private landowners solely on the grounds that such a relationship did not exist.

Almost exactly a year later, on Dec. 28, 1975, the Court of Appeals affirmed and no subsequent appeal was taken. In the wake of that decision the United States, through the Departments of Interior and Justice, re-

considered its decision and announced its intention to participate in the litigation—this time on the side of the Indians—and rather enthusiastically indicated its considerable confidence in the merits of the Indian claims.

It was at this point that the potential repercussions of the Indian claims began to become recognized beyond merely those persons directly involved in the litigation. The issuance of a \$1 million bond issue to finance work on a waste treatment plant in Millinocket, Maine was suddenly suspended when legal counsel could not render an unqualified opinion because of the pending claim.

The same fate occurred with respect to the issuance of \$27 million in bonds by the Maine Municipal Bond Bank on behalf of Maine towns and schools.

The inability to be assured that the tax base upon which repayment of the bonds would be secured accounted for these problems inasmuch as potential Indian ownership of the land might well render the land ultimately tax exempt.

Land transactions came to a standstill unless buyers and lenders were willing to accept the risk since sellers could not provide evidence of good title free and clear of adverse Indian claims.

All this led Rep. William S. Cohen (R-Maine) to state to his House colleagues, "... the very pendency of the suit threatens to bring the State of Maine to its knees. . . . Local municipalities in the disputed land areas will have difficulty issuing bonds to finance capital construction programs; banks will no longer finance home loans and mortgages; investment and commercial development will be terminated, and the flow of federal dollars into various government programs may be restricted."

In the meantime, claims involving different tribes and different claim areas began to spring up elsewhere. The Wampanoags claimed 13,000 acres in the Cape Code area of Mashpee and a smaller amount on the island of Martha's Vineyard; the Narragansetts of Rhode Island, 3,200 acres of Charlestown; two different Connecticut tribes, 1,200 acres of Kent and 800 acres of Ledyard, and the Onedias in upper New York State, 300,000 acres of Oneida County land.

In early July this year, the solicitor of the Department of Interior asked the Department of Justice to bring actions on behalf of other Indian tribes to recover land in New York State. The department agreed. The tribes and land areas are St. Regis Mohawk, 10,500 acres; the Cayugas, 62,000 acres, and the Onedias, 200,000 acres.

The suits will seek ejectment and damages against all persons claiming an interest in these lands. Rumors and talks involving Indian claims have also been circulated in South Carolina and other parts of Connecticut and New York.

All of these claims in effect allege that at some time after passage of the Non-Inter-course Act in 1790, lands in which the Indians previously had an interest were transferred in some fashion from them without approval of the federal government—a transfer that is therefore void.

In an escalating war of counterclaims and counters to the counterclaims, the defendant landowners have asked for damages representing all of the improvements to the lands over the years if they should belong to the Indians and the Indians have responded with damage claims for trespass, use and occupancy as well as injury to the land.

The actual dimensions of potential claims are as yet unknown and difficult to predict because of the extensive historical work which must be accomplished before an educated judgment can be reached.

The natural reaction from lawyers as well as laymen to discussion of this Indian litigation consistently is, "Well, how about the

statute of limitations? Reliance on the soundness of real estate transactions for 200 years through thousands of conveyances without any questions being raised by the Indians, the United States or anyone else should count for something. And why can the Indians re-open this issue at this point in time?"

The Indian lawyers won an early and certainly psychologically important victory in this particular area. In Federal District Courts in Rhode Island and Connecticut, the defendant landowners responded to the Indian claims with defenses based upon state statutes of limitation and adverse possession.

The plaintiff Indians quickly moved to strike those defenses. In litigation terms that is to say, "Even if the defendants could prove they had such a defense, it would be legally insufficient."

Both federal courts granted the motion made by the Indians and the defenses were thrown out. The basis for these decisions was that the real party in interest in the litigation—whether actually a party to the case or not—was the United States, again due to its peculiar trust relationship with the Indians, and that such state-created defenses do not lie as against the United States because it, as the sovereign power, is immune.

As of this date, the pending litigation moves forward. Generally, both sides are engaged in conducting extensive historical research on the Non-Inter-course Act and the history of the tribes involved. Numerous critical issues remain to be litigated. Examples of such issues include:

Does the Act apply to Eastern tribes?

Did the United States in one form or another approve or acquiesce in the transfers?

Was the tribe a tribe at the time of the original transfer?

Is the tribe presently constituted so as to properly claim?

Did the tribe actually have an interest in the land at the time of the transfer or had it in fact been previously lost or abandoned?

It is not my purpose to suggest how these issues will or should be resolved if the litigation proceeds its course. However, I would suggest that litigation does not appear to be a fair process for a resolution of these claims and that legislative settlement would be far preferable. It should be one that provides for an equitable resolution by the federal government of legitimate claims and which removes present day landowners and their land from the case.

I say this first, because it is apparent to all who have been involved that continued litigation will be very expensive and very protracted. According to the Justice Department, this is "potentially the most complex litigation ever brought in the federal courts with social and economic impact without precedent and incredible litigation costs."

The judge in the Massachusetts case, Judge Skinner of Boston, recently indicated a belief that the trial itself of the Massachusetts case alone may last several years with appeals to both the Court of Appeals and the Supreme Court a foregone conclusion.

Very considerable amounts of time and effort remain in each of the cases presently filed before a trial commences. Apart from attorneys' fees and other costs usually related to complex litigation, enormous costs are required in the historical research required. As these costs escalate, the individual defendant landowners and state and local governments upon whom this burden falls will be increasingly hard pressed to defend.

I also would suggest litigation against private landowners is a poor vehicle with which to fairly resolve issues which are in many respects essentially political. In addition to the time and expenses to which I

referred, the ancient nature of the facts and documents inherently a part of most of the essential issues to be tried makes it less than certain that one could ever establish in a court of law precisely what did or did not occur. Moreover, there appears to be a basic injustice in forcing current landowners to defend themselves against ancient claims that are in no sense based upon any wrongdoing on their part. To the extent that there may be any legal or moral basis to the Indian claims, they deserve to be addressed or remedied by the federal government which ought to bear the burden of having failed to act over the years.

Finally, merely the pendency or even hint of litigation—however it might ultimately be resolved—causes substantial uncertainty with respect to the marketability and taxability of affected land.

In fact, merely the presence of a lawyer and several Indians reviewing ancient documents at the county courthouse has caused adverse economic circumstances in some communities.

The public and private economic and emotional concerns which this has already created in Maine and elsewhere will only increase as the claims and the litigation continue. These concerns will have an increasingly damaging effect on the individuals and companies whose property is threatened or who might be liable for damages even if the ultimate result in litigation is favorable. All of this works a heavy social cost as well because of the strain placed in the interim on relations with Indians who live in the affected areas.

For these reasons, attention has increasingly centered on Washington and the possibility of a legislative settlement of the claims upon a broad basis. Earlier this year, President Carter appointed Justice William Gunter, recently retired from the Georgia Supreme Court, as his special representative to study the Maine and Massachusetts cases and to make recommendations as to a potential solution.

Since that time, Judge Gunter has been engaged in substantial discussions with various of the interested parties and has very recently delivered a recommendation for a legislative settlement of the Maine litigation to the President.

Judge Gunter has an unenviable task. All sides in the litigation exude confidence that they will prevail. The involvement of different tribes, public officials and landowners on each side from case to case increases the number of parties who have to be dealt with and whose positions have to be considered. Moreover, there appears to be practical political considerations which place limitations upon what the Carter Administration and Congress would be willing to commit to a legislative solution to the problem.

Nonetheless, I am hopeful that Judge Gunter's recommendations will contribute to an equitable legislative resolution of the claims and in this fashion spare the nation the need to wage Indian wars once more—even if this time the battle grounds would be the quiet halls of the federal courts.

BALANCE(S) OF POWER: PART VI  
(VIII) (a) THE NAVAL BALANCE:  
MOTIVES BEHIND GROWING  
SOVIET NAVY

**HON. JOHN BRECKINRIDGE**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. BRECKINRIDGE. Mr. Speaker, in the preceding installment to the naval

balance series, selected writings of Soviet Fleet Admiral Gorshkov were cited to present a doctrinal picture of continuity and strategic purpose in the Soviet naval growth. In today's selection, "Maritime Strategy and the Super-Powers," from *Adelphi Papers* No. 123 (1975), Michael McGwire offers some caveats in reading Gorshkov and suggests that the Soviet shift to a naval position of forward deployment was adopted primarily in response to U.S. emphasis on strategic missile submarine systems.

McGwire's interpretation of Soviet naval deployments is not shared by many; however, by challenging several superficial views of Soviet naval expansion, he forces us to come to grips with the fundamental possibility that "Soviet military doctrine does not separate 'nuclear deterrence' from the general concept of defense," and that "victory is synonymous with survival." Mr. McGwire's article follows:

#### SUPER-POWER MOTIVES

This section concerns the motives which underlie the naval policies of the super-powers. I concentrate mainly on the Soviet Navy and start by dispelling three popular fallacies. The first is exemplified by the suggestion that because the Soviet Union is engaged in establishing her role as a global power, "the ability to project naval power in support of that role becomes an important requirement". The second is contained in the analogy drawn between the Soviet Navy and the Imperial German Fleet. And the third is the tendency to liken Gorshkov to Tirpitz. All three have the same roots and, taken together, give the misleading impression of a deterministic drive for Soviet naval supremacy, master-minded by a great naval leader. This in turn leads to false conclusions about the type of political commitment and economic investment underlying Soviet naval policy.

The first fallacy derives from what I call "the puberty theory of seapower". It is pre-eminently Western and argues that because the Soviet Union is a super-power, therefore she needs a world-wide naval capability. Although Admirals Mahan and Gorshkov might support this proposition, it no longer holds today, nor does the shipbuilding evidence suggest that the Soviet leadership believes in it. The theory assumes that all nations have the same interest in the use of force at sea and ignores the impact of geopolitical circumstances. The latter are particularly strong in the Russian case and account for the consistency of her naval objectives over the last two hundred years. Her naval policy has been largely dictated by her extended coastline and the fact that four quite separate seas wash her shores, requiring four self-sufficient fleets to defend them. This has meant that although Russia was (and is) predominantly a land power, her combined fleets have generally been the third or fourth largest in the world, and at times second only to Great Britain. Despite this, her navy has traditionally been seen as an expensive necessity, rather than as a symbol of great-power virility.

The analogy drawn between the build-up of the German and Soviet Navies depends heavily on the puberty theory, along with several other assumptions about great-power behaviour. Although it is prudent to bear the German case in mind, disparities between the geopolitical and economic circumstances of the two countries and the international circumstances of the two periods are too great for the analogy to be anything but misleading. It does, however, help to underline the difference between traditional Western perceptions of the utility of naval force and the way the Soviet Union perceives her

requirements. On the one hand she believes that the struggle for world influence is primarily "economic, political and ideological"; and on the other, she is opposed by "the traditional maritime power", who clearly place a high value on naval forces and continue to possess overall naval predominance. Within the present correlation of forces, it is obviously in the Soviet Union's best interests to by-pass direct competition in this area.

This does not mean that she neglects her naval strength. The naval building programme initiated in 1945 was the fourth attempt in 65 years to rebuild the Russian fleet, and this programme picked up from where the previous programme (started in 1928) was interrupted by war. It is therefore all the more significant that in 1955 the Soviet leadership, having downgraded the threat of maritime invasion, proceeded to cut back the annual tonnage of new naval construction by over two-thirds, and reassigned over half the cruiser building ways to the merchant and fishing fleets. The Soviet Union thus gave priority to using the sea as a resource and for the conveyance of trade and aid, both as a means of gaining world influence and for internal economic reasons. This use relied wholly on the freedom of the seas, while the naval mission concentrated on the defence of the home fleet areas. The reformulation of this mission in 1961, and the decision that the Soviet Navy must shift to forward deployment, was not prompted by some newly acquired super-power status. It was a response to the American decision to invest half the nuclear delivery capability of the United States in seaborne systems.

Which brings us to Admiral Gorshkov. His reputation in the West derives entirely from his position as C-in-C during a period in which the Soviet Navy has achieved high visibility as the result of the decision to shift to forward deployment. But to give Gorshkov credit for the present size, shape and deployment of the Soviet Navy is to ignore the fact that, throughout his incumbency, the Soviet Union has been faced with a growing and substantial potential for nuclear attack from distant sea areas—a threat which has been of direct concern to the political leadership. One could as well suggest that it is the man with the paddle who provides the motive power to a canoe being borne along by a fast-flowing stream. In fact, it is uncertain that Gorshkov has been very successful in using his paddle to steer with. Let us review some of the evidence.

Until his recent series of articles, there were no indications that Gorshkov was a long-standing advocate of far-flung fleets; one could argue the reverse. Twenty years ago, he was brought to Moscow by Khrushchev to implement decisions which were primarily designed to release resources to the civilian economy, and would have resulted in a task-specific, defensively oriented navy, more firmly tied to home waters than at any time in its history. The concept of operations relied on long-range surface-to-surface missiles (SSM), which had yet to be developed, and assumed that the encounter zone would lie within range of shore-based air cover. By 1958 this assumption had already been falsified by advances in American naval capability. The result was a further set of new decisions, this time relying entirely on submarines and aircraft for distant operations. This new policy required that the nuclear submarine-building capacity be doubled.

While it can be argued that these particular procurement decisions derived directly from the political leadership, no such defense can be offered where combat capabilities and operational readiness were concerned. Yet the shift to forward deployment seems to have come as an unwelcome surprise to the Soviet Navy, which was operationally ill-prepared for the move. As late

as 1963, seven years after he had taken over as C-in-C, Gorshkov had to lecture the fleet on the need to get to sea and stay there, so as to develop an ocean-going all-weather capability.<sup>7</sup> Gorshkov has subsequently referred to the need to 'meet the qualitatively new requirements', which involved the 'organic restructuring of the navy and the reorientation of traditional naval policy.'<sup>8</sup>

This is hardly the picture of a navy straining at the political leash.

We may overlook Gorshkov's involvement with the decision to gamble on long-range SSM as the primary armament of the fleet, a mistake which the Soviet Navy is only now working out of its system. But it does remind us that his predecessor, Kuznetsov, was retired because of his resolute opposition to this narrow concept. By contrast, Gorshkov has remained C-in-C through a series of radical shifts in naval policy determined by the political leadership, and despite a continual under-allocation of resources to surface-warship construction in relation to the requirements being demanded of the fleet. One of the strongest criticisms of Gorshkov within the Soviet Navy could be that in his professional capacity he has been unwilling to stand up to the political leadership, whether it was a question of operational concepts or, more recently, of trying to do too much with too few ships. He is certainly no Jackie Fisher.

Turning finally from fallacies to motives, we must begin by trying to unravel the wartime strategies from the peacetime employment of naval force. For both the United States and the Soviet Union wartime strategy is a determinant of peacetime naval policies, but in different degrees. For the Western naval powers, the peacetime employment of naval forces has been a dominant consideration during the last thirty years and has generated in its own substantial force requirements. This continues to be the case with the U.S. Navy, and a large proportion of its fleet can only be explained in terms of the peacetime projection of traditional force.

In the Soviet case, by contrast, the general war requirements continue to dominate the structure of the fleet and the characteristics of its ships. In terms of deployment patterns and ships in service, contemporary Soviet naval policy stems from 1961 and President Kennedy's abrupt acceleration of U.S. procurement of strategic weapons. Soviet leaders remained unpersuaded that this U.S. build-up of land-based and submarine-launched strategic missiles was a purely "defensive" move, and were seriously concerned that the United States was seeking to develop the capability for a disarming strike. The shift in Soviet strategic-weapons policy can also be dated from that period.<sup>9</sup> In considering the navy's response to this new situation, it is useful to distinguish between the tasks of (a) striking at enemy territory, and (b) countering the enemy's sea-based strategic systems.

Starting with the latter, we note that Soviet military doctrine does not separate 'nuclear deterrence' from the general concept of defence. Defence of the Soviet Union relies on the capability to throw back any attack by the West, and then go on to win what will inevitably be a world nuclear war between two antagonistic social systems. Since 'world war' is seen as a fight to the finish, victory is synonymous with survival. In such circumstances Europe assumes a very special place in Soviet military strategy.

<sup>7</sup> *Krasnaya zvezda*, 5 February 1963.

<sup>8</sup> *Ibid.*, 11 February 1968.

<sup>9</sup> See my article, "Soviet Strategic Weapons Policy 1955-70" in M. McGwire, K. Booth and J. McDonnell (eds.), *Soviet Naval Policy: Objectives and Constraints* (New York: Praeger, 1975), p.486.

In the initial stages of such a war, the extent to which Western Europe is devastated will largely depend upon the Soviet choice of weapons. It was the potential availability of this adjacent and partly undamaged area on which to rebuild the Socialist system that allowed the Soviet Union to plan on the assumption that, if 'world war' were forced on her, it need not imply mutual suicide. And it was in this context that the major American shift of emphasis towards seaborne strategic nuclear weapons was so disturbing. These weapons were the only ones which, if withheld, would have some certainty of surviving the initial nuclear exchange and remaining available to deny the Soviet Union the use of Europe. The simplest way of countering this threat to the ultimate survival of the Soviet system would be to remove the American option of withholding these weapons by making it unlikely that they would in fact survive. This would require that they be attacked at the outbreak of war, and would mean that Soviet forces would have to be within weapon-range contact at the vital moment.

The shift to forward deployment was decided in principle by the end of 1961, but the debate about means continued until 1963-4.<sup>10</sup> The operational concept which finally emerged was to extend the Soviet Union's defence perimeter to cover the sea area whence nuclear strikes could be launched and, by establishing an increasingly active presence in these areas, first to contest, and perhaps ultimately to deny, their use by the West for the deployment of strategic weapons. Meanwhile the capability would be developed to follow the movement of all strategic delivery units when they sailed from their bases.

These measures would have to be introduced progressively over the following fifteen years or so, as the necessary weapons systems and forces became available through a process of major conversion, modified new construction and finally, new design and development. To achieve economy in numbers, the policy was predicated on naval shore facilities being available in the forward operating areas. Moreover, counterforces were not limited to the navy, and it seems likely that shore-based systems, including ballistic missiles and satellites, were taken into account from the start.

In terms of operational deployment, the ordering of priorities was fairly clear. Set at 1,500 nm (the range of the *Polaris A2*) and centered on Moscow, the dividers took in the Norwegian Sea and Eastern Mediterranean—areas where Western strike forces were already operating. Extended to 2,500 nm (the *A3* range), the dividers reached beyond the tip of Greenland, described an arc which passed through the Eastern Atlantic, cut the African coast about the Canary Islands and crossed the Arabian Sea between the Horn of Africa and Bombay. That was the extent of the area-defence problem. There was also the need to cover the fleet bases on the coasts of North America, and the transit routes to the operating areas. The initial phase lasted through 1967, access to Egyptian ports being a vital bench mark. The second phase began in 1968 and the pattern was complete by 1972, although the full structure was still not in place.

Although this explanation of the initial shift to forward deployment is now widely accepted, many are reluctant to concede that the second phase followed the same strategic plan. But, unless we allow pure coincidence, there are too many diverse facts to be accommodated by any other explanation. For example: the clear-cut geographic pattern; the political (but not strategic) insig-

nificance of the small states being courted in West Africa; the heavy political cost of insisting on naval support facilities in Egypt; the absence of a Soviet naval presence in the South China Sea. These and other more ambiguous bits of evidence all fit snugly into the strategic hypothesis, but will not support an influence-building one. One of the most frequent objections to this hypothesis is that *Polaris* cannot be countered. Perhaps so; but this objection ignores the many examples of Soviet willingness, where the defence of the country is concerned, to expend substantial resources on projects where the chances of success are small and the return on success low. It also ignores the Soviet Union's own unhappy experience with American anti-submarine measures, which would have given her a different understanding of the odds.

This brings us to the role of Soviet strategic delivery submarines. Their role stems from three sources: (1) the Russian Navy had a long and successful tradition of attacking warships in port, and this was incorporated in Soviet naval doctrine; (2) at the end of World War II the diesel submarine was the only delivery vehicle with the range and payload to bring weapons to bear on the North American continent; (3) Soviet military doctrine sees strategic nuclear weapons as the main force within a general war-fighting capability, on which the defence of Russia depends. Taken together, this means that, although the Soviet Union was the first systematically to exploit the submarine's potential for strategic delivery, the operational requirements were very different to those underlying the *Polaris* concept, which derived from a mixture of "nuclear deterrence theory" and "bureaucratic politics".

In the post-war period, Soviet strategic delivery submarines were given top priority in nuclear propulsion, warheads and ballistic missiles. Despite this, advances in American anti-submarine capabilities, coupled with Soviet technological inadequacies, meant that the first two generations could not meet the intended operational requirements. In 1958, therefore, priority was shifted away from strategic delivery, and it seems likely that it was originally planned to build only two Y-class SSBN a year, with delivery from 1968.<sup>11</sup>

However, the new threat of a disarming strike which emerged in 1961 gave renewed priority to seaborne systems; as a result, the SSBN production rate was raised to about six per annum, at the expense of other types of submarine construction. These submarine developments were paralleled by advances in missile systems and a steady increase in range: 1957-350 nm; 1962-650 nm; 1967-1,300 nm; and 1972-4,200 nm. While the first increase can be seen as normal design improvement, the second and third steps were almost certainly influenced by the American anti-submarine capability. The third step (which stems from the 1961 period) is particularly significant: this three-fold increase allowed ballistic-missile submarines to strike at North America from the comparative safety of home-fleet anti-submarine defence zones.

Developments in missile capability were meanwhile reflected in the nature of the submarine's task. Units armed with the 350 nm and 650 nm systems were limited to contributing to the naval task of attacking maritime communications by striking at naval bases and port complexes.<sup>12</sup> The 1,300 nm system caused the missile submarine to be linked with the Strategic Rocket Forces as comprising the "main force for deterring

the aggressor and decisively defeating him in war".<sup>13</sup> And with the advent of the 4,200 nm system, Gorshkov was able to claim that, because of their greater survivability, missile submarines were a more effective deterrent than inter-continental ballistic missiles (ICBM).<sup>14</sup>

The requirement for submarines to patrol within missile range of their targets is not the same for the Soviet Union as it is for the United States. The latter's calculations are dominated by the land battle in Europe and by concern over a *fait accompli*, and presumably it is this which requires such a high proportion of units on station. Soviet requirements are more simple. The deterrent mission relies on the certainty of retribution, not its speed; it is therefore only necessary to ensure that the missile submarines escape the initial exchange and are able to deliver their missiles in due course. Similarly with the war-fighting mission; there are relatively few time-urgent targets which require submarines to be within missile range at the outbreak of war, and only a few units need to be on station to meet these requirements.<sup>15</sup>

Furthermore, there are major advantages to keeping only a small proportion of the force deployed. For example: it allows a larger number of units to be at sea in times of tension; it requires only one crew per boat (a costly item); it reduces the maintenance load and increases operational availability; and it denies the enemy a full measure of his problem. But from the Soviet Union's point of view, probably the most important factor is the anti-submarine defences which face her. Past experience can give her no confidence that the United States, if she wanted to, could not take out all the Soviet patrolling submarines at one go; and, of course, this is the capability the Soviet Union has been seeking for herself. On the other hand, the chances of Soviet submarines reaching their firing positions will be greatly improved once war has begun and ASW forces and sensor systems have been put out of action, particularly if the submarines swamp the defences by deploying en masse.

This disposes of the two war-related tasks, which the Soviet Navy has to carry out continuously in peacetime. We must now glance at the other ways in which these naval forces are used while on forward deployment, and, from the evidence of 11 years' activity, we can distinguish three types of 'peacetime' task. The most important is inferred; the other two are referred to in the open press.

The most important peacetime task is 'to establish a strategic infrastructure overseas': i.e., to build up, consolidate and preserve the physical, political and operational infrastructure required to support the Soviet Navy's war-related task of countering Western seaborne strategic delivery systems. This task (which comes under the general rubric of 'protecting state interests', but otherwise

<sup>10</sup> *Ibid.*, 1968 edition, p. 235.

<sup>11</sup> *Morskoi sbornik*, February 1973, p. 21.

<sup>12</sup> For example, assume 62 Y- and D-class, 42 in the Northern and 20 in the Pacific Fleet. Of the 42 in North allow 6 on periodic refit/recore. Divide the remaining 36 into three groups: Ready, Standby and Maintain. In times of low tension 4 boats would be on patrol, the remainder in harbour at various degrees of readiness or day running.

*Ready:*

4 On patrol.

4 Immediate notice.

4 4 hrs. notice.

*Standby:*

6 8 hrs. notice.

6 24 hrs. notice.

*Maintain:*

6 up to 7 days.

6 up to 28 days.

<sup>11</sup> See my article, "Current Soviet Warship Construction" in McGwire, Booth and McDonnell (eds.), *op. cit.*, p. 425.

<sup>12</sup> V. D. Sokolovsky, *Voennaya Strategiya* (Moscow: Voenizdat, 1963), p. 400.

<sup>10</sup> See *The Evolution of Soviet Naval Policy, 1960-74* in McGwire, Booth and McDonnell (eds.), *op. cit.*, p. 507.

is not referred to openly) would seem to provide the primary motive for a wide span of operational decisions, ranging from preventing the overthrow of a client regime, to acquiring base rights by barely concealed coercion. Since this task concerns the security of the homeland, it is backed by a high level of political commitment, and the evidence shows a willingness to accept political costs so long as the strategic objective is furthered thereby.

A second task, 'countering imperialist aggression', has been clearly articulated for eight years or more. It involves challenging the employment of Western naval forces to thwart the interests of 'the world liberation movement'. The political commitment seems fairly low, although on a limited number of occasions, forces have been specifically deployed for this task. In areas like the Eastern Mediterranean, which are within strategic strike range of the Soviet Union, it is sometimes hard to distinguish this task from the war-related one of posing a counter to the Sixth Fleet's nuclear strike potential. However, in times of tension the latter task takes precedence, since the need to avoid any confrontation which might escalate to general war, is overriding.

A third task of 'increasing prestige and influence' (also clearly articulated) uses naval forces to promote general foreign-policy objectives in a manner familiar to Western navies. This task appears to be almost entirely supportive and, with the exception of mine-clearing operations, exploits the presence of ships already on forward deployment.

During 1971-72, the build-up of these ships levelled off,<sup>18</sup> and, dating from the same period, there has been a marked increase in the use of naval forces on the last two peacetime tasks. This period also covers the 24th Party Congress, SALT I and the unprecedented series of articles by Admiral Gorshkov, and the coincidence invites questions as to whether there has been some major adjustment of policy. The evidence of long-term decisions has not yet had time to show up. But in the shorter term it is possible that the negotiating process at SALT persuaded the Soviet Union that the dangers of escalation were substantially less than she had feared, thus emboldening her to use her naval forces more assertively.

In this context I cannot agree with Johan Holst that there are inherent pre-emptive pressures in the design and operational characteristics of Soviet surface ships. As Gorshkov says, "the battle for the first salvo" is hardly a new dictum. I would argue that the weapon configuration of the newer surface ships (and the retrofitting of older classes) is designed to provide maximum protection against a sudden surprise attack, particularly by aircraft. This would seem to reduce, rather than increase, pre-emptive pressures.

Meanwhile, despite the greater use of surface ships in forward areas, there are as yet no indications that this arm of the navy is receiving increased priority. Surface-ship construction has had to make do with existing resource allocations and naval yard capacity, and this has entailed dropping the escort ship from the type inventory. The annual delivery rate of slightly more than one cruiser- and two destroyer-size ships (plus the occasional helicopter cruiser) is low, both in terms of past practice and present requirements.

My own impression is one of marking time and of expectancy, particularly in the submarine and aerospace fields. By 1978 some 60 Y- and D-class SSBN will have been built. This is the year when we would expect a new family of nuclear submarines to begin delivery, and, except that they are unlikely to be

SSBN, we can only speculate as to their role (though at least two prototypes have now been around for several years). Meanwhile, there are doubts about the function of the main missile systems aboard the major surface units, and an increasing suspicion that the Soviet designation of these ships as anti-submarine vessels is accurate. This reinforces the general impression that countering the ballistic-missile submarine remains the number one priority. It does not, however, explain how the Soviet Union hopes to handle *Trident*, nor whether the evidence we now see reflects future intentions, or the inertia of discarded policies.

Assuming that there are new developments around the corner, the relatively low building rates for surface ships, coupled with the reluctance to provide substantial afloat support, suggest that they will center largely on the nuclear submarine and various types of aerospace support.

#### NEW YORK TIMES EDITORIAL ON OSHA

### HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HANSEN. Mr. Speaker, OSHA's moment of reckoning is drawing closer. In October the fall term of the U.S. Supreme Court starts and one of the major issues to be discussed is the Barlow case. Marshall against Barlow's, Inc. involves a challenge to OSHA's unconstitutional use of warrantless inspections in their enforcement of the 1970 job safety law. The question at stake is whether or not section 8(a) of the OSHA law is unconstitutional as declared by a unanimous lower court decision.

An editorial by the New York Times on August 8, 1977, expresses the growing sentiment of the majority of the American people toward the weaknesses of OSHA and a very workable approach to assure better job safety and health. It is a very thought-provoking article which I highly commend to my colleagues. The article follows:

#### BELABORING WORKER SAFETY

The Occupational Safety and Health Administration is in trouble. Business doesn't like the way it has played big brother, promulgating petty regulations. Labor isn't very happy with the agency's performance, either; it has done little to reduce job-related injury and illness.

The agency's new boss, Assistant Secretary of Labor Eula Bingham, promises to do better. She plans to concentrate on serious hazards in major industries, rather than nitpicking about the distance between rungs on shoe-store ladders. Organized labor, correctly sensing the depth of public hostility to the agency has reluctantly chosen to support the new strategy. Far better to close ranks now, labor reckons, than lose the agency altogether.

The change of emphasis makes some sense. But a more "cost-effective" enforcement strategy, designed to offend the fewest possible members of Congress, will not allow her agency to do the job it was set up to do. At best, it will be able to cut accidents and illnesses in a few high-risk industries. Many workers will continue to be exposed, on occasion, to unreasonable dangers. And those who end up as victims, particularly of job-related diseases, will continue to bear most of the burden.

Is there no better solution? White House economists believe that effective safety regulation requires a fundamental change in approach. The debate so far has focused on how to balance the rights of workers to protection against the rights of employers to run their own businesses—as if more safety necessarily requires more Federal control. In fact, much of the work the agency does so poorly today could be done better without direct government participation, and the rest of its job could be restructured to minimize bureaucratic interference.

Where hazards can be easily diagnosed by employers, financial incentives to improve safety conditions would be far more effective than Federal regulation and inspection. Regulations can't be tailored to meet the needs of individual worksites; nor can a few thousand inspectors inspire much change in a vast, decentralized economy. But if businesses were required to compensate the injured for the full cost of accidents, regardless of fault, they would have good reason to invest in safe equipment and adequate training. Indeed, private insurance companies that sell workers' compensation policies would probably police job safety in much the same way they now monitor standards for fire and liability insurance coverage.

Financial incentives alone cannot in all cases change business behavior. The long term effects of exposure to chemicals or dust, for example, are hard to document, making it extremely difficult to pin the responsibility on the place of work. Here, the Federal safety agency should take the lead, identifying hazards and setting standards. There is no reason even in these cases, however, for government to specify how the standards should be met. By trying to be too specific, Washington has in the past forced companies to waste millions of dollars and has stimulated opposition to the most benevolent Federal intervention in worker safety.

If this combination of financial incentives and Federal rules can raise safety standards without increased government control, why has Assistant Secretary Bingham chosen more conventional reforms? Because organized labor, her agency's chief patron, bitterly opposes any move to an incentive system. It is wedded to New Deal-style regulation, the comforting image of an inspector in every plant to prevent abuse of the workers. That kind of regulation probably wouldn't work very well. But in any case, there is no way to persuade Congress to pay for the required army of inspectors. As a result, rigid labor opposition to the measured use of financial incentives perpetuates an inadequate status quo. American workers deserve better.

#### OIL COMPANIES SPEND \$130 MILLION ON TELEVISION ADVERTISING

### HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. MURPHY of New York. Mr. Speaker, yesterday I placed in the Record a survey of newspaper advertising expenditures of the five major companies. Those massive expenditures were not for product advertising—that is, ads which try to sell more gasoline to the public. They were ads designed very carefully to create an image for the company, to promote their interests with the public, and to pressure the Congress as to the legislative interests of big oil. The point made in that study was that the five major

<sup>18</sup> See R. G. Weinland, "Soviet Naval Operations: Ten Years of Change," in McGwire, Booth and McDonnell (eds.), *op. cit.*, p. 375.

oil companies . . . Exxon, Mobil, Gulf, Shell, and Texaco . . . spent an enormous amount of money to influence the public and the Congress into believing that what is good for the oil companies is good for the Nation.

Unfortunately, I find that my distress with their newspaper advertising was somewhat misplaced. Compared to their expenses on national television, the oil companies expenses for newspaper advertising are peanuts.

Just three of the top oil giants—Exxon, Shell, and Mobil—spent \$130,496,000 over the past 3 years of 1974, 1975, and 1976, on network and spot television advertising. Let me repeat that figure: one hundred thirty million, four hundred ninety-six thousand dollars and change.

I submit the breakdown for the benefit of the Members of Congress who wish to see how much of the enormous profits of the oil companies are spent on advertising designed to influence legislation to further enhance their profit picture, at the expense of the consuming public:

**TV ADVERTISING REVENUES—EXXON-SHELL-MOBIL**

*For the years 1974-75-76*

Year	Network TV	Spot TV
<b>Exxon:</b>		
1974 -----	\$10,369,000	\$218,000
1975 -----	12,308,000	1,879,000
1976 -----	13,402,000	4,209,000
Total ---	36,079,000	6,306,000
<b>Shell:</b>		
1974 -----	8,809,000	1,197,000
1975 -----	6,519,000	2,219,000
1976 -----	8,440,000	2,628,000
Total ---	23,768,000	6,044,000
<b>Mobil:</b>		
1974 -----	Not available	
1975 -----	4,800,000	19,739,000
1976 -----	7,543,000	26,217,000
Total ---	12,343,000	45,956,000
Total ---	*72,190,000	*58,306,000
Grand total-----		\$130,496,000

\* Totals do not include expenditures for Mobil for 1974.

**THE SOCIAL SECURITY FINANCING ACT OF 1977**

**HON. BILL ARCHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Mr. ARCHER. Mr. Speaker, today I plan to go before the Rules Committee to ask that the rule on H.R. 9346 make in order an amendment from the floor to strike provisions of the bill relating to social security coverage of employees of nonprofit organizations, States, and their political subdivisions.

Although I favor universal coverage for our national social insurance system, I do feel that there are rather serious administrative and legal problems associated with the coverage of employees

in the groups mentioned above. Therefore, I hope that my amendment to strike this coverage will be made in order, and I have inserted in the RECORD the following amendment to accomplish that purpose:

**AMENDMENTS TO THE COMMITTEE AMENDMENT TO H.R. 9346, OFFERED BY MR. ARCHER**

Strike out sections 302 and 303 (beginning on page 168, line 4, and ending on page 175, line 3).

Redesignate the succeeding sections accordingly.

Conform the table of contents (on page 117).

Strike out line 4 on page 175 and all that follows down through line 25 on page 176 and insert in lieu thereof the following:

**CREDITING OF CERTAIN FEDERAL SERVICE PERFORMED PRIOR TO EFFECTIVE DATE OF COVERAGE**

SEC. 302. Section 213 of the Social Security Act is amended by adding at the end thereof the following new subsection:

**"CREDITING OF CERTAIN FEDERAL SERVICE PERFORMED PRIOR TO EFFECTIVE DATE OF COVERAGE**

"(d) In the case of any individual who—  
 "(1) performs service in the employ of the United States or any instrumentality thereof (and derives at least six quarters of coverage therefrom) on or after the effective date of the repeal of section 210(a) (5) and (6) by the Social Security Financing Amendments of 1977, and

"(2) also performed service in the employ of the United States or any instrumentality thereof prior to such date,

each calendar quarter in which such individual performed service described in subparagraph (B) shall, if it is not otherwise a quarter of coverage, be treated (under regulations prescribed by the Secretary) as a quarter of coverage for all the purposes of this title.

Page 188, line 22, strike out "(8)" and insert in lieu thereof "(7)".

Page 188, line 23, strike out "(17)" and insert in lieu thereof "(18)".

Page 189, line 2, strike out "210(a) (6)" and insert in lieu thereof "210(a) (7)".

Page 189, line 5, strike out "(6)" and insert in lieu thereof "(7)".

Page 189, line 9, strike out "210(a) (11) (B)" and insert in lieu thereof "210(a) (12) (B)".

Page 189, line 12, strike out "210(a) (13)" and insert in lieu thereof "210(a) (14)".

Page 189, line 15, strike out "210(a) (8), (9), or (12)" and insert in lieu thereof "210(a) (9), (10), or (13)".

Page 189, line 18, strike out "210(a) (17)" and insert in lieu thereof "210(a) (18)".

Page 189, line 23, strike out "(8)" and "(17)" and insert in lieu thereof "(7)" and "(18)", respectively.

Page 190, line 5, strike out "3121(b) (11) (B)" and insert in lieu thereof "3121(b) (12) (B)".

Page 190, line 8, strike out "3121(b) (13)" and insert in lieu thereof "3121(b) (14)".

Page 190, line 11, strike out "3121(b) (8), (9), or (12)" and insert in lieu thereof "3121(b) (9), (10), or (13)".

Page 190, line 14, strike out "3121(b) (17)" and insert in lieu thereof "3121(b) (18)".

Page 190, line 18, strike out "(b) (6)" and insert in lieu thereof "(b) (7)".

Page 190, lines 22 and 23, strike out "subsection (b) (5)" and insert in lieu thereof "subsection (b) (6) (A)".

Page 190, line 23, strike out "210(a) (5)" and insert in lieu thereof "210(a) (6) (A)".

Page 191, lines 2 and 3, strike out "3121(b) (6)" and insert in lieu thereof "3121(b) (7)".

Page 191, line 7, strike out "210(a) (6)" and insert in lieu thereof "210(a) (7)".

Page 225, lines 12 and 13, strike out "(as amended by section 302(d) (3) of this Act)".

Page 232, line 12, strike out "304" and insert in lieu thereof "302".

Page 242, lines 1 and 2, strike out "(as amended by section 302(e) (4) of this Act)".

Page 119, strike out lines 16 through 18 and insert in lieu thereof the following:

"(3) with respect to wages received during the calendar year 1981, the rate shall be 5.15 percent;

"(4) with respect to wages received during the calendar years 1982 through 1984, the rate shall be 5.23 percent;

Page 119, line 19, strike out "(4)" and insert in lieu thereof "(5)".

Page 120, line 2, strike out "5.45" and insert in lieu thereof "5.53".

Page 120, line 3, strike out "(5)" and insert in lieu thereof "(6)".

Page 120, line 4, strike out "6.00" and insert in lieu thereof "6.08".

Page 120, strike out lines 15 through 17 and insert in lieu thereof the following:

"(3) with respect to wages paid during the calendar year 1981, the rate shall be 5.15 percent;

"(4) with respect to wages paid during the calendar years 1982 through 1984, the rates shall be 5.23 percent;

Page 120, line 18, strike out "(4)" and insert in lieu thereof "(5)".

Page 120, line 20, strike out "5.45" and insert in lieu thereof "5.53".

Page 120, line 21, strike out "(5)" and insert in lieu thereof "(6)".

Page 120, line 22, strike out "6.00" and insert in lieu thereof "6.08".

Page 121, strike out lines 12 through 15 and insert in lieu thereof the following:

"(3) in the case of any taxable year beginning after December 31, 1980, and before January 1, 1982, the tax shall be equal to 7.70 percent of the amount of the self-employment income for such taxable year;

"(4) in the case of any taxable year beginning after December 31, 1981, and before January 1, 1985, the tax shall be equal to 7.82 percent of the amount of the self-employment income for such taxable year;

Page 121, line 16, strike out "(4)" and insert in lieu thereof "(5)".

Page 121, line 18, strike out "8.20" and insert in lieu thereof "8.32".

Page 121, line 20, strike out "(5)" and insert in lieu thereof "(6)".

Page 121, line 21, strike out "9.00" and insert in lieu thereof "9.12".

**THE ALLAN BAKKE CASE**

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 18, 1977*

Mr. DERWINSKI. Mr. Speaker, the Allan Bakke case has had a great deal of attention as a result of the recent Supreme Court hearings of that issue, and I am sure that it will continue to receive much press speculation until a decision has been rendered.

The distinguished columnist, James J. Kilpatrick, in his column carried by the Chicago Daily News of October 11, delves into the intricacies of the Bakke case, and the effects that will result from the final outcome of the case. The article follows:

**BAKKE SHOULD WIN, THEN WE CAN START ALL OVER**

(By James J. Kilpatrick)

WASHINGTON.—When the U.S. Supreme Court hears arguments Wednesday in the

celebrated case of Allan Bakke, we will have come full circle from the landmark 1954 high court ruling that outlawed school desegregation.

Bakke, of course, is the 37-year-old Californian who five years ago applied for admission to the University of California's medical school at Davis. He was rejected for one reason only; the color of his skin. If it is denied at all, it is only feebly denied that Bakke would have been admitted if he had been born black. Unfortunately, so to speak, he was born white.

The Southerner who follows the Bakke case is struck by ironies at every hand. I am a Southerner, born, bred and brought up in a segregated society. Forgive me a backward glance.

In December, 1938, I was a sophomore at the University of Missouri in Columbia. I had just turned 18, and I was bursting with the accumulated prejudices of a Southern boy's upbringing. On Dec. 12, Chief Justice Hughes handed down a 7-2 opinion for the court in the case of *Gaines v. Canada*. The university that night was in shock.

It is hard to convey the sensation. Lloyd Gaines, you see, was a Negro. He had been graduated three years earlier from Lincoln University with a bachelor of arts degree. Now he had the temerity—the audacity, the cheek, the sheer gall—he had actually applied, this black man, for admission to the law school of the University of Missouri at Columbia. And the Supreme Court had ruled that he was entitled to be admitted.

It is worth taking a moment to recall a couple of things that Hughes said in the *Gaines* case. The University of Missouri had advanced all sorts of splendid reasons for keeping Gaines out: Not many Negroes really wanted to be lawyers; in any event, a separate but equal facility was being planned; meanwhile, Gaines could get a perfectly adequate law school education somewhere else.

Hughes dismissed these defensive arguments out of hand. "The essence of this constitutional right," he said, "is that it is a personal one." It is the individual, he said, who is entitled to equal protection of the laws.

Now the Bakke case is being heard, and the echoes come roaring in with the crash of heavy surf. The California regents who rejected Bakke also had the very best of reasons. They were engaged in "affirmative action." Their purpose was "benign." They meant nothing personal in discriminating against a white applicant because he was white. They simply felt it wise to be race-conscious.

Ah, my brothers, lawyers and educators have come a long way along a rough and wretched road, only to find themselves at the point of beginning. The Southern States used to bus children past their nearest neighborhood schools because the children were black, or because they were white, and the Supreme Court condemned the practice absolutely. Now the court approves the identical practice absolutely. Our institutions are as racist as they were before. We witness what is called "racism in reverse," and the phrase does nicely: We go backward, not forward.

Well, I, too, have come a long way from a boarding house in Missouri, and a long way from the Brown case in 1954. I long ago came to understand that for the states to discriminate by reason of race is wrong, dead wrong. I am sorry I ever defended the abominable practice. For a state to deny its facilities to a human being because of the color of his skin is barbarian. And that is exactly what the State of California did to Allan Bakke.

If the court meets this issue squarely, and does not duck or flinch, Bakke will win in 1978 as *Gaines* won in 1938. And then we will start again, perhaps, on the tortuous road we have traveled before—the road to a color-blind Constitution.

CONGRESSIONAL SALUTE TO THE GOLDEN AGE CIRCLE OF WAYNE, NEW JERSEY, INC., UPON THE CELEBRATION OF THE 20TH ANNIVERSARY OF THE FOUNDING OF THIS MOST ESTEEMED SENIOR CITIZENS ORGANIZATION

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. ROE. Mr. Speaker, on Thursday, October 20 one of our Nation's most active, enthusiastic group of senior citizens will be celebrating the 20th anniversary of their founding as the Wayne Golden Age Circle and it is indeed my privilege and honor to call to the attention of you and our colleagues here in the Congress the outstanding public service that this most distinguished organization has provided for the seniors of our community throughout these many, many years.

At the outset, I know you will want to join with me in warmest greetings and felicitations to the membership and extend our heartiest congratulations to the outgoing officers and incoming officers to be installed at this 20th anniversary celebration, as follows:

Officers of the Golden Age Circle of Wayne, N.J.

1977

The Honorable: Marie Peters, President; Mrs. James McGuinn, 1st. Vice President; John Nickoviz, 2nd. Vice President; Anton Hosousek, Treasurer; Robert Conklin, Recording Secretary; Evelyn De Walsche, Corresponding Secretary; Ann Tracey, 3 year Trustee.

1978

The Honorable: Marie Peters, President; Mrs. James McGuinn, 1st. Vice President; Ed Moore, 2nd. Vice President; Anton Hosousek, Treasurer; Robert Conklin, Recording Secretary; James Ferrara, Asst. Recording Secretary; Evelyn De Walsche, Corresponding Secretary; Mrs. Paul Kuehm, 3 year Trustee.

Mr. Speaker, with your permission, I would like to insert at this point in our historic journal of Congress the following program, appropriately entitled, "This Is the Life of the Golden Age Circle of Wayne," which most eloquently portrays the history of this most esteemed organization:

GOLDEN AGE CIRCLE OF WAYNE, INC., PROGRAM FOR TWENTIETH ANNIVERSARY (OCTOBER 20, 1977)

Once upon a time there was a "fad" known as *This Is Your Life*. It was part of TV programs and was used at testimonial dinners, etc., for prominent people.

In contemplating a program for the celebration of the Twentieth Anniversary of the Golden Age Circle of Wayne, it was thought fitting to use the theme "This Is Your Life." While the organization is not a Human Being, nevertheless there is a great deal of humanity in the club and through the past twenty years it can be said to have been nurtured by the Milk of Human Kindness.

In 1957, it all began as the "brainchild" of Emily Grossi, fondly known as Our Godmother.

The club was brought into being by a letter addressed to the Town Forum in the Paterson Evening News on August 22 by Louis B. Bettberg (now deceased), excerpts of which are:

"Several interested persons in Wayne Township are attempting to form a Golden

Age Circle for the benefit of any respectable person or persons who are looking for social companionship.

This society will be non-sectarian, non-political and will have no stated dues. Social get-togethers will be held weekly. As it progresses, other activities can be incorporated such as hobby and craft work, painting, sewing, card playing, chess, checkers, wood carving and any other projects of interest to members."

In the beginning the Reverend Robert A. Fisher of the Preakness Baptist Church on the Hamburg Turnpike permitted the group to hold their meetings, rent free, in the largest Sunday School Room. The membership soon outgrew the capacity of the room, it was then that Robert A. Roe, who was Mayor of Wayne at the time, arranged for the use of the Meeting Hall of the Preakness No. 4 Firehouse. Since that time the organization has been sponsored by the Department of Parks and Recreation of the Township. For many years past through the kindness of Mayor Newton E. Miller and the cooperation of Charles W. Kelly and his staff, all the needs of the Golden Age Circle have been attended to. Also we have them to thank for the privilege of holding our meetings at the beautiful PAL building where we are ably cared for by Jerry Lawrence and his staff.

On September 19 Louis Rettberg was installed as the first president. He held the office for two years.

Seated at a special table are the Charter members who, thank the Lord, are still among us and in this area: Jean Shaw, Mabel Smallwood, Christine Anderson, Anna Christen, Violetta Hill, Sue Flad, Deborah Cialone, Hilda Wagner, Wilma Burger, and Ann Walder. Deceased are Bertha Morp, chaplain, and Ida Seidel, hospitality worker. For them and Louis Rettberg and all departed past members, as well as those who are ailing, it would be fitting if we bowed our heads for a moment of silent prayer. Mary Mosig is ill and Lena Egg, who was an artist and circus performer, is now living in California.

Jean Shaw was the first in charge of publicity. Harold MacCullough, a Paterson Evening News reporter now deceased, became an honorary member. He took the Golden Age Circle under his wing and gave it every possible space in the News. Others in charge of publicity were Anna Christen and Erastus Dilworth who kept an excellent record of the club's events making *This Is Your Life* a possibility.

On January 9, 1958, the second installation of officers occurred. The enrollment at that time was 56. Emily Grossi was highly praised by Rettberg, stating that without her efforts the organization would have failed. She was given a rising vote of thanks then. Let us repeat it now. It was Louis Rettberg who started the quarterly News Letters. Following his death, the work was taken up by Theresa and Frank Bohus. Currently the News Letter is carried on by Clara Barbato, Carolyn Fischer, and Gertrude Mulhall.

From 1959 to 1961 Helen Campbell (now deceased) was president. During her term the Circle was incorporated as the Golden Age Circle of Wayne, N.J. on May 1, 1961 and she was the Registered Agent. Membership had risen to 160. Madge Schaack (now deceased) was Secretary and Charles J. Schroeder was Treasurer. They continued to hold these offices for more than 15 years.

Along about this time Mayor Robert A. Roe, chose Louis Rettberg to represent the Township at Governor Meyner's Conference on "The Senior Citizen's Place in the Community." Of Rettberg, then 80 years old, Roe said "the octogenarian's keen interest in Community Affairs was an inspiration to him" and that his activities and those of his colleagues in the Golden Age Circle spotlights a lamentable situation prevailing in this country where a wealth of experience, ability and particularly wisdom is often left untapped. Discussed at the conference were

benefits affecting the elderly citizen and avenues for their talents and ability."

From 1961 to 1963, our beloved Christine Anderson was president. Shall we ever forget the way she was dressed at our Bi-Centennial celebration, her narration and antics? She was the Life of That Party, we are thankful she is here with us.

From 1963 to 1963 Violetta Hill was president. She has a meek and mild personality, but a strong interest in the Circle. It was she who instituted the Civic Workshop activities for "shut-ins."

In 1965 to 1967, and again from 1968 to 1969 cheery voiced Florence McGuinn was given the reins of the Circle. In a newspaper article entitled "It's a Woman's World" she was quoted as saying "Anyone who says that when you reach 50, it's over the hill for you, is wrong, life begins at 50," for more than 191 Seniors who belong to the Golden Age Circle, busy, busy, busy, is her keyword. Before, during the interim and after her terms in office she was in and still has been in charge of Social Activities.

Other program chairmen were Martha Helle (now deceased), David and Vera Joachim, Anton and Tina Hodousek, Clara Barbato, Theresa and Frank Bohus.

In 1967-1968 Deborah Cialone, known to everyone as "Daisy" was president. Being a "Farmer's Wife" there were times during the harvesting season when the vice-president took over. You may recall that "Daisy" very appropriately represented the Garden State at the Bi-Centennial celebration.

In 1969 to 1971 and again from 1973 to 1974 Charlotte Lammers familiarly known as "Lotty" was president. She was not quite the required age when she expressed the desire to become a member. She was placed in the "Cradle" and given special permission to join. She was well-versed in Parliamentary Law and respects the by-laws at all times.

In 1971 to 1973 and again from 1974 to 1976, David Joachim served as president for four terms, with a rest of a year between two. Besides being most capable in his office "Dave" can be said to have been "naughty" at times, but the members loved his subtle jokes and sly remarks.

Now 1976-1977 and continuing into 1978 we have Marie Peters. In by-gone days it was said the "way to a man's heart is through his stomach," this might be said of Marie's ascendancy to the presidency after being in charge of Hospitality. She has handled her office with integrity. There were several weddings between Golden Agers—Henry and Katie Wynalda; Albert and Ida Siedle; Angelo and Virginia Traina.

In conclusion it might be said the Golden Age Circle has been good for Senior Citizens. Likewise the Senior Citizens have been good for the economy. It shows from "tip to toe" barbers and beauticians benefited. We have no long-haired bearded ones among us. The hairdos of the women are always in the height of fashion. All of which frame happy, smiling faces. The leisure suits of the men and the gowns of the women, be they long or short, are indicative of recent shopping. The shoes, while they might pinch a little, are nevertheless fashionable and beautiful. Restaurants and bus companies welcome our patronage. So when it comes to counting blessings, we can truthfully say God Bless America and God Bless the Golden Agers. Amen.

Mr. Speaker, I appreciate the opportunity of presenting these highlights of two decades in the history of the Golden Age Circle of Wayne which has captured the warmth of friendship, camaraderie, goodwill, and fellowship that can be achieved in the golden years of a lifetime by people with purpose and fulfillment in companionship with, and respect

for each other—all so important to the quality of life and way of life for all of us. We do indeed salute the Golden Age Circle of Wayne, N.J., for their contribution to the educational, recreational, and cultural enrichment of our community, State, and Nation.

IOWA'S FIFTH DISTRICT POLL

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HARKIN, Mr. Speaker, some of the best advice I get, as a Member of Congress, comes from the people I represent who take the time to write or call me, or to visit my mobile congressional office.

In an effort to get more of that advice, I recently distributed questionnaires to residents of Iowa's Fifth Congressional District. I now have the results of that poll, based on a scientific sampling of the over 12,000 responses I received.

The questionnaire asked 12 questions and polled Fifth District Iowans on a number of issues. Energy, agriculture, foreign affairs, and other issues were covered.

I might just add, at this point, that the results indicate Fifth District Iowans overwhelmingly believe the energy crisis is real, and want the Federal Government to work harder to encourage development of alternatives to oil, such as wind and solar energy, and coal, to help solve it. They also strongly oppose deregulation of natural gas prices.

I believe the results of this poll will be helpful to our colleagues as they assess the mood of this Nation. Accordingly, I ask that the results of this questionnaire be printed at this point in the CONGRESSIONAL RECORD, so they might share in that good advice Fifth District Iowans have to offer:

QUESTIONNAIRE

[In percent]

1. Do you feel that President Carter is correct when he says there is a national energy crisis and that it demands legislation?

Yes ----- 74  
No ----- 22  
No opinion ----- 4

2. Do you believe the Postal Service should cut back mail delivery to five days each week in order to save tax dollars?

Yes ----- 35  
No ----- 61  
No opinion ----- 4

3. In your opinion, should the federal government provide more cost-sharing money for soil conservation rather than simply relying on independent farmers to finance their own conservation programs?

Yes ----- 63  
No ----- 32  
No opinion ----- 5

4. Legislation has been introduced into Congress which affects our tax laws. Do you favor elimination of all or most tax deductions and credits in favor of a greatly simplified income tax form?

Yes ----- 52  
No ----- 39  
No opinion ----- 9

5. Some people say by decontrolling natural gas prices, oil companies will have more money to increase production and because of higher prices, consumption will be reduced. Others say decontrol will only give companies more profits, will not significantly increase production and will be too inflationary. From what you know, do you believe we should decontrol oil and natural gas prices?

Yes ----- 23  
No ----- 69  
No opinion ----- 8

6. Do you think U.S. economic and military aid to foreign governments should depend on their record of human rights?

Yes ----- 69  
No ----- 25  
No opinion ----- 6

7. Do you favor "sunset laws" which eliminate the life government agencies, unless they can periodically justify their existence?

Yes ----- 92  
No ----- 4  
No opinion ----- 4

8. Do you think we ought to withdraw our troops from South Korea over a five year period?

Yes ----- 58  
No ----- 31  
No opinion ----- 11

9. Do you feel the \$3,000 earnings limitation for Social Security recipients should be eliminated or at least raised?

Yes ----- 80  
No ----- 15  
No opinion ----- 5

10. Out of the federal money that is spent on energy research and development, substantially more is spent on nuclear research than other forms of energy such as coal, solar, geothermal and wind. Do you think this is correct?

Yes ----- 24  
No ----- 71  
No opinion ----- 5

11. Continental Illinois Bank and Trust Company recently attempted to invest tax exempt pension funds in farmland. Do you feel Congress should allow non-farm corporations like Continental Illinois unrestricted access to purchase farmland?

Yes ----- 8  
No ----- 88  
No opinion ----- 4

12. In your opinion, are questionnaires like this one a good means for finding out what people are thinking?

Yes ----- 92  
No ----- 4  
No opinion ----- 4

PURPOSE OF NEUTRON BOMB

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. CHARLES H. WILSON of California. Mr. Speaker, on September 28 and

29, the House engaged in a 5-hour debate on the subject of enhanced radiation weapons, which some refer to as the "neutron bomb." In the heat of the debate many emotional statements were made and it was evident there is great misunderstanding of the purpose and potential use of this weapon system.

I have noted an editorial in the Los Angeles Times of October 13, 1977, which very precisely spells out the purpose of so-called neutron weapons in the NATO environment. I want to commend the Los Angeles Times for its responsible position and insert the editorial in the RECORD at this point:

#### SITTING ON THE BOMB

Government leaders in West Germany and other key NATO countries are widely reported to favor the deployment in Europe of the neutron bomb—more accurately called a reduced-blast, enhanced radiation weapon.

Yet, as demonstrated by this week's meeting of NATO's Nuclear Planning Group in Bari, Italy, they aren't anxious to come right out and say so as President Carter requested.

Defense Secretary Harold Brown told the Bari meeting that the neutron warhead was specifically designed for use against a potential Soviet attack in Europe—and that it won't be deployed unless there is a "substantial consensus" among European members of NATO in its favor.

In effect, Carter was putting European leaders on notice that they must be prepared to share the political heat for the deployment of a very controversial weapon. Their reaction was to postpone a decision for at least a few months.

Sooner or later, the Administration is likely to get the consensus it wants. The case for the deployment of the neutron bomb is too strong for responsible leaders of the Western alliance to ignore. However, the timidity that is so evident in Washington and allied capitals is a monument to the triumph, at least temporarily, of emotion over common sense in recent public discussion of the issue.

Both here and in Europe, crusading critics of the weapon have charged that it is designed to kill people while leaving buildings and other real estate unharmed, that it represents an inhumane placing of property values above human values. This is a flagrant distortion of the truth.

Neutron warheads produce twice the deadly radiation of the conventional nuclear bombs that they would replace—but less than a tenth as much blast power, heat and fallout. The deadly radiation would be confined to a relatively small area, and would last no more than a few hours, compared with weeks or months in the case of radiation from the tactical nuclear weapons that are currently deployed in Europe.

The neutron warhead was designed to kill invading Soviet tank crews without devastating nearby populated areas. As Brown told fellow defense ministers at Bari, the proposed weapon actually would "kill fewer people to accomplish the same military effect."

The argument that it is somehow more moral to kill innocent civilians of a country under attack along with the attacking enemy—and to render the countryside uninhabitable for weeks or months in the process—is ludicrous.

A more rational objection is that, precisely because the neutron bomb is a cleaner and more precise weapon, there would be a greater temptation to use it in order to stop a massive onslaught by Soviet conventional forces.

There may be some truth to this thesis. But it is outweighed by the fact that the

neutron bomb would make the outbreak of war less likely in the first place—a fact of considerable moral and practical consequence.

Allied strategy holds out the hope that a nonnuclear Soviet thrust through West Germany could be halted without the use of nuclear weapons. Realistically, however, a large chunk of allied territory would have to be surrendered first. Thus, the Soviet Union has been on notice for years that an attack would be met, if necessary, with nuclear weapons.

As the Russians know perfectly well, however, the nuclear weapons currently deployed in Western Europe could not be used to kill invading Soviet soldiers without also killing allied civilians, probably millions, in the process. On a much larger scale, it would be like destroying a Vietnamese village in order to save it.

The worry is that, at some point, the Kremlin might reasonably decide that such an exercise in mass suicide was so unlikely that it could risk aggressive action. More likely, it might be emboldened to use the threat of military force to back up political or territorial demands in reasonable confidence that the West would give way rather than risk war.

The temptation to find out would not be nearly so great if NATO had a credible means of stopping an invasion in its early stages without destroying the very people and the territory that it was trying to save.

The neutron bomb has been under discussion within NATO for at least five years. Until the recent public controversy created political problems—especially for Carter and West German Chancellor Helmut Schmidt—it was taken for granted within the alliance that it would be deployed.

The European leaders will probably overcome their timidity within a few months, their decision to delay a decision in the hope that the political furor will die down is understandable. At some point, however, they must be willing to go public with their support. After all, the United States cannot be seen as deploying a new weapon on European soil against the will of the Europeans.

#### SAFE BANKING ACT OF 1977

### HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. ST GERMAIN. Mr. Speaker, yesterday I introduced H.R. 9600, the Safe Banking Act of 1977 along with seven other Members. That bill is currently the subject of action by the Subcommittee on Financial Institutions and to assist the Members of the Subcommittee the following title-by-title summary was prepared:

H.R. 9600 retains the basic thrust of the original bill (H.R. 9086) but it does incorporate a number of changes, modifications, and clarifications. The redrafting is based on testimony from a variety of witnesses before the subcommittee—from bank trade associations to consumer organizations—and is an attempt to broaden the consensus among the Members. We have tried very hard to meet the problems identified by individual members of this subcommittee and I think it is a bill behind which serious proponents of reform can rally.

The bill is cosponsored by Mr. ANNUNZIO, Mr. PATTERSON, Mr. CAVANAUGH, Ms. OAKAR, Mr. MITCHELL of Maryland, Mr. MINISH, and Mr. BLANCHARD:

SAFE BANKING ACT OF 1977—H.R. 9600

TITLE I: SUPERVISORY AUTHORITY OVER DEPOSITORY INSTITUTIONS

Sec. 101. Provides civil money penalties for violations of insider loan and loans to affiliate sections of the Federal Reserve Act.

Sec. 102. Provides civil money penalties for violations of reserve requirement provisions of the Federal Reserve Act.

Sec. 103. Provides civil money penalties for violations of National Bank Act (loan to one borrower limit and indebtedness of national bank).

Sec. 104. Insider Loan Limits—banks with assets of less than \$50 million will be prohibited from extending credit, in any form, to an officer, director, employee or major stockholder in excess of 10 per cent of the bank's capital accounts. All insiders, their affiliated companies, political or campaign committees, and family members could borrow no more than 50% of capital accounts. Each of the supervisory agencies shall have the power to issue written waivers of these limits in the event of specific hardship.

Borrowing limits imposed on executive officers of National Banks and Federal Reserve Member Banks shall be raised to \$60,000 for mortgages, \$20,000 for education loans, and \$10,000 for personal loans. Such amounts shall be counted against the loan limits imposed on insiders.

Banks shall be prohibited from honoring overdrafts by officers, directors, employees. (Insufficient fund items would be returned unpaid in the same manner as NSF checks of other non-insider customers).

Sec. 105. Gives the Federal Savings and Loan Insurance Corporation authority to make loans to a savings and loan buying the assets of a failing savings and loan.

Sec. 106. Provides authority for cease and desist actions against officers, directors, stockholders, or any person participating in the affairs of a financial institution (under current law such actions must be taken against the institution); all financial regulatory agencies would have this authority; the actions could be taken against violations of law and regulation, unsafe and unsound practices, or if the criticized acts would weaken an institution.

Provides for removal of officers and directors for breach of fiduciary duty (defined as personal dishonesty, or willful or continuing disregard for the safety of an institution).

Sec. 107. Applies the insider loan limit discussed in Sec. 104 to State non-member banks.

Sec. 108. Provides that the penalties authorized by this title shall affect only those violations occurring after enactment of the bill.

Sec. 109. Provides a hearing process for removal of an officer or director based on an indictment or conviction for a felony.

#### TITLE II: INTERLOCKING DIRECTORS

Prohibits interlocking directorates between banks, savings and loans, mutual savings banks, and credit unions. Interlocks between financial institutions and non-depository institutions such as insurance companies, title companies, companies which appraise real property, companies which close real estate transactions and legal firms would be judged against anti-competitive standards administered by appropriate supervisory agency and Justice Department. However, interlocks could remain if convenience and needs of the community outweigh anti-competitive effects.

Authorizes a five year period for correction of prohibited interlocks between depository institutions.

**TITLE III: FOREIGN BRANCHING**

Federal Deposit Insurance Corporation "Housekeeping" provisions (authority to approve foreign branches for State non-member banks, authorizes subpoena power for investigations, authority to write regulations for laws they enforce).

**TITLE IV: CONFLICTS OF INTEREST**

Members of the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Federal Home Loan Bank Board could not for two years after leaving their position serve as an officer, director, employee, attorney, consultant or agent of a financial institution or financial institution holding company or own stock of a financial institution or financial institution holding company.

**TITLE V: CREDIT UNION RESTRUCTURING**

Creates a three-member National Credit Union Administration Board and subjects its members to the same provisions mentioned in Title IV and makes NCUA subject to GAO audit.

**TITLE VI: CHANGE IN BANK CONTROL ACT**

The Federal Deposit Insurance Corporation, the Board of Governors, and the Comptroller of the Currency would have authority to approve or deny in advance any change in control of banks under their jurisdiction.

Application is approved if agencies take no action in 90 days.

Applications may not be approved if the change would create a monopoly, lessen competition, if the financial condition of the applicant would threaten the safeness of the institution, or if the management capability of the applicant is not sound.

Provides that no more than 75 per cent of purchase price of financial stock may be borrowed, but would not affect application of full margin requirements that presently apply to banks and other financial institutions which meet the standards under Section 7 of the Securities and Exchange Act. Agencies, however, could grant waivers on the down-payment requirements in hardship cases.

Requires full disclosure to the appropriate bank regulatory agencies on bank stock loans.

**TITLE VII: CHANGE IN SAVINGS AND LOAN CONTROL ACT**

Provides authority like that in Title VI for the Federal Home Loan Bank Board with respect to savings and loans.

**TITLE VIII: CORRESPONDENT ACCOUNTS**

Requires examination process to include specific investigation of all aspects of existing inter-bank relationships including correspondent accounts to determine whether proper and full benefits are derived by the bank.

**TITLE IX: DISCLOSURE OF MATERIAL FACTS**

Require that insider loans, including those obtained by insiders from correspondent banks, and aggregate of each category of classified loans, and list of shareholders, be included in annual report filed for the public record with the appropriate Federal supervisory agency and be available on request from the bank.

**TITLE X: FINANCIAL INSTITUTIONS EXAMINATION COUNCIL**

Established a Council composed of the three banking agencies to establish uniform examining procedures for the agencies and to recommend uniform treatment of supervisory problems, country risk loans, loan participations, and questionable and illegal payments and practices.

**TITLE XI: RIGHT TO FINANCIAL PRIVACY**

No government official may have access to an individual's financial records maintained at a financial institution unless the individual consents in writing or a subpoena is granted.

Would apply the provisions of this act to the establishment of electronic funds transfer systems.

Exempts the Currency and Foreign Transactions Act, the U.S. securities laws, and national banking laws from the provisions of the title.

Would require that government officials obtaining information with a subpoena must pay a reasonable cost for copying and locating the information sought.

**TITLE XII: CHARTERS FOR THRIFT INSTITUTIONS**

Provides authority for Federal charters of mutual savings banks.

Subjects converting mutual savings banks to State redlining requirements if the State requirement is more stringent than the Federal requirement.

Gives Federal Home Loan Bank Board authority to require at least 60 per cent of assets to be invested in housing (primarily residential) by an institution converting to Federal charter.

Provides a five year shared risk program in the event a converting institution fails. The Federal Deposit Insurance Corporation and the Federal Home Loan Bank Board would develop procedures to work out this provision.

**TITLE XIII: HOLDING COMPANIES**

Provides cease and desist and removal authority for the Board of Governors of the Federal Reserve System and the Federal Home Loan Bank Board regarding holding companies.

Provides civil money penalties for violations of the Bank Holding Company Act.

Eliminates the exemption for agricultural, labor, and horticultural organizations under the Bank Holding Company Act, except grandfathers those financial institutions existing as of January 4, 1977.

Provides for waiver of the 30-day notice requirement for acquisitions of banks by bank holding companies when the action would facilitate the acquisition of a failing bank.

Provides new standards for acquisitions of banks, nonbanking subsidiaries, and new nonbanking activities (no approval if the acquisition gives the holding company 20% or more of the banking assets in a State; no approval if the financial impact of the acquisition would be detrimental to the subsidiary banks of the holding company).

Provides due process procedures for cease and desist, removal, and civil money penalty actions.

Provides for improved public involvement in holding company decisions.

**THE GREAT TOMATO WAR**

**HON. FREDERICK W. RICHMOND**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. RICHMOND. Mr. Speaker, on October 4, 1977, the House Agriculture Domestic Marketing, Consumer Relations, and Nutrition Subcommittee, which I chair, held hearings on H.R. 744, a bill to require imported tomatoes to be packaged in conformity with domestic standards. The debate between the in-

terested parties on both sides of the question was so high spirited and vociferous that I feel justified in characterizing the issue as the great tomato war.

While our subcommittee members are carefully reviewing the record, I thought it would be useful to share with my colleagues a clear, thoughtful, and balanced overview of the arguments which was ably presented in a lead story in Saturday's issue of the Washington Star. Goody L. Solomon, the author of this article, is to be commended for her excellent analysis of this complex issue:

GREAT FORCES GATHERING TO FIGHT OVER THE TOMATO

(By Goody L. Solomon)

A seemingly simple item, a packing carton, has stirred up what Rep. Fred Richmond, D-N.Y., has called "the great tomato war." That simple item has embroiled the antagonists in questions regarding the nutritional value of tomatoes picked when vine ripe compared with those harvested green and then ripened with the aid of ethylene gas; free trade vs. protectionism; inter-American relations and even the control of illegal aliens from Mexico.

Tossed into the fray are consumer groups, the State Department, the U.S. Department of Agriculture and business interests in southern Arizona, along with the two principal contenders, Mexican and Floridian tomato growers.

Together Mexico and Florida provide all of this country's supply of fresh tomatoes during the winter season (October to June), with the imports ranging between 30 percent and 40 percent of the total.

California, the other major producer in the United States, plants and harvests during the summer months, when Mexican and Floridian fields are dormant. Washington's summer supplies also come from Virginia and other nearby states.

In Mexico, tomatoes are harvested when the blossom ends are tinged with yellow or pink. Called vine ripe (the trade calls them "breakers"), they have begun to produce their own ethylene gas, a compound that matures all fruits (pears and bananas, for example, as well as tomatoes). The bulk of this supply goes to Western states.

Other regions, including the Washington area, get as much as 83 percent of their winter tomatoes from Florida, where harvesting is done at the stage called "mature green." At that point, the tomatoes have not yet produced their own ethylene; therefore they are exposed to the gas in special rooms or trucks. According to some experts, gassed tomatoes may get red on the outside but not ripe on the inside.

Consumers, moreover, have complained about meanness and poor flavor. And several researchers have shown that the longer the tomato stays on the vine, getting nourishment from the soil, the fuller its store of vitamins C and A as well as sugar, making the vine ripens more nutritious.

If the Florida producers have their way, however, the whole country will get fewer vine ripens in future winters. Although the Floridians, of course, dispute the claims of extra nutrition and flavor in vine ripens, that's not their main point of attack. Fearful of import competition, they are asking that the rules governing growers in their state—grading and sizing regulations voluntarily set down by the growers in a so-called market order and based, in part, on the profitability of machine-packing green tomatoes—also apply to Mexico.

One specific rule lies at the core of the current donneybrook. It requires that Florid-

ian growers pack tomatoes in 30-pound cartons, each holding the same size fruit. A bill in Congress would require the same packing for imports (99 percent of which come from Mexico).

To understand how it would favor Florida, one must start south of the border, where tomatoes are picked vine ripe and have begun to soften. They need tight packing in order to prevent damage from jostling during shipping. To insure such a tight fit, sizes are sometimes mixed—small with medium, large with extra large and so on. Packing is done by hand.

Furthermore; harvesting of the vine ripens is done daily or every second day so as to select the fruits that are ready—another labor cost that Mexicans can afford because wages are low.

Now go to Florida. By harvesting green tomatoes, field hands can be sent out at 10-day intervals. That takes less labor. Often, incidentally, the workers cannot differentiate mature from immature green tomatoes, which are even less nutritious. As much as 78 percent can be picked immature, according to a survey by two university of Florida professors.

The most important reason for harvesting green tomatoes is that they are firm enough to be machine packed and loosely filled into the required shipping containers—another major labor saver.

Florida is the only tomato-producing state that has a market order. It was put into effect by request of the industry as a means of keeping what it considered to be inferior qualities off the market. The order established minimum sizes and quality requirements for tomatoes going to commercial channels.

Those which fall are usually left to rot on the ground. Those which pass the minimum test are further separated by sizes and qualities, the differences forming the basis of wholesale pricing.

Once the industry voted for the market order, it became mandatory for all growers in the state, with policing and inspection done by the U.S. Department of Agriculture.

Arguing for its passage, Florida growers contend that the Mexicans have a competitive edge not only because of low wages but also because of their ability to use pesticides that are forbidden in the United States—therefore the ability to cut losses from disease—and, above all because of the comingling of sizes for wholesale marketing.

Since size is the major criteria for wholesale pricing, say the Floridians, Mexicans can get the same price for larger and small fruits. In short, the argument goes, our neighbors south of the border use deceptive packaging.

Wayne Hawkins, executive vice president of the Florida Tomato Exchange, told the House Agriculture Committee early this month:

"Mexican imports usually sell for less money per package than comparable packages from Florida. Mexican producers can flood the United States market with tomatoes at prices that won't even return the cost of production in Florida. During periods of heavy supply, Mexican imports are frequently consigned to handlers throughout the United States. . . . It is not uncommon to have Mexican tomatoes offered for sale in Florida during our peak season at prices cheaper than Florida tomatoes."

In the House, the Mexicans have been more convincing so far. Their arguments go like this:

It is untrue that Mexican packaging leads to deceptive pricing. Their boxes make it easy to discern the different sizes and pricing is based on those differences.

The law would place a special burden on the Mexicans since U.S. tomato producers

outside the state of Florida are not subject to any of the requirements of that state's market order.

Because vine ripens cannot be packed in the loosely fitted cartons used in Florida, the law would force Mexican growers to convert to harvesting green tomatoes and gassing them. Heavy expenditures would be incurred for gas chambers and other equipment.

This change would also cause severe unemployment, which, in turn, might encourage more illegal aliens to enter the United States. Mexicans would also lose purchasing power for many U.S. exports.

As an alternative, Mexicans might shift from tomatoes to another vegetable and thereby sharply curtail tomato exports to the U.S. Consumers here would be deprived of a complementary source of tomatoes. For example, during last year's severe frost in Florida, Mexican supplies came to the rescue.

Either way, American consumers would pay higher prices for less nutritious produce.

In essence, the bill would impose a non-tariff trade barrier.

The administration agrees. Speaking in support of a free-trade policy, a State Department official said: "Passage of the bill would impair our efforts to secure the elimination of unnecessary standards, including packaging requirements, currently in effect in other countries. These measures hamper the growth of the American export trade. . . . As the world's largest exporter of agricultural goods, the United States has a vital take in the freer international movement of farm products."

Sharon Ahmad, director of the Office of International Trade, also stressed that "these packaging standards have nothing to do with the quality of tomatoes sold to the American consumer. We support the concept of uniform treatment of domestic and imported commodities with respect to quality requirements. Tomatoes imported from Mexico already meet those quality standards."

She further expressed fear of upsetting good relations with Mexico.

Siding with the Mexicans as well are such groups as Consumers Union and the Consumer Federation of America. Also Arizonans, especially folks in the border city of Nogales, which is the main distribution point for vegetables from western Mexico. A decline in tomato shipments would cut into the incomes of brokers and distributors, among others.

Testifying on behalf of his constituents, Rep. Morris K. Udall, D-Ariz., told the House Agricultural Committee:

"Decreased business means that workers will be laid off, hours will be cut, taxes from payrolls will decrease and the multiplier effect will spread repercussions of these serious and harmful actions throughout the state and the region. Arizona is currently in the midst of a recession caused by low prices for copper, and we already have over 8,000 copper workers unemployed. Mexico has just gone through a drastic peso-devaluation. This bill would be another blow to the already shaky economic health of southern Arizona and Sonora."

#### PANAMA CANAL TREATIES—A STUDY OF CONFLICTS

**HON. GEORGE HANSEN**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

Mr. HANSEN. Mr. Speaker, fellow colleagues, my remarks today concern the proposed Panama Canal Treaties.

Article IV, section 3, clause 2 of the U.S. Constitution states that only the Congress of the United States has the authority to dispose of American property. There are numerous reasons why we should assert ourselves and not let the President make an "end run" around the Constitution.

One of the most questionable circumstances surrounding the proposed treaties is the 6-month appointment of Sol Linowitz as Ambassador and cochairman of the U.S. negotiating team in the Panama Canal talks.

The conflicts of interest which infect the representation of the United States in negotiating a treaty over the Panama Canal fall into three separate classes, any one of which would and should have made Linowitz inappropriate to be a negotiator for the United States.

When this issue was first raised, it arose in the context of Linowitz' appointment with the personal rank of Ambassador. The Law, 22 United States Code 901a, clearly requires an appointed Ambassador to reveal his campaign contributions. Linowitz' to this day has refused to do so. The intent and purpose of the law was to preclude purchase of a position of eminence and power.

The devise of personal appointment served to prevent exposure of the matters which the law required revealed in 901a. It also prevented a confirmation hearing before the U.S. Senate in which any real and potential conflicts of interest would be revealed. That is, a confirmation hearing would have revealed those interests of the nominee which would have made the post worth purchasing in the first place. Instead, a State Department formality was substituted for a confirmation hearing.

At first, the State Department declared that there was nothing in Mr. Linowitz' interests which would conflict with his negotiating away U.S. interests in the Panama Canal. Within a week of my filing a suit contesting the legality of Linowitz' appointment, he resigned his seat on the Board of Directors of the Marine Midland Bank of New York. Marine Midland as part of a consortium of banks was a creditor of Panama for \$8 million. Marine Midland is near the top of the Federal Reserve trouble list as overextended in soft loans to Third World countries, of which Panama is one. Until the suit, neither the State Department nor Linowitz thought that such a situation could be construed as a conflict. It is also difficult to see how his subsequent resignation could have cured the conflict-of-interest. Will any of the side-money benefits inure to the benefit of Marine Midland or the other banks overextended in Panama? Is it to their interest to prop up Torrijos as dictator of Panama lest a successor repudiate the loans?

To this day no one has seen the alleged State Department clearance on Linowitz. No one outside the administration knows how many "Marine Midlands" it contains. But the public record tells us a few more conflict-of-interest connections which do not lend confidence in the Treaty negotiated under the aegis of Mr. Linowitz.

First, Mr. Linowitz represented the Republic of Panama over the Panama Canal issue to President-elect Carter in late 1976. Mr. Boyd of Panama boasted of the fact. Two months later, Mr. Linowitz began representing the United States on the same issue between the same parties. By its terms such a situation is a conflict-of-interest. Added to the Marine Midland connection, Mr. Linowitz had to be influenced to see that Panama got enough money from the United States for taking back the Panama Canal. Among the terms of the proposed treaty is the fact that Panama will receive at least \$2 billion in addition to the canal itself.

Second, Linowitz was negotiating the treaty while Linowitz' law firm, from which he has not resigned, remained a registered agent for South American governmental interests. Perhaps an oversight. Certainly the fact that Linowitz himself and his law firm have represented South and Central American interests for at least two decades in more than a half dozen cases is not an oversight. Panama, Chile, sugar interests all have been represented by Linowitz and his firm and all are interested in one way or another in a resolution of the canal issue favorable in their light to Panama. Linowitz could not be so insensitive to the realities of international interests to be ignorant of the obvious interconnection of all these issues.

The ultimate issue remains that Linowitz was a foreign agent for the very countries pressuring for U.S. divestiture of the canal. He is on boards which have vested interest in retaining favorable connections and even money recovery from Panama, a country with a deficit worse than the United States on a per capita basis. Finally, he represented Panama in these very negotiations. Both the reality and the appearance makes the treaty produced with his connivance more than suspect.

Much more suspect is a State Department which gave him a clean bill of health until the pressure was on. Then came the stuttering explanations that if matters touching Linowitz's business interests should arise, State was sure he would excuse himself from those parts of the treaty negotiations touching those interests. Did Linowitz withdraw from the Money negotiations? We have not heard of it.

What is to be said of an administration which trades on morality as its daily staple? Was it unaware of Linowitz' interests and the conflicts? Did not Vance tell the White House? Or did not it matter? Will the Senate now be asked to save the face of the President at the expense of the Nation? When should have they known the facts? Will the House be asked to pass enabling legislation and appropriations on a treaty with such suspect antecedents? When will we be forced to start digging a new canal for a new set of Linowitz' to profiteer at the expense of the citizens?

It is important that the Congress reflect the will of the American people in opposition of this treaty, and I have, therefore, organized an effort called Citizens Opposing Panama Canal Sellout (COPS).

The purpose of COPS will be to stop the robbers, those who would rob the United States of its national security and those who would rob American citizens as taxpayers and consumers.

I feel the cops and robbers analogy is realistic for the proposed treaty situation where increased tolls will raise the price of consumer goods and increased foreign aid programs will raise taxes in addition to reducing the Nation's control over the waterway for national security purposes.

I have also introduced a bill, H.R. 8958, which calls for a national referendum as part of the 1978 general election. The question on the ballot would read, "Shall the United States divest itself of the Panama Canal? Yes or No." Furthermore the bill calls for Congress to be guided by the results of the said advisory referendum in making their decision on the treaty.

My mail has been running overwhelmingly against the treaty and this holds true in every office of which I have any knowledge and also by public admission at the White House.

President Ford delayed the treaty negotiations last year precisely because of the effect such a proposal would have had on the 1976 election. President Carter has indicated his concern for the timing of Senate ratification, because of electoral implications. Both of these leaders seem to be aware of the popular resistance to their direction on this question.

I believe that a referendum such as I have proposed should be taken in the "public interest" so that Congress can better understand the voice of the people.

I am convinced that the Panama Canal Treaty is a fraud.

Webster defines fraud as "deceit, trickery, intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right by deceiving or misrepresenting: Trick."

Fraud is evident in many ways—in the deliberations themselves, in the financial aspects involving big money interests and in the fact that Sol Linowitz, a representative of some of those big money interests, was under pressure to get a treaty before the expiration of his appointment as a negotiator on the day the treaty was agreed to.

In addition, any talk of a new canal by the President is a fraud, because total control of new canal possibilities by the United States was given over to Panama. The payment provisions to Panama are a fraud, because the toll structure will not support the treaty and the American taxpayer will surely have to make up the difference in subsidies.

The treaty is also a national defense fraud. It is supposed to insure American security, but what it really guarantees is that enemies can use the canal against us.

Because the treaty is so obviously tainted and so highly opposed by the American people 160 of my colleagues representing 43 States are strongly supporting my resolution to bring the question of the disposal of American property to the House as well as the Senate for a vote and the list is continuing to grow each day.

The historic resolution which I have proposed will for the first time involve the House of Representatives in the treaty approval process under authority of article 4 of the U.S. Constitution.

The Panama Canal is so unique in itself and there are so many questions of possible fraud that this treaty cannot be allowed the routine consideration usually used. We must know if President Carter knew of any bugging. What concessions were made? What about the financial interests involved and the Linowitz timetable that resulted in a hastily contrived document?

Already the treaty has become a joke because of overlooked provisions such as one exempting all Americans there from paying taxes.

Because of the circumstances leading up to the agreements reached in the proposed treaty and because of the complex nature of economic aid payments to Panama which seems especially designed to circumvent the constitutional prerogatives of the Congress and confuse the American people, I have requested that the GAO launch an immediate investigation into the circumstances surrounding the proposed Panama Canal Treaties. They have informed me that they are proceeding with this investigation now.

Not only are we not selling our multi-billion dollar interests in Panama, but we are, in fact, giving them away, even paying heavily to do so—all this without prior appropriation authorization from the Congress—and with possibilities of large windfall benefits to certain special interest groups.

If constitutional processes are being violated and if the security and financial well-being of American citizens are being jeopardized, then such circumstances should be made known.

#### A LONG HAUL—A WRONG APPROACH

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1977

● Mr. HANSEN. Mr. Speaker, the strains of "Panama Fever" definitely seem to be sweeping Washington. President Carter has succeeded in generating a frenzied give-away atmosphere among administration officials. The majority of the public, however, remains steadfastly opposed to any give-away of American rights and property.

Recently, in an editorial for the Washington Star, John P. Roche talked about the proposed Panama treaties. Mr. Roche identified himself as a supporter of the treaties. However, in contrast to the Carter administration's side-show and frantic efforts to secure unanimous representation by OAS heads of State, Roche states that "support of the Organization of American States isn't worth a nickel."

Although he favors the proposed treaties Roche declared that the President's unwarranted haste—

... has already generated a major strategic blunder. Despite the fact that the Constitution provides that Congress has the right to dispose of U.S. property, the President has decided to blind-side the House of Representatives. There are, as usual, some precedents for such evasive action, but in my judgment they are weak and it is both *unconstitutional and stupid.*" (emphasis added)

Mr. Speaker, the President must not be allowed to keep the House from playing its proper role in the ascertainment of whether or not to give the Panama Canal to the Marxist government of Gen. Omar Torrijos.

At this point Mr. Speaker, it would be useful to bring to my colleagues' attention an article by Mr. Vincent T. Hirsch, president of the U.S. Navy League which appeared in the September issue of *Seapower*. I believe that Mr. Hirsch's comments are extremely pertinent and represent the sentiments of the majority of Americans, as well as those of the naval profession. I commend this material highly to my colleagues and especially to President Carter. The article follows:

**THE CANAL TREATY: TOO FAR, AND TOO FAST**

By the time this issue of *SEA POWER* reaches its readers, President Carter will have signed, amidst much fanfare, the recently negotiated treaty which would in time cause the Panama Canal to be transferred to the Republic of Panama. In due course, but hopefully not during this present session of Congress, the treaty will come before the Senate for consideration; it must be ratified by that body before becoming effective. Meanwhile, as late as 10 days before the signing was to take place, the *precise* final terms of the treaty had not yet been made public.

The President has mounted an unusually intensive campaign to generate support for the treaty. The two diplomats who negotiated it, Ellsworth Bunker and Sol Linowitz, have been singled out for the highest praise for their accomplishments in finally bringing about an agreement with the Panamanians. They in turn, from their vantage point in the public spotlight, have been making dire predictions as to what will likely transpire along the Canal site and elsewhere if the treaty is not ratified. It has been suggested that the future of our relations with all of Latin America may well depend upon approval of the treaty. It is being alleged that the Canal's importance to the United States is declining regularly, and that in time our need for it would be minimal. It has been pointed out, rightly, that our largest aircraft carriers cannot traverse it because they are too large for the Canal's locks, the implication being that it no longer would be heavily used by naval vessels in time of emergency. It has been claimed that a force of 100,000 men could not defend it against sabotage, and suggested that sabotage is certain to result if the treaty does not become a reality. And, all the while, the administration appears genuinely puzzled over the reluctance of a high percentage of Americans to want to give to *any* nation, much less one not noted for either its political stability or its conservative leanings, something that represents a uniquely American accomplishment whose presence has played in the past and may well play in the future a major role in the maintaining of our national security.

In our view the President is seeking to go too far too fast. And we are disturbed over the tactics being used in seeking to bring about public acceptance of the treaty.

It seems to us that certain facts pertaining to the Canal, the Canal Zone, and the country in which it is located should be reviewed, in order to remove some of the emotional trappings this issue has been given:

The United States was predominantly instrumental in bringing about the creation of the Panamanian republic at the expense of Colombia, of which the land which is now Panama was a province. Its principal act in support of the fledgling government was a show of naval force which prevented Colombian armed forces from a military take-over after the Panamanians had declared themselves independent. Later, the United States did obtain, with apparently reluctant approval of the Panamanian government, the treaty which ceded the Panama Canal Zone to it in perpetuity. Despite the big-power politics, however, the fact remains that Panama did gain her independence because of direct action by the United States and in time also acquired a major economic asset in the form of the Canal.

Once the political maneuverings had become history, the construction of the Canal was completely a U.S. effort. Spurred into being by a far-sighted President and supported wholeheartedly by his two successors, the project became one of gigantic proportions. Furthermore, had not the United States elected to embark upon it, it is doubtful the Canal would have been built for many years to come. Earlier French efforts had ended in dismal and tragic failure, with perhaps 20,000 lives lost, principally to yellow fever and malaria. The British had bowed out of a treaty calling for joint development with the United States of such a canal. And no other nation had the will, the desire, or the wherewithal to undertake its construction. In the 11-year period required to complete it, the Canal became an object of intense national pride, and well it should have.

Not only did the United States pour millions of dollars into the creation of a means of transport that would prove a boon to the entire world, but it also eradicated yellow fever from the area and provided the rest of the globe a means for control of that disease. Had not that medical breakthrough been achieved, it is problematical that canal construction would have proceeded successfully.

It is true that our reliance on the Canal for the transport of goods has declined markedly, and that our largest carriers cannot transit it. But the figures depicting the steady fall-off in utilization are based on peacetime usage. Four former Chiefs of Naval Operations recently observed in a joint letter to President Carter: "... as each crisis developed during our active service—World War II, Korean, Vietnam, and the Cuban missile crisis—the value of the Canal was forcefully emphasized by emergency transit of our naval units and massive logistic support for the armed forces." They also observed: "From a strategic viewpoint, the ... carriers can be wisely positioned as pressures and tensions built in any kind of short-range situation. Meanwhile, hundreds of combatants ... can be funneled through the transit, as can the vital fleet train needed to sustain the combatants."

If the sabotage so crudely implied were to occur and the Canal closed because of it, the nation which would suffer the most from this action, aside from the United States in time of war, would be Panama. Next in line would be the countries of Central and South America, many of which rely heavily upon the Canal for shipment of a large percentage of their marketable goods from ocean to ocean.

In its relationships with Panamanian governments and people, the United States certainly can't look back with complete and utter pride. Obviously much more could have been done to contribute to an improvement in the standard of living of Panamanians, to make possible greater participation in the operation of the Canal, to cause more funds to be paid into the Panamanian treasury from Canal tolls. Those and other measures would have contributed markedly to an improved U.S. image in the Isthmus, and the Canal Zone and its occupants could have been made to appear less an example of Yankee wealth and arrogance. And it certainly isn't too late for positive steps to be taken in this direction.

However, we question whether the compensation with what appears to us to be an exorbitant sum of money to a government which has given no indication whatsoever that it would use it wisely and well is going to bring about a permanent amelioration of any hard feelings that ostensibly exist between the two governments and their people. And we also find it hard to accept that we who created such an unusual asset to world trade should be paying someone to take it off our hands, especially when we have no idea whether the political entity which now will be responsible for its operation will be able to sustain that operation successfully.

For the United States to be magnanimous with its assets is nothing new. Europe today is an astounding testimonial to the Marshall Plan. The vitality of Japan is a direct result of our willingness to rebuild the shattered country of a beaten enemy. There are countless other examples. But in no other circumstance has there been involved the transfer of an asset which was created from a harsh and forbidding environment and made into a dramatically visible means of transportation and communication from which almost all mankind has profited. Accordingly, giving up such a unique asset under any circumstances comes hard to Americans. Giving it up under conditions that have more than a vague resemblance to ransom and under pressures that appear to some degree to be artificially generated obviously is not acceptable to what appears to be a majority of our countrymen.

It is not our view that the philosophy of a treaty which ultimately would transfer control of the Canal to the Panamanian government be completely scuttled. After all, four Presidents generally have concurred in this philosophy. And there's no doubt at all that this would be a good will gesture of unusual magnitude which could well have highly beneficial results over the long haul. But we also believe the best interests of the United States should be looked after as well, and we don't believe this particular treaty accomplishes that goal. We believe firm guarantees of our right to protect our security by insuring that the Canal remains available to all under any circumstances and is efficiently operated must be spelled out, and we do not believe they are. In our view that must be the foremost consideration of any treaty, and not the feelings of the Panamanian people.

We also believe this issue should be exhaustively debated in the Senate without the steamroller tactics being used by the administration to bring about Senate ratification. And should it be defeated in the Senate, we devoutly hope President Carter will not view that vote as a diplomatic catastrophe, but rather as a reflection of the will of the people he leads, and then will set forth to negotiate a treaty that will be much more palatable than this one is.