

Investment Companies, minority banks, and minority trade associations;

"(3) conduct market research, planning, economic and business analyses, and feasibility studies to identify such opportunities;

"(4) design and conduct programs to encourage, promote, and assist minority entrepreneurs and business to secure Direct Contracts, Host Country Contracts, Operation Expatriate Contracts, Indefinite Quantity Contracts, subcontracts, projects, grants, and research related to the implementation of the 'General Policy' as stated in section 101 of this Act;

"(5) enter into such contracts, cooperative agreements, or other transactions as may be necessary in the conduct of its functions and duties;

"(6) develop support mechanisms, including venture capital, surety and bonding organizations, and management and technical services, which will enable minority entrepreneurs and businesses to take advantage of business opportunities related to the implementation of the 'General Policy' as stated in section 101 of this Act; and

"(7) participate in and cooperate with all

Federal programs and other programs designed to provide financial, management, and other forms of support and assistance to minority entrepreneurs and businesses.

"(c) The Administrator and the Secretary shall provide the Center with such relevant information, including procurement schedules, bids, and specifications with respect to the implementation of the 'General Policy' as stated in section 101 of this Act as may be requested by the Center in connection with the performance of its functions.

"(d) For the purposes of this section the term 'minority business enterprise' means—

"(1) a business which is at least 51 per centum owned by minority group members or, in the case of a publicly owned business, at least 51 per centum of the stock of which is owned by minority group members; and

"(2) whose management and daily business operations are controlled by such persons.

"(e) For purposes of this section, 'minority group members' include—

"(1) American Indians or Alaskan Natives, i.e., persons having origins in any of the original peoples of North America;

"(2) Asians or Pacific Islanders, i.e., persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands;

"(3) Blacks, i.e., persons having origins in any of the black groups of Africa; and

"(4) Hispanics, i.e., persons of Spanish culture with origins in Mexico, South or Central America, or the Caribbean Islands.

"(f) Within seven months after the effective date of this Act, and at six-month intervals thereafter, the Administrator shall submit to each House of the Congress a report concerning the activities of the Center.

"(g) There is authorized to be appropriated to the President for purposes of subsection 117(a), in addition to funds otherwise available for such purposes, \$654,000 for fiscal year 1979. Amounts appropriated under this section are authorized to remain available until expended.

"(h) To carry out the policy of subsections 117(b)(2) and 117(b)(6), there is authorized to be appropriated to the President \$5,000,000, in addition to funds otherwise available for such purposes.

EXTENSIONS OF REMARKS

BENEFITS FROM FRUITS OF INDUSTRIAL PRODUCTION

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. CLAY. Mr. Speaker, one of the significant scientific and social policy issues in the United States today is the question of risks and related benefits resulting from the fruits of industrial production.

Businessmen are concerned that innovation has been affected by changes in the regulatory environment. Recently, Mr. Richard J. Mahoney, executive vice president of Monsanto Co. in St. Louis, gave a very interesting talk on this subject to the Rotary Club of St. Louis.

I would like to direct my colleagues' attention to these remarks and share the text of his speech in its entirety.

REMARKS OF MR. RICHARD J. MAHONEY

Thank you, Ed, for that kind introduction. I only regret that my teenage son isn't in the audience to hear Dad described at age 44 as young. Some days he considers us light years apart—and particularly so when I start a sentence. Now, Steve, when I was your age... and so on. You all know the familiar lines that follow. I'll be happy to report to him tonight that at least someone thinks 44 is young.

Your Chairman also mentioned that my wife and I are transplanted New Englanders. And I should say that the snows of the past two winters in St. Louis have made us feel quite at home. Although the practice out in the county of putting coal dust on the roads for ice control—and subsequently into our carpets and floors—that practice hasn't yet caught on in New England!

But we are at home here. And, of course, Monsanto is truly "at home" in St. Louis.

Altogether, in the greater St. Louis area we now have almost 10,000 Monsanto people at our Corporate Headquarters and four plant sites. Later this year, we will open a new toxicology laboratory in the Washington

University Medical School complex. So we're still growing in the area.

And we're meeting only a Lou Brock throw away from Busch Stadium, where Monsanto is just finishing the installation of a new AstroTurf field—which we've promised in time for next week's opening game. And I'm happy to report we'll meet the deadline despite that New England weather this winter.

Incidentally, that field will be much improved over the rather hard surface the football players objected to. And Mr. Otis, or whoever is falling on the new turf, will find this nice, soft pad to cushion his fall.

A few blocks away, on South Second Street, we make a broad line of products—including something that all of us Cardinal fans reach for with some frequency—Aspirin!

In fact, the South Second Street Plant is the largest aspirin producer in the world.

Incidentally, South Second Street was the site of John F. Queeny's original plant back in 1901 when he began manufacturing saccharin in competition with the powerful German cartel known as the dye trust.

To crush Queeny's fledgling Monsanto chemical works back in the early 1900's, the German companies dramatically dropped the price of saccharin from the \$4.50/lb that Mr. Queeny expected to sell for, to \$4.00—then to \$2.00—and finally to \$1.00. Mr. Queeny sold his horse and buggy, borrowed on his life insurance, and confided to his three associates—"If we can just make it till tomorrow we'll be all right."

Somehow he did make it, and he went on to bigger, and ultimately, more profitable risks.

Over the years, the most successful businessmen have usually been the most daring risk takers. The St. Louis business community is a prime case in point with its Queenys, Danforths, Mallinckrods, Busches, McDonnells and many others.

But one trend that deeply concerns me in today's society is what I perceive as a dangerous drift away from a risk taking to a security-oriented frame of mind.

"Play it safe" is fast becoming our symbol, slogan and perhaps our seal. We seem bent on achieving a "no-risk" society, even if we have to kill ourselves to get it.

But there are often overlooked risks in a "no-risk" society. The danger, as I see it, is that once the avoidance of risk becomes

the major factor shaping our behavior, we're likely to end up by taking the biggest and least sensible risk of all: The risk of doing nothing—and gaining nothing.

The trend away from risk taking is evident all around us.

As businessmen, we see it in the competitor who would rather bump along with marginal profits than risk his capital to achieve a dramatic breakthrough.

As taxpayers, we're well aware—especially at this time of the year—of our tax system's built-in bias against risk taking. The personal tax charts—the so-called progressive tax—reduces the gains from success, but not the losses from failure.

As citizens dealing more and more with the Federal Government, we see the avoidance of risk in the increasing—and often competing demands of the regulatory agencies. OSHA demands that we provide a 100% risk-free workplace; Consumer Product Safety Commission that we turn out 100% safe products; EPA that we help maintain a 100% pristine environment; FDA that we make sure our food and drug products are 100% risk free.

And all these at one and the same time—and at non-inflationary prices. Now one can hardly argue that all of those aren't noble ambitions—100% safety—pure environment—totally risk-free living. But, however appealing a "no-risk" society may appear at first blush, it is an illusion, because nothing can be absolutely free of risk. Nothing can be absolutely safe—everywhere—all the time.

There are degrees of risk, and consequently degrees of safety.

Without casting aspersions on the chef, let me tell you that the luncheon you just finished contained hundreds, perhaps thousands, of potentially toxic substances.

In spite of that—God willing—we'll all be around this evening to enjoy another nourishing meal. I think you'll agree that the negligible risk of eating our lunch was well worth the benefits derived.

One of my colleagues, who's a quick man with figures, calculates that just like eating this lunch today, a person runs a one-in-a-million risk of dying if he does any of the following:

Rides 50 miles in an automobile
Travels 250 miles in an airplane
Spends two minutes mountain climbing
Spends six minutes canoeing

Drinks one pint of wine—

All risks I'm perfectly willing to take.

And despite the enormous benefits of modern medicine, physicians tell us that no medication is absolutely safe unless it is absolutely ineffective—a placebo.

Life is full of risks. Prudent behavior consists of weighing these risks on the one hand—and the corresponding benefits on the other—then applying our common sense before we act.

The risk/benefit concept is something that scientists have been using for a decade or two, but often to the public, and increasingly to the government, it's an unfamiliar idea.

When you think about it, though, it isn't so strange after all. We make informal risk/benefit decisions every day. The first is: "Should we get up in the morning?" Then, "Should we buckle up our seat belt?" And from there on, we are making them all day long.

The same risk/benefit principle should be applied when we are making up our minds on issues of public policy. What is needed is a balanced perspective. But in my own field of chemicals—as in some of your own fields lately—the debate has been anything but balanced. The risks have been trumpeted from the rooftops, but the benefits are seldom mentioned.

Let's consider plastics. It has become fashionable nowadays to criticize plastics products as wasters of our resources. But what about their benefits?

I was in Detroit recently talking to automobile companies about reducing weight to meet miles-per-gallon standards set by the EPA. They've done a lot of downsizing of cars—and more is coming—to save weight—and plastics will be a vital element in that weight reduction program. For example, if this 7 lb instrument panel—this particular one is from a Buick La Sabre—if it were made of metal, it would weigh at least 25 lbs.

The answer, then, lies in large measure with greater use of plastics as innovative substitutes for heavier traditional materials—durable plastic grilles, interior trim, door frames, and that instrument panel. If you've bought a 1978 model, chances are your car carries about 160 pounds of plastics. By the 1985 models, that will have increased to somewhere between 350 and 400 pounds.

If there ever was a definitive response to those who see plastics as a non-essential facet of American life, it's to be found in the auto industry—where plastics are helping to meet these national, fuel-saving goals.

And we hear and read a great deal about the risks of chemical pesticides for the farm workers who handle them and for the environment in which they are used. There are limited risks—and the safeguards against those risks are impressive. There are risks nonetheless, but we hear much less about their benefits. And there is, indeed, a compelling benefit side to the story.

For example, without pesticides, the \$35 billion worth of products generated by American farmers each year would be cut by between 30 and 60%. Without pesticides, our weekly food bill would soar. Much of the 12 billion dollars a year this nation earns selling farm products abroad would be lost, worsening still further our distressing balance of payments problems.

Besides increasing the abundance of the nation's bread basket, pesticides also help control the spread of disease. In many states, they are used to combat mosquitoes that carry dangerous encephalitis—and in the Southwest, pesticide spraying has been relied upon to kill the carriers of Bubonic Plague.

This is an aspect of the pesticide story that we don't hear much about, but it's one that should figure prominently in any risk/benefit analysis.

In traveling overseas, as I do quite fre-

quently, I've been impressed with the increasingly sophisticated approach that other countries are using in risk/benefit trade-offs.

Cyclamate, the artificial sweetener banned by the Food and Drug Administration in 1969, is still being sold in thirty other countries, where it is considered safer than sugar for diabetics and those with serious weight problems. And although we Americans like to think of ourselves as pioneers in the development of new medicines, we're often actually far behind other countries in bringing them to market. This is partly because of congressional legislation, partly because of regulatory timetables. To take some obvious examples, the U.S. was at least the 30th country to approve a new anti-cancer drug, the 51st to sanction a new anti-tuberculosis drug, and the 106th to authorize a new anti-bacterial drug.

In all these, we were laggards rather than leaders.

On a recent trip to England, I noticed a curious sign over a low-slung door frame in a restaurant. With typical British understatement, it cautioned: "Mind your head". But consider the point the sign made—don't tear down a building to replace the relatively small risk represented by a low doorway—simply "mind your head".

That's sound advice as we try to think through the risk/benefit factors on issues confronting us today—"mind your head".

There are, I think, at least four risks in a "no-risk" society.

The first is that emotion tends to drown out reason. What's happening too often goes something like this: A strict regulatory interpretation raises questions about some suspected product hazard.

Then a newly aroused activist group clamors for the product's banishment from the marketplace. The news media report and sometimes amplify the clamor. A crisis period ensues, marked by conflicting charges about who or what is at fault. Finally, the product is arbitrarily suspended, often without any serious attempt to quantify the costs.

Such outbursts of emotionalism are, in my judgment, a poor substitute for rational decision-making on issues affecting the health, safety and livelihood of millions of Americans. The best way—indeed, the only sensible way—of coping with the increasingly complex decisions we face in this area is through objective evaluation of the risks and the benefits involved.

Perhaps no subject evokes a more emotional response today than cancer. We hear and read that a majority of human cancers—possibly as high as 70% to 90%—are due to environmental causes.

From this, many people leap to the conclusion that chemical food additives, pesticides and industrial chemicals are to blame.

Yet, medical studies have shown repeatedly that the main human cancers do not stem from intentional or even inadvertent chemical contaminants in our environment. A recent medical research paper noted that the overwhelming environmental causes of cancer are cigarette smoking and dietary considerations. In fact, the Monday "Globe" carried a story entitled "The Anti-Cancer Diet"—on this same linking of diet and cancer.

Control those two elements—cigarettes and diet—and you've controlled the cause of perhaps 95% of environmentally caused cancers.

Point No. 1—reason—not emotion.

The second risk of a "no-risk" society is the stifling of innovation. There is an enormous penalty placed on mistakes and a premium on avoiding them. And the easiest way of avoiding them is to do nothing.

Monsanto's recent experience with its plastic beverage bottle clearly demonstrates how innovation is dampened when consideration of risks and benefits is thrown out.

After a decade of research, we had cre-

ated a bottle—this bottle—that boasted among its many advantages, lightweight, low cost, greater safety and recyclability. But because the FDA charged that a raw material used in the manufacture of the bottle leached into the beverage itself—an allegation we steadfastly denied and backed up with solid data—the container was banned from supermarket shelves. Three manufacturing plants had to be shut down, and 1,000 jobs eliminated.

Beyond these obvious economic dislocations, the FDA's action aborted a development that could have contributed importantly to the solution of America's litter problem.

Monsanto was ready to introduce a bottle that would have revolutionized the container industry—a refillable plastic container. But those real benefits were not weighed when the agency reacted to what it thought were possible risks.

Let's not stifle innovation.

The third risk is the tendency toward simplistic answers to inherently complex questions.

Observers of the American scene—from Mencken to Moynihan—have warned against this irrepressible tendency. Mencken said—"There's always an easy solution to every human problem"—"neat, plausible and wrong!" Senator Moynihan has said "What we need are more 'complexifiers'—men and women of intelligence and integrity who will help us do the hard thinking that a comprehension of intricate issues demands."

Nowhere is this need more readily evident than in the regulatory area.

OSHA (The worker safety agency) recently proposed a policy for the control of cancer-causing substances. It is a good example of over simplification. If a single adverse laboratory test suggests that a substance might cause cancer, OSHA could automatically set the "lowest feasible" levels of workplace exposure, regardless of favorable actual experience in plants—real data with real people—not overfed rats. Real data might show no actual increase of health hazard over a long period of study, but a single lab test with rats can take priority. If a suitable substitute product exists, OSHA could take action which would, in effect, ban products from the marketplace based on the single lab test.

This is the same simplistic approach that Congress took twenty years ago when it added the Delaney Amendment to the Food, Drug and Cosmetic Act. This amendment, which can be invoked to ban the use of any food additive on the basis of a single animal test, has been the guiding spirit behind decisions that have caused unnecessary disruption and confusion.

Point No. 3 then is—there are no simple answers. These are complex issues requiring thoughtful solutions.

The fourth risk of a "no-risk" society is the restriction it imposes on our personal freedom of choice.

There are, of course, some risks that if indulged in by one person may endanger others. Society must provide safeguards for those not wishing to jeopardize themselves in this manner. But society—as personified by government—should not presume to calculate the risk/benefit ratio for each and every individual. Some people will always elect to take risks in some ways to make a gain—or avoid risks in other cases—and those options should be preserved.

A recent public survey revealed that two out of three persons want to make their own risk/benefit judgements, rather than letting the Federal Government do it for them by arbitrarily banning a product.

The best approach, in my view, is to tell people in plain English what may be the risks to health or personal safety, then let them decide freely for themselves whether the risk is worth taking.

And let me repeat—I'm not talking about obvious, unconscionable risks—clearly hazardous products or situations—I'm talking about the risks where judgement can and should be exercised—individual judgement by an informed public.

What we should strive for is not a "no-risk" society—an impossible dream at best—but a society fully capable of coping responsibly with risk.

Keep that freedom of choice open.

I would encourage you to use your influence as citizens in bringing balanced analysis to bear on the legislative and regulatory processes of our country. I hope you will find ways for your own organizations to undertake steps in the education of our legislators—or of the American public—or both.

At Monsanto, we're trying to do our part through an extensive campaign in the media and on the speaker's platform—as well as through face-to-face contacts with government officials at federal, state and local levels. And you'll find on the tables as you leave a booklet called "The Chemical Facts of Life" which Monsanto is distributing widely to help set a balance in judgements of this type. I urge you to take one along.

One effective step that each of us here could take would be to learn the facts and speak out when the opportunity arises—to our business and professional associates, our civic, fraternal and educational groups—wherever community leaders gather. In short, to play our proper role in the dialogue of democracy.

The alternative, I'm afraid, is to let the doomsayers set the tone of life in our nation.

I personally don't want to see that happen. I don't think you do either.●

TRIBUTE TO MITCHEL NIDEVER

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. KETCHUM. Mr. Speaker, at this time I would like to ask that my colleagues join with me in paying tribute to an outstanding American, Mr. Mitchel Nidever, of McFarland, Calif. For the past 32 years, Mr. Nidever has served as agricultural instructor at McFarland High School; this year, he has decided to retire. On May 20, he will be the featured speaker at the 32d Annual Parents and Friends Future Farmers of America Banquet in McFarland. What he does not know, however, is that the evening will in reality be a tribute to him. Certainly, few men are more deserving of such recognition.

Mitchel Nidever's contributions to education, to youth, and to the community are far too numerous to mention. However, he is being honored for something far more meaningful than a single act, and that is his total dedication to perpetuating all that has made America great. At a time when many citizens are seriously alarmed concerning the potential decline of our Nation, Mr. Nidever stands as a bastion of all that we hold in high esteem: integrity, devotion to duty, faith, morality, and the fulfillment of individual responsibility. It can truly be said of Mitchel Nidever that he has given far more than he has taken—but not more than he has received. I say that because I know that a man who has lived a life as rooted in all that is good as Mr. Nidever must surely have

achieved more than a small measure of satisfaction and fulfillment.

Three generations of young Americans have benefited from Mitchel's beliefs, and have gone on to achieve beyond their fondest hopes. The community has been equally enhanced by Mitchel's many contributions, as have public service clubs, his church, the field of education and agricultural endeavors.

It is a privilege and a pleasure to represent Mitchel Nidever here in the Congress, and even more of a privilege to recognize him today.●

WILL DOLLARS SAVE OUR EDUCATIONAL SYSTEM?

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. TREEN. Mr. Speaker, before we rush headlong into massive increases in Federal funding for elementary and secondary education, with concomitant deepening of Federal involvement in the educational process, we ought to heed such advice as recently offered by Nick Timmesch whose article on the subject appeared in the Washington Post on April 29:

WE NEED MORE REAL TEACHING IN THE CLASSROOM

(By Nick Timmesch)

The citizenry now pays \$144 billion a year in federal and local taxes to support public education in our country, more than goes for national defense. Both areas get too much money, but we become more disturbed over inflation of public school costs than defense, because we live near schools and our children attend them.

So taxpayers should raise eyebrows when President Carter rhapsodizes that the \$12.9 billion he asks for education in 1979 represents the largest increase proposed by any president and Congress since the mid-'60s. The reason we pause is that, in the past 10 years, according to a national study, per-pupil education costs have risen 132 percent while the Consumer Price Index rose only 60 percent—and still pupil performance scores have dropped.

There is something wrong in public education today, despite record-breaking budgets and price hikes. Now the president is asking for even larger increases so that greater emphasis can be placed on the basic skills—reading, writing and arithmetic.

It seems that the poorer public school performance gets, the more money is demanded to correct the errors. It's a little like the auto companies recalling defective cars for repair and then adding the cost of fixing their mistakes to the cost of doing business. Thus, the consumer winds up paying the bill.

There are many examples of such failure. The Council for Basic Education recently reported that a statewide educational assessment program in Florida showed that, while only modest numbers of high school juniors flunked a relatively simple communications exam, 38 percent failed a math test that featured such questions as "What is 50 percent of \$42.98?" The president of the state teachers' union quickly blamed the results on TV watching, single-parent homes, alcoholic parents and juvenile crime.

No question that the deterioration of the American family makes it tougher for youngsters to learn. But then Time magazine reports about Marva Collins, a black Chicagoan, who operates a one-room school she founded

for intensive teaching of inner-city children. She puts up with no nonsense, holds pupils only one or two years and raises their overall performance remarkably. She then encourages parents to send their children to parochial rather than public schools.

It's one thing to talk about spending billions more for basic and bilingual education, but it's another to deliver it so pupils can really succeed. Pupils in bilingual Spanish-English programs aren't learning English any better than those not in this more expensive form of education, according to one federal government study. There is good reason to conclude that school boards and/or administrators instill bilingual programs more in response to local political pressure than for their effectiveness.

Indeed, there is a great deal of politicizing in our public education system, especially since the National Education Association (NEA) has become a labor union that spent \$3 million on the 1976 election (nearly all on Democratic candidates), backed the Carter-Mondale ticket and expected something nice in return.

It might be cynical, or accurate, to observe that the something nice is the huge hike in federal aid to education Carter is asking for. Where will the money go? It's fair to say that labor unions such as the NEA don't like job-performance testing. Rather, they like more job slots, more chummy weekend educational conferences, more "special resource" or "remedial" teachers and, forbid the thought, more consultants and studies.

If that is what comes out of the Carter program, well, why don't we spare the taxpayer the expense?

What's really needed is a drastic upgrading in the skills of teachers who now glut the education field. We need more good teachers like Marva Collins who notes: "All you need to teach is a blackboard, books and a pair of legs that will last through the day. If you gave me \$20,000 worth of audiovisual equipment, I'd leave it out on the sidewalk."

Perhaps the Marva Collinses in education should be enlisted to instruct laggard teachers that, if you become determined to teach, you will teach. If you fall back on special resource teams or "supplementary" aids, you probably won't teach.

If teachers need four- or six-week summer sessions to upgrade their skills and become more knowledgeable in their subjects, let it be, and hopefully some of the extra federal money will be spent this way. Call it recycling or retraining. The point is teachers have to put aside the bad news that American family life isn't the best, and realize that youngsters can be shaped up in a classroom and also, believe it or not, taught.

Instead of more expensive convenience escape hatches, we need more real teaching in the classroom, and that means work. With such a surplus of teachers, some of them must be willing to work. They have in the past, many work hard now, and the rest need to be prodded by the word that a taxpayers' revolt can be just as forceful as the political clout a rich labor union can wield with an administration.●

NORTH SHORE SOCIETY OF THE ARCHAEOLOGICAL INSTITUTE OF AMERICA

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WOLFF. Mr. Speaker, I would like to bring to the attention of my colleagues the anniversary of an organization which signifies much to a growing number of

my constituents in the Sixth Congressional District of New York.

The North Shore Society of the Archaeological Institute of America was founded 10 years ago in order to promote an interest in archeological work, including excavation, research, and reporting on and studying of these results. In fulfilling these goals, the organization has been a bridge between the academic world and the general community. It has diligently sponsored programs of the highest caliber, such as film festivals, exhibitions, museum visits, study tours, speeches by scholars in the field, and other outstanding activities.

Since its inception, the North Shore Society has consistently made these events available to the entire community as a source of learning, leading to a better understanding of humanity's past and pointing to the direction of the future. Surely this group's many successes provide an example and inspiration for fledgling organizations and all others interested in the study of bygone lives and cultures.

I would like to take this opportunity to urge that residents of my district join with me in celebrating Archaeological Day on Sunday, May 21, 1978. ●

A TRIBUTE TO BISHOP THOMAS NEWMAN

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DODD. Mr. Speaker, Bishop Thomas Newman died on March 9 and was buried in his hometown of Waterbury, Conn., after spending more than half of his life as a missionary in Burma.

A tribute to a man like Bishop Newman should fill the pages of a book, but I will limit myself to much less to honor a man who was admired and loved for his dedication to his faith as well as his fellow man.

Those who knew the bishop told stories about his selflessness as the superior of the mission group that came to Burma in 1937. Faced with poverty, disease, and primitive living conditions, the bishop walked the lengths of his expansive parish often sleeping on the ground or in huts to bring his message of faith to the Burmese people.

A pragmatic man, he had few illusions about his work, but his belief in the importance of his missionary duties kept him in Burma even when it became dangerous and even deadly to remain. When the Japanese began their invasion of Burma in World War II, Father Newman was asked to leave his mission under British protection. He and the other missionaries refused to go, believing that constancy of devotion to their solemn duty was imperative.

Their adherence to Christian ideals resulted in 3½ years in a Japanese prison camp, where the bishop emerged from the brutalizing experience weighing only 100 pounds with his eyesight permanently impaired.

Even after the war, when a restrictive

and unsympathetic regime came to power, Bishop Newman stayed on. He rebuilt the destroyed mission and spent the next 20 years establishing a self-sustaining diocese with native clergy and seminarians.

One can easily envy a man whose entire life has shone with his unflinching fidelity to the Christian faith, and his courage, honesty, and unpretentiousness. Envy is not an emotion that Bishop Newman would have respected, though. Perhaps it is better that we admire and learn from his actions.

All of us can find comfort in the knowledge that a man like Bishop Newman who devoted his life to others has graced us with his presence. ●

GROWING OPPOSITION TO WELFARE STATE IN GREAT BRITAIN

HON. TOM HAGEDORN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. HAGEDORN. Mr. Speaker, much has already been made of the similarities of the political and economic course pursued by the United States and Great Britain. The policies adopted by Great Britain since the First World War in the areas of taxation, labor relations, social services, foreign affairs, and industrial organization have too frequently foreshadowed those later adopted on this side of the Atlantic, and with similar results.

It is heartening then to hear of the increasing intellectual opposition that is building to these policies in Britain, in academia, in the media, and in both the Conservative and Labour Parties. A particularly fine analysis was recently published in this country entitled "The Enemies of Society" by Paul Johnson, the former editor of the respected New Statesman.

I would like to include in the RECORD an excellent illustration of this growing sentiment from the London Times. In it, the Times comments upon a major speech by Mrs. Margaret Thatcher in which she observes:

The true devolution is away from government of every kind and at every level and back to the citizen. "Power to the people" is a sadly abused slogan, appropriated and perverted by the collectivists, whose purpose is all power in the state at the expense of the people.

The following is the full text of the Times editorial:

[From the London Times, Jan. 10, 1978]

THE BALANCE OF SOCIETY

The natural world survives through the adjustment of an extremely large number of interlocking systems of balance. There is balance in the solar system, balance in the climate, balance between species, balance in the human body; when balance is lost, human life cannot survive—as it cannot survive in the extremes of temperature at the poles. The same is true of the political world; society survives by the maintenance of an equilibrium, and not by the perfect logic of domination. When complete domination is achieved it is usually unstable; even Stalin's system could not be continued by his suc-

cessors, and it certainly never felt secure to Stalin himself.

In political affairs the wise course is to move towards balance. In Britain the balance of the classes was radically disturbed by the industrial revolution, which created a small class of wealthy capitalists and a large class of urban poor. The history of our domestic politics in the last century and a half can be seen as the attempt to redress that balance, so as to create a reasonable equivalence of power and prosperity between the classes. Such a balance does not imply an equality; the creators of the national wealth and the consumers do not make an equal contribution and will not be satisfied with an equal reward. It does imply some combination of opportunity for the able and security for the unfortunate; when either of these elements is missing there will be pressure for it.

The question now is whether that correction still has further to go, whether it should be regarded as sufficient and complete, or whether it has created a momentum which has carried it beyond the point of balance, whether socialism has overshot the point of stable equilibrium. This is a question for Britain, but not for Britain only, nor need the question be answered the same way in all countries.

The Labour Party has tried to redress the nineteenth-century balance by expanding the power of the state—particularly through higher government expenditure, pay and price controls, and the state ownership of industry—by strengthening the power of the trade unions and by confiscatory taxation of income and capital. These measures have been taken very far. The state now accounts for well over half of national expenditures, owns the coal, steel, railway, airline, aircraft, bus, electricity, gas, water, post, telephone, shipbuilding and dock industries, as well as part of the car industry, and levies taxes on income up to 98 percent and on capital up to 75 percent. It also controls price and pay increases but except for this state control of wages, which is itself extra-legal, almost all the limitations on the trade unions have been removed.

Our greater addiction to these policies is the chief reason why British productivity is half of German, the Dutch, the American or the Japanese. As world competition increases (South Korean shipyard workers produce three times as much as Tynesiders for one-eighth of the pay) we cannot earn our living unless we become at least tolerably efficient. The arguments of liberty and efficiency point the same way; it is necessary not just to resist socialism but to reverse it. ●

AN INVENTORY OF FEDERAL INCOME TRANSFER PROGRAMS

HON. DAVE STOCKMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. STOCKMAN. Mr. Speaker, recently, a study conducted under the auspices of the Institute for Socioeconomic Studies by Prof. William J. Lawrence of Pace University School of Business sought to catalog the myriad efforts of the Federal Government to provide income support and income supplements for our citizens. As my colleagues are aware, this is no mean task. The actions of Congress have been so numerous, and the organizational responses of the Federal agencies so varied, that there can be few Americans alive

today who understand the full scope of these efforts.

For this reason, the institute's efforts are particularly timely. As we consider welfare reform alongside reauthorization of such major income-directed programs as the Comprehensive Employment and Training Act in this Congress, I believe it essential that Congress begin to solve the problem of how these many efforts fit together to provide a coherent response to the problems of disadvantage. For this reason, I would like to share with my colleagues a recent editorial in the *Anderson, Ind., Herald*, providing a closer look at this study. The interest of the media in areas far away from Washington suggests the public perception of the importance of our coordinative task. I commend this editorial to the attention of my colleagues:

A LOOK AT THE FINE PRINT

More than \$250 billion in government assistance to maintain personal income and "fight poverty" has been identified by an economic research team that, after more than a year's work, has completed the first inventory of the federal government's "income transfer" programs.

The unprecedented research into the fine print of the federal budget is the work of Pace University investigators under the leadership of Dr. William J. Lawrence, chairman of the Department of Economics, Pace University Graduate School of Business. The study was undertaken under the guidance and grant assistance of the Institute of Socioeconomic Studies, White Plains, N.Y.

The study, "An Inventory of Federal Income Transfer Programs," reveals for the first time that the federal government in Fiscal 1977 offered 182 programs for income maintenance and poverty prevention. The \$250 billion appropriated in 1977 for these programs equalled 69 percent of total federal tax receipts.

The publication, according to Dr. Leonard M. Greene, Institute president, "will be an indispensable tool for Congress and the administration as debate mounts on reform of the nation's welfare and tax programs. At long last, these deliberations can be based on precise fact—the actuality of the nation's huge outlays for income maintenance."

Issuance of the study marks the completion of the first phase of a three-year project to identify all federal, state and local income transfer programs.

"It is highly disturbing," Dr. Green said, "that in the current debate on welfare reform, no one really knows exactly how much government money is already helping the poor."

Many suggest abolishing all present cash and aid-in-kind programs, such as food stamps, and substituting, instead, a single cash program for the poor. A negative income tax or similar program would have the virtue of simplicity of administration and would permit drastic slashing of current red tape. What is needed, however, is data on what government is presently spending for reducing poverty.

A basic danger, according to Dr. Lawrence, is that "The burgeoning array of income transfer programs (has) no basic theory (unifying) the various programs into one overall approach . . . The overlapping benefits of many of the programs often lead to work disincentives which foster dependency on welfare. It is difficult to see how such a system could be rationally unified into a coherent approach, until these systems have been identified and understood."

The study shows that at the federal level, many programs are small enough, or specialized enough, or so divorced from legislative authority, that they have escaped analysis

and scrutiny. A number of such programs do not even appear as separate line items in the federal budget; their costs are lumped together with other expenditures.

To hear of the work these researchers have undertaken certainly adds a bright spot to the gloomy welfare and tax messes we have on our hands. If used properly by our nation's leaders, the study could very well help in establishing some sensible fiscal guidelines. ●

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS EXPRESSES SUPPORT FOR LEGISLATION

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. FUQUA. Mr. Speaker, in March Mr. Sammie F. Lee, chairman of the National Society of Professional Engineers' Legislative and Government Affairs Committee, testified in support of legislation I and many other Members of Congress had introduced to insure fair and equitable wages to professionals engaged in technical support service contracts.

Since the time of Mr. Lee's testimony, the Office of Federal Procurement Policy has issued regulations which, I am pleased to note, closely follow the concepts embodied in my bill.

Mr. Lee's comments represent the collective view of the 75,000 individual members of NSPE and because of the importance of his views on this issue, I would like to place the text of his testimony in the RECORD:

STATEMENT OF SAMMIE F. LEE ON H.R. 4873

My name is Sammie F. Lee. I am a professional engineer from Louisville, Kentucky and also serve as Chairman of the Legislative and Government Affairs Committee of the National Society of Professional Engineers. Appearing with me today is Milton F. Lunch, General Counsel of NSPE. We welcome this opportunity to present our views on H.R. 4873, a bill to provide for fair and equitable compensation of professional employees in the performance of technical support service contracts.

NSPE, a nonprofit organization representing 75,000 individual members who are actively involved in every aspect of engineering, wishes to commend this Subcommittee for its interest in solving the problem known as "wage busting." We would also like to commend Congressman Fuqua for his introduction of H.R. 4873, a bill which we believe is a well conceived solution to the problem.

NSPE is opposed to wage busting and finds this practice deplorable. In January of 1977, NSPE's board of directors approved a policy that states:

"NSPE deplores the practice of wage busting whereby a contractor obtains a competitive advantage in securing successive technical service contracts for the same services by reducing the compensation of engineers and other professional personnel even though such personnel will be employed in the same capacity as they were under the predecessor contractors. NSPE will support legislation to eliminate such practice through the procurement process.

"NSPE is opposed to the setting of compensation of professional employees of contracting organization by government fiat or determination. NSPE believes that the merit system of compensation determination for professional employees best serves the inter-

est of the public and the professional status of engineers."

In June of 1977, NSPE testified before another subcommittee of the House of Representatives on the subject of "wage busting" and reiterated its opposition to "wage busting." At that time, however, NSPE was opposed to the proposed solution contained in H.R. 314. In brief, NSPE is opposed to that bill because it would amend the Service Contract Act to include engineers providing professional services. Under the bill, the Secretary of Labor would be required to mandate minimum wage levels for covered engineers. We believe that such a practice would violate the basic nature of professional employment. A professional should provide expertise without rigid or arbitrary formulations or controls. The key word in professional employment is "flexibility" and H.R. 314 would eliminate that concept.

We are in complete agreement with the opposition of H.R. 314 as expressed by the Comptroller General of the United States and the Director of the Office of Management and Budget. As stated by the General Accounting Office, the solution proposed in H.R. 314 is "unnecessary and undesirable."

NSPE supports H.R. 4873 as the proper solution to the "wage busting" problem. H.R. 4873 recognizes and maintains the concept of "flexibility" with regard to the employment of professionals. Unlike H.R. 314, the Fuqua bill provides a cure that is not worse than the disease.

Instead of requiring a Federal agency to set wages, the bill directs the procuring agency, prior to awarding a contract, to determine that "wage busting" will not occur and that salaries proposed for professional employees by competing contractors will be consistent with appropriate levels of professional responsibility and achievement. The head of the agency is required to review salary levels to insure that they reflect the abilities, professional status, responsibilities, and value of the education and experience of the employees. As a part of the review, the agency head must take into account published salary surveys and studies of public and private organizations.

In short, a technical support service contract cannot be awarded until the agency determines that the salary levels for professional employees are equitable and commensurate with their individual position classifications and level of professional performance. This approach preserves the merit system and the flexibility necessary to allow the employee to function at the optimum level.

The bill also defines "technical support service contracts" to avoid any misinterpretation as to the type of contracts to which the bill applies. We agree that there is no need to legislate in those non-technical support service areas not experiencing "wage busting" problems.

As the members of this Subcommittee well know, there is a long body of precedent in Federal law that recognizes that professional employees should not be included under labor standard laws in which the Government sets minimum wages and other compensation benefits. These laws recognize the necessity that professional employees have flexibility in performing their services. Thus, professional employees are not covered by the minimum wage determinations under the Davis-Bacon Act for construction workers of the Walsh-Healey Act for production employees. They are likewise exempt from the Fair Labor Standards Act requirements of minimum wages and overtime payments after a specified number of hours of work per week. NSPE believes that H.R. 4873 preserves this recognition of the longstanding exemption of professional employees from rigid employment classifications and standardized salaries. In short, it preserves the essential merit system applicable to professional employees.

NSPE would also like to comment briefly on recent administrative actions taken by the Office of Federal Procurement Policy. We would like to take this opportunity to commend OFPP for its quick and decisive action with regard to an administrative solution to "wage busting."

It is our understanding that OFPP has worked with Federal procurement officials in Florida in developing procurement language that was used in the reletting of recent contracts. We further understand that the General Accounting Office has audited the awarding of these contracts and determined that "wage busting" has not occurred. As a result of OFPP's action and the GAO reports, we are optimistic that an administrative solution to the problem is possible and await with great interest OFPP's proposed regulations dealing with the problem.

In closing, we would once again like to commend Congressman Fuqua for introducing H.R. 4873 and this Subcommittee for its interest in providing a workable solution to the "wage busting" problem. Mr. Lunch and I would be pleased to answer any questions you may have at this time. ●

TRIBUTE TO PAUL WARFIELD OF WARREN, OHIO

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. CARNEY. Mr. Speaker, on May 12, 1978, a banquet will be held in honor of Mr. Paul Warfield, former all-pro wide receiver in the National Football League. The banquet will be held at the Packard Music Hall in Warren, Ohio.

Paul Warfield was born and raised in Warren, Ohio. He attended First Street Elementary School, Harry B. Turner Junior High School, and Warren G. Harding High School.

From 1957 to 1960, Paul played football at Harding High. During his 3-year high school varsity football career, he scored a total of 191 points, while gaining a total of 2,459 yards—2,103 yards rushing and 356 yards receiving.

Following his graduation from Warren Harding High School, Paul Warfield played for the Buckeyes of Ohio State University, where he scored 84 points, rushed for 1,047 yards and caught 39 passes for 525 yards.

After graduating from Ohio State, Warfield was drafted by, and played for, the Cleveland Browns from 1964 to 1969. As a wide receiver for the Browns, he caught 215 passes for 4,346 yards and scored 44 touchdowns. He was a major factor in the Browns' record of 58 wins, 26 losses and 3 ties.

From 1970 to 1973, he played for the Miami Dolphins, and the Dolphins went to two Super Bowls. As a Dolphin, Warfield caught 129 passes for 2,819 yards and 20 touchdowns. He played for the Memphis Southmen in 1974, and the Miami Dolphins in 1975, before returning to the Cleveland Browns for the 1976 and 1977 seasons.

Paul Warfield holds the National Football League record for highest average yards per catch—20.1 for each reception. During his 13-year NFL career, he caught 85 touchdown passes, tying for 2nd place in career touchdown

receptions. He ranks 17th for the number of passes caught in the National Football League—427.

The citizens of Warren, Ohio, and the people of the entire Youngstown area, are proud of the accomplishments of Paul Warfield. They are proud of him for two reasons. Besides being an All-American and an All-Pro football player, Paul Warfield also possess the chief athletic virtue of good sportsmanship. To football fans in my district, he is a hero in the best sense of the word.

I congratulate Mr. Paul Warfield on an outstanding football career, and I wish him the best of luck in his future endeavors. We will miss seeing the amazing catches that became his trademark. ●

TAKING STOCK

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. McDONALD. Mr. Speaker, one of the continuing failures of our foreign policy is that we treat the Communist nations as normal nation states, forgetting they are a "cause" not a state in the normal sense of the word. The further manifestation of this erroneous thinking is that we continually negotiate with them by sending signals or making offers that we feel should be responded to in a certain way. This is done with our Judeo-Christian heritage and values as a background. None of this seems to work, but our policymakers keep repeating the same errors. Vice Adm. J. B. Stockdale, President of the Naval War College, recently treated this subject, based upon his background as a POW in North Vietnam. His thoughts as they appeared in the Naval War College Review for Spring 1978 are worth reading.

The article follows:

TAKING STOCK

Oscar Wilde once wrote that "Man is a rational animal who always loses his temper when he is called upon to act in accordance with the dictates of reason." He was not writing about war, of course, but his observation seems pertinent to one of our blind spots when thinking about and planning for war. We plan; we calculate; we consider and accept or reject options; we apply the most theoretically sound principles to our studies and we do it all in a rigorously rational way but whether through design or ignorance we too often forget that while war as political theory may be perfectly rational, warfare in practice is most decidedly not. Clausewitz said it this way: War is a trinity with its rational element of being outweighed two to one by the combined elements of chance ("within which the creative spirit is free to roam") and blind natural force ("primordial violence, hatred and enmity"). I believe with Livy that the event corresponds less to expectation in war than in any other case whatever. War never has been nor ever will be fought without Wilde's men who lose their temper and somehow their *familiar* rational processes are insufficient or inappropriate to the irrational game being played. I emphasize *familiar* lest it be incorrectly inferred that I have no brief for reason. Of course I do, but I think that reason must be expanded to include the subjective element, the man element—why he fights, how he fights, whether he must fight.

This is not a new question. Philosophers, real and fancied have long grappled with it. One of them, an acquaintance and sometime correspondent of mine, recently died. He never taught at a military school or service college. As far as I know, he never made a study of war but he did study men in war. He received his doctorate in philosophy from Columbia University the same week he was called up in a pre-World War II draft. Eligible for a commission, he preferred to serve first as a foot-soldier, then as a counter-intelligence operative in Europe. His name was J. Glenn Gray. He kept a journal and copies of letters he wrote to his friends and in them he recorded his thoughts and observations of men in war. More than a decade after the war he put his reflections, then matured, into a book, *The Warriors*.

I disagree with Professor Gray in many particulars—at least I interpret some things differently—and I am not going to review his book here but I do commend it to all thoughtful readers. He writes in moving and literate prose of the paradoxes of man in war, the ecstasies and agonies, the glories of battle, the ugliness of death, the feelings of guilt and hate and rage, and the tremendous power of comradeship. It is all useful to an understanding of ourselves and of our adversaries. In my change of command address I noted that war is a serious business, that people get mad in war, and that the laws of logic are valueless in bargaining under such conditions. Gray helps us to see why.

One result of failure to accommodate psychological or subjective factors in our wishful thinking is that to which I referred in the last issue of the *Review*—perceptions and misperceptions. We delude ourselves in many things but one which is especially troubling to me and which I have had the opportunity of observing from another side is our attribution of our own characteristics and expected stimuli-responses to our adversaries. We plan and conduct elaborate and subtle operations intended to "signal" something to that adversary and are amazed at his response (or lack of same). We ignore or reply gently to aggressive provocation intending thereby to signal that we want to live in peace and harmony and are baffled when provocation increases. We gradually increase the power of our response in an attempt to signal our capability, our restraint, and our desire to give our opponent an out and are baffled that he, instead, lashes back in anger and vengeance. We mount a massive attack signalling determination, if little else, and are baffled that our opponent sues for peace. But why? Why should we be baffled? How much experience do we need? The results of our misapprehended signals are not hidden. I thought of this often as I lay in my cell in Hanoi and listened to the explosions of "measured U.S. response" signalling, by restraint, the American belief in the futility of continued North Vietnamese intransigence and hearing the contemptuous response of the jailers, the people in the street—we're angry, we don't want an out, we want to fight. And I stood with scores of American POWs and cheered while unmistakable commitment was registered as B-52 bombs thundered into military targets all night, night after night in late 1972, and felt the collapse of an enemy's will as those same jailers became apologetic and solicitous, and those same streets—well clear of the drop zones—fell silent. "Burning bridges behind us," not "keeping options open," squeaked the war whoops of Hanoi.

There is a language of war, but it can't be faked. To win it is necessary to understand it. It has long been clever to quote Clemenceau's belief that war is too important to be left to the generals. He may have been correct but the generals—and admirals and commanders and colonels—who are called on to conduct war had best know what they're

about. And that's what we at the Naval War College are about.

J. B. STOCKDALE,
Vice Admiral, U.S. Navy,
President, Naval War College.

THE GROWTH OF GOVERNMENT: WHO BENEFITS?

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

• Mr. ROUSSELOT. Mr. Speaker, on November 30 of last year I made a short speech on the growth of government and inserted in the RECORD an article from the Intercollegiate Review by Dr. Paul Craig Roberts titled "The Political Economy of Bureaucratic Imperialism." The article put the growth of government in a new perspective which we all need to consider.

In the current issue of the Intercollegiate Review, two university economists, Dr. James T. Bennett and Dr. Manuel H. Johnson, provide empirical evidence in support of Dr. Roberts' thesis, and they include:

In sum, based on a survey of IRS statistics between the years 1914 and 1975, there is ample evidence to support Paul Craig Roberts' assertion that the bureaucracy operates to achieve self-aggrandizement which can be inimical to the public interest.

The article by Professors Bennett and Johnson also provides ample evidence in support of my balanced budget amendment to the budget resolution that I will be offering. Support for this amendment has been growing. More and more Members of Congress have been realizing that they must put the interests of the American taxpayers ahead of those of the Federal bureaucrats that we have been feeding excessively for more than a decade. A balanced budget will do something for the people who actually produce the goods and services that support our country and the Government.

The article follows:

BUREAUCRATIC IMPERIALISM: SOME SOBERING STATISTICS

(By James T. Bennett and Manuel H. Johnson, Jr.)

In the Fall, 1976 issue of this Review, an article appeared by Paul Craig Roberts entitled "The Political Economy of Bureaucratic Imperialism." Roberts addressed the problem of the universal bureaucratization of society and bureaucratic involvement in private life. His ideas and insights are as significant as they are thought provoking and, therefore, deserve further attention. More specifically, the purpose of this brief study is to provide empirical evidence relevant to Roberts' central arguments.

With regard to bureaucrats, Roberts states that—

"[P]recisely because they do have special interests offering them identifiable gains, bureaucrats and their beneficiaries have incentives to enlarge the scope of government. Today legislation is originated by bureaucrats

who unlike politicians are life peers and cannot be voted out of office.

"Some people are sufficiently sophisticated to notice that bureaucrats are quick to use every opportunity to feather their nests and enlarge their budgets and powers. But I am saying more. I am saying that there is no coincidence whatsoever between the interest of bureaucrats and the public interest. I am saying that government social and economic policy is the tool of bureaucrats for self-aggrandizement and is inimical to the public interest."

As one example of the concepts developed in his essay, Roberts selected the income tax and the Internal Revenue Service, viz.:

"The income tax was voted in under one guise and retained under another. Furthermore, it was the action of a past generation. For us it is an inherited obligation, as were feudal dues, and it is seen that way by the Internal Revenue Service. All of us have been born to the statist gospels. Any clamors for tax reduction are translated into proposals for tax reform, which are further transformed into proposals for securing more revenues for government."

The point is also made that while government had claim to only one-eighth of national income at the turn of the century, it was commandeering more than one-third of the annual national income by the 1970's.

The table below contains some selected statistics for the Internal Revenue Service for the years 1914 and 1975. To facilitate comparisons among the statistics, the percentage change between the two years is also shown. Note that, where appropriate, dollar amounts for 1914 are also given in 1975 dollars in order to adjust for the decline in the purchasing power of the dollar and make the dollar figures more comparable between time periods.

SELECTED STATISTICS FOR THE INTERNAL REVENUE SERVICE, 1914, 1975, AND PERCENTAGE CHANGE

Statistic	1914	1975	Percentage change	Statistic	1914	1975	Percentage change
U.S. population.....	97,000,000	214,000,000	120	IRS employees.....	4,000	82,000	1,950
U.S. labor force.....	34,800,000	84,800,000	172	IRS employees per capita.....	1:24,250	1:2,609	829
Total Internal Revenue collections.....	\$415,600,000	\$293,800,000,000	11,990	IRS forms.....	145	4,050	8,900
Individual income tax collected.....	\$41,040,000	\$156,400,000,000	551	AEA members.....	8,033(1913)	218,146	2,600
Number of individual returns.....	357,515	85,518,719	23,800	IRS lawyers.....	4,731	43,687	79,900
Percent of population taxed.....	0.5	40	8000	Tax-related court cases.....	1	820	820
Percent of labor taxed.....	1	90	89	IRS costs.....	\$6,800,000	\$1,580,000,000	3,900
Tax per capita.....	\$4.28	\$1,375	5,390	Number of words of law.....	10,000	1,750,000	7,400

¹ Estimated.

² \$2,430,000,000 in 1975.

³ \$24,000,000,000 in 1975.

⁴ Less than 0.5.

⁵ \$25.03 in 1975.

⁶ \$39,700,000 in 1975.

Source: Peter Meyer "The Dizzy Growth of Form 1040," The Washington Star, Mar. 20, 1977, p. E1.

From the table, it is immediately apparent that bureaucrats have enlarged the scope of government and increased their budgets and powers. Between 1914 and 1975, the U.S. population increased by 120 percent—slightly more than double—and the U.S. labor force grew by 172 percent. The reason that the labor force has grown more rapidly than population is that the labor force participation rate of women has increased substantially since World War II. One would expect that the number of returns filed would increase roughly at the same rate as the labor force—or by about 172 percent. Government has chosen, however, to broaden the scope of its involvement in the affairs of private citizens to a much greater extent, for it is evident that the coverage of the income tax has been broadened dramatically. In 1914, only 357,515 returns were filed, which implies that less than 0.5 percent of the U.S. population was taxed, only about 1 percent of all labor was taxed. For 1975, however, a vastly different picture emerges: the number of individual returns increased by more than 23,800 percent to about 85.5 million; fully 40 percent of the population is now taxed; and 90 percent of the labor performed is now subject to income tax. Clearly, through the federal individual income tax filings, the government has managed to

centralize a data base on the economic livelihoods of millions of American private citizens; it is obvious that the potential for abuse is enormous.

That the bureaucrats have successfully managed to increase their budgets and powers is also clear from the table. The number of IRS employees rose from 4,000 in 1914 to 82,000 in 1975—an increase of 1,950 percent. The quintessential bureaucrat, the government lawyer, has fared particularly well at IRS over the 1914-1975 period. The number of IRS lawyers grew by 79,900 percent—an astounding rate by any standard of comparison. In addition, nearly a quarter of a million members of the American Bar Association consider themselves tax specialists; thus, about nine percent of the attorneys in the U.S. are supported by work generated by the bureaucrat at IRS. It is worthy of note, however, that the number of court cases which are tax related have only increased by 820 percent over the period; it is clear that the increase in lawyers engaged in tax matters both in and out of government did not lead to proportionate increases in the number of court cases.

Lawyers are not the only beneficiaries of the bureaucratic obfuscation of tax laws and regulations. Thousands of individuals earn a livelihood giving tax advice and

"assisting" the U.S. taxpayer to complete his tax forms. The need for such assistance has been virtually guaranteed by the myriad of forms and reporting procedures adopted by IRS. In 1914, IRS employed a total of about 45 forms, but by 1975 had managed to increase that number by 89 times to more than 4,000. The forms, on the average, are also more complicated today, for they reflect the three-quarters of a million words of tax law now in existence as compared to about 10,000 words in 1914.

Many technological changes have occurred since the inception of the income tax early in the century. Two of the most notable advances which should have improved the productivity of IRS workers measurably are (1) the widespread adoption of the telephone which facilitates rapid and easy communication and (2) the development of high-speed computing devices that would relieve workers of routine drudgery in processing tax forms. There is no evidence that such technological improvements have made IRS employees more efficient or reduced costs of IRS operations. From the table, it may be seen that, in 1914, there was only one IRS employee per 24,250 U.S. citizens while in 1975 there was one IRS employee for each 2,609 Americans—an 829 percent increase. Moreover, the cost of collecting federal taxes

has soared from \$39.7 million (in 1975 dollars) per year in 1914 to \$1.58 billion in 1975. Although not shown in the table, a simple calculation reveals that the average annual cost per IRS employee (in 1975 dollars) rose from \$9,925 in 1914 to \$19,268 in 1975—direct evidence of the "feather the nest" syndrome recognized by Roberts. Of course, these cost increases are in absolute amounts, but the important fact is that, in per employee terms, rising costs materialized in spite of the adoption of "labor-saving" and "efficiency-enhancing" devices such as computers. Though beyond the scope of this study, an interesting question is the increase in employment and cost at IRS had technological change remained constant.

Finally, we note that the amount of individual income tax collected rose by only 551 percent (based on 1975 dollars)—a very significant amount in absolute terms, but quite modest in relation to the accompanying bureaucratic proliferation. Total IRS tax collections show an astounding growth of almost 12,000 percent. This information, taken together with the fact that the tax per capita in constant 1975 dollars has grown by about 5400 percent, clearly indicates that the federal government has consistently expropriated the purchasing power of the private sector to finance the growth of government—an ominous trend which continues unabated.

In sum, based on a survey of IRS statistics between the years 1914 and 1975, there is ample evidence to support Paul Craig Roberts' assertion that the bureaucracy operates to achieve self-aggrandizement which can be inimical to the public interest.●

UNITED SYNAGOGUE YOUTH

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WAXMAN. Mr. Speaker, it is a pleasure to ask the Members to join with me in congratulating the Far West Region of the United Synagogue Youth on its 25th birthday celebration, an anniversary convention which will be held on May 27, 1978.

The Far West Region of United Synagogue Youth is one of 18 regions in the United States. Canada and Israel, and its 1,500 members are located in some 50 conservative synagogues in southern California, Hawaii, Arizona and Nevada, an important part of the organization's international membership of 25,000 young people. This international organization for Jewish high school students, whose purpose is to bring about a meaningful and fully reciprocal encounter of Judaism, the Jewish people and the synagogue on one side and the Jewish teenager on the other, is aimed at serving the social, athletic, cultural and educational needs and desires of these young people. United Synagogue Youth's national programs include a wide range of activities. A 6-week summer pilgrimage to Israel and a similar pilgrimage to Eastern Europe and the U.S.S.R. are featured, together with USY on Wheels, a 6½ week bus trip across the United States featuring visits to national shrines and places important to our American heritage. In addition, members raise large sums of money for char-

ity through the Tikun Olam program ("Improving the World"), devoted to helping the sick, blind, displaced, and the Soviet Jewry resettlement program in Israel. Many opportunities for study and social action are afforded through a variety of publications and projects. The USY annual international convention attracts thousands of young people gathering from around the Nation.

On a regional level, the organization's program includes all of the activities already mentioned as well as the Shabbat Troupe, where young people plan and perform religious services at various synagogues throughout the region. Camp USY at Camp Ramah in Ojai, Calif., provides opportunities during the summer seasons for teenagers to learn, live, and study their Jewish heritage. Richard D. Sigel, M.S., director of United Synagogue Youth's Western Region, has had many years of experience as an educator and leader which especially prepared him to lead this most important section of the United Synagogue of America. Many of the teenagers who have graduated from USY have gone on to become prominent rabbis, business and professional leaders. Their quality as citizens provides proof of the value of USY's contributions to their education. I look forward to many future anniversary celebrations for United Synagogue Youth's Far West Region.●

DISPUTE SETTLEMENT AND THE LAW OF THE SEA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

Mr. FRASER. Mr. Speaker, the Third U.N. Conference on the Law of the Sea is currently holding its seventh session in Geneva in an effort to resolve several outstanding issues, including the nature and scope of the international seabed authority. We have given considerable attention to the problem of creating the seabed authority and in adopting interim domestic legislation prior to the coming into force of an international convention on the law of the sea.

We must not, however, lose sight of other important dimensions of the law of the sea negotiations. The negotiations on the settlement of disputes are one of the little publicized, though very significant developments in this conference. I was very glad to receive recently a copy of Prof. Daniel S. Cheever's "The Settlement of Disputes and the Law of the Sea" which appears in the February 1978 issue of Marine Policy reports. Professor Cheever has succinctly discussed the trend of the negotiations on dispute settlement procedures. He indicates that representatives widely agree that such procedures are indispensable for any comprehensive ocean treaty or regulatory regime. The conference has a working group on dispute settlement, whose rapporteur is an American. Prof. Louis B. Sohn. This group has succeeded in integrating provisions for dispute settlement into the work of the negotiations on the

seabed authority, the economic resource zone, and the protection of the marine environment. The provisions or dispute settlement are expected to serve as a model for law of the sea conflicts, even if a comprehensive treaty does not come into force, as well as for other global issues—such as weather and outer space—where dispute settlement procedures will be necessary in the future.

This is a useful, timely, and thoughtful statement. I request that it be inserted in the RECORD and commend it to you:

THE SETTLEMENT OF DISPUTES AND THE LAW OF THE SEA

(By Daniel S. Cheever)

Despite its disappointment with the results of the Third United Nations Conference on the Law of the Sea Conference up to 1977, the United States has been pleased with one development: the procedures for dispute settlement that have been specified in the Informal Composite Negotiating Text (ICNT) distributed after the close of the Sixth Session. Ambassador Elliot L. Richardson has contrasted the set-back to reaching an agreement on an international regime for the conduct of seabed mining with the continued progress in developing a comprehensive system for the peaceful settlement of disputes relating to ocean uses.

The United States is seriously reviewing both the substance and procedure of the Conference, not only in Discussions in Washington but through informal negotiations with other governments before the next session resumes in Geneva in March 1978. If an acceptable comprehensive draft text is not forthcoming at the Seventh Session, the United States may have to adopt another strategy to meet its international ocean policy objectives. Even if there were general agreement on a text and a return in 1979 to Caracas for a ceremonial signing of a comprehensive ocean treaty, the consent of the U.S. Senate to ratification by the President is not assured. But whether or not a comprehensive ocean treaty emerges from the Conference, two observations regarding dispute settlement are important at this juncture.

First, there is wide-spread agreement among governments at the Conference that a binding dispute settlement procedure is indispensable for any comprehensive ocean treaty or ocean regulatory regime. Second, the system of dispute settlement outlined in the ICNT may well serve as a model not only for many law of the sea matters but also for dispute settlement in connection with other global interests, such as the weather and outer space, where states make common use of a resource.

Many governments believe the traditional system for handling international disputes to be inadequate for dealing with conflicts that are arising because of the new uses of ocean space and marine resources as well as the intensification of old uses of the oceans. Questions have been raised about the status in international law of "natural" and "judicial" persons (firms, intergovernmental, and nongovernmental organizations), as well as the utility of existing judicial procedures and institutions. Moreover, the "freedom of the high seas" doctrine does not take adequate account of modern science, technology, and resource exploitation, with the need for international regulation. The objective of the dispute settlement provisions of the ICNT is to facilitate the international control of ocean activities that hitherto did not exist or required little or no regulation by either national or international public authority.

BINDING DISPUTE SETTLEMENT

Progress toward an agreement on binding dispute settlement procedures for the law of

the sea has continued steadily from the modest beginnings in the preparatory work of the UN Seabed Committee from 1968 to 1973. Malta, among other states, had urged establishment of a Sea-Bed Tribunal to deal with disputes arising from exploitation of seabed resources in the vast area that lay beyond national jurisdiction and was described as "the common heritage of mankind." Actual negotiations on dispute settlement started at the 1974 Caracas meeting of the Conference when 30 delegations established an informal working group that produced a working paper setting out alternative solutions to 11 fundamental issues. These included such controversial questions as the "obligation to resort to a means of settlement resulting in a binding decision," exceptions and reservations to such an obligation, and whether a law of the sea dispute settlement system should be organized on a general (comprehensive) basis or along functional (specialized) lines. An American, Professor Louis B. Sohn, served as rapporteur for this group.

Membership in the group increased from 30 to 60 at the third session of the Conference in Geneva in 1975. This enlarged group agreed at least on an "informal negotiating text" that was issued in the name of the Conference President. The group further increased its numbers and attracted more interest during the next three sessions in New York, particularly with the participation of African states.

The issue of a compulsory dispute settlement system, therefore, is no longer a Conference step-child treated informally and separately from the subject matter of the law of the sea that has been handled by the three main committees. Dispute settlement is now included as an integral part of the ICNT and appears, for the moment, to have considerable support among the various negotiating groups, such as the major maritime powers, the poor coastal states, the landlocked states, and the Soviet Union with its East European allies. Other governments, such as France, which had initial reservations, now appear satisfied, probably because their preferences for dispute settlement have been included as options under the flexible dispute settlement system outlined in ICNT.

Whatever the outcome of the Conference, the negotiating process has resulted in important new trends in international dispute settlement that may become operational in international law. The 1977-78 text is "composite," of course, as an amalgamation and adaptation of four prior negotiating texts dealing with separate issues drafted by the Chairmen of the Conference's three main committees, and, in the case of dispute settlement, drafted in the name of the Conference President. In sum, a dispute settlement system has become a major part of the treaty struggling to be born.

CHANGE AND CONFLICT

The acceptance of a law of the sea treaty as conventional law or even the observance of its norms as customary law will depend in some degree on the availability and dependability of third-party judgment. When an important political-legal regime, such as the freedom of the high seas, undergoes major change, an international agreement on the settlement of disputes under the new regime can be helpful in promoting acceptance of the change.

There can be no argument about the magnitude of the changes that are taking place. Limits of the territorial sea have been expanded from 3 miles to 12 miles. Jurisdiction over marine and seabed resources as well as pollution and scientific research are likely to be extended from 12 miles to 200 miles and even beyond in cases where the continental margin extends farther seaward. With the widening of territorial seas, the right of

"transit passage" through straits used for international navigation has been proposed as a legal doctrine. Moreover, the asserted rights of a coastal state to conserve and manage its coastal fish stocks, to regulate research on its continental shelf, and to regulate pollution from vessels near its shores are seen as a threat to traditional navigational rights highly prized by other states. Resource exploitation at sea as on land inevitably entails a conflict of uses and, therefore, a conflict among users. Hence the need for law, management, and adjudication, i.e., regulation in the public interest. But in whose public interest?

This has proved to be a hard question to answer at the Conference because of the number of countries and the number of issues involved. Approximately 150 states have been represented at each session as well as a half-dozen or so international agencies. These sovereign entities have been attempting to agree on a comprehensive ocean treaty by pursuing their particular ocean interests in activities as diverse as fisheries, drilling for oil, and deep sea mining. Given the complexity of this negotiating process, it is hardly surprising that the Conference has taken nearly 5 years to reach consensus on many aspects of ocean governance. The draft articles in the ICNT for a 200-mile exclusive zone, a zone in which the coastal state may exercise something less-than-total jurisdiction, is one example of an important area of agreement.

Even this text had difficulty in gaining widespread acceptance for some time because some governments had trouble resolving their own internal differences on ocean policy. For example, American oil interests, both consumers and producers, have wanted large tankers to sail through territorial seas and coastal economic zones with a minimum of regulatory interference. Naval interests have had a similar objective. Fisheries and environmental interests, on the other hand, have been strongly motivated to regulate the passage of tankers in narrow waterways and over rich coastal fishing grounds. Out of the welter of interacting uses of the oceans will come international disputes and conflicts.

The dispute settlement procedures, moreover, will need to deal with novel and complex interrelationships involving persons, firms, international organizations, and governments. All these entities could be engaged in sea bed exploitation in the "area" beyond national jurisdiction. The ICNT specifies that these entities are to be subjects of international law and therefore obligated to follow the procedures for dispute settlement.

International disputes over ocean rights would probably occur more often without a treaty than with a comprehensive, widely-accepted treaty. The absence of a treaty entails the added risk of losing the proposed dispute settlement provisions, which appear to have attracted a great deal of international support. In any event, conflicts arise because of the difficulty of establishing an international interest in ocean governance, a difficulty compounded in part by the dissent within governments in determining their own ocean interests.

TO WHOM SHOULD THE LAW OF THE SEA APPLY?

The ICNT reflects the expectation that some disputes arising out of ocean resource exploitation, especially sea bed minerals, are likely to require more than the state-to-state negotiation, arbitration, or adjudication that has traditionally characterized international dispute settlement. Section 6 (Articles 187-192) provides for a Sea Bed Dispute Chamber as part of the proposed Law of the Sea Tribunal, with jurisdiction over disputes arising (1) between states parties to the proposed treaty, (2) between states and the proposed International Sea Bed Authority, (3) between nationals of states parties and the

Authority, or (4) between nationals of "different state parties." Article 192, in particular, indicates that individuals are to have standing as legal persons. Thus, when a national of a state that is a party to the treaty is a party to a dispute, the "sponsoring state shall be given notice thereof, and shall have a right to intervene in the proceedings." Article 151, moreover, provides that "activities in the Area shall be carried out by the Authority on behalf of mankind as a whole . . . and on the Authority's behalf by an Enterprise and in association with the Authority by States parties or State Entities, or persons natural or juridical which possess the nationality of State Parties or are effectively controlled by them or their nationals, when sponsored by such states. . . ." Moreover, "entities" other than states may be parties to a dispute before the proposed Law of the Sea Tribunal (see below). Thus, the proposed treaty seeks to recognize individuals, firms, and international organizations as legal persons in addition to the sovereign states parties to the treaty.

PROCEDURES AND INSTITUTIONS

What court or courts and what procedures are to be used in settling disputes under the new Law of the Sea treaty? One obvious candidate is the International Court of Justice (ICJ). For a time, it was favored by some governments as the sole institution to be empowered to interpret the proposed treaty. The ICJ, however, has been ruled out as the sole judicial body by many governments because its competence was thought to be too restricted by Article 34 of its Statute, which specifies: "Only states may be parties in cases before the Court."

If there is to be international regulation to protect the "common heritage of mankind," international law, as noted already, must bear directly on multinational corporations, international organizations, and even individuals. Some governments, therefore, favored a special tribunal to deal with the disputes expected in connection with the complexities of seabed mining. Others endorsed the notion of a general Law of the Sea Tribunal. Still others felt dispute settlement procedures should be organized entirely along functional lines to deal with specialized activities, such as fishing, scientific research or navigation. The result has been a flexible system for dispute settlement in the proposed text.

Of the four alternatives available for settling controversies arising under the Law of the Sea treaty, the ICJ is one. A Law of the Sea Tribunal is a second alternative. The Tribunal would be "composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in matters relating to the law of the sea" (Article 2 of Annex V). Election of members would be by secret ballot at a meeting of the "States Parties" to the proposed treaty called by the Secretary General of the United Nations. In the matter of elections, the Statute of the Tribunal makes the time-honored deference to representation of the "principal legal systems of the world" and to observing the principle of "geographical distribution." The term of office would be nine years with the privilege of reelection, and the members of the Tribunal would enjoy diplomatic and immunities when engaged in official business.

The Tribunal would include a Sea Bed Disputes Chamber and such Special Chambers, "composed of three or more members, as the Tribunal may deem necessary for dealing with particular categories of disputes. The composition of such a Chamber is to be determined by the Tribunal with approval of the parties." The Sea Bed Disputes Chamber would be "composed of eleven members, selected from among the members of the Tribunal by a two-thirds vote of the As-

sembly of the proposed Sea Bed Resources Authority."

Because another group of states have expressed a preference for arbitration or other special procedures for settling their differences, the ICNT provides for arbitration procedures as third and fourth alternatives. Arbitration as it is traditionally practiced would be the third alternative, while the fourth alternative would involve the appointment of experts to special arbitral tribunals, as the parties may agree.

The keystone of the proposed dispute settlement system is flexibility. The parties may resolve their differences in one of several ways, but the over-riding obligation on the parties is to settle their disputes peacefully. To fulfill this obligation they have a right to select "any peaceful means of their own choice," which include arbitration, conciliation, and other peaceful means indicated in Article 33 of the U.N. Charter. If the parties do not accept the same procedure, however, their dispute is to be submitted only to arbitration unless the parties otherwise agree. At an earlier stage, such as signing or ratifying the treaty or at any time thereafter, the parties to the treaty are free by means of a written declaration to indicate how they prefer to settle disputes under the treaty.

THE SCOPE OF THE DISPUTE SETTLEMENT SYSTEM

The most difficult issue facing the Conference may prove to be the scope of judicial review under the obligatory dispute settlement system. A number of articles in the ICNT deal with the problem. Article 295 provides on the one hand that any decision prescribed by a court or tribunal having jurisdiction over a dispute arising under the terms of the treaty "shall be final and shall pay heed to a traditional principle of dispute." On the other hand, the same article pays heed to a traditional principle of international law that limits decision to the parties involved in that particular dispute.

In addition, a long controversial article (296) lays out a number of limitations on the obligatory dispute settlement procedure under the treaty as a whole. A complainant must establish that the claim is well founded, and the tribunal may reject a complaint that in its opinion constitutes an abuse of legal process or is frivolous or vexatious. Moreover, a court or tribunal shall have jurisdiction only in cases involving alleged interference by the coastal states with the freedoms and rights of navigation and overflight or with other lawful uses of the sea specified in the Convention, or in cases when it is alleged that "a coastal state has acted in contravention of specified international rules and standards for the protection of the marine environment—in accordance with the present Convention."

Neither "legislative" acts nor "discretionary" acts of the International Sea-Bed Authority's Assembly or Council are to be questioned before the Sea-Bed Disputes Chamber, nor can the Chamber determine whether rules and regulations adopted by the Assembly or the Council are in conformity with "the present Convention." But the Chamber does have jurisdiction over complaints with regard to such rules and regulations in their application to individual cases and over disputes involving allegations that the Assembly or Council has misused its power. An alleged contravention by any state of the rules of the Convention or of "regulations established by the coastal state in conformity with the present Convention and other rules of international law" would be subject to review, and an international tribunal may assume jurisdiction arising from complaints that "a coastal state has acted in contravention of specified international rules and standards for the protection and preservation of the marine environment . . . which have been established . . . in accordance with the present Convention. But the right of coastal

states to control scientific research in coastal zones and on continental shelves would be unchallenged, with very limited exceptions.

International judicial control is limited most particularly in the management of coastal zone fisheries. International tribunals would not be allowed to deal with disputes in which the exercise of coastal state authority is called into question with respect to the conservation and use of living resources or the sharing thereof with neighboring landlocked or otherwise geographically disadvantaged states. A court cannot substitute its discretion in these matters for that of the coastal state nor question the "sovereign rights" of the coastal states in their resource zones.

The provisions in the ICNT that define the scope of obligatory judicial procedure essentially constitute compromises between coastal states, especially the poorer ones, anxious to avoid restrictions on their newly asserted sovereignty over coastal resources in "exclusive economic zones," and maritime states, with support from some geographically disadvantaged states, seeking to retain traditional "high seas" navigational rights in coastal waters. Similarly, many members of the Group of 77, in fact, more than a hundred developing countries that caucus together in the Law of the Sea and other world conferences have been reluctant to dilute through judicial review the authority of the proposed Sea-Bed Authority which they would very largely control under the terms of the ICNT.

CONCLUSION

One cannot be certain how the proposed Law of the Sea dispute settlement system will operate unless and until the "text" has been adopted by the Conference and eventually ratified by the individual states. The ICNT has overlaps and inconsistencies that reflect several stages in a negotiating process. It reflects efforts to provide safeguards against the abuse of power by both the coastal states and by the major maritime states over navigational rights. It seeks to establish international compulsory judicial review at the same time it seeks to protect newly acquired national rights over ocean resources against such a review. One can be fairly certain, however, that the general thrust of the dispute settlement system proposed in the ICNT will endure. The vastly increased pressure on the uses of the ocean and the exploitation of marine resources cry for global management and a global dispute settlement system that would regulate the actions of individuals and organizations as well as nations.●

EXPORTS OF TRIS SLEEPWEAR CONDEMNED

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WAXMAN. Mr. Speaker, I want to call to the attention of my colleagues an excellent series of investigative articles concerning the export of "tris" treated children's sleepwear. The articles were written by Fairchild News Service reporter Mark Hosenball and appeared in recent issues of the Daily News Record.

Mr. Hosenball's articles document the efforts of certain U.S. children's sleepwear manufacturers to export thousands of previously banned sleepwear garments treated with the cancer-causing flame retardant "tris".

"Tris" treated children's sleepwear was banned by the U.S. Consumer Product Safety Commission (CPSC) on April 8, 1977. The CPSC banned the children's garments only after reviewing extensive scientific data documenting the highly toxic qualities of the chemical flame retardant. The Commission concluded that continued sales of these garments posed an unacceptable health risk to American children.

Immediately following the Commission's ban on the domestic sale of "tris" treated sleepwear, manufacturers initiated a vigorous search for individuals willing to market the hazardous products in countries with weak product safety laws. The articles appearing in the Daily News Record illustrate the shocking success of these efforts.

Since announcing the April 1977 ban on "tris", the CPSC has felt itself powerless to restrict or in any way monitor the export of the sleepwear garments. Under the Commission's existing authority, products specifically manufactured for the export market are exempt from U.S. product safety laws. However, the Commission's much-publicized ban on "tris" treated sleepwear has raised concerns over the intention of the export exemption to permit the export of banned products intended for or previously introduced into domestic commerce.

On October 20, 1977, the Commission announced that it lacked the authority to prohibit the export of "tris" treated children's sleepwear. In the last 6 months, thousands of the cancer-causing garments have been exported overseas—primarily to Third World nations. While the CPSC's October 1977 "tris" export enforcement policy was recently reversed by the Commission's Democratic majority, the statutes remain ambiguous and destined for litigation.

Newly appointed Commissioner Edith Barksdale Sloan has led a vigorous effort to reverse the October decision and deserves special praise. Commissioner Sloan's spirit of commitment and dedication to an open and moral export policy are a persuasive demonstration of her capability to provide the Commission with the progressive leadership it has lacked over the years.

However, regardless of Ms. Sloan's recent success in obtaining a reversal of the "tris" export enforcement policy, the basic provisions of the statutes remain subject to judicial interpretation. I have reviewed the statutes carefully and recognize that there is a legitimate difference of opinion as to the extent of Commission authority in this area. Legislative clarification is necessary if protracted litigation concerning congressional intent is to be avoided.

Accordingly, I have prepared two amendments to the CPSC's regulatory statutes which will clarify any confusion surrounding the extent of the commission's enforcement authority over banned products previously introduced into domestic commerce. The amendments will be offered during full Commerce Committee markup of H.R. 12442, authorization and amendments to the Consumer Product Safety Act.

One amendment would restore balance

to the export exemption by limiting its application to those products which were manufactured strictly for export and were never introduced into domestic commerce. The amendment would assure that "quick buck" artists will not be able to jeopardize the U.S. reputation by exploiting the markets of foreign nations.

The second amendment I will offer addresses the obligation of the Federal Government to provide foreign governments with accurate and timely information concerning the safety of certain U.S. exports. With the exception of section 12 of the Toxic Substances Control Act, the Government has not made an affirmative effort to share the results of its product safety research with countries which purchase U.S. exports. My amendment would establish a notice provision requiring any person who exports a product which does not comply with U.S. product safety law to notify the Commission prior to export.

Pre-export notification would permit the Commission to notify the importing country of the reasons the noncomplying product cannot be sold in the U.S. domestic market. In the past, it has been CPSC policy to permit the export of hazardous consumer products without informing foreign customers of the possible health risks. By providing relevant product safety information prior to export, an invaluable international and humanitarian service will be performed. To do otherwise would weaken U.S. diplomatic relations with recipient countries and seriously damage U.S. long range export prospects.

Adoption of these amendments will assure foreign consumers that the United States is committed to an international approach to product safety. The amendments would signify the U.S. commitment to providing foreign consumers with the same standard of safety that it provides American consumers.

The export of banned products previously introduced into domestic commerce is reprehensible and represents the lowest form of business activity. Products hazardous to Americans, particularly to American children, are similarly hazardous to foreign children. To condone the export of consumer products unfit for American consumers reflects an insensitive and immoral foreign policy which cannot be justified on any grounds.

By closing the existing loophole in the export exemption and by refusing to permit the international marketplace to be used as a disposal for products banned from U.S. domestic commerce, our national commitment to human rights will be affirmed. Never again will the United States permit its export market to be abused by manufacturers of hazardous consumer products.

Mr. Speaker, because of the interest expressed by many of my colleagues, I would ask that two articles from the Daily News Record, detailing the extent of "tris" sleepwear exports, be printed in the Record at this point.

[From the Daily News Record, May 1, 1978]
SOME TRIS SLEEPWEAR MAKERS SCURRYING
TO BEAT EXPORT BAN
(By Mark Hosenball)

NEW YORK (FNS).—Some American apparel men are rushing to close tris sleepwear export

deals worth millions of dollars as U.S. government moves to ban overseas sales of the controversial sleepwear gain momentum in Washington.

Hundreds of thousands of dollars worth of children's sleepwear treated with tris, the alleged cancer-causing flame retardant, have already been exported by American manufacturers, an FNS investigation has established.

An FNS survey of around one-third of the 110 American manufacturers who made tris-treated children's sleepwear has turned up evidence that tris sleepwear originally worth at least \$627,000 or over 100,000 garments has already gone overseas to such nations as Venezuela and the Caribbean islands of St. Martin and the Bahamas.

In Washington, a bill is expected to be introduced this week by Rep. Henry A. Waxman, (D. Cal.) giving federal regulatory agencies the power to ban exports of products considered by the government to be too dangerous for the U.S. market. Waxman's staff indicated that the bill is specifically intended to stop the overseas traffic in tris goods.

And the Consumer Product Safety Commission, which made the initial decision last April to ban tris-treated children's sleepwear from domestic sale, two new commission members are pushing for quick CPSC action to ban tris sleepwear exports under the existing law.

Edith Barksdale Sloan, a new CPSC commissioner and a vehement opponent of tris sleepwear exports, has sent a memo to fellow commissioners demanding "distinct and timely consideration by the commission" of "the social, political, economic and ethical implications of exporting products already banned by the commission to primarily Third World or developing, non-white countries." Commissioner Sloan was joined in her request by Commissioner Susan King, another new commission appointee.

If they get the support of Commissioner R. David Pittle, the only CPSC Commissioner to support a ban on tris exports in a commission vote last October, commission officials say that the two new commissioners will be able to reverse the commissioner's October decision not to proceed against or investigate American manufacturers exporting tris sleepwear.

CPSC sources say, however, that Pittle would rather wait until commissioners are fully briefed by the staff on the tris sleepwear export question. The commission is scheduled to discuss at its May 11 meeting the whole question of whether it can ban exports of substances which it has already prohibited from domestic sale.

Meanwhile, many manufacturers caught with tris sleepwear inventories say they are negotiating export deals with brokers, whom they refused to name.

The brokers are offering between 10 per cent and 30 per cent of the original wholesale price, according to market sources. FNS attempts to reach several "brokers," who had advertised for tris-treated sleepwear, revealed those businesses had already moved on, or consisted only of a telephone answering service.

Lou Bates, president of Bates Nitewear, Inc., says his company is urgently negotiating export deals. In Bates' case, he says he has "no qualms" about shipping inventory of tris garments, originally worth \$2 million. He says his most likely market is "Europe."

Herb Gallinger, executive vice-president for Greensboro Manufacturing Company says his company has a stock of tris sleepwear originally valued at \$1 million and that the company has been negotiating "for the past six months" to send the inventory overseas.

Don Nelson, a vice-president of Jay Vee Brand, says his company has already done some "sampling out" of potential overseas buyers of his company's tris-treated sleepwear stock, originally valued at \$1 million.

"We do intend to export it if we can. We'd be anxious if we could find people to move it on for us," Nelson said.

FNS found companies willing and trying to export tris-treated sleepwear with original values totaling at least \$4.5 million.

Many of the 30-odd companies surveyed claimed they would not try to export their tris inventories.

On Seventh Avenue and along W. 34th St., where the manufacturers who made tris sleepwear have sales offices, jobbers are prowling the corridors offering to take tris inventories off cutters' hands and ship the garments out of the country. Industry sources say one of the latest visitors to 112 W. 34th St., nerve center of the children's wear trade is a buyer from the Middle East, seeking cheap tris sleepwear consignments for Saudi Arabia.

Donald Butterman, vice-president of the New York-based Empire Shield Co. Inc., said his company had already unloaded its entire stock of tris-treated children's sleepwear, originally worth \$50,000. "We sent it all out to a guy in California who we know. I think he exported it all. To Mexico, I think," Butterman said.

Tony Wollins, vice-president of August F. Neilson, Inc. which had to lay off workers when the domestic ban on tris was implemented, said his company had exported "about half" of a tris sleepwear inventory originally valued at \$750,000. This is about 150,000 individual tris-treated garments. Wollins said he had exported through a commission agent in New York and that he believed the goods were destined for Mexico, South America and Puerto Rico. (CPSC officials said that exports to Puerto Rico were illegal because it is U.S. territory).

Louis Pinhas, vice president of Sullcraft, Inc. in New York said his company had exported about half of its tris sleepwear inventory, originally valued at \$200,000. He said around 48,000 tris-treated garments had already been shipped and added that he was about to close another 24,000-garment export deal. He said he exported through jobbers, who he refused to name, and added that he didn't know where the garments were shipped to.

One brokerage firm which acknowledges handling tris export business is the Karl J. Marx Co. of 450 Seventh Ave. A company buyer said that his firm, a "commission house," had helped organize a deal involving the export of 12,000 tris-treated children's sleepwear garments to an unnamed wholesaler in Venezuela.

"We were working on other deals but people backed off because of the restrictions," the buyer said. He said the Venezuelan company had retail clients throughout the Caribbean Latin America. He said all exporters had to sign a statement swearing that they were taking the tris goods out of the U.S., were completely aware of what was in them and some were not going to allow the goods back into the U.S.

The Consumer Products Safety Commission banned domestic sales of tris-treated children's sleepwear after hearing evidence from the National Cancer Institute that the chemical, also known as tris (2,3 dibromopropyl) phosphate, caused kidney cancer in rats and liver, kidney, lung and stomach tumors in mice.

The commission's scientists estimated that if tris-treated children's sleepwear were permitted to remain on the American market, it would cause kidney cancer in 300 of each million male children exposed to it and additional 60 cancer cases per million female children exposed. Environmental groups put the cancer risks higher.

Various apparel industry law suits challenging the original CPSC ban are currently before the Federal courts.

[From the Daily News Record, May 2, 1978]
 TRIS SLEEPWEAR EXPORTS FOUND FAR ABOVE
 \$5 MILLION

(By Mark Hosenball)

NEW YORK (FNS)—Sources close to the export market in tris-treated children's sleepwear estimate that the volume of the potentially cancer-causing goods shipped overseas is much higher than the \$5 million worth known to be headed for foreign markets.

Some tris sleepwear manufacturers have also indicated concern that tris sleepwear may be filtering back onto the domestic market from Central or South American countries to which the garments were sent after the U.S. government banned their domestic sale.

An FNS survey of about one-third of the 110 American manufacturers who made tris-treated children's sleepwear disclosed that tris sleepwear originally worth at least \$627,000 had already gone overseas, and established that manufacturers were seeking to ship at least another \$4.5 million worth of the apparel abroad.

Meanwhile, FNS has discovered, the U.S. Consumer Products Safety Commission, which banned tris sleepwear sales domestically on the grounds of cancer risk, has done next to nothing to monitor the export market in the garments in the year since sales at home were halted. And the State Department has informed the U.S. Commerce Department that a ban on tris sleepwear exports is not "necessary" to fulfill American international obligations.

Estimates of the total amount of tris sleepwear in U.S. manufacturers' hands following the domestic sales ban and subsequent recall range from a government figure of \$70 million worth of goods at original wholesale value to a figure twice that large offered to Congressional committee by apparel industry representatives. Government officials admit they have no idea where tris garment stocks are now located.

But some apparel sources reckon that half or even more of the tris sleepwear left in manufacturers' hands after the domestic ban has gone overseas already.

Said a buyer for Karl J. Marx & Co., a Seventh Avenue buying office that has closed at least one tris sleepwear export deal, "From what I understand, a lot (of manufacturers' tris sleepwear inventories) is already out of the country."

Said a salesman for Lucky Star Undergarments, Inc., which had a tris sleepwear inventory of less than \$100,000, "People who were stuck with it took advantage of the CPSC and dumped it as quickly as they could get rid of it." (The CPSC decided last October that it did not have the authority to ban tris sleepwear exports, though moves are afoot in the commission to change that policy now.)

The Lucky Star salesman said his own company had probably "Unloaded" a minimal amount of its own tris sleepwear inventory onto the export market at prices of about 20 per cent of the original wholesale value. "I think we made a couple of private deals. Some went to Africa and maybe to South America," the salesman said.

In Washington, both Congressional and trade sources say pressure for a bill to indemnify apparel manufacturers with U.S. Treasury funds has recently slackened. The sources attributed the letup in lobbying to the fact that many tris garment inventories have already gone overseas.

"One of the things I feel is that the manufacturers don't have much of the product left. There is no longer much demand from yarn spinners and manufacturers for compensation," said a textile trade association lawyer, who requested anonymity.

But there are also signs that the tris export market is tightening up for some,

either because of bad publicity or because of a glut of goods on the market. A salesman in the New York office of Kid Duds, whose estimated tris sleepwear inventory was originally valued at \$1 million, said his company would be happy to export its stock but was encountering problems unloading the goods. The salesman said he had dealt with buyers in Hong Kong and Europe, "But they've all read the papers. As far as I'm concerned the various buying offices overseas won't touch the stuff with a 10-foot pole."

Lou Bates, president of a sleepwear manufacturing company with a \$2 million inventory he would now like to export, said that in talking to export brokers about tris-sleepwear, he had made it clear that he would not ship garments to any country contiguous to the United States. "I wouldn't ship to Mexico or Canada," he said, because there was always the possibility that the garments would "get back" into America.

Other industry sources suggested that there might already be a trickle of tris-treated sleepwear back into the U.S. from nearby export markets like Central or South America, but no source could furnish firm evidence of the reimportation of the banned garments.

Some manufacturers involved in exporting tris sleepwear are only willing to discuss the export market in "off-the-record terms." A Seventh Avenue salesman from a South Carolina firm said that his firm was just starting to export now to South America and the Caribbean and that from the way brokers acted, "I'll almost venture to say that maybe 25 to 50 per cent of the goods are sold to retailers overseas before they've even exported." The salesman also said he wondered whether foreign consumers were informed of the nature of the goods.

Other manufacturers tend to soft-pedal their involvement in tris-sleepwear exports. Still others deny exporting any tris sleepwear stock.

At the Kleinerts Textile Group, management has done "a little export business" in tris-treated children's sleepwear, said a senior executive, who declined to be named. Asked how much tris sleepwear the firm had left, the executive said that in fact the company's entire tris sleepwear inventory had been exported. He described the quantity as "a few dozen" and said the export price was "a little better" than 10 cents on the dollar of original wholesale value. The official gave no indication of where the goods were shipped to.

The Kleinerts official said his firm had exported so little tris sleepwear because they got out of manufacturing the goods at an early stage. Over three years ago, company sources said, senior managers had learned of research by a University of California scientist linking tris to cancer. Asked whether this made company officials hesitate before exporting tris sleepwear, a senior executive said that all goods had been "washed" before export. (The CPSC has effectively said tris goods are safe once washed three times, but environmental groups insist the treated sleepwear is still dangerous after as many as 50 or 60 washings. Even washed tris sleepwear is still banned from domestic U.S. sale.)

At Denton Mills, a Mississippi sleepwear manufacturer, there are still "plenty" of tris treated garments in stock. And managing director Elliott J. Saunders said he would "love to" export the garments if the price were right. Saunders said his company had already exported around "50 dozen tris garments," which went to "one of our salesmen," who has "a small shop" somewhere overseas, probably in the Far East. Saunders said the 600 tris garments already exported were "virtually nothing" in terms of the company's total inventory.

But at Wilker Bros., a New York firm, company official Lou Offenberger said none of

its "substantial" tris sleepwear inventory had been exported. Offenberger said he had some hesitancy about exporting tris-treated garments "from a moral point of view. Another Holocaust we don't need."

And at the William Carter Co., near Boston, whose tris garment inventory was worth \$5 million at original wholesale prices last summer after the ban, a spokesman said the company was also holding on to its stock and no export deals were being negotiated.

Although the CPSC is now said to be close to moving against exporters of tris-treated children's sleepwear, FNS inquiries have established that the commission has done virtually nothing to keep abreast of the growing export trade in tris goods.

CPSC investigators said that about six tris sleepwear manufacturers had been contacted by the commission last summer about the export market. But, the investigators said, the commission was told that export prices were too low and American manufacturers intended to sit on their tris inventories until some government compensation formula was worked out.

Subsequently, the CPSC officials said, no further formal survey of the export market in tris sleepwear has been conducted by the commission to date. Officials put down the commission's lack of interest in the tris export market to the 3-1 commission decision last October that the CPSC had no authority to move against tris sleepwear exporters.

That CPSC did write letters to Commerce Secretary Juanita Kreps, the State Department, UN Ambassador Andrew Young and the U.S. Representative to the Organization for Economic Cooperation & Development in Paris. The letters asked for international health authorities to be informed of the CPSC ban on domestic tris sleepwear sales, and warned of the possible export of tris goods.

Secretary Kreps wrote back that tris sleepwear exports could only be controlled for reasons of "short supply, national security or foreign policy" and said the first two reasons were "clearly not applicable". As for foreign policy, Mrs. Kreps said the State Department had advised her that controls on tris-treated garments were not "Necessary to further significantly the foreign policy of the United States and to fulfill its international responsibilities."

Ambassador Young did not reply to the CPSC, but, on his and the State Department's behalf, a State Department official did contact the International Agency for Research on Cancer in Lyons, France. The agency is scheduled to hold a week-long meeting on tris in June, but a spokesman said last week, "We have no new data."

At the Pan American Health Organization in Washington, Dr. George Litvak, chief of noncommunicable diseases, said that health officials around Latin America had been informed by his agency about the CPSC's domestic tris sleepwear ban and the possibility of exports. But Litvak said the only country that had indicated concern about the possibility of tris garment imports was Chile. He said Chilean health ministry officials had written to him twice asking for full information about the U.S. tris sleepwear ban and the manufacturers who made garments treated with the allegedly carcinogenic flame retardant.

In Colombia, the leading newspaper, El Tiempo, warned its readers last month that tris-treated pajamas had been acquired by Colombians in Miami, Bogota and San Andres (a free port Colombian Island off Central America.)

But in Italy, mentioned by some sources as a possible European destination for U.S. tris castoffs, Luigi Santa Maria, chairman of Snia Viscosa, which produces flame-retardant materials, said he was not aware of any imports of tris-treated fabric or sleepwear. ●

EAGLES, DOVES, AND HAWKS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

• Mr. ROSENTHAL. Mr. Speaker, the F-15 Eagle fighter is generally acknowledged as the best airplane of its type in the world today. It is, in the words of one Air Force general, "a decade ahead of anything else."

"It is advanced because it is fast and maneuverable," states an article in the May 1978 issue of Harper's. "It can climb faster and turn more sharply than any other aircraft."

Why is the administration so intent on selling 60 of these fighter-bombers to Saudi Arabia for \$2.5 billion (\$41.6 million per plane, including training, spare parts, and armaments)?

According to the Harper's article by Tom Gervasi, a former counterintelligence officer assigned to the Army Security Agency, "the Saudis themselves had not even specifically asked for (the F-15)" but the purchase was urged on them by the Pentagon.

"The answer has to do with the Eagle's costs," Gervasi states. The per-plane price went from \$12.8 million in 1976 for a fully equipped F-15 to \$17.4 million today. One way to cut per-unit prices is to increase production, but if the Congress sets a limit on how many planes to buy, the Pentagon will look abroad for customers, Gervasi explains, quoting an Air Force colonel who said—

The F-15 has a cost problem, and to a degree it makes sense to amortize the overrun with a big sale to the Saudis.

The author notes that "without the Saudi sale, our own procurement schedule for the F-15 would fall even further behind."

The result was the decision to push ahead with the Saudi sale, which would, in the opinion of the New York Times and many other observers, "alter the balance of forces in the Middle East."

As late as last October 17, the administration and the Saudis had not locked on to the F-15 and "the Carter administration said it was 'questioning' that aircraft and considering an offer of the 'less-advanced' F-16 to the Saudis instead," according to the Harper's article. The author raises the question of whether the purpose of the F-15 sale to Saudi Arabia and its timing "were . . . a message to Israel to soften its stand on the lines of withdrawal from Israeli-occupied territory?"

The Israelis are very upset by the prospect of the Saudis acquiring the F-15, particularly in such a large quantity (60) when the administration is willing to sell Israelis no more than 40.

What concerns the Israelis is that the F-15 is also a fighter-interceptor. With its speed and agility, its sophisticated fire control radar and air-to-air ordnance, it is capable of outfighting and destroying in the air most other Israeli aircraft, which could not be defended adequately by their own limited force of F-15's. * * *

This is a change in the balance of power, and a very large one.

I highly recommend this article to all our colleagues who are concerned about the implication of this aircraft sale:

EAGLES, DOVES, AND HAWKS

(By Tom Gervasi)

In his statement on arms control last May, President Carter vowed that "the United States will not be the first supplier to introduce into a region newly developed, advanced weapons systems which could create a new or significantly higher combat capability." Most observers took the President to mean that he would not let the United States take the first step in changing the balance of power in any region of the world. On Valentine's Day this year Mr. Carter announced his intent to sell sixty F-15 Eagle aircraft to Saudi Arabia, in an arms deal that also included aircraft for Israel and Egypt.

The F-15 Eagle is the most sophisticated combat aircraft flying. It perfectly fits the President's definition of the kind of weapon this country would not be the first to introduce. It is newly developed, having only entered service with our Air Force in January, 1976. It is highly advanced, though not so much for its advertised combat range of 2,800 miles, which, because of extravagant consumption of fuel, it often fails to achieve. It is advanced because it is fast and maneuverable. Its air-speed indicator has frequently registered speeds in excess of Mach 2.54 (1,676 miles per hour), and at combat weight, with half its internal fuel, it can climb faster and turn more sharply than any other aircraft. Indeed, the F-15 can make a turn of more than 14 degrees per second, and during that turn it can sustain gravitational forces of more than five times its own weight without losing airspeed. That, as any pilot can tell you, is nothing short of miraculous. Finally, the Eagle is advanced because it carries the Hughes AN/APG-63 fire control radar, which has a target-detection range of more than 100 miles. Air Force General John Vogt describes this system as "a decade ahead of anything else."

It appeared that Carter had gone against his word, and intended to introduce an advanced weapons system into two regions, the Middle East and the Indian Ocean, changing the balance of power in both. Columnist Drew Middleton, on the day the proposal was announced, wrote that "until now, Israel had been the sole recipient in the Middle East of advanced American weaponry." Sen. Daniel P. Moynihan said he was confident that Congress would "disapprove the sale of the F-15s to Saudi Arabia." The following day, in an editorial that generally supported the Carter proposal, the New York Times conceded that the sale to the Saudis of sixty F-15s would "alter the balance of forces in the Middle East."

The Israelis issued a statement suggesting that the Saudis might "transfer the planes to confrontation states engaged in active fighting with Israel, or employ mercenaries, probably Americans, to fly the planes." In an earlier statement the Israelis had warned that "if Saudi intentions are ambiguous or appear to be leaning toward involvement in a war, the Israelis will have to take this into account. During an Arab attack against Israel, if F-15s are stationed at or transferred to bases in the northwest, the threat posed to Israel may compel the Israeli Air Force, faced with a multifront war, to undertake immediate strikes against these bases and aircraft even if Saudi Arabia had not yet brought its forces into the war." Prime Minister Begin said the sale would turn Saudi Arabia overnight into a "confrontation state." He called on Washington to "reappraise" its decision.

The Valentine's Day announcement was not the first Congress had heard of a proposal to sell F-15s to the Saudis. The rumor had been around for months. In January, when Mr. Carter visited Saudi Arabia, he promised Prince Fahd that he would recommend the sale. The implication was that the Saudis had requested the F-15 long ago, and that the President, intent on maintaining close relations with the Saudis, felt he could not now refuse the aircraft. But had the Saudis requested the F-15? The Administration was circulating the notion that President Ford had committed us to providing the Saudis with the "aircraft of their choice," and that the Saudis had subsequently settled on the F-15. Apparently they had not settled on it as of last October 17, when the Carter Administration said it was "questioning" that aircraft and considering an offer of the "less-advanced" F-16 to the Saudis instead. Even before this, on August 30, the New York Times had announced that the Pentagon had been "quietly urging" the sale of the F-15 for many months. And earlier still, on July 19, Times reporter Bernard Weinraub wrote that the Saudis "had not specifically pressed for the F-15," and that he had learned that Prince Fahd had "had no shopping list when he met President Carter in May." In fact, Weinraub added, the Saudi leader had listed several planes of interest "but only the F-15 was offered by the Air Force." It appears that the Saudis did not select the aircraft. We did.

Were the sales a message to Israel to soften its stand on the lines of withdrawal from Israeli-occupied territory? The Israelis contended that this strengthening of Saudi Arabian and Egyptian air forces would make it even more vital to retain Israeli air bases at Elat, Yamit, and Sharm-al-Shiekh. Israel's earlier reluctance to abandon these bases in the occupied zones had already become one of the major obstacles in the peace negotiations.

To reassure the Israelis, President Carter said: "Our commitment to Israel's security has been and remains firm." The State Department stressed Washington's "enduring and strong ties" with Israel. And Administration officials attempted to play down the threat posed to Israel by Saudi F-15s. This they did in several ways. First, they were careful to talk of the aircraft as an "air-to-air fighter," not as a fighter-bomber, implying that it could not be used effectively to bomb targets in Israel. Next, they pointed out that the Saudi F-15s would not be delivered until 1981, and that the Israelis were wrong to suggest that the aircraft could be transferred to neighboring Arab air forces in the event of war. The F-15, the Administration officials said, requires a formidable amount of ground support equipment, isn't easy to fly, and demands scores of hours of training in expensive ground simulators. Besides, pilots from other air forces could not be trained in Saudi Arabia without detection by the United States and Israel.

The F-15 does require elaborate training and support. But the proposed Saudi sale takes this into account. The Foreign Military Sales price to Saudi Arabia for an F-15, including administrative fees and a surcharge for a portion of the original F-15 research and development cost, is \$25 million. The sixty aircraft the U.S. proposes to sell will cost the Saudis \$2.5 billion, or \$41.6 million each. The extra \$1 billion in the Saudi sale is for those expensive ground simulators (made by Goodyear Aerospace Corporation), all the support equipment required, a variety of air munitions compatible with the aircraft, and an accelerated training program for Saudi pilots in the United States.

Ground flight simulators could be used to train pilots from other Arab countries in Saudi Arabia on the F-15. Israel and the United States would know if the Saudis did

this; it isn't clear, however, what the Israelis could do about it, or what the U.S. would do about it.

Certainly, from Saudi bases, the F-15 would have no trouble reaching Israel. Tabuq, one of the bases being completed along the northern Saudi border with Jordan, is just 300 miles from Jerusalem and Tel Aviv, only 125 miles (a ten-minute flight) from Eilat on the Gulf of Aqaba, and 140 miles from Sharm-al-Sheikh at the Straits of Tiran. Even if the F-15 were operated from bases near Riyadh, 800 miles to the southeast, that is still within easy striking distance. Contrary to many reports, however, the range of the F-15 is not what matters to the Israelis. Once an aircraft is within striking distance of its target, range is significant only in that the closer the point at which the aircraft begins its flight, the less fuel it has to carry and the more bombs and air munitions it can carry instead.

But then we are told that the F-15 is not a fighter-bomber. One official, attempting to explain what the Saudis would do with their F-15s, slipped a little when he said that they needed these aircraft "in order to counter a rapid buildup of military strength in the air and on the ground in Iraq." How could an "air-to-air fighter" do anything about forces on the ground? Simple. It could bomb them. It could strafe them. It could drop napalm on them. The F-15 can be heavily armed. Not only does it mount a multibarreled General Electric M61A1 Vulcan 20-mm cannon, which fires at variable rates of 4,000 or 6,000 rounds per minute, but it also carries four each of the latest AIM-9L Sidewinder and AIM-7F Sparrow air-to-air missiles. At the same time that it carries four Sparrow missiles and 950 rounds of 20-mm ammunition for its gun, it can also carry a variety of alternate bomb loads, including eighteen Mk-82 560-pound Snakeye demolition bombs, three Mk-84 2,054-pound demolition bombs, nine BLU-27/B firebombs, each with 790 pounds (100 gallons) of napalm, or fifteen CBU-52/B 680-pound antipersonnel fragmentation-bomblet dispensers.

With three external fuel tanks, the F-15 has a range of 2,419 miles, or a combat radius of 1,209 miles, and could carry for the latter distance its 20-mm ammunition, its four Sparrow missiles, two ECM (Electronic Counter Measures) pods to jam the homing mechanisms of hostile air defense missiles, along with three 2,276-pound Mk-84 electro-optically guided-precision bombs, or instead of those bombs, 7,000 pounds of any other types of bomb mentioned earlier. The F-15 is both a fighter-interceptor and a fighter-bomber.

But what concerns the Israelis is not the F-15's performance as a bomber. They have been faced with that kind of threat for years. Cairo is only 200 miles from Tel Aviv. A Piper Cub can fly that distance and back. What concerns the Israelis is that the F-15 is also a fighter-interceptor. With its speed and agility, its sophisticated fire control radar and air-to-air ordnance, it is capable of outfighting and destroying in the air most other Israeli aircraft, which could not be defended adequately by their own limited force of F-15s. For the first time, Israel's air supremacy in the Middle East, the crucial factor in her ability to conduct a successful defense of her territory, would be challenged. That is a change in the balance of power, and a very large one.

On February 17, President Carter, in a news conference in Cranston, Rhode Island, said, "Saudi Arabia has never had any active aggression against Israel." The Israelis, however, recall that Saudi Arabia supported Egypt in a past war with Israel. As if to dispel all worries, Carter added the assurance that the F-15s would not be delivered to the Saudis until 1981. At the same news conference, Carter was asked how he rationalized

selling "more sophisticated weapons of war" in the Middle East. He replied, "We are not introducing new weapons in the Middle East. F-15s are already being delivered into the Middle East." He was referring to the F-15s being delivered to Israel, five of which she has already received as a result of agreements reached in 1975. Aside from the fact that delivery of F-15s to a second country in the Middle East does alter the balance of power there, in just the way we have seen, these aircraft would also be introduced through Saudi Arabia to other regions, the Indian Ocean and the Horn of Africa, far from the reach of Israeli F-15s.

In the air-interceptor role, with all of its 20-mm ammunition and four Sparrow missiles, and with three external fuel tanks and two additional FAST Pack conformal fuel pallets now being specially built for the F-15 to extend its range, the aircraft can carry a total of 31,376 pounds of fuel, giving it a maximum potential range of 3,362 miles, or a maximum combat radius of 1,681 miles. If you take out a map and a compass, you will see that Israeli F-15s, operating from Israel's southernmost air base at Sharm-al-Sheikh, could just reach the Ethiopian city of Asmara. Addis Ababa, a good deal further south, would be well out of their range. From bases at Jidda, however, Saudi F-15s could reach not only Addis Ababa, but most of the Ogaden region, where Ethiopian forces, with Cuban and Soviet assistance, fought recently with Ogaden separatist insurgents supported by Somalia. From the Saudi base of Sabya, most of Somalia as well, including its capital city Mogadishu, could be reached in the aircraft. From positions along the Saudi Arabian border with Oman the F-15 can reach Karachi and Bombay. These facts may not seem important just now. In two or three years we may feel differently. The F-15 would be introduced into a region that daily grows in its strategic implications.

What else, on the other hand, was Carter supposed to do? As Secretary of State Cyrus Vance said at one point in that busy week in February, "Saudi Arabia is of immense importance in promoting a course of moderation in the Middle East, with respect to peace-making and other regional initiatives and more broadly in world affairs, as in petroleum and financial policy." He mentioned all the major points. We need the friendship of the Saudis. We need their oil. We need their predominant influence in OPEC to keep the price of oil as low as possible. We need their support of Egypt.

Henry Kissinger knew this would happen when he first began to open the way toward closer ties with the Arabs after the oil crisis of 1973 and the Yom Kippur war. Sooner or later, he said, the Arabs would ask for arms, and sooner or later we would have to supply them. There are many other kinds of help we could give the Arabs, and there are many other kinds of help they need, but all they seem to want from us is arms. Since 1973, we have sold them more than \$12 billion worth. Not that we mind. It is an effective way to recycle the petrodollar.

But surely, we still ought to have some choice of which weapons we supply. If we had to meet this test of friendship, and had to sell the Saudis more arms, why did we pick a weapon that would make a distinct change in the balance of power? Why did President Carter place himself in the position of contradicting his own arms policy? Why couldn't we have picked another aircraft, like the F-16 that Carter and his advisers had originally been considering? Why, when the Saudis themselves had not even specifically asked for it, was the Pentagon "quietly urging" the sale of the F-15?

The answer has to do with the Eagle's costs. In 1976, the unit procurement cost of an F-15, fully equipped, was \$12.8 million, based on the purchase of 132 aircraft. In 1977

we purchased 108 F-15s at a unit procurement cost of \$13.2 million. We planned to purchase another 108 of the aircraft in 1978 at a unit procurement cost of \$15.9 million, but Congress would not vote the additional funds required. As a result, we reduced the 1978 procurement to 78 aircraft. A consequence of this, however, was that the unit procurement cost rose to \$17.4 million.

The F-15 is not without its problems. Its engines are so powerful that pilots tend to get carried away and push the aircraft to its limits. This consumes precious fuel too rapidly and dramatically reduces the F-15's operational range. As a result, the Air Force has instituted the PEP 2000 program to increase the aircraft's fuel capacity by installing two detachable underwing fuel pallets—called FAST (Fuel and Sensor, Tactical) Packs—specially shaped to conform with the F-15's airframe design so as not to affect its aerodynamic performance. This program will cost \$160 million, including \$12.2 million to fit FAST Packs on F-15s already delivered.

There has also been trouble with the F100 engine. Its fuel nozzle would stick in the open position, causing overheating. Some of the turbine blades resonated at the same frequency as the engine itself, and would crack. The digital engine electronic control, used to fine-tune the engine at intermediate and higher power, would shut itself off because it was not being effectively cooled, as planned, by the flow of fuel, which itself became too hot. The result was engine overspeed and turbine blade failure that accounted for three accidents in the F-15 from July through September, 1977, each of which cost more than \$200,000 in repairs. A \$50 million program is under way this year to correct these deficiencies, and there is a continuing \$4-million engine diagnostic program scheduled for fiscal 1979.

Finally, there have been the inevitable contract cost overruns, \$57 million worth in the past three years. Add it all up, and the unit program cost of each F-15 for our Air Force is increased by \$370,000.

While all these factors, together with inflation, drive up the base cost of an F-15, they are plainly not the only forces at work in determining its final cost. The number of aircraft produced matters too. As we have seen, the higher the production run, the lower the unit cost. In order, with limited funds, to acquire the number of F-15s we need, we must do all we can to reduce their unit cost. In the case of this aircraft it is already clear that this will mean producing far more F-15s than our Air Force plans for itself. As one Air Force colonel put it, "The F-15 has a cost problem, and to a degree it makes sense to amortize the overrun with a big sale to the Saudis."

It makes such sense that the Air Force is doing all it can to help McDonnell Douglas, the F-15's manufacturer, sell the F-15 abroad. Japan has agreed to take 100 of the aircraft over the next six years at a current cost of about \$27.5 million each, importing some, assembling others from kits, and co-producing the remainder under a license obtained by Mitsubishi. McDonnell Douglas has had expressions of interest from Australia, Canada, West Germany, even France, and anticipates an export market for a total of about 400 F-15s. They will all have to be sold in order to keep the goal of our own requirements within reach. As it is, the Air Force is unhappy with the reduced 1978 domestic procurement program, which will make our own F-15s available too slowly to meet force expansion schedules in our effort to prepare for an Armageddon on the battlefields of NATO.

Without the Saudi sale, our own procurement schedule for the F-15 would fall even farther behind. Similar factors affect the costs of all modern weapons, and this accounts in large measure for the impressive

growth of America's arms exports. The sharp rise in the costs of weapons has far outstripped the available funds to procure them, despite a steady increase in the size of our defense budget. In order to acquire a sufficient quantity of a given weapons system to meet prescribed force levels, we must do whatever is possible to increase its production run, so that each unit absorbs a smaller amount of the basic investment in tooling, labor, and plant costs. More and more, the size of the production run required to reduce this cost exceeds the needs of our own armed services. Hence, we look increasingly abroad for markets to absorb the balance of production. In order to arm ourselves, we must arm the world.

Therefore, President Carter was free neither to choose an aircraft for the Saudis nor to prevent offering for sale one that would cause so much alarm. The F-15 is the aircraft we need, so it had to be offered abroad in spite of the President's arms-control policy. Perhaps we should no longer hold him to that policy. Clearly, he did not know last May what he was promising, nor how sour those promises would later sound. The conflicts between those promises and economic fact are as clear as the conflicts between our very real need to build alliances with the Arabs and Israel's very real need to depend on us for her security.

What Carter did not need to do, however, was make the sale of aircraft to Israel part of the same deal with Egypt and Saudi Arabia, implying that if Congress disapproved the sale to the Arabs, the sale to Israel would have to be "reconsidered" as well. In his Rhode Island press conference he took full responsibility for this: "I made a decision about the composition of the package and the date for submitting it." Some observers found this a shrewd tactic to overcome the predictable resistance in Congress to the Arab sales. This observer finds it manipulative. It appears to gamble too readily with Israel's security in order to make sure that President Carter gets what he wants. How can a President who earlier claimed that our commitment to Israel's security "remains firm," possibly mean what he says when, in the next breath, he attempts to pass the responsibility for it to Congress? ●

SEND STRAUSS BACK TO SCHOOL

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. STARK. Mr. Speaker, I wish to express my great disappointment and concern over Presidential counselor Robert Strauss' recent statement that pollution control rules are a source of inflation. Mr. Strauss' statement displays a fundamental lack of understanding of both inflation and pollution control, and raises serious questions about his fitness for the assignment that President Carter has given him.

A fundamental principle underlying a free economy such as ours is that businesses take all costs into account in producing goods and services to meet the most pressing demands of consumers. One only has to look at the chronic shortages and oversupplies that exist in a "planned" economy such as the Soviet Union's to understand one of the advantages of a market system.

Inflation represents an increase in the

prices of all goods and services. Our problem with inflation in this country is the fact that we are locked into a continuing cycle of price increases. The changes in prices of all goods that only reflect other price changes dwarf increases in particular goods' prices that are caused by changes in demand, or other factors related to individual products. An attack on inflation involves uniform measures to break the cycle. An example would be the reduction in overall business costs that would be effected by a cut in the payroll tax; another example would be the effect of the proposed voluntary across-the-board limitation on executive pay increases.

In contrast, pollution control equipment represents a belated recognition of real costs that have not been previously included in the prices of many products. Pollution imposes a cost on all of us, in the form of more ill health, and fewer recreation facilities; in short, the quality of our lives deteriorates. Just as the production of goods that require a lot of capital is increased by means of a capital investment credit, production of goods that yield a lot of pollution increases when the costs of that pollution are not considered by the producer. As a result, we have more pollution than is socially desirable, considering the goods we get in return.

User charges and taxes are one way to reduce pollution output by an industry by forcing producers who pollute to consider the costs they impose on the rest of society because of their activities. Another way is to mandate that production processes be used that do not yield as much pollution. From the practical standpoint of aiding our environment, the latter approach is preferable, and that is the policy that we have generally selected. In this way, the costs of pollution are borne by the producers and consumers of polluting products, rather than by all of us in the form of a declining quality of life.

For Mr. Strauss to compare the increase in prices that reflects pollution control with the overall diminution of income that characterizes inflation reflects more than mere ignorance: it betrays a willingness to subvert national economic policy to the interests of those who would force all of us to bear the costs of their selfish and wanton destruction of our air and our streams. I urge the President to officially divorce his administration from Mr. Strauss' remarks, and to defend environmental goals at the same time that he wages battle against the real causes of inflation. ●

ISRAEL'S 30TH ANNIVERSARY

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. BLANCHARD. Mr. Speaker, Sunday, May 7, marked the 30th anniversary of the independence of Israel. Every milestone is an important one

for this small democratic nation in the Middle East. The State of Israel represents the culmination of centuries of struggle, endured by the people who now finally can call Israel their home.

Throughout history the Jewish people have been wanderers, forced to move from place to place, from country to country—never by their own choice. Up until their proclamation of independence in 1948, and dating back to biblical times, they were a people without a home. We all sadly know of the horrible atrocities that have been faced, throughout virtually every age known to man, by many of the ancestors of those who now live in Israel.

Yet, the Israeli people remain strong and spirited in their efforts to maintain their freedom and their democratic principles. Though weathered by pain, suffering, and the constant battle to preserve their existence, they are today a people of great solidarity, who seek only to be at peace with their neighbors and the rest of the world. They are strong minded and unyielding in defense of their homeland, for they are a people who throughout history have been forced to defend their very existence. Too few of us realize or understand how heavy a burden it is to always be looking over your shoulder to see if someone is coming to take your freedom away, to destroy your culture and heritage, or to blot out your very existence from the Earth. Such was the burden of the ancestors of the Israeli people and, sadly, it remains a burden that is felt by the Israeli people today.

As the one country in the world which more than any other represents the ideals of freedom and democracy, the United States must do everything it can to help remove this burden from the Israeli people. We must do so through our unceasing and unremitting support for the state of Israel. In Israel we have a democratic ally which understands that ultimate freedom can be guaranteed only by the people who breathe it and desire it. Israel has undertaken to build a strong democracy founded on the very same principles that lie at the foundations of our own way of life. No one has ever had to institute the precepts of freedom for Israel. That is a noble testimony to the Israeli people's commitment to the freedom and justice that has characterized this sovereign country over its 30 years as an independent state. Through our support of Israel, we demonstrate our commitment to preserve freedoms and democratic principles that few people in that part of the world have ever realized.

In a world where too many people have never been allowed to taste the fruits of freedom, Israel is one country which on its own has built a strong democratic society, one that ensures the rights and freedoms of its citizens.

I hope that all of my colleagues will join with me in congratulating the Israeli people on their thirtieth anniversary. I applaud the great accomplishments that have already been achieved by the state of Israel, and I salute the Israeli people for their fortitude and unyielding commitment to

preserving a free nation where their people can live in peace.●

BREAKING THE COLOR BARRIER

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DORNAN. Mr. Speaker, individual athletic competition serves as a crucible, a virtual testing ground of a person's physical and spiritual resources. It is an arena of prowess and strength, where the forces of ignorance, prejudice, or bigotry are reduced to powerlessness. It is an entree into the mainstream of national life for ethnic, religious, or racial minorities, enabling young men and women to compete and achieve the highest levels of excellence and national recognition.

It has been well said that the field of athletic competition is a preparation for the rigors of life; but, Mr. Speaker, it also teaches our young something else about life. It teaches our children that a man's religion, national origin, or the color of his skin is no barrier to greatness. The great names of American sports, John L. Sullivan, Jack Dempsey, Joe Di Maggio, Jim Thorpe, Max Baer, and Rocky Marciano hailed from minority backgrounds. When the great Jackie Robinson broke the color barrier in professional baseball in 1947, it was hailed as an important milestone in the Nation's ongoing struggle to achieve the realization of our best aspirations.

Our own national experience should remind us that the struggle for racial equality and human dignity is often long, slow, and tragically painful. However, all true reformers recognize that, in order for possibilities to be realized in the future, they must take into consideration the limitations imposed by the past. Few social problems are going to be solved through quick solutions. We are familiar enough with the complexities of legislating public policy in this area in our own country. We ought humbly to remember our own failings when we lecture other nations on how to set their own houses in order.

Mr. Speaker, I was pleased to receive this morning a report on the progress that the Republic of South Africa is making on the integration of its athletic teams. Prepared by the Washington firm of DeKieffer & Associates the report proves that the South Africans, for all of their drawbacks, are indeed taking steps to put their own house in order.

Such measures ought to receive our kind encouragement, rather than our indifference or our pointless and counterproductive continuing hostility. American policy toward South Africa must recognize the enormous historical difficulties involved in trying to alter long established patterns of racial discrimination. The best national interests of the United States are served when we recognize productive efforts in South Africa.

I heartily commend this informative report to my colleagues, and I ask that

it be inserted into the RECORD at this point.

The report follows:

SOUTH AFRICAN SPORTS

In recent years, men and women of international caliber in many sports have emerged among the various non-white peoples in South Africa. Dramatic changes have taken place and sports in South Africa is one of the principal areas of change. The field of sports has seen highly publicized moves towards the elimination of racial discrimination.

In 1971 Prime Minister John Vorster announced that direct competition between the various racial and national groups would be permitted in South Africa. Since then major strides have been made in the promotion of multinational sport with South African sportsmen and women working with the Government in making the field truly multiracial.

With the current controversy over the upcoming Davis Cup tennis tournament in mind, it is important to illustrate the progress sports in South Africa has made towards the removal of racial discrimination.

TENNIS

South Africa's first multinational tennis tournament was held in Johannesburg in December 1971. Since then tournaments have been open to all races.

In 1971 the South African teams for the Davis Cup and Federation Cup Tennis tournaments were selected on merit and a multinational tennis tournament was held in Johannesburg.

The Black Tennis Foundation, founded by white South African Owen Williams and American tennis star Arthur Ashe, was established in May 1976 with a massive 23-court tennis stadium in Soweto.

Multiracial tennis clinics were started in 1977 to improve the standards of black tennis players.

Progress has also been made in many other sports as follows:

BADMINTON

The White South African Badminton Association and the Black Badminton Union recently joined forces. Teams are selected on merit, no racial discrimination is allowed and Springbok (designation for the national team) badges are awarded to the best competitors.

BODY BUILDING

Provincial body building teams became desegregated in June 1977.

BOWLING

In October 1975 the first non-white club applied for and was granted membership in the South African Bowling Association. Today the sport is completely multiracial with all groups competing in all major tournaments and international championships.

BOXING

In the first six-month period that multiracialism was permitted in the boxing field, South African black boxers fought their way to the top rating.

In 1973, the first boxing tournament was held in South Africa in which black and white professional boxers competed in the same ring. This fight, the Bob Foster-Pierre Fourie world title fight, was followed in 1974 by three multinational tournaments and South Africa's three leading promoting bodies organized multinational boxing tournaments in 1975. In 1976, Jan Kies, a white fighter, was knocked out by black fighter "Tap-Tap" Makhatini for the national welterweight championship.

More than eighty boxers took part in the second multinational open boxing tournament in October 1976. At the end of the tournament it was announced that the three

amateur boxing bodies—white, black and colored—had decided to merge making this the first such body in the history of South African sport.

CRICKET

In February 1976 negotiations began as South Africa's three cricketing associations met at the provincial level to negotiate the multiracial issue. In one of the most dramatic developments in South African sports history, it was decided early in 1976 that mixed cricket would be played at all levels throughout the country. In January 1977 the first Currie Cup match was played.

In the Transvaal and Natal Provincial leagues, team are selected exclusively on merit. Many cricketers have made appeals for cricket to be integrated down to school level and the sport is on its way to becoming completely integrated. Cricket is still barred from the world bodies, but it is hoped this will change as the integration effort continues.

CYCLING

A black cyclist, John Moding, competing in the 1977 international cycling tour of the Winelands, became the first black cyclist to take the overall lead in a major South African sponsored race.

FENCING

In 1974 colored took part in the first multinational South African Open Fencing Championships in Durban, which was followed by a multinational tournament in Johannesburg in 1974.

In June, Glenda Benjamin, a 15-year-old colored schoolgirl, became South Africa's first under-18 national junior fencing champion. She was the first colored to represent South Africa at the Spitzer Fencing Championship, held annually in Israel and won the international title in the girl's competition.

GOLF

In 1973 four multinational professional golf tournaments and a multinational amateur golf championship were held.

In September 1975, the Sunshine Golf Circuit in South Africa became multiracial. Golfer Gary Player contributed a substantial amount to the Committee for Fairness in Sport, and other golfers have been active in representing the equality of the sport abroad.

Vincent Tsabalala, a black golfer, won the 1976 French Open gold title and thus became the first black South African to do so.

GYMNASTICS

Another multiracial sport, South African gymnastics, attracted world-wide attention when the first multiracial team competed in the West German Gymnastics Championships in 1975.

HORSE RACING

February 1976 saw the South African Jockey Club going multiracial. To celebrate the event three Indian jockeys were given their racing colors, and it was announced that members of all race groups could now apply to the Jockey Club.

NETBALL

The first multiracial netball games were held in July 1977 in Pretoria.

In July 1977, Mr. Norman Champion became the first black owner to run a horse at a Transvaal Race Controlled Meeting.

RUGBY

Games between whites, coloreds and blacks have been played throughout South Africa in many small towns over the past few years. 1975 saw a mixed junior Springbok rugby team being selected, and in 1977 the Junior and Senior Rugby teams were selected on a multiracial basis to play the touring sides.

Future plans for multiracial rugby are underway. In 1978, rugby promoters are

planning for a non-racial Currie Cup match and Pienaar Trophy. In 1978/79 a multiracial Bok team is to be sent to the British Isles.

SOCCER

In March 1976, the first South African multiracial soccer team played Argentina at Rand Stadium. November of that year saw the formation of the multiracial Football Council of South Africa.

On April 7, 1977 a fully integrated South African team played Rhodesia. This match was the first international match South Africa has played since the 1960's when it was expelled from the FIFA. The South Africa versus Rhodesia match attracted much world attention.

Plans are underway for 16 of South Africa's top soccer clubs to play in a mixed league in 1978.

SOFTBALL

This sport is one of the few South African sports that has international acceptance. The acceptance was granted after South Africa proved herself following a year's probation.

SQUASH

Though a relatively new competitive sport in South Africa, no racial discrimination is allowed in the game of squash.

SWIMMING

The White South African Swimming Association and the Black South African Swimming Union are negotiating to form an integrated body working towards international reinstatement. Once again, teams are selected on a merit basis regardless of race.

Recently, the South African Amateur Swimming Union announced its decision to open the doors for all races when competing at club level or higher.

TABLE TENNIS

Agreement for a merger between black and white players was reached in 1977. This sport is in a unique position in that the Black South African Table Tennis body is internationally recognized, while its white counterpart is not.

TRACK AND FIELD

This sport has been multiracial for the past few years. Black athlete Rose Sedibane became the first woman to break into the higher echelons of track and field.

The first multinational track meet in which South African blacks participated was held in Cape Town in 1971, and since that time, multinational groups from South Africa have undertaken official tours abroad. For example, two contingents of white and black athletes toured Europe in 1973.

Titus Mamabolo, the first black South African to win a national open championship, was also the first black South African to be placed on the top thirty world list. Mamabolo's best time of 13 min. 31.2 sec. in the 5000 meters earned him 21st place on the world performance list for 1975.

A South African team for the physically disabled took part in the Toronto Olympics of 1976. The team of 38, eight of them black and two colored won 27 medals—seven gold, nine silver and eleven bronze.

In another development in 1976, Edward Sethsedi, a South African black, was elected vice-president of the South African Athletics Union.

SPORTS IN SOUTH AFRICA ARE BEING AGGRESSIVELY INTEGRATED

In recent years organized sports and recreational activities have come to play an important part in the lives of blacks in South Africa. Blacks already participate in more than 30 such activities in over 700 sport centers and have well over 5,000 clubs with membership approaching 350,000. In fact, it is interesting to note that more blacks now play in the professional golf circuit of South

Africa than the entire number of blacks playing in such tournaments in the U.S.

In addition to integrating competition in sports, substantial funds have been spent for improving facilities for non-white South Africans:

*In 1973, the Department of Bantu Administration and Development created a Division of Sport and Recreation and later a special Sport and Recreation Fund to promote facilities for black sportsmen and women. The capital expenditure on facilities alone increased from \$316 million in 1974 to \$603 million in 1975.

*The current value of sports facilities for blacks, such as playing fields, halls and resorts exceeds \$13.8 million while an additional \$3.1 million was provided for development and improvement of facilities in estimates for FY 1973/74.

*A public fund for the improvement of sport and recreational facilities for blacks, recently launched by the Government is being well-supported by private enterprise which donates over \$8 million a year to sports functions in South Africa.

*Sporting activities for South African coloureds as well as encouraged by the Government and are also partly financed. The Council for Culture and Recreation was established in 1967 to promote sport among coloureds and to provide much of the financial backing. Inspectors and organizers were appointed to assist this council and to maintain contact with sports organizations, establish requirements for facilities, equipment and courses for administrators, coaches, players and referees, and to promote new sports bodies.

*Sports facilities are provided mainly by local governments. Federal government subsidies for sports development reached almost \$500,000 for the 1975/76 fiscal year in the form of grants-in-aid for sports organizations and local governments, acquisition of equipment and the construction of playing fields.

In sum, racial progress in sports in South Africa has assumed substantial proportions. The past few years have seen a variety of changes towards the removal of racial discrimination. Most of these changes have come about through discussions held between Government leaders and representatives of different sporting groups. Since September 1976 alone, more than 1,900 interracial competitions have been held. Up until 1977, \$2 million was spent on sporting amenities.

South African sports have produced outstanding athletes of all races. It has, however, an untapped reservoir of potential champions. The current president of the Olympic Association estimates that 1,000 South African athletes have lost the opportunity to compete in the Olympics since South Africa was banned.

Foreign critics who condemn South Africa when it tries to improve cannot expect much sympathy from South African sportsmen and women who are penalized as a result. In the long run these critics, though perhaps well-meaning in intent, hurt sports competition in South Africa whose players wish only to leave politics to the politicians and sports to the sportsmen. ●

CONTROLLED SUBSTANCE ACT

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. BEARD of Tennessee. Mr. Speaker, recently, Mr. WOLFF and myself along with our colleagues Messrs. MANN, MUR-

PHY of Illinois, GILMAN, and GUYER introduced an amendment to the Controlled Substance Act to authorize a marihuana pretrial diversion program. At this time I would like to introduce for the RECORD both the rationale and a section-by-section analysis of the bill:

RATIONALE: MARIHUANA PRE-TRIAL DIVERSION PROGRAM

1. GENERAL

The legislation is not decriminalization, but draws from the decriminalization principle that possession of small amounts of marihuana and other cannabis derivatives for personal use should not in the case of a first offense stigmatize a person by a permanent criminal record. The legislation retains the philosophy that marihuana abuse is a serious matter which can be neither condoned nor encouraged by the Federal Government.

2. KEY ASSUMPTIONS

The legislation implicitly recognizes two important facts.

First, regardless of what the law may be, persons will continue to use marihuana for personal, recreational purposes.

Second, An educational-counseling approach represents a superior policy objective than does merely decriminalizing marihuana use and citation diversion can be a more effective means by which to discourage marihuana use than decriminalization. This is of vital importance since the vast majority of marihuana users are teen-agers and young adults who are more easily tempted into experimenting with other drugs which they know nothing about. The diversion program is keyed to educational-counseling of the problems associated with drug use as a whole, and not merely marihuana.

3. RESULTING FEDERAL MARIHUANA LAW

Establishment of a diversion program would create a three-tiered approach to the illegal possession of small amounts of marihuana.

First tier: The diversion program. There is no court adjudication of guilt; all official public records are expunged upon completion.

Second tier: Discretionary court-imposed probation upon a conviction. If the person is under 21 years of age, records are expunged. [present section 844 of the Controlled Substances Act].

Third tier: Full sanctions of the criminal penalties of the Controlled Substances Act (maximum sentence for first conviction: \$5,000 and/or 1 year; subsequent conviction; \$10,000 and/or 2 years).

4. ESCALATION OF PENALTIES

Each step in the "tier-system" represents a substantial increase in penalties (and implications) over the previous tier. Court imposed probation—with the necessary court appearance, unpleasantness and expense—represents a significant escalation over participation in the diversion program; prosecution and sentencing under the Controlled Substances Act is the ultimate escalation of penalty.

5. EFFECT ON STATE LAW

It is important to remember that virtually no marihuana possession prosecutions take place at the Federal level; these offenses are almost always prosecuted at the state and local levels. This is important because states often pattern their laws on the relevant Federal law and the diversion program can provide a model for the states to follow in the future.

6. TRAFFICKERS EXCLUDED FROM PROGRAM

The diversion program is designed for marihuana possessors and traffickers are not eligible to participate. They are completely unaffected by the legislation.

7. SIMILAR PROGRAMS

The diversion approach is not new, nor is it untested. Employment oriented diversion programs exist in a growing number of jurisdictions. Marihuana diversion programs or other programs utilizing educational-counseling are now in operation in Sacramento, California; Cook County, Illinois; Nashville, Tennessee; and are statewide in Minnesota and Mississippi.

SECTION-BY-SECTION ANALYSIS: MARIHUANA PRE-TRIAL DIVERSION ACT

New subsections to section 404 of the Controlled Substances Act of 1970, subject matter, summary

(c) (1) (A): Establishment of program; within 90 days of enactment, the Attorney General shall establish a Marihuana Pre-Trial Diversion Program within the Department of Justice.

(c) (1) (B): Program personnel; the Attorney General is to designate Federal employees as marihuana diversion officers. Persons so designated are to receive special training to prepare them for their duties. These officers would directly supervise program participants.

(c) (1) (C): Program operation; grants; the Attorney General is authorized to make grants to, or enter into contracts with, any State or local government and public or private nonprofit entities for planning and carrying out counseling courses. Payment may be by reimbursement or advance, and on such conditions as the Attorney General deems advisable.

(c) (1) (D): Offender eligibility, eligibility exclusions; any person arrested solely for the possession of not more than 30 grams of marihuana or 7 grams of hashish or 1 gram of hashish oil is eligible to participate in the program. However, an otherwise eligible person will be deemed ineligible if during the past 3 years he or she (i) had been convicted of violating any narcotics law; or (ii) elected to participate in the diversion program.

(c) (1) (E): Definitions; This subparagraph defines the terms marihuana and hashish, for the purposes of this act.

(c) (2) (A): Field-Release Citation; Except as otherwise provided, Federal law enforcement officers shall issue a field-release citation to any person found in possession of not more than 30 grams of marihuana or 7 grams of hashish. This citation is in lieu of arrest. It requires the person to appear before a Federal magistrate (or certain specified state judicial officers) for a probable cause hearing on the issue of illegal possession. The citation shall state the purpose of the hearing and advise the person of the right to be represented by counsel.

(c) (2) (B): When Field-Release Citation May Not Be Issued; A field-release citation may not be issued if any of the following conditions exist: (i) the person has insufficient identification or the place of residence is such that it is unlikely that the person will appear as required; (ii) if the officer has reason to suspect the person is involved in an offense other than that of possession; (iii) a warrant is outstanding for the arrest of the person; (iv) the person has a history of failing to appear in court when scheduled; (v) the person subjected the officer to physical abuse sufficient to support a charge of simple assault; or (vi) the person was found in illegal possession while driving a motor vehicle under the influence of a controlled substance.

(c) (2) (C), (c) (2) (D): If Field-Release Citation May Not Be Issued; If a field-release citation may not be issued, the person shall be arrested. After the person has been identified by appropriate law enforcement techniques, he or she may be released upon issuance of a citation identical to the field-

release citation. No citation may be issued until the person is cleared of the suspicion of having committed any other offense at the time of arrest; no citation may be issued to a person under the influence of a controlled substance until they are no longer under the influence or until they are remanded to the custody of a responsible person.

(c) (3): Probable Cause Hearing; Any person issued a citation or arrested for possession of marihuana or hashish shall be given a probable cause hearing on the issue of possession. If probable cause is found to exist, the magistrate will determine whether the person is eligible to participate in the diversion program.

(c) (3) (A): When Person Found Eligible at Hearing; When a magistrate finds a person eligible for participation in the diversion program the magistrate shall explain the terms of the program and offer the person the opportunity to participate therein.

(c) (3) (B): When Person Found Ineligible At Hearing; When a magistrate finds a person ineligible to participate (or if an eligible person declines participation) the person is remanded into the custody of Federal law enforcement officers for proceedings consistent with law.

(c) (4) (A): Diversion Agreement; Any person who elects to participate in the diversion program shall enter into an agreement which provides that (i) the program has been explained; (ii) participation in a drug-related counseling program is required; (iii) a diversion fee of between \$50 and \$100 shall be assessed to help defray operating costs of the program; (iv) failure to complete the program will subject the person to arrest and prosecution for the illegal possession; (v) upon completion of the program the person may not be subject to arrest or prosecution for the offense and any charge related to the offense will be dismissed, and no public record of the person's arrest, citation, or participation will be maintained; (vi) the person will not be eligible to again participate in the program for three years; (vii) any statements made by the person to law enforcement personnel or other persons connected with the program may not be used against the person in a subsequent prosecution for the possession; (viii) the person understands his or her rights under the Speedy Trial Act of 1974 and agrees that any delay resulting from participation in the program will be excluded in computing the time at which an information must be filed or trial commence; (ix) such person understands that failure to complete the diversion program shall subject the person to arrest and prosecution for the offense, and (x) the person consents to participate in the diversion program.

(c) (4) (B): After Signing Diversion Agreement; After a person signs the diversion agreement he or she shall be (i) assessed a diversion fee of between \$50 and \$100; and (ii) instructed to appear before a diversion officer at a specific time and date to commence participation in the diversion program.

(c) (4) (C): Non-Public Record; A non-public record of the diversion agreement is retained by the Department of Justice for three years. Purpose of this record is for a determination of eligibility to participate in the program if the person is again found in illegal possession of marihuana or hashish. This record is expunged and destroyed after three years.

(c) (5): Counseling; the diversion program shall offer eligible persons drug-related counseling courses (both group and individual) designed to: (A) impress upon the person the serious implications of drug abuse; (B) determine to what extent the person may be an abuser of drugs and to what extent, adverse emotional, medical, family or social conditions may have contributed to the per-

son's abuse of drugs; (C) guide the person into other treatment or counseling programs designed to meet the person's individual needs; and (D) emphasize the dangers of operating a motor vehicle under the influence of drugs.

(c) (6) (A): Completion of Program; a participant in the diversion program is deemed to have completed the program if all required counseling sessions were attended and the required diversion fee was paid. Failure to complete the program will subject the person to arrest and prosecution for the offense.

(c) (6) (B): Effects of Completion; Dismissal; upon completion, any charge related to the offense upon which participation was based is to be dismissed without court adjudication of guilt. Neither dismissal nor participation shall be deemed a conviction for the purposes of disqualifications or disabilities imposed by law upon the conviction of a crime or for any other purpose.

(c) (6) (C): Effects of Completion; Expungement of Official Records; upon completion, all official public records (other than the non-public records maintained by the Department of Justice for three years) pertaining to the person's arrest, citation, and participation in the program are to be expunged and destroyed.

(c) (6) (D): Effects of Completion; Perjury and False Statements; upon completion, a person is restored to the status he or she occupied prior to participation. No person shall later be held guilty of perjury or giving a false statement by reason of his or her failure to recite or acknowledge the arrest, citation, or participation in the diversion program.

(d): Program Operation; Funding and Authorization; a revolving fund is created in the Treasury to defray costs of the diversion program. This fund is available to the Attorney General according to congressional appropriations and is to be available without fiscal year limitation. Monies received as diversion fees are deposited into this fund. This section also contains the budgetary authorization.

Section 3 of Legislation: Reports; Attorney General is required (a) to report to the Congress on the operation of the diversion program; (b) to the extent practicable, apprise States and local governments of the diversion program and encourage them to establish similar programs; and (c) to report to the Congress on the extent to which the States and local governments have established similar programs.

Section 4 of Legislation: Other Amendments to Controlled Substances Act; this trolled Substances Act so that it does not apply with respect to any person participating in the diversion program.●

HELP THE DOLLAR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DERWINSKI. Mr. Speaker, we recognize the continuing battle needed to strengthen our dollar abroad and at home. One of the reasons for the weakness of our dollar is the huge foreign holdings of our currency due to our trade deficit.

The Southtown Economist, serving suburban communities of Cook County, Ill., carried in its April 30 edition a very effective editorial pointing out the need

to correct the imbalance of trade. The editorial follows:

A LITTLE LEG WORK WILL HELP THE DOLLAR

One reason the U.S. dollar has weakened against other leading world currencies is our huge trade imbalance caused by the purchase of fantastic amounts of oil from the Arabs and other OPEC producers.

Americans are using so much more oil per person in comparison to people in other countries that it is scandalous.

We are sending billions and billions of our precious dollars into Arab coffers simply because we make too many useless trips in the family car, refuse to use mass transportation, drive too fast and keep our houses too warm.

We have said this before, but we can't say it often enough: The way to strengthen the dollar is to eliminate the trade imbalance. That will take a lot of doing, of course, but each of us can help by cutting our gasoline purchases.

Next time take the train or bus and leave the car in the garage. Or walk to the store for the newspaper or carton of milk. You'll save money, but more important you'll help cut our fuel imports. And that's something we all must resolve to do in the weeks and months ahead.

CONGRESSIONAL SALUTE TO THE PASTORAL MINISTRY TEAM OF ST. BRENDAN'S CHURCH, CLIFTON, N.J.

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. ROE. Mr. Speaker, in recognition of the fact that our Nation was founded on the cornerstone of our people's faith in God, which is truly the spirit, conscience, and very being of our society, I am pleased to call to the attention of you and our colleagues the pastoral team concept that has been inaugurated at St. Brendan's Church in the city of Clifton in my congressional district, State of New Jersey.

At the outset I know you will want to join with me in extending our warmest greetings and felicitations to the following distinguished members of the pastoral ministry team at St. Brendan's who have been appointed by His Excellency, the Most Reverend Bishop Frank J. Rodimer of the Diocese of Paterson and are joined together as one in spiritual leadership dedicated to the noble cause of service to God and brotherhood, goodwill, and understanding among all mankind: Father Richard J. Rento, parish administrator, Father William Naughton, Father Joseph Orlandi, and Deacon John Anderson.

Mr. Speaker, the pastoral team concept was developed by many dioceses approximately 3 years ago as a result of the Vatican Council's new style of leadership in the Catholic Church. As a team, they represent equality of ministry and the equal sharing of responsibilities meeting together weekly to review, evaluate, and plan a purposeful cycle for parishioners to share in the spiritual life of prayer and Scriptures of the church. When a parish becomes open, the Bishop

makes the decision as to whether the parish should be under the administration of a pastoral team or under one pastor as administrator. When a pastoral team is to be established, all of the clergy are notified and given the opportunity to request to be part of the pastoral team. Applications are reviewed by the personnel board of the diocese and recommendations are made to the Bishop.

Installation of the St. Brendan's pastoral team will take place on Wednesday, May 10, 1978 at St. Brendan's Church with Victor Msgr. Joseph Gallo performing the installation.

Mr. Speaker, With your permission I would like to insert at this point in our historic journal of Congress a brief background profile on each of the members of this dedicated nucleus of leadership and responsibility for the spiritual well-being of the parishioners embodied in the pastoral team of St. Brendan's Church, as follows:

BACKGROUND PROFILE

Father Richard Rento, who has been assigned to head the parish team at St. Brendan, has served as Diocesan Director of Continuing Education for Priests since 1972. Father Rento, who had served as diocesan CCD director, was named director of continuing education for priests in 1972.

Born in Passaic, New Jersey, Father Rento grew up in Clifton, New Jersey and studied at Immaculate Conception Seminary, Darlington, New Jersey, and Catholic University, Washington, D.C. following graduation from Seton Hall University, New Jersey. He was ordained by His Excellency, the late Most Reverend Bishop Dean McNulty on May 31, 1958.

His first assignment was at Our Lady Queen of Peace parish, Branchville, New Jersey, where he also served as chaplain at Camp Columbus, Culvers Lake, New Jersey. He served as Chaplain at St. Mary's Hospital, Passaic, New Jersey. He was appointed associate director of the diocesan Confraternity of Christian Doctrine in 1963 and director in 1964. He held that post until 1972.

Father Rento also serves as vicar of the Passaic-Clifton Vicariate and served as president of the diocesan Priests' Senate for three terms.

Father William Naughton, who has served as temporary administrator at St. Brendan, was born in Boston, Massachusetts, and studied for the priesthood at St. Joseph Seminary, Dunwoodie, New York, and St. Mary Seminary, Baltimore, Maryland.

He had also spent six months as a cadet at the Air Force Academy in Colorado Springs, Colorado. He was ordained by His Excellency, the late Most Reverend Bishop Lawrence B. Casey of the Diocese of Paterson on April 8, 1972, in St. Virgil Church, Morris Plains, New Jersey, where he had served his deacon internship. He was subsequently assigned to St. Brendan's.

Father Joseph Orlandi was born in Rome, Italy. He studied at the Pontificio Collegio Leoniano and completed his preparation for the priesthood at Immaculate Conception Seminary, Darlington, New Jersey. He was ordained by Bishop Casey on May 26, 1973.

After an assignment as associate pastor of Our Lady of Mount Carmel parish, Boonton, New Jersey, he was appointed associate pastor at St. Brendan's in 1975.

Deacon John Anderson was a member of the first class of permanent deacons ordained in the diocese in 1974 and has served since then at St. Brendan's. Born in Scotland, England, he holds a degree from Paisley Technical Institute of Scotland. He has been

a parishioner of St. Brendan's since his arrival in the U.S. in 1957.

Deacon Anderson is employed as production supervisor for Lightoller, Inc., Jersey City, New Jersey. His wife, Frances, is an extraordinary minister of the eucharist. They have three daughters and one son.

Mr. Speaker, the pastoral ministry team concept is a decidedly new challenge that surely augurs well at St. Brendan based on the quality of leadership, sincerity of purpose and the richness of the wisdom of each and every distinguished member of the St. Brendan Pastoral Team. We join with the congregation of St. Brendan Church, Clifton, New Jersey in extending our heartiest congratulations to the new pastorate and wish them well in their new assignment. Through their coordinated leadership endeavors we acknowledge an ever-increasing contribution to the ecumenical spirit of brotherhood, the truth of knowledge and cultural enrichment of all of the people of our community, State and Nation. We do indeed salute Father Rento, Father Naughton, Father Orlandi, and Deacon Anderson, the Pastoral Team of St. Brendan's Church, Clifton, N.J.●

MIDEAST AIRCRAFT PACKAGE: IMPACT ON PEACE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. ROSENTHAL. Mr. Speaker, spokesmen for the administration's all-or-nothing aircraft sales package for the Middle East repeatedly stress that the presence of 60 F-15 fighter-bombers in Saudi Arabia will not alter the fragile balance of power in that volatile region.

There are many in this Congress who question that contention—a clear majority of the International Relations Committee, 22 members, have introduced a resolution of disapproval to block the sale largely because of its military implications.

The Israelis, who will be facing these new American-built fighter-bombers, are even more apprehensive. The administration's proposal raises two fundamental questions in their minds:

Does it increase the probability of war in the Middle East? and

What impact will it have on peace negotiations?

The timing of aircraft sales "is at best counterproductive," according to Jerusalem Post's military correspondent, Hirsh Goodman. He also states:

Some observers believe that America's decision will only serve to make Israel more suspicious, add weight to the arguments of those who feel that the country should rely on no one but itself, and weaken the case of those who advocate a policy of reconciliation.

As for the peace process, Goodman observes that:

It is logical to say that the decision will only serve to harden Israel's overall negotiating posture.

A related issue is President Carter's contention that Saudi Arabia has not actively participated in prior Arab-Israeli wars. The truth is that not only have the Saudis sent troops—but they also have sent arms, including U.S.-built helicopters to Egypt during the 1973 Yom Kippur war. I am inserting in the RECORD a report by correspondent Goodman on this question plus his article about the response of Israeli military officials to the aircraft sales package:

U.S. ARMS DEAL SETS ISRAELI DEFENSE MEN THINKING AGAIN

The cardinal question arising from America's decision to supply Saudi Arabia and Egypt with sophisticated aircraft, and trim Israel's request, is whether it has increased the probability of war in the Middle East.

Some people, including the Americans, claim that an Egypt (and Saudi Arabia) brought into the Western fold by becoming dependent on Western arms will be far more reasonable at the negotiating table with Israel than an Egypt dependent on the Soviets, or feeling that it has no allies.

On the other hand, some observers believe that America's decision will only serve to make Israel more suspicious, add weight to the arguments of those who feel that the country should rely on no one but itself, and weaken the case of those who advocate a policy of reconciliation.

On the face of it, America's decision, coming precisely at this time in the peace process, is at best counterproductive.

True, not much progress can be claimed for the Cairo peace talks, but a modicum of understanding was achieved. Such issues as the status of the Sinai airfields; Israel's early-warning needs; the definition of minimum strategic depth for both sides; clarification of the overall threat from the combined Arab confrontation states and the expected international reaction to any conflict, were all discussed by War Minister Gamasy and Defense Minister Weizman, even if no final agreement was reached on them. This will all now have to be re-assessed.

There were people—serious people—on the Israeli side proclaiming, after the two initial Cairo sessions, that Israel could afford to give up the Eitam airfield near Rafiah as part of any peace agreement. They are rethinking their position. There were those who had all but written off the Sinai early-warning stations. They, too, are having second thoughts. And, most important, those few optimists who came away from the Cairo talks certain that the first—albeit wobbly—steps had been taken on the path to peace, with all the differences soluble, are now having grave doubts.

The American move has made things more difficult—much more difficult—for those Israelis who were earlier counselling their colleagues in the defence establishment to take bold steps towards meeting the Egyptian initiative. For now, those who had a deep, inbred suspicion both of Arab intentions and of Israel's reliance on allies, can point out with some degree of justification that they were always right.

For one has to admit that the logic of supplying arms to countries in the throes of peace negotiations is an anomaly that defies rational explanation. The Egyptians, we were told, wanted peace so that they could divert their resources to rebuilding their shattered economy. So they go ahead and purchase 50 aircraft costing several hundred millions of dollars.

The supply of aircraft to Saudi Arabia makes more sense. After all, Saudi is technically not one of the states in direct con-

frontation with Israel, and the Americans have been selling it weapons for years (we all understand the need to recoup petrodollars). But why F-15s? They are the most sophisticated vehicles of death yet produced, way beyond the defence needs of Saudi Arabia, and are noted clearly for their offensive, not their defensive, capability.

Israel's claim that these 60 F-15s may one day be used against her is valid. There are many precedents of arms supplied to a non-confrontation state finding their way into the arsenals of Egypt, Syria and Jordan. Egypt itself received 38 Mirage-111 fighters from Saudi Arabia and flew them against the Israeli air force in 1973.

Israel drew one hard and fast conclusion from the Yom Kippur war: to expect the worst. Since October 5, 1973, all the country's intelligence estimates have been based on the concept of "maximum threat." Thus, for example, if Israel received news of several Egyptian tanks moving towards the Suez Canal for spring maneuvers, it was assumed that they were on an attacking mission. If it was later verified that the Egyptian move was indeed innocent, everyone was pleasantly surprised. But from the moment the tanks started to roll towards the Canal, the defence machine on this side of the border had been working as if it were faced with an offensive operation.

The maximum threat concept is not going to be abandoned by defence planners here in the near future. It is natural, therefore, to look at America's decision to supply Egypt with 50 F-15s and Saudi Arabia with 60 F-15s in that context, and logical to say that the decision will only serve to harden Israel's overall negotiating posture.

What is more, it is also going to affect Israel's basic strategy. As the threat to this country grows with the bolstering of the Arab attack capability, so will Israel become more sensitive to any suspicious move, react more sharply to any hint of aggression.

In a situation of mutual mistrust, and growing Israeli nervousness, the chances of over-reaction and unbridled escalation are increased. Israel, if it feels threatened to a degree where its survival is jeopardized, may be pushed into a situation where even the hint of a tangible threat will be met with a preemptive strike—an act, of course, that spells all-out war.

Regarded from this point of view, the American action has been a destabilizing, and not, as Washington claims, a stabilizing factor in the Middle East. Lack of stability, by definition, increases the chances of war—a truism that makes it difficult to understand—or accept—the Americans' justification that their decision to supply the aircraft was made in the "overall interests of peace in the region."

The addition of sophisticated aircraft to the Egyptian and Saudi Arabian air forces constitutes a new tactical and strategic problem for Israel.

The Arabs—through Saudi's acquisition of the F-15—will now be able to penetrate deeply and destructively into Israel, something they have never been capable of before. (The Mig-25 gave them a deep penetrating reconnaissance capability, but not a destructive capability.)

Israeli Phantoms, Kfirs and even F-15s (the country will have a total of 35 F-15s by the time both its orders have been completed in the mid 1980s) will be hard put indeed to prevent Saudi F-15s taking off from airfields in Jordan from reaching and bombing Israeli centres of population three minutes' flying time away. The problem would be no less acute if the planes took off from either Syrian or Egyptian airfields.

It almost seems preposterous now to ask, or to expect, Israel to concede anything at the negotiating table that will impair the air force's ability to confront such a threat.

The Sinai airfields—including the one at Refidim, deep inside the desert—take on a new importance now, and their bargaining value has increased enormously.

It is ironic as well as unfortunate that this should have happened just when many key figures in the Israeli defence establishment were prepared to relinquish these airfields "in the interest of peace in the region."

WHAT CARTER DIDN'T SAY ABOUT SAUDIA
(By Hirsh Goodman, Post Military Correspondent)

Officials in Israel Sunday expressed "amazement" at President Carter's statement that Saudi forces never actively participated in fighting against Israel.

They point out that in the 1973 Yom Kippur War the Saudis sent to the Golan a mechanized infantry brigade, which fought in the Tel Shams-Tel Antar region and suffered casualties. The brigade remained on the Golan Heights after the war and took an active part in the subsequent war of attrition there between Israel and the Syrians. It was withdrawn in 1976.

The Saudis also dispatched armoured forces to Jordan in 1967 and again in 1973—when during the Yom Kippur War they bolstered Jordan's line with Israel south of the Dead Sea and allowed Jordan to release its 40th Armoured Brigade for active duty on the Golan.

The sources also point out that Saudi Arabia in 1973 ordered 38 Mirage V fighters from France—planes which it then transferred to Egypt, thus contradicting another part of Carter's reasoning.●

CONGRESSIONAL SALUTE TO RABBI
DR. LEON KATZ OF ADAS ISRAEL,
PASSAIC, N.J. IN COMMEMORATION
OF 40 YEARS OF DEDICATED
AND OUTSTANDING SERVICE TO
OUR COMMUNITY, STATE AND
NATION

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. ROE. Mr. Speaker, on Sunday, May 14, the members of my congressional district, State of New Jersey, will join with the Jewish community and congregation of Adas Israel, Passaic, N.J., in testimony to the most distinguished Rabbi Dr. Leon Katz whose standards of excellence as a spiritual leader and adviser of national and international renown have truly enriched our community, State, and Nation. I know that you and our colleagues here in the Congress will want to join with me in extending our warmest greetings and felicitations to Dr. Katz, his good wife, Rhea, daughter, Verda, son, Shimon, and son, Avram, on this most significant milestone of achievement in life's purpose and fulfillment.

Mr. Speaker, Dr. Leon Katz has served with distinction in promulgating, enhancing and preserving the richness of the Hebrew religious and cultural heritage redounding to the spiritual and moral integrity of those of his religious belief as well as materially contributing to the ecumenical spirit of brotherhood, the truth of knowledge, and cultural enrichment of all of our people.

Mr. Speaker, with your permission I would like to insert at this point in our historic journal of Congress the biographic profile and testimony salute prepared by members of his congregation in tribute to Dr. Katz's four decades of service and dedication at the helm of Adas Israel which has intertwined the warmth, affection, and high esteem with which he is held by all of us who have had the good fortune to know him as a great friend and counsellor. I would like to share with you this testimonial to Rabbi Katz which reads, as follows:

FORTY YEARS OF SERVICE

Forty years ago a young Rabbi assumed the pulpit of Congregation Adas Israel. His eloquence and scholarship were quickly evident, but above all, what endeared him to the hearts of all was his warm and friendly spirit.

Through four decades of service, Dr. Leon Katz has been our spiritual guide. His devotion to Torah and his love for Israel has inspired us to greater efforts for Jewish education and the rebuilding of Zion.

A scholar with a background of extensive and intensive training in the religious and secular fields, he is at the same time a man of action. He has displayed rare combination of deep faith and profound idealism.

In recognition of his fortieth anniversary as our spiritual leader and in acknowledgement of his love and service—a grateful community joins in prayer that our Heavenly Father may bestow upon him of the abundance of His blessings and that He may grant him health and strength so that he may continue to enrich our community with his exceptional gifts of heart and spirit for many years to come.

BIOGRAPHICAL PROFILE

In the 40 years that the Rabbi has been with the Congregation, he guided its growth and its development as a vibrant house of worship which includes daily, Sabbath and Holiday services and a house of learning for both young and old. The Adult Education Institute which he founded and administers, offers classes in the Talmud, Shulchan Aruch (Book of Jewish Laws), Eible, Jewish History and lectures on Judaic thought and theology. The Institute was singled out by many prominent national educators for providing exposure to Jewish knowledge and culture and as a model for successful education for adults.

Dr. Katz spearheaded the building of the present Adas Israel edifice and has been the driving force behind the moving from Tulip Street where the Congregation was formerly located.

The Rabbi has been active in the Jewish community at large as well. He has been honored for his services by the UJA, Israel Bond, Jewish National Fund, Mizrahi Organization of America, Rabbinical Council of America and Yeshiva University from where he received his ordination in 1938 and his doctorate in 1948. Rabbi Katz is past president of the Rabbinical Alumni of Yeshiva University, past president of Rabbinical Council of New Jersey. He is now national vice president of Religious Zionists of America and vice president of Bernard Revel Graduate School of Yeshiva University.

Rabbi Katz has lectured extensively at New York University, Yeshiva University, Stern College for Women, Kean College and many other prominent institutions of learning and higher education.

In February of this year, he was elected as a delegate to the World Zionist Congress which he attended in Jerusalem. He is listed in the following: Who's Who In World Jewry, 1978; Who's Who In Religion; Who's Who In American Education; Directory of American

Scholars; Men of Achievement; Dictionary of International Biography; and The Israeli Honorarium.

Rabbi Katz is the author of, "Life, Times, Work of Rabbi Moshe Sofer", published in Jerusalem. He is now completing his work on, "The Sanhedrin And The United States Supreme Court Compared", which will be published next year. Also, he contributed to Jewish Encyclopedia; the Quarterly, "Mada VeEmum"; Kol-Torah; Or Mamizrach; Jewish Life; Shaarin; Proceeding of 17th and 18th Annual Convention—Yeshiva University; JMC Quarterly.

Rabbi Katz is the son of the late Chief Rabbi, Rueben Katz and Rachel Katz of Petach Tikva, Israel. In 1946 he married the former Rhea S. Herzog, the prominent Rebbitzin in Passaic and they have three children; Varda, who is married to Mr. Seev Nistar, lives in Jerusalem and is blessed with a daughter, Michal; Shimon, vice president of Philip Brothers of New York and Avram, who is entering law school this year.

ABOUT RABBI KATZ . . .

Rabbi of Congregation Adas Israel, Passaic, since 1938.

Ordained by Rabbi Isaac Elchanan Theological Seminary of America.

Received his B.A. from Yeshiva College.

Received his M.A. from Columbia University.

Received his Doctorate from Yeshiva University.

Author of "Life, Times, Work of Rabbi Moshe Sofer", published by Mosad Harav Kook in Jerusalem.

He is now completing his work on "The Sanhedrin and the United States Supreme Court Compared."

Contributed to Jewish Encyclopedia; the Quarterly "Mada VeEmuna"; Kol-Torah; Or Mamizrach; Jewish Life; Shearim; Proceedings of 17th and 18th Annual Convention—Yeshiva University; JHC Quarterly.

Instructor in Jewish Tradition and Philosophy at New York University.

Instructor in History at Yeshiva University.

Instructor in Jewish Philosophy at Stern College for Women of Yeshiva University.

Member of Society of Professors of Hebrew Culture.

Member of World Academy of Jerusalem.

Member of Historical Society of America.

Member of Executive Rabbinical Council of America.

Past President of Rabbinical Alumni of Yeshiva University.

Past President of Rabbinical Council of N.J.

President of Mizrahi N.J. State Region since 1955.

Vice President of the Alumni of the Bernard Revel Graduate School of Yeshiva University.

He is now a member of the Doctorate Committee at New York University in charge of approving dissertations leading towards the degree of PH.D.

Married in 1946 and has three children.

His name appears in "Who Is Who In World Jewry" and "Who Is Who Among American Scholars" and in "The Israel Honorarium".

Son of the late Chief Rabbi, Rueben Katz and Rachel Katz of Petach Tikva, Israel.

"Who's Who In Religion", "Who's Who In American Education", "Men Of Achievement", "Dictionary Of International Biography".

Mr. Speaker, with the deepest respect and admiration, it is a pleasure to call to the attention of you and our colleagues the lifetime of good works and good deeds of Dr. Katz whose dedication, devotion, and untiring efforts toward the spiritual and cultural enrichment of others deserves the national recognition

of the Congress of the United States. In commemoration of his 40th anniversary as a distinguished spiritual adviser of national and international renown and for the quality of his leadership and richness of his wisdom, we do indeed salute Rabbi Dr. Leon Katz of Adas Israel, a good friend and great American. ●

RAPID RECOVERY—A SPEEDY PRESCRIPTION TO IMPROVE THE QUALITY OF THE LAND AND THE SPIRIT OF PEOPLE OF CLEVELAND, OHIO

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Ms. OAKAR. Mr. Speaker, as the Congresswoman whose district represents one of the largest concentrations of Clevelanders and a significant portion of Cleveland proper, I want to share with my colleagues a creative beautification project that can and should be imitated in other cities across the country. To my colleagues who jest about my lifelong home, Cleveland, when they notice an "I love Cleveland" necklace I frequently wear to the House floor, may we go on record here to prove that Cleveland is so much more than a struggling school system and a nationally ridiculed current city administration.

It is still a city filled with people who hold the same pride I do for our own city, and this week we will see a fitting demonstration of this pride in a ceremony marking one of the most unique and constructive projects to be undertaken in any city, a project that can serve as a positive example to my colleagues who represent urban municipalities, such as Cleveland, with similar financial problems foisted upon a people deserving of much better.

In this regard, I want to acquaint you with the newest prescription for recovery available to the people of Greater Cleveland. Its name is Rapid Recovery, and its logo or trademark features the repeated initials "RR" with a small "x" beside them. Patterned after "Rx," the symbol used at the beginning of medical prescriptions, Cleveland's RRx truly is a plan for swift, therapeutic measures to treat the landscape of Cleveland and the hearts of its people. It is a project consistent with the goals of the Carter administration "Rosalynn Plan" that strives to improve and revitalize urban communities with joint participation by citizens and private corporations working together in a grassroot movement.

Greater Cleveland's rapid recovery prescription is a comprehensive facelifting targeted around what its founders refer to as the backbone of Greater Cleveland's mass transportation network, the rapid transit line. The rapid transit line, that stretches for some 30 miles—from Cleveland Hopkins Airport to the heart of downtown Cleveland and beyond to the suburb of Shaker Heights—is a model mass transit rail system that links the community together in just minutes for

a maximum of just 35 cents. Thanks to a responsive community who saw the need for mass transit, a levy was passed at a time when most of the country was apathetic to such needs.

Though voters responded to the need to help finance mass transit and the system itself was indeed as rapid as its name, the rail network that complements the RTA or Regional Transit Authority's bus fleet found itself at ground level with the area's worst eyesores that already bordered the gleaming tracks. The debt-ridden transit system, before help from the levy, attempted to maintain service but had no staff or capital improvement money for tangential frills. Thus the path the rapid transit took each day was not prim-rosed.

Perhaps a description of this path that appeared in the Cleveland Press prior to rapid recovery's initial therapy bears repeating here to set the scene for the need for this new RRx:

RTA's gateway to downtown Cleveland is a panoramic pig sty.

Rapid Transit trains carry passengers—including impressionable out-of-town visitors—through a moving scenario of garbage, punctuated by the four-letter words of graffiti artists—into the heart of this city.

Most of the properties along the route, from Hopkins Airport to Shaker Square, are hillside slopes offering a view not unlike the inside of a wastebasket.

By Tony Natale,
The Cleveland Press.

Two young men at Case Western Reserve University, Duane H. Salls and Steven J. Nelson, created the concept of rapid recovery and devised the clean-up, fix-up plan to make it happen. Salls is now executive director of RRx, working out of the RTA's general offices in downtown Cleveland, making his brain child grow.

What began as a thought in 1976 has generated thousands of volunteers and thousands of dollars from private, corporate and foundation kitties.

Model projects, including eye-catching, super-graphic type wall murals, now adorn sides of buildings and bridges that make every Rapid Transit car have picture windows.

But some of the pictures along the 30-mile stretch, times two if you consider both sides of the tracks, are not so pretty.

Years' accumulations of debris and old tires line much of the landscape, but the scene is changing.

In one stretch of land, not much larger than a rapid transit train itself, some 40 truckloads of debris in 2 days time were recently hauled away to a landfill.

A 7,200 square-foot paint-by-number drawing on a blank wall leading to a bridge was converted into an insta-mural in just 48 minutes when a painters' district council and sign painters union local took on the challenge after Cleveland State University artists did the planning and numbering before hand. Companies donated paint and sports moguls donated rewards to the volunteer painters, for example, tickets to a Cleveland hockey game.

A Boy Scout troop landscaped a transit station lot, and a girls school made a weekend project of cleaning up a stretch

of tracks near the school. Rapid recovery is providing physical and spiritual therapy to persons of every age and every economic means.

Since last June, more than \$300,000 has been committed by private industry in supplies and man hours that multiply as the rapid transit's more than 15,000 daily riders see the fruits of the project.

On Friday, May 5, I will join those in the community who will come to downtown Cleveland heralding the project by participating in its "Homestead Day."

Just as the Homestead Act of 1860 provided the incentive for new settlers to lay claim to free land that they were willing to develop and care for, Rapid Recovery's Homestead Day will provide the incentive for modern-day settlers.

Symbolic deeds will be transferred as private citizens, community groups, and business representatives sign deeds as they lay claim to the tract of land along the tracks that they personally will transform and maintain as part of rapid recovery. A plaque with the "settler's name" will be erected on each respective parcel with the implied staking of continued responsibility to the land.

The media and the military, the schools and the scouts, the civic clubs and corporations, the artists and the advisers, the foundations and the founding fathers of today's government, the unions and the unstructured labor forces, are laboring together to make sure that rapid recovery does bring a speedy and much needed treatment to the land along the rapid transit.

Just as the Oklahoma Sooners were the first homesteaders of the 1860's to stake their claims to Western lands, rapid recovery has its own Sooner award recipients to more than 50 Greater Cleveland companies and organizations who made their commitment known by early action and completed projects.

But much work is yet to be done with plans that include plexiglass wall-relief with night-time illumination to fencing and landscaping to work into artistic sculptures to space-scape illuminated motifs for the now eerie, dank tunnels that lead to and from Cleveland's Union Terminal downtown stop and the airport station.

Educational programs are being coordinated in the effort with the downtown terminal tower central station becoming the site of continuing displays and entertainment.

Rapid recovery is more than a speedy prescription to improve the quality of the land bordering the rapid transit tracks. It is a rapid recovery for the spirit of the people and the community. May we experience a speedy recovery in every way. ●

WE ARE BURYING OURSELVES

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. HYDE. Mr. Speaker, a recent letter to the editor of the Chicago Tribune contained a lot of truth in a few short

sentences. I am pleased to share it with my colleagues:

"WE'RE BURYING OURSELVES"

ARLINGTON HEIGHTS.—The same coalition of student protesters and guest speakers who persuaded us to abandon Indochina to the Communist oppressors and murderers are now working on banning nuclear power, disarming the U.S. while overlooking massive Soviet arms stockpiling, and attempting to starve South African business firms into bankruptcy so that blacks will have no jobs.

All these programs will increase Soviet expansion toward world revolution. Meanwhile, our Congress helps by handcuffing our intelligence services. We are burying ourselves. Grace M. Warnock ●

THE LATE SENATOR JOSEPH R. MCCARTHY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. McDONALD. Mr. Speaker, the death of Senator Joseph R. McCarthy 21 years ago was a great loss, not only to our country, but to all who love freedom. Senator McCarthy's life and efforts to defend America from Communist subversion have been the subject of lies, misrepresentations, and smears.

However, to many of us, the late Senator from Wisconsin was a man with a message that America must be defended, and we are today seeing that his forecasts were accurate and that the threat of international communism is greater than ever before. Even worse, we no longer appear to have the will to defend ourselves.

In ceremonies in Appleton, Wis., marking the anniversary of this great American's passing, a tribute was made to him by an old classmate, Thomas J. Bergen, an attorney. The text of Mr. Bergen's speech follows, and I commend the content to my colleagues:

Joe McCarthy, an enigma or a true patriot? There has never been in the history of the country a more controversial person than Joe McCarthy. Even after 21 years of his silence, occasioned by the untimely departure from this world to that world of his Maker, Joe is still making headlines and is still on the lips of a generation of people, twice removed from the days of his bitter battle. Without hesitation we can name many others who have departed this earth and about whom we hear very little.

The spirit of McCarthy keeps coming back continuously, not because it is restless, but because it is the spirit of a man, controversial in life and even more controversial in death.

On one side of the coin, we were subjected to the NBC, "Tall Gunner Joe", portrayed by a Peter Boyle, a young writer and actor in Jane Fonda's Anti-American show, aimed at weakening the will of the American troops to fight in Vietnam.

On the other side of the coin, we hear from Mrs. Larry Lent, a former secretary to Joe McCarthy, emphatically stating that "NBC's" film entitled "Tall Gunner Joe", supposedly portraying the character and life of Joseph McCarthy, was undoubtedly, one of the most monstrous, diabolical distortions of history, it has been my misfortune to see".

Here is the dichotomy—resulting in many forked branches of thought. The peculiar part of the total picture is that the media, whether it be the newspapers, magazines, radio, TV or the films, Joe's life and living is totally controversial from the days of the chicken business, going through high school in one year—all areas seem to be bait for those who would attempt to destroy him.

Just recently in the Milwaukee Journal, as he euphemistically called the Milwaukee Daily Worker, one of the unknown Journalists interviewed a Prof. Thomas C. Reeves about his forthcoming history of Joe McCarthy, asked the question, "How could the kind of McCarthy (sharp, intellectually capable of great sentiment and emotion—quite naive about some things—capable of great warmth—on the other hand, he could be ruthless, callous and at times, almost savage—as portrayed by Prof. Reeves) embark on a communist crusade almost completely false, destroying reputations on the way?"

The point to be made is, that this particular Journalist used the term "almost completely false", referring to the communist crusade. No matter what McCarthy had done, or would in the future do, there was the same dichotomy of opinions, reaching from the lowliest possible attack to the highest possible praise.

NBC and others have smeared him as a poor excuse of a Judge, when he sat as a Circuit Judge in Appleton, prior to World War II. They would have you believe he ran an assembly line divorce court. Nothing could be further from the truth as attested to by the Milwaukee Journal (his arch enemy after the War) when the stated "Judge McCarthy of Appleton has streamlined his Tenth District—never one to stand on much red tape, Judge McCarthy's court innovations slash through misty tradition to eliminate delays and speed hearings."

I can attest to the fact myself, having appeared before him on one particular divorce matter in the early forties, prior to his leaving for the War. We arrived in Appleton at about 8:45 A.M., with the case scheduled for 9:00 A.M. We bumped into him entering the court house and he extended a greeting to me and asked if we were ready—to which I responded—"Yes." He asked if the other lawyer was here yet, to which I responded—"There was no other lawyer. The case was a default matter." He then personally ushered us into the court room, called his reporter and clerk, called the case and with promptness disposed of the matter in a judicial manner and then went about other business of the day, at which time we left. My recollection is that we were in the court room about 20 minutes and were then on our way back to Milwaukee.

In thoroughly studying the vitriolic attacks on Joe by the media, whatever it may be, we see the true shape and form of communism and it's ability to thwart attacks upon it by its superior, indoctrinated "BIG LIE" theory upon which it is founded. Someone like Joe who struck a responsive nerve in the Communist ideology can only be handled, not by a direct confrontation, but by a side-winder blast and undermining of the assailant in all aspects of his life to distort his image, his ability, his honesty, his sincerity, his mental aberration if any, and thus portray a lunatic about to attempt to destroy all of the good people of this country. If you will note the media of the time moved the minds of the devouring public from the true problem, the problem of a vicious Soviet undermining of our heritage by using our top people, to a blasphemous attack upon the person of Joe McCarthy. This is the method of the Godless conspiracy against mankind. This immediately makes Joe McCarthy the most controversial man in history. They definitely succeeded.

After 21 years since his death, we see how far the Communists have succeeded, exter-

nally and internally in this country of ours. In that short span of time, we have been transformed from an energetic, aggressive leader of the world to a whimpering, socialistic, robot state, controlled by a mob of lilliputian bureaucrats who bind and tie our hands and feet by their endless regulations, edicts, orders, directives, flats, killing all incentive and reducing us to docile, mind controlled idiots, incapable of fighting communism, incapable of continuing our glorious days of growth, of expansion, and world leadership.

If McCarthy were here today, he would turn in disgust and would be forced to say "I warned you 25 years ago."

Just three years ago the Soviet Union invaded Africa, sending Cuban mercenaries prepared to fight. What did the U.S. do? Nothing—except scream about South Africa and Rhodesia, and calling for majority rule by blacks in proper elections—but when it comes to this country, our same government says majority rule by the majority will not be tolerated. The minorities must be given, granted and guaranteed their pinnacle of control of our government.

To show you how far we have come since the days of Joe McCarthy, in sliding into the Communist ideology, I refer you to a column in the normally left-wing liberal Washington Post, written by Rowland Evans and Robert Novak, April 17, 1978. "One of Zbigniew Brzezinski's key technical advisors, privately addressing fellow arms specialists over two months ago, propounded this principle: 'Better that this country not enjoy a clear arms superiority over the Soviet Union, for fear that we would sometime mis-use it.' As Pogo once said, 'I have met the enemy and he is us.'"

This is the principle as ensconced on the walls of the U.S. Arms Control Agency. Victor Utgoff, a 39 year holder of a Doctorate in Engineering, is known as an advocate of "minimum deterrence." He has further explained that if either the U.S. or Moscow thought it had a strategic advantage, high risk of confrontations might result. He doesn't answer the question—"Why should we deliberately give up our superiority in pursuit of the Utgoff theory, Russia will then, we presume, be the aggressor?" It is the same game the communist sympathizers played in North Korea and in Vietnam. This same theory accounts for our giving away the Panama Canal.

In this regard I wrote a letter about 2 months ago to Senator Howard Baker, the Republican whip in the Senate and suggested that since we stole Alaska, through "Sewards Folly" of paying 2 million, and now tapped and untapped resources may benefit us to the tune of 2 million a day—logic would now tell us we gypped the Russians so we ought to give it back to them. And then, of course, since the Federal Judges are trying to give parts of the country back to the Indians, in various sections of the country or in lieu thereof, billions of dollars, as compensation for illegally stealing the land from them—maybe it would be better to give it all back to the Indians and be done with it.

The media had consistently accused Joe of exaggeration, of bluffing, of not having the facts, of painting with a broad brush, of utter disregard of the rights of the people he was attacking. Does the same media take Carter to task on his 657 promises to this country and the voters of this country, when he was campaigning? Even the controlled Press is now saying that he has utterly failed to keep his promises and his image has fallen to an all time low of 39% of the people of this country who still believe in him. However, he is not the target of the uncontrolled Press, so they will not destroy him—after all—he is their "PATSY".

This word "PATSY" was used by the unknown Professor when he explained that Joe was J. Edgar Hoover's "PATSY". The fact

is, that McCarthy and Hoover had one ideological commitment—they were both anti-communist. In the eyes of the controlled Press, that somehow made McCarthy—Hoover's "PATSY".

The self-appointed historian writing the life of Joe McCarthy asked the question by the Milwaukee Journal reporter about two months ago—as reported in the Journal of 2/27/78: "Didn't he think that making up evidence would ever catch up with him? The self-appointed historian answers: 'Joe never really thought beyond the hour—he had no capacity for looking ahead. The future bored him and the past bored him even more. He lived strictly for the day. There was another part of his peculiar personality—another element in all of this is alcohol. By 1952 McCarthy was an alcoholic. By 1954, during the Army-McCarthy hearings, Joe, between television sessions, is sitting up all night drinking straight bourbon and vodka. By 1957 it kills him.'"

It's very peculiar, but the first so-called barrage of what the media claimed was an exaggerated statement of 205 known communists in the State Department, came long before the so-called alcoholic period that the historian refers to. In the 2 years that I knew Joe at the University, he was not a heavy drinker, nor even a sociable drinker—and to paint him at any time during his life as an alcoholic—without any factual proof thereof—is a part of the communists "big lie" and personal vilification and destruction of him and all he stood for.

Mrs. Larry Lent, in the Spotlight newspaper of 3/21/77 stated: "Every single scene showing the Senator drinking in his office was contrary to the truth. Never once, in all the time I served as his Secretary, did I ever see him take a drink in the office—nor did I see him offer a reporter a drink. And furthermore, there never was a bottle in his office while I worked there."

I find that the trap all of us get caught in, is the street that goes only one way and ends at a brick wall. We are constantly, consciously or unconsciously, battling and defending Joe McCarthy. We are constantly being sucked into the maelstrom of defending his person, his character, his methodology, his very life and his war record. The only reason we are pulled into this never ending defensive position, is because we are fighting a godless social enigma, known as communism, which thrives on half truths.

The late and distinguished Ambassador, Spruille Braden, in a speech Feb. 28, 1977 to the USA Navy League, said: One of my strongest persuasions is that the greatest threat to "our civilization" is a world-wide breakdown in morality. This we witness in and out of government penetrating every strata of society. I further believe that the most widely destructive of all immoralities is that centered in and emanating from Moscow Vide:

One. The unending and outrageous cruelties perpetrated on the Russian people, as described by Solzhenitsyn: Two. The so-called "liberation" movements propagated everywhere by Soviet agents, foreign communists and misguided dupes: Three, Russian ambitions for world hegemony. The Soviet is already progressing by strides in its plans to convert the American republics into a conglomeration of satellite and slave states. Today I shall summarize only the four most critical areas in the Western Hemisphere.

First: Argentina exemplifies how a superior, educated, wealthy and religious nation, possessing virtue and great mental and physical assets for over three decades has suffered a deluge of evils as her government sank into the depths of degradation, corruption, venality and irresponsibility. Murder, torture, kidnapping, terrorism and guerilla warfare ensued. The cause of all this was the breakdown in morality and communist infiltration.

Second: The collapse of Chile into communism was more precipitous and complete than Argentina's; first came the election to power of the Social-Democrats (actually Socialists); four years later they helped the Marxist, Allende to the presidency, with only a 35 percent constitutional vote.

Third: Cuba, as a full fledged Soviet satellite and Soviet-occupied fortress, is a major danger to the United States. Fourth: It suffices to say about Panama that our sovereignty and ownership of the Canal Zone in perpetuity twice has been reaffirmed by U.S. Supreme Court decisions, by many leading Panamanian statesmen, presidents and ministers, as well as by lower U.S. Courts. As recently as December 17, 1976, District Judge Guthrie F. Crowe, stated that he believes the U.S.A. owns the Canal Zone: "I think the United States is the owner of this property by reason of the treaties with Panama and Colombia, payments to the French (Canal Co.) and the creation of the land commission in which people from Panama and the United States functioned as a court with thousands of claimants. (The land) was paid for with United States money". Our title is every bit as secured legally as are our territorial acquisitions from France, Spain, Mexico, Denmark and Russia."

Our good friend, Joe McCarthy even made the Congressional Record on April 18, 1978 in Extensions of Remarks containing an article written by Wm. Buckley, the self-styled conservative—whose conservatism seems to be more in tune with the Rockefeller camp and money, when he took Vanessa Redgrave to task for her blatant remarks at the recent 50th Annual Academy Awards ceremony. She spoke to perhaps 100 million people in a captive audience on TV, by stating that "Zionist hoodlums had picketed the Oscar Awards, and in so doing, damaged the cause of world Jewry." She then went on to applaud those who had stood firm and dealt the final blow against that period when Nixon and McCarthy launched a world-wide witch hunt against those who tried to express in their lives and their work the truths that they believed in." Buckley continued, "she finished by encouraging a continuing war against 'Oppression and Facism', not once mentioning the principal source of contemporary oppression namely, that Communism which, among other things—Nixon and McCarthy fought. Buckley continues; "The arguments in favor of Vanessa Redgrave's conduct reveals merely an intellectual flabbiness which America certainly ought to fear—but which, try as one can, is difficult to blame Joe McCarthy."

Like Earl Denny said, "It's too bad the Senate isn't filled with McCarthy's. I concur, Joe will never be forgotten. His spirit is not restless, but it haunts the lives of many people today."

Sorry state of affairs, isn't it?

Let's get back to Joe again. I have deliberately left at one of the tables, the 1934 Marquette year-book to show you a picture of Joe and myself on page 195 standing next to each other. We were novice debaters in those days. The Franklin Club was a debating Society at the University. From my experience debating with him and against him, Joe was a very sharp, intellectual guy. He was a hard worker, put in long hours, going to school days, working nights pumping gas in a filling station. He enjoyed playing cards and was a brilliant guy without having to work at it, seemed to be second nature. He enjoyed good clean jokes and was quite a teaser and ribber. He was rough and ready and would never walk away from a fight.

Before we sink into the quagmire and depart I am reminded of the ship's Captain, while the ship was sinking rapidly, called out; "Anyone here know how to pray?" One man stepped forward—"I do, sir." "Good",

said the Captain, "you pray, the rest of us will put on life preservers. We're one short."

In closing let me answer the question presented to you "Joe McCarthy, an Enigma or a true Patriot". Let me say emphatically without hesitation and without reservation, Joe was one of the greatest patriots this country has ever known.●

ST. ELIAS CHURCH

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Ms. OAKAR. Mr. Speaker, on Saturday, May 6, 1978, the people of greater Cleveland celebrated the 70th anniversary of the founding of St. Elias Church and the 25th anniversary of dedicated service to St. Elias of its pastor, Archimandrite Ignatius Ghattas, B.S. Since this church so reflects the wonderful history of my district, I submit the following history of St. Elias Church:

It was a great moment for the Syrian-Lebanese community in Cleveland that April day in 1908 when St. Elias Church came into existence.

Up to that point, a struggling stepchild among churches known as "The Church of St. Basil for the Syrian Catholics" existed mostly in the minds and hearts of its early parishioners.

Mass had been said for the first time on Christmas Day, 1901 by Father Basil Marsha in the Chapel of St. Joseph's Church on the East Side. From then until 1903, Father Marsha continued to say Mass at St. Joseph's and then at the chapel of St. John's Cathedral. Then services were moved to the converted first floor of a building on East 9th Street, until late in 1907, when two frame houses were purchased on Webster Ave.

Finally the dream of a parish was a reality. They were simple frame structures, that first church and priest's residence, but worthy to be named after hometown parishes so fondly remembered by the majority of parishioners who hailed from Zahle and Khirbet-Kanafar. Thus "St. Elias Church" was born in April, 1908.

Bishop John Farrelly performed the dedication ceremony and Father Marsha was now Pastor of a young, but promising Parish.

It is remarkable to think that this event pre-dated two world wars and the Great Depression—and that Theodore Roosevelt occupied the White House at the time! The cost of the property: \$3,900, with another \$200 going to remodel the church.

A month later, Sadie Anter Macron became the first bride to walk down the aisle of that first St. Elias Church.

From that point, the parish was to occupy another building before erecting the present one in Brooklyn. Under the leadership of our second Pastor, Father Malatios Mufieh, who came in 1921, the old South Presbyterian Church was purchased and remodeled in June of 1937. It was located on the corner of Scranton Road and Prame Avenue and was dedicated by Bishop Joseph Schrembs.

With the coming of Father Ignatius Ghattas in 1952, the third great growth stage for our Parish was set. A new and exquisite church was built and dedicated on May 2, 1965 and today we are burning the mortgage and planning for another expansion to serve the spiritual and temporal needs of a community that has grown ever stronger, ever larger and ever so close since its "pioneer" days 70 years ago.●

JACK M. NAGEL

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WAXMAN. Mr. Speaker, although I am taking this occasion to ask the Members to join me in observing the accomplishments of Jack M. Nagel, it is I who am honored to be permitted to share in the event. On May 21, 1978, the Union of Orthodox Jewish Congregations of America, at its 80th Anniversary National Dinner at the New York Hilton, will present its National Distinguished Service Award to Jack M. Nagel of Los Angeles. Chosen to be recognized for "his outstanding contributions to the national and international Orthodox Jewish Community", Jack and his wife Gitta have been vigorous leaders of the Los Angeles Orthodox community. One of the original founders of the Yavneh Hebrew Academy, Mr. Nagel served as its president and is now chairman of its board of directors. He is past president of one of the most prominent Orthodox synagogues on the west coast, Congregation Shaarei Tefila, as well as serving as a vice president to the West Coast Region of the Union. Jack Nagel has actively supported the Rambam Torah Institute, the West Coast Teacher's College of Yeshiva University and national organizations including Religious Zionists of America, Torah Umesorah. Working side by side with his wife, Jack Nagel has helped build the key institutions of the Los Angeles Orthodox community, as well as the Israel Bonds organization, Mizrahi, and prominent Jewish causes throughout the United States and Israel. He was honored at the UOJC National Convention in 1976 with the organization's National Community Service Award.

The Jack Nagel story is a 20th century Jewish story of survival and success out of the Nazi concentration camps, where both of his parents and two brothers perished. Coming to the United States at the close of World War II, he settled first in New York and then came to Los Angeles. Here he has molded a new life for himself and his family, and has established himself as a prominent businessman.

Jack Nagel's community activities are almost too numerous to list, but his participation in projects devoted to human welfare must be noted: He is past chairman of the Hollywood Division, United Jewish Appeal; a member of the "Prime Minister" Club and of the "Ambassador" Society of the Bonds of Israel; a member of the board of directors of Rambam Torah Institute; member of the advisory board of the Jewish National Fund, of the Zionist Organization of America and of the newly established Yeshiva University of Los Angeles and of its Simon Wiesenthal Holocaust Center. He has been appointed a member of the board to the Bureau of Jewish Education, is a parent trustee for the B'nai Aivah of North America, a supporter and friend of the Bobover Yeshiva in Boro Park,

a member of B'nai B'rith's Beverly Hills Chapter and a life member of the Guardians of the Jewish Home for the Aged, a member of the Los Angeles World Affairs Council, an associate member of the Weizmann Institute of Science in Israel, an active supporter in the Kollel-Lakewood of Los Angeles, and was a recipient of the Presidential Founder Award of Bar Ilan University in Israel in 1977.

Jack and his wife Gitta have four children; their oldest son, Ronnie attends Albert Einstein College of Medicine; their elder daughter Esther is a junior at Stern College for Women of Yeshiva University; their son David attends Yeshiva University and plans to become an attorney, and their youngest daughter Careena is in the ninth grade of Rambam Torah Institute in Los Angeles.

We have much for which to thank Jack Nagel: his continued devotion to Jewish traditions and to American freedoms have enriched all of us and provide a bright beacon to show the way for others. It is, as I have said, an honor to be able to share the occasion of this award with the Nagel family, the Union of Orthodox Jewish Congregations, and his countless friends.●

DR. PHILLIP D. ITKOFF, MULTIPLE SCLEROSIS FATHER OF THE YEAR

HON. MARK W. HANNAFORD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. HANNAFORD. Mr. Speaker, the National Multiple Sclerosis Society has honored Dr. Phillip D. Itkoff of Lakewood, Calif., as its Multiple Sclerosis Father of the Year for 1978. The MS society annually searches the country for the most worthy candidate for this recognition, and Dr. Itkoff's worthiness could not be surpassed by any other individual.

Phil is a constituent of mine, and I have known of his good works for a number of years. Mr. Speaker, I think it is fitting that the House of Representatives hereby acknowledge his award and join the MS society in recognizing his selfless contributions to his fellow man.

Dr. Itkoff is an optometrist by profession. He is also a multiple sclerosis victim, and, in one of life's major ironies, that disease has seriously impaired his own vision. Yet Phil has devoted all of his available energy to helping other MS sufferers. Neither his poor eyesight nor his limited mobility—Phil can only walk short distances—can keep Phil from his "appointed rounds," visiting MS patients in Compton, Calif. I am told that Dr. Itkoff spends at least 2 hours per day at a hospital there working with MS victims.

For the last several years, Phil has succeeded in raising more than \$15,000 annually to be used for research into the causes and possible cures of multiple sclerosis. In fact, the Southern California Chapter of the National Multiple

Sclerosis Society was so impressed with Dr. Itkoff's efforts that it gave him the Bronze Hope Chest award in 1976.

Despite his busy schedule, Phil finds time to dabble in oil (painting, that is) and to be with his wife and children. Mr. Speaker and fellow Members of Congress, we can all find an element in the Phil Itkoff story that will make the darkest day brighter. Let us all strive to remember Dr. Itkoff and his enviable record of achievement.●

VOLUNTEER ACTIVIST AWARD PRESENTED

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. CHAPPELL. Mr. Speaker, I want to call the attention of my colleagues to a notable event that recently took place here in Washington. A few days ago, in a ceremony at the headquarters of the Organization of American States, the National Volunteer Activist Award was presented to the Marion County, Fla., Task Force on Child Abuse. The award is given by the Germaine Montell Foundation, through the National Center on Voluntary Action.

As we are now beginning to recognize, child abuse has long been one of the most sadly ignored problems in our communities. Fortunately, that is no longer the case in Marion County, Fla. Many dedicated and concerned people from all over the county, under the fine leadership of Mrs. Lois Graw of Ocala, have put together the Marion County Task Force on Child Abuse, with the objective of bringing this scourge out of the closet and seeking to conquer both its causes and its tragic effects.

Last November, the task force sponsored a conference on child abuse. The support and participation was overwhelming—over 300 persons had to be turned away. Participants included over 400 representatives from the Florida State Department of Health and Rehabilitative Services, the Marion County Health Department, the County Mental Health Association, Central Florida Community College, "Vision," and numerous other civic and professional groups. I was privileged to address the conference, and I was considerably impressed with the tremendous concern from throughout the community.

The Marion County Task Force on Child Abuse—one of the first of its kind—is helping to set a model for other communities throughout Florida and around the country. I am enormously proud of the work they are doing, and I can think of no more deserving recipient of the National Volunteer Activist Award. I offer my sincerest commendations to Mrs. Graw and the many other committed people on the task force. Their devotion and their continuing efforts are helping to insure that no Marion County child will ever again be the victim of torture, neglect, and brutality.●

REPORT ON FREE ENTERPRISE WEEK

HON. W. HENSON MOORE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. MOORE. Mr. Speaker, I announced to the House on December 15, 1977, that the first annual Free Enterprise Week celebration held anywhere in the country to the best of our knowledge would be held in the Sixth Congressional District of Louisiana on January 8 through 14, 1978. I also announced at that time that I would subsequently make a complete report to the House on the results of those activities. I would like to make this report at this time.

The Free Enterprise Week was initiated several years ago as a thought which kept reoccurring to me as a result of continuous reading of articles appearing in various periodicals indicating that the free enterprise system was in great jeopardy in the United States and that the prime reason for that jeopardy was basic ignorance of the public of its benefits and workings. It occurred to me that the only way to reverse this trend was to initiate education programs for the public. I conceived the idea of a Free Enterprise Week celebration as a public education program to supplement and complement any others which might have been existing. In 1975, during my first year as an elected Member of Congress, I formed a business and industry advisory committee for the Sixth District of Louisiana made up of local businessmen and women from all parts of the district. I asked this advisory committee to consider the idea of sponsoring with me a Free Enterprise Week celebration. After months of study, it was determined that together we would undertake this project. It then took us approximately 1 year to actually plan and put together the first Free Enterprise Week celebration.

We asked all individuals, organizations, and trade associations to join in with us and many did. As a matter of fact, there were several hundred individuals who all joined in and participated making the week possible. Without these efforts, the celebration could never have taken place as it required a great number of contributions of time and money. Numerous individuals worked many long hours on various parts of the project; many organizations and business enterprises made significant contributions of personnel, material, and equipment; and approximately \$6,000 in cash was raised and expended to cover the expenses of the week's activities.

The week consisted of a number of separate items, all designed to reach the public in different ways, but with the same message. These items included high school essay contests, a Free Enterpriser of the Year Award, newspaper advertisements, radio and television spots, a Free Enterprise Week Awards banquet with a featured speaker, a logo contest, special programs at universities, a "How To Do Business With the Federal Government" conference, public appearances at vari-

ous civic clubs and on special television programs, local government resolutions, and media coverage of the week's activities.

The high school essay contest turned out to be a most worthwhile venture. Every high school in the Sixth District of Louisiana, both public and private, was invited to participate. Most did. There was interest because Louisiana was one of two States in the Union now requiring a course in free enterprise to be taught at the high school level. This produced an obvious interest among the students. The free enterprise teachers at the high school selected the winning essay from that school. The school winner was awarded a \$25 U.S. savings bond. The winners from all the schools in the parish then competed for a parish winner who was selected by the Free Enterprise Week essay contest committee made up of volunteers from each parish in the district. The parish winner was awarded an additional \$50 savings bond and a plaque designating them as the parish winner both of which awards were presented at the Free Enterprise Week Awards banquet. From the parish winners, the Sixth District Free Enterprise Week Essay contest winner was selected and awarded an additional U.S. savings bond in the amount of \$100 and an additional plaque both of which were awarded at the Free Enterprise Week banquet. The winner was Ms. Deborah Arthur of Franklinton, La., who read her essay at the Free Enterprise Week Awards banquet. Her essay was placed in the CONGRESSIONAL RECORD on April 12, 1978, on page 9957.

A second aspect of the week's activities was the Free Enterpriser of the Year Award. This award went to one winner selected by the Free Enterpriser of the Year Award Committee made up of volunteers from every parish. Each chamber of commerce located in the Sixth District nominated a local businessman for this award. The winner was announced at the Free Enterprise Week Awards Banquet and presented a very handsome plaque designating him as a true example of success in the American free enterprise system. The first winner was Mr. Huey J. Wilson. A more detailed account of why Mr. Wilson was selected as the first winner appears in the CONGRESSIONAL RECORD on April 18, 1978, on page 10622.

A third aspect of Free Enterprise Week was the submission to every newspaper in the Sixth District of a series of Free Enterprise Week advertisements and the logo for the Free Enterprise Week. It was suggested that they, in turn, encourage their advertisers to pay for placing these ads in their paper, that they place some in themselves as a public service and that the logo appear on all newspaper ads during that week which were of sufficient size. This, in fact, took place in a great number of advertisements which appeared in some 22 newspapers in the district and helped make the public aware that Free Enterprise Week was taking place and educate the public on the subject of free enterprise. The newspapers were most cooperative as were many of their advertisers.

A fourth and very successful activity was the production and televising of a series of seven 1-minute commercials for television and radio on free enterprise. The local ABC affiliate television station in Baton Rouge, La., WBRZ-TV, Channel 2, graciously made its production and filming department available at no cost for these spots. The seven included one by a farmer, one by a blue collar worker, one by a housewife, one by a male and one by a female white collar worker, one by a student, and one by a small businessman who happened to be black. All seven were filmed on location with local residents appearing and told what free enterprise meant to them. These seven individuals represented about every possible cross section of the population of the Sixth Congressional District. They were most effective in explaining to the public why free enterprise was important to them as every viewer could identify with at least one or more of these commercials. All three television stations in the sixth district utilized the commercials daily during Free Enterprise Week. The sound from the television film was produced into radio commercials which were played by most of the radio stations in the district.

At the end of the Free Enterprise Week, a Free Enterprise Week Awards Banquet was held with the cost of the ticket equaling only the cost of the meal which was kept to a minimum to get as much participation as possible. An almost capacity crowd of 450 people appeared on Saturday evening, January 14, 1978, for this banquet. The awards previously mentioned were awarded at the banquet, the winning essay was read, and remarks were received from the Free Enterpriser of the Year Award winner. The highlight of the evening was an address by the Honorable James T. Lynn, former director of the Office of Management and Budget, assistant to President Ford, and secretary of Housing and Urban Development, on the subject of free enterprise. The entire proceedings were televised live by the local cable television station in Baton Rouge. The remarks of Mr. Lynn received a great deal of publicity by the media by virtue of his reputation which further highlighted the existence of Free Enterprise Week and the importance of free enterprise.

A sixth item which was important was the conducting of a logo contest to design a logo for Free Enterprise Week. All public relations firms in the sixth district were invited to join in the contest. We received numerous entries, but the one selected by the Free Enterprise Week Committee we considered to be an excellent choice. It was designed by Mr. Dave Williams of Baton Rouge, La., who was presented a plaque and remarks of appreciation at the Free Enterprise Week Awards banquet. The logo he designed appeared in newspaper advertisements, on the television commercials and on a series of 25 billboards contributed by the Lamar Advertising Company of Baton Rouge, La., across the sixth district. The logo was a drawing of a large letter "U" joined by smaller "S" denoting the abbreviation for United

States and forming a dollar sign (\$), and under this symbol were the words, "Free Enterprise is Everybody's Business, Free Enterprise Week, January 8-14."

A seventh event in the Free Enterprise Week activities consisted of programs at two of the Universities in the sixth district in order to involve faculty, students and interested members of the public. Southeastern Louisiana University held the First Annual Southeastern Louisiana Economic Symposium in connection with Free Enterprise Week and included myself as a speaker on free enterprise and a guest I had brought to Louisiana for Free Enterprise Week, Mr. Wendell Wilkie Gunn. Mr. Gunn is black, is from the South and is currently vice president of Chase Manhattan Bank. He holds a Bachelor of Science degree and a Master of Business Administration degree. Mr. Gunn had once felt that income redistribution may well have been the only answer for minorities in the United States, but later came to the conclusion that economic expansion through free enterprise was really their only hope. His comments were particularly well received at Southeastern Louisiana University and at a special convocation program held at Southern University by the College of Business. He was a featured speaker on both of these programs. Southern University is the largest black university in the country. Students must be involved in understanding free enterprise and these special programs on these two campuses were of help.

The eighth item was a "How To Do Business With Your Government" procurement conference held during Free Enterprise Week for all interested businessmen and women in the area. The Federal Government has grown to such an extent that it is now the largest single purchaser of goods and services in the world. Free enterprise prevails in its purchasing requirements; however, many small businessmen are not aware of just how to do business with the Federal Government and lose out on sales possibilities. This conference was a great success in helping approximately 200 local businessmen in this regard. The conference was one day in length and was sponsored by the U.S. Department of Commerce.

A ninth activity was public appearances by myself and Mr. Wendell Wilkie Gunn before various audiences live or on television or radio discussion programs. Appearances were made on special live television programs on all three television stations in the Sixth District discussing free enterprise. Appearances were made before the Baton Rouge Sertoma Club, Capitol Sertoma Club, Audubon Kiwanis Club, Zachary Rotary Club, and the Baton Rouge Rotary Club. Radio special interviews were conducted as well and a special film was shown on television entitled "The Second Battle of Britain" to point out the difficulties of Great Britain today as a result of the decline of free enterprise. In addition, a meeting was held with most of the employees of a large industry in the district to discuss with them the importance of free enterprise to the blue collar worker. These presentations on

special radio, television, and live audience programs reached a large number of people with a discussion format on the importance of the free enterprise system.

A tenth part of the activities of the week consisted of local governments issuing resolutions acknowledging the importance of free enterprise and recognizing Free Enterprise Week. Most local governments cooperated with such resolutions. A sample resolution appears in the CONGRESSIONAL RECORD of April 20, 1978, on page 11029, which was issued by the mayor of the largest city in the Sixth District, Baton Rouge, La. These resolutions also helped call public attention to the merits of free enterprise and the existence of Free Enterprise Week.

Last, the electronic and print media were coordinated with prior to and throughout all the activities of Free Enterprise Week. As a result, a large number of newspaper articles appeared as well as news coverage in the electronic media of the various events during Free Enterprise Week. The media cooperated completely and gave the week's activities a great deal of coverage which, in turn, further helped to educate the public.

This, then, concludes a report of how the Free Enterprise Week came into being, was executed and what took place. The results or impact of the week's activities cannot be measured objectively, but subjectively everyone concerned and comments from members of the public in general were extremely favorable. I feel an impact was made and that people were aware that something was going on concerning free enterprise and that many learned something about free enterprise. That is progress and what needed progress. As a result of Free Enterprise Week, many persons are now interested in expanding the week's activities for 1979 beyond the Sixth Congressional District and to further expand the activities which should take place during next year's Free Enterprise Week. It is my hope that someday soon all parts of this great Nation will do something similar in recognition of and education about the greatest economic system in the history of the world which exists in this country in its purest form anywhere in the world today. Under it, any individual can rise from the humblest beginnings to achieve whatever degree of material fulfillment he or she may desire, but most importantly, the greatest opportunity is provided to fulfill their God given talents. We are indeed in jeopardy of losing this system if we do not educate ourselves as quickly as possible as to its merits. I commend a Free Enterprise Week to you as a method of education and salvation of the free enterprise system.●

WOMEN'S EQUITY ACTION LEAGUE

HON. MILLICENT FENWICK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mrs. FENWICK. Mr. Speaker, Friday, May 5, one of our finest national

women's organizations celebrated its 10th anniversary. Founded by a determined group of nine women, it was named the Women's Equity Action League. Its first and continuing emphasis is on equity—justice—particularly for women, particularly for working women, particularly for equity in education and at work.

For 10 years it has followed that course with devotion and skill. It has enlisted the finest women in America and has widened its scope to consider legislation in Washington and in the States and to encourage women to enter Government.

In my own State of New Jersey we have been lucky to have as President Eileen Thornton of Trenton, who is now finishing her term as president of the National League. Eileen and I are friends of many years' standing, but I am being objective—not biased—when I say that she is unquestionably one of the finest people I have known. She is able, of course, but her strength as an administrator rests also on her exceptional qualities of judgment and fairness. Her word is good. She has common sense.

WEAL is to be congratulated not only for its fine work, but for the character and quality of those who have worked in it.●

SENIOR CITIZEN INTERN PROGRAM

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. RUPPE. Mr. Speaker, today marks the first day of the 1978 senior citizen intern program. I would like to take this opportunity to welcome the intern from my congressional district, Mr. Edward LeCour, of Alpena, Mich., as well as the many other senior citizens from throughout the country who have come to Washington, D.C., to take part in this program. In their 2 weeks in the Capital City the interns will participate in lectures, field trips, and interviews with various Government officials involved in issues of special interest to older Americans.

The interns' participation in this program will prove invaluable to all involved. The senior citizens will add to their own knowledge of the workings of the Government. They will learn more about the legislative process and the people who play an important part in developing and administering laws affecting all senior citizens. Each intern will return home able to share the information and experience he has gained here in Washington with the individuals and organizations of his community.

However, just as important as the knowledge the interns will take home with them is the contribution they will make here in Washington. For we, as public servants, can learn much from our contact with the interns. They will provide us with their own perspectives on the issues affecting senior citizens in their daily lives. Thus, the fact that these interns are invited to Washington to participate in such a program demonstrates

the growing awareness in Congress of the important part which senior citizens can and must play in finding solutions to the difficulties confronting today's older Americans. The input of this vital segment of the population is essential if we are to come to an understanding of the difficulties facing the elderly. Without this exchange, we here in the Federal Government cannot effectively assist in resolving the problems and improving the quality of life for all of our senior citizens.●

COMPLYING WITH SECTION 504— THE COSTS HAVE BEEN EXAGGERATED

HON. NORMAN E. D'AMOURS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. D'AMOURS. Mr. Speaker, the costs of complying with the program accessibility requirements mandated by section 504 of Public Law 93-112 have been greatly exaggerated. It is my pleasure to submit the following statement on this subject by Mr. David S. Tatel, Director of the Office for Civil Rights of the Department of Health, Education, and Welfare.

The information follows:

Our contracts with school, college, and hospital administrators indicate a growing misunderstanding of at least one part of the regulations issued under Section 504 of the Rehabilitation Act of 1973. Section 504 prohibits discrimination against qualified handicapped persons in federally assisted programs.

Specifically, the notion that these institutions must eliminate all architectural barriers in three years has gained widespread belief. This is erroneous. The regulations do not require the elimination of all architectural barriers.

The regulations do require that enough buildings or parts of buildings be made accessible so handicapped persons can participate in the activity being supported by HEW funds. While a part or percentage of an institution's facilities must be accessible, there is no prescribed number or percentage that is required.

The object is to make the programs of an institution accessible, not every classroom or dormitory room.

It has been difficult to get attention focused on program accessibility because some people seem to skim over the regulations and explanatory materials and start fretting about the widening of thousands of doors or installation of high and low water fountains in every facility at every conceivable point. A result of the misunderstanding is a rising exaggeration of the potential costs of making programs accessible.

Institutions that over-estimate what is required and elect to do nothing at all because of this misunderstanding will do a disservice to themselves as well as handicapped persons.

There will be some costs and some burden on the institutions, fully anticipated by Congress in the enactment of the law and the legitimate costs will pose a serious enough problem without the additional headaches caused to administrators by unfounded fears. A recent report by Mainstream, Inc., a private nonprofit organization that encourages compliance with the Rehabilitation Act, indicates that the cost of making 34 facilities accessible—in a survey they conducted—totaled one cent per square foot. These same

facilities spend 13 cents a square foot to clean and polish their floors.

When institutions begin actual development of the transition plan to assure program accessibility, they will in all likelihood discover the requirements on them to be less burdensome than they have anticipated.

Handicapped persons will prove an invaluable resource to the institutions as they plan for change. A thorough understanding of the regulations, use of the experience and technology available in dealing with the needs of handicapped persons, and some ingenuity in planning will substantially decrease the amount of money needed to provide program accessibility.

The regulations emphasize the use of non-structural changes to assure accessibility. One such method involves the relocation of courses in which handicapped students have enrolled to newer buildings that are already accessible. Using this method, a large mid-western university which has approximately a third of its buildings accessible, is able to accommodate the needs of all of the handicapped students.

Another technique is the use of aides in libraries. Stacks in the libraries of some older institutions are on upper floors with no elevator access. In this situation, the institution can use aides to conduct the search in lieu of installation of lifts. The aides can locate and deliver the needed books to the accessible main floor of the building. Use of aides would constitute compliance with Section 504 as long as they are available during the operating hours of the library.

Another example: A public school that needs installation of numerous ramps for program accessibility could draw on the use of wood-working shops at the district's high schools. The shops could readily incorporate a work project on design and construction of ramps for the district's buildings as part of their classwork. Similarly vocational students could also assist in widening doors and making toilet facilities and water fountains accessible.

The Department's technical assistance staff is already developing a model system for integrating information on accessibility with registration and scheduling information which will make it easier to match handicapped students to accessible classrooms. This effort will include coordinating course requests from handicapped students with information on what is now available. ●

SALUTE TO MISS KAY HOOD

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DENT. Mr. Speaker, today I wish to recognize an outstanding citizen who has devoted her life to the welfare of others. Miss Kay Hood, of Vandergrift, is an educator, humanitarian, and civic leader whose reputation for good works has long been appreciated by her community.

For some 32 years Miss Hood taught our young people in the New Kensington-Arnold School District, where she directs the Foreign Language Department. She has worked tirelessly as a volunteer for such noteworthy causes as the Westmoreland County Heart Association, the United Way, the Trinity United Presbyterian Church, and others. Miss Hood has served as the chairperson of the Professional Standards and Practices Com-

mission of the Pennsylvania Department of Education. She is the past president of New Kensington-Arnold Education Association, and the past president of the Church Women United.

In addition to her civic and education activities, Miss Hood has long been involved in issues important to women. She is the past President of both the Vandergrift Women's Club and the Westmoreland County Federation of Women's Clubs and the Westmoreland County Federation of Women's Clubs, and for many years has been active in the Pennsylvania Federation of Women's Clubs. On May 15, 1978, Miss Hood will seek election to the office of third vice president of the Pennsylvania Federation of Women's Clubs with the unanimous endorsement of her colleagues from Westmoreland County.

Mr. Speaker, last year the Westmoreland County Commissioners, in recognition of her civic and professional contributions, declared October 17, 1977 as "Kay Hood Day." I believe that we in this U.S. House of Representatives should also recognize the accomplishments and unselfish devotion of this talented human being. Therefore it gives me a great deal of personal satisfaction to pay tribute to Miss Kay Hood for all that she has done to make her community and country a better place to live. ●

PEACE IN IRELAND A GROWING NATIONAL CONCERN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. BIAGGI. Mr. Speaker, almost daily in my capacity as chairman of the 104-member Ad Hoc Congressional Committee for Irish Affairs I receive copies of resolutions or proclamations adopted by State and local legislative bodies. It is certainly gratifying and signals an increasing national interest in the question of the future of Ireland.

One such resolution was adopted recently by the Board of Schuylkill County (Pa.) county commissioners. It endorses the right of self-determination for the people of Ireland as well as the ad hoc committee's sponsorship of a peace forum. I might add that the committee did receive a formal resolution from leaders of the Irish-American community at our meeting of May 3, 1978. It is under active consideration and its details I will make known in the near future.

At this point in the RECORD I wish to insert this important resolution which was brought to my attention by Mr. Leo F. Haley, president of the Pennsylvania division of the Ancient Order of Hibernians. This type of advocacy is needed to get a stronger commitment by this Nation to advancing the constructive role it can and should play in bringing peace to Ireland.

The resolution follows:

RESOLUTION

Whereas, many of the early settlers of Schuylkill County immigrated from Ireland and

Whereas, their descendants make up a large segment of the population of the County today and

Whereas, six counties of Ireland are still under the domination and control of the government of Great Britain and

Whereas, the people of all thirty-two counties desire to live in Peace in an Ireland United and Free,

Now therefore be it resolved, that the Board of County Commissioners of Schuylkill County support the right of the Irish People to "Self-Determination" and furthermore do support the Irish National Caucus and the efforts of the Ad Hoc Congressional Committee for Irish Affairs to sponsor an Irish Peace Forum in Washington, D.C. ●

IN COMMEMORATION OF THE DIAMOND JUBILEE OF THE U.S. TUNA INDUSTRY REPRESENTING 75 YEARS OF SERVICE AND DEDICATION TO OUR NATION

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. MURPHY of New York. Mr. Speaker, I am honored today to introduce a House joint resolution commemorating the 75th anniversary of the U.S. tuna industry. Over the past three-quarters of a century the U.S. tuna industry has grown and prospered to the extent that it is today the single largest U.S. fisheries industry.

It was in 1903 that Albert Halfhill of the Cal-Fish Co. in San Pedro, Calif., first experimented with canning albacore tuna. That year the pack was a mere 700 cases valued at \$3,500. Since then, thanks to the popular demand of the American consumer and the ingenuity and determination of the industry to meet that demand, the pack has grown to over 30 million cases annually, worth more than \$850 million. The pack now consists of yellowfin and skipjack tuna as well as the original albacore.

Today the U.S. tuna industry has an estimated \$1 billion impact on the Nation's economy. The industry employs over 30,000 persons directly as fishermen, cannery workers, processors, and builders in our Nation's shipyards and thousands more indirectly throughout the geographic range of the industry's operations. Tuna processing plants are situated in southern California, Oregon, Hawaii, Puerto Rico, and American Samoa.

The popularity of tuna has grown steadily over the span of its 75-year history. Tuna has firmly established itself in the Nation's diet because the American consumer recognizes it as a flavorful, economic, versatile, and convenient source of complete protein and essential vitamins and minerals.

I am pleased to have this opportunity to congratulate this great industry for a job well done for 75 years and to wish the industry continued growth and prosperity in the future. I urge my colleagues to join me in commemorating the diamond jubilee of the U.S. tuna industry by cosponsoring this resolution. The text of the legislation follows:

Joint resolution authorizing and requesting the President of the United States to issue a proclamation commemorating the seventy-fifth anniversary of the U.S. tuna industry.

Whereas the United States tuna industry has provided the American consumer with a nutritious, convenient and economical source of protein for seventy-five years; and

Whereas the United States tuna industry employs 30,000 people directly as fishermen, cannery workers, processors, and builders in our Nation's shipyards and thousands more in ancillary positions such as warehousemen, truckers, paper and steel workers and retailers; and

Whereas the United States tuna industry has a one billion dollar impact on the American economy; and

Whereas the United States tuna industry has developed into one of the largest and most successful fisheries industries in the world, emulated by countries around the globe; and

Whereas the United States tuna industry has grown from a pack of 700 cases of tuna in 1903 to over 30 million cases per year in 1978; and

Whereas the United States tuna industry provides the estimated three pounds of canned tuna consumed by each American each year; and

Whereas the United States tuna industry is celebrating its diamond jubilee anniversary in 1978: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation which commemorates the seventy-fifth anniversary of the United States tuna industry by designating 1978 as the diamond jubilee year of the United States tuna industry and inviting the Governors of the several States, the chief officials of local governments, and the people of the United States to observe such anniversary with appropriate ceremonies and activities.●

ALASKAN WILDERNESS WANTED

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WHITEHURST. Mr. Speaker, the keystone of H.R. 39, the Alaska National Interest Lands Conservation Act, is the wilderness title of the bill. The protection of selected portions of the conservation areas proposed in this bill as wilderness is particularly critical to Alaska's internationally famous wildlife habitats. In order to provide lasting protection for the great wildlife populations that find refuge on our last frontier, we must be generous with the acreage that we preserve as wilderness in Alaska. For this is a land where climate has spread the membrane of life so thin that a single grizzly bear may need 100 square miles as territory and wolves and caribou move over endless miles as they play out their interrelated destinies in nature.

Wilderness is not only the magnificent wildlife and scenery, of course, but also the many unique forms and special quality of the Alaskan landscape that grip the minds of all who visit there. Robert Marshall, writing about his explorations in the Alaskan wilds, said—

No comfort, no security, no invention, no brilliant thought which the modern world

had to offer could provide half the elation of the days spent in the little-explored, uninhabited world of the arctic wilderness.

Some important wilderness lands already have been removed from H.R. 39. I plan to vote against any further incursions into our Alaskan wilderness legacy to future generations.●

SENATE-PASSED FEDERAL CRIMINAL CODE CONTAINS OBJECTIONABLE FEATURES

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DRINAN. Mr. Speaker in the early part of this year, the Senate passed a bill (S. 1437) which purports to codify the Federal Criminal Code. One of its objectives was to bring together in one title all of the provisions, scattered in various parts of the United States Code, relating to criminal conduct. Another aim was to remove obsolete features of the old law and to enact fair sentencing provisions. In the view of many commentators, including leading newspapers, the new code has failed to achieve those commendable goals.

The St. Louis Post-Dispatch has criticized the Senate bill both before and after the Senate actually passed S. 1437. In the earlier editorial, the paper called on the Senate to eliminate "the objectionable features still remaining in the legislation." After the Senate acted without accomplishing that, the Post-Dispatch urged the House Judiciary Subcommittee to "closely scrutinize the measure."

During February, March, and April, the Judiciary Subcommittee on Criminal Justice, under the able leadership of Representative MANN, has done precisely that. The subcommittee has held extensive hearings on the bill and has examined a number of provisions in the bill which had gone unnoticed. One of the areas of greatest concern is the "overfederalization" of the criminal law. The bill expands Federal jurisdiction in criminal matters to areas previously not reached by Federal law.

The perceptive and careful work of the subcommittee should receive commendation. Next week it begins a period of marking-up the legislation, seeking to determine what bill, if any, should be reported favorably to the full committee. It may be that the members of the full committee as well as the whole House will have to reflect on this measure as it moves through the legislative process. To assist the evaluation of the bill, it may be helpful to keep in mind the analyses of the Post-Dispatch. For that purpose, I insert in the RECORD those two fine editorials:

[From the Post-Dispatch, Nov. 6, 1977]

THREAT TO LIBERTIES

Prodded by Attorney General Griffin Bell to act on the long stagnated effort to modernize and codify the jumble of outdated, inconsistent and ambiguous federal criminal laws, the Senate Judiciary Committee has ap-

proved a bill that represents some progress toward the desirable objective. The measure does eliminate statutory deadwood. It repeals, for example, the 1940 Smith Act, which had already been largely invalidated by Supreme Court decisions because of its infringements on First Amendment rights.

The bill would set up a federal commission to establish guidelines for sentencing in an attempt to eliminate wide disparities in sentencing for similar crimes. It would shield rape victims against courtroom questioning about their past sexual conduct. It would limit the power of the government to prosecute newspapers for receiving government documents alleged to have been stolen and curb the power of federal judges to jail reporters for violating gag orders by saying punishment could not be imposed if the order was found invalid on appeal.

Despite improvements over some existing statutes and despite concessions as a result of objections to some of its original repressive features, the bill does not deserve to pass the Senate in its present form. The legislation is still riddled with potentially repressive provisions reflecting an overall attitude that the government should be given greater authority to control the political activities of citizens and to act against the press when it is deemed to be too prying or to be telling too much.

For example, while judicial gag orders would be more difficult to impose, the power of judges to issue them would be legislatively recognized—which means implicit approval of a kind of prior restraint on publication that is inconsistent with the First Amendment. On the matter of press possession of government documents alleged to have been illicitly acquired, newspapers would be allowed to plead intent to publish as a defense. But the questionable doctrine that official information is the property of the government and that it has the exclusive right to disseminate such data would be by inference recognized.

Senate Bill 1437—the latest version of what used to be S-1—still confers far too much loosely defined authority on federal officials to move against unpopular protest groups. The conspiracy provision, for example, would allow the prosecution of one alleged to have agreed to commit an act that was later found to be an illegal protest demonstration, although he or she never took part. The bill would allow the prosecution of demonstrators for failing to obey a minor official's public safety order.

These are only a few of the objectionable features still remaining in the legislation. Senators Edward Kennedy, Birch Bayh and other liberals have sought to eliminate some of the restrictive provisions of the original bill in order to gain broader support and bring to fruition the criminal law codification effort that has now been under way for 10 years. Although their work has softened the impact of the measure as initially sponsored by hard line Sen. John McClellan and the Nixon Justice Department, the Judiciary Committee bill still threatens the liberties of Americans to such an extent that it does not merit the support of Senators who respect the Bill of Rights.

[From the Post-Dispatch, Feb. 6, 1978]

CODIFIED THREATS TO RIGHTS

After 12 years of effort, in which the legislation has gone through several versions, the Senate a week ago approved a massive bill aimed at codifying and simplifying some 3,000 federal criminal laws, many of them outdated and inconsistent with each other. The effort was a laudable attempt to bring some order out of the chaos of haphazardly enacted statutes extending back nearly 200 years. But, while S. 1437 as passed by the Senate contains some welcome improvements in federal criminal laws, it still in-

cludes many questionable provisions that make the bill unworthy of final enactment unless it is drastically amended.

Among the reforms that the measure's supporters are touting as a way of pressing for passage by the House and then the full Congress are that, in addition to simplifying federal criminal law, the bill would repeal the already largely invalidated 1940 Smith Act (which was aimed at free speech); it would set up a commission to establish guidelines for uniformity in federal sentencing; it would decriminalize the possession of small amounts of marijuana; it would shield rape victims against courtroom questioning about irrelevant past sexual conduct; it would impose higher penalties for white collar crimes.

Although these provisions and some others do indeed represent improvements over present law, the bulky bill is still loaded with undeleted features that threaten the liberties of Americans.

The measure would, for example, greatly broaden federal jurisdiction in the area of state police authority, making it a crime for a citizen to disobey a federal official's public safety order, even though it might be questionable. The bill would also make it a crime to give a false statement to a federal officer, although the statement was not under oath or before witnesses; make it a crime to solicit what might turn out to be an offense, although the alleged solicitor had innocent intentions; and make it a crime to obstruct a government function, with no strict definition of the function being provided.

The present conspiracy sections of federal law are codified and strengthened, so it would be easier for the government to secure convictions for conspiracy far removed from the actual commission of a crime. All of these provisions could be used to curb First Amendment rights involved, say, in peaceful demonstrations against public policy.

Although the bill purports to protect the press by providing relief for reporters jailed for violating unconstitutional gag orders, it legislatively recognizes the heretofore challenged right of judges to enforce gag orders; and it provides no protection if an appellate court refuses to hear an appeal from an alleged invalid order. Moreover, the bill makes it a crime to conceal the identity of a suspect, which could apply to a reporter who had talked to a confidential source suspected of a crime.

These are some of the dubious provisions in S. 1437, which make it essential that the House closely scrutinize the measure when it reaches that body in hearings before a judiciary subcommittee probably this month. The danger is that the legislation, which is being pushed by the Carter administration, will go to the House floor without serious challenge to its faults, since its virtues have been allowed to obscure its many threats to rights. ●

CINCO DE MAYO

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. DANIELSON. Mr. Speaker, on May 5, Cinco de Mayo, 116 years ago, the bravery of the Mexican people in an historic battle with the French established what is now a traditional holiday celebrating their love of freedom, much like our own Fourth of July.

For it is on Cinco de Mayo that we recall the Battle of Puebla under the brilliant leadership of Gen. Ignacio Zaragoza. Though outnumbered in both troops and weapons, General Zaragoza

and his patriotic troops defeated Napoleon's invading army in a battle which stands as a monument to freedom loving people everywhere. At that time, the French army was considered the mightiest in the whole world, which is why the Battle of Puebla stands out as a spectacular victory against overwhelming opposition.

In my own 30th Congressional District there were numerous events commemorating this revered holiday, many of which I attended on Saturday, May 6. The cities of El Monte, Pico Rivera, and Rosemead were among those which celebrated Cinco de Mayo. East Los Angeles College also had a variety of programs marking this inspiring holiday.

Mr. Speaker, it is with great pride that I ask my colleagues to join me in this tribute to the celebration of freedom, bravery, and love of country, and to join with all of those of Mexican ancestry in appreciation of their magnificent heritage. ●

NATIONAL ASSOCIATION

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. FAUNTROY. Mr. Speaker, this past weekend, I was privileged to participate in some of the activities of a most important National Association: The National Association for Public Continuing and Adult Education. A description of the weekend's activities and a statement of the purpose and goals of the organization follows: I believe it to be useful to reprint in the CONGRESSIONAL RECORD:

RECENT WEEKEND ACTIVITY

That National Association for Public Continuing and Adult Education, Region III, is presenting a Spring Conference on Adult Education in Washington, D.C. at the Capitol Hilton Hotel, May 5-7. The conference is teacher-oriented, with workshops and other sessions planned to bring new knowledge to teachers and an opportunity for sharing.

On Friday, May 5, the conference will begin with a gala parade with all areas of adult education in the region represented. Starting at the United States Capitol with greetings by Congressman Fauntroy, the parade proceeds down Pennsylvania Avenue, stopping at Board of Education headquarters for greetings by Superintendent of Schools Vincent E. Reed, thence to the District Building where NAPCAE President Bobbie Walden will receive from Mayor Walter E. Washington the proclamation of Adult Education Week and a gift. Parade will disband in Lafayette Park.

The opening session of the conference will be held on Friday, May 5 at Metropolitan AME Church with guest speaker, Mr. James Dyke, Special Assistant to Vice President Mondale. Sessions will be in progress all day Saturday, May 6, with a cocktail dance and teacher-recognition activities in the evening at the Capitol Hilton Hotel.

Sunday's program is a unique one—a Champagne Brunch Panorama of Stars. At this time three outstanding adult students will be recognized:

Mrs. Edith Odrick, 83 years old and Washington, D.C.'s oldest active adult education student.

Mrs. Ernestine Duberry, Detroit, Michigan,

for demonstrating in an outstanding manner, the dignity of work.

Mr. Lewis James Dalton for outstanding progress as a result of the Atlanta Georgia Adult Education Program.

Mary G. Turner, Assistant Superintendent Adult and Continuing Education, Washington, D.C. is general chairperson of the conference.

Documentable benefits of the Public Schools Adult Education program last fiscal year include 147 job placements and 3,867 job promotions.

The other five states in Region 3—Delaware, Maryland, Pennsylvania, Virginia, and West Virginia boast of an ever-burgeoning interest and enrollment in adult education, with proportionate impact on the national economy through job placements, promotions, and removals from the welfare rolls.

Federally appropriated funds continue to serve as the basis for increasing state and local support of adult education programs.

PURPOSE OF THE NATIONAL ASSOCIATION OF PUBLIC CONTINUING AND ADULT EDUCATION

"The purpose of the Association shall be to give leadership to the development and implementation of public continuing and adult education. The Association shall not engage in any activity which would be inconsistent with the status of a charitable educational association as defined in Section 501(c)(3) of the Internal Revenue Code of 1954 and any successor provision thereto."

Institutional, active, student, and emeritus members and subscribers receive the Public Continuing and Adult Education Almanac and the three newsletters—Techniques for Teachers of Adults, Administrators Swap Shop; and the Pulse of Public Continuing and Adult Education. In addition to three newsletters and the Almanac, NAPCAE also produces special publications from time to time.

NAPCAE is a financially independent organization which maintains its offices in Suite 429 of the National Education Association headquarters building in Washington, D.C. NAPCAE is a charter member of the Coalition of Adult Education Organizations (CAEO) and has an affiliate relationship with more than forty national, regional, and state organizations. Within its own structure there are three national councils: the National Council of State Directors of Adult Education, the National Council of Urban Administrators of Adult Education, and the NAPCAE Council of Affiliates. Various committees are appointed from year to year to assist in the operation of the Association and to help meet the specialized needs of the membership.

During the 1970's NAPCAE has carried out—under contract—a variety of special projects using its professional staff and its extensive consultant network. These projects have run the gamut from various types of evaluations and training activities to the preparation of tests and the formulation of long-range plans and strategies. Inquiries about the services of this consultant network are welcomed and should go to James R. Dorland, Executive Director, NAPCAE, 1201 16th Street, N.W., Washington, D.C. 20036 (phone: AC 202-833-5486).

The District of Columbia has an affiliate chapter of NAPCAE—DCAPCAE whose members are professional adult educators who work in various programs in the city.

During the last fiscal year, the Public Schools of the District of Columbia instructed 23,055 adults in classes in adult basic education, adult diploma programs, GED preparation subjects, adult career education offerings, and adult community education courses.

The District of Columbia program is located in 6 major centers, 11 evening schools, 17 community schools and 15 satellite sites. In addition the program maintains linkages with public and private businesses and organizations. ●

**DAN RUGETI TO BE HONORED BY
SEPHARDIC COMMUNITY IN LOS
ANGELES**

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WAXMAN. Mr. Speaker, it is fitting that Temple Tifereth Israel and our Sephardic community in Los Angeles recognize the continuous contributions and devoted service of Dan Rugeti, who has enriched his community beyond measure. He will be honored at his temple's dinner-dance on May 20, 1978. It would take a volume to detail his life's activities and religious service, but through a look at the highlights we can learn about the heritage which has been so richly fulfilled in over 40 years of his dedicated effort to the Sephardic cause.

The Island of Rhodes in the Aegean Sea was the birthplace of Dan Rugeti, one of eight children born to Rachel and Isaac Arougheti. He is an alumnus of the Alliance Israelite Universelle and of the Italian School of Commerce. While still a youth, he was the first Sephardic to work for the Italian municipality on Rhodes, aided by his great facility with languages. His early work involved him with the census system on Rhodes and brought him responsibilities with administration and rationing during the First World War.

Dan emigrated to the United States at the age of 18 to join his brother Albert in Los Angeles, whom he assisted in the flower business while studying English in the evenings. He later continued his business education at the University of the West. Dan worked hard during the 1920's at a variety of business enterprises until he and his brother were able to form the successful partnership which has lasted over the decades in the wholesale shoe-finding business.

Dan Rugeti's close and lasting link with the Sephardic community in Los Angeles began with his arrival here when he joined a Sephardic organization, The Peace and Progress Society, which was a forerunner of the Sephardic community groups active today in this area. Sephardic Temple Tifereth Israel has counted Dan Rugeti as one of its most faithful and devoted members for over 42 years. Together with his wife Stella he has given tirelessly of himself in the greatest range of committee and religious activities possible.

A listing of the committees he has served on over the decades includes the constitution, nominating, ways and means, living memorials, and scholarship award committees. His leadership abilities have found expression through his outstanding service as cochairman of the religious committee, and his tact and wisdom served him successfully as chairman of the dues review, delinquent payments and membership committees.

Another important area of personal contribution to the well-being of the temple community has been Dan's long tenure on the board of directors, well over 20 years of devoted effort and un-

ceasing concern for the future of the Temple. During these years he has served as vice president for three terms eschewing offers of the presidency in favor of recruiting younger leadership offering progressive ideas as well as steadfast guidance on the issues and plans which are the responsibility of the temple leadership. Furthermore, he has been a delegate to the Council of Sephardic Organizations, working successfully toward unification of two major Sephardic organizations in our area out of his conviction that a strengthened community would result.

But most important for the life and heritage of Sephardic Temple Tifereth Israel, Dan Rugeti has continuously brought beauty, holiness, orderliness and joy to Friday night services through his faultless chanting and recitations, performing duties as Associate Gabbai, in assistance to his Rabbi and congregation. It has been said that listening to Dan is a true Sephardic experience, as his religious faith and devotion shine through years of childhood training and participation in holy worship. No better example of preserving his heritage can be found than his recordings of the Sephardic "Shema" and his reminiscences which have added to the temple's treasured cultural storehouse. Several tapes lie in the archives of universities as a result of interviews he gave students for their theses.

Many memories of his role in the temple family will be rekindled as we honor Dan's past activities: cheerful Oneg Shabbat evenings, community singing of the Ladino songs, the personal greeting of worshippers in as many as seven languages at high holiday services, enthusiastic participation in all aspects of Sephardic traditions. He has served with a devout heart and tireless energy, and his wife Stella and son Daniel Louis Rugeti partake with the entire congregation in saluting his dedication to his temple. I ask the Members to join with me in admiration and congratulations to Dan Rugeti on this happy occasion.●

NATIONAL DEFENSE POLICIES

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WHITEHURST. Mr. Speaker, a recent column by Edgar Ulsamer, a senior editor with Air Force Magazine, highlights a number of controversial ongoing defense issues.

While each of these issues are problematic and controversial in their own right together they illustrate one common problem—the failure of the administration to elicit support and confidence in its arms control and national defense policies.

There is no dissent that the Soviets are in the midst of a massive buildup of military forces; further, there is no dissent that if we allow the present asymmetry in United States-Soviet defense

trends to continue, the Soviet Union will surpass the United States in every relevant index of military capability.

The Soviet Union is flexing its newly established military strength, and we are witnessing an increasingly aggressive and dangerously adventurous Soviet foreign policy.

In the midst of this Soviet challenge the United States is earnestly involved in a series of negotiations with the Soviet to stop nuclear weapons testing (at the ongoing Comprehensive Test Ban Treaty negotiations) and to limit strategic weapons (through the ongoing SALT II negotiations). Yet, undercutting the U.S. position, the President has unilaterally cancelled or deferred a number of U.S. weapons programs, including the B-1, the MX, and the neutron weapon, without any effort to elicit Soviet concessions in return.

I am deeply concerned over the present course of events, and I know our country's friends and allies around the world are also concerned.

At this time, Mr. Speaker, I request unanimous consent to include in the Record the recent article by Mr. Edgar Ulsamer, which I mentioned at the outset of my remarks. I believe this article focuses attention on some of the issues which I know are of general concern to my colleagues.

FOCUS ON * * *

(By Edgar Ulsamer)

SPECIAL NUCLEAR MATERIALS

WASHINGTON, D.C., April 27.—The Departments of Defense and Energy are at loggerheads with the State Department, especially Secretary Cyrus Vance and US Ambassador to the UN Andrew Young, and the US Arms Control and Disarmament Agency (ACDA) over plans to halt the production of SNM (Special Nuclear Materials, the fundamental element of all nuclear weapons). State and ACDA are pressing the White House to propose, at the forthcoming United Nations special session on disarmament, that this country and the Soviet Union agree to a total halt of SNM production. The ACDA/State campaign in the White House, highly placed sources told this column, was not coordinated with DOD and DOE and, in certain phases, was conducted without even informing either of the two departments directly concerned with nuclear weapons. Opposition to such a treaty centers on the belief that compliance cannot be verified by any known technological means and on the fact that American SNM supplies already are critically short.

The amounts of SNM required for the nuclear armed cruise missile force could be obtained only by reprocessing part of the 100 metric tons of SNM contained in US tactical nuclear weapons in Europe. The effect of such an action on NATO, coming on the heels of a US decision to delay or forego deployment of enhanced radiation "neutron" weapons, would be intolerable. Energy Secretary James R. Schlesinger, according to congressional sources, insisted on personally briefing President Carter on the dangers of such an agreement. He pointed out specifically, according to these sources, that Secretary Vance's proposal to place the International Atomic Energy Agency in charge of verification was unrealistic.

The UN Special Session on Disarmament, scheduled to be held in New York from May 23 to June 28, 1978, is billed as a concerted global effort to advance the cause of disarmament. According to State Department literature, the event provides an opportunity

to "develop wider support for the Administration's arms-control initiatives—especially SALT II and the comprehensive nuclear test ban treaty—and encourage better understanding of our overall arms control goals." There is considerable concern in Congress that the US arms-control lobby will use the occasion to promote extreme commitments to disarmament on the part of this country.

MX-TRIDENT II COMMONALITY STUDY

Senior OSD executives have initiated an MX-Trident II "commonality study." Trident II is the larger, longer-range second-generation ballistic missile of the new Trident submarine, also referred to as the D-5 SLM. As presently conceived, two approaches are to be examined by the Under Secretary of Defense for Research and Engineering in conjunction with the two services. One alternative centers on the design of a missile that both USAF and the Navy can use without significant modification and adaptation. The other option envisions joint development of two separate weapon systems, one optimized for the MX and the other for the D-5 mission, while retaining a maximum degree of component commonality to hold down costs. Full-scale engineering development and flight testing of either system would seem precluded by the Protocol section of the pending SALT II accord. The Protocol is to be in effect for a three-year period and specifically prohibits test and production of MX and the Trident II SLM.

Congressional experts suspect that influential elements of the Administration oppose full-scale development of MX on arms-control grounds. Two recent studies are thought to have had considerable impact on the White House. One was the "Report of the Office of Science and Technology [an element of the White House] on the MX Missile System." The other, the "JASON Report on Minuteman Survivability," contains this conclusion: "The MX, with its designed great accuracy, large payload, and deceptive basing, will have profound implications for future arms-control agreements and strategic stability."

Both studies claim that, contrary to Defense Department and Joint Chief of Staff findings, the latest generation of Soviet ICBMs—even given continuing accuracy gains—is not likely to represent a decisive threat to the US ICBM force "before the mid-1980." Further, it is argued that development of a doctrine and policy to launch Minuteman under massive attack would reduce its vulnerability and dissuade the Soviet Union from building an extensive countervailing force.

These findings are in conflict with recent testimony by the Under Secretary of Defense for Research and Engineering, Dr. William J. Perry, who said that Soviet advances in effectiveness and accuracy are likely to give the USSR CEPs in the range of 0.15 to 0.1 nautical mile. (CEP—circular error probable—is the radius of a circle within which half of the warheads are expected to fall). He warned that Minuteman's survivability could be in jeopardy by 1982 or 1983, three years earlier than previous calculations indicated.

Soviet accuracy gains have important practical meaning; excluding a hedge against some of their missiles' malfunctioning, the Soviets could target only one warhead against each US ICBM silo with a high probability of success. But lacking extreme accuracy they would have to target more than one warhead against each silo. This, however, introduces the problem of fratricidal effect: When two warheads are programmed to arrive over a target almost simultaneously, detonation of the first is likely to make the second ineffective.

Two articles of the pending SALT II agreement, jointly approved by US and Soviet negotiators, are cause for additional concern about MX. Article II—unlike the Protocol to the agreement which is limited to a

three-year period—says: "The Parties agree that after the date on which the Protocol ceases to be in force, mobile ICBMs shall be subject to the relevant limitations of the treaty which are applicable to ICBM launchers...."

Under Article IV, the signatories cannot start constructing "additional fixed ICBM launchers" or "relocate fixed ICBM launchers." MX, even though popularly referred to as a mobile ICBM, is a "multiple aimpoint" weapon. Most of the basing modes under study involve shunting the missile among various kinds of fixed sites to introduce major uncertainties for the attacker. The SALT II treaty language could be interpreted to mean that MX, as presently conceived could not be deployed at all.

Reflecting recommendations and reservations by prominent strategic analysts in the Pentagon and both Houses of Congress, the head of the Republican Task Force on National Defense, Rep. Robin L. Beard (R-Penn.) urged the Administration to add the following amendment to SALT II: "The development and testing of ICBMs for the purpose of allowing their deployment and launching from multiple aimpoints is allowed. The concept of deployment of multiple aimpoints includes ICBMs that are mobile and also ICBMs that are deployed at several redundant sites. Also the development and testing of associated canisters, transporters, and launches is allowed. If ICBMs are deployed in a multiple aimpoint mode, they will be counted under SALT limits in terms of the number of missiles and not in the context of launchers. The side undertaking such a deployment must provide for the adequate verification of the number of missiles deployed."

Most intelligence experts agree that verifying multiple aimpoint systems is not appreciably different from verifying the number of SLBMs, an existing form of mobile ballistic missile.

A LETTER TO PAUL WARNKE

On April 4, 1978, four members of the House Armed Services Committee (HASC) probing the effects of a Comprehensive Test Ban Treaty on US national security, wrote a letter to Paul Warnke, Director of the US Arms Control and Disarmament Agency, critical of the Administration's position on this proposed accord with the Soviets. The four, all members of HASC's Intelligence and Military Application of Nuclear Energy subcommittee, are Democrats Samuel S. Stratton (N.Y.) and Dan Daniel (Va.), and Republicans Robin Beard (Tenn.) and Robert W. Daniel, Jr. (Va.). They reported that "witnesses from the various [government] agencies testified that the government had not yet decided on whether a future treaty would consist of a zero yield test ban, or permit some form of low-level nuclear testing. We were most disturbed with this revelation because of the inherent contradiction in the policy of the Administration to be in the midst of negotiations with the Soviet Union, without first having defined the US position on this most fundamental issue."

The congressman's letter also confirmed a report that appeared in this space last month, namely that there are no means for verifying Soviet nuclear weapons tests involving yields of up to ten kilotons or significantly higher if the Soviets want to go to the trouble of masking such shots. With the Soviets able to maintain the reliability of their nuclear weapons stockpile while the US is constrained by the treaty's terms, "very dangerous military asymmetries would develop," in their view.

According to the group, ACDA Director Warnke subsequently attempted to classify the letter on grounds that its content might be "embarrassing to the Soviets." An equally unusual Administration action occurred two days before the subcommittee's hearings got

under way in February, according to Representative Beard. All of the scheduled witnesses were summoned to the White House for a "so-called coordinating session." While the witnesses testified that they had no restrictions imposed on them, the appearance of impropriety is indisputable. Of equal concern, after the subcommittee sent each of the agencies its portion of the transcript for editing purposes, the Arms Control and Disarmament Agency informed each agency that testified before the subcommittee to send its portion of the transcript to ACDA so that ACDA could edit the transcripts before returning them to the subcommittee."

CONTINUED B-1 R & D?

At this writing, highly placed sources report unofficially that the House Armed Services Committee has stricken from the Defense Budget request \$105.5 million sought by the Air Force for continued research and development of the B-1, whose production was canceled by the White House last year. The Senate Armed Services Committee, which has not yet completed marking up the Defense Budget, is expected to approve the B-1 funds. Ultimately, the issue may have to be resolved in conference between the two committees. USAF views continued research on the B-1 as crucial because it can provide the technological building blocks—especially in engines and avionics—for a new penetrating strategic aircraft.

CLIPPER BOW

Clipper Bow, a new space-based ocean surveillance system, originally considered to incorporate bomber and cruise missile surveillance, is being confined to the naval mission, this column was told by DoD's Under Secretary for Research and Engineering William J. Perry. Reason is that ocean surveillance is "much easier" to do than the other missions that were considered. Expanding Clipper Bow's scope would have added to the system's complexity and cost. The new space system appears to be the US answer to the Soviet radar satellites used for ocean surveillance.

TWO MORE E-4BS?

In a recent memorandum to the White House, Secretary of Defense Harold Brown recommended buying two additional E-4 (Boeing 747) Advanced Airborne Command Post (AABNCP) aircraft, for a full fleet of six E-4B aircraft to "support both the National Emergency Airborne Command Post (NEACAP) and Strategic Air Command (CINCSAC) mission requirements." Early last year, President Carter had ordered the Defense Department to review the E-4 program, with emphasis on its cost-effectiveness, coupled to a temporary halt in procurement.

Expressing strong support of the program, Secretary Brown termed it "costly but necessary. Total costs will approach a billion dollars. The remaining two airframes would be about \$70 million. But in terms of assuring the survival of an adequate decision-making and force execution capability, the enhancement of deterrence is worth the cost. . . . Such a fleet will significantly enhance the force connectivity and provide greater assurance that the command and control of the SIOP (Single Integrated Operational Plan) forces will survive."

Secretary Brown's recommendation appears to halt the so-called SEACAP project which envisioned the use of converted Polaris submarines capable of launching special communications satellites in place of NEACAP to provide the National Command Authorities with a survivable command and control mechanism.

TOWARD ASW SOLUTIONS

As reported in this space last month, both the US and the USSR are pursuing research that may dispel the aura of eternal invulnerability that has surrounded ballistic missile submarines.

John M. Collins, the Library of Congress' senior national defense specialist, in a study of American-Soviet military trends published by the Georgetown Center for Strategic and International Studies, comments sagely on the antisubmarine warfare (ASW) subject.

"Traditional detection methods count on acoustical apparatus that identify distinctive submarine sounds. Alternatively, they try to find anomalies that submerged submarines make in the earth's magnetic field." But these conventional methods are not likely to make the oceans transparent in the near future, Mr. Collins suggests. Of far greater concern are Soviet efforts in other, more arcane, fields of detection:

"Moving submarines, for example, cause thermal disruptions. They also leave biological tracks of dying microorganisms in their wake, and disturb ultraviolet radiations in sea water."

This column learned from authoritative sources, in extension of Mr. Collins's assertion, that the extremely sophisticated navigation and orientation system of the migrating salmon—until recently not understood at all—is now viewed as a promising, long-term candidate for bringing about breakthroughs in submarine detectability.

The Library of Congress report states that "the larger the submarine, the more likely hydrodynamic disturbances can be detected." Apparently referring to "convection cells," first publicly reported on by AIR FORCE Magazine, he adds that, in addition, radar at exceptionally high frequencies can recognize "submarine signatures in the atmosphere above the ocean. Collating and coordinating of data via satellite communications could help."

BUDGETARY BAILOUT

There is apprehension among congressional experts that deficiencies in US naval capabilities, brought on in part by faulty management and program slippages, might be corrected at the expense of the Air Force, the service whose management record is exemplary. There is little danger that the Air Force's budget request will be cut significantly below the FY '79 funding proposal. It is probable, however, that most congressional add-ons will go to beefing up the US Navy, with little or no money left to flesh out such austere funded USAF programs as the MX ICBM and to reinstitute the AMST Advanced Medium STOL Transport program for which no funding was provided under the FY '79 Defense Budget request. Fears of the Air Force having to bail out the Navy in a budgetary sense are based on the fact that the first congressional budget resolution sets an ironclad overall ceiling for defense expenditure.

JAWS EVALUATION

The harmonious relationship between USAF and the US Army is being strained by covert Army maneuvering on Capitol Hill in connection with the Joint Attack Weapon Systems (JAWS) Evaluation effort. JAWS' principal protagonists are USAF's A-10 Thunderbolt close air support aircraft and the Army's Advanced Attack Helicopter. Air Force feelings were lacerated when Army witnesses deviated from the mutually agreed funding levels concerning the two weapon systems that are at once complementary and competitive.

SOKOLOV'S ROLE

Prominent US "Sovietologists" see evidence that Gen. of the Army Sergei Leonidovich Sokolov serves as the First Deputy Minister of Defense for Foreign Operations. The latest CIA "Directory of USSR Ministry of Defense and Armed Forces Officials" lists General Sokolov as a First Deputy Minister whose responsibility is undetermined. (Of the other two First Deputy Ministers, one is responsible for Warsaw Pact forces and the other oversees the Soviet General Staff, according to the CIA). Sokolov, this column was told,

seems to be in charge of such foreign operations as masterminding Cuban forces in Africa and controlling the flow of Soviet weapons to third-world countries. The same sources also see strong circumstantial evidence that the influence of the Defense Ministry on the Soviet SALT stance is being strengthened with First Deputy Minister Nikolai Vasilyevich Okarkov and Deputy Minister Col. Gen. Nikolai N. Alekseyev assuming the role of SALT overseers.

MIDDLE EAST FACT-FINDING

Air Force Secretary John C. Stetson, returning from a fact-finding tour of the Middle East, warned that the Saudis view US willingness to sell them sixty F-15 fighter aircraft as a very serious test of their relationship with this country. The Administration's commitment to provide Saudi Arabia with USAF's most advanced fighter aircraft is meeting formidable congressional opposition. US wailing on the sale, Secretary Stetson told Pentagon reporters, would prompt the Saudis to buy advanced fighters from other countries. Secretary Stetson hinted that the Saudi Arabian requirement—based on the size of the territory to be defended—is far in excess of the number of F-15s okayed by the Administration, which he termed "a drop in the bucket."

Iran, he reported, continues to be interested in USAF's proposed AMST (Advanced Medium STOL Transport, a wide-body design dropped from the FY '79 Defense Department budget) and may proceed with its development at Iran's expense. Acknowledging that the US military capability to aid Middle Eastern countries in case of a Soviet attack is limited, he said that having a B-52 base in that part of the world would help considerably.

Concerning NATO requirements, Secretary Stetson said that MRBMs (medium-range ballistic missiles) would be a "good adjunct" to cruise missiles.

The Middle Eastern countries he visited would prefer a more aggressive US stance in the Horn of Africa to fend off Soviet/Cuban infiltration, Secretary Stetson said. He rated US intelligence in that part of Africa "superlative." ●

BUSINESS AND MINORITY DEVELOPMENT

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. FISHER. Mr. Speaker, Margaret Bush Wilson, chairperson of the National Association for the Advancement of Colored People, recently spoke before the staff of the Office of Minority Business Enterprise. I believe her remarks to be informative and timely and want to share them with my colleagues:

The speech follows:

BUSINESS AND MINORITY DEVELOPMENT

It was only a decade ago that the National Advisory Commission on Civil Disorders warned that our nation was being rent into two societies, one white and the other black, separate and unequal. Ironically, at that time, when the nation was reeling from a series of violent racial disorders, blacks were enjoying, by comparison, a measure of prosperity.

Then in 1968, Richard Nixon launched a massive attack upon most of the federal government's social programs that had been created to provide direct benefits to the poor. In addition, he also instituted a series of national, conservative, monetary and fiscal policies that quickly slowed the country's economic growth rate.

As a result of these and other factors beyond the government's control, the U.S. was plunged into two severe recessions from which we have not yet fully recovered. Whether or not the economy can bounce back any time soon to its peak growth rate is seriously in doubt. In fact, some economists have diagnosed the problem a natural occurrence in our capitalistic system. They say that the American economy is now in a 50-year trough from which it could take up to 25 years to recover.

The challenge for you, who have been charged with finding business converts among the least fortunate, is therefore great. Very simple examination of your agency's budget reveals that you are expected to accomplish miracles with small resources.

Yet, despite these severe handicaps, the critical condition of your potential clients demands that you proceed in your mission with a dedication and zeal that can only be found among public servants such as you. The black social and economic condition, and the resulting mood, will not tolerate delays much longer nor should it be required to. Neither can our people accept many more failures, or endure much more frustration.

The troubling reality is that the masses of the black population are in a severe and prolonged state of depression. This is so despite 20 years of civil rights gains. For awhile, there had been signs that the income gap between blacks and whites was narrowing. But that is no longer so.

Because of ground lost by black wage earners, the income gap is now back to what it was in the pre-1969 period. That is, blacks on the average now earn less than two-thirds of their white counterparts.

The jobless picture is even more dismal. For more than three consecutive years, one out of every four black workers in the nation has been unemployed. At this rate, we see that the black jobless rate continues to be double to that of whites.

Among black youths, the problem is explosive. Black joblessness in many of our big cities where you are expected to perform your miracles is as high as 50 and 60 percent.

It is no wonder, therefore, that the problems of crime and drugs are as severe as they are in these areas. The hopelessness, the despair, the problem of sickness and disease are pervasive.

One economist, whose opinion I respect, has summarized the black crisis this way:

"We are," he says, "developing a two-tier economy, an economy in which most white people are improving their economic status, but most blacks are falling farther behind." Having access to some of the nation's most sophisticated business tools, he asserts without any doubt that the evidence is very visible.

The evidence, he notes, shows that: "Black unemployment is up, black income is down. White unemployment is down, white income is up." Furthermore, he continued: "We have a situation in which black teenagers are increasingly worse off in the labor market, while white teenagers are increasingly better off in the labor market." It is a situation developing in this country where blacks are moving in one direction, while whites are moving in an entirely different direction.

Actually, most of us who are in constant touch with the black community have been well aware of this crisis. Yet, it is essential that we be reminded of the scope of this problem as we endeavor to devise strategies for stepping up the equal opportunity struggle.

There are those within our society who have already written off the hardcore poor, especially the black poor, as an irretrievable, permanent underclass.

For my part, I have always maintained that if there was ever to be an underclass in America, it must never be black.

But somehow this hope, this goal of reversing the backward economic slide for the black masses, seems more difficult to attain with each passing year.

We must be reminded, however, that even in the most desperate periods of race relations in this nation, just before and after the Civil War and at the turn of the century, black Americans somehow found the means to cope and to survive.

We are, to be sure, at this stage in our history concerned with much more than survival. Our mission is that of forging clear paths for the entry of America's most deprived citizens into the economic and social mainstream of our nation.

How soon we succeed, therefore, is the question that leaders such as you must answer.

Within the NAACP, we often note with some pride that our organization is one of the very few civil rights groups that survived the turmoil of the sixties intact and strong. It was with assurance and confidence that we recently moved to expand our concerns and horizons by adopting a national policy statement on energy that had as its primary goal the expansion of the economy to provide greater job opportunities—especially for blacks.

The consternation that greeted this statement from some quarters within the black community was startling. It demonstrated to a considerable extent the deep suspicion that so many of our people have towards the American business sector. This deep-seated antipathy—and fear—of the business community, is one good reason why blacks have not gained more than a toehold in this important area of our society.

There are other reasons, to be sure, most notably the difficulty that blacks have in finding adequate capital and financial backing for business ventures. But a problem that many aspiring and struggling black business-people continue to encounter is the deep-seated hostility within their own community towards those who seek to turn over a dollar for profit.

Perish the thought, therefore that a black organization should extend an invitation to the business community to join in a serious partnership for the development of meaningful solutions to these severe social and economic problems.

Ironically, many of the most vocal black attackers of the NAACP Energy Policy understand very well what we have set out to do. That is, to develop, among other things, a receptivity within our community to business prosperity. It is we are convinced, only then that we can be assured of a large enough expansion of the economy that will create enough jobs for blacks to benefit.

Unhappily, of course, there are too few black businesses around to benefit from this strategy. But that is what we are about today—the development of more black businesses.

Somehow, some persons continue to cling to the mirage that the final solution to black joblessness rests primarily with the national government. Maybe this is so in other nations. But certainly not in the United States. A review of government jobs programs, from the New Deal to the Great Society, will show that such programs last only for short periods—that is, until the crisis has passed. Government jobs programs are hardly ever permanent. Moreover, there are those who would argue that government spending for jobs does not cause the economy to grow. It only redistributes private sector income in the same way that taxes do.

Where our national government has been more successful has been in the areas of removing or lowering racial barriers in employment and providing minorities to the private sector to stimulate growth.

It is significant, therefore, that the Carter Administration has now turned to the private sector to help the Federal Government solve the hardcore urban problems throughout the nation.

Two weeks ago, President Carter unveiled his Urban Policy, a modest set of proposals, to be sure. But it was an encouraging start in the right direction. Among other things, he proposed a review and strengthening of present economic and social programs. The policy not only recognizes the existence of minority enterprise, it outlines a role for both minorities and the minority business community in the revitalization process.

Its primary thrust, however, is to marshal the resources of state and local governments and the private sector to create jobs and the related infrastructure for the redevelopment of the troubled cities. In a radical departure from traditional approaches, the policy emphasizes the creation of jobs in the private sector rather than the traditional public service jobs. The policy provides for tax incentives for business development but does not provide similar incentives to develop housing. Moreover, there seems to be no mention of the importance of relating the President's Urban Policy to a sound Energy Policy. It is in these areas that we can try to strengthen the President's proposal.

In reality, what the Carter Administration is doing, and what the NAACP recognized prior to the unveiling of the Urban Policy, is that business is the backbone of the American economy. It is no secret that 9 out of the 10 jobs created in America in 1977 were created by American business. The Carter Administration has even gone a step further. It is recognizing that small business is the backbone of the economy of most central cities.

It is estimated that throughout American cities, enterprises with fewer than 50 employees provide more than 50 percent of the jobs. In a city such as New York, small businesses provide as much as 80 percent of the jobs.

We must continue to look to the big corporations for vendor contracts and jobs, those that can provide 200 and 300 jobs. But the development of small businesses, especially by blacks and other minorities is equally essential and should be a concern of NAACP and OMBE.

Black Americans should therefore support President Carter's Urban Policy and regard it as more than just another idea worth trying. Whether or not it succeeds will depend to a considerable extent on the effort that we place in pushing to strengthen and push for its adoption in Congress.

One of your primary concerns, we know, is the support that you will receive in the pursuit and fulfillment of your mission. Since its creation in 1969 by Executive Order, the Office of Minority Business Enterprise has been accorded a very low priority status. Your present budget of a mere \$50 million might be enough to buy a jet plane, but it is wholly inadequate for the mission that you are about.

We understand that President Carter has proposed a \$12 million increase for your 1979 budget. But if Mr. Carter is serious about his Urban Policy, we all know that a \$62 million OMBE budget will still be far from enough to enable you to fulfill your goals.

OMBE must also have a director who can speak with the authority of an assistant secretary. We should therefore commit ourselves to working toward this end.

We should also ensure that the Carter Administration lives up to its promise of at least doubling the Federal Government's purchasing from minority firms from the present \$1 billion.

Ours is the richest nation in the world, with a Gross National Product of more

than three trillion dollars. America does have the technical skill and knowledge to combat these urban and human problems. We did it for Europe, and we did it for Japan. Now we must have the heart and will to do it for America.●

VALUES ON THE ALASKA PENINSULA

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. BONKER. Mr. Speaker, H.R. 39, the Alaska National Interest Lands Conservation Act, will be considered shortly by the House. Much debate will likely focus on the Alaska Peninsula, where rich wildlife resources and somewhat complex property ownership patterns combine to make land management and classification decisions especially important.

Among the volumes of available data about Alaska, an interdisciplinary study by a student team from the Evergreen State College provides excellent reference material about the problems and the resources of the Alaska Peninsula.

Prepared by an eight-student team under a grant from the U.S. Fish and Wildlife Service, "The Alaska Peninsula Project" reflects 10 months of research, including 3 months in the field, on the resources, and human expectations of the peninsula. The student researchers had backgrounds in wildlife biology, botany, social science and cultural anthropology, and environmental planning and geology. The study may be the model for future Federal planning for the peninsula.

During recent hearings on H.R. 39 before the Merchant Marine and Fisheries Committee, Jack Van Valkenburgh, who headed the project, highlighted the value of the Alaska Peninsula's unique wildlife resources and cited the importance of carefully protecting those resources for the future.

The statements follow:

THE ALASKA PENINSULA PROJECT

My research included literature (from reports of early explorations during the 19th century to recent agency surveys), interviews (from those with oil company representatives to those with native residents), and three months of field work (from caribou cow/calf ratio estimates to geologic reconnaissance work). I learned an enormous amount from these studies, about the resources, the people, the ongoing human activities, and the management problems on the Alaska Peninsula. And, most importantly, by working for three months out of nine different locations (including villages) along the length of the peninsula, I learned from my own observations and from the peninsula residents themselves, providing me with far greater insights to the land and people than I would have gathered by merely a review of the literature. I would like to highlight some of what I learned that pertains directly to the H.R. 39 proposals for Alaska Peninsula and Becharof wildlife ranges.

The Alaska Peninsula has been described by some, in terms of fish and wildlife productivity and species diversity, as the finest

area in Alaska. Although I have not travelled to all the outstanding habitat areas in the state, I do not know of a similar-sized area in Alaska more vital to such large populations of so many species of fish and wildlife.

To review the more outstanding of the peninsula's resource values:

(1) *Brown bear*.—The Alaska Peninsula provides critical habitat to the largest remaining brown bear population in America (numbering between 3,000 and 4,000 animals). Federal lands on the peninsula comprise such critical habitat; areas essential to the denning and feeding of these impressive omnivores. Densities of brown bear that occur in most of these areas are equalled only, if anywhere, on parts of Kodiak Island and in Russia. The areas of exceptionally intense bear activity generally occur when all the ecological needs of the bear, from denning to salmon feeding to sedge grazing, can be amply provided for within a small geographic area. The area on the peninsula that appears most outstanding in this regard is the eastern end of Becharof Lake, including the area extending at least as far southwest as Ruth Lake.

In August, 1977, I spent eight days with members of my field study in this area, known as the Island Arm of Becharof Lake. Within an hour of my arrival I was observing bear grazing and feeding on salmon near the lake. During the days of project field work in the area, which included observations of moose, whistling swans, sandhill cranes, white-fronted geese, double-crested cormorants, white-winged scoters, red-throated loons and other species of birds and mammals, I witnessed, at one time, up to nine bear grazing on sedges and berries within a three-mile area. I also noted signs of bear denning on the islands in Becharof Lake (as also reported by Will Troyer of the National Park Service) and witnessed the choking of the lake's tributaries by spawning salmon.

This area, surrounded by mountain scenery and contiguous to the peninsula's largest lake, is also one of the most beautiful areas of the Alaska Peninsula. While I would not argue for immediate wilderness status throughout the entire peninsula, this area unquestionably merits wilderness designation. Only in this way will the area's outstanding wildlife concentrations, that ultimately depend on the undisturbed condition of the habitat, be assured of protection.

Other areas of key importance to brown bear are numerous throughout the length and breadth of the peninsula. Our study and the research of others have identified many of these areas, showing that federal lands on the peninsula do comprise a significant acreage of key bear habitat. These lands are the only available lands of comparable quality to replace the bear habitat being lost from Kodiak National Wildlife Refuge to native village selections. I believe this fact alone justifies the establishment of the Alaska Peninsula and Becharof wildlife ranges.

Of course, much more habitat on the peninsula is required to sustain the peninsula's current bear population. Most peninsula brown bear depend, at some time or another during the seasonal cycle, on each of the habitats of uplands, salmon streams, tundra and beaches. For this reason, protection of as large as possible tracts of land, that include all of these habitat types, is the wisest and surest strategy for maintaining the peninsula's brown bear population. Again, inclusion now of peninsula federal lands within the National Wildlife Refuge System would add, in this fashion, a significant degree of protection to the brown bear population.

Caribou.—The Alaska Peninsula caribou herd is one of the five major herds in the

state of Alaska. This herd, now numbering over 20,000 animals, is divided into two peninsula mainland subherds—the ranges of which are contiguous in the Port Moller area. While interior Alaskan caribou herds, such as the Nelchina, Fortymile and Western Arctic, have recently declined in numbers, the Alaskan Peninsula herd has continued to grow and provide for both local subsistence uses and non-local sport hunting. Although caribou roam virtually all over the peninsula, they are found in greatest numbers north of the Aleutian mountain range divide. Habitat essential to continuation of the healthy peninsula caribou herd includes calving, wintering and migration grounds that occur on both the upper and lower peninsula.

During a week of field studies in the calving grounds of the Lower Peninsula caribou subherd, which is located in the Black Hills area approximately 100 km southwest of Port Moller, I was particularly impressed with the importance of the peninsula sedge/empetrum habitat to the large numbers of caribou. At other times, such as when I was inside the Aniakchak Caldera, I was impressed by the wide ranging habits of smaller groups of peninsula caribou. Federal lands on the peninsula include parcels of both primary and secondary habitat to caribou of both the upper and lower peninsula subherds.

Salmon.—The five indigenous species of salmon in the Alaska Peninsula region provide the most important economic resource of the region. Salmon spawn each summer in lake and river systems over the entire Peninsula, running in both Pacific and Bering Sea side drainages, these runs not only are the basis for a multi-million dollar industry, but are a food resource upon which the village communities of the peninsula and the brown bear population depend. The watersheds of these salmon include virtually the entire peninsula.

Moose.—While moose numbers have decreased on the Alaska Peninsula since the mid-1960s, I observed in 1977 numerous individuals between Port Moller and Becharof Lake. Management protection is particularly crucial to arrest the current decline in moose numbers, especially in the key area between the Aniakchak Caldera and Ugashik Lakes. Important moose habitat would be included in the Alaska Peninsula Wildlife Range.

Waterfowl.—The Alaska Peninsula provides key habitat to literally millions of migrating waterfowl. These birds fly from both the United States and Asia, and include virtually the entire world's populations of black brant and emperor geese. Over 35 percent of the total reported goose kill in Alaska is from the peninsula, and 90 percent of all the emperor geese shot in Alaska are taken on the peninsula.

These migrating waterfowl depend on the major watersheds of the peninsula that feed the estuaries and lagoons of the north shore. In addition, the inland waters and tundra of the peninsula provide nesting habitat for abundant sandhill cranes, numerous whistling swans and thousands of shorebirds, to name but a few of the birds that breed on the peninsula. Protection of federal lands promotes the continued viability of the bird populations that use either the shoreline estuaries or the inland waters and tundra.

Other Wildlife.—In addition to the above, I observed large numbers of marine mammals, small mammals, bald eagles and raptors on the peninsula. Obviously, none of the peninsula's wildlife exists or can be managed in isolation. The peninsula is an ecological system sustained by the remoteness and diversity of its habitats, the abundance of water, and the undisturbed condition of its environments.

Economics.—It is very important to remember that habitat preservation on the

Alaska Peninsula serves not only to protect the above discussed environmental values, but also the economic base of both peninsula residents and non-residents. Virtually all human involvement with the resources of the Alaska Peninsula is oriented around fish and wildlife. Commercial fishing, subsistence hunting and fishing and, to a lesser extent, sport hunting, comprise the primary means of livelihood on the peninsula. Should oil or gas ever be developed in the Bristol Bay area, the Alaska State Department of Community and Regional Affairs offers this argument supporting protection of the fishing industry:

"It is very important that this (the oil and gas) industry not be viewed as a replacement for the fisheries industry. The oil and gas industry is capital intensive, whereas the fisheries industry is labor intensive. The people of the Bristol Bay region are skilled in the fishing and fish processing industry and have adapted their lifestyles to the dictates of this industry. They do not, for the most part, possess the skills required by the oil and gas industry, nor is this industry ever likely to support the number of jobs in the Bristol Bay region that the fishing and fish processing industry has historically supported."

I totally concur with this statement and would only add that the caribou, moose and waterfowl of the peninsula are the other principal resources of the local economy, providing food to village residents and business to area hunting guides, the latter which also rely heavily, of course, on the brown bear population.

Clearly, therefore, from an economic as well as an environmental standpoint, fish and wildlife and their habitats should be considered the major assets of the Alaska Peninsula. This is also true from a cultural standpoint, for the lifestyles of peninsula natives and nonnatives are both oriented around hunting and fishing. The subsistence issue, so hotly debated throughout interior Alaska, is also alive on the Alaska Peninsula. However, it is perceived, all must agree that the activities of commercial, subsistence and sport hunting and fishing are the basis of day-to-day life on the peninsula. Protection of the cultural and economic values are, in every way, consistent with protection of the peninsula's environmental values, and protection of both can best be guaranteed by establishment of the Alaska Peninsula and Becharof national wildlife ranges.

Certain types of development, on the other hand, could conflict with the peninsula's economic and environmental base. Oil development on the peninsula's north shore or in the waters of Bristol Bay would be expected to lead to pressures for transportation corridors across the peninsula. Such transportation corridors could, especially if they were routed without the cooperation of the U.S. Fish and Wildlife Service, threaten both the fish and the mammal populations of the peninsula. Secondary developments that might accompany a corridor could include roads, population growth, increased hunting (particularly in previously remote areas) and habitat disturbance, further affecting the peninsula's fish and wildlife populations and the future of the village residents that depend on them.

In light of these types of possibilities, and the remote possibility of grazing livestock on the peninsula which could adversely affect wildlife populations, the role of the U.S. Fish and Wildlife Service becomes especially vital. Only by designating such specific agency responsibility can we guarantee that future development on the peninsula

proceed in harmony with basic protection of the primary fish and wildlife resources.

THE ISSUE: NATIONAL WILDLIFE RANGES VERSUS A STUDY AREA ON THE ALASKA PENINSULA

Some have suggested that designation of wildlife ranges on the peninsula be delayed until further study is conducted. While I, too, can identify specific gaps remaining in the Alaska Peninsula data base, these will always exist, and there is already more than ample justification for inclusion of all peninsula Federal lands within the National Wildlife Refuge System. From a fish and wildlife standpoint, from an economic standpoint, from a cultural standpoint, the immediate inclusion of Federal lands within Alaska Peninsula and Becharof national wildlife ranges is advisable.

Inclusion now of these lands in the national wildlife refuge system assures:

A permanent Federal presence on the peninsula for the protection of nationally and internationally significant fish and wildlife populations, including the unmatched brown bear population that utilizes Federal lands for feeding and denning;

Single management authority of peninsula Federal lands (aside from the proposed Aniakchak Caldera National Monument under National Park Service management) to promote sound and coherent resource management, to foster cooperative planning and management agreements with the State and Native corporations, and to provide for future land trades or acquisitions designed to further protect peninsula fish, wildlife, and habitat;

Basic protection of the environmental and economic values of the Alaska Peninsula and of its people who rely on peninsula fish and wildlife for commercial fishing, subsistence hunting and fishing, and sport hunting.

For these reasons I support the immediate establishment of the Alaska Peninsula and Becharof national wildlife ranges. Furthermore, to maintain the outstanding populations of bear and other wildlife species in the eastern Becharof Lake area, and to preserve undisturbed the remote habitat on which these animals depend, I fully support the establishment of a national wilderness to extend from the proposed Katmai National Park (at least) the southern end of Becharof Lake's island arm.

SUMMARY OF ALASKA PENINSULA PROJECT

The Alaska Peninsula Project of the Evergreen State College conducted a ten month study, completed 12/77, under contract to the U.S. Fish & Wildlife Service surveying the resources and assessing the human expectations of the Alaska Peninsula. Data were collected from all available literature, through interviews with resource experts and interest group representatives, and from four months of field work at selected study sites on the Peninsula.

Resources are discussed in the report in association with human uses and activities. Primary resources on the Alaska Peninsula, from both economic and environmental standpoints, include salmon fisheries, brown bear, waterfowl and caribou. Human expectations are discussed in the report for major interest groups. Local residents and others involved in the fishing industry expect the continuation of commercial fishing as the primary economic activity on the Peninsula. Village residents expect the maintenance of present lifestyles, including subsistence hunting and fishing, and protection of the quality of remote village life.

Maps are presented of vegetation, key game and waterfowl areas, important petroleum and mineral areas and areas of existing and potential human use. Each map was compiled from information gathered from

state, federal and private publications as well as project field research and interviews.

The study team concludes that wildlife and fish and their habitat are the major resource assets of the Alaska Peninsula. The study team further concludes that nearly all human involvement with the Alaskan Peninsula, including both resident and non-resident economic activity, is and will continue to be based on large populations of Peninsula fish and wildlife. The study team further recommends a series of planning guidelines for the management of Peninsula lands and resources, including:

(1) Continued non-interference in identified areas of key and secondary habitat of fish and wildlife.

(2) Subsistence uses of resources prioritized in areas of subsistence use; subsistence areas managed for continued subsistence harvest as the primary land use.

(3) Oil and mineral development considered only so far as key wildlife habitat would not be disturbed and as monitored and regulated to assure protection of fish and wildlife populations.

(4) Discouragement of proposals for grazing and transportation corridors as generally in conflict with the maintenance of healthy populations of caribou, bear and other wildlife.

For further information contact Jack Van Valkenburgh, Coordinator, Alaska Peninsula Project, at 836-3590.●

JEROME S. VARON

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 8, 1978

● Mr. WAXMAN, Mr. Speaker, Temple Tifereth Israel is privileged to honor Jerome S. Varon on May 20, 1978 at its dinner-dance, for his dedicated service to the Los Angeles Sephardic community as well as for his lifetime of contributions to Sephardic organizations across the Nation. He has enriched many civic and humanitarian groups through his vigorous support and hard work, and has earned the respect and affection of all who have come into contact with him.

Jerry Varon was born in Canakkale, Turkey, the son of Salomon Yermiah Varon and Boulisa Graziani Varon. At an early age he was participating in the Mitzvot of Jewish communal life, serving as water carrier for the Rehitz and assisting the Chevra Kadisha in traditional funeral services. He has carried a strong religious commitment throughout his life and it has been exemplified by his active role in every organization privileged to have him as a member.

Jerry's immigration to the United States is a saga in itself; he gained admittance finally on his third attempt after having been turned back because of his youth. He joined his uncle in New York in 1914, worked at whatever jobs he could, and eventually began his association with the Metropolitan Life Insurance Co. which lasted for 42 years. His professional career took him and his family from New York to Milwaukee, Pontiac, Mich., and then to Detroit.

In every community in which the Varon family lived, Jerry rendered devoted service both to Sephardic organizations and to those concerned with promoting better interfaith relations. In New York City, Jerry worked within the Sephardic community and became president of the Source of Life Benevolent Society, a group he continues to serve as honorary president.

While living in Pontiac, Jerry became active in Red Cross work and served as chairman of the Pontiac Visiting Nurses Association under the auspices of the American Red Cross. He was a leader in the Sephardic community who sought to strengthen goodwill in the larger community, as shown by his position as chairman of the Round Table of Christians and Jews in Pontiac. He also helped organize the American Council for Judaism there and became the first president of the Pontiac Chapter.

In Detroit, Jerry became active in B'nai B'rith and eventually rose to the presidency of the Sephardic Community of Greater Detroit. He found time amid his many commitments to head the Detroit Chapter of the Alliance Israelite Universelle. There is no better example of the tireless energy he showed through the variety of his activities than to cite his guest lecturing on the customs, traditions, and heritage of the Sephardic Jews. He lectured at the University of Michigan on such subjects as "The Origin and Derivation of the Ladino Language," and on "Marrano Jews." He addressed the tercentenary observance of the landing of the first Sephardim in America, and throughout the years he has spoken publicly on the need for better interfaith understanding and on Jewish affairs.

Since coming to Los Angeles, Jerry has continued his active involvement in Jewish causes. He has served as chairman and cochairman of the Sephardic Men's Division of the United Jewish Welfare Fund here, and he is a past chairman and now honorary chairman of the Los Angeles Chapter of Kiryat Sanz Laniado Hospital in Netanya, Israel. He has given dedicated service to the Sephardic Home for the Aged and is a member of the steering committee of the Los Angeles Chapter of the American Sephardic Federation.

Sephardic Temple Tifereth Israel counts Jerry Varon as one of its most active and devoted members, one of its vice presidents, and one whose presence is a source of wisdom gained through many years of experience and involvement. He has served in every possible capacity on eight important committees: membership, merit award, house, Talmud Torah, building, dues review, ways and means, and the religious committee. His wife Ida and daughter Bernice can share in the love with which his temple bestows the Sephardic Heritage Award upon Jerry Varon. I request my colleagues to join with me and the members of his temple, in honoring this most exceptional citizen.●

SENATE COMMITTEE MEETINGS

Title IV of the Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings when scheduled, and any cancellations or changes in meetings as they occur.

As an interim procedure until the computerization of this information becomes operational the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committees scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 9, 1978, may be found in Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 10

7:00 a.m.

Energy and Natural Resources
Public Lands and Resources Subcommittee
To hold hearings on S. 2820, the proposed Reclamation Safety of Dams Act.
3110 Dirksen Building

8:00 a.m.

Agriculture, Nutrition, and Forestry
Agricultural Production, Marketing, and Stabilization of Prices Subcommittee
To continue hearings to receive testimony from Administration officials on the problems of rural railway transportation.
S-126, Capitol

9:00 a.m.

Agriculture, Nutrition, and Forestry
To hold a business meeting.
322 Russell Building
Commerce, Science, and Transportation
To hold hearings on the International North Pacific Fisheries Convention.
S-128, Capitol
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 2782, to protect consumers from misrepresentative advertising of gold and silver jewelry.
235 Russell Building

Judiciary

Citizens and Shareholders Rights and Remedies Subcommittee
To resume oversight hearings on the rights and remedies of the insurance policy holders.
5110 Dirksen Building

Select Small Business

To mark up H.R. 1445, authorizing funds through FY 1982 for the Small Business Administration.
424 Russell Building

9:30 a.m.

Human Resources

To mark up S. 2850, authorizing funds for FY 1979 and 1980 for the Older Americans Act; S. 2915, authorizing funds through FY 1981 for the Alcohol and Drug Abuse Education Act; S. 2916, FY 79 authorizations for the Office of Drug Abuse and for drug treatment programs; and S. 2600, to extend certain vocational rehabilitation pro-

grams and to establish a comprehensive services program for the severely handicapped.

4232 Dirksen Building

Veterans' Affairs

To mark up S. 2398, to extend the period of eligibility for Vietnam-era veterans' readjustment appointment within the Federal Government; H.R. 5029, authorizing funds for hospital care and medical services to certain Filipino combat veterans of WW II; and S. 2836, to amend the Veterans' Administration Physician and Dentist Pay Comparability Act.
412 Russell Building

Appropriations

Transportation Subcommittee

To hold hearings on budget estimates for FY 79 for the Office of the Secretary of Transportation.
1224 Dirksen Building

Armed Services

Military Construction and Stockpiles Subcommittee

To mark up S. 2636, FY 79 authorizations for military construction.
212 Russell Building

Banking, Housing, and Urban Affairs

To continue hearings on S. 50 and H.R. 50, the Full Employment and Balanced Growth Act.
5302 Dirksen Building

Energy and Natural Resources

To continue markup of S. 2692, FY 79 authorizations for civilian programs of the Department of Energy, and Title II of S. 2693, FY 79 authorizations for national security programs, Department of Energy.
3110 Dirksen Building

Finance

Administration of the Internal Revenue Code Subcommittee

To hold hearings on the proposed reorganization of the twelve smallest IRS districts.
2221 Dirksen Building

Foreign Relations

To mark up S. 2646, FY 79 authorizations for development assistance programs.
4221 Dirksen Building

Governmental Affairs

To mark up S. 1785 and S. 2026, to require public disclosure of certain lobbying activities, and S. 2236, to strengthen Federal programs and policies for combating international and domestic terrorism.
3302 Dirksen Building

10:30 a.m.

Commerce, Science, and Transportation

To hold hearings on the proposed U.S.-Canada Reciprocal Fishing Agreement.
S-128, Capitol

Judiciary

To continue hearings on S. 2252, the Alien Adjustment and Employment Act.
2228 Dirksen Building

1:00 p.m.

Conferees

On H.R. 7843, to provide for the appointment of additional Federal circuit and district court judges.
H-140, Capitol

2:00 p.m.

Conferees

On H.R. 5289, to establish a natural gas pricing policy.
2123 Rayburn Building

2:30 p.m.

Appropriations

To mark up H.J. Res. 873, FY 78 supplemental appropriations for disaster loans of the Small Business Administration, and H.J. Res. 859, FY 78

supplemental appropriations for the U.S. Railway Association.

S-128, Capitol

MAY 11

9:00 a.m.

Agriculture, Nutrition, and Forestry
Agricultural Production, Marketing, and Stabilization of Prices Subcommittee
To continue hearings to receive testimony from Administration officials on the problems of rural railway transportation.
324 Russell Building

Energy and Natural Resources

Energy Conservation and Regulation Subcommittee

To hold oversight hearings on the emergency sales of electric power.
3110 Dirksen Building

9:15 a.m.

Select Indian Affairs

To mark up S. 2712, proposed Indian Program Evaluation and Needs Assessments Act; S. 2358 and S. 2588, to declare that the U.S. hold in trust for the Pueblo tribes of Zia and Santa Ana respectively, certain public domain lands; H.R. 11092 and S. 3043, authorizing additional funds for the Navajo and Hopi Indian Relocation Commission; and H.R. 8397, to declare certain lands in Arizona a part of the Papago Indian Reservation.
154 Russell Building

9:30 a.m.

Environment and Public Works

To resume markup of proposed FY 79-80 highway legislation.
4200 Dirksen Building

Governmental Affairs

Federal Spending Practices and Open Government Subcommittee

To hold oversight hearings on Government in the Sunshine Act (P.L. 94-409), and to receive testimony on efforts to reduce the Federal paperwork burden.
1318 Dirksen Building

Human Resources

To mark up S. 2570, FY 79 authorizations for CETA.
4232 Dirksen Building

Judiciary

To resume hearings on S. 1382, to establish criteria for the imposition of the sentence of death.
2228 Dirksen Building

Judiciary

Criminal Laws and Procedures Subcommittee

To resume hearings on S. 2013, to require the additional labeling of explosive materials for the purpose of identification and detection.
5110 Dirksen Building

10:00 a.m.

Finance

Tourism and Sugar Subcommittee

To hold hearings on S. 2990, the Sugar Stabilization Act.
2221 Dirksen Building

Foreign Relations

To mark up S. 2846, FY 79 authorizations for security supporting assistance.
4221 Dirksen Building

Select Intelligence

To resume hearings on S. 2525, to improve the intelligence system of the U.S. by establishing a statutory basis for U.S. intelligence activities.
318 Russell Building

10:30 a.m.

Judiciary

To continue hearings on S. 2252, the Alien Adjustment and Employment Act.
2228 Dirksen Building

2:00 p.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for FY 79 for the Minority Business Resources Center.

1224 Dirksen Building

Select Ethics

To hold a business meeting.

Room to be announced

Conferees

On S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

Until 5:00 p.m. EF-100, Capitol

MAY 12

9:30 a.m.

Human Resources

To resume markup of S. 1753, authorizing funds through FY 1983 for the Elementary and Secondary Education Act, and other pending calendar business.

4232 Dirksen Building

Judiciary

Antitrust and Monopoly Subcommittee

To hold hearings on the conglomerate mergers and their effect on the economy, on a community, and on the employees.

2228 Dirksen Building

10:00 a.m.

Energy and Natural Resources

To resume mark up of S. 2692, FY 79 authorizations for civilian programs of the Department of Energy, and Title II of S. 2693, FY 79 authorizations for national security programs, Department of Energy.

3110 Dirksen Building

Finance

Tourism and Sugar Subcommittee

To continue hearings on S. 2990, the proposed Sugar Stabilization Act.

2221 Dirksen Building

Select Intelligence

To resume hearings, in closed session, on S. 2525, to improve the intelligence system of the U.S. by establishing a statutory basis for U.S. intelligence activities.

S-407, Capitol

2:00 p.m.

Conferees

On S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

Until 5:00 p.m. EF-100, Capitol

MAY 15

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on budget estimates for FY 79 for the Department of Transportation.

1224 Dirksen Building

Judiciary

Antitrust and Monopoly Subcommittee

To resume oversight hearings on ICC's price regulation in the motor common carrier industry.

2228 Dirksen Building

MAY 16

9:30 a.m.

Special on Aging

To hold hearings on the degree to which older Americans are purchasing more private health insurance than needed to supplement gaps in the Medicare program.

357 Russell Building

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for FY 79 for the Department of Energy.

1224 Dirksen Building

CXXIV—816—Part 10

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee

To hold hearings jointly with the Senate Banking Subcommittee on International Finance on technology exports and research and development investments.

6226 Dirksen Building

Banking, Housing, and Urban Affairs
Financial Institutions Subcommittee

To resume hearings on S. 2096, Right to Financial Privacy Act, and S. 2293, to modernize the banking laws with regard to the geographic placement of electronic fund transfer systems.

5302 Dirksen Building

Energy and Natural Resources

To resume mark up of S. 2692, FY 79 authorizations for civilian programs of the Department of Energy, and Title II of S. 2693, FY 79 authorizations for national security programs, Department of Energy.

3110 Dirksen Building

Governmental Affairs

To resume hearings on S. 991, to create a separate Cabinet-level Department of Education.

3302 Dirksen Building

10:30 a.m.

Judiciary

To resume hearings on S. 2252, the Alien Adjustment and Employment Act.

2228 Dirksen Building

MAY 17

9:30 a.m.

Human Resources

Health and Scientific Research Subcommittee

To resume hearings on S. 2755, the Drug Regulation Reform Act.

4332 Dirksen Building

10:00 a.m.

Appropriations

Interior Subcommittee

To continue hearings on proposed budget estimates for FY 79 for the Department of Energy.

1224 Dirksen Building

Banking, Housing, and Urban Affairs
Financial Institutions Subcommittee

To continue hearings on S. 2096, Right to Financial Privacy Act, and S. 2293, to modernize the banking laws with regard to the geographic placement of electronic fund transfer systems.

5302 Dirksen Building

Banking, Housing, and Urban Affairs
International Finance Subcommittee

To hold hearings in connection with restrictions employed by foreign countries to hold down imports of U.S. goods.

Room to be announced

Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee

To hold hearings on S. 2873, proposed Ocean Shipping Act.

235 Russell Building

Energy and Natural Resources

Public Lands and Resources Subcommittee

To hold hearings on S. 3046, the proposed Coal Pipeline Act.

3110 Dirksen Building

Governmental Affairs

To continue hearings on S. 991, to create a separate Cabinet-level Department of Education.

3302 Dirksen Building

10:30 a.m.

Judiciary

To continue hearings on S. 2252, the Alien Adjustment and Employment Act.

2228 Dirksen Building

MAY 18

9:30 a.m.

Veterans' Affairs

Housing, Insurance, and Cemeteries Subcommittee

To hold hearings on S. 1643 and H.R. 4341, to eliminate the requirement for inspections of the mobile home manufacturing process by the VA and S. 1556, authorizing funds through FY 81 to assist State in establishing and maintaining VA cemeteries.

457 Russell Building

10:00 a.m.

Appropriations

Interior Subcommittee

To continue hearings on proposed budget estimates for FY 79 for the Department of Energy.

1224 Dirksen Building

Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee

To continue hearings on S. 2873, proposed Ocean Shipping Act.

235 Russell Building

10:30 a.m.

Judiciary

To continue hearings on S. 2252, the Alien Adjustment and Employment Act.

2228 Dirksen Building

MAY 22

9:00 a.m.

Select Small Business

Monopoly and Anticompetitive Activities Subcommittee

To resume hearings on the Federal Government patent policy.

318 Russell Building

10:00

Judiciary

Antitrust and Monopoly Subcommittee

To resume oversight hearings on ICC's price regulation in the motor common carrier industry.

2228 Dirksen Building

MAY 23

9:00 a.m.

Select Small Business

Monopoly and Anticompetitive Activities Subcommittee

To continue hearings on the Federal Government patent policy.

6226 Dirksen Building

9:30 a.m.

Human Resources

Health and Scientific Research Subcommittee

To hold hearings on milk substitutes manufactured and distributed for infant formula use in underdeveloped countries.

4232 Dirksen Building

10:00 a.m.

Energy and natural resources

To resume hearings on S. 499, 1500, 1546, 1787, and 2465, to designate or add certain lands in Alaska to the National Park, National Wildlife Refuge, National Wild and Scenic Rivers, and National Wilderness Preservation Systems.

3110 Dirksen Building

3:00 p.m.

Conferees

On S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

MAY 24

9:30 a.m.

Commerce, Science, and Transportation
Aviation Subcommittee

To hold hearings on S. 747, H.R. 8729, and H.R. 11986, proposed Aircraft and Airport Noise Reduction Act.

235 Russell Building

10:00 a.m.

Energy and Natural Resources

To continue hearings on S. 499, 1500, 1546, 1787, and 2465, to designate or add certain lands in Alaska to the National Park, National Wildlife Refuge, National Wild and Scenic Rivers, and National Wilderness Preservation Systems.

3110 Dirksen Building

MAY 25

9:30 a.m.

Commerce, Science, and Transportation Aviation Subcommittee

To continue hearings on S. 747, H.R. 8729, and H.R. 11986, proposed Aircraft and Airport Noise Reduction Act.

235 Russell Building

10:00 a.m.

Energy and Natural Resources

Public Lands and Resources Subcommittee
To resume hearings on S. 3046, the proposed Coal Pipeline Act.

3110 Dirksen Building

2:00 p.m.

Conferees

On S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

Until 5:00 p.m. EF-100, Capitol

MAY 31

2:00 p.m.

Conferees

On S. 9, to establish a policy for the

management of oil and natural gas in the Outer Continental Shelf.

Until 5:00 p.m. EF-100, Capitol

JUNE 1

3:00 p.m.

Conferees

On S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

Until 5:00 p.m. EF-100, Capitol

JUNE 7

9:30 a.m.

Judiciary

Juvenile Delinquency Subcommittee

To hold hearings jointly with the Human Resources Subcommittee on Alcoholism and Drug Abuse on S. 2778, and other proposals to tighten controls on and increase penalties for the manufacture and distribution of the drug PCP (angel dust).

4232 Dirksen Building

JUNE 13

9:30 a.m.

Commerce, Science, and Transportation Aviation Subcommittee

To resume hearings on S. 747, H.R. 8729, and H.R. 11986, proposed Aircraft and Airport Noise Reduction Act.

235 Russell Building

JUNE 14

9:30 a.m.

Commerce, Science, and Transportation Aviation Subcommittee

To continue hearings on S. 747, H.R.

8729, and H.R. 11986, proposed Aircraft and Airport Noise Reduction Act.

235 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs

Financial Institutions Subcommittee

To hold hearings on H.R. 10899, the International Banking Act.

5302 Dirksen Building

JUNE 15

9:30 a.m.

Commerce, Science, and Transportation Aviation Subcommittee

To continue hearings on S. 747, H.R. 8729, and H.R. 11986, proposed Aircraft and Airport Noise Reduction Act.

235 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs

Financial Institutions Subcommittee

To continue hearings on H.R. 10899, the International Banking Act.

5302 Dirksen Building

CANCELLATIONS

MAY 11

10:00 a.m.

Governmental Affairs

To continue markup of S. 1785 and S. 2026, to require public disclosure of certain lobbying activities, and S. 2236, to strengthen Federal programs and policies for combating international and domestic terrorism.

3302 Dirksen Building

SENATE—Tuesday, May 9, 1978

(Legislative day of Monday, April 24, 1978)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (KANEASTER HODGES, JR.).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Blessed are the pure in heart: for they shall see God.—Matthew 5: 8.

Almighty God, our Creator and Lord, give us a pure heart to see Thee, a stout heart to bear our own burdens, a willing heart to bear the burdens of others, and a believing heart to cast our burdens on Thee. Spare us from having a cold heart, an indifferent heart, or a careless heart. Give us hearts that beat in unison with Thee that we may carry forward the divine intention for this Nation and the world.

"A heart in every thought renewed,
And full of love divine,
Perfect and right and pure and good
A copy Lord of Thine."

—CHARLES WESLEY, 1707-88.

Through Jesus Christ our Lord. Amen.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I have no request for time, and I yield back the leadership time on this side.

SPECIAL ORDER

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Virginia (Mr. HARRY F. BYRD, JR.) is recognized for not to exceed 15 minutes.

NEW YORK CITY: NO MORE BAILOUTS

Mr. HARRY F. BYRD, JR. Mr. President, the month of March has been the showcase for several annual rituals—the rites of spring, the return of the swallows to Capistrano, and what is fast becoming a perennial event—the return of New York City to the Halls of Congress with outstretched palms seeking Federal financial aid to alleviate its annual fiscal crisis.

The New York Times today reports, and I shall quote three paragraphs:

The Carter Administration has begun an intensive campaign to get the New York City fiscal aid bill through Congress, Administration officials said today.

The campaign will include President Carter himself, who will not only seek to enlist public support for the legislation, but will also become personally involved in rounding up votes if necessary, the officials said.

In addition, many members of the Cabinet will enlist support for the legislation, in the same manner in which they lobbied for Civil Service reorganization, they added.

So the Senate and the American people are being faced with a determined drive to once again bail New York City out of its financial difficulties. I contend, Mr. President, that what this does is to extend an invitation to politicians everywhere to give in to the demands of every pressure group, and then come to the American taxpayers to get themselves bailed out.

Congress, in late 1975, was bombarded with doomsday scenarios of what would happen to the Nation's economy if New York City did not receive Federal financial assistance.

Congress was unwisely stampeded by these threats, and the New York City Seasonal Financing Act of 1975, Public Law 94-143, was hurriedly passed.

Congress, by this act, established a very injudicious precedent. The act authorized the Federal Government to "bail out" a city, a creature of State government, from the fiscal morass that was created by the city's own mismanagement and intemperate, politically motivated spending practices.

New York City, in its campaign to receive Federal aid in 1975, drew up a 3-year fiscal plan which, it was proclaimed, would clear up New York City's financial problems by 1978.

City officials boasted that, if Congress would offer temporary Federal aid, New York City, under this plan, would be able