

## EXTENSIONS OF REMARKS

SALUTE TO MSGR. LOUIS A. MARTORELLA IN CELEBRATION OF HIS 40 YEARS IN SERVICE TO GOD

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BIAGGI. Mr. Speaker, on Sunday, June 4, there will be a celebration of love in the Bronx, N.Y. Foremost, it will be a celebration of the love of man for his God, and that love is divinely inspired. It will be a celebration of affection and respect for a leader among churchmen and servants of God. It will be a genuine outpouring of admiration for one very special man among men. Bronxites, friends, and parishioners alike, will celebrate the life and vocation of Msgr. Louis A. Martorella on the very beautiful occasion of his 40th anniversary in the holy priesthood.

The festivities will begin at 4:30 p.m. when Monsignor Martorella will offer a Mass of Thanksgiving in holy celebration at Our Lady of Mount Carmel Church, 187th Street and Belmont Avenue, Bronx. A gala reception and dinner will follow so that the many people who have had their lives touched by his example can share the happiness and significance of this day with him.

A native New Yorker, Monsignor Martorella was born in the heart of New York City, the borough of Manhattan, on September 3, 1911. He, like so many other distinguished Americans, is the son of immigrant parents, Mary Barone and Louis Anthony Martorella, from Sicily. He received his primary education at Public School 158, 77th Street and York Avenue in Manhattan, and went on to DeWitt Clinton High School, Bronx. He was then to attend Fordham University. Cathedral College prepared him for the very exacting and yet so special discipline and privilege of studying for the priesthood. And young Louis continued on his formal path to the calling of God's vocation at St. Joseph's Seminary at Dunwoodie, Yonkers, N.Y. The Culmination of study and holy preparation was his ordination as an Apostle of Christ and Prince of the Church on June 11, 1938 at St. Patrick's Cathedral. But his work was only to begin.

Significantly, he was first to serve as a model to the flock in the important work of the parish priest. He was to serve his church in following years at Our Lady of Peace, East 62d Street, Manhattan; Saint Anthony's, Richardson Avenue, Bronx, and Our Lady of Mount Carmel in Poughkeepsie, N.Y. His personal attributes and abilities supported him as pastor of the first Italian-American Auxiliary. In 1964, his talents on behalf of the Lord were to lead him in elevation to domestic prelate the right reverend monsignor, as recommended by his Eminence, the late and beloved

Francis Cardinal Spellman, Archbishop of New York.

It is truly a momentous occasion when a leader in God's service assumes the awesome responsibility of pastorship, directing part of His province and providing the way to the salvation of souls, which was Louis Martorella's sacred reason d'etre. Monsignor Martorella pastored in East Harlem from 1958 to 1966. Nineteen hundred and sixty-six brought him to Staten Island as pastor of the Church of the Assumption until 1969. From October 1969 until October 1972, Pastor Martorella was to give his loving leadership and example to the Van Ness community of the Bronx at St. Dominic Church. And very happily and meaningfully for all who know and love him there, Monsignor Martorella remains in his devoted service, begun in 1972, as the pastor of Our Lady of Mount Carmel Church in the familiar Belmont area—a parish and neighborhood which is so near and dear to me in the Bronx. This parish numbers 20,000 strong, and has the largest, 900 students, parochial school in New York.

Louis Martorella believed in civic duty. He knew of the necessity to organize and to lead, in order to render full human services to the people of the communities and neighborhoods he valued, and to be of assistance to those in need. Importantly, he was the founder of the Council of Belmont Organizations, known as COBO, which has become a fountain of development and progress for the community. Recognizing the special needs of the elderly in our society, he founded the Mount Carmel Senior Citizens Center. Monsignor Martorella also capably serves his borough on the Bronx Borough President Advisory Committee.

The Columbia Association of the New York City Police Department and the Columbus-ESCA Alliance of Italian-American Business Professionals and Elected Officials enjoy his guidance and inspiration as their spiritual director.

An activist, prompted by church organizational concerns as well, Monsignor Martorella is now serving a 3-year appointment by Cardinal Cooke on the Archdiocesan Priests Retirement Board. He recently completed another special appointment by the cardinal to the Interparish Committee of the New York Archdiocese.

Yes; we are paying tribute today to a man who helps people be better people. We are saluting a leader who enables people to live out days of their lives as best they can. In that form, they are true to themselves, a credit to their community, and an important contributing factor to the success of God's service and His work here on Earth.

I implore him, on behalf of all his friends and admirers, to continue in all his good works, with good health God willing, and never to go too far away from our neighborhoods and communi-

ties where he is widely loved and respected. I further ask and trust that he will permit us to partake of his talents and wisdom for a long time to come. I take great personal pride in being among the wealth of his dear friends, and one who has encouraged him in his community endeavors and accomplishments.

Warmest and heartiest congratulations to you, Monsignor Martorella, on your 40th anniversary in the holy priesthood. And may God bless you and keep you always. ●

VOTING REPRESENTATION  
MEASURE

**HON. WALTER E. FAUNTROY**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FAUNTROY. Mr. Speaker, following the floor debate on House Joint Resolution 554, the District of Columbia full voting representation measure, one of my constituents who was in the House gallery recorded her impressions of the proceedings in a poem. I believe this poem captures the hope and, indeed, the feelings of the District of Columbia community on this matter. The poem follows:

While I sat in the gallery in the Capitol today

I watched one of God's messengers and I started to pray

Lord please let his resolution pass  
I'm terribly excited Lord please do it fast

My breath was cut short anxiety pains in my chest

As I watched his colleagues put 554 to a test.

I watched this representative for God and man

Step forward to deliberate his legislative plan

He reminded me of Martin Luther King  
His speech was to let all freedom ring

He asked for respect from every nation  
By giving the District full voter representation

I looked in that pit what a heavenly sight  
As his colleagues shook his hands and urged him to fight

When the voting was over God I watched  
his face wet with tears

He was thankful for your encouragement all of these years

Now we are waiting for the Senate to give its final touch

By voting yes for legislation that we need so much.

Let it ratify victory, it's a beautiful plan  
To make men equal in this God blessed land . . . America.

(To Congressman WALTER FAUNTROY and the United States Congress and Senate from Mrs. Elaine Johns.) ●

FISCAL YEAR 1979 DEFENSE AUTHORIZATION: WHAT IT COSTS AND WHAT IT BUYS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CONYERS. Mr. Chairman, once again the annual defense authorization rite is upon us. The figures may change, almost always in an upward direction, but the underlying assumptions, attitudes, and inducements to spend on national defense remain the same.

This year there are a few interesting variations on the usually perennial theme that American military spending is the only key to earthly security and salvation. The authorization bill is \$2.4 billion above the President's request and \$3.4 billion above the House's version of the first budget resolution for fiscal year 1979.

Also this year for the first time in several years a group of dissident committee members, outraged by the arbitrariness and excessiveness of the committee bill, have devised a substitute bill, which would call up the President's initial request as the baseline for authorization. Apparently, the committee's action was even more flagrantly irresponsible this year than in past years. One Member characterized the committee bill as "the most pork-laden" in recent history. Another member, who is usually sympathetic to Pentagon demands, thought the committee "ran amok" this time around. A third member refers to the bill as "the Christmas tree bill." Among other goodies, the bill authorizes \$8.1 million for a private Gulfstream executive jet for the Marine Corps Commandant. It also offers a virtual blank check to the Lake Placid Olympic organizing committee to provide the Pentagon with funds to shovel snow and provide security at the 1980 Olympics in upstate New York. Apparently, this authorization won support after a senior committee member convinced his colleagues that his district, which includes the site of the 1980 Olympics badly needs Pentagon assistance. Since the Defense Department seems to have its hand in so many domestic projects and social events, I am tempted to request that it lend its helpful hand to the cities of Detroit and Highland Park, in my own district, to help eliminate unemployment and assist in the local crime prevention and urban security effort.

In a more serious vein, however, as flagrantly irresponsible as these pork-barrel projects are, far more serious are the misguided and dangerous assumptions that lie behind the defense authorization request. We have become inured of late to the notion that whereas the Russians are currently outspending us on military matters, and because the Russians seem to be having a rather successful time in their support of armed struggles in Third World countries, it is simply a matter of national reason, honor, and security to raise sharply the level of funds going to military research, development, and production. The current

Defense Authorization bill is the perfect embodiment of this dubious logic, particularly its request of \$2.1 billion for a new super-class nuclear carrier, which has been opposed by the former President, is opposed by President Carter, and was rejected last year by both Houses of Congress.

The convenient assumption behind this current authorization bill is that it, along with the new nuclear carrier, will furnish us with the national security we need in the years ahead. Let us examine this assumption. What are we buying with this new \$2.1 billion *Nimitz*-class carrier, or for that matter with the whole authorization bill of \$37.9 billion? What is this new carrier actually going to cost us in the lifetime of its mission?

What does this additional nuclear carrier actually provide in terms of force structures and military missions? And why are the underlying assumptions about force structures and missions, which this carrier represents, warranted at all? These questions ought to be asked of every weapon authorization and appropriation, but unfortunately are generally not? What are we buying, and for what reason? What will it be costing American taxpayers not only this year but in future years?

For answers to these questions I consulted with Dr. Earl Ravenal, a former high official in the Department of Defense, a leading expert on defense and foreign policy, and a professor at Johns Hopkins and Georgetown Universities. This is his breakdown of the costs of the *Nimitz*-class carrier that will be incurred over the years in order to enable it to fulfill its mission:

\$2.1 billion for the ship itself;  
\$3 billion for its complement of 90 aircraft of various types (most of which are for the defense of the carrier itself);  
\$3 billion for 6 escort ships for the defense of the carrier;  
\$1.5 billion for various replenishment and support vessels; and  
\$1.5 billion for its shore facilities.  
Total: \$11.1 billion just for the hardware itself.

But this is not all of the cost:

\$11.1 billion for the hardware;  
\$22.6 billion to operate the carrier over its 35-year life; and  
\$66 billion for 2 more carriers, which are necessary, one in reserve and one in overhaul.  
Grand total: \$100 billion.

A \$2.1 billion authorization for a new super-class nuclear carrier can cost us as much as \$100 billion. Unfortunately, we do not think of weapons systems in terms of force structures and missions, even though this is the name of the national security game. I suspect we are not inclined to this mode of thinking because the fiscal and other implications of our rather casual incrementalist decisions on national defense would blow our cover and confront us with the incredible implications of the decisions that we make.

I will leave aside for the time being the connection of the spending called for in the current defense authorization bill, on the one hand, and our Nation's security or even our defense against Russian moves in the world, on the other. Whether we like it or not, recent Russian suc-

cesses in the Third World are centrally related to the sides they chose in the struggles and other political factors, not to how many nuclear carriers we have.

The best information available to me indicates that in terms of our military rivalry with the Soviet Union, we remain far ahead in numbers and firepower. For example, one estimate shows America as having 9,000 strategic and 22,000 tactical nuclear warheads—as compared to 4,500 strategic and 7,000 tactical on the Russian side. We remain ahead by several years in terms of nuclear technologies. Put in another way, we have enough weaponry now to kill every Russian 36 times, and every person on Earth 12 times. Is this not enough deterrence?

I oppose the defense authorization bill for these reasons. Coincidentally, this week the United Nations special session on disarmament convened, which will exist for 5 weeks. The nations of the world will spend over \$400 billion this year on armaments, the equivalent of \$1 million on guns, tanks, missiles, and bombs each and every minute of the day. The United States ranks first in the selling of arms. As one of the congressional advisers to the U.N. disarmament session, I plan to participate as much as possible in meeting with other delegates and addressing the issues of arms control and disarmament. The U.N. session is an opportunity, which may not happen again, for the world community to turn away from militarism and avert the catastrophe of nuclear war. It is worthwhile juxtaposing the defense authorization bill for fiscal year 1979 with the dialog in New York on arms control. I would respectfully suggest that the future of the world, depends more on what happens at the U.N. disarmament session than on the flagrantly irresponsible add-ons of weapons upon weapons that go into each year's defense authorization bill. Military spending, of the scale that we countenance, offers no hope at all. ●

FOR THE BIRDS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. STARK. Mr. Speaker, this Thursday the 15th annual Leonard J. Waxdeck Bird Calling Contest will be conducted at Piedmont High School in Piedmont, Calif.

In these times of crisis when the world seems preoccupied with violence and strife, this unique event celebrates gentler pursuits. Students have worked long and hard to master the ethereal flute-scale of the veery, the variations on themes of the wood and hermit thrushes, the familiar trills of the goldfinch, bobolink, black-capped chickadee and, not to be ignored, the tappings, calls, and flight songs of sapsuckers and flickers. The familiar calls of the virtuoso songster, the song sparrow, will ring in Piedmont

High calling to mind the lively picture and joyful sounds of a May morning.

This contest is an exceptionally fine way to encourage young people to discover and explore woodland, field, and shoreline and to become familiar with their feathered residents. I salute those who participate and those who make it possible. This is an event which is truly for the birds. ●

#### TERRORISM AND SAMI ESMAIL

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. McDONALD. Mr. Speaker, on Monday, May 22, a briefing was held for Members of Congress and staff aides on the trial of Sami Esmail, a U.S. citizen, in Israel. A presentation was made by three members of the National Committee to Defend the Human Rights of Sami Esmail and by Esmail's defense attorney, Felicia Langer.

Sami Esmail was born in Brooklyn, N.Y., in 1954. In 1960, his family returned to the West Bank region of Jordan, now under the control of Israel. Esmail was educated in a Quaker school in the town of Ramallah. He returned to the United States in 1972 for university education. He is currently working toward a masters degree at Michigan State University in electrical engineering. To continue the sketch of events, Esmail was arrested upon his arrival in Israel on December 21, 1977; on December 25, he met with a U.S. consular official while still in detention. On December 26 and 27, he wrote and signed various documents in English and Hebrew admitting that he had traveled to Libya for 2 weeks in 1976 and attended a training camp of the Marxist-Leninist and terrorist Popular Front for the Liberation of Palestine (PFLP). He has been tried on charges of belonging to the PFLP, an organization outlawed in Israel for its terrorist acts; a verdict is expected early in June.

Prof. Robert Barr led off the talk. Barr, a member of the engineering department at Michigan State University, said he was acquainted with Esmail, that Esmail had not acted terroristically in his presence and that Esmail was a bright student. Barr, who had attended the Esmail trial, concluded an uninterrupted half hour of personal testimonials with the statement he was "sickened and outraged" by the charges that Esmail was a member of a terrorist group "because he's not an ordinary student \* \* \* he had a .76 grade average"

Professor Barr is apparently unaware that most of the members of the Baader-Mainhof Gang, Red Brigades, Weather Underground, and the like have attended college, that some terrorists have higher degrees or are members of professions including PFLP leader George Habash, a medical doctor like Ernesto "Che" Guevara. The fact that a person has education in no way precludes their also being a member of a terrorist organization.

Reporting on Esmail's defense, the MSU professor said that Esmail had actually gone to Libya in August 1976 "to see about a job when he got his Ph. D." He admitted that at that time, Esmail's Ph. D. was "still a long way in the future." In fact at this time he is still working toward a masters degree.

Felicia Langer, Esmail's defense attorney, provided additional information. She stated that Esmail repudiated the nine-page confession in which he admitted being a member of the of the PFLP, having sold the PFLP magazine in Michigan, and having taken training with the group in Libya. According to Miss Langer, Esmail's trip to Libya was organized by the Libyan Arab Socialist Party (the ruling party in Colonel Qaddafi's dictatorship) through an unnamed friend in East Lansing. Langer did not find it unusual for a 22-year-old still 5 to 6 years away from his Ph. D. to travel to Libya to look for a future job. There was no mention of the leading role played by Libya in providing bases for international terrorist groups like the so-called Carlos network and the militant terrorist groups of the Palestine Liberation Organization's Rejectionist Front led by Habash's PLFP.

Professor Barr had said that the Esmail confession could not have been written by Sami Esmail, because it referred to the PFLP as a terrorist organization. Said Barr:

Sami would never refer to them as terrorists.

A member of the audience asked Attorney Langer whether she, personally, would characterize the PFLP as terrorist.

Ms. Langer then commenced a magnificent demonstration of how not to answer an embarrassing question. My opinion is not important; it is Sami's case that is important. Palestinians are human beings with rights to be safeguarded, and so on. Langer's questioner was persistent and again asked her to please state on the record whether or not she believed the PFLP was a terrorist group. After more statements of the I am not on trial variety she said:

No, the whole organization is not terrorist. I am not blaming or stigmatizing organizations.

In an outburst of increasing emotion, Langer denounced Israel's recent incursion into the Fatahland region of southern Lebanon and said that that was worse than what Palestinian groups or individuals are doing. She excused acts of terrorism, recent acts including the bus hijacking and barbaric machine-gunning of motorists in Israel and on Saturday the thwarted massacre attempt at Orly Airport in France, as a result of the occupation. Whether she meant Israeli control of the West Bank or whether she meant existence of the State of Israel as an occupation of Palestine was unclear.

I asked Ms. Langer why she, as a person born in Poland, who emigrated to Israel in the early 1950's as a young woman, and who was a member of the Central Committee of RADAH, the Communist Party in Israel, had not chosen to live in the Soviet Union rather than

Israel. Langer's response was another highly emotional outburst. She said she and her family and her husband's family "were saved from the holocaust by the Soviet Union. We owe our lives to the Soviet Union." She said her childhood was spent in the Soviet Union during the Second World War, and reiterated that she owed them her life. She did not answer why she had gone to Israel if she owed so much to the U.S.S.R.

When I asked her whether she, as a survivor of the Nazi holocaust, thought that the Communist holocaust that was still continuing in Cambodia, Angola, Ethiopia, and other countries was also an atrocity, Ms. Langer walked out. The panel of "human rights for Sami Esmail" activists then decided the question was "out of order."

I would note that Langer, Robert Barr, and the two women from the Esmail support group, Meg Jacobson and Barb Tiebolt, made a great point over the fact that Esmail's indictment included actions that had taken place outside of Israel—taking training in a PFLP camp, selling PFLP literature, organizing support for the PLO and the like. Esmail grew up on the Jordanian West Bank and from 1967 to 1972 when he came to the United States to study, that region was under Israeli control. Therefore, it is unlikely that he was ignorant of the fact that membership in the PFLP is illegal in Israel, as is taking training in a terrorist camp in Libya. Esmail voluntarily entered Israel, thus placing himself under their jurisdiction. It seems the height of hypocrisy for Langer to object to the "extraterritoriality" of the offense of training in a PFLP camp and then entering Israel when her beloved Soviet Union exercises "extraterritoriality," including the kidnapping of anti-Communists and refugees to the U.S.S.R. for trial followed by execution or enslavement.

Another complaint made by the Esmail supporters was that they believe the FBI had provided the Israeli officials with information that Esmail was making a sudden trip to that country. Esmail says he suddenly left for Israel (in the middle of the MSU exam week), because he received a phone call that his father was very ill. His father indeed was ill and died early in January. They also state that the FBI had questioned Esmail about his trip to Libya in October 1977, a year after the event. They also admitted he had told the FBI that indeed he had been in Libya and that he had refused "to answer who arranged the trip or who went with him." They said that like Terry Fleener, another of Langer's clients recently convicted of being a member of and courier for the PFLP terrorists and who also is a U.S. citizen, Esmail was being "persecuted."

When I asked whether they objected in the abstract to the FBI telling an allied government that a terrorist who was a U.S. citizen was going to their country, they said they had no position on any question other than that Esmail is innocent.

As the meeting broke up, various supporters of Esmail asked the staffers present to help put pressure on the adminis-

tration and on Congress to demand that Esmail be immediately released to return to the United States prior to the verdict.

The National Committee To Defend the Rights of Sami Esmail distributed information packets at the meeting including lists of endorsers. They included Saul Landau, the replacement to KBG agent Orlando Letelier at the Institute for Policy Studies' Transitional Institute, who in 1976 wrote to the chief of the Americas division of the Cuban Communist Party Central Committee that he felt it was time to become a full-time "propagandist" for revolution in the United States; George Murphy of the Afro-American newspaper chain and an identified member of the Communist Party, U.S.A.; Morton Halperin, organizer of efforts to smash the U.S. domestic and foreign intelligence agencies; Angela Davis of the Communist Party, U.S.A. Central Committee and a leader of the CPUSA's front, the National Alliance Against Racist and Political Repression (NAARPR); Leonard Weinglass of the CPUSA-front National Lawyers Guild who has been sent as an observer of trials of terrorists in Iran and recently defended members of the Symbionese Liberation Army; and a number of others who have been active in supporting the Vietcong, PLO, and similar terrorist "liberation movements."

The considerable internal contradictions in the presentation of the Esmail case, taken with Felicia Langer's emotional defense of the Soviet Union and long record of defense work for arrested terrorists in Israel, gives me the strong impression that the National Committee To Defend the Human Rights of Sami Esmail is more interested in making sure that a PFLP member escapes jail in Israel rather than in human rights.●

MEMORIAL DAY 1978

HON. CHRISTOPHER J. DODD

OF CONNECTICUT  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. DODD. Mr. Speaker, this week communities across our Nation are preparing for the approaching Memorial Day celebrations. It is appropriate that we pause to pay tribute to our servicemen who have fought so gallantly for our Nation.

Since Memorial Day began to honor the soldiers who fell during the Civil War, approximately 736,000 American servicemen have lost their lives in succeeding conflicts. I call your attention to the fact that 2,446 American servicemen died during the Spanish-American War; World War I cost us 116,516 American servicemen's lives; 405,399 American servicemen perished during World War II; 54,246 American servicemen died during the Korean war. At the close of the conflict in Southeast Asia the death toll was 56,962. We must also remember that countless more servicemen were listed as MIA's or unaccounted for at the close of these conflicts.

Mr. Speaker, the statistics I have just quoted are indeed staggering. These losses are felt by all Americans.

On Memorial Day I hope that our Nation's leaders will not only remember the Americans who have died in war, but will open their hearts and minds to the present concerns of their survivors and comrades. We can ill afford to forget the sacrifices our veterans and their families have made for our country. We must not forget our obligations to assist our veterans in finding employment, obtaining medical, continuing their education, and finding housing. Memorial Day is an opportunity to heed these concerns.

Memorial Day is an appropriate time to reflect on the fact that the United States is not engaged in conflict with other nations. We have paid a tremendous price for peace. The peace we enjoy today has not been easy to come by. It may not be easy to retain.●

ROCKFORD, ILL., SCHOOLCHILDREN COMMENT ON FREE ENTERPRISE AND PRIVATE PROPERTY

HON. JOHN B. ANDERSON

OF ILLINOIS  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. ANDERSON of Illinois. Mr. Speaker, I have been reading some essays about free enterprise which I would like to commend to my colleagues. While revealing to us their perspective of adult life, a group of seventh and eighth grade schoolchildren will often sweep aside the curtain of subjectivity obscuring our view of ourselves. Just such a group of students, from the schools in Rockford, Ill., were asked to write about "Why It's Important to Preserve the Right of Free Enterprise and Private Property Ownership." A few examples from these 13 and 14 year olds' essays will demonstrate, far better than my words, their strong sense of certain fundamental assumptions in our society. Rick Landgren, the seventh grader who won first place, said:

Local Rockford businessmen provide services and products for the people of Rockford. We have a better chance of having better services and higher quality products provided for us this way, than if we have to depend on businesses that are not locally owned.

Vicki Vince, the seventh grader who achieved second place, wrote:

Life's ambitions can be fulfilled. One can own his own business and work towards his own goals. Free enterprise encourages creativeness.

Linda Hippler, the eighth grader who was awarded first place, commented:

Without free enterprise, many rights are eliminated. The individual's right to earn the most money according to his ability and talent is destroyed. The right for business to compete with one another, abolished. For Americans, the purpose and desire to live is lessened.

Julie Ross, the winner of second place in the eighth grade contest, concluded:

Americans have had the freedom to become successful in their own businesses, and thus,

feel a pride in their work. It is this pride that has made us the superior nation that we are. However, if the government interferes, this pride will be lost.

We must prove that we are able to control our lives and our businesses in such a way that government will not need to control them for us.

These words draw us back to the fundamental principles on which we base our society and our lives. The ability to return to basic principles is essential in a life where complexities build geometrically, jumbling our perspective. I would like to commend these students both on their awards and on their deep commitment, interest and involvement in a better future for America.●

BIG BROTHER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. TEAGUE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include an editorial from the May 11, 1978, edition of the Duncanville Suburban, of Duncanville, Tex., concerning the proposed directives of the Department of Agriculture with respect to the sale of so-called junk food in school buildings and school cafeterias.

I would agree that this food is not nutritious, but have we at last reached the point where the Federal Government is going to tell us what to eat.

Editorial follows:

LIVING GREEN

Have you heard about the latest in federal meddling in connection with our school systems? Big brother, this time in the form of the U.S. Department of Agriculture, wants to prohibit the sale of candy, soda water, frozen deserts and chewing gum on school premises until after the last lunch period. Their stand is being taken on a public law that gives them authority to prohibit the sale in schools of food items that the department determines to be of little nutritional value.

Well, now, we will have to admit there is little nutritional value in the items on the proposed list, but we just don't think it's up to the feds to tell us, or our children, what we can and can't eat. Such regulation is reserved, in our opinion, for the parents. And, if school officials choose to eliminate such foods from campus, that's fine, too. But the feds should not be able to come to Duncanville—or send word—that certain foods cannot be sold on campus during a specified time.

Something tells me that the federal lunch program just isn't getting the reception expected. Maybe too many of the so-called poor who supposedly can't afford good meals, are spending their money on junk. Certainly that doesn't make for a healthy diet, but don't each of us have the right to decide whether or not we eat good food or junk food? Should the federal government have the right to deny anyone the right of choice in such matters?

Oh, the junk food regulations are not all that serious, but they are just one more link in the ever growing chain of federal meddling in matters that are not federal business.

The ban is merely proposed at this stage and comments are invited by USDA. Comments may be sent to Margaret O'K. Glavin, acting director, school programs division.

Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250 by June 9. ●

**LONG ISLANDERS BACK SALT TALKS**

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. DOWNEY. Mr. Speaker, this week the United Nations begins a month-long special session on disarmament. Meanwhile, the Carter administration SALT negotiators are continuing significant arms control talks with the Soviets at Geneva.

Some Members of Congress, and defense industry spokesmen, would have us believe that these two steps toward arms control will put us in an inferior military position with the Russians.

The American people see through the smoke and support arms control because they know that the costly and destabilizing weapons race must be stopped. I would like to insert into the RECORD a recent poll taken by Long Island's Newsday newspaper. The Newsday poll, surveying an area with a significant defense industry, clearly shows that Long Islanders are in favor of our SALT efforts and other attempts to put a lid on nuclear weapons.

**LIERS BACK SALT TALKS WITH SOVIETS OPINIONS ON SALT**

NOTE.—Findings are based on telephone interviews conducted May 15 and 16 with 526 Nassau and Suffolk telephone subscribers.

[In percent]

Are the SALT talks—	
An attempt to reach a European troop reduction agreement with the Russians? .....	3
An attempt to reach an agreement with the Russians on a ceiling on salt prices? .....	3
An attempt to reach an agreement with the Russians on limitation of nuclear weapons? .....	71
Don't know .....	23
Do you think it is in the best interest of the United States to sign a strategic arms limitation agreement with the Russians?	
Yes .....	60
No .....	34
Don't know .....	6
In general, do you think that the United States is militarily—	
More powerful than the Russians? .....	22
Less powerful than the Russians? .....	27
Equally powerful? .....	47
Don't know .....	4
Can the Russians be trusted to abide by an arms limitation agreement?	
Yes .....	70
No .....	23
Don't know .....	7
Should the United States refuse to sign an arms limitation agreement with the Russians unless they agree to recognize the basic human rights of their own citizens?	
Yes .....	63
No .....	32
Don't know .....	5

**SIXTY PERCENT SUPPORT AN ACCORD ON LIMITATION OF NUCLEAR WEAPONS**

(By Bernie Bookbinder)

As the current strategic arms limitation talks between the United States and the Soviet Union appear to be nearing their conclusion, Long Islanders solidly support ratification of the agreement that emerges.

Asked by LI Poll interviewers if they thought "it is in the best interest of the United States to sign a strategic arms limitation agreement with the Russians," 60 per cent of the random, representative sample of 526 Nassau and Suffolk telephone subscribers replied that it was, 34 per cent said that it wasn't and 6 per cent were undecided.

Responses to other questions turned up seeming contradictions, however, and suggested that some of the people who backed arms limitation, particularly those with strong anti-Communist feelings, were less than fully committed to SALT.

Professor Stephen Cole, a sociologist at the State University at Stony Brook, found when he analyzed responses to the basic arms limitation question that people who were better informed about the SALT discussions were more likely to support ratification. This was determined through a question aimed at finding out how familiar Long Islanders were with the talks and their purpose.

Those interviewed were asked if the talks were (1) an attempt to reach a European troop reduction agreement with the Russians, (2) an attempt to reach an agreement with the Russians on a ceiling on salt prices, or (3) an attempt to reach an agreement with the Russians on limitation of nuclear weapons. Seventy-one per cent correctly said that the talks dealt with nuclear weapons, while 3 per cent said troop reductions, 3 per cent said salt prices and 23 per cent said they didn't know the answer.

When the results were tabulated Cole found that among those who answered the question correctly, 62 per cent felt that the agreement was in the best interest of the United States, 33 per cent felt that it wasn't, and 5 per cent had no opinion, while among those who hadn't known what the SALT talks were about, 52 per cent said that they were in the U.S. interest, 38 per cent said they weren't and 10 per cent had no opinion.

In dealing with feelings about SALT, the poll was interested in the effect of attitudes about the relative military strengths of the United States and the Soviet Union.

When interviewers asked whether the United States was militarily more powerful than the Soviet Union, less powerful or equally powerful, 22 percent of the sample said "more powerful," 27 percent said "less powerful," 47 percent said "equally powerful," and 4 percent said they didn't know.

Analysis determined that, as might be expected, those who said that the United States was more powerful than the Soviet Union were more likely to support an arms limitation agreement than those who thought the Soviets were more powerful than the United States. Cole found that the people most in favor of an agreement were those who thought that the two nations were equally powerful.

As reported in yesterday's article, 44 percent of the sample thought that the United States should spend more money on defense than it does now, 19 percent said that it should spend less, 34 percent said that there should be no change, and 3 percent were undecided. When these responses were tabulated with attitudes toward SALT, it was found that those who favored reducing defense expenditures were more likely to back a SALT agreement than those who favored boosting defense spending and those who thought the present spending level should be maintained.

Aside from opposing arms limitation because they thought that the United States

was militarily inferior to the Soviet Union and had to catch up, some people might be against SALT because they thought that the Soviets were not trustworthy. When Long Islanders were asked whether they agreed or disagreed that "the Russians can't be trusted to abide by an arms limitation agreement," a substantial proportion (70 percent) agreed, while 23 percent disagreed and 7 percent had no opinion. Those who thought the Russians couldn't be trusted were more likely to oppose an agreement than those who didn't feel that way. Among those who agreed that the Russians were not trustworthy, only 52 percent supported an arms limitation agreement, while among those who disagreed, 81 percent supported such an agreement.

Since there has been some feeling that detente with the Soviets should be linked to a liberalization of Soviet treatment of dissidents, those polled were asked whether or not they agreed that "the United States should refuse to sign an arms limitation agreement with the Russians unless they agree to recognize the basic human rights of their own citizens." Fully 63 per cent of Long Islanders agreed with the statement, while 32 per cent disagreed, and 5 per cent were undecided.

The responses to this question seem to contradict those given to the question of whether the United States should sign a SALT agreement with the Soviet Union. This contradiction, Cole said, indicates that not all of those who initially said that they favored SALT were equally committed to arms limitation and detente and that, when they were given the opportunity to justify withdrawing their support, they might do so. A further analysis of the data showed that the Long Islanders who changed their minds about SALT (when it was linked to Soviet human rights policies) were those who, in general, had strongly negative attitudes toward Communism and the Soviets. For example, those who believe that "it is the duty of the United States to prevent the Communists from taking over the world" were far more likely than those who didn't feel that way to think that the United States should refuse to sign a SALT agreement unless the Russians agree to respect human rights.

Finally, there has been some controversy over whether U.S.-Soviet relations have improved or worsened under President Carter. When the poll asked Long Islanders what they thought had taken place over the past year, the result was a virtual standoff: 17 per cent said that relations had gotten better, 18 per cent said that they had gotten worse, 62 per cent said that they were unchanged, and 3 per cent had no opinion. ●

**ALASKA LANDS—H.R. 39**

**HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. STARK. Mr. Speaker, due to a prior commitment in my district I was absent for rollcall No. 336, Alaskan wilderness, on Thursday, May 18 and I missed all votes on Friday, May 19 when the House of Representatives concluded consideration on H.R. 39. Had I been present I would have voted "nay" on rollcall No. 336, an amendment to cut in half the wilderness acreage proposed for our national interest lands in Alaska. Had I been present on May 19, I would have voted "nay" on rollcall No. 338, an amendment that requires the President to submit a proposal to Congress by

October 1, 1981, for a procedure for evaluating applications by individuals wishing to carry out mineral exploration or extraction on conservation system lands. Had I been present I would have voted "nay" on rollcall No. 339 to recommit the bill to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries, and "yea" on rollcall No. 340, final passage of the bill.●

REDUCING INFLATION

HON. MAX BAUCUS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BAUCUS. Mr. Speaker, inflation is among the most serious problems this Nation faces. The President has announced action he intends to take to counter price increases. But his efforts will not help unless Congress makes a strong commitment to reducing inflation.

The most recent statistics show prices increasing at an annual rate of 10 percent. Since 1975, we have had steady inflation of at least 6 percent.

This inflation erodes the standard of living for those who live on fixed incomes. It constantly creates imbalances and tensions in the society if some groups benefit and some lose from inflation. It inhibits business investment and growth by making it almost impossible for businessmen to predict future costs and prices.

We in Congress can take the lead in fighting inflation by voting for responsible spending and revenue measures, encouraging the growth of industrial productivity and paying attention to the Government regulatory process that provides inflationary pressure.

Deficit spending invariably leads to inflation. Our national economy still suffers from the 1975 recession, and some deficit spending may be necessary to maintain business and employment recovery.

But the \$60 billion deficit proposed by the President this year is simply too large. Our House Budget Committee has approved a budget reducing the President's deficit. I support a smaller deficit and will oppose efforts to increase outlays. As we vote on spending measures in the coming months, we must consider the impact each will have on the budget deficit and resultant inflation.

Once inflation begins, it tends to sustain itself via the wage price spiral. The budget deficits run in the late 1960's in spite of low unemployment led to the unacceptable inflation we have now.

As the employment situation improves, the budget should be in surplus. As unemployment recedes, incomes, profits and tax revenues rise while unemployment-related expenditures fall. These natural tendencies should lead to a balanced budget, but historically they have not. Instead, Federal spending has increased dramatically in prosperous times.

I asked a successful amendment to the

Full Employment Act which will require the President to submit a surplus budget when unemployment is low. Additionally, I will soon introduce the full employment Budget Surplus Act to provide further assurance that this Nation attacks its deficit spending and national debt problems.

It is important that we consider the inflationary impacts of Government regulations; these can be staggering. For example, housing has been affected by inflation such that many families can no longer afford their own homes. Shockingly, a congressional panel found that Federal regulations added \$5,000 to the average cost of homes in an Oregon community.

Similarly, the increasing flood of Federal redtape has been an enormous burden for businessmen that has increased costs and forced the closing of many enterprises in Montana and elsewhere.

Most of these regulations come from executive agencies and departments which operate virtually unconstrained by congressional or judiciary oversight.

I cosponsored the Administrative Rulemaking Reform Act to provide additional opportunity for public participation in agency rulemaking and create opportunities for congressional and judicial review. I would urge this House to seriously consider that proposal. Additionally, we must consider the inflationary impact of all bills we pass. It would make sense to require "inflationary impact" estimates for major proposals.

Mr. Speaker and fellow colleagues, recent polls show that Americans regard inflation as this Nation's primary economic problem. As elected representatives, we have an obligation to pursue policies to combat inflationary pressure. We must meet that obligation.●

A TRIBUTE TO JOSEPH P. SHERIDAN

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FLORIO. Mr. Speaker, in memory of Mr. Joseph P. Sheridan of Gloucester City, N.J., I would like to enter the following statement. Joe Sheridan passed away on November 16, 1977.

During his lifetime, Joe Sheridan compiled an outstanding record in both civic affairs and public office. For five consecutive terms, Mr. Sheridan served as member of the Common Council of Gloucester City from January 1, 1962 to December 31, 1976.

As a councilman, Joe spearheaded several projects for the youth of his city. He was a leader in developing programs to build football fields, baseball fields, basketball courts, tennis courts, and playgrounds throughout Gloucester City.

Besides his elected responsibilities as councilman, Joe Sheridan was a member of the Camden County Democratic Committee, the Gloucester City Democrat Executive Committee, and a member of the Gloucester City Welfare Board.

He was a veteran of World War II, a charter member and president of the Gloucester City Sportsmen's Club and a member of the Gloucester Catholic Fathers Club, and Townsend C. Young VFW Post 3620 and the Gloucester City American Legion Post 135. Employed by Ragens Transportation Co., Joe was a member of Teamsters Local 676.

Joe Sheridan's lifetime career is a shining example of one man's dedication to his city, county, State, and its citizens within. Every position of responsibility he held was utilized to its fullest potential. He worked with untiring zeal and devotion and proved himself a capable leader with genuine concern for those he served.

His family and friends can be proud of this man's record. He will be sadly missed by those who loved him, knew him, and had the privilege of working with him.●

THE STATE HOSPITAL—HOW CAN IT SERVE?

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. QUIE. Mr. Speaker, recently, we have seen a deserved emphasis placed on the need for more considerate approaches to treatment of mental disorders. Dr. Francis Tyce of the Rochester State Hospital in Rochester, Minn., has prepared a paper which was presented at the convention of the American Psychiatric Association in Atlanta earlier this month. Dr. Tyce has outlined what he feels are the services and qualities necessary for a mental health facility to best fulfill its purpose of helping the mentally and emotionally ill. Because it gives a very comprehensive view, I would like to share the paper with my colleagues. It reads as follows:

THE STATE HOSPITAL AS A CENTRE FOR MENTAL HEALTH AND A LEAST RESTRICTIVE ALTERNATIVE IN THE TREATMENT OF SOCIAL DYSFUNCTION

The socially dysfunctioning individual is one markedly out of phase with the society in which he lives. His dysfunction can be protean; mental illness, neurosis, marital or family problems, problems in functioning in living as a child, adolescent, adult, or aged person. His dysfunction can be caused by vocational problems, illegal behavior, rebelliousness against the system in which he lives; or by abuse of chemicals, alcohol; developmental disabilities, learning disorders, helplessness in the problem of adjusting to the life experience, loneliness, rejection, alienation by others of different racial and ethnic origin. This list is far from complete.

If a state hospital is to attempt to deal with some of these problems, what qualities should it possess, or try to develop, to assist those people I have called socially dysfunctioning?

The state hospital—

1. Should be visible to the community it serves. They should know where it is.
2. Should be accessible. Easy of access—on a good transportation pattern.
3. Must be available. 24 hours a day—7 days a week. A good hotel can be very visible, a skyscraper in the middle of the traffic pat-

tern, but if it is closed, it is useless, it is not available. It is a hollow promise.

4. It must be penetrable, devoid of restrictive policies, and easily penetrated by consumers, relatives, visitors, media, other community facilities, and all sub units within the hospital should be easily penetrable also.

5. It must be credible. Those who work in the hospital and those who use it should believe in it.

6. The hospital must be cooperative, finding it easier to say yes than no in its relationship with the community, and the community facilities it works with.

7. The hospital must be Sensitive, attuned to all small cries from the community.

8. It must be Responsive, that is, willing to act.

9. It must be Flexible, willing to adapt.

10. It must be Changeable, that is, willing to give up old ideas.

11. It must be Creative, that is, willing to be imaginative.

12. It must be Courageous, willing to accept challenge and not regard timidity as a safer and desirable goal.

13. It must be Accountable to its consumers, its staff, its community, and its central authority.

If the hospital has the physical qualities of visibility, accessibility, availability, penetrability, and has developed credibility, and if it continuously strives to be cooperative, sensitive to the community needs for the treatment of its socially dysfunctioning, and most importantly responsive to these needs, and is willing to be flexible, changeable, then creative and courageous in trying to meet these needs, what programs might it develop for the socially dysfunctioning person?

For the mentally and emotionally ill, a psychiatric service should contain the following elements:

I. a. An inpatient adult psychiatric service in mixed male, female open units which are regionalized—that is each unit individually serves a certain fixed geographic area in the hospital's total receiving areas. These geographic sub areas should contain a community mental health center. Traffic between the inpatient unit and the area and community agencies it serves should be open, encouraged, reciprocal and continuous.

b. A Day Hospital for patients who need not stay in hospital at night.

c. A Day Nursery attached to the Day Hospital. Since most patients in a Day Hospital program are women and married, they need somewhere to leave their preschool children while they use the Day Hospital. The Day Nursery is available to patients who use other services on the hospital campus, staff people who have a family crisis and to volunteers who work regularly at the hospital and cannot find or afford regular baby sitting.

d. A Night Hospital. Unlike the Day Hospital which will be a separate entity—each psychiatric unit can function as its own night hospital.

e. Adolescent in-patient services with an accredited school program supervised and staffed by the local school district.

f. Out-Patient Services. Again each psychiatric unit should provide out-patient services to those who need it after previous hospitalization. Thus continuity of care is provided by the team that looked after the patient in hospital.

II. For the socially dysfunctioning who are chemically dependent, the following programs are needed:

a. A Detoxification service for those chemically intoxicated.

b. A Chemically Dependency Unit closely associated with the Detoxification Unit so passage from it to the treatment unit is easy and expected.

c. Night programs for the still working alcoholic.

d. Diversionary programs designed in conjunction with local judges so treatment rather than punishment is an alternative which can be chosen by the chemically dependent law breaker.

e. Half-Way Houses for those who can now work in the community, but still need supervised living arrangements.

f. Programs for the families of the chemically dependent so they can develop understanding and support in his efforts to obtain sobriety.

III. Residential care for the developmentally disabled—both long term programs designed in conjunction with the local school district, and respite care for shorter periods of time. Here the resident lives at home and can be admitted for short periods when the parents need assistance in learning to program for him at home, or when there is parental illness, a family crisis, or simply a need for a parental vacation.

IV. A Geriatric Service for the dysfunctioning aged person, living alone, or with family, or in a nursing home. Admission should be made easy, and close cooperation and swift assistance given. This will persuade both nursing homes and family to take the patient back when they have the assurance of good followup care.

V. Residential Care for the Criminal Offender—another group of socially dysfunctioning people both young and adult. The State Hospital has had long experience in helping to create and design new programs. It is sensitive also the effects of total institutionalization and has a lot to offer in helping to set up programs in community corrections.

VI. Special programs—the State Hospital might help to set up programs for state-wide needs, for children services, forensic services, and special diagnostic and treatment services.

VII. For all these programs a strong medical service is a vital necessity, for even if we are willing to question the medical model, the consumer is not. He is still old fashioned—when he comes to a hospital campus he expects good medical care.

VIII. Vocational and Rehabilitation Services. Years ago in Phase I in the history of state hospitals, the hospital may have provided good medical care and benign custody. With the advent of new drugs and new techniques, the hospital moved to Phase II or the removal of symptoms and revolving admissions. Now in Phase III we know good medical care, removal of symptoms is not enough, without vocational counseling, and habilitation, and rehabilitation that makes certain the patient on discharge is vocationally independent and self-supporting.

Thus the state hospital may respond to local, regional and state-wide needs and create a diversity of programs. But to do this it needs money and personnel. I doubt any state hospital has ever had, or will have, enough money. The hospital should therefore have a basic unchanging commitment that it will strive to give away all, or as much as it can, of its operation back to community control, community funding, and community programming. If completely successful the "hospital" image disappears, the diversity of programs remain, and the campus becomes a regional resource for the socially dysfunctioning person.

Personnel in state hospital systems is equally as scarce as money, but here we can substitute ingenuity, and historically state hospitals have demonstrated ingenuity. If personnel time in patient contact can be increased, then their usefulness expands. The commitment should be that all clinically trained personnel, psychiatrists, psychologists, social workers, nurses, rehabilitation workers etc. should remain in positions of direct patient care. If the director of the hospital is a psychiatrist, he should have clinical responsibility for one psychiatric unit. To maintain highly trained professionals in administrative work only is to

waste their expertise and leads to program design without continuing experience, and communication by memoranda—a time consuming, self deceiving relatively inaccurate method of communication.

Responsibility and authority to act and to participate in treatment planning should be forced down and down, through all staff levels down to and including the patient and his family.

Why should the psychiatrist spend time compiling the psychiatric history? This should be done by the patient's primary nurse with the patient writing his own developmental history and autobiography which is then included as part of the psychiatric history. Who knows his developmental history better than the patient? The psychiatrist can read it later. The patient's autobiography should include his list of the problems that have brought him into the hospital and his ideas for their solution. To make the best use of time, remember that confrontation with the patient and his problems should be direct and speedy. Transference develops rapidly when time is short.

All interviewing with patient, patient and relatives, patient and community resources should be interviewing shared with the patient's primary nurse and other team members who will work with the patient. Single interviewing between patient and psychiatrist means that information gained has to be passed on often incompletely to other staff after the interview, and time is thus wasted.

I have yet to meet a patient who will not discuss his problems frankly with a number of people in the room, when he realizes all are interested in helping him. This does not obviate single staff to patient psychotherapeutic treatment sessions when it is indicated.

Discharge summaries can be written by the head nurse or unit director, read and countersigned by the unit psychiatrist, freeing more of his time for patient contact and teaching on his own unit.

The work of recreational therapists can be greatly expanded by inviting young people or resident volunteers, to live in the units with patients, in exchange for room and board. They can devise one-to-one or group activities for patients during the empty times when staffing is lowest—the evenings and weekends.

#### HOSPITAL INTERFACE WITH THE COMMUNITY:

The hospital should be seen as an important ally in the communities' attempts at social engineering and social planning. Sound trusting relationships must be built between hospital, law enforcement, courts, media and citizen groups all of whom are prime movers in community action and can support or deter new programs for the socially dysfunctioning person.

What happens to a state hospital if it becomes a centre for mental health?

It is predictable that:

1. Hospital census will go down.
2. Admissions will go up.
3. The % of voluntary admissions where people seek treatment voluntarily will go up.
4. Outpatient visits will increase.

To have said at the beginning of this paper that I was describing a particular hospital would have been presumptuous, to have described as existing, what actually does not exist would have been delusional.

I'm sure I have described nothing that is not familiar to you who work in state hospitals across the country, but if some aspects are unfamiliar, the operating policies and the program activities described all exist on the campus of the state hospital where I work which I hope make it with other cooperative but autonomous programs based on the campus a center for mental health and a least restrictive alternative in the treatment of the socially dysfunctioning individual in southeastern Minnesota. ●

THE INABILITY TO PROTECT  
OURSELVES

HON. DAVID L. CORNWELL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CORNWELL. Mr. Speaker the ever increasing threat of attack on United States soil by those who would enjoy our destruction is a thought we all find to be deplorable. I find the probable inability of this great Nation to protect its populace in the face of such a threat to be inexcusable.

Today this body will be considering measures which would more adequately protect our citizens in the event of war. I make reference to H.R. 10929, the Department of Defense Appropriation Act for fiscal year 1979, and more specifically title VII of the bill which pertains to civil defense.

The May 21 edition of the Washington Post's Parade Magazine carried as its cover story an article by Michael Satchell which discusses the comparative status of this country's civil defense capabilities. I strongly urge my colleagues to study carefully the article which follows:

WHY THE U.S. WORRIES ABOUT NEGLECTED  
CIVIL DEFENSE

(By Michael Satchell)

WASHINGTON, D.C.—It's called "Mutual Assured Destruction"—or MAD for short. Conventional wisdom has it that war between the United States and the Soviet Union is impossible because each side knows it would be destroyed in the holocaust of a nuclear exchange. Right?

Wrong.

From the Pentagon to the White House to the halls of Congress, there is mounting concern that the scales of nuclear balance may be tipping the scales steadily in favor of the Soviets.

The reason: a massive, continuing civil defense buildup in Russia to protect not only Kremlin leaders but the Russian population and its industry. Intelligence experts estimate the USSR has invested \$65 billion in the last decade in an ambitious program to ensure national survival in a nuclear war.

This country has spent a comparatively paltry \$898 million on civil defense during the past 10 years, and Bardyl Tirana, head of the Pentagon's Defense Civil Preparedness Agency (DCPA), candidly admits: "We have no civil defense program, merely the apparatus to start one. When you look at civil defense in the United States, you find the emperor has no clothes."

To many Americans, the subject of civil defense is a bore, but contemplate this scenario concocted for next year by Pentagon doomsday planners. The events envisioned happen over a two- to three-month period, starting next spring.

DOOMSDAY SCENARIO

War breaks out in the Middle East and Soviet "volunteers" join the Arab forces . . . in Germany, Soviets block access on the Berlin autobahn and NATO forces are mobilized . . . conventional air and ground battles break out and NATO forces are pushed back . . . the U.S. responds with tactical nuclear strikes on Soviet offensive positions in Europe and they reply in kind . . . the fighting escalates and within days the two superpowers are on the brink of all-out nuclear war.

Should the worst happen, Tirana estimates that up to 145 million Americans would be

killed or lethally dosed with radiation—even given a couple of months lead time to throw together some kind of civil defense shelter and evacuation program.

But the Soviets, with their superior civil defense, would lose less than 10 million, several experts estimate.

In the case of a surprise attack on the U.S. by the Soviets—that is, with only two or three days' advance warning—the casualty gap could be even more glaring.

Maj. Gen. George Keegan, who retired last year as head of Air Force intelligence, believes that an unexpected nuclear strike could kill 160 million Americans, while our return salvo would kill 5 million Russians.

"This is how far Soviet civil defense preparations have progressed," Keegan says. "In a nuclear war today, we as a nation would die. The Soviet Union would survive. Their cities would be destroyed, but basically their leadership, control apparatus and urban population would survive."

ASK CARTER FOR DOUBLE

Concern over the ominous buildup of Soviet civil defense has been expressed on several key fronts recently. Both the National Security Council and the Department of Defense have just completed secret studies, and Defense Secretary Harold Brown has recommended to President Carter that civil defense spending be more than doubled to \$230 million a year.

Brown reportedly told the President that such a sum could buy a modest population relocation and fallout shelter program that could cut expected U.S. casualties in nuclear war from four-fifths of the population to about one-half.

Lt. Gen. Samuel V. Wilson, head of the Pentagon's Defense Intelligence Agency, told a Congressional committee in recently released secret testimony that Soviet civil defense in another five to six years could alter the strategic military balance between the two nations.

President Carter, who wants reduced Soviet civil defense spending as part of an arms limitation agreement, has reinstated White House nuclear evacuation rehearsals—a practice ignored since the Cuban missile crisis.

National Security Adviser Zbigniew Brzezinski and his secretary—playing the roles of President and Mrs. Carter—tested the procedures in an unannounced drill one night, catching the Secret Service napping and finding the whole evacuation machinery extremely rusty.

It took 45 minutes to get "President" Brzezinski out of the White House and aboard the National Airborne Command Post Boeing 747 stationed a 10-minute helicopter ride away at Andrews Air Force Base.

Subsequent mock alerts have polished the plan, and President Carter—eager to underscore his interest in nuclear readiness—has flown aboard his airborne command post, taken a nine-hour sail on a nuclear submarine, visited the Strategic Air Command headquarters in Nebraska and several emergency command posts around Washington.

While preparations for the safety of the President, his family and government leaders may be up to snuff, plans for the rest of the country are woefully inadequate. A comparison with the Soviets underlines just how much.

Take the respective civil defense bosses. America's Bardyl Tirana is a lawyer by training whose job was staging the Presidential inaugural activities before Carter appointed him to head the DCPA in April 1977. Although he may be an able administrator, Tirana admitted when he was tabbed for the DCPA job that he knew next to nothing about civil defense.

The Soviet program is headed by Alexander Altunin, a four-star general in the Soviet army. He commands a civil defense military force on equal footing with their

army, navy and air force. In Russia, there are several civil defense academies much like West Point and Annapolis, and General Altunin has dozens of regiments of troops whose entire training and duty are devoted to civil defense.

Tirana heads an agency of 600 federal employees who coordinate civil defense activities with about 5500 state and local workers—their primary focus being more on natural disasters, such as fires and floods, rather than on nuclear attack. This year's DCPA budget is about \$91 million, most of it spent to simply maintain a framework upon which a civil defense program could be built.

In the USSR, according to Harriet Fast Scott, an expert on Soviet civil defense, Altunin runs a program with 100,000 active-duty military personnel involved every day in civil defense, and Soviet spending is currently running at about \$1 billion a year, 10 times what the U.S. spends.

Soviet civil defense courses and training are compulsory up to the age of 60. Children are introduced to the subject in second grade and study it throughout their academic careers. Adults are required to complete 40 hours of study.

Throughout the country, the government has erected model training villages of bombed-out buildings, downed power lines and other debris where civilians practice firefighting, rescue, medical aid and restoring public services. They also are taught how to build emergency shelters and they learn decontamination procedures to combat fallout.

Gen. George S. Brown, chairman of the Joint Chiefs of Staff, estimated in his 1978 message to Congress that the Soviets have enough hardened blast shelters to protect 10 to 20 percent of the work force from all but a direct hit.

PREARRANGED SHELTERS

In the event of imminent attack, Russian industrial workers would go underground and the rest of the urban population would head for prearranged relocation areas in small towns and villages.

There is evidence that these are more than paper plans. The Soviet press has carried stories about city families actually traveling to their assigned relocation areas to meet the families with whom they would live.

During the past 15 years the Soviets have dispersed their industry throughout the country instead of creating Russian equivalents of Chicago, Detroit or Pittsburgh that provide easy, inviting targets during a nuclear war.

Additionally, much of their industrial equipment and machinery has been "hardened" by using permanent protective canopies, structures and sandbagging techniques.

MACHINERY IS KEY FACTOR

The Boeing Company of Seattle did actual blast tests using Soviet industrial hardening techniques and found that while a factory roof may be blown off, more than half the machinery remained usable—a key factor if a nation is to struggle back to its economic feet after a nuclear knockdown.

Another key element of the Soviets' overall defensive plan is the stockpiling of enough food in huge underground storage depots to feed their population for at least a year.

All of this information has been gathered by Western military and intelligence experts from such sources as Soviet publications, interviews with defectors and emigrés, and from reconnaissance satellites. But what it means is open to interpretation.

Some believe it to be nothing more than a paper plan, a grandiose program that would—given the notorious inefficiency of the Soviet system and bureaucracy—fall apart if ever put to a true test.

Others see it as irrefutable evidence that the Soviets are planning for an Armageddon in which their losses would be acceptable,

thus encouraging them to attack first and win.

What really matters is not whether the Soviets can win a nuclear war, but whether they believe they can—a supposition likely to be reinforced if they compare their civil defense program with ours. With the rough balance of nuclear weaponry, civil defense today could make the difference.

Our own DCPA was recently described in a Congressional report as "the orphan of the Department of Defense," and its threadbare program reflects this lowly status.

The agency, for example, has eight regional command centers, but only six are underground and blast-proof.

And though DCPA has more fallout shelter spaces nationwide than there are people, they are not all in the right place—meaning some areas have far more spaces than needed and others not enough.

Stockpiling the large public shelters has been largely discontinued. Much of the \$150 million worth of food once stored in the shelters has spoiled and either been used as pig fodder or sent overseas before it became too rancid. Drugs, medical supplies and Geiger counters have been removed from the shelters for fear of theft.

Relocating urban populations to the countryside—which is DCPA's strategy for the future—isn't feasible in such areas as the Boston-New York-Washington corridor, the Chicago-Detroit complex and the state of California, most of which are prime target areas for attack.

Planners wonder if—in an unregimented society such as ours—an orderly mass evacuation can be accomplished with the threat of nuclear attack only days or hours away. Will troops desert? Will police officers, bus and train drivers and other vital workers report to their posts or simply take their families and join the exodus?

Says Tirana: "You do your best to protect the entire nation, although you know the chances for relocation working in some areas are better than in others. You have to do more than get people out of town. You have to have the ability to support the relocated population until the crisis has passed. And who knows how long that will be?"

If President Carter and Congress approve the Pentagon's request for increasing the civil defense budget in order to begin planning a relocation program, it will represent only a modest effort designed to save maybe half the population. It will not pay any attention to protecting industry.

That's about the cheapest program money can buy. A top-of-the-line program, planners say, would cost \$12 billion, or about \$50 per person, and protect 93 percent of the population in a nuclear attack. That's a little over one-tenth of this year's total U.S. defense budget of \$117 billion.

#### FRACTION OF SOVIET OUTLAY

While \$12 billion is a considerable expenditure, it is much less than the \$65 billion spent since 1968 by the Soviets and only twice the anticipated cost of Washington, D.C.'s, planned 100-mile subway system, most of which will be paid for by the federal government.

Though several federal agencies are responsible for civil defense, the DCPA is the principal one, and Tirana is a worried, frustrated man.

"The law says we shall have a civil defense program and protect the people, but we are not doing it," he says. "I just wish the Executive and the Congress would make a decision, because right now we are not prepared."

Just how unprepared can best be summed up by Tirana's reply when asked what he would do with his wife and two children if a nuclear attack were imminent.

After a long, thoughtful pause, he replied: "I don't know. I guess I'd tell my wife to get in the car and start driving. To where, I don't know." ●

## THE WORKING PEOPLE ARE THE SCAPEGOATS

### HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

Mr. CONABLE. Mr. Speaker, a little over a week ago, the President announced that he would revise his recommendations to the Congress on taxes to scale down his proposed reduction from \$24.5 billion in fiscal year 1979 to \$15 billion for that period. His three-paragraph statement is as vague as to the reasons for this abrupt policy change as is his overall political philosophy.

What makes this latest policy waffle of the President most incredible is that he has repeatedly stated he wouldn't take such action and his key advisers have continually pleaded for a tax cut of the size recommended by the President in order to assure economic expansion. As late as the day of the surprise announcement, Secretary of Commerce Krebs was reported to be calling for the President's tax package saying: "It is no time to waffle on taxes."

The previous week, in a speech to the National Press Club, the President's chief economic adviser, Charles L. Schultze, made a ringing endorsement of the President's tax program—particularly the size of the tax cut—and linked it to the administration's growing concern about inflation. The following excerpts from that speech underlined the administration's position as of May 2. Of course on May 12, it had changed completely. First, the administration on May 2:

We need a tax cut and we need a sizeable one. Without it, the recovery will be in serious danger of faltering next year."

We estimate that failure to enact the President's tax program would cost the economy almost 1 million jobs by the end of 1979, and unemployment might therefore be rising again next year.

... Abandoning the tax cut might have a small effect on inflation. But that slight improvement would come at an enormous cost—a million jobs, and \$40 billion in cost output by late 1979.

The downward insensitivity of the rate of wage and price inflation to moderate increases in the level of unemployment and idle capacity is the very essence of our nation's most troubling economic problem. If a modest increase in the current economic slack—as might be produced by cutting back or delaying the tax cut—could yield a prompt and significant reduction in the inflation rate, then such a course might well recommend itself. But the World Isn't built that way, and the gains would be far outstripped by the costs.

Ten days later on May 12, the administration did another flip-flop by announcing that it would scale back its tax recommendations by \$10 billion. The same administration spokesman, CEA Chairman Schultze in briefing the press:

We do not believe, ... that this action will increase the rate of unemployment above our earlier forecasts.

This change would slightly reduce the projected rate of growth but only by a small amount. But, it would do it.

He also indicated that if the economy continues "to behave as it appears to be

moving, no further changes will be needed" but that he could not rule out "further changes if there are more radical changes in the economy" in the future. Thus it seems that the only thing that is constant about the administration's economic policy is change—from one week to the next.

I have recited this history to illustrate what should be obvious—that the President has no economic or tax policy and that, accordingly, the Congress should put no more weight on his most current views than it was prepared to prior to the latest waffle. Most importantly, we must look to the impact of the latest administration proposal, what would it mean, who would it affect and how?

If we assume that \$10.5 billion of the \$15 billion total tax cut—70 percent—goes to individuals it would mean an average reduction of \$3 per return per week. Yet inflation over the 2-year period since the last tax cut has increased taxes on individuals alone by \$15 billion or \$4.30 per return per week. The President's plan is not to cut taxes but only slow the rate of tax increases.

The apparent justification for reducing the size of the tax cut is to have a smaller deficit. While that goal is laudatory, it should be apparent that this can be accomplished more satisfactorily by reducing spending than by not having a larger tax cut. Yet, the administration adamantly refuses this route since it would obviously damage its already shaky relations with special interest political constituencies on whom it relies for political support.

The only real loser in the President's proposal are taxpaying working people whose incomes are already overtaxed by a Democratic-controlled executive branch and Congress.

In my view, we should cut taxes by at least \$25 billion and reduce spending accordingly to achieve the budget deficit level projected by the Budget Committee. Why are working people always the scapegoats and nonworking people the beneficiaries of this administration's economic policies? The time has come for the taxpayers of this country to protest against an administration and a Democratic Congress who considers them pawns in an economic and political chess game. ●

#### PERSONAL STATEMENT

### HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. ULLMAN. Mr. Speaker, because of two long-scheduled engagements in Oregon, I was absent from Washington the latter half of Thursday, May 18, and all day Friday, May 19. I missed several votes on H.R. 39, the Alaska National Interest Lands Conservation Act of 1978.

Had I been in attendance, Mr. Speaker, I would have voted in favor of H.R. 39 as passed by the House and would have opposed all other substitutes.

Thank you very much for this opportunity to clarify my position on this important legislation. ●

THE FIRST AMENDMENT AND  
THE CHAINS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

Mr. UDALL. Mr. Speaker, I and 74 other Members of the House have joined in introducing a piece of legislation that has sparked a great deal of interest within the newspaper industry.

That bill, H.R. 12395, the Local Independent Newspaper Act of 1978, simply provides the means by which publishers of locally owned and operated newspapers can finance the heavy burden of estate taxes without forced sale of the newspaper property.

This threat of sale because of taxes is a principal factor in the decision by many independent newspaper owners to sell their properties to newspaper chains. The large chains, most public corporations capable of financing purchases through the issuance of stock, have been likened to scavengers awaiting the first signs of uncertainty and concern by publishers before swooping down with generous merger and acquisition offers.

Ever since I first voiced concern about the trend toward concentration within the communications industry, and proposed this modest piece of legislation, I have encountered two questions which cause hesitation even among publishers who would like some protection from forced sale. Those questions revolve around concern that congressional action would somehow jeopardize the first amendment protections of the Constitution, and, secondly, that singling out one element of the economy might be resented by the business community.

I have countered these concerns by noting that this legislation has no regulatory aspects whatsoever and that the press as an institution is unique in its social implications and has been singled out by the framers of the Constitution to play a unique and important role in keeping constructive public access to the facts and a forum for diverse opinion alive in our governmental process.

Absentee ownership of newspapers is on the rise. With it there is a loss in the sociopolitical role of the local newspaper—a loss that can only diminish the newspaper's function as envisioned by the framers and protected by the first amendment.

Chief Justice Burger recently called attention to the applicability of first amendment provisions to the giant media conglomerates in an important comment on the trend within the communications industry—a comment not lost on the giants.

And on May 17 of this year, the respected and articulate former editorial page editor of the New York Times, John B. Oakes, also commented on this trend in giving the Washington Journalism Center's Frank E. Gannett Memorial Lecture.

Mr. Speaker, I commend Mr. Oakes' speech to the attention of all my colleagues. The speech follows:

## SPEECH BY JOHN B. OAKES

Most of you in this room tonight—being in one way or another connected with the press, or with government, or even with both—will surely agree with the late Justice Black of the Supreme Court of the United States who, nearly forty years ago, viewed "the guarantee of the First Amendment as the foundation upon which our government structure rests and without which it could not continue to endure."

Some of you in this room will agree that freedom of the press as guaranteed by that same First Amendment, has in recent years been under an insidious attack frequently in the courts, sometimes in the legislatures—an attack which finds its wellspring in an underlying public attitude toward the press, of mistrust, resentment and fear.

But I doubt that very many of you in this room will agree with me at this moment—though I hope you will at the end of my talk—when I say that I think a good deal of the fault for this situation in which press freedom is under attack—and a great deal of the cure for it—lies in the hands of the press itself.

The issue of freedom of the press is of course as old as our country, dating all the way back to 1690 when the very first American news-letter, not far behind its English counterparts, was born in Boston. It was known as "Publick Occurrences," lasted only one issue, and was immediately suppressed by the royal governor of Massachusetts because that one issue included a couple of early if primitive examples of investigative journalism: an account of the corruption of Indians by the colonists and the seduction of his daughter-in-law by the King of France—two forms of human endeavor, corruption and seduction, that are not totally foreign to our investigative press today. But "Publick Occurrences," as the outraged governor noted, had been published "without the least . . . countenance of authority," and so it ended almost before it began. The next newspaper to appear a few years later had better luck, lasting until the Revolution, because it carried under its logo the telling phrase "Published by authority," which doubtless improved its fortunes and certainly stultified its contents.

Eventually adopted, press freedom—the right to publish anything one pleased "without countenance of authority" was taken for granted, and exercised to the fullest—though not yet written into law. When it was, a few years later with adoption of the First Amendment, it was couched in broad but negative terms, that "Congress shall make no law . . . abridging the freedom . . . of the press . . ." It carried with it no guarantee that publishers and editors would act responsibly or with restraint, no guarantee even that the press should be a free marketplace for ideas and opinions or a forum for debate.

However, the rationale for a guaranty of press freedom would seem to rest on the assumption that the discussion of public affairs and the expression of opinion would be the primary function of the press—at least that was the function that required the special protection. The Supreme Court has repeatedly emphasized its belief that the First Amendment's major purpose was "to protect the free discussion of governmental affairs."

And it may have been this postulate that Alexander Hamilton had in mind when, in the last but one of the Federalist papers, at the height of the debate in New York over adoption of a Constitution that then contained no Bill of Rights, he wrote of the press: ". . . its necessity, whatever fine declaration may be inserted in any constitution respecting it, must altogether depend on public opinion and on the general spirit of the people and of the government."

I think it's something that the embattled press ought to have very much in mind to-

day, as it defends itself on First Amendment grounds against perceived attempts of courts or legislatures to erode its freedom. We need to remember that it is the "general spirit of the people" on which, as Hamilton pointed out, the basic guarantees must ultimately depend.

And this is the issue I want to discuss with you this evening: the relationship of the press to the "General spirit of the people"—what it portends and what can be done about it.

The American press has changed completely in character, in structure and even, to a considerable extent, in purpose not only over the past two hundred years, when the First Amendment was written into the Constitution, but over the past twenty years; and it is changing at an accelerated pace every day.

It isn't the press alone that is changing. It is the audience, too. With a change in character and in audience has come a change in public attitudes toward the press, a weakening in that public understanding and support of the First Amendment in "the general spirit of the people," that is the rock on which its protective power ultimately rests. Unless we establish a new relationship between press and public, we are eventually going to see the basic Constitutional guaranty outmoded in the public mind, and therefore, because the courts do indeed eventually follow the election returns, weakened by courts or legislature if not ultimately destroyed.

Hardly a hundred years ago, we were in the golden age of personal journalism. It took little capital to start a newspaper, little readership to keep it alive. What it did take was a strong, articulate editor who had a distinct point of view and was willing and able to express himself with force and cogency. This was the era of the partisan personalities of American journalism, whose names—Greeley, Bennett, Dana, Pulitzer—were synonymous with their newspapers.

As industrialization developed, education broadened, and means of communication improved, the limited audience to whom the editors of the 19th century were addressing their message, changed both qualitatively and quantitatively. Publishers and editors discovered that the new mass audience was interested in a wider spectrum of news and information than had been the norm for the relatively rarefied elite of earlier decades, a point Adolph Ochs demonstrated in two ways when, to save his tottering newspaper at the turn of the century, he broadened and deepened its content and at the same time lowered its price.

The old-style, highly competitive personal journalism began to give way to the journal of information; and throughout this century, through two world wars and on to the present day, American newspapers, reflecting and at the same time stimulating existing trends in American industrial society, have increasingly moved toward a kind of standardization and away from the peculiar and often erratic individualism that had once been their characteristic.

They have also become Big Business, a development that has already had and will doubtless continue to have a subtly adverse effect on both public and judicial perception of the First Amendment's protection of press freedom. What has happened, especially in the last 20 years, is that there has been a massive concentration of control of larger and larger numbers of newspapers in fewer and fewer top managerial hands; huge corporate conglomerates are replacing private or individual ownership; and along with this trend there has been a corresponding reduction of competition to the point where less than 50 of the 1550 cities of this country with daily papers have two or more under competing ownership.

It's easy to say that these developments

have been inevitable, paralleling similar developments in many other areas of commerce and industry; but it is just because the free working of the press, both print and electronic, is of such peculiar importance in our democratic society that the consequences of this kind of evolution take on a special significance, threatening to undermine Constitutional protections that we now take for granted.

Press freedom is not something to be taken for granted simply because that one phrase was written as an afterthought into the Constitution. In much of the world—and not only in Communist countries—it is not even accepted in principle; and in most of the rest of the world, where it is in fact accepted in principle, it is rejected in practice. In many areas the press is considered to be properly a creature of the state rather than its critic; and many millions of people who theoretically believe in freedom as we understand it have been forced to learn to live without it. It is easily undermined; and I think that we of the American press would be living in a fool's paradise if we believed that we could continue to enjoy public support for our Constitutional protection under the First Amendment, if we forgot our implied responsibilities under it. By allowing our credibility to be eroded or destroyed.

The First Amendment as it applies to the press is clearly designed to protect a public rather than a vested interest; our Constitutionally protected purpose is essentially one of public service rather than private profit.

Only a few days ago, the Chief Justice of the United States wrote a concurring opinion in which he went out of his way to state, in effect, that he could see little if any distinction between the First Amendment rights of a newspaper corporation and those of any other kind of corporation. It is clear that Mr. Justice Burger believes that the Constitutional guarantee of freedom of the press does not necessarily involve protection of the press as a unique kind of institution requiring the special institutional protection that Mr. Justice Stewart, for example, attributes to it. The point is important not only because Mr. Burger is Chief Justice, but because he has put his finger on a Constitutionally tender spot in the anatomy of huge press corporations.

While he spoke against "limiting the First Amendment rights of corporations as such", Mr. Burger seemed at the same time to be suggesting a reinterpretation of First Amendment protections in light of—and here I quote—"the evolution of traditional newspapers into modern corporate conglomerates in which the daily dissemination of news by print is no longer the major part of the whole enterprise. . . ."

The converse of Mr. Justice Burger's opinion implicit in this recent Massachusetts case fits, I believe, a growing public perception of press conglomerates replete with built-in conflicts of interest. I think this perception may lead to a questioning of the need for special protection of the press as such, under a First Amendment that was in fact designed to ensure the free flow of information and opinion, and not the accretion of corporate power.

As the capital investment required to produce and publish newspapers has increased, three distinct but related economic developments have taken place, affecting the industry and its relationship to the public; the formation of "media conglomerates" linking under one ownership a wide variety of large enterprises; the establishment of enormous newspaper and broadcasting chains; and the development of both conglomerates and chains into publicly-held stock corporations. When to the already great power of a quasi-monopoly in a given city is added the greater strength of chain ownership, some troublesome questions of public policy are inevitably raised.

While many chains operate in such a way as to leave editorial independence in the hands of individual components, and use their vast resources to upgrade their papers—as has happened in a large number of cases already—this is not true of all chains and there is no guarantee that it will always be true of any. The potential threat of centralized, remote control, of concentrated economic and editorial power, is always there.

The late Justice Black, considered to be the most "absolutist" of all justices of the Supreme Court on freedom of the press issues, warned as long ago as 1945 that the First Amendment "rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public." I think it's not too great a temptation to read for "diverse and antagonistic sources," the substitution of diverse and competitive ownership.

The ten largest newspaper chains control one-third of the country's total readership—20 out of 61 million. And the big chains are getting bigger, as our hosts of tonight have so recently and dramatically demonstrated.

As the mad race within the communications industry toward bigger combinations and conglomeration goes on, we are going to see intensified moves to extend anti-trust and other kinds of restrictive legislation, which will of course be fought on "free press" grounds, much as the efforts to break up industrial trusts and combines early in this century were also fought—and with the probability of just as little success.

As recently as 15 or 20 years ago, no newspaper shares were traded on the stock market. Today there are at least a dozen, including some of the largest newspaper corporations, controlling in all about 20% of national circulation. There are perfectly sound economic reasons for this trend, but there are also inherent dangers.

Most people who buy publicly-offered shares in this industry do so as a straightforward business investment, no different from investing in a shoe company or a soap company. Is it unreasonable to suppose that stockholders or even directors who have no interest in or connection with the press other than as a financial investment will exercise more pressure to improve bottom line than top quality, whenever the two conflict?

What essentially worries critics of the growing concentration of power in the news industry in the hands of relatively few communications companies—publicly and privately held—is that the more concentrated power becomes, the more likely it is to move the focus of print journalism away from its original goals and purposes into becoming a mere money-machine, as has happened in the television industry. It is this potential threat that inevitably colors the public perception of the press as an independent institution.

That perception is further altered—and not for the good—when the press lobbies for special privileges and exemptions from, for example, the anti-trust laws—as it did in connection with the Falling Newspaper Act a few years ago, and from the child labor laws and a good many years before that. To use the battle cry of "Freedom of the Press" as a shield on every possible occasion for special economic benefits is to debase the currency of freedom whose integrity we desperately need to preserve.

Meanwhile, the newspaper audience has been changing, and we have to face the fact that, relatively speaking, it has also been declining, especially among younger readers. The reason? It's too simplistic to blame it all on TV—though TV has undoubtedly given them a taste for the "quick fix" in news rather than for in-depth reporting. More deep-seated causes may be found in the new mobility of the American family and its resultant loss of deep-seated roots; the

growth of leisure time and of affluence, affording in both respects a wider choice of interests to compete with the daily newspaper; but above all, the loss of credibility in all institutions, including the press.

These are among the factors that have affected in varying degrees the responsiveness of the American reader to the daily newspaper and have already led to profound changes in the attitudes and content of newspapers themselves. These changes have been taking place in a society that seems increasingly to be turning in to itself, more interested in problem-evasion than in problem solving, more concerned with style than with substance, more self-indulgent than self-critical.

Newspapers are now desperately trying to recapture the attention of their readers, as broadcasting has always done to its viewers and listeners by supplying, in Henry Geller's felicitous phrase, "chewing gum for the eyes." The press is now moving in that direction, emphasizing "chewing gum for the brain." Service-oriented journalism is the word today, to grab the reader who, it is confidently believed, is more interested in "what will it do for me?" than in "what do I need to know?"

In the effort to win back readership in the suburbs, among youth, from the TV audience, American newspapers have been shifting their emphasis away from what the editor thought the reader ought to have, to what they now believe the readers want. The press has been increasingly catering to shallowest taste, increasingly forgetful of its constitutional obligation to inform the democracy. However, so long as the shift of focus is made not at the expense of traditional news values, so long as it does not inhibit the expression of the most unorthodox opinion, it may not do too much harm and may temporarily help weak newspapers to survive.

But to the degree that it tends to downgrade those traditional mainstays of news and opinion which the First Amendment was obviously designed to protect, just to that extent, it seems to me, American journalism is weakening its moral if not its legal claim on the public to that special status it has rightly held in our society.

As a matter of fact, a survey taken early this year showed that readers are more interested in every category of so-called "hard" news than American editors give them credit for; and so it seems to me that both the practical and philosophical ends of journalism would be better served by concentrating our efforts on improving our coverage and our analysis of the great trends of our society—social, economic and political—than by trying to combat TV on its own grounds in the race for mass audiences. Unfortunately, there is a Gresham's Law for the press as well as for economics: bad programming, bad news policy, tends to drive out good—not always successfully, thank God, but often enough to raise concern over the advent of least-common-denominator journalism.

The press unfortunately stands exceptionally low in the eyes of the public today. In a listing of 20 professions and occupations, a Harris poll taken only a few months ago showed that the press—or, more exactly, the people "running" the press, meaning presumably the top editors, managers, publishers—stood 16th in public esteem, followed only by law firms, Congress, organized labor and advertising agencies in that order. Such measurements as this suggest that the widespread reports are true that "they hate you out there," as Louis Banks so delicately put it in a recent article in the Atlantic. Banks was talking about the mistrust, the fear, even the hatred of business executives toward the press; other have observed that similar feelings are prevalent in far broader segments of American society, more so than in many years, a feeling that

simply cannot be dismissed by the post-Vietnam and post-Watergate clichés about the messenger bearing bad news. The feeling goes, I believe, far deeper than that. A "public antipathy toward the press" as the respected ombudsman of the Post, Charlie Seib, put it not long ago.

Last January, the Times of London was briefly shut down because one of the printers' unions within the plant refused to permit publication of one issue containing an article highly critical of the union. In a magnificent editorial discussing the problem, the Times of London had this to say:

"Those who wish to maintain the freedom of a nation must stand behind the editorial freedom of the press, even though they know that it will sometimes be abused and often be wrong in its judgments. Those in the press who want to maintain its freedom must also try to raise the standard of its news reporting, its sense of responsibility, its willingness to report all sides and its essential fairness. Only a fair press will retain the public confidence that is needed by a free press."

Once the American public loses faith in the press as an institution of prime importance to the democratic process, the most fundamental protection of the press—far greater than that embodied in the First Amendment—will have been lost. I think there are ominous symptoms today that we of the press are indeed in danger of losing that public confidence.

The growing number of attacks on press freedom in the courts is, I believe, a reflection of that development in the public mind. The tidal wave of gag rules, of subpoenas, of efforts to force revelation of confidential sources, and now the new vogue of closing off pre-trial hearings, are all part of this trend, which is clearly subversive of First Amendment guarantees and must be resisted as much in the public interest as in the press' interest.

But I think the institutionalized press would place itself in a better position to fight the real encroachments on its freedom if it acknowledged, more readily than it is now prone to do, that when competing constitutional rights collide—as often happens especially between First and Sixth Amendments—it is not necessarily true that the press in every case must prevail. I don't think we are very convincing when we take—as we tend to do—an even more absolutist position than Justice Black would have done, by regarding the First Amendment as automatically overriding every other provision of the Constitution, not to mention common sense.

The press certainly has an obligation to fight every attempt by executive, legislature or judiciary to prevent it from scrutinizing these three branches of government—and all three branches attempt it from time to time; but we cannot expect to retain public confidence, the ultimate bastion of our liberty, if we are perceived to be arrogant and insincere in the lip-service we sometimes give to the conflicting constitutional rights of others, or none too concerned about maintaining the most rigid standards to protect and preserve our own integrity and independence.

As confidence in all institutions has been weakened, as our society has at the same time grown more complex, more broadly sophisticated and less trustful; and as newspaper management has tended to move steadily away from the personally directed journalism of an individual editor and toward the impersonality of the corporate structure, the newspaper's direct relationship to the public has inevitably become more distant; and the public understanding of the connection between press liberty and public liberty has become most dangerously blurred.

A great deal has been heard in recent years about the right of newspapers' access to the records, documents and files of government. But although we newspapermen are generally highly articulate on the public's right of access to government, as we should be, we are not usually quite so strong on the public's right of access to ourselves.

Governmentally enforced access to the press is not the answer. Far from it. To force a newspaper to publish an item is no less an infringement on its freedom than to forbid it from publishing one, as the Supreme Court has pointed out. In a number of West European countries, there is a mandatory right of reply, under which newspapers are required to publish corrections—in some cases, I am told, even if the "correction" is itself incorrect. This is hardly what we need here. Nevertheless, the public demand for greater accessibility to the press is not to be laughed off—and I believe that in one form or another, the threat of governmentally enforced access will remain, just as long as there is a public perception that newspapers tend to operate less in the public interest than in their own interest. We need to cut away from our characteristic arrogance, and to open ourselves much more than has been the custom in the past to accessibility by the public as well as accountability to it.

It was in fact with this basic thought of opening up the newspaper to a fuller and freer exchange of ideas that I introduced the concept of an OP Ed page to the Times a few years ago, establishing it in the Editorial Department as a kind of public forum, affording greater scope for access to the columns of our newspaper, and in greater depth, than was possible in our "Letters to the Editor" or anywhere else. This was certainly not the first OP Ed page—the old New York World had a very famous one a half-century ago—but it was, I think, the first to be established with the specific motivation of opening up the paper to the public on so wide and broad a base.

I think we have have to take much firmer steps than we have taken to make ourselves voluntarily more accountable to the public. The other day an Idaho newspaper, the Lewiston Tribune, created a sensation by giving an entire page to a self-examination, publicly looking into possible conflict-of-interest situations among members of its own staff from publisher to part-time reporter. An editor of the Tribune observed, "The impressive thing is not that the Tribune wrote a story about itself but that the piece so startled our fellow journalists." He was more modest than accurate because it is no small feat to list for the benefit of a newspaper's readers the connections, both civic and financial, of its publisher, directors, editors and reporters, exposing precisely where potential conflicts of interests might be concealed in its news or editorial coverage. Why shouldn't other newspapers follow this excellent precedent, also giving far greater coverage to matters affecting the newspaper industry itself, including especially anything that looks as though a conflict-of-interest question could be raised about ownership, management, directors—and news, editorial and business staffs.

Only about twenty newspapers have established ombudsmen, a valuable device for linking the individual newspaper with the individual reader whose daily complaints of inaccuracy, bias, unfairness, vindictiveness, or simple error might otherwise go unheeded and unanswered—and in many newspapers throughout this country, often or usually do.

The establishment of a News Council a few years ago seems to me to have been another sensible way to open better channels of communication between press and public—without in any way infringing or remotely threatening to impinge on freedoms of the press. Modeled after the successful British

Press Council, the American News Council has no compulsory powers at all—nor should it have. It acts simply as a means of receiving complaints from individuals or groups who feel they have been unjustly treated in the press and have failed to obtain any redress or satisfaction from the offending newspaper. All the News Council does is to act as an objective, disinterested judge, make its findings and hope that the subject newspaper will accept them and publish them. It has already proved to be a useful buffer between press and public as well as a means of offering an outlet for public frustration with the press.

When the News Council was first established about five years ago, it was greeted with extreme hostility by much of the working press. It's a hopeful sign of maturity on the part of the press itself that the News Council is now beginning to gain wider and broader acceptance, funded now—in part—by some of the most highly regarded names in American journalism.

In a sense, the American newspaper is an unregulated public utility, and that's the way we want it to be maintained—unregulated, unlicensed and free. But this is an era when every value is being reexamined and every right is under question, even the Constitutional protection of freedom of the press. In defending itself from that attack, it seems to me the press has to be accountable to something more than our own business offices and our stockholders; we have to be accountable in the narrowest sense, and first of all, to our own consciences, of course; but in the broadest sense to the public interest as we see it.

I am not saying that the First Amendment establishes virtue as a criterion for management, editors and reporters. It clearly doesn't—fortunately for us. What I am saying is that given the special and privileged position of newspapers under the Constitution, it is vital that public confidence in the credibility of the press be maintained and strengthened. Its erosion is a threat to that freedom, because, as Hamilton so clearly warned us, it is on the "General spirit of the People" that freedom of the press in the longest run depends.

#### EXPLANATION OF MISSED VOTES ON H.R. 39

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CONYERS. Mr. Speaker, I was unavoidably absent from the floor during House consideration of H.R. 39, the Alaska National Interest Lands Conservation Act of 1978. As a strong supporter of one of the most important conservation measures ever before the Congress, I am pleased that the House has so overwhelmingly approved it, and I would like to indicate how I would have voted on the bill and key amendments:

Rollcall No. 330, the rule, "yes";

Rollcall No. 335, an amendment by Mr. YOUNG, "no";

Rollcall No. 336, an amendment by Mr. MEEDS, "no";

Rollcall No. 338, an amendment by Mr. SANTINI, "no";

Rollcall No. 339, motion to recommit, "no"; and

Rollcall No. 340, final passage, "yes." ●

## MAKING IMPORT SENSE

## HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. ABDNOR. Mr. Speaker, on a number of occasions during the past 2 years, I have spoken out on the urgent need for Congress to close 14 glaring loopholes and inconsistencies in the 1964 Meat Import Act.

I am pleased the House Ways and Means Subcommittee on Trade is now reviewing the problems attendant to this act. My testimony before them on Monday of this week follows:

Mr. Chairman and Members of the Subcommittee, it is ironic that we are finally getting together to talk about remedying the flaws in the Meat Import Act of 1964.

It is ironic for a couple of reasons: First, cattle prices have improved so that amendments in the law are not as urgent to cattlemen at the moment as they were. Secondly, it has recently been suggested that the import quotas be raised to hold down meat prices, and the existing law provides for just the reverse. If the anguished cries of cattlemen had been heeded, the law would have been changed years ago to deal more rationally with the cattle production cycle.

In any event, I am glad we are now discussing the problem, and I want to thank the Chairman for the opportunity to appear before the Subcommittee.

The primary point I wish to make is that, while cattle prices are now improving, they had a long way to improve to reach break even levels. Cattlemen suffered tremendous economic losses during the years prices were depressed, and the Congress failed to act in any decisive way to aid them. We did pass emergency credit legislation, but allowing cattlemen to go more deeply in debt is not my idea of relief.

It is obvious that cattlemen are a tiny minority of the electorate, and they are practically the only ones who are more concerned about livestock prices than about retail meat prices. Protecting the rights of minorities is a basic precept upon which our nation is based, however, and action designed to arbitrarily reduce meat prices at this time would constitute economic discrimination of the grossest sort.

Even Mr. Bosworth of the Council on Wage and Price Stability acknowledged on national television that cattlemen must be allowed to recoup their losses. In light of the political realities, though, pressure will continue to be applied; and I urge in the strongest possible terms that the Members of the Subcommittee resist the temptation to hit cattlemen just as they are about to get up. To do so might be a politically attractive alternative to many Members of Congress, but it would be totally defenseless to anyone with a sense of fairness.

What, then, can be done to rationalize the Meat Import Act in a fashion which serves the best interests of consumers and is at the same time equitable to the cattlemen?

First, the most obvious and least controversial step that should be taken is to make the quota formula countercyclical so that meat imports are increased when domestic production is decreased and vice versa. This change is included in most of the legislative proposals, including my own bill, H.R. 12239, and should have the support of producers and consumers alike.

Second, all livestock and meat products should be covered. These products all compete to a greater or lesser degree with each

other, and the exclusion of some of them invites circumvention of the law. The importation of livestock may not be an issue of major concern nationally, but it is of great concern in my state and certain other areas where disorderly marketings from Canada and Mexico adversely affect local markets. Additionally, imported cattle should not be counted as domestic production for purposes of calculating import quotas.

Third, imported meat products should be labeled as such to their ultimate consumers. It is my understanding that consumer groups support this suggestion, consistent with their view that consumers are entitled to full and factual information on the products they buy.

Finally, the institution of a countercyclical formula should maintain meat import levels at the present time, since domestic production is in a period of reduction. I believe the base quota should be reduced somewhat, however, to help ensure that producers are able to recover their costs of production. Producers cannot operate at a loss over the long run, and they will continue to be driven out of business if they cannot obtain an adequate return.

Producers are beginning to recover from the critical financial straits they have faced, but their recovery must not be aborted. Although it is the producer who suffers from inadequate returns in the short run, over the longer term consumers will also pay as producers are driven out of business, production falls, and retail meat prices rise.

Meat imports are certainly not the only cause of the difficulties faced by cattlemen, but rationalization of the Meat Import Act will be of real assistance to them in periods of depressed prices. The improvements which have been proposed will also be of benefit to consumers in times of higher prices and in maintaining our domestic production over the long run.

Mr. Chairman, I urge enactment of H.R. 12239 and thank you for your consideration. ●

## WORLD TRADE WEEK, MAY 24, 1978

## HON. BALTASAR CORRADA

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CORRADA. Mr. Speaker, despite its observance over the past 50 years, the importance of World Trade Week, May 21-27, is especially visible this year.

Last year's record trade deficit of \$26.7 billion has once again summoned up the specter of protectionism. I am a firm believer in "fair" trade, a phrase which promotes free trade while recognizing the need for a degree of protectionism.

While trade negotiations are an essential vehicle for the creation of a healthy international trade system, at the core of our current trade difficulties is our lack of a national export policy. The lowering of a foreign tariff on U.S. exports will not be beneficial if American manufacturers cannot export their products. According to the Department of Commerce, 92 percent of American manufacturers are not selling their products overseas.

The need for an integrated national export policy is clear, not only insofar as it concerns dissemination of information, but also providing firms with technical assistance in export promotion, export financing, and export distribution. The

importance of such an export policy transcends a desire to engage in fair trade; it contributes to a healthy domestic economy, by increasing sales and creating jobs. ●

## THE TAX CUT PROPOSAL

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for May 24, 1978, into the CONGRESSIONAL RECORD:

## THE TAX CUT PROPOSAL

American economic policy is gradually changing in response to an uncommon phenomenon: growing public disenchantment with a large tax cut if the result would be to increase the federal deficit.

The President has agreed to trim the size of his \$25 billion tax reduction package to \$19.4 billion and to postpone its effective date three months to next January 1. The effect of the cutback and the postponement would be to reduce the federal deficit by \$7 billion to \$53 billion next year. This economic policy shift is the first major consequence of the President's judgment that inflation has become the nation's dominant economic problem.

In large measure the President's action was an acceptance of the inevitable. In taking it he acceded to a new feeling in the country and the recent changes in economic conditions, principally the improved employment picture and the troublesome acceleration of inflation. He was also mindful of House and Senate proposals for a smaller tax cut and a smaller federal deficit. He also took note of the many liberal and conservative economists, both in and out of government, who argued that the Administration should back away from its first plan.

The reasoning behind the President's move is clear. The large tax cut was intended to keep the economy from spinning into a recession later this year, but the economy is now performing too well to benefit from substantial stimulus. The President's basic economic decisions were made last winter, but economic conditions have changed markedly since that time and the economic policy-setting machinery has not responded quickly enough. Undoubtedly a different tax strategy will cause political trouble for the President, but a chief executive must be prepared to adjust his course of action when the economic realities demand it. One of the economic realities—capacity problems in some industries—makes a smaller federal deficit all the more necessary.

The Federal Reserve Board has had a hand in shaping the President's new policy. As inflation crept steadily upward, the Board threatened to raise interest rates unless fiscal restraint was shown. Because the Board had brought about a half-point rise in short-term interest rates since William Miller took office as Chairman in March, the threat was not idle. The President's action, however, should encourage the Board to keep interest rates down. It is apparent that the President and Mr. Miller are working together in matters of economic policy. Such co-operation between the chief executive and the head of the nation's central bank is unusual and signals a welcome departure from the way things have been done in the recent past.

The new Administration proposal would strengthen the anti-inflation program be-

cause a growing federal deficit is widely regarded as inflationary. I applaud the new direction in fiscal policy. Spending restraint and a smaller federal deficit must be primary targets. But the policy should be implemented cautiously, and there should be an effort to pursue initiatives that would directly reduce inflation. For example, tax cuts for business must provide incentives for the production of capital goods, which would help to increase industrial capacity and productivity and thus would lessen inflationary pressure.

It should be noted that there is an element of mystery in the current economic news. Recent data on retail sales, housing starts and orders of capital goods have been reassuring, but they do not account for the gains that have been occurring in employment. Even though the Gross National Product actually fell during the first three months of this year, new jobs have been created at a record rate. Some reasons for this curious trend may be the jobs-creation programs of the federal government and the underlying strength of the economy, both of which may have been underestimated.

The President continues to hope that his tax cut proposal will be balanced with revenue-raising tax reforms, but Congress has not shown much interest in most of the reforms he has suggested. My own view is that the President would be wiser to leave tax reform until next year. Although several of his reforms are quite respectable and do merit serious consideration, the path to true tax reform is blocked by many obstacles and the need for changes in the tax code remains secondary to the need for a tax cut.

The prospects for the President's tax cut package are uncertain. It appears to me that the details of the final bill—the size of the cuts for businesses and individuals, the modification of deductions and shelters and the potential reduction of social security taxes—will probably be in flux at least until September. ●

#### INVESTMENT CREDIT FOR POULTRY STRUCTURES

**HON. J. J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. PICKLE. Mr. Speaker, I am today introducing a bill that would put an end to extensive tax litigation that has resulted from problems with the Internal Revenue Service attempt to deny the investment tax credit to structures designed and used for the housing, raising, or feeding of poultry or their produce. These structures that are designed for the raising of poultry and their produce should have been included in the investment tax credit.

When the investment credit was restored in the Revenue Act of 1971, the Senate Finance Committee in its accompanying report attempted to make clear that the credit was intended to apply to special purpose agricultural structures by giving the example of a unitary system for raising hogs. It was the intention of Congress to make clear that under the investment credit as restored, such earlier revenue rulings as Rev. Rul. 66-329, 1966-2 C.B. 16, relating to structures for raising hogs, and the reference to poultry houses in Rev. Rul. 66-89, 1966-1 C.B. 7 would no longer be applicable.

Despite this clear statement in the 1971 committee report, the Internal Revenue Service nevertheless in numerous cases has denied the credit to special purpose agricultural structures or enclosures for raising poultry for food or egg production which have uses and physical attributes indistinguishable from the unitary system for raising hogs. The U.S. Tax Court has correctly sustained the taxpayers and allowed the credit in the case of these poultry structures.

Seven years after the restoration of the credit it is time to end the effort by the Service to deny the credit in these cases contrary to the clear intent of Congress as expressed in the 1971 committee report and affirmed by the Tax Court.

Continued litigation is expensive and involved. This needless expenditure of time and money prompts the provision in the bill to make it effective for all taxable years ending on or after August 15, 1971. A comparable controversy over the application of the investment credit to motion picture films was ended by a provision in section 804 of the Tax Reform Act of 1976 that was made retroactive, and there is even more reason to do so in the present case because of the smaller amount involved and the relatively greater burden of the expense of litigation. ●

#### PAY CUT

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. JACOBS. Mr. Speaker, here is why inflation is winning: Sacrifice is in the vocal cords not the pocketbook.

Like the church board that adopted a resolution against other people's drinking, personal economic restraint is usually for the other person.

For example, Arthur Burns, former chairman of the Council of Economic Advisers, economically advised yesterday that the President and all high officials of the Federal Government voluntarily take 10 percent pay cuts as examples against inflation.

Dr. Burns' advice would suggest that he is holier than thou or even piouiser than people.

But the record indicates that Dr. Burns refused to take his own economic medicine when he was a high official of the Federal Government. He testified that he personally did not take a pay cut because Richard Nixon, who appointed Burns, would not take a pay cut either. At the time, Burns had just accepted a 41-percent and Nixon a 100-percent pay increase from the taxpayers. That was in 1969 when inflation was beginning its romp in the garden of American dreams.

By 1975 Dr. Burns, serving as chairman of the Federal Reserve Board, was still preaching voluntary pay cuts for high officials. And he was still refusing to practice what he preached. One might even say he declined to serve the way he sermonized.

George Bernard Shaw wrote:

To do good is noble: to advise others to do good is also noble—

And much less trouble. ●

A TRIBUTE TO THE LATE PRESIDENT JOHN F. KENNEDY ON THE 61ST ANNIVERSARY OF HIS BIRTH

**HON. JOHN G. FARY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FARY. Mr. Speaker, I would like to bring to the attention of my distinguished colleagues that May 29 marks the 61st anniversary of the birth of the late President John F. Kennedy, who without a doubt, ranks as one of the finest Chief Executives this country has ever known.

John Kennedy's record of accomplishments, sense of national purpose, and commitment to democratic principles are praised and respected not only by our own people, but by people the world over, for he did much more than pay mere lip-service to the concept of "liberty and justice for all".

Under his brief, but progressive, administration, this country experienced the kind of leadership needed in an era when prompt and decisive action was called for. Bringing a well seasoned staff to Washington, he geared its operations to the most efficient handling of complex problems. He pushed himself and his staff unmercifully, but his brilliant mind and hard work made his administration highly effective.

Only once did John Kennedy's administrative and decisionmaking machinery break down and the result was the Cuban "Bay of Pigs" fiasco at the beginning of his term in office in April of 1961. It was his decision to let loose on Castro's Cuba an ill-prepared, inadequate expedition of Cuban exiles trained and equipped in the United States and Kennedy accepted full responsibility for the failure of the invasion.

Later, in May of 1961, the President created by Executive order the establishment of the Peace Corps and in August authorized the formation of the Alliance for Progress to aid in the economic development of Latin America. He also met with Soviet Premier Khrushchev in Vienna to discuss a number of problems but in the wake of the Cuban affair, these talks were largely unproductive. Tension accelerated between the two superpowers when East Germany, with Soviet support, constructed a wall to shut off West Berlin from Communist East Berlin. The President's response to this was to increase the U.S. troop commitment in Europe and 2 years later, in an effort to dramatize American support, delivered his historic "Ich bin ein Berliner"—"I am a Berliner"—speech at the wall.

In October of 1962, a major crisis arose over Cuba because aerial reconnaissance photographs clearly showed that the Soviet Union had placed intermediate-range missiles in Cuba capable of striking the U.S. mainland. In an emergency telecast to the Nation, the President announced that he had ordered a blockade around Cuba and demanded that the Russians remove their offensive weapons. Tension mounted and war was

a very real possibility but the Russians blinked first and agreed to withdraw their missiles.

The President now sought a new understanding in Soviet-American relations and in 1963 signed the first arms control agreement with the Soviet Union and Britain, banning above ground nuclear testing. In addition, he also agreed to the installation of a hot line between the White House and the Kremlin.

Domestically, the President's New Frontier program was partially successful in Congress, which passed legislation in the fields of higher education, urban renewal, a higher minimum wage, relief of economically distressed areas, liberalization of social security procedures and benefits, and improvement of water quality. Civil rights and tax-reduction measures he recommended were enacted after his death.

John Kennedy's most notable efforts were in the field of civil rights. He appointed many blacks to Federal posts, legally ended religious and racial discrimination in housing built or purchased with Federal funds, strengthened equal job opportunity in Government contract work, and pushed for an extensive program of registration of black voters.

To foster school integration, the President was forced to send U.S. marshals and troops to Oxford, Miss., to insure enrollment of James H. Meredith, the University of Mississippi's first black student. Federal forces were also sent to the University of Alabama for similar reasons.

John Kennedy's personal popularity was immense and, no doubt, he would have run for reelection in 1964. With election year politics in mind, the President decided on a short speaking trip to Texas, where his popularity was suffering. Arriving in Dallas on the fateful morning of November 22, 1963, the President and his entourage proceeded by motorcade into the city when an assassin's bullet cut short his young life. Words can never express the sorrow and grief this Nation felt as a result of this senseless and cruel act.

Mr. Speaker, John Kennedy will be remembered as the young President who brought a youthful flair to American politics and was able to capture the imagination of our young people. But more importantly, he will be remembered as a brave and bold reformer in a period desperate for reforms long overdue. In view of this, I am truly honored to pay tribute to such an inspiring leader. John Kennedy will never be forgotten. ●

RAE SHERMAN

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. WAXMAN. Mr. Speaker, it is with the greatest pleasure that I wish to extend my heartiest congratulations to

Mrs. Rae Sherman of Hollywood, who on May 27 will celebrate her 101st birthday. I am sure all my colleagues join me in sharing our greetings to her and her family on this joyful occasion, as well as our hope for Mrs. Sherman's continued health and vigor. ●

### THE NEED FOR MORE NUTRITION RESEARCH

### HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. RICHMOND. Mr. Speaker, the need for a comprehensive nutrition research and education plan is long past due. The May 23 edition of the Washington Post carried an editorial by Daniel S. Greenberg on the reasons behind our failure to analyze our nutritional problems and seek realistic solutions to them.

This failure is dramatized by the fact that only \$125 million is spent annually on nutritional studies by the Federal Government, compared to a total research budget of \$28 billion. In justification, the National Institutes of Health try to claim that studies on the "Specific Effects on Auditory Far Fields in Animals" qualify as nutrition research.

I believe Congress must resist this pressure from our entrenched and self-centered bureaucracy and from those in the food industry who would rather rely on controlled advertising than unpredictable science for shaping food preferences. We should immediately work toward increasing our commitment to nutrition as one of the best forms of preventive medicine we have.

I commend Mr. Greenberg's article to my colleagues:

#### NUTRITION, STEPCHILD OF THE MEDICAL SCIENCES

A lot of "what's left?" exasperation has been provoked by the recent inclusion of commonplace hamburger on an already long and bewildering list of suspected carcinogens in the food supply. But the real, and long-neglected, issue in this and other food-safety alarms is the threadbare condition of the nutritional sciences in the vast and otherwise generally well-financed array of American research activities.

Given the paucity of serious nutritional research, and the limited efforts to expand it, the inevitable outcome has been scattered bits of reliable information, crank advice, ignorant shouts and alarms, and profit-seeking quackery. The relationship between nutrition and health is unarguably as important to personal and public well-being as anything can be. But, in view of the record of recent years, the public cannot blame for responding with skepticism to the confusing din of nutritional contention.

Despite the deluge of food advice aimed at us, the reality is that very little is reliably known about the relationship between nutrition and health. In fact, after surveying the field and consulting scores of nutrition experts, the General Accounting Office concluded in a recent report that with "the present state of nutrition knowledge, it is not possible to say what constitutes an adequate diet."

It can be argued, of course, that mankind

managed to get on reasonably well for eons before the advent of the nutritional sciences. But since World War II, the diet of the American population has radically altered in favor of processed, fabricated and supplemented foods, so that an estimated 75 percent of our average caloric intake now comes out of factories—surely a monumental and research-worthy change in biological history.

Nevertheless, as Ross Hall, professor of biochemistry at McMaster University, Ontario, has pointed out, "The science of nutrition has essentially stagnated since the early 1950's when the last vitamin to be discovered was announced."

Why is this so? Why, out of total research-and-development expenditures of over \$28 billion this year, does the federal government spend—by generous estimate—only about \$125 million on nutritional studies? And that latter figure represents a big and recent jump, mainly in grudging response to congressional pressure.

Why does the National Cancer Institute spend less than \$10 million a year on nutritional research—out of a total budget of over \$800 million—when diet is believed to be a causative element in perhaps half of all cancers?

And, to get down to fine detail, why is it that only 16 of 40 or more known essential nutrients are covered in the government's widely touted "recommended daily allowances" (RDAs), and that many of the RDAs, according to a report by the White House science office, "are based on limited data and need to be modified in the future"?

The answers aren't difficult to find.

Nutrition ranks low in the prestige pecking order of the medical sciences, which traditionally have been preoccupied with the heroics of disease-crisis management, rather than the mundane business of crisis avoidance. The medical curriculum pays little or no attention to nutrition. It is disease oriented, rather than health oriented. Nutrition is a low-status field, the work of high school dieticians, unworthy of university professors.

The \$3-billion-a-year National Institutes of Health epitomizes elite, Nobel-level science, and has little patience for public and congressional efforts to prod it into expanding nutritional studies, which, it must be acknowledged, are relatively dull and laborious feed-and-measure exercises. Experienced in resisting Congress' "disease of the month" pressures, NIH is deft at telling Congress that it has already anticipated the legislators' wishes.

Thus, when George McGovern (D-S.D.) last year wanted to know why NIH is neglecting nutritional research, the NIH leadership responded with a computer printout listing \$80 million worth of projects "relative to nutrition." Among them were the "Biological Effects of Environmental Radiation" and "Specific Effects on Auditory Far Fields in Animals"—which left the senator justifiably puzzled. McGovern, who has been diligently dogging the issue, will grill the NIH chiefs again at hearings next month.

Finally, there are the farming and food-processing industries, which well know that public emotions about food and health are volatile. They would rather rely on controlled advertising than unpredictable science for shaping food preferences, and, to the extent possible, seek to dampen any free-wheeling inquiries into nutrition. One effective device is to buy up the consulting services of academe's nutrition specialists, thus steering these relatively scarce talents into uncontroversial paths, and, rendering them ineligible, in this era of conflict-of-interest purism, to take part in independent, government-sponsored studies.

The White House science office recently reviewed the state of the nutritional sciences

and concluded that "research gaps . . . are profound. . . Food sciences research is still in its infancy. Support has lagged well behind the extensive changes in food production. . . The result is that we understand little about the effects of these changes on human diets and health."

So, don't blame the hamburger alarmists, who, after all, were performing a public service. (Would it have been preferable for them to suppress their findings?) Rather, exasperation should be directed toward a government whose sense of research priorities is often deplorable. ●

#### OPPOSITION TO GUN CONTROLS

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. SKELTON. Mr. Speaker, recent attempts by several Government agencies to silently slip antigun regulations on the books, contrary to the express mandate of Congress, lead me to reiterate my opposition to gun control and to speak out on behalf of the many people in the Fourth Congressional District of Missouri who find pleasure in owning and using firearms for hunting, competition, and collection.

Throughout my career as a public official, I have consistently opposed proposed gun controls and firmly believe in the American right to keep and bear firearms. This conviction is not only based on the commonly accepted belief that the second amendment to the U.S. Constitution guarantees citizens the right to own firearms, it is reinforced by statistics which show that gun controls have proven to be of no consequence in significantly reducing violent crime. As a matter of fact, recent studies indicate that States which do have some form of gun registration experience higher homicide rates than jurisdictions with no such restrictions. This is true not only in the United States, but also abroad. A study conducted in England concluded that the use of firearms in crimes was actually less frequent when there were no gun controls.

As consumers and taxpayers, all of us are aware of the effect that inflation has on our wallets. It is, of course, indisputable that excessive Government spending by an ever-expanding bureaucracy is a contributing factor to the growth of inflation. In light of this, can we possibly justify the money and machinery that would be necessary to register the 6 million firearms which appear on the civilian market annually? Could we economically register the 140 million weapons already in civilian hands? My answer to these questions is no.

Finally, I would like to point out one ramification of proposed gun controls that garners very little attention—the effect that increased restrictions would have on the small businessperson; the firearms dealers, gunsmiths, and stock-crafters who make a living by providing necessary services to gun buffs. On May 4 of this year, Mr. Rex Davis, director of the Bureau of Alcohol, Tobacco, and

Firearms, stated in his testimony before the House Judiciary Subcommittee on Crime, that of the approximately 153,000 licensed retail gun dealers in America, 23,000 go out of business each year. While Mr. Davis did not elaborate on the reasons for this high attrition rate, one cannot avoid questioning the effect that the numerous Federal, State, and local regulations and forms had on the businessperson's decision to close up shop. At a time when nearly everyone recognizes the crying need to free our small businesses from excessive bureaucratic redtape, can we afford to implement a gun registration system that will only add to their burdens?

Mr. Speaker, many people in the fourth congressional district of Missouri are concerned about recent attempts by the bureaucracy to limit their access to firearms. Recently, I asked a sampling of people in my district to respond to a questionnaire. Among other things, I asked their opinion on the question, "Should the Government restrict the ownership or possession of handguns?" I was not surprised at the results: 71.6 percent of those responding said no. I am in full agreement with their sentiments and hope to continue to merit the confidence of my constituents by monitoring the activities of regulatory agencies which attempt to restrict the ownership of firearms, and by supporting legislation which would punish criminals rather than law-abiding citizens who enjoy firearms for recreation or occupation. ●

#### PERSONAL EXPLANATION

### HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. MANN. Mr. Speaker, I am pleased with the decisive action taken by the House in overwhelmingly approving H.R. 39, the Alaska National Interest Lands Conservation Act of 1978. I have visited the great and beautiful State of Alaska, and am convinced of the national importance of preserving these pristine wilderness lands for the people of America. Truly, as the bill's proponents say, this is our "last great first chance."

As the RECORD will show, I was present and voting on Thursday, May 18, to oppose two key amendments to H.R. 39 which would have slashed the Alaskan acreage to be accorded protection—the Meeds substitute and the Young State selection amendment. Due to my participation in the First Annual Peter W. Rodino Institute of Criminal Justice, however, I was absent on Friday, May 10, 1978, and unavoidably missed four votes concerning the Alaska Lands Act. Had I been present, I would have voted: "aye" on rollcall No. 337, that the House resolve itself into the Committee of the Whole House for further consideration of H.R. 39; "aye" on rollcall No. 338, an amendment to H.R. 39 requiring the President to submit a proposal to Congress by 1981 for the evaluation of applications to carry out mineral exploration

or extraction on conservation system lands; "nay" on rollcall No. 339, a motion to recommit H.R. 39 to the Committees on Interior and Merchant Marine; and resoundingly "aye" on rollcall No. 340, final passage of H.R. 39. ●

#### BOTH THE CARTER ENERGY PLAN AND THE SO-CALLED COMPROMISE ENERGY BILL WILL MEAN SHARPLY HIGHER PRICES FOR CONSUMERS IN NEW YORK STATE AND AROUND THE COUNTRY

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. KEMP. Mr. Speaker, last year President Carter proposed a program to resolve the country's energy ills. He called it the national energy program.

The American people heard him and read the details of that program. They then called it something else. They called it the biggest and most unnecessary tax increase in our history—a quarter of a trillion dollars in new taxes between 1978 and 1985. All of that on the backs of people who know they are already taxed to much.

There is little wonder—in light of the six new energy taxes proposed by the President and in light of what the people felt about those new taxes, their minimal impact upon demand, and their failure to increase domestic supply—why the Congress refused to rubber stamp that program. Congress looked at the President's proposal and the combined \$220 billion to \$275 billion price tag, and said let us take a more careful look.

Quite frankly, there was hope in many quarters that Congress would write an energy bill which would assure adequate supply without increases in taxes in imports, and in consequent consumer prices. Unfortunately, it looks like Congress has failed in that task. The so-called compromise energy bill—now in what looks like its final stages in the joint House-Senate conference committee—is not much better than what the President proposed. In some ways, it may be worse.

I think its worth a moment of our time to contrast the two.

#### TAX ASPECTS OF THE PRESIDENT'S ENERGY PROGRAM

The President proposed six new taxes.

The first is the crude oil equalization tax—COET. The tax would be imposed in 1978 at a level of \$3.50 per barrel on domestically produced crude oil—raising the price to the consumer in the process. It would rise again in 1979 and again in 1980, until it equaled the difference between the artificial controlled price and the real world market price.

The second is the standby gasoline tax. Beginning in 1979 a standby gasoline tax would go into effect if specific nationwide gasoline consumption targets were not met. For each 1 percent that consumption exceeds the target level, the tax would be increase 5 cents per gallon. The cumulative amount of the tax could not exceed 50 cents per gallon—on top of

the current per gallon costs, including existing taxes. To avoid triggering the tax, nationwide gasoline consumption would have to decline 10 percent from 1977 levels by 1985, something which is not about to happen if we have an economic recovery.

The third is a new industrial use tax, imposed on all industrial using petroleum or natural gas as a fuel. For oil, the tax would begin at 90 cents a barrel in 1979 and would increase to \$3 per barrel by 1985—on top of other per barrel taxes. For natural gas the tax would vary with the user's cost and would be calculated to equalize on a Btu basis the cost of oil and natural gas. This would have a dramatic impact—a depressing, negative one—on industry in New York State. I will return to this point.

The fourth is a new tax on utilities. Similar to the industrial use tax, this tax would begin in 1983. For oil the tax would be a flat \$1.50 per barrel—once again on top of all other per barrel taxes, and for natural gas the tax would again be the difference between the individual utility's cost of natural gas and the cost of an equivalent amount of oil. For utilities, the tax would be fully effective in 1988.

The fifth new tax is the proposed gas guzzler tax. It would be imposed on both automobiles and light-duty trucks that failed to meet previously mandated congressional standards. In 1978 the tax would range from \$52 to \$449, depending on the car's gas mileage, but by 1985, the range would be from \$67 to \$2,488. That is a tax of two-and-a-half thousand dollars per car.

The last proposed tax is an increase in an existing one, the motorboat and general aviation fuel tax. The current 7 cents per gallon tax on fuel for general aviation would be raised to 11 cents. The additional 4 cents, unlike the present 7 cents, would not be earmarked for the Airport and Airway Trust Fund, from which improvements are made for civil aviation. The additional 4 cents would go into the general revenues. The current 2 cents per gallon tax on motorboat fuels would be doubled.

Now, what do we get for all these new taxes? What do the people receive in exchange for them? Do they accomplish the President's stated goal of reducing demand, of reducing consumption? Do they accomplish his unstated goal of bringing in billions more for the Treasury's coffers? Let us deal with these, one by one.

#### IMPACT OF CARTER ENERGY PROGRAM

The first thing we would get from enactment of the President's energy message would be the additional \$220 to \$275 billion in taxes. Actually, we do not get that; we lose it. Uncle Sam gets it.

The second thing we would get would be a jump in the inflation rate. While estimates of the exact inflationary impact of the program vary, they range up to an additional 1.4 percent per year by 1980. It could be much higher than that during the 1980 to 1985 period.

The third thing we would get would be sharp increases in the cost of heating our homes, running our cars, driving the machinery in our plants, and lighting, and

so forth. And we would get increases in prices for goods made in the plants and factories having to pay for these higher costs by passing along the costs in the form of higher prices for finished products.

Then we get the additional bureaucracy. One hundred and forty more pages in the Internal Revenue Code. An additional 1,100 tax collectors. And \$15 million more in administrative costs.

There are some circumstances under which the American people might be willing to bear these burdens. But all those circumstances rest upon a common denominator—meeting the program's stated goals; in short, reducing America's dependence on energy.

Would the President's program meet the President's goal. The answer is "No." For example, reports issued by the Congressional Budget Office, the General Accounting Office, and the Office of Technology Assessment have concluded that the crude oil equalization tax would save slightly less than 1 percent of oil consumption in 1982. Yet the COET would cost the American people \$85 billion between 1978 and 1985. We are being asked—the Carter program would demand—a payment of \$85 million in order to reduce demand by 1 percent. Clearly, this goal fails.

The Congressional Budget Office has also estimated that the savings in oil imports from businesses and utilities buying coal rather than oil—as the President's program would require—would be 25 percent less in 1985 than the administration has projected. That goal fails.

I might add that the impact of these reports is most strongly felt when one considers what these offices are—they are groups which would normally be assumed to support the President's plan. The Congressional Budget Office is an arm of the 2-to-1 Democratically controlled Congress. The General Accounting Office is the investigative arm of the Congress and reports directly to it and its leadership. And the Office of Technology Assessment is an office of that Congress.

But the area where the program fails most miserably is in its handling of the tax aspects of the plan.

We all recall how the President assured Congress and the people that they need not fear this tax burden because it would be rebated, that it would be given back to them. Everyone assumed—wrongly so—that the additional taxes they paid would come back to them, presumably in the form of tax reductions or tax credits.

It is becoming increasingly evident that those who pay these taxes will never see those dollars again. The Treasury Department has even admitted now that the energy program would hit hardest at middle-income taxpayers. By 1985, those making between \$10,000 and \$20,000 per year would have their taxes raised anywhere from 3.1 percent to 4.7 percent over present levels.

And where would this money go? No one knows exactly, but we have some fairly concrete glimpses. Energy Secretary Schlesinger has already said that the Government would keep about \$7 billion for itself; in other words, keep it.

And would the rest of it go back to the taxpayers? Not by a long shot. The President intends to use these dollars to finance welfare programs. So, instead of citizen A's new tax dollars coming back to him, they will go to citizen B or citizen C, themselves not taxpayers but tax consumers. Thus, these taxes would be no different from any others—out of one person's pocket to line another's.

#### THE SO-CALLED COMPROMISE ENERGY BILL IS NO BETTER

You would think, in light of the taxpayer reaction to the President's proposals that Congress would have fashioned a better remedy. It has not, and that is particularly true if you look at the impact the so-called compromise energy bill would have on the people, economy and cost of living, working, and doing business throughout New York State.

What would that impact be? And Why?

New York State is the most heavily dependent State in the country upon petroleum. Overall, 64 percent of the State's energy needs are met by oil products, as compared to 45-percent nationally. That is one-third higher than the national average. Our costs could be pushed up by the energy compromise by that amount compared to costs of producing in other States.

New York State now consumes more middle distillate oil—for home heating—and residual fuels—for utilities, schools, hospitals, and industry—than any other State in the Nation. There are nearly 2 million oil burners in the State, heating 56 percent of all the homes.

Therefore, any plan to conserve energy by raising the price of oil and its products will fall disproportionately on the backs of New Yorkers, making it more expensive for business and industry to operate and expand in the State, thereby contributing to the pressures which drive them out.

There are many examples of this.

The crude oil equalization tax would discriminate against the State because of that heavy dependence on oil as a fuel. That discrimination would be in the form of higher prices paid by New Yorkers, since our principal form of energy used—petroleum—is greater than other forms used by other States. The COET is also inequitable since it most burdens those least able to pay and is ineffective as a means of serious conservation. It is also inflationary. In short, its enactment would make it more difficult to live and work in New York.

Proposals for oil import fees—or import quotas—are equally discriminatory against New Yorkers. Each would considerably raise the cost of gasoline and home heating oil, as well as other petroleum products, essentially making permanent the OPEC price. They would also signal a major step toward protectionist trade policies, the likes of which have not been seen since the enactment of the Smoot-Hawley Act, the trade barrier act which perpetuated the Great Depression.

The compromise bill would also assure that incrementally priced interstate boiler fuel customers in New York State would experience rapidly escalating de-

livered natural gas costs, rising about 120 percent over the next 5 years. These increased costs would be passed on to consumers of the products manufactured in plants with such boiler facilities.

There is much more in the hundreds of pages of the compromise bill which would be bad for New York, too.

**WHY THE PRESIDENT AND CONGRESS ARE MISSING THE MARK**

Since 1973, energy prices have risen sharply. The public has responded by insulating homes at a record clip, and by switching to smaller cars. Businesses are installing computers to regulate heating, cooling, and air circulation in office buildings, saving one-third or more of their fuel requirements. Industrial plants are recapturing waste heat, recirculating it to pre-heat materials about to be processed, or to heat the factory or to help generate steam for power production. The public is far ahead of the energy bill proposed by the President and Congress in conserving energy.

On the conservation front, this bill is obsolete. But, if the energy bill does little for conservation, does it redeem itself by stimulating production? No.

On the production front, the energy bill is a disaster.

The bill establishes 18 categories of gas, with definitions so complicated, and redtape so tangled, that the only additional energy produced will be generated by lawyers in the heat of debate and argument before courts all over the country. Intrastate wellhead prices and incentives will actually be reduced under the bill for years. How can the Congress think that drilling and gas production will not be disrupted? Particularly hard hit will be small producers who will be unable to cope with the confusion.

Because the energy bill fails to bring forth anything like the amount of gas which could be produced under decontrol, the people of New York will face sharply higher prices and will be penalized more than consumers in most other States. Why? Because New York is paying more than most other States to support half-empty pipelines—pipelines which could be filled by decontrolled gas at a big saving in per unit transportation charges, and a big saving in the use of higher priced oil, electricity, and liquefied gas from overseas.

Consider the following report by the Wall Street Journal of June 21, 1977:

Yes, it sounds like a free lunch, having the wellhead price of natural gas rise, yet having the cost to the consumer fall. But a lot happens to a cubic foot of natural gas from the time it enters the pipeline in Texas or Louisiana until it burns under a frying pan in Brooklyn. When the Brooklyn customer pays his gas bill, only 20 percent of it goes to buy gas. With the other 80 percent he buys pipelines. Whether his bill goes up or down depends principally not on the cost of gas but on whether the pipelines operate efficiently.

Consider. The price paid at the wellhead averages 45 cents per thousand cubic feet (mcf). The Brooklyn Union Gas Co. charges its residential customers \$3.38 per mcft for heating and cooking and \$5.78 for only cooking. Just four years ago, when the average wellhead price was 25 cents, Brooklyn Union was charging \$1.72 and \$3.42 for comparable services. Thus while the wellhead price went

up by only 20 cents, the cost at retail went up by \$1.66 and \$2.36.

The reason for this lies mostly in pipeline costs. In the U.S. there's about \$40 billion worth of pipeline on which principal and interest has not been paid. The pipeline companies, regulated by the FPC, are permitted to charge enough to pay off the debt, along with operating costs and a small profit. Say gas costs 52 cents, and the pipeline is being amortized at 10 percent a year. If only one cubic foot of gas moves through the system, the customer at the end will pay \$4,000,000.-000.52. If two cubic feet move through the system, the retail price plummets to \$2,000,000.52.

The point is that if the pipeline is not full, each cubic foot bears a higher transmission burden. In 1973, the pipeline was full. Now, because it was against the law for the pipeline company to pay more than 52 cents and nobody would sell gas at that rate, the pipeline supplying Brooklyn Union runs half empty. The cost goes from 50 cents per mcft to \$1.00 per mcft for all the pipeline customers. Brooklyn Union has its own pipeline network to pay off and must, in the same fashion, spread these charges over an underutilized distribution system.

Then too, it gets colder in Brooklyn, and when winter comes and there is no extra gas in the pipeline, Brooklyn Union must kick in its synthetic gas plant. Last year about 12 percent of the gas Brooklyn Union's customers burned was synthetic, which costs \$4 per mcft to produce. Some New England utilities paid as high as \$6 per mcft for peak-period gas, because the pipeline supplying them was not permitted to pay more than 52 cents. These high costs, of course, are rolled into the price of the gas under the frying pan.

Without new supplies resulting from higher prices, Brooklyn Union's 1980 price would be \$4.45 per mcft. But if the pipeline were kept full with new gas costing \$2.50, Brooklyn Union's retail price would be \$3.98. If new gas came in at \$1.50, the retail price would be \$3.31.

Though the whole country will benefit from these efficiencies, the effect on retail prices for each region depends on how much pipeline they must pay for. Higher wellhead prices would probably mean higher retail prices for some sunbelt customers close to the gas, but the Northeast would clearly benefit. Deregulation of new gas would truly be a free lunch for New England, New York and the Atlantic States, and especially for their financial hub, New York City.

Not only would the delivered price of gas not rise for New York under decontrol. In addition, New Yorkers who will be denied gas under this bill, but who could get gas under decontrol would save a fortune in the cost of other fuels if we had deregulation.

Nationwide, the savings from making fuller use of the established pipeline system, and the savings from replacing high cost substitute fuels with gas, could amount to tens of billions of dollars. New York's share of that savings would be well in excess of our share of the gas market. That is why the energy bill misses the mark for the country in general, and for New York in particular.●

**PERSONAL EXPLANATION**

**HON. MORGAN F. MURPHY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. MURPHY of Illinois. Mr. Speaker, on Friday, May 19, 1978, I was unavoid-

ably absent from the House. Had I been present, I would have voted on matters coming before the House as follows:

"Nay" on rollcall No. 339, on a motion to recommit the bill H.R. 39, the Alaska National Interest Lands Conservation Act; and "yea" on rollcall No. 340, final passage of the bill H.R. 39, the Alaska National Interest Lands Conservation Act.●

**A TRIBUTE TO BILL LEAR**

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. GOLDWATER. Mr. Speaker, "Can't do" was not a part of his vocabulary. "Can do" was his mission in life. He was Bill Lear, one of the most remarkable people it has ever been my privilege to know.

When the rollcall of American inventors is taken, he will assume a position with the likes of Fulton, Edison, Bell, Morse, Goddard, and the Wright brothers.

Bill Lear is what America is all about. He loved this country. He loved free enterprise. He loved to see people working, making a decent living and producing goods and services for the betterment of mankind.

He is gone now, but what a legacy he left us. Every time a school child has an idea in a science class for a new invention, Bill Lear will be looking over his and her shoulders. And he will be saying "hang in there, don't give up, it'll come to you if you have faith and dedication." And no one experienced the inventive genius of youth more than Bill Lear, who at the age of 13 invented a successful battery charger.

It is hard to believe that Bill Lear has left us. I must admit that I always looked forward with the greatest anticipation to his latest invention. Maybe it is because I love to build things, to tinker with engines, to find ways to solve mechanical problems or just look over the horizon for a new gadget that makes life a little easier for us all.

Bill was always looking over the horizon. Maybe it was because he was born in that great American river town, Hannibal, Mo., the home of Mark Twain. And like the lovable characters of Mark Twain's remarkable pen, Huck Finn and Tom Sawyer, Bill Lear was always looking for a new adventure, a new experience.

He never stopped. Leukemia had him in its terrible grip; yet, just a few days before his death, Bill Lear announced to the world that he had finished the design of the Lear fan, a turbopowered plane that will be the first aircraft made of plastic.

People will scoff at that design and say it cannot be done. They scoffed when he invented a business jet aircraft and today the Lear jet is an important part of this Nation's aircraft inventory. Ask any Air Force pilot who served in the Korean war about Bill Lear, and he will tell you that his invention of the automatic pilot

for jet fighters made the mission easier and improved chances of bringing him home alive.

I could run on forever about his inventions, his incredible feats as a pilot, and just plain accomplishments. For instance, the next time one of my colleagues puts the eight-track stereo tape in the car tape deck, think of Bill Lear. He invented it. In fact, he actually coined the car radio, a device that has become an inescapable part of our lives, especially those of our teenage children.

He was not always successful. He invented a steampowered car that worked but was not economically feasible for the American people. But that did not stop Bill Lear. Nothing stopped him from realizing the American dream. If he invented a "turkey," he had a unique way of transforming it into a porterhouse steak.

Bill Lear has left behind a beautiful and great lady, his wife, Moya. He has 7 children and 11 grandchildren to carry on the family name. To Moya and his children, I express my profound sympathy at this sad time. To the American people I say that you have lost a remarkable man, a man whose productive genius has improved our lifestyle and contributed mightily to the industrial growth of our country.

He packed a lot of life into his 75 years. I will miss him, and I commend the memory and career of Bill Lear to the attention of my colleagues and a grateful Nation.●

#### A-10 AN IMPRESSIVE AIRCRAFT

### HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BYRON. Mr. Speaker, today an amendment was again offered to the DOD authorization bill which would have reduced the funds for the A-10 close air support airplane. This amendment was defeated by a voice vote of 2 to 1. I am pleased that Congress has again shown its support for this highly successful airplane by defeating this crippling amendment.

I would like to take this opportunity to reiterate my strong support for this impressive aircraft which has proven itself highly capable of fulfilling the important close air support missions for which it has been designed. Earlier this year I went to Luke Air Force Base in Arizona to observe the training of pilots for the A-10 and to be briefed in the airplane and watch a demonstration of its capabilities. I am pleased to be able to report that the A-10 is a success from every perspective. Its technical proficiency in providing close air support for ground troops and destroying enemy tanks will make an important contribution to our defense needs, particularly in view of the armored buildup facing our NATO allies. Moreover, the number of features designed into the plane to im-

prove its survivability are very impressive. The production of the airplane is ahead of schedule and virtually all of the increase in the cost of the plane is attributable to inflation. In base year (1970) dollars the price of the plane is stable.

It has now been the judgment of Congress and the Defense Department and several Presidents that the A-10 is a well-designed, successful-produced highly effective, and quite economical solution to a very basic and important defense need—close air support. I am pleased that Congress today reaffirmed the belief of the majority of Americans that we must maintain a strong national defense by defeating this amendment.●

#### CAMPAIGN FINANCING MYTHS

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. ANDERSON of Illinois. Mr. Speaker, when the House takes up the rule on the Federal Election Commission authorization bill, H.R. 11983, I intend to urge defeat of the previous question so a substitute rule can be offered which would make in order the offering of a partial public financing amendment for House general election campaigns beginning in 1980. This is virtually identical to the Foley-Conable amendment made in order by the rule to the Federal Election Campaign Act Amendments on March 21. That rule was defeated not so much because it made in order a public financing amendment, but because the bill it made in order contained provisions which would obviously harm the Republican Party more than the Democratic Party. That controversial, partisan provision is not contained in the pending FEC bill and so we will have a clear opportunity to vote on the merits of public financing of congressional elections.

Late last week I received a copy of a memorandum being sent to selected congressional districts by the U.S. Chamber of Commerce on our public financing amendment. Because that memo contains some very misleading statements, I am at this point including in the RECORD a copy of the memo along with my response to the chamber. I commend these documents to the reading of my colleagues to assist them in responding to any letters from chamber members in their district.

The materials follow:

WASHINGTON, D.C.,

May 5, 1978.

To business members in selected congressional districts.

From Hilton Davis, Vice President, Legislative Action.

Subject: Taxpayer Subsidies for Congressional Election Campaigns.

Last year, the Senate rejected taxpayer financing of Congressional election campaigns.

But bad ideas—expensive ideas, anti-taxpayer ideas, let's-take-care-of-ourselves-first ideas—die hard in Washington. Efforts now are being planned in the House to slip this one through the side door because there is a hard core of liberals who consider campaign fund-raising to be "demeaning" and who want to "free Congress from the special interests." Their scheme: open the door of the U.S. Treasury—despite the fact that it is already \$700 billion in the red and facing a \$53 billion deficit this fiscal year and a \$60 billion deficit next year.

One thing must be kept in mind about the Congressman who favors public financing. It is not that they don't want to use your money to get reelected; they just don't want to have to ask you for it!

Your Representative needs to know you are capable of making up your own mind about whose campaign you are going to support.

And, if you are concerned about inflation, as the vast majority of citizens are, tell him you want less federal spending, not more—and this is a great place to start.

Status and action needed:

We do not know for certain when the House will take up this issue, or how it will be done. But there is little doubt that an effort will be made. These campaign subsidies have long been a major goal of Common Cause—they are greatly desired by many Congressmen—they are a goal of labor union leaders—and they are supported by President Carter.

Under these circumstances, we must assume House action sometime in the very near future. However, since the House Administration Committee has not approved a bill for campaign subsidies and is not expected to do so, proponents will have to bring up the legislation as an amendment to some other bill on the House floor. Right now, one such vehicle is H.R. 11983, a bill that authorizes funding for the Federal Election Commission. Democratic leaders may ask the House Rules Committee to send that bill to the House floor under a rule that would allow specifically for the offering of a floor amendment to add the provision for campaign subsidies. This FEC authorization bill may reach the House floor about May 10.

It is essential, therefore, that you let your Representative know now—by mailgram or phone call—how you feel about campaign subsidies . . . and that you want him to oppose any move to pass such legislation, whether by amendment or any other ruse.

WASHINGTON, D.C.,

May 24, 1978.

Mr. HILTON DAVIS,  
Vice President for Legislative Action, U.S.  
Chamber of Commerce, Washington,  
D.C.

DEAR Mr. DAVIS: My attention has been called to your memorandum of May 5, 1978, sent to "business members in selected congressional districts," on the subject of "taxpayer subsidies for congressional election campaigns." Since your memorandum contains several misstatements and misunderstandings about our public financing amendment, I thought you'd appreciate learning more about the amendment from one of the authors.

First, you state that proponents of partial public financing favor the concept on the grounds that they don't want to have to ask people for campaign funds. Nothing could be further from the truth: in order for a candidate to qualify and receive Federal matching payments, he would have to demonstrate an ability to raise small contributions from a large number of people. Since only the first

\$100 of a contribution from the same source could be matched, a candidate would have to receive contributions from at least 500 contributors to receive the maximum of \$50,000 in matching funds. Without public financing a candidate tends to rely more on wealthy individual contributors and special interest groups: for example, a candidate could raise the same \$100,000 from 50 contributors of \$1,000 each and 10 political action committees contributing \$5,000 each.

Second, you imply that public financing deprives people of making up their own mind about whose campaign they are going to support. Again this is false. No taxpayers' funds would be used for the matching payment program unless those taxpayers so designate on the \$1 checkoff box on their income tax forms. Moreover, there would be more incentive for voters to contribute to the candidates of their choice, knowing their small contribution would be doubled by a Federal matching payment.

Third, you imply that public financing is somehow an inflationary, budget-busting concept. Again this is not so. Sufficient funds are already available from the dollar check-off to finance House general election campaigns. The estimated cost of the program is \$25 million every two years, or 25 ten-thousandths of 1 percent of the total Federal budget.

I hope these comments on our amendment have disabused you of any mistaken notions you might have about public financing of congressional campaigns. Our primary purpose in offering this amendment is to encourage greater, not less, public participation in campaigns through small contributions; to make candidates less dependent on wealthy contributors and special interest groups for campaign financing; and to place a reasonable ceiling on campaign spending (\$150,000 for those accepting matching funds) as an alternative to the ever-escalating, runaway campaign spending that is becoming more the rule than the exception.

I would further hope that the Chamber of Commerce would reassess its own position on partial public financing of congressional campaigns. The success of this concept in the 1976 presidential elections has demonstrated its validity and vitality. We should not only be willing to learn from the mistakes of the past (which led to the enactment of public financing as an alternative to abuses disclosed in the Watergate scandal), but be willing to learn from and build on our successes, which public financing has proven to be. I think it would be consistent for the Chamber to support this concept since it is voluntary for taxpayers and candidates alike, it encourages greater participation and competition in the process, and it enhances the integrity of our system of government and free enterprise by removing the public perception that large contributions from a wealthy few individuals and interest groups buy special influence and favors.

With all best wishes, I am  
Very truly yours,

JOHN B. ANDERSON,  
Member of Congress. ●

ARE IRISH PRISONS HAVENS  
FOR BARBARISM?

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BIAGGI. Mr. Speaker, as chairman of the 105 House and 1 Senate Mem-  
CXXIV—968—Part 12

ber Ad Hoc Congressional Committee for Irish Affairs I have grown increasingly concerned about reports I continue to receive and read about conditions for political prisoners housed in jails under British control.

In its May 6 edition, the Irish Echo, the largest Irish American newspaper called for an investigation into one of the more notorious facilities, the Long Kesh Prison. This prison has been the scene of a major protest involving some 300 prisoners who have charged mistreatment at the hands of prison officials. To quote the Echo editorial:

There is every indication that prisoners are being treated in similar fashion to the way Soviet dissidents are treated in Soviet labor camps in Siberia.

This in a democratic nation?

The prison situation took on an even more serious tone with the suspicious death of 27-year-old Brian Maquire, a prisoner at the Castlereagh facility. His cause of death was listed as an apparent hanging but few believe this especially in light of repeated instances of police brutality exercised in the prison. This has been investigated by Amnesty International which will soon be issuing a report.

This is very much the type of situation I was investigating when I visited Ireland in 1975. I sought and was refused permission by the Irish Government to visit the Portlaoise Prison where reports of prisoner mistreatment were brought to my attention. The refusal of the Irish Government heightened my suspicions about conditions which were later confirmed by the European Commission and Courts of Human Rights which cited Britain for inhumane treatment of prisoners. Britain admitted their guilt and pledged to cease.

Yet reports indicate that these violations are ongoing. In the coming weeks, the Ad Hoc Committee will be seeking a complete but impartial investigation into the Long Kesh Prison and the death of Mr. Maquire. We view this matter with the gravest of concern and intend to get a complete report. We also intend to review the matter with the Department of State and if these charges are proven true we would expect the President as the apostle of human rights around the world to at long last speak out.

At this point in the RECORD I wish to insert the Irish Echo editorial entitled "Investigate Long Kesh":

INVESTIGATE LONG KESH

An investigation into the operation of the Maze Prison (Long Kesh) in Northern Ireland should take place immediately.

There is every indication that prisoners there are being treated in similar fashion to the way Russian dissidents are treated in Soviet slave labor camps in Siberia.

The world is reluctant to believe that in this day and age the government of the United Kingdom—Great Britain—could possibly condone this type of prison within its jurisdiction.

The fact of the matter is it does. And only outside agencies can do anything about it—particularly if the government of the Republic of Ireland does not protest about con-

ditions in the prisons of Northern Ireland:

We appeal to the International Red Cross, Amnesty International, the United Nations and other international bodies to look into the treatment of prisoners in Long Kesh.

Also, let's ask our President about it. What happened to your human rights campaign, Jimmy? Doesn't it apply to Irishmen and women imprisoned by a foreign nation in their own land? ●

COMMENTS ON NUCLEAR LICENSING  
REFORM

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. UDALL. Mr. Speaker, the Interior Committee's Subcommittee on Energy and the Environment is conducting comprehensive hearings on the administration's proposals to reform the nuclear licensing process. I believe these hearings will provide the information we need to determine how we might best move toward the goal of making the nuclear licensing process efficient, predictable, and capable of protecting the public health and safety.

On May 12, the subcommittee received important testimony from the commissioners of the Nuclear Regulatory Commission. A statement presented by Commissioner Peter Bradford contained some thoughts which I believe are particularly deserving of consideration by my colleagues.

Mr. Bradford expressed concern that the legislation in its present form seeks to expedite the regulatory process at the cost of limiting public participation and a full consideration of the issues. I am impressed by his observation that the legislation in its present form reflects the attitudes of those who believe the current nuclear hiatus has resulted from actions taken by critics motivated by a desire to change America's lifestyle rather than by a concern about nuclear safety. I agree with Commissioner Bradford; the low state of the nuclear enterprise results primarily from a premature commitment to an unproven technology whose promoters promised achievements that could not be realized.

An enormous financial commitment was made prior to resolution of major problems of nuclear waste management and reactor safety. Moreover, the commitment was based on the assumption that electric power demand would expand at a much higher rate than is actually occurring. The late recognition of the magnitude of the problems and the costliness and elusiveness of solutions is the primary cause of our dilemma, which is exacerbated by a massive erosion of public confidence.

While the present picture is bleak, I am nevertheless optimistic that fission power has a role in our energy future. I believe that candor of the kind demonstrated by Mr. Bradford will help clarify

what that role should be. I commend Mr. Bradford's statement to my colleagues:

TESTIMONY OF PETER A. BRADFORD, COMMISSIONER, U.S. NUCLEAR REGULATORY COMMISSION

I would like to be able to support this bill, or at least not to oppose it. A great deal of time and effort by people whose judgment I respect has gone into it. Furthermore, it contains some provisions that seem to me to be useful and others that are no worse than harmless. Under these circumstances, I would not oppose the overall thrust of the bill were it not for three provisions. The first limits the NRC's use of adjudicatory hearings in matters arising under the National Environmental Policy Act; the second provides for extensive construction activity to go forward under some circumstances without the need for the plant in question having been specifically determined; the third states that issues that could have been raised in a previous proceeding may not be raised in any subsequent proceeding even if they were not raised and are therefore still unresolved.

Before returning to these three concerns, I want to speak about the context in which this legislation arises, for that context says a lot about what the bill should contain. The proposed legislation comes from an Administration commitment to the effect that "Reform of the nuclear licensing process is clearly needed. The present process is unsatisfactory to all participants: industry, intervenors, and the federal government. The President . . . has proposed that reasonable and objective criteria be established for licensing and that plants that are based on a standard design not require extensive individual licensing."

Together with this Presidential commitment, the legislation comes before the Congress at a time when demand for additional nuclear power plants has declined sharply. Consequently, some suggest that the legislation is needed to send the industry a message of encouragement. This does not seem to me to be a legitimate legislative function, but it is in any case amply fulfilled this year as in many others, by other specific legislation and by the still substantial nuclear share of the federal energy research and development budget.

Lastly, the legislation was shaped during a time when the licensing process was under a cloud resulting from a series of court judgments to the effect that NRC procedures were not adequate to deal with the legally required issues. That cloud has since been lifted by the Supreme Court, so there is less need than there ever was for legislative modification of the recent lower court decisions.

As the Chairman's statement indicates, I support most of the provisions of this bill. I do not feel that it addresses some of the most important issues confronting nuclear power, but the provisions on early siting, standardization, and intervenor funding clarify and strengthen Commission authority in useful ways. The Commission has also indicated support for the delegation of NEPA responsibility, though in a form different and less complicated than this bill contemplates. Each Commissioner would undoubtedly assign different priorities to these measures, but we feel that they can be so administered as to improve nuclear licensing.

I cannot say the same for the three points that I mentioned earlier and which I will now discuss specifically.

First, Section 103 of the bill would produce a significant change in the Commission's NEPA hearings. It would provide that NEPA related issues should be heard in informal hearings, that is without such basic tools as

discovery, subpoena powers, cross-examination, or witnesses put under oath. Only the factual and legal issues that the licensing board deems "essential to the outcome of the proceeding" would be heard in an adjudicatory format. This section is unfortunate for several reasons.

First, adjudicatory hearings, which the NRC currently uses for all contested power-plant licensing issues, are a better way to get an accurate assessment of complex factual issues. If they are run effectively, they will not take significantly longer than informal hearings, but they will be a much more reliable decisionmaking tool. They are more reliable because they permit direct confrontation between the views of different parties under circumstances that allow each party a maximum of opportunity to probe the assumptions and the weaknesses of the other's position. Informal hearings, by contrast, allow the parties to make statements that contain untested allegations and assumptions and that need not face cross-examination. Within limits, this favors the witnesses who are most careless with the truth. In any clash of statements the chances of the fallacious ones prevailing, especially if they are sufficiently financed to be repeated by several witnesses, improve in direct proportion to the informality of the proceeding. As one of the officials who must pass judgment based on the records that will be built at these hearings, I ask you in the strongest terms not to change the current adjudicatory format.

Reliability is not, however, the only basis for my concern. The provision does not make all NRC powerplant licensing hearings informal. It does so only with respect to hearings under the National Environmental Policy Act. Unfortunately, the distinction between NEPA hearings and health and safety hearings rests on a distinction between environmental and safety issues. While that distinction has not posed a problem in NRC proceedings to date, it is necessarily artificial, for human health is inseparable from the environment. Furthermore, some environmental issues come before us not merely under NEPA but under other environmental laws which have compelled adjudicatory hearings for all contested issues. If a legal distinction is made between NEPA issues and all others, the question of whether the correct type of hearing has been held will be a new and significant issue for the courts to decide, and Congress will have reopened a variant of the issue that the Supreme Court just told the lower courts to leave alone. The problem is made even more difficult by the provisions of the legislation that delegate NEPA to the states.

A third concern with this provision is that it will vest new responsibility and discretion in NRC licensing boards. They will have to decide what issues arise only under NEPA and are essential to the outcome, and they will have to evaluate and penetrate the imprecisions of the informal record. In vesting such increased discretion, Congress should consider the fact that many of our Licensing Boards are not currently held in high regard. They have some individually excellent members, but as a whole, the Licensing Boards have been strongly criticized by intervenors and industry alike. In addition, these Boards have often been rebuked by the Appeals Boards that oversee their work for failing to comply with fundamental agency decision-making standards.

The second provision in the bill that seems unsound to me is the proposed Section 193(e) that allows extensive construction in some cases without a definitive finding that the power is needed. The construction may be considerably more extensive than is contemplated by our current Limited Work Author-

ization procedure. While the bill provides that the costs of this construction should not prejudice subsequent decisionmaking, such prejudice is almost inevitable. It is simply not likely that a meaningful need for power proceeding, especially one involving alternative sources, can take place if \$100 million is already spent on a nuclear plant. No hardship results from requiring a finding of need for the particular unit before construction commences. To do otherwise is to force the Commission and/or the relevant state agencies to choose between declaring very large sums misspent or staging compromised need for power hearings.

While the law addresses this problem by saying that the NRC or the state may prevent early construction, this provision is of little use to concerned citizens if the state and the Commission should not be inclined to take such a step.

The importance of a sophisticated need for power analysis is well illustrated by the situation that has existed in New England in the last two or three years. Utility customers have had to support investment that has produced reserve margins of more than 40% for some utilities. The Connecticut Public Utilities Control Authority has recently urged Northeast Utilities to cut back its commitment to additional future capacity.

Excess capacity produces high consumer costs of its own, and these costs are ignored in the analysis of the costs of delay that are cited as supporting this provision's bias in favor of construction first, questions later.

The third provision that I feel must be modified is in Section 189a(2)(c) found in Section 103 of the bill. It requires that anyone seeking to raise several types of issues at proceedings for construction permits or operating licenses or renewals of permits must show that "no opportunity for hearing" on the issues in question existed at an earlier hearing or that information not previously in existence had been discovered. When this Committee heard from the Department of Energy, the claim was made that this concept embodied only the well settled legal principles of res judicata and collateral estoppel and that the effect of this section would be to encourage early resolution of issues. None of those statements is correct.

The legal principles exist, and they are useful, but they are significantly different in normal application from this bill. Furthermore, the bill as written actually encourages concealment rather than resolution of many issues. What collateral estoppel and res judicata provide is that no party may raise an issue if it has already been raised by any party and decided by the tribunal. Furthermore, current NRC practice already provides that a party is normally obliged to make his contentions known in a timely manner or forfeit them. This bill goes a significant step beyond these principles. It says that a person seeking to raise an issue must, unless he shows "significant new information" likely to cause the facility to be in violation of the law or NRC regulations, somehow show that no one could have raised the issue at a previous hearing.

A hypothetical example will illustrate just how unfair this provision might be. Let us say that the Public Service Company of Arizona, to pick one at random, follows the early siting provision and gets a site approval in 1983. In 1985 a citizen of New York moves to Arizona and settles near the site. Unbeknownst to him, the NRC is at that time in the process of approving six different standard designs. In 1988, Public Service of Arizona takes one of the six standard designs and starts construction on the site. The hypothetical citizen feels that a different cooling tower would produce less fog and that the transmission lines will have a disastrous impact and should be rerouted. Neither issue was raised in either of the

earlier hearings, in which he would not have been involved. Both issues could have been raised but, by design if you will, were not mentioned by the utility or uncovered by the Licensing Board. Under conventional application of res judicata and collateral estoppel, these issues could still be raised. More importantly they should be raised and resolved. Under the legislation before you, they cannot be raised, and the DOE witnesses' testimony that this extraordinary result stems from conventional legal principles stretches those principles past the breaking point. Furthermore, far from encouraging early resolution of issues, this provision as drafted encourages their concealment, for if they escaped unnoticed at the first hearing, they cannot come up again in the absence of significant information not in existence at the time of the earlier hearing. The way to encourage early resolution of issues is to provide that issues actually considered in previous hearings may not be relitigated. Taken together with the principle that a party must raise his issues at the appropriate stage of a proceeding or forfeit them, this different standard is needed to make the legislation conform to the testimony of its sponsors.

As I have said earlier, parts of this legislation are desirable. Intervenor funding in particular is necessary to a full presentation of the issues in some proceedings. To those who say that this proposal favors some "special interests groups" and their views in NRC proceedings I would point out that our research program, not to mention DOE's routinely contracts for millions of dollars of work that applicants can use directly in their license applications. Indeed, some of this money goes directly to the reactor vendors and architect engineers who will use it in standard design applications. If funding "special interest groups" to help their participation in the licensing process contravenes the intent of Congress, this research needs to be reviewed and redirected.

Committed as I am to intervenor funding and however much potential I may see in early siting and standardization, the Commission can move in these directions on its own, albeit not as clearly as this legislation contemplates. Nevertheless, I would urge that the Congress not enact these gains if it meant accepting the limits on public participation discussed above. Those limitations only make sense if one accepts the view that nuclear power's troubles flow from misguided citizen groups asking too many questions. No responsible study supports this proposition, and several studies rebut it.

In short, the abridgements on public participation contemplated by this bill are part of a "love it or lose it" attitude toward which some industries, especially energy industries, are inclined as part of efforts to blame their troubles on their critics. Without detracting from the contribution that I hope nuclear power can continue to make toward meeting the world's real energy needs, I would suggest that the industry's troubles come mostly from a different direction—a direction that this bill does not address.

Much of the problem lies with the commitments, pressures and expectations spawned by the grave overestimates of nuclear needs and possibilities that once emanated from the AEC and from ERDA. As bureaucratic and institutional prestige became committed, one almost rational step at a time, to stated and perceived national goals that had very little to do with real national interests, truth and other people's money were the first casualties. The truth took a beating in silenced concerns and rigged or suppressed studies. Conclusions were expressed in assurances of safety so absolute that the industry and the Commission can now be embarrassed into shutdowns by occasional showings that as-

sertedly impossible accident sequences are merely very highly improbable. Massive financial commitments were made by utility ratepayers and by taxpayers to a nuclear future clearly in excess of anything that the nation really needed within the time it was to be provided. Alternatives, including some nuclear alternatives, were given short shrift. As criticism grew, those who participated in the initial misjudgments behaved as though openminded reevaluations would be admissions of previous errors. Instead they blamed nuclear power's troubles on delays and losses of confidence caused by its critics, whose patriotism and integrity and allegiance to the American dream were subtly or not-so-subtly called into question.

If one is to understand the ways in which large governmental entities can become over-committed to casual and ultimately self-justifying definitions of national well-being, our energy past is important both as a map and as a warning. The limitations on hearings and issues in this legislation can be described as an extension of that past—a desire to avoid real issues that is based on an ill-informed exaggeration of dimly perceived dangers. The savings in time ascribable to the hybrid NEPA hearings, the omitted need-for-power determination, and the limitations on raising new issues are negligible. The losses in reliability of the hearing process are large. These proposals may offer solace of a sort to those present DOE officials who were frustrated at the AEC by NEPA, by intervenors and by the courts during nuclear power's happier hours five years ago. They have no other logic. They can do very little good and may do considerable harm. Neither this Committee nor the Congress should endorse them in anything like their present form.●

**THEA S. KLEIN RETIRES AFTER  
LONG SERVICE TO NEW YORK'S  
PUBLIC SCHOOLS**

**HON. S. WILLIAM GREEN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. GREEN. Mr. Speaker, many New Yorkers remember with affection and gratitude those teachers and principals in our city's public schools who have been the cornerstone of their educational experience. At this time I wish to commend one of these New York educators, Mrs. Thea S. Klein, who has faithfully served the city in the public schools of Manhattan for nearly one-half century.

Mrs. Klein is a lifelong New Yorker. Before she began her service to the city, Mrs. Klein attended New York public schools herself and graduated from Hunter College. She also did graduate work at City College, Columbia University, and received a master of arts degree from Hunter College.

Thea Klein is retiring this year as principal of Public School 402, which is located on East 81st Street in the 18th Congressional District. Her long career has included the following positions of: Elementary school and special education teacher, elementary school assistant principal, elementary school principal, principal of the "400" School for Hospitalized Children, and coordinating principal of the "400" schools.

Service to the city's public schools is

clearly a tradition in the Klein family. Mr. Arthur Klein, her husband, served for 50 years with the New York Board of Education as a teacher, principal, and member and chairman of the board of examiners. Mrs. Klein's mother was also both a teacher and principal for nearly 50 years.

I would like to take this opportunity to applaud Mrs. Klein and her family for their professional excellence and dedication to New York's children, and to wish Mrs. Klein much happiness as she retires this June.●

**STEELWORKERS SUPPORT EFFORT  
TO ADOPT INTERNATIONAL  
STANDARDS FOR ENVIRONMENTAL  
PROTECTION, WORKER  
SAFETY AND HEALTH**

**HON. HENRY S. REUSS**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. REUSS. Mr. Speaker, on May 1 I introduced House Concurrent Resolution 591, calling on U.S. trade negotiators to work toward international standards for environmental protection and the safety and health of workers.

The reason for such standards would be to minimize the competitive trade advantages one country may gain over another by having much lower standards in these areas. The lower costs of production are of course reflected in lower prices in world markets.

There is always pressure in this country to forego the environmental and workplace standards we think desirable on the grounds that other countries with lesser standards could undersell us. Rather than backtracking on our own standards, it would be far preferable to persuade other nations to raise theirs.

The Trade Act of 1974, which authorized the current round of GATT negotiations, calls for negotiation toward more uniform fair labor standards. Such standards are not defined, however. This resolution would express the will of Congress that the negotiations include environmental protection and health and safety standards for workers.

A number of colleagues have offered to cosponsor the resolution, and I invite others to join in this effort.

The United Steelworkers of America, in a letter to me May 12, from legislative director John J. Sheehan, expressed the need for this resolution very well. He wrote:

We have long felt that this is a very important matter for a number of reasons—the need to minimize unfair competitive advantage for foreign producers; the need to remove an incentive for plant runaways; and the simple moral commitment we should have for public and worker health throughout the world.

Mr. Sheehan addressed this issue as early as October 31, 1975, in a statement before the International Conference on Heavy Metals in the Environment, at Toronto, Canada.

After recounting the rapid progress

made in this country on environmental and workplace standards. Mr. Sheehan noted that economic dislocation was minimized by approaching controls on a national basis, so that one State would not be tempted to compete economically against another through lower standards. Then he continued:

The problem, however, is also international in scope. In the world economy of today, two fairly recently developed trends facilitate the international flight of industrial investments. One is the rapid growth of the multinational corporations. The multinationals are structured so as to divert their investments on a global basis to the area of lowest cost and greatest profitability. Social requirements, including environmental controls, which the host country imposes upon its industries are bound to be given careful consideration.

The second trend is the growing urge of the less developed nations to concentrate upon their own rapid economic growth. The more they perceive the need for speed in development, and the more they see that speed as being dependent upon diverting investments away from industrialized countries, the less need they are going to see for environmental control.

Brazil, for instance, has openly and actively campaigned for foreign investment specifically on the basis that they are not concerned about pollution at this point. They may have been more open than others in their efforts, but their feelings are not uncommon.

This situation may be especially true regarding the regulation of heavy metal emissions. These emissions are heavily associated with many of the basic industries, such as ferrous and nonferrous metals, which are often considered essential for a growing industrial base. Therefore, many of the countries undergoing development may be particularly reluctant to require nonproductive investments by these industries.

Undoubtedly the ideal solution is to establish and enforce uniform international standards. Logically there should be no other goal—not only for the plant runaway problem but also for the humanitarian, public health needs (assuming the standards would be based on health requirements). To this end, activities such as the International Labor Organization's efforts to develop recommended international standards should be greatly expanded. But realistically, we are a long way off from having ILO standards, or any other international standards being uniformly adopted on any large scale, let alone from having them uniformly enforced. The motivation is simply too unequal among countries. We learned long ago that voluntary compliance could not work as the basis for occupational safety and health protection in the United States. The problems involved with trying to apply voluntary compliance among countries on a world-wide basis are far more complex.

Nevertheless, we must not allow the reluctance of some countries to work as a constraint on others in their environmental control efforts. If one country decides that action is needed to protect public health, it should not be inhibited from taking that action on the basis that other nations might not take similar action. The active nation should not have to face the threat that its control actions will play a role in the flight of its industry to a non-active country.

That type of dilemma resurrects the jobs vs. environment scare tactic—the "smoke means jobs" mentality—that we have finally been overcoming in recent years. We may have to accept the notion of socially acceptable risk in setting compliance timetables, but foreign trade considerations should not have any weight in the determination of an acceptable risk. To put it the other way

around, there ought to be certain minimum prerequisites in the exercise of the right to engage in international trade. Since highly industrialized nations must now begin to regulate their own growth, national interests will demand that the new growth problems, created by domestic societal responsibilities, not be exacerbated by unfair—"unenvironmental"—foreign competition.

A case in point might be our domestic ferroalloy industry. Regardless of environmental controls, that industry is extremely vulnerable to competition from foreign imports, and the relocation of U.S. production facilities in foreign countries has already begun. Naturally there are great pressures that the abatement requirements on this industry be eased on the basis that stringent requirements will only accelerate its demise. Yet a significant easing of the requirements could have adverse health effects upon the employees of that industry and upon the communities in which they are located.

Somehow we need to find a way to impose the necessary control requirements on an industry in this kind of situation, and yet isolate the adverse effects of those requirements from the industry's status in the world market. In other words, we need to find some way of offsetting the effects that standards have on world commerce without trading away the standards. . . .

House Concurrent Resolution 591 pursues this goal by asking our trade negotiators to include environmental and health standards among the international fair labor standards to be adopted. The resolution follows:

H. CON. RES. 591

Whereas, to the extent that the costs of preventing environmental pollution and protecting the safety and health of production workers are borne by producers, such costs must be recovered through increased product prices; and

Whereas, differing national standards with respect to environmental pollution and occupational safety and health may operate to the trade disadvantage of nations which adopt responsible and humanitarian policies in these areas; and

Whereas, section 121(a)(4) of the Trade Act of 1974 (19 U.S.C. § 2131(a)(4)) requires the President to take such action as may be necessary to bring trade agreements into conformity with principles promoting the development of an open, nondiscriminatory, and fair world economic system, including the adoption of international fair labor standards: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of the Congress that in carrying out his duties under section 121 of the Trade Act of 1974 (19 U.S.C. § 2131), the President should seek to bring about the adoption and application of trade agreements in such manner and form as to include environmental and safety and health standards among the international fair labor standards to be adopted. ●

GORDON B. NASH, JR.

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. MURPHY of Illinois. Mr. Speaker, I wish to extend congratulations to one of my constituents, Mr. Gordon B. Nash, Jr., who was recently selected by the At-

torney General of the United States to receive the John Marshall Award for outstanding professional achievement in the trial of litigation.

This award, named for the fourth Chief Justice of the United States, is a highly coveted honor. It is designed to recognize outstanding professional achievement by attorneys of the Department of Justice. Only one award is granted in the area of trial of litigation each year.

I extend my sincere congratulations to Mr. Nash, whose family and friends are justly proud of him for earning this distinguished award. ●

THE CALIFORNIA TAX REVOLT

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. GOLDWATER. Mr. Speaker, on Monday I shared with my colleagues in the House the efforts of many angry taxpayers in California to constitutionally limit the taxing power of our State legislature.

In today's edition of the Wall Street Journal, associate editor Jude Wanniski has written an excellent piece on this initiative. I am having this editorial reprinted in the RECORD, and believe the Members of the House will find it indicative of the mood of property owners in my home State:

THE CALIFORNIA TAX REVOLT

SACRAMENTO.—There is a raw edge to life in California these last days of May, a rising sense of quiet panic as June 6 approaches—Election Day, the day Californians finally come to grips with Proposition 13, the exhilarating adventure in democracy arranged by Howard Jarvis.

The name Jarvis is everywhere. As you travel from one end of the state to the other, you fairly swim in Jarvis, a vast, boiling sea of anxiety and debate. The name, which belongs to a 75-year-old tax crusader, is probably uttered a dozen times a day by every citizen of the state over the age of 10.

If you don't know by now, Mr. Jarvis is cosponsor of a ballot initiative that would limit property taxes to 1% of market value and limit reassessment increases to 2% a year as long as the property isn't sold. The initiative also would require a two-thirds majority in state and local governments to enact new taxes of any kind. The other cosponsor of the measure is Paul Gann, a 65-year-old former real estate salesman. The initiative is known nationally as the Jarvis-Gann amendment, but here in California they simply refer to it as "Jarvis."

Conditions in California are perfect for a tax revolt. First, because of the nature of the tax mechanism in the state, the dollar inflation manufactured in Washington has a peculiar impact on California. Second, the political class has failed to understand the flaws in the mechanism and how they automatically produce oppression. Last and most important, there is in California the avenue of the initiative. The people themselves can force their representatives to act more correctly, not out of a sense of obligation, but for sheer political survival.

Here, to begin with are some numbers. California state and local governments spend roughly \$40 billion. Local governments rely chiefly on the property tax, expected to yield \$12 billion in the year starting July 1.

Should Proposition 13 pass, property tax receipts would drop to about \$5 billion. The \$7 billion loss has inspired a general hysteria among local public officials and employees, who foresee a wholesale closing of schools and contraction of public services.

## DEEP CLOVER

On the other hand, the state is in deep clover. In a "progressive" moment when he was governor, Ronald Regan scaled the personal income-tax rates up to 11%. In the last several years of inflation, Californians have been propelled into these higher tax brackets, with a river of tax revenues flowing into Sacramento. Even after merry spending, with big raises for themselves and state employees, the legislators saw the surplus grow. With a modicum of frugality, the \$4 billion surplus could hit \$7 billion in the next year or so.

Had there been no inflation, there would be no problem and no Jarvis. Instead of gushing into Sacramento as inflated revenues, money would have remained in the after-tax incomes of the people, providing greater incentives to work, produce and invest. Instead, the reverse occurred, shrinking the nonproperty tax base and forcing more of the burden of local services on property. At the same time, the Washington-built inflation had a fiendish impact on California's local taxing mechanism.

In California, the state sets the property tax rate and the county tax assessors determine assessed valuation. The state rate has stayed the same, but for several years the assessments have climbed faster than they have anywhere else in the nation. The main reason is that since 1971 the assessor is bound by new state law to use the latest sale price in fixing all neighborhood values. Say a group of 50 homes sold originally for \$50,000 and one now sells for \$150,000. All other homes are bumped to an equivalent value, and because the assessor has no flexibility on rate, local property revenues soar, to be squandered by local governments on palatial buildings, lavish arts subsidies, bridge paths and, in Los Angeles, buying up railroads.

The problem is most severe in Southern California. Housing prices have been bid sky-high, partly as a result of the influx of well-to-do people who moved to the area to live out their lives on ample savings in sunshine that can't be taxed. At the same time, this process has squeezed the young managers, engineers and other professionals who form the productive base of the area. Their houses, purchased for \$50,000, are now worth \$150,000—nominally a nice increase. But their after-tax incomes, perhaps \$30,000, are whacked another \$5,000 in property tax.

Given other fixed expenses, they have little discretionary income left. They live in high-priced homes whose furniture and carpeting are getting shabbier by the day. They eat chicken instead of steak, drink beer instead of scotch. Finally, in disgust, they sell, perhaps moving to Houston, further diminishing the productive base in California.

Jarvis would change all this.

Initiatives are, next to war and revolution, the least efficient political tools. The citizenry, which expects its paid representatives to work things out, would rather be bowling or golfing than debating public finance. The initiative, though, is a wonderful thing to have when the political class systematically fails to do its jobs.

In California, most of the political leadership of both parties, from Gov. Jerry Brown on down, as well as corporate, banking and civic leadership, has failed utterly in what seems to be a simple political task.

Here the people of California are building enormous surpluses in one bank account at the same time they are being squeezed pitifully on their other accounts. The solution is to shift resources from the one to the other and adjust the taxing mechanism to see it doesn't happen again. The state, though,

doesn't want to give up its tax bonanza. Local politicians don't want to lose their property-tax bonanza. All loathe Jarvis because it reminds them that these resources belong not to them but to the people. Indeed, the entire Establishment is arrayed against Jarvis, including the Business Roundtable and the "conservative" newspapers of San Diego. Those in control fear their system is threatened when the people take matters into their own hands.

The only reason Jarvis will not pass in a landslide is that the Establishment is frantically peddling the idea that chaos will result if Jarvis passes. The voter must consider the possibility that Gov. Brown, Assembly Speaker Leo McCarthy and the other chief anti-Jarvis leaders will, out of pique, incite chaos by standing back and doing nothing except insist that the people's problems are not the state's. So far, this is precisely the governor's posture, which is why he has had a precipitous decline in popularity.

Mr. Brown would surely be knocked off this fall if he had a strong pro-Jarvis opponent. But the influence of the Establishment is so pervasive that there are none. Among the GOP contenders, former L.A. Police Chief Ed Davis is the most aggressively pro-Jarvis and has been endorsed by Howard himself. But Chief Davis, like Mr. Jarvis an old-school conservative, has yet to learn that Proposition 13 will not force austerity on the state as he pictures it. There is no GOP candidate arguing that Jarvis will mean more, not less, revenue to state and local governments. Prof. Neil Jacoby of the UCLA Business School makes this argument, as does Prof. Arthur Laffer of the USC Business School. Both see Jarvis expanding the tax base.

Mr. Jacoby argues that there will be a building and renovation boom once people can be sure they won't be penalized for adding a new porch in their house or committing funds for a new factory. Not only would this boost the property tax base—helping to offset any direct revenue loss from lower property tax rates—but it would stimulate personal and business income, thus expanding the income tax base.

## EARLY SUPPORTER

One of the most impressive public officials in the state is Assembly Minority Leader Paul Priolo. Mr. Priolo for years has understood the nature of the problem and has been shunned in attempts to correct the taxing mechanism. An early supporter of the Jarvis bill, for the correct reasons he now spends his time trying to get his legislative colleagues to plan for a post-Jarvis transition. His bill, to disburse most of the state surplus to local education boards on a simple formula, would buy a year's time for the legislature to work out new mechanisms. But he is now spurned by those who wish to keep alive the idea that Jarvis means chaos.

The latest Field poll shows Jarvis in the lead, 42 percent to 39 percent. But since then, the Los Angeles County assessor has released the year's new assessments. There were hysterical women all over Los Angeles, reading their new tax bills and calculating they would be forced to rearrange their family lives to much lower standards. Even much of the working press seems to have been won over to Jarvis, moved by the clear injustices of the system and their own property taxes.

If Jarvis passes on June 6, the hysteria will abate and California will be sunny and relaxed again. The political class will be forced to put aside any thought of chaos and retribution and buckle down to a serious transition, listening, it is to be hoped, to Mr. Priolo for a change. Speaker McCarthy, an intelligent and powerful man who has so far played hardball, seems privately ready to soften should Jarvis pass. He knows this is no local matter, that the whole world will be watching this existing experiment in democracy.

California often fancies itself the center of the planet. On June 6, Howard Jarvis and Paul Gann have arranged that it will be. ●

## "NATIONAL PORT WEEK"

## HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. MURPHY of New York. Mr. Speaker, we have 169 of the required 218 cosponsors for a House Joint Resolution which authorizes the President to proclaim the week of September 17-23, 1978, as "National Port Week."

The United States is first in world trade. As such, the Nation's ports provide a vital service in the transfer of this cargo.

For the benefit of my colleagues who have not cosponsored our legislation, please consider what the American port industry provides in direct and indirect benefits to the economy:

Employment for 1,046,800 Americans—each 600 long tons carried in America's foreign trade sustain one job in the national economy.

Generates annual personal income of \$19.2 billion and business income totaling \$7.4 billion.

Produces Federal taxes of \$10.4 billion. Stimulates some \$4 billion in State and local taxes.

Accounts for gross sales within the total national economy of \$56 billion and a \$30 billion contribution to the GNP.

These are Maritime Administration figures that are based on a Department of Commerce commissioned study of the maritime industry.

The following Members are cosponsors of this joint resolution:

Mr. Alexander, Mr. Bafalis, Mr. Baucus, Mr. Bingham, Mr. Burke of Massachusetts, Mr. Burleson of Texas, Mr. Del Clawson, Mr. Downey, Mr. Duncan of Oregon, Mr. Ertel, Mr. Flynt, Mr. Forsythe, Mr. Gilman, Mr. Hanley, Mr. Harsha, Mr. Hyde, Mr. Minish, Mr. Pritchard, Mr. Rangel, Mr. St Germain, Mr. Simon, Mr. Snyder, Mr. Waggoner, and Mr. Walgren.

On behalf of our country's ocean and inland ports, I welcome the addition of these Members to our present list of cosponsors.

A list of all 169 Members who have cosponsored "National Port Week" resolutions follows:

Mr. Addabbo, Mr. Akaka, Mr. Alexander, Mr. Anderson of California, Mr. Annunzio, Mr. Ashley, Mr. AuCoin, Mr. Bafalis, Mr. Baucus, Mr. Beard of Tennessee, Mr. Benjamin, Mr. Beville, Mr. Blaggi, Mr. Bingham, Mrs. Boggs, Mr. Bonior, Mr. Bonker, Mr. Bowen, Mr. Breaux, Mr. Brooks, Mr. Burgener, Mr. Burke of Florida, Mr. Burke of Massachusetts, Mr. Burleson of Texas, Mr. John Burton, Mr. Phillip Burton, Mr. Carney, Mr. Don Clausen, Mr. Del Clawson, Mr. Clay, Mr. Conte, Mr. Corman, Mr. Cornell, Mr. Cornwell, Mr. Corrada, Mr. Cotter, Mr. D'Amours, Mr. Robert W. Daniel, Jr., Mr. Davis, Mr. de la Garza, Mr. de Lugo, Mr. Dent, Mr. Derrick, Mr. Dicks, Mr. Dornan, Mr. Downey, Mr. Duncan of Oregon, Mr. Early, Mr. Eckhardt, Mr. Edwards of Alabama, Mr. Elberg, Mr. Emery, Mr. Ertel, Mr. Evans of Delaware, Mr. Early, Mr. Fithian.

Mr. Flood of Pennsylvania, Mr. Florio, Mr. Flynt, Mr. Forsythe, Mr. Frey, Mr. Garcia, Mr. Gammage, Mr. Gephardt, Mr. Gilman, Mr. Ginn, Mr. Goldwater, Mr. Green, Mr. Hanley, Mr. Hannaford, Mr. Harsha, Mr. Hawkins, Mr. Heftel, Mrs. Holt, Ms. Holtzman, Mr. Howard, Mr. Hughes, Mr. Hyde, Mr. Ireland, Mr. Jenrette, Mr. Johnson of California, Mr. Jones of Oklahoma, Mr. Kazen, Mr. Kemp, Mr. Ketchum, Mr. Kostmayer, Mr. LaFalce, Mr. Lagomarsino, Mr. Lederer, Mr. Le Fante, Mr. Leggett, Mr. Livingston, Mr. Lloyd of California, Mr. Long of Maryland, Mr. Long of Louisiana, Mr. Lott, Mr. McCormack, Mr. McDade, Mr. McFall, Mr. Mann, Mr. Markey, Mr. Marks, Mr. Meeds, Mr. Metcalfe, Ms. Mikulski, Mr. Minish, Mr. Mitchell of Maryland, Mr. Moakley, Mr. Moorhead of Pennsylvania, Mr. Moss, Mr. Mottl, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Murtha, Mr. John T. Myers, Mr. Michael O. Myers, Mr. Nix, Mr. Nowak, Ms. Oaker, Mr. Oberstar, Mr. Patten, Mr. Patterson, Mr. Pepper, Mr. Price, Mr. Pritchard, Mr. Pursell, Mr. Rahall, Mr. Rangel, Mr. Reuss, Mr. Richmond, Mr. Rinaldo, Mr. Risenhoover, Mr. Roberts, Mr. Robinson, Mr. Rodino, Mr. Roe, Mr. Rogers, Mr. Roncalio, Mr. Rooney, Mr. Rose, Mr. Rosenthal, Mr. Rostenkowski, Mr. Ryan, Mr. St Germain, Mr. Sikes, Mr. Simon, Mr. Snyder, Mr. Solarz, Mr. Stanton, Mr. Stark, Mr. Stokes, M. Thompson, Mr. Treen, Mr. Tribble, Mr. Van Deerlin, Mr. Vander Jagt, Mr. Vanik, Mr. Waggonner, Mr. Walgren, Mr. Weaver, Mr. Weiss, Mr. Whitehurst, Mr. Bob Wilson, Mr. Charles H. Wilson, Mr. Wolff, Mr. Won Pat, Mr. Young of Alaska, Mr. Young of Missouri, and Mr. Zeferetti.●

#### TUITION TAX CREDITS—WHO IS SERVED BY THE NONPUBLIC SCHOOLS?

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FORD of Michigan. Mr. Speaker, in recent discussions of tuition tax credits for the parents of elementary and secondary schoolchildren, anecdotal evidence has been presented indicating that some nonpublic schools have large enrollments of minority and low income students. This is no doubt true in the specific cases that are cited. However, in debating tuition tax credits we will be making national policy, and our decisions ought to be informed by the facts concerning the national situation in the enrollment of minority and low income students in nonpublic schools.

Fortunately, we have some excellent data available on this subject. In 1976, the Department of Commerce conducted the Survey of Income and Education. From the survey one learns the following concerning who attends nonpublic elementary and secondary schools in this country:

Mostly middle and upper class children: in 1975

Only 4 percent of all children from families with incomes less than \$5,000 were in private schools;

17 percent of all children from families with income above \$25,000 were in private schools;

25 percent of children from families with incomes above \$50,000 were in private schools.

Proportionately more white children than from other races: 17 percent of all white children attend private schools while only 5 percent of all minority children do so.

I hope that these facts will enable Members to put in context who is served by the nonpublic schools generally.●

#### SINISTER CHILDISHNESS

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. McDONALD. Mr. Speaker, it may sound contradictory to speak of sinister childishness, and yet this is exactly the term which comes to mind when we examine the thrust of the recent Sun Day episode.

On the one hand, the planned "festivities" were so childish as to invite scorn. It is inconceivable that the dedication of a sundial in Houston be taken seriously as showing the way to America's future. One is amazed that they did not, at the same time, rediscover the clothesline. Efforts to appeal to youth with modern forms of pagan Sun worship were received more tongue-in-cheek than they were made, which we may regard as a refreshing sign of sanity.

The childishness earns the modifier "sinister" when we consider that the long range goal of the Sun Day braintrusts is to block energy production, then reduce it level by level until Americans have been pushed back to something like the energy consumption levels of 1910. Nuclear energy is their major target, but fossil-fuel-fired generating plants are not far behind on their hit list.

SOLAR POWER NOT REALISTIC OPTION FOR NEAR FUTURE

(By M. Stanton Evans)

"Sun Day" in the Nation's Capital was on a Wednesday; and it began with the inflation of a hot air balloon—as eloquent a commentary on the subject as one is likely to see in print.

The idea of Sun Day, of course, was to promote reliance on solar energy and other so-called soft technologies for the power needs of our society. It's a pleasant-sounding idea, but one with potentially unpleasant consequences for the vast majority of Americans. Maybe someday solar energy will be feasible for society as a whole, but at the moment it's a plaything of the well-to-do and the artsy-craftsy types.

The great expense of solar energy on a widespread basis has been suggested by Peter Beckmann, editor of Access to Entry. "The laws of physics," Beckmann observes, "cannot be beaten . . . and one still has to use a square meter of area to expose it to one kilowatt of solar power." Solar power can be converted to useful energy only by gathering and focusing it, which requires such large devices as collector panels of enormous size.

"The biggest drawback of solar energy," Beckmann writes, "is its diluteness—only 1.36 kWm<sup>2</sup> in space (at Earth distance) where there is no night and day and no atmosphere (let alone clouds). Large collecting areas are thus needed to generate the power that can be generated in compact facilities by other methods.

"There are, however, some applications where solar energy can be economically har-

nessed—those where not much energy is needed and sufficient collecting area is available. Heating and cooling homes is a possibility, though often only on the economic fringe. Heating water to boil a secondary working fluid for turbine-generated electric power is technically feasible, but the cost is about double that of conventionally generated electricity, and other methods are even more costly."

This subject is also discussed by energy experts Lawrence Rocks and Richard Runyon in their authoritative study, *The Energy Crisis* (Crown Publishers). In New York City, these authors note, "assuming a 10 percent conversion efficiency, we would need a panel about seven by seven feet to light a 100-watt bulb. To provide one billion watts of power [the size of an average New York power plant], we would require a panel, if shaped as a square, about four miles on each side. To provide electrical power for New York City would require a solar panel 15 miles on each side."

Rocks and Runyon further note that if U.S. electrical needs by 1980 rise to 500 billion watts, we would require about 8,000 miles of sunshine-collecting surface to supply the necessary power. Using mirrors to collect the sunlight would require the nation's entire 1970 production of aluminum (10 billion pounds) rolled out in sheets. The authors estimate the cost of electricity from solar cells at 500 times the present cost of electricity, though this is based on economic relationships as of 1972 and has doubtless been reduced since then.

\* \* \* of the soft energy people is a fine-tuned, individual energy source for each household, relying on its own solar converter, windmill, or other personal device. This, of course, would be even more expensive than the mass-electricity approach.

In a recent study called *Soft vs. Hard Energy Paths* (Charles Yulish Associates, Inc.), Daniel W. Kane of the Council for Energy Independence estimates that solar heating panels for 64 million American households would cost \$364 billion, while personal windmills as a backup energy system for each household would cost an additional \$520 billion.

Kane comments that "natural gas prices would need to increase by three times or more before solar panel heating truly becomes barely economical to the homeowner. If the U.S. government and/or industry were to invest \$364 billion in large-scale coal gasification plants to produce synthetic natural gas for home owner use, the 'problem' of natural gas shortages would essentially be solved."

At these price levels, solar power is obviously not a current option for most of us, and is unlikely to be so in the short-term future. If it is to become feasible despite these costs, it will do so because alternative systems have grown even more expensive. That can be accomplished, if ever, simply by deregulating the prices of oil and natural gas and letting them seek their market level. If scarcity makes these fuels expensive enough, sun power could conceivably be economic. If not, there is no need for government policy to promote reliance on the sun.

The real enemy of the sun people, of course, is not oil and gas, but nuclear power. By most available indices, it is nuclear power which represents the realistic long-term substitute for fossil fuels. The technology already exists and is waiting in the wings to take its place in our energy drama, but it has been bitterly resisted by the environmentalists and self-styled consumerists. Down deep, it is fear of nuclear energy and a desire to block its development that motivates such happenings as Sun Day, and the romantic quest for soft supplies of energy in general.●

PROGRAM ON VOLUNTEER ARMY  
RILES PRIVATE TO GENERAL

## HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. STEIGER. Mr. Speaker, elsewhere in this RECORD, I have given my assessment of the ABC-TV documentary, "The American Army: A Shocking State of Readiness." It was in my view, a shoddy piece of work and a disservice to our men and women in uniform.

Following that program, two Louisville Courier-Journal reporters talked with soldiers stationed at Fort Campbell, Ky., to get their analysis of the documentary. From private to general, they were riled.

It is important to have the views of these soldiers about what the Army is really like. A close reading of the article by Bill Powell and Howard Fineman of the Courier-Journal is far more informative about the state of today's Army than was the ABC show. I hope it will receive the attention of all who care about the Nation's defense forces. The article follows:

PROGRAM ON VOLUNTEER ARMY RILES PRIVATE  
TO GENERAL

FORT CAMPBELL, Ky.—From private to general, the 101st Airborne Division was riled by the ABC portrayal of the volunteer soldier.

"I was very disappointed. The report was unanimously negative," Maj. Gen. John N. Brandenburg, commanding general of the nation's only air assault (helicopter) division said at a news conference yesterday.

In Washington, Maj. Dale Keller, an information officer at the Pentagon, said the program had some practical, good points. The problem, he said, wasn't what the documentary discussed but what it didn't.

The tone of the ABC report was that American Army forces in Germany were too weak, under-equipped and ill-organized to withstand any major thrust into Western Europe by the Russians.

Keller acknowledged that ABC had accurately reported the history of serious equipment shortages and repair problems in the European command.

What it didn't note, Keller said, was the improvement made since the Vietnam War and the Arab-Israeli War of 1973 drained equipment and attention from Europe.

"The status of equipment and readiness in Europe is now genuinely and generally good," Keller said.

In 1975, he said, 75 percent of the reports from Europe on equipment showed a good "state of readiness." By last month, he said, the figure had risen to 90 percent.

Keller said that ABC had raised a valid question about whether the reports were completely truthful. But he said the report failed to give the Army's response.

"There probably are some people who try to hide things in those reports," he said, "but overall we think they're valid."

The reason, he said, is that officers have an interest in accurately reporting equipment problems. If they don't report the problems, he said, they don't get more money or new materiel.

As for the quality of the volunteer Army's soldiers, Keller said that the ABC report failed to note the subtleties of the situation.

It is true that the dropout rate is higher than during the draft years, he said. But, in part, he said, this was a deliberate policy to weed out unfit candidates.

Another reason for the higher dropout

rate, he said, was that applicants sign up for longer hitch—three or four years, compared with two in the draft.

Brandenburg, who has been commander of the 101st division and of Fort Campbell since March, said he didn't like ABC's reference to the volunteer soldier as a "loser."

"It is my impression that our troops (in Germany) would do quite well in meeting a Russian onslaught across the border," Brandenburg said.

Brandenburg also said troops of the 101st were much better educated than the ABC program "might lead you to believe."

Ninety percent of the enlisted men of the division at Fort Campbell in southwest Kentucky have a high school diploma or a General Education Development certificate, he said.

Brandenburg, who led combat troops in Vietnam during the draft, said "the soldiers we have now are as good as the ones I commanded then." He added that they may be "in even better physical condition."

Numerous Fort Campbell soldiers randomly polled yesterday said they resented the program. Not one agreed that the volunteer Army was a "loser."

Some typical comments included:

Pfc. Stephen Conner, 22, said any impression that the soldier "can't or won't fight makes me mad.

"I'm nothing but a clerk. But if a war started, I would not be behind a desk. I know how to fight and how to use our equipment," he said.

Spec. 4 James Cox, 21, said he didn't "like the program one bit." He said he was proud to be in the Army, although he did not plan to make it a career.

"I know a volunteer Army would not be enough in wartime. But, I tell you, it is unbelievable the way the men here train. It is super," Cox said.

Staff Sgt. Mike Lamkin, 34, a veteran of 14 years in the service, said "the ABC program just showed the bad parts or made the good parts look bad. Our soldiers are better and smarter than they were portrayed to be."

Sgt. Christopher Owens, 26, who has been in the Army eight years, said "some of the program was true." He said it is no secret that economic conditions are poor for the Americans in Europe and that "some prejudice persists." But the helicopter crew chief said "some things were overly dramatized.

"You have all kinds in the Army. You had all kinds in Vietnam, in Korea and in World War II," he said.

Staff Sgt. George Stein, 29, who has been in service 12 years, said he had served with American forces in Italy and that he did not think there were enough troops representing the North American Treaty Alliance there. He also acknowledged that some soldiers could not support themselves and their families properly on Army pay.

But he said the average soldier "just doesn't come in off the streets because he can't find a job or wants to quit school. Everybody knows you have a better chance to get an education in the Army than you have on the streets," he said.

Spec. 4 Curtis Barker, who at 21 has been in service 20 months, said "what I saw on television is not what I see at Fort Campbell.

"Sure, lots of our people are not well educated, but lots of people in civilian life, and doing good jobs, aren't either," he said.

Barker said "lots of men who were in the old CCC (Civilian Conservation Corps) during the Great Depression simply because they were poor and had to have jobs went on to make good soldiers in World War II.

"They were used to keeping their noses to the grindstone. They knew how to live together, in barracks, and how it was to fight for survival. They hit the beaches. They won as many medals as anyone else. And I don't believe Alvin York (World War I hero) had enough education to speak of," he said.●

## STOP FEDERAL GUN REGISTRATION

## HON. DAVE STOCKMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. STOCKMAN. Mr. Speaker, today I am introducing legislation to insure that the Department of the Treasury does not implement a nationwide gun registration proposal without specific instruction from the Congress.

The Bureau of Alcohol, Tobacco, and Firearms has proposed regulations that would require the application of a unique identifying serial number to every gun manufactured or imported in the United States. Currently, firearms bear a number which identifies only the manufacturer. The unique number would indicate the manufacturer or importer, production or importation year, firearm model and caliber or gage, and the serialized number of the particular model made or imported during a given year. This standardization, the Bureau claims, would tremendously assist law enforcement officials in accurately identifying recovered and confiscated firearms, eliminate confusion in tracing weapons associated with the crime, reduce the time needed to trace these weapons—from several days to hours or minutes—and improve chances of successful prosecution.

But the requirement of the unique serial number, in combination with BATF's centralized computer capability, creates the potential for a de facto centralized gun registration system in this country. Under authority of the Gun Control Act of 1968, the Bureau may require the submission of form 4473 information, including name and address of a firearm purchaser, which must be divulged to the dealer at the time of purchase. The danger—a well-founded one, in my view—is that the Bureau has the capability, if not the inclination, to store in its computerized files vast numbers of these reports. This would create a national gun registration system.

Mr. Speaker, these regulations are yet another in a long string of efforts by the bureaucracy to circumvent the will of the Congress and to deprive the American people of their rights. The Congress has never voted to permit any kind of national gun control law, and for numerous good reasons.

The resolution that I am introducing today would eliminate all doubt about whether the BATF has the authority to implement nationwide gun registration without an express instruction from the Congress. It would block the implementation of any such regulations that have the effect of creating a central Federal computerized gun registration file. I hope that an overwhelming majority of my colleagues will join me in sending this clear signal to the BATF.

In closing Mr. Speaker, I wish to express my great dismay at the lack of honesty represented by these proposed regulations. If the President and his administration want a Federal gun control law, they should come to the Congress

and ask for it by name. Trying to achieve the same result through the back door can only damage further the confidence of the American people in their democratic form of Government.

Text of resolution follows:

H.J. RES. 940

Joint resolution disapproving proposed regulations of the Department of the Treasury requiring centralized governmental registration of firearms

Whereas the Bureau of Alcohol, Tobacco, and Firearms of the Department of the Treasury, on March 21, 1978, proposed regulations:

(1) requiring quarterly reports of all firearms transactions in federally licensed commerce, including reports on sales to individual citizens, with said reports to be centrally maintained by Government computer;

(2) requiring the placing of additional serial numbers on all firearms manufactured or imported into the United States, identifying the firearms as to importer or manufacturer, importation or manufacturing year, model, and caliber or gage, and the serialized numerals of the models; and

(3) making certain other changes in existing Federal firearms regulations; and

Whereas these regulations, if permitted to become effective, could be construed to permit centralized Federal registration of firearms; and

Whereas the Congress has consistently refused authority for such registration as demonstrated by the House of Representatives defeat of three proposals to require the registration of firearms during consideration of the 1968 Gun Control Act; and

Whereas the Congress has enacted no legislation since 1968 which might be construed as conferring authority upon the Treasury Department to implement centralized Federal registration of firearms; and

Whereas the proposed regulations could permit by regulation what Congress has refused to authorize by legislation: Therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—*

(1) the Department of the Treasury does not possess authority to retain on file, in excess of the minimum time necessary to complete a request for trace of a firearm, any of the information currently required by law to be reported at the time of purchase and recorded on Bureau of Alcohol, Tobacco, and Firearms Form 4473;

(2) the Department does not possess the authority to require submission of Form 4473 information except as presently permitted under law; and

(3) the Department shall seek explicit congressional authorization before proposing any rules or regulations for the consolidation of centralization or transfer to the Government of records required to be maintained under existing Federal firearms laws.●

#### HOW I WOULD HAVE VOTED

### HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BONKER. Mr. Speaker, due to previous commitments in my congressional district, I was unable to be present for the final passage of the Alaska National Interest Lands Conservation Act.

Had I been present, I would have voted

"no" on the motion to recommit the bill and "yes" on final passage.●

HONORING HELEN CREHAN, EUGENE SCHLESINGER, AND ALLAN R. IDE

### HON. MARK W. HANNAFORD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. HANNAFORD. Mr. Speaker, the Long Beach, Calif., Chapter of the National Conference of Christians and Jews has chosen three distinguished Americans as the recipients of its 15th annual Humanitarian Awards. I thought you and the other Members of the House assembled here today would like to join the chapter in honoring the recipients—Helen Crehan, Eugene Schlesinger, and Allan R. Ide. They will receive their awards in Long Beach on Thursday, May 25.

Mrs. Crehan is a well known and highly respected Long Beach businesswoman. An active member of the American Business Women's Association, she has in past years been president and vice president of the Long Beach chapter of ABWA, which named her "Woman of the Year" in 1969. Mrs. Crehan owns Tom's Restaurant in Long Beach and has been operating it successfully for the past 22 years. She has an abiding interest in the future of downtown Long Beach and has made significant donations of time and effort to a number of civic organizations and commissions which share her concerns.

Eugene Schlesinger is a self-made man who fled both Hitler and the Communists for the promise of America. Hard-working Schlesinger saw that promise fulfilled. He owns the Center Meat Co. of Fullerton, which operates several retail and wholesale meat markets in the Southland. Mr. Schlesinger's considerable contributions to the Jewish community and to Long Beach at large are overshadowed only by the list of honors he has received from various local and national groups.

Mr. Speaker, the third honoree, Mr. Allan R. Ide, is currently president of the Metropolitan Stevedore Co. in Wilmington. A native Californian, Mr. Ide joined the Seabees at the start of World War II and performed his duty in the South Pacific theater. He serves on the boards of numerous community organizations, including several which are concerned with health care. He has a deserved reputation as a philanthropist, and some of his gifts have benefited the American Red Cross, Goodwill Industries, and the City of Hope, to name but a few. Mr. Ide is the director of the Long Beach Chapter, National Conference of Christians and Jews.

The chapter says that its awards are bestowed on the basis of substantial contributions to the community in furthering the cause of brotherhood and human relations. Mr. Speaker, I cannot think of three more qualified individuals, and I

know you will join me in congratulating these outstanding public citizens.●

EFFECT OF 1969 TAX REFORM ACT ON FEDERAL TAX REVENUE FOR 1969

### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FRENZEL. Mr. Speaker, in the discussion relative to H.R. 12111, the Investment Incentive Act of 1978, there has been some dispute with regard to the impact of the Tax Reform Act of 1969 (69 TRA) on the stock market during calendar 1969. The dispute centers on the effective dates of the capital gains provisions of the 69 TRA.

More specifically, the provisions of the 69 TRA phased up the alternative tax on long term capital gains in excess of \$50,000 for individual taxpayers. The maximum tax rate on the included half of long-term capital gains above \$50,000 was increased to 29.5 percent in 1970, 32.5 percent in 1971 and 35 percent in 1972 and later years. The alternative tax rate on corporate long-term capital gains was increased to 28 percent in 1970 from 25 percent and to 30 percent in 1971 and later years. In addition the 69 TRA generally reduced to 50 percent the use of capital losses to offset ordinary income for taxable years beginning after December 31, 1969.

A minimum tax which included in its base, in the case of individuals, one-half of net long-term capital losses was also first imposed by the 69 TRA for taxable years ending after December 31, 1969.

In light of these effective dates, detractors from the Investment Incentive Act of 1978 contend that the 69 TRA did not have a negative effect on the stock market during calendar 1969. However, the facts relevant to this issue are clear. The 69 TRA placed a significant cloud over taxpayers with unrealized capital gains during calendar 1969 even though the 69 TRA was not effective in final form until 1970.

The public knew that these capital gains tax changes were adopted by the Ways and Means Committee and it was widely believed they would be effective from July 1969 forward. A press release dated July 25, 1969, issued by then chairman of the Ways and Means Committee, Wilbur D. Mills, states in relevant part:

The tentative decisions since July 11, 1969, for drafting purposes are as follows:

#### A. CAPITAL GAINS AND LOSSES

The Committee tentatively decided to modify the tax treatment of capital gains and losses in the following manner:

(1) It was tentatively decided to require that net long-term capital losses be reduced by 50 percent before they may be deducted from ordinary taxable income. Net short-term capital losses would continue to be deductible in full, and the present overall limitation of \$1,000 on the amount of capital losses which may be offset against ordinary income also would continue to apply. . . .

(3) It was tentatively decided to extend the long-term capital gains holding period from six months to one year. Thus, long-term

capital gains treatment would be accorded only to gains on capital assets held for more than one year.

(4) It was tentatively decided, in the case of individuals, to eliminate the alternative long-term capital gains tax computation. The alternative capital gains tax presently provides a maximum tax rate of 25 percent on long-term capital gains. Under this tentative decision, one-half of an individual's net long-term capital gains would in all events be included in taxable income and, accordingly, would be taxed at the regular tax rates.

There was no effective date stated in the press release of July 25, 1969. However, some time between July 25, 1969, and before August 2, 1969, when the committee filed its report on the 69 TRA, the committee published a document entitled "Summary of Principal Decisions on Tax Reform Subjects." The summary states in relevant part:

**A. Capital gains and losses**

The committee adopted without substantive change its tentative decisions, effective January 1, 1970, *except that the provision eliminating the alternative tax is applicable to transactions occurring after July 25, 1969.*" (Emphasis added).

Similarly, the committee report indicates that changes relative to the alternative tax for corporations were effective July 31, 1969.

Thus it can be clearly seen that from late July or early August 1969, the effect of the decisions of the Committee on Ways and Means were a matter of public record—the alternative capital gains tax would be substantially cut back, effective for transactions occurring after July 25, 1969, for individuals or after July 31, 1969, for corporations.

The financial world was doubtless aware of what was occurring at the Ways and Means Committee. This is evidenced by newspaper articles which appeared at the time of the committee's actions.

On July 23, 1969, the Wall Street Journal carried an editorial titled "The Attack on Capital Gains." The editorial, generally, attempts to refute arguments in favor of higher capital gains taxation rates. A week later on July 30, 1969, the Wall Street Journal, on page 2, carried an article titled "Senate GOP Still Mulling 5-Month Surtax Pushed by Democrats; Deadline Seen Near." The article stated:

Meanwhile, the House Ways and Means Committee continued final drafting of its comprehensive tax-reform bill scheduled for House action next week. The Committee adopted, with few changes, a series of decisions announced earlier as being only tentative. It will take up other reform items today.

*The Committee decided that transactions after last Friday will be ineligible for the 25-percent alternative tax rate on long-term capital gains. Earlier, the Committee had said this alternative rate would be eliminated but hadn't set an effective date.*" (Emphasis added).

Similarly, the New York Times on Sunday, August 3, 1969, carried a front page article titled "Liberals To Seek a Larger Tax Cut in Middle Levels." Continued on the inside of the paper the article was accompanied by a summary of the major items in the House bill; it stated:

A higher tax on long-term capital gains

for those at the upper end of the income scale was voted by the Ways and Means Committee. . . .

The Committee has proposed elimination of the alternative 25 percent rate, and thus would make the tax on long-term capital gains progressive all the way up through all the tax brackets.

A long-term capital gain today is defined as appreciation in value of property from the time it was bought until the time it was sold, provided it was owned at least 6 months. The Committee proposed to change the mandatory holding period, in order to receive the favorable treatment, to one year.

The extension of the mandatory holding period to one year has greatly disturbed Wall Street, which fears many stocks that otherwise would have been traded will simply go off the market while their owners wait for the year to elapse. . . .

The Treasury Department which did not recommend either of these changes is more concerned over the increase in the capital gains tax at the top of the income scale. It is not that the changes are necessarily thought to be wrong, but simply that the Treasury wants to take a leisurely look at (sic) whole subject of capital gains taxation—with an eye to comprehensive revision—and feels that it is foolish to make piecemeal changes now.

Again on August 5, 1969, the Wall Street Journal on page 4, stated:

The alternative maximum capital-gains tax rate of 25% would be eliminated for individuals, effective on transactions after last July 25. This provision is expected to increase federal revenue by \$360 million a year.

The holding period that's required before the sale of an asset is eligible for capital-gains tax treatment would be lengthened to one year from the current six months. This change would apply to taxable years beginning after last July 25, and would increase annual federal revenues by \$150 million after next year.

The corporate tax rate on long-term capital gains would be increased to 30% from 25%. This change would apply to transactions after last July 31, and would increase annual revenues by \$175 million a year.

On Wednesday, July 30, 1969, the Washington Post stated:

Capital Gains. The holding period would be extended from six months to a year. Gains from property held less than that would be subject to the higher ordinary income-tax rates. The alternative maximum capital gains tax of 25 per cent would be repealed. This means that the rate for top-bracket taxpayers could rise to 38½ per cent. Estimated annual revenue gain: \$350 million.

On July 21, 1969, Barron's stated:

**TAX REFORM SERIOUS**

On the important capital gains issue, the committee has reached tentative agreement to lengthen the required holding period from six months to one year. A companion proposal being favorably considered would provide that each dollar of net long term capital loss could offset only 50 cents of ordinary taxable income, making tax treatment of capital losses consistent with that of capital gains.

Investors were not shielded from these changes in the taxation of capital gains until action by the House-Senate conference was completed on December 19, 1969. However, from July 1969 to mid-December there was little question but a well-advised investor would have been aware of the potential tax implications of the House committee's action.

Let there be any question about the impact of these tentative decisions by the Ways and Means Committee one could look to the newspaper articles which followed the committee's tentative 1969 vote to include interest on municipal obligations within the minimum tax base. The municipal bond market immediately hit the skids. The business and finance section of the New York Times, on July 30, 1969, on page 47 stated:

**TAX UNCERTAINTY HURTS BOND SALES—NEWARK AND CHICAGO REJECT OFFERS AS MAJOR CITIES ENCOUNTER HIGH RATES**

Major states and cities ran into great difficulty yesterday in selling their bonds.

This financial market, normally a quiet, efficient mechanism for handling hundreds of millions in new securities each week, was described as shaken to its foundations by uncertainty over the future tax status of interest income from bonds that historically has been tax-exempt. . . .

**KEY PROPOSAL**

The key proposal rocking the tax-exempt bond market would impose a minimum income tax on individuals and corporations now taxed lightly, if at all.

Similarly, the August 3, 1969 edition of the New York Times carried an article titled, "Reform Hits Tax-Exempt Market;" it states:

These problems [higher interest rates on municipal bonds] were caused by tentative proposals by the House Ways and Means Committee to impose Federal taxes on income from state and local government bonds, long exempt for taxation. The proposal was part of a reform program that would establish what has become known as a 'minimum tax' on individuals with large amounts of income currently taxed lightly, if at all. . . .

The prospect of this change in Federal income taxation threw the municipal bond market—a term that includes the market for all local government securities—into a tailspin last week. Prices plummeted and interest rates shot up to their highest levels in American financial history. Many investment bankers dropped out of the bidding for these bonds, and state and city controllers complained bitterly of the higher costs they had to accept.

A similar article appeared in the August 3, 1969 edition of the Los Angeles Times which states:

The municipal bond picture remained fuzzy last week as dealers and investors awaited final action on tax reform measures proposed in Congress.

The tax-exempt bond prices experienced gains late in the week on news that banks and corporate investors would be excluded from the suggested formula for taxing at least a portion of interest from the currently tax-free municipals."

From the above it is clear that, while the 69 TRA was not effective during calendar 1969, it had a significant impact on taxpayers during that year.●

**IN FAVOR OF ALASKA BILL**

**HON. PAUL N. McCLOSKEY, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. McCLOSKEY. Mr. Speaker, due to business in my district, I was not present to vote last Thursday and Friday on H.R. 39, the Alaska National Interest

Lands Act. Had I been here, I would have voted in favor of those amendments accepted by the House, and for final passage of this most important conservation bill of the century. ●

#### RESULTS OF MY 1978 QUESTIONNAIRE

### HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. SNYDER. Mr. Speaker, I would like to share with my colleagues the results of the 1978 edition of my annual questionnaire. Seventeen thousand of the citizens of the Fourth Congressional District of Kentucky took the time to pass along their opinions to me this year and since the issues dealt with are all national in scope, my colleagues here in the House should find them quite interesting.

The tabulations are self explanatory. Unfortunately, space will not permit a listing of the responses to question number 12 which was not really a question but rather an invitation for additional comments. It is unfortunate because the thoughtful remarks penned in by so many of the respondents would do a lot to reinforce my standing contention that we would be in better shape if more of us took the time to listen to the people we represent.

Although the results of this questionnaire are based on the opinions of the people of the Fourth Congressional District of Kentucky, it is highly unlikely that the views reflected in the tabulations are confined to the boundaries of this one district. It would seem much more likely that these opinions are shared by many people throughout the country.

Questionnaire results follow:

#### RESULTS 1978 QUESTIONNAIRE

(All answers are in percentage)

(1) One of the points that has tied up the Energy Bill is a disagreement over the regulation of natural gas prices. Should the Federal Government continue to control the price of natural gas? Yes, 53; no, 40.4; no answer, 6.6.

(2) The Panama Canal Treaties are now being considered by the Senate. Do you favor the ratification of these treaties? Yes, 14; no, 80.6; no answer, 5.4.

(3) Do you favor a tax credit or tax deduction for parents who send children to college? Yes, 61.6; no, 35; no answer, 3.4.

(4) Should Congressional elections be funded by Federal tax money? Yes, 15.6; no, 82; no answer, 2.4.

(5) Should we establish a separate Department of Education with cabinet status? Yes, 24.6; no, 67.6; no answer, 7.8.

(6) President Carter has proposed a tax cut, but at the same time he is proposing to spend half a trillion dollars with a deficit of more than 60 billion dollars. Should we cut taxes without cutting spending first? Yes, 6.8; no, 90.6; no answer, 2.6.

(7) Should the Federal Government declare war on smoking as suggested by HEW Secretary Califano? Yes, 19.8; no, 77.8; no answer, 2.4.

(8) The Food Stamp program has always been controversial. Now it is suggested that

the government should give cash instead of food stamps. Do you approve of this proposal? Yes, 2.4; no, 97; no answer, 0.6.

(9) Should we erect tariffs and trade restrictions to protect our industries from foreign competition? Yes, 64.6; no, 28.2; no answer, 7.2.

(10) This year we expect to spend over five billion dollars on foreign aid. President Carter would like to see this amount increased considerably over the next few years. Do you agree with him? Yes, 2.4; no, 95.8; no answer, 1.8.

(11) Do you think a balanced budget should be one of the top priorities of this nation? Yes, 90.4; no, 7.8; no answer, 1.8. ●

#### SENATOR ZELMAR MICHELINI

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. FRASER. Mr. Speaker, today I pay tribute to my friend and colleague, Uruguayan Senator Zelmari Michelini. Today was the second anniversary of his tragic assassination in Buenos Aires. Just 3 years ago, I and other Members of Congress were scheduled to meet with Senator Michelini here in Washington to discuss with him the situation of human rights in his country. Apparently afraid that he would prove too credible and articulate a witness, the Uruguayan authorities invalidated his travel documents. They prevented him from leaving Argentina, where he had lived in exile since the June 27, 1973, coup that closed the Uruguayan Parliament.

Senator Michelini never made it to Washington after that. A year later he was assassinated along with former Speaker of the Uruguayan Chamber of Deputies Hector Gutierrez Ruiz, in circumstances that implicate both the Argentine and the Uruguayan Governments. Although the abductions of both men occurred in downtown Buenos Aires and were witnessed by numerous members of the Argentine security forces, no one intervened to help them. All efforts by friends and relatives to establish their whereabouts were obstructed. President Videla's expressions of "official concern" were not communicated to the proper authorities. Three days after they disappeared, the bullet-ridden bodies of both victims were discovered in an abandoned car.

These facts have been related to me personally by former Uruguayan Senator Wilson Ferreira Aldunate, a survivor of that tragic episode who was fortunately not at home when his would-be assassins came looking for him. Senator Ferreira and I have spoken together on several occasions about these and other violations of human rights for which the Government of Uruguay is responsible. Delivered shortly after the murder of his colleagues, Senator Ferreira's testimony before our subcommittee was of great value in congressional deliberations regarding the discontinuation of U.S. military aid to Uruguay.

Senator Michelini was a tireless and eloquent defender of human rights.

From his seat in the Uruguayan Parliament, he demanded time and again that allegations of torture be investigated; that those responsible be held accountable; that the Uruguayan Constitution be upheld. During his exile in Buenos Aires, he continued his struggle for justice and democratic rights. Believing that responsibility for human rights transcends national borders, as a public figure he sought the assistance of his colleagues abroad; at the same time, he advocated the creation of international mechanisms that might guarantee adherence to standards recognized in principle, yet ignored in fact, by many governments. Privately, the Senator assisted countless Uruguayans who came to him on a personal basis with their problems. A compassionate man, he never forgot that oppressed peoples are not abstractions—concrete human lives are affected when human rights are violated.

Perhaps the high personal price the Senator had to pay for his defense of principles made it easier for him to understand the suffering of each Uruguayan he met. The last years of his life were full of attempts to intimidate him. Especially cruel and painful to him was the torture of his oldest daughter Elisa—a political prisoner and alleged subversive—in reprisal for her father's political activities. And especially courageous was his refusal—even then—to be silenced. Nor did Senator Michelini's tragedy end with his murder. Only weeks after he was assassinated, an exiled daughter, Margarita, disappeared in Buenos Aires. Margarita and her husband turned up 5 months later in Montevideo, along with over 20 other Uruguayans—all of them abducted and tortured in Buenos Aires, then illegally deported to their country of origin to be tortured and imprisoned there. It is a sad indication of the state of human rights in Argentina and Uruguay that international organizations are still attempting to locate 40 other Uruguayans whose whereabouts remain unknown following their disappearance in Argentina. In that group are several small children.

Unfortunately, as a victim of repression Zelmari Michelini is not unique among legislators or among Uruguayans. We should not forget that many of our colleagues abroad suffer persecution, imprisonment, and death simply for seeking to do the job which we do here without risks to our personal safety. Nor should we forget that Senator Michelini's country, once known as the "Switzerland of South America," today has the highest per capita ratio of political prisoners of any country in the world. In a total population of only 2½ million, 1 in 500 is in prison; 1 in 50 has been arrested; over half of those arrested have been brutally tortured.

Happily, Senator Michelini shared with his fellow countrymen not only suffering but also a love of democracy which, having reasserted itself throughout Uruguayan history, augurs well for the eventual restoration of democratic freedoms in Uruguay. Many of us in the U.S. Congress have expressed our belief in the Uruguayan people by insisting that

their human rights are our concern; by supporting a cutoff of military aid to Uruguay; and by voting into existence a growing body of human rights legislation by means of which we can stand up for our shared principles abroad.●

**OPEN SCHOOL'S SUCCESS FAILS TO SPARK BOARD**

**HON. WILLIAM M. BRODHEAD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BRODHEAD. Mr. Speaker, in recent years, the public school systems of many of our older major cities have faced growing difficulties. Aging facilities, rising costs, and declining populations have made it nearly impossible to operate these systems efficiently.

However, in my own district, the Detroit school system has operated a most successful open school project at the Burgess Elementary School which has resulted in a long waiting list of parents who wish to enroll their children. One of the reasons for the success of this project is the total involvement of parents in the day-to-day operation of the school. While the Detroit School Board has been reluctant to start additional open schools, the success of the Burgess School makes such a decision more and more desirable.

The project was recently described in the Detroit Free Press by writer Thomas BeVier and I offer his story to my colleagues as a possible solution to some of the problems of our troubled school systems:

**OPEN SCHOOL'S SUCCESS FAILS TO SPARK BOARD**

(By Thomas BeVier)

One of the Detroit public schools' most successful innovations has failed to blossom because of scant interest and a lack of material support by school administrators.

It is the open school program, which features unregimented instruction with children from up to three different grade levels learning together.

For the last three years, in what has become sort of bizarre rite of spring scores of parents have pitched tents and camped overnight outside Region 4 offices to enroll their children in the school system's only open school, conducted—along with a traditional school—in Burgess Elementary at 24601 Frisbee.

This May there were only 34 kindergarten openings for the next year at the open school and six places scattered in grades one through eight. There is a waiting list of more than 200.

The long line of parents is the most visible sign of the open school's success since it began in 1972. The line also raises the question: Why do public school administrators fail to provide ample opportunity for the alternative form of education in the face of apparent success and demand?

"It doesn't make sense," said Mrs. Jacqueline Campbell, whose son has gone to the open school for four years. As a parent, she proselytized for several years for expansion of the program. Finally, almost in exasperation, she ran for election to the Region 4 school board and won.

"How can you possibly not spread some-

thing that is good?" she asked. "They say it's because of lack of housing, but I don't accept that."

"If I had room, I'd have another one (open school)," said John F. Hauck, Region 4 superintendent.

Mrs. Campbell and a number of other open school supporters say that there has never been a shortage of verbal support from administrators but that material support, such as housing and staff, has been in short supply.

The open school did not originate in Detroit at the initiative of administrators. In fact, they resisted it in the beginning before bowing to pressure from parents who rallied behind a kindergarten teacher who had taught traditionally for 20 years before learning of the open school concept while she was an exchange teacher in England.

The teacher, Laura Jean Milligan, began teaching with the open method in 1972. The next year it was made a regional program with children bused to it from throughout northwest Detroit.

"I never could go back to the traditional way of teaching," Miss Milligan said.

A significant difference between a traditional classroom and the open school is that children from up to three grades are grouped together.

"The older children help the younger children," Miss Milligan said. "The older children become teachers as they reinforce their own learning."

She said teaching in the open school is more difficult for teachers because there is no set program to follow. "It requires more imagination on the part of the teacher," she said.

Achievement tests show that the average scores of open school students are slightly above the national average and considerably above the city average.

Miss Milligan, a woman of seemingly endless energy and good humor, directs the program without benefit of title.

"Part of the success is due to the interest of the parents," she said.

Indeed, if there is one overwhelming difference between the open school program and ones found in traditional schools, it is in the amount of parental involvement. Parents work as aides to teachers, hold auctions to raise money for field trips and lobby continually with school officials. And they are irritated with the system.

"We represent a threat to the system," said Mrs. Aaron Bresnay, chairman of the Burgess School's parent committee. "I don't think the administration really wants to work with parents."

She and other parents see the system as being highly politicized and they behave accordingly.

In their view, one that is not disputed by administrators, the program has been in effect long enough to establish it as a success. They are irritated that administrators have shown little interest in what they are doing and that their open school has not been utilized for in-service training of teachers so other such schools can be established.

None argue that the open school should entirely replace the traditional way of teaching. "We know there are some children who require a more disciplined learning experience," said Mrs. Karen Majorov, who has two children at Burgess. "But the open school should be available to those who think it would be best for their children."

Perhaps their arguments are beginning to be heard.

Dr. Melvin Chapman, the deputy superintendent at the Detroit Board of Education whose duties include alternative programs, admits that "we have not done enough."

"The problem is that we've had other priorities," he said. "I believe it will be expanded."●

**MONEY HAS A NEW MEANING TODAY**

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. McDONALD. Mr. Speaker even the Atlanta Journal & Constitution, like the proverbial blind hog, occasionally finds an acorn. Such an acorn is Prof. James Green of the University of Georgia, who writes what I feel, are some of the finest columns in the country on economic and financial matters. In point of fact, one of his most recent columns, which appeared in the Sunday, May 14, 1978, edition, outlined why we as Americans are contending not with a money problem, but, with a paper problem, that is to say, a monetary system based upon a printing press and a promise, not backed by gold or silver. This paper money continually aggravates the problems of our economy as he very succinctly pointed out. The column follows:

**MONEY HAS A NEW MEANING TODAY**

Today we work for and spend money. Right? No, wrong. Money in its traditional meaning is gone. Too many Americans don't really understand this. They don't recognize who has been fooling around with their money nor what has happened to it and to them.

The Federal Reserve creates what we now call money based on the government's promise to pay (IOU's). Commercial banks create money based on private promises to pay (IOU's). Monetized debt, then, is what we now call money.

Look carefully at any bill in your wallet. This is a Federal Reserve note.

Stated on it is "This note is legal tender." But "tender" for what? An IOU? If it is tender for nothing more than a promise to give another piece of paper just like it, is it really a legal and binding contractual obligation?

Originally the Federal Reserve note was not designated as legal tender nor was it lawful money? Why? Because it was not redeemable for anything of value. It still isn't.

Honest money was defined by Locke as "some lasting thing that men might keep without spoiling, and that by mutual consent men would take in exchange for truly useful, but perishable supports of life."

Good representative money, the gold and silver certificates which circulated widely a few years ago stated: "Will pay to the bearer on demand gold (silver) or lawful money at any Federal Reserve Bank." These certificates were substitute (representative) money and were redeemable. When the government revoked redeemability the floodgates of economic instability, persistent inflation and capital confiscation were open wide.

**ROOSEVELT DEVALUED DOLLAR**

President Franklin Roosevelt devalued the dollar by 40 percent Jan. 31, 1934, raising the price of gold from \$20.64 to \$35 an ounce. Suits were filed charging confiscation of property without due process of law when American citizens were no longer allowed to hold gold as a private possession. The Supreme Court, however, sustained the seizure of gold and the abrogation of gold contracts. In legal jargon, the court ruled that "the issue of money is a political question to be determined by Congress." Here lies the answer as to "who has been fooling with your money." Now let's see what has been done to it and to you.

In its wisdom Congress has changed the basic essence of money. We have been moved from hard, commodity money which had intrinsic value in itself to substitute money which was redeemable into good money to fiat paper money with neither redeemability nor intrinsic worth.

Given worthless pieces of paper called money, your savings have been confiscated. Since 1939 Americans have saved some \$4,430 billion (in 1972 dollars) in savings accounts, insurance and pension funds, trusts, bonds of all kinds and mortgages. Of this, inflation has destroyed \$2,078 billion of your saved-up purchasing power.

#### DISCIPLINE IS GONE

In the first 192 years of our nation's growth to 1967, we created \$350 billion of more or less good money to grease the wheels of our economic expansion. In just 10 years we have more than doubled the supply of worthless fiat money. The broad measure of money supply now stands at \$820 billion . . . up \$470 billion. This is irresponsible. Monetary discipline is gone.

In 10 years, consumer prices have doubled. Housing prices have doubled. Medical care cost has doubled. The purchasing power of your dollar has been cut in half.

Worthless paper money without intrinsic value spawns inflation, debases the nation's currency and confiscates your capital. Webster defines what the Congress is doing to us as embezzlement, theft and fraud. Webster is right. ●

VERONICA THORNE

### HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mrs. SPELLMAN. Mr. Speaker, Henry Adams once said, "A teacher affects eternity; she can never tell where her influence stops." Those words have very special meaning, for I know that Mrs. Veronica M. Thorne has affected the futures of hundreds of children, and her very positive influence will serve as a motivating guidance throughout their lives.

Mrs. Veronica Thorne is a beloved teacher at the Mutual Elementary School in Calvert County, Md. Her dedication to her profession, coupled with her love and concern for her students, have endeared her to both children and parents, alike. For over 12 years, Mrs. Thorne taught in the St. Marys County school system, and because of her commitment to bringing better education into the schoolroom, she served on special committees on social studies, science, and mathematics, developing curriculum guides to be used by the teachers. Mrs. Thorne is now rounding off her fourth year of teaching in Calvert County.

As a wife—she is married to Earl Thorne, vice principal of a middle school—and mother of two straight "A" students, Cynthia and Christine, Mrs. Thorne found time to be a contributing member of her community, involving herself in worthwhile, beneficial projects. She is currently serving on the advisory committee to the county commissioners, the board of parks and recreation, the board of Calvert County Branch of the

American Cancer Society, the board of the March of Dimes, treasurer of the Calvert High School Athletic Booster's Club, president of the parent club of the Calvert Strutter's Marching Group, and a member of the Calvert High School Band Booster's Club.

Mrs. Thorne's classrooms are so busy, as well supervised classrooms should be. There are interesting corners where guppies and mealworms reside, where science projects and live plants attract the attention and interest of inquisitive minds. Each child feels very important in the love and comfort Mrs. Thorne extends, and isn't it nice to know that the morning finds students anxious to be there and not begrudgingly present. She inspires them to achieve at their own paces and to the best of their capabilities. And each child knows that he has her complete support and encouragement. Armed with that, they cannot fail.

I am especially honored to detail for my colleagues the accomplishments of Mrs. Thorne. We hear so much today of shortcomings of our schools. I want to call attention to one of the strengths—a truly dedicated and talented teacher.

Mr. Speaker, I am heartened that we have educators such as Veronica M. Thorne in our school system, and I am thankful she is affecting eternity by touching the children. ●

### LIBRARY OF CONGRESS REPORT SHOTS HOLES IN CAPITAL GAINS STUDY ON THE "STEIGER AMENDMENT" TO TAX BILL

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. VANIK. Mr. Speaker, on May 16, I inserted in the CONGRESSIONAL RECORD the entire text of a Library of Congress report that I had requested on the projections made in a private capital gains study. The Chase Econometrics model had predicted all sorts of economic benefits if the Steiger amendment to the still-pending tax bill was adopted. The Steiger amendment proposes to change tax treatment of capital gains to pre-1969 levels.

The Library report concluded that the basic assumptions of the Chase study were in some cases impossible to understand, and in at least one case actually false.

I want to make clear that despite what proponents say the amendment will do, there is little or no proof at all that they are correct. I implore Members of the House to carefully look at this piece of major tax alteration before they decide it is the panacea it is presented to be.

While its projected benefits are extremely attractive, the projections they are based on are simply useless. I urge my colleagues to review the Library of Congress report inserted in the May 16 CONGRESSIONAL RECORD, page 14006. ●

### THE HISS CASE REVISITED

### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. DORNAN. Mr. Speaker, 40 years ago this House was shaken by revelations of one of the most sensational espionage cases in history. The personalities involved in this matter have become the objects of what must be regarded as one of the most bitter controversies in the history of this Republic.

A committee of this House launched an investigation into the background of Alger Hiss, and revealed that his machinations on behalf of the Soviet Union had penetrated the highest levels of the U.S. Government. Since that time, there have been charges and countercharges, accusations, and recriminations. A steady stream of essays, articles, and books have taken up the cudgels of one party or the other. But no work has more definitively answered the questions raised by the conflict than Prof. Allen Weinstein's monumental volume, "Perjury: The Hiss Chambers Trial."

Professor Weinstein has carefully analyzed and weighed the evidence. And he has pronounced Alger Hiss guilty as charged. This finding is most significant, Mr. Speaker, because Professor Weinstein originally intended to write his book exonerating Hiss.

Surely one of the reasons for the length of the controversy was the reputation of Mr. Hiss himself. Alger Hiss was a brilliant young Washington lawyer, a product of the finest schools, a man whose connections reached into the stratosphere of Washington's social register. Hiss was a major figure in the Roosevelt administration. He played a variety of critical roles in the conduct of our foreign policy. He was present at the ill-famed Yalta Conference. He was present at the founding of the United Nations. Few men were in a better position to know the innermost secrets, plans, or projects of the United States overseas. With such friends, connections, and such an impressive social or academic background, no man could have enjoyed a higher confidence, in his loyalty and dedication to the public service of the United States. And few men could have been in a better position to most viciously render assistance to the secret service of America's most hateful enemies.

The chief witness against Alger Hiss was Whittaker Chambers, a comparatively drab and unimpressive figure. At first, the charges Chambers leveled against Hiss seemed preposterous and even ludicrous. An ugly duckling had cast mud at the swan. A dirty little street urchin had spat in the face of a Prince. In his book, "Witness," Chambers remarked:

It was not invariably, but in general, the "best people" who were for Alger Hiss and who were prepared to go to almost any length to protect and defend him. It was the enlightened and the powerful, the clamorous proponents of the open mind and the common man, who snapped their minds shut in a pro-Hiss psychosis, of a kind which, in an individual patient, means the

simple failure of the ability to distinguish between reality and unreality, and, in a nation, is a warning of the end.

Mr. Speaker, the sophisticated defenders of Hiss had forgotten the warning of Scripture that the Prince of Darkness often comes arrayed in all the finery of an Angel of Light.

Years have passed and the roles have changed. It is ironic that Richard Nixon, a former Member of this House who had done more than any other Congressman to bring Hiss to justice, languishes in disgrace. While Nixon's star was sinking, Hiss' star seemed to be rising. We were being prepared for another attempt at a sacrilegious Hiss resurrection. We were being softened up for the eventual "coming-out" of one of Washington's "persecuted heroes." Far too many liberal intellectuals wanted to believe in their heart of hearts that Hiss was a martyr of the McCarthyite wave that swept over the Nation, a man who endured the villainies of a "social outcast" like Chambers, a "viper" like Nixon, and a volatile public opinion whipped up into a vicious frenzy by demagogic politicians.

I imagine that there are some twisted minds who believe that the transgressions of J. Edgar Hoover, Joseph McCarthy, and Richard Nixon somehow approximate the crimes of Alger Hiss. That cannot be surprising. We live in an age when a Daniel Ellsberg can steal Government secrets and be roundly hailed as a hero, however, briefly. Jane Fonda can cozy up with the North Vietnamese torturers of American prisoners of war, hundreds of whom are still missing, and still she is welcomed back onto the merry-go-round of tinsel town.

Yes, Mr. Speaker, times and circumstances change. But I cannot help but be reminded of the fine lines of the Poet T. S. Eliot:

The world turns and the world changes,  
But one thing does not change  
In all of my years, one thing does not change,  
However you disguise it, this thing does not change:  
The perpetual struggle of Good and Evil.

Mr. Speaker, the Hiss-Chambers controversy was such a struggle. Our supreme duty is to recognize such a struggle when it occurs, and take sides. Whitaker Chambers wrote a book which John Kenneth Galbraith once described as poetic. It was surely poetic, in the sense that poetry is a means by which we penetrate more deeply the truth of the human condition. Chambers expressed the fear that we in the West had lost our will to survive. He once remarked that, in breaking with the Communist movement and exposing Alger Hiss, he changed from the winning side to the losing side.

Chambers knew that the Communist revolutionary is impelled by a faith that transcends every other consideration. Hiss was cold and ruthless, hardly the pathetic persecuted figure he has been, and is, made out to be. In "Witness," Chambers wrote:

I wondered at Hiss's inhumanity even while I understood its causes. In Communism the individual is nothing.

Our failure is the failure to recognize that the world is still moved by faith, even if there are those among us who

have long since abandoned their own. Communism is such a faith. It is a fighting faith, presenting itself as antithetical to the entire Western Judeo-Christian tradition. The Communist is not a romantic, a misguided humanist, or a somewhat more authoritarian version of the Socialist. He is a disciplined visionary, who holds in contempt those who view him as anything less. Hiss and Chambers had a perfect understanding of one another. They had both once shared the same fighting faith. They were men whose hearts and minds were steeled to fight and win the ultimate war with Western civilization. That is why Chambers, emerging from his own dark night of the soul, expressed such horror and revulsion at his own crimes. And that, Mr. Speaker, is why Alger Hiss will forever remain an aging, but impenitent revolutionary, a man who will carry his deception to his grave. He will doubtless harbor the same contempt that all true Communist revolutionaries harbor toward the liberal intellectuals who plead for tolerance toward him and his comrades.

Mr. Speaker, I hope that we will have learned from this tragic episode in our history. Mr. Weinstein's book ought to serve as a reminder that the Communist revolution can also be pursued in business suits. We must also remember that the strength of communism is not simply calculated in terms of Soviet military might, the sophistication and extent of its underground apparatus, or in the number of fools and charlatans it is able to recruit or bribe into its service. It is a faith that must be fought with a faith, a faith in personal freedom, and a confidence in the potential of our own civilization. We must remember with St. Paul that—

We wrestle not against mere flesh and blood, but against principalities, against powers, against rulers of the darkness of this world, against the spiritual wickedness in high places.

Mr. Speaker, intellectually honest men will agree with Mr. Weinstein. The verdict on Alger Hiss and his career is—guilty as charged.

I commend the profound observations of Mr. D. Keith Mano of National Review in his recent review of Professor Weinstein's book; and I insert it into the RECORD as part of my remarks:

THE LAST TRAITOR  
(By D. Keith Mano)

This is Brechtian: absurd: a typewriter. Sixty pages, seventy, and still I read about it: one goddam typewriter. Isn't my time worth more than that? A typewriter: Alger Hiss's Woodstock N230099, with which, single-space, on unerasable bond, the social legend of America was revised. Katydid noise: two-finger clacking in a 1930s night: Woodstock Nation. Watergate tape; bridge at Chappaquiddick. Things arbitrate and draw men down.

Hiss/Chambers, like menarche, was the gate of our fitful pubescence: from it a dark fertility rose. If you don't know the story—cast and hand props and plot—don't ask me to summarize now. I haven't patience or words enough here. Without rancor, with Breughel single-brush-hair love for detail, with strong unembellished style—for embellishment is partisan—Allen Weinstein has made a dig, stratum after stratum down, artifact and shard, separating intrusive

burial from authentic trace of human habitation. His book is stupendous and illegal: it has put Alger Hiss in double jeopardy. Exclusive interviews; documents never before released; to this conclusion: "the body of available evidence proves that he did in fact perjure himself when describing his secret dealings with Chambers, so that the jurors in the second trial made no mistake in finding Alger Hiss guilty as charged." It is irrefutable, done with: say good night, Gracie: gone.

Yet it is refuted already. Irving Howe for the *New York Times Book Review*: "Weinstein has significantly added to the evidence pointing to Hiss's participation in an espionage apparatus . . . nevertheless . . . none of this makes it certain that Hiss did what Chambers said he had done." And one week later in the *NYTBR*, a full-page ad for *The Nation* and Alger Hiss: "Whatever his original motives and aspirations, Professor Weinstein is now an embattled partisan hopelessly mired in the perspective of one side, his narrative obfuscatory, his interpretations improbable, his omissions strategic, his . . ." But why go on? Poke the Hiss mimosa at any place and all its leaves close. I'd react similarly, I suppose, to "proof" that Christ was resurrected by deep heart massage. But Hiss . . . What lame Christs some of us have.

I was seven when Hiss came to trial, Weinstein limns a time I never knew. It has been U.S.—U.S.S.R., super-rivals, since I have cared about the world outside my brow. By page 200 or so, I understood that pro-Soviet espionage need not—for a weak, self-absolving mind—have been anti-American: in the mid-Thirties at least. Most of what Hiss stole, about German and Japanese preparation, was secret but not all that crucial to U.S. defense. The air didn't yet sizzle with polarity: a man could fellow-travel and remain American and leave only ten or fifteen stretch-marks on his liberal imagination. By August of 1945, though, Popular Fronters with any moral strength were surfacing like bombed fish: guilt- or Stalin-sick, afraid, apathetic, spent.

Communist infiltration before World War II succeeded in large measure because U.S. security was primitive and lax. You could even feel compassion for the GPU, if you were so disposed. They had to coddle romantic, frivolous, neurotic Left-liberal types: I'd rather have an orangutan for my amanuensis. Chambers was clownish and unstable. Hiss: sentimental, undisciplined. Bykov, their ranking Soviet contact, was an ass who gave Bokhara rugs to his people—as one might in some IBM sales incentive program. By 1938, Amtorg, the Soviet industrial espionage apparatus, had tried filching trade secrets from my family's cement firm: for bathtub crack filler, no less. Which, when you consider Russian plumbing, then and now, would have been an uncertain coup.

I don't minimize the significance of Hiss/Chambers. Dred Scott was not more important: possibly less. But what mean pivots for an era to turn on: typewriter and second-hand car and pumpkin and rug: they diminish us. It's a question of style. Ultimately Weinstein's magisterial book will come up short: truth will come up short. Because a fact is a small machine: a made object: *facere*: in all cases, though in Hiss/Chambers most explicitly so. Your liberal mind has need of high passion, sentiment, great ideas. The Hiss lobby is, by not too wide an extension, I think, a late Luddite revolt against industry and man's contriving brain. That Alger Hiss—suave, bright, noble—should be brought low by metal and microfilm seems enormous and unjust. We traffic in two modes of experience here. The evidence is irrefutable: but so, by its peculiar lights, is Hiss's relentless denial. Even I, who wish Alger Hiss nothing but the finest misfortune, was worn headsore with detail. Had Hiss confessed in 1949, he would in all

probability have gone free; and we with him. Thirty years later the nation is still punch-drunk from contention. I can handily assert that no public figure—no liberal public figure anyhow—will ever be indicted as a traitor again. We haven't the stamina for it.

Something happened then. Sun rot ate the weave of confidence. I wasn't there; and I'm not the only Seventies conservative who'd like to understand. Where did American certainty go? How does one people move with such bluff resolve from Joe McCarthy to Daniel Ellsberg: a pendulum swung clean off its hinge? "More than any other factor, Alger Hiss's conviction gave McCarthy and his supporters the essential touch of credibility, making their charges of Communist involvement against other officials headline copy instead of backpage filler." It was a moment brutally seized. I suppose, after so many New Deal years, you could fault no Republican or conservative for zeal that might, here and there, shade toward base opportunism. Hiss in jail could win elections. But it was—if not morally, then strategically—a catastrophic mistake. "... guilt over past radical associations and beliefs hung plainly on the shoulders of many of Hiss's critics in the literary and scholarly communities. To them the Case dramatized the failure of their own previous radical CP affiliations or flirtations with Stalinism. Their essays revealed the deep uncertainties of a penitential liberalism, the emergence of a new self-questioning ..."

But not many men have a real aptitude for guilt: it's a dying trade. After a while antibodies in the mind rush out. For better or worse, American thought has been rough-hewn in this century by articulate Left-liberal folk. Most were in sympathy with Hiss at first, yet few were Party-line Communists and fewer still had the subversive strength of his convictions. Gullible, yes; foolish often, still. McCarthy and his supporters (I probably would have been one) gave them no space for penance, just abject surrender. And they—intelligent, cohesive, media-wise, desperate finally—were the wrong people to corner. It was time for amnesty; some greatness of spirit. Hindsight, I know, and hard to enforce. But I know, as well, that Hiss's imprisonment eventually hurt the Right more than the Left.

Before Weinstein we spoke of a "rehabilitated" Hiss: campus lecturer, victim-hero, amateur innocent. But it wasn't Hiss, it was the ground sill of our thought that had undergone a drastic warp—thought "rehabilitated" by Left intellectuals in order to discharge their irritating post-Hiss guilt. It's a stark, almost unimaginable leap from McCarthy to Ellsberg: yet it occurred. In the process our concepts of espionage, of national security, of nation itself were put up for sale. Individual conscience is set today against national conscience: if, indeed, national conscience can be said to survive at all. In that sense *Perjury* is irrelevant, because Hiss is no longer on trial. Unable to spring Hiss, Left intellectuals indicted treason, the crime, in his stead. National loyalty, on which any operative definition of treason must depend, was made a distant second to personal conscience. There are no traitors now: just, well, men with differing points of view. In leak-ridden 1978, Alger Hiss would use, not Whittaker Chambers, but Jack Anderson as his courier to Moscow. ●

#### PERSONAL STATEMENT

### HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CARNEY. Mr. Speaker, on the afternoon of Thursday, May 18, 1978,

and on Friday, May 19, 1978, the House of Representatives voted on amendments to, and on passage of, the "Alaska National Interest Lands Conservation Act," H.R. 39. Due to official business in my congressional district, I was unable to be present on the House floor for some of these votes. Had I been present, I would have voted "nay" on rollcall No. 336, and "yea" on rollcall No. 340. ●

#### ARMSTRONG-KEMP AMENDMENT HELPS HALT IRS PLAN TO TAX EMPLOYEES' FRINGE BENEFITS

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. KEMP. Mr. Speaker, for some time it has been very clear that the Internal Revenue Service has been and is planning to issue regulations requiring that all employees' fringe benefits be made taxable. I first helped bring this to the attention of the House last August. At that time I put forth a resolution together with Senator HATCH disapproving of this action with large bipartisan support which the Ways and Means Committee incorporated into legislation preventing the IRS from issuing such regulations before July 1, 1978.

Since the Ways and Means deadline is rapidly approaching the IRS has pressed forward with its plans. Since I believe that the Congress still needs more time to deal with this problem, Congressman BILL ARMSTRONG and I offered an amendment to the Treasury Department appropriation for fiscal year 1979 which was adopted and which would prevent the Treasury Department from using any funds for the implementation of regulations to include fringe benefits in gross income for tax purposes.

Although this is a temporary solution, both Congressman ARMSTRONG and myself are prepared to fight any effort by Treasury to tax fringe benefits. The reason for this is quite simple: it is nothing more than a backhanded effort to raise taxes on the working people of America without going through the Congress.

What are the major fringe benefits? They are such things as free parking spaces, travel passes for airline and rail employees, telephone discounts for telephone company employees, company run day-care centers for working mothers, subsidized meals in company cafeterias, free checking accounts for bank employees and discounts for employees in general. Although I would agree that such things are income, broadly defined, they have never previously been subjected to taxation and it is extremely unfair to suddenly subject them to taxation now after people have planned their financial affairs around them. It is well known, for example, that in recent years many union contracts have been emphasizing increases in fringe benefits above increases in wages during negotiations with management. Obviously this is because of the tax-free nature of such benefits. Thus if such benefits were made taxable it would, in effect, destroy the basis of almost

every union contract in the country, leading to great hardship.

The following article from the Wall Street Journal summarizes some of the issues regarding fringe benefits and calls the Armstrong-Kemp amendment a setback to the IRS attempts to tax employees' fringe benefits.

#### HOUSE PANEL ACTS TO BLOCK TAXATION SOON BY THE IRS OF FRINGE BENEFITS AS INCOME

WASHINGTON.—The controversy over taxing fringe benefits is heating up again.

A key House committee has acted to block the Internal Revenue Service from issuing regulations anytime soon that would require certain fringe benefits to be taxed as income.

The House Appropriations Committee approved by voice vote an amendment to a routine Treasury Appropriations bill that would bar the Treasury Department from using money in the bill "to issue or administer regulations providing for the inclusion of fringe benefits not included as of July 1, 1978, in gross income."

The amendment, which was offered by Republicans William Armstrong of Colorado and Jack Kemp of New York, is designed to extend in effect a verbal agreement between the Treasury and the House Ways and Means Committee. Under that pact, the Treasury agreed that the IRS wouldn't issue final regulations before July 1.

Although it's uncertain whether the amendment will become law, the House panel's move is a setback for IRS Commissioner Jerome Kurtz. The IRS chief, who is out of the country and didn't comment on the action has pushed hard to tax fringe benefits.

"If Congress feels fringe benefits should be taxed, then Congress and not some administrative agency should act," Rep. Armstrong said after his amendment was approved. Rep. Kemp declared: "The IRS proposals to tax fringe benefits will affect virtually every working American and will raise the real tax burden for each one by at least \$240 per year."

As explained by one of Mr. Armstrong's aides, the amendment would be effective for a 15-month period—from July 1 through Sept. 30, 1979, when fiscal 1979 ends.

#### AMENDMENTS' FUTURE UNCLEAR

The amendment will go to the House floor June 7. A congressional staffer said yesterday that it's "by no means assured that it will stay in the bill."

Mr. Kurtz has made his general views on the fringe benefit issue extremely clear. "The statute says all income is taxable, and I believe that's right," he said earlier this year. "I believe that's the way an income tax ought to be administered. And all income includes income in kind as well as in cash."

The IRS commissioner has noted that the tax code specifically exempts "the biggest fringe benefits"—group medical insurance, pension plans and group life insurance. Among the fringes that might be subjected to taxation under an IRS regulation are free plane rides for airline employees, free tuition for children of college teachers, free parking spaces in company lots, subsidized lunches in employe cafeterias and annual, company-provided medical exams.

#### INTENTIONS REMAIN OBSCURE

However, the exact intention of the IRS—if it is allowed to issue such a regulation—remains obscure. Mr. Kurtz said on CBS-TV's "Face the Nation" in late March:

"What I would like to do is to develop regulations which would carry out what the code says, but at the same time recognize that there are very difficult administrative problems. Many of these items are very small and aren't worth the trouble."

Mr. Kurtz's stated aim has been to issue fringe-benefit rules "in proposed form" sometime this summer. They would then be

available for public comment before being issued in final form.

In the closing days of the Ford administration, then-Treasury Secretary William Simon was prepared to decide whether fringe benefits should be taxed as income. But after a storm of protest from airline and other employees, he relented and issued a statement declaring that the Treasury Department was "no longer considering" taxing certain employee benefits as income. ●

#### OBSERVATIONS ON THE CANADIAN HEALTH CARE EXPERIENCE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. PEPPER. Mr. Speaker, the enactment of a national health insurance program is among the foremost goals of the Carter administration, and it certainly has been among my own highest priorities for many years.

The administration has indicated that we will have a proposed bill before the year is out, so action appears to be relatively imminent.

Considerations of national health insurance have time and again elicited comparisons to the Canadian health care program. I have felt it would be helpful to those of us who will be involved in the development and enactment of a health insurance program to better understand the Canadian system and to have the benefit of their experience in a matter which so deeply concerns all Americans.

Mr. Richard Lehrman, who serves with the Select Committee on Aging, which it is my privilege to chair, has prepared an excellent paper which explores the Canadian health care program, and I wish to have included, at this point in the Record, the first of four parts of this paper, which is entitled: "Observations on the Canadian Health Care Experience".

#### OBSERVATIONS ON THE CANADIAN HEALTH CARE EXPERIENCE

The Canadian experience with national health insurance has been a largely successful one. The keynote of its success is the accomplishment of the major goal of the health insurance program—the removal of financial barriers to medical care. With the advent of national medical coverage in 1966, in addition to the national hospital coverage enacted a decade earlier, Canada became the next-to-last major industrialized country to provide the population with a national health program.<sup>1</sup> The only such country that, to a great extent, leaves its population vulnerable to financial catastrophe as a result of medically incurred expenses, is the United States.

National health insurance as practiced in Canada provides some very crucial lessons for any similar program proposed for the United States. Canada provides for the medical needs of almost its entire population, while only the elderly, disabled, and the very poor are covered in America by Medicare and Medicaid. Yet, surprisingly, health expenditures as a percentage of Canada's GNP are actually lower than those of the United States.<sup>2</sup> Because of the similarities between Canadian and American government and society, as well as health care approaches, the Canadian health care system merits our consideration.

Despite the fulfillment of its major goal, the Canadian health care system is not with-

out its deficiencies. The largest of these, cost control, plagues most countries that have a national health program. Yet, of five western industrialized countries with such a program, the United States, which does not have a national program, spent a greater portion of its Gross National Product than three, and was outspent only by Sweden and West Germany.<sup>3</sup> Thus, skyrocketing medical costs are not restricted to nations with national health insurance.

The causes of the accelerating cost increases in the Canadian Health Insurance Program appear to have their roots in the Federal-Provincial Cost-Sharing structure in effect until early 1977. The previously utilized structure accounted for the tendency of the system toward overinstitutionalization.<sup>4</sup> The former cost-sharing system also accounted for the maintenance of costly and unneeded facilities that served to make the system more vulnerable to the inflation of hospital and physician costs.<sup>5</sup> An offshoot of this phenomenon, that in turn helped to perpetuate it was the fostering of an attitude that the government is wholly responsible for a person's health.<sup>6</sup> This attitude, as well as the former financing structure, contributed to the numerous unnecessary medical procedures and duplicative hospital and clinic facilities. Finally, the politicized nature of National Health Insurance budget decisions often works at cross purposes with the goals of NHI.<sup>7</sup> What may be useful to an American version of National Health Insurance is an analysis of the deficiencies, and the formulation of policies designed to avoid or correct them.

#### HISTORY

Canadian health care legislation owes its form and content to a constitutional division of powers between the provinces and the federal government, which generally reserves health care to provincial jurisdiction.<sup>8</sup> The scheme had its roots in the 1975 Federal-Provincial Conference on Post-War Reconstruction. The Conference proposed Federal-Provincial cost sharing to cover the expenses of hospital, medical, dental, pharmaceutical and nursing services for all Canadians.<sup>9</sup> The concept was accepted in principle; plans and construction grants were enacted.

From a similar concept of providing government-financed health care, the evolution of Health Care in Canada followed a parallel, but different progression from that of the United States. The United States began extending protection gradually to a host to benefit groups, that is, various segments of the population that have been defined as in need of attention at the federal level.<sup>10</sup> These segments have been categorically defined (aged, veterans, poor, blind, disabled, federal employees) in terms of groups for whom there is a national obligation.<sup>11</sup> By contrast, Canadian national health care began with hospital coverage, followed a decade later by full scale coverage of physicians' charges.<sup>12</sup> This coverage extended to the entire Canadian population. The progression of health care coverage in Canada has special significance regarding the cost factor that will be discussed later below.

Although several provinces produced legislative initiatives aimed at broader coverage of their populations, only Saskatchewan actually proceeded on its own to adopt a "benefit" approach to the problem of financing of health services.<sup>13</sup> In 1974 a newly elected government began a hospitalization plan for all residents of the province financed by a combination of general tax revenues and compulsory premiums.<sup>14</sup>

By 1955, Alberta, British Columbia, Ontario, Newfoundland, and Saskatchewan had enacted "province wide hospital insurance schemes which both balled hospitals out of financial hot water and proved very popular."<sup>15</sup> By early 1956, specific federal proposals for a shared cost program of health insurance

to be introduced on a phased basis were placed before the provinces.<sup>16</sup> The first benefits were to provide for hospitalization and diagnostic services to the population as adopted province by province. The Hospital Insurance and Diagnostic Services Act was passed later that year, with the five provinces having signed agreements to participate.<sup>17</sup> The act provided for federal cost sharing at an average of 50 percent, depending upon the wealth of the province.<sup>18</sup> That is, the federal government share varied inversely with each province's per capita spending on covered medical services, the highest subsidy being about 80 percent.<sup>19</sup> By 1961, all provinces and territories had agreements adopting provincial health insurance programs plus federal cost sharing.<sup>20</sup> Thus, by this time, this basic group of benefits (hospitalization) was available to all Canadians.

The progression of health care coverage in Canada adheres to certain patterns. Constitutionally and traditionally, health and social programs are provincial responsibilities. The federal guidelines which do exist are general, and the provinces receive federal help merely by adhering to them. In social policy areas, several provinces will generally initiate programs with their own funds. Federal legislation assuring cost-sharing is developed once national consensus on the value of the program exists.<sup>21</sup>

New beneficiary approaches by Newfoundland and Labrador in 1957 and 1958 provided broad coverage for all children under 16 years of age. Continuing its pattern of heading the pack in health care, Saskatchewan implemented the Medical Care Insurance Act on July 1, 1962.<sup>22</sup> Alberta, British Columbia, and Ontario added benefits for selected beneficiary classes in the succeeding five years. However, the costs of health care began to rise at an ever-increasing rate.<sup>23</sup>

In 1964, a Royal Commission on Health Services was appointed at the national level to "inquire into the report upon the existing facilities and the future need for health services for the people of Canada and the resources to provide such services, and to recommend such measures, consistent with the constitutional division of legislative powers in Canada, as the Commissioners believe will ensure that the best possible health care is available to all Canadians."<sup>24</sup>

The Royal Commission Study, as the most important analysis of Canadian health services to date, provided the impetus for more recent developments. The most important of its recommendations—universal coverage for medical (as opposed to hospital) care—became the Canadian "Medicare" in 1966. The Canadian version of Medicare applied to almost the entire population. Thus by 1968 almost all Canadians were covered by a combination of hospitalization and physician benefits.

During the later 1960's, however, costs continued to soar. In 1968, the federal-Provincial Report on the Cost of Health Services "blew the whistle on mounting health care costs."<sup>25</sup> According to Vayda, "the federal government had no control over costs generated by the system—costs that increased far more rapidly than the growth of the Gross National Product. So, an increasing proportion of federal tax revenues . . . (went) . . . to pay for health care services."<sup>26</sup>

The Provincial governments, also dissatisfied with the increasing costs, instituted controls to constrain hospital budgets which included: refusal to budget for inpatient, outpatient, and or laboratory and radiology volume increases; moratoriums on physical plant construction or renovation; refusal to budget additional funds for new services; mandated bed closings; limiting salary increases which would be funded; ordering reductions in the budget base; and manipulating inflation projections.<sup>27</sup>

After a brief stabilization, prices began to rise again.<sup>28</sup> New modes of thought regarding cost control resulted—in effect declaring

Footnotes at end of article.

that perhaps the solution to the problem of rising costs was not a mere "tightening of the belt". In 1974, Marck Lalonde, the Minister of Canada Health and Welfare, authored a national report entitled "A New Perspective on the Health of Canadians".<sup>29</sup> The main thrust of the report was a new emphasis on the distinction between health services and medical services.<sup>30</sup> In a New Perspective, Lalonde, warns that Canadians cannot expect more medical care to make them healthier.<sup>31</sup>

The principal underlying factors in the causes of early deaths (motor vehicle accidents, heart disease, lung cancer and suicide) are (1) self imposed risks, and (2) the environment.<sup>32</sup> In effect, the Lalonde report states that it is wasteful for the government to continue paying hospital and doctor bills without taking action to prevent some of these costs by cleaning up the environment and by trying to change lifestyles.<sup>33</sup>

Thus, the focus of cost-control measures turned to prevention, as well as giving provincial administrators incentives to cut costs by curtailing the building of newer hospitals as well as closing some of those already built in measures which were politically unpopular. Due to the decentralization of health care in Canada, however, the federal government could not intervene directly in the provincial organization or management of health care services in an effort to hold down costs. Therefore, the Federal Government utilized the only mechanism in its power for controlling cost. In 1975, Canada notified the provinces that existing cost-sharing under the Hospital Insurance and Diagnostic Services Act would be terminated within five years.<sup>34</sup>

The new law that governs federal contributions to the cost of provincially operated hospital and medical care insurance plans, as well as extended health care benefits, was enacted in late 1976. Parliament passed Bill C-37, culminating years of negotiations between Canada and the provinces. The new financial arrangements under the bill addressed a few of the cost-related concerns associated with National Health Insurance previously, and should be of some interest regarding any considerations in the United States.

Commencing April 1, 1977, federal contributions to the established programs of hospital insurance, medical care, and post-secondary education were no longer directly related to provincial costs but take the form of tax credit transfers to the provinces, associated equalization, and cash payments.<sup>35</sup> As contrasted to the former cost sharing, the tax credits are unrelated to the cost of care in a particular province.<sup>36</sup> At the outset the cash payments approximate the value of the tax credits, and are in the form of per capita payments, based on federal contributions for the programs in fiscal year 1975-76. However, these per capita payments will be escalated yearly in accordance with changes in the Gross National Product, and adjusted gradually over time so that all provinces at the end of five years will be receiving equal per capita cash contributions.<sup>37</sup>

In addition, Bill C-37 provides for extended health care services, in an effort to provide the provinces with financial assistance towards the cost of lower-cost alternatives to the insured services covered under the Hospital Insurance and Medical Care programs. In short, new emphasis toward provincial accountability, prevention, and alternatives to expensive hospital and physician care are the basics of the recent effort aimed at controlling the cost of Canada's health care program.

## FOOTNOTES

<sup>1</sup> Lee, Dr. Sidney S. M.D. "Health Insurance in Canada—An Overview and Commem-

tary" *New England Journal of Medicine*, 290:713-716, 1974.

<sup>2</sup> Marmor, Theodore R. and Tenner, Edward "National Health Insurance: Canada's Path, America's Choices" *Challenge*, p. 21 May-June 1977.

<sup>3</sup> Hollobon, Joan excerpts from *Encyclopedia Britannica's 1977 Medical and Health Annual in Perspective*, p. 17 Summer 1977.

<sup>4</sup> From correspondence between Mr. Pierre Glavelle, Asst. Deputy Minister of the Health Programs Branch, Canada Health and Welfare Ottawa, Ontario, and Representative Claude Pepper, Chairman, U.S. House of Representatives Select Committee on Aging. Henceforth referred to as "H & W, Canada".

<sup>5</sup> Vayda, Dr. Eugene M.D. "When it comes to Health Care Financing, What Can We Learn From Canada?" *Perspective*, pp. 13-14. Summer 1977.

<sup>6</sup> Nelson, Harry "Canada's Health Insurance Offers Lessons for U.S." in the *Los Angeles Times* November 29, 1974.

<sup>7</sup> "Government Controls on the Health Care System: The Canadian Experience," Summary of Vol. I of a report by Lewin and Associates Commissioned by the Health Resources Administration.

<sup>8</sup> Marmor, p. 15.

<sup>9</sup> Vayda, p. 13.

<sup>10</sup> Lee, p. 713.

<sup>11</sup> *Ibid.*

<sup>12</sup> Marmor, p. 13.

<sup>13</sup> From Gerber, S. M., and Taylor, M. G., *The Administration of Health Insurance in Canada*, Oxford University Press, Toronto, 1956.

<sup>14</sup> Gerber and Taylor.

<sup>15</sup> Vayda, p. 13.

<sup>16</sup> Lee, p. 713.

<sup>17</sup> Vayda, p. 13.

<sup>18</sup> Marmor, p. 15.

<sup>19</sup> *Ibid.*

<sup>20</sup> Vayda, p. 13.

<sup>21</sup> Lewin Report Summary.

<sup>22</sup> Lee, p. 714.

<sup>23</sup> Marmor, p. 16.

<sup>24</sup> Hastings, D. "Toward A National Health Program: The Canadian Experience" *New York Academy of Medicine Bulletin* Vol. 48 pp. 66-67, 1972.

<sup>25</sup> Vayda, p. 14.

<sup>26</sup> *Ibid.*

<sup>27</sup> Lewin Report Summary, p. 9.

<sup>28</sup> *Ibid.*

<sup>29</sup> Harry Nelson.

<sup>30</sup> Marmor, p. 21.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*, p. 15.

<sup>33</sup> Harry Nelson.

<sup>34</sup> Vayda, p. 15.

<sup>35</sup> H & W, Canada.

<sup>36</sup> Vayda, p. 15.

<sup>37</sup> H & W, Canada. ●

## PERSONAL EXPLANATION

## HON. DAVID L. CORNWELL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. CORNWELL. Mr. Speaker, on Thursday and Friday, May 18 and 19, 1978, I was unavoidably absent from the House. Had I been present, I would have voted on matters coming before the House relating to H.R. 39, the Alaska National Interest Lands Conservation Act, as follows:

"Yea" on rollcall No. 330; "nay" on rollcall No. 335; "nay" on rollcall No. 336; "nay" on rollcall No. 338; "nay" on rollcall No. 339; and "yea" on rollcall No. 340, final passage of the bill. ●

## KAUNDA'S PEACE PRIZE

## HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. McDONALD. Mr. Speaker, as soldiers of the French Foreign Legion parachuted into action in the Zairian copper town of Kolwezi on Friday, May 19, 1978, the man from whose country the attack was launched, Kenneth Kaunda, President of Zambia, was in Atlanta, Ga., to receive the Martin Luther King Peace Prize and to attempt to justify guerrilla wars of invasion against southern African countries on the incomprehensible grounds of "self-defense." In the context of the terror invasion of Kolwezi, unchecked if not actually supported by Kenneth Kaunda, sometimes known as the gentle giant of Africa, the words of Atlanta Mayor Maynard Jackson were particularly inappropriate, "We all can learn by his example the importance of resisting the forces of violence and hatred that still plague us throughout the world."

Two days earlier, the Domestic Zambian radio service carried an editorial comment on the Zaire invasion based on the statements of President Kaunda. Said the broadcast:

\* \* \* the civil war is most agonizing in that we are being dragged into something over which we know nothing about and over a people we have no concern. This is more so when it is reported that the rebels launched their attack on Shaba province (Zaire) from Zambia. \* \* \*

What is also common knowledge is that Zambia has been concentrating all her forces on the border with Rhodesia, because Rhodesia is the common enemy of both Zambia and Zaire. Everyone also knows that the border with Zaire is so vast that even if we had the manpower to seal it, it would not succeed. It must be because of that the rebels must have chosen Zambia from where to launch their attack on Shaba province, knowing they would not be detected and barred by Zambian forces.

This facile excuse does not hold water. Kenneth Kaunda, who has ruled Zambia since it was given independence by the British in 1964 and who rules a one-party dictatorship—he outlawed the opposition party in 1972—has moved into close alliance with the Soviet Union's Africa policies during the past several years. Kaunda's principal political adviser has been widely reported in the European press to be the Soviet Ambassador in Lusaka, Solodatinov, the KGB's chief African affairs expert. Zairian President Mobutu has charged that the invading forces of the National Congolese Liberation Front—FNLC—led by Col. Nathaniel Mbumba, were accompanied by two companies of Cuban troops with Soviet advisers, and that they prepared for the raid in Angola. It is inconceivable that the Soviets would not have informed their Zambian ally of the mounting of the invasion so that excuses of "plausible deniability" could be prepared in advance.

Does not this coverup of Zambia's tacit support for the Cuban-trained FNLC

terror gangs make a mockery of Kaunda's statement in Atlanta that:

Man can conquer by love. This must start with the recognition and acceptance of human rights as the principal road to peace.

The Zambian President followed his speech by leading the capacity crowd in singing the Zambian liberation anthem, "Tiyende Pamodzi"—Let's Go Forward Together—which is performed with clenched fist salutes. The emotion of the occasion appears to have nearly overcome President Kaunda who was accompanied during the awarding of the Martin Luther King Peace Prize by the U.S. Ambassador to the U.N., Andrew Young; by former Atlanta mayor Ivan Allen; Mayor Maynard Jackson; Mrs. Coretta Scott King and by other dignitaries from Atlanta. Kaunda was reported to have twice during his speech paused for long periods of time to compose himself and wiped tears from his eyes.

At this point it is appropriate to consider the purpose of the terror raid on Kolwezi by the Cuban-trained FNLC which clearly did not have the strength to permanently hold either Shaba Province or Kolwezi.

Operation Dove, as the terror invasion was dubbed by its Cuban military planners, was designed to disrupt and close down the copper mines and refineries located in Kolwezi. These refineries process about 75 percent of the copper and 95 percent of the cobalt mined in Zaire. Additionally, the Metalkat facility in Kolwezi produces all of Zaire's cadmium and zinc, and 65 percent of the Free World's supply of cobalt, a strategically vital mineral for heat-resistant alloys, comes from that province.

The terrorism against the families of the Belgian, French, and other European technicians was designed to drive out all those not slaughtered by the FNLC gangs. This has apparently been successful since many of those evacuated have said they will not go back to Zaire and again place their families in jeopardy. Since Zaire's economy is almost entirely dependent on exports of those minerals, the Cuban-Soviet "Operation Dove" terror raid has struck a dangerously severe blow at the pro-Western government of President Mobutu.

With the Kolwezi copper mines and refineries in a shambles, where are the next available sources of supply. Just coincidentally, perhaps, Kenneth Kaunda's Socialist economy is also dependent on copper exports. Dissatisfied with the amounts of his subsidies from British and American taxpayers while he plays political football with the Soviet Union in southern Africa, Kaunda has been pressing for large increases in aid and prices of copper. But Zambian copper had a Zairian competitor. But thanks to his Soviet and Cuban allies, Kaunda has no more competitors in Zaire. For permitting his country to be used as the staging area for the terror raid on Kolwezi, Kaunda reaps vast economic benefits and the Soviet Union achieves a vast political blow against the pro-Western government of a strategically vital nation.

Doubtless after Kolwezi, Kenneth  
CXXIV—969—Part 12

Kaunda is now qualified for the Lenin Peace Prize.●

ALBERT ALLENBACK

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. BYRON. Mr. Speaker, I would like to take this opportunity to honor the memory of a Washington County resident and highly respected citizen of Smithsburg, Mr. Albert Allenback.

Certain individuals touch the lives of people around them with great influence, and Al Allenback was a moving force in his community and State. It is with a great sense of personal loss that I note his passing.

Mr. Allenback was the executive director of the Community Action Council and president of the Community Services Council, and was very dedicated to the interests of social service organizations such as the Boys' Club, the Commission on Aging, and the Southeastern Washington County Health Center.

Although Mr. Allenback's contributions are too numerous to list here, his services will long be remembered and appreciated. He will be greatly missed by his wife, Wanda, family, friends, and co-workers. I know you will join me in extending the official sympathies of the House in honor of this unselfish and dedicated American.●

ALASKA LANDS—H.R. 39

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. WINN. Mr. Speaker, my absence in the House of Representatives on Friday, May 19, prevented me from participating in the vote on final passage of H.R. 39, the Alaska National Interest Lands Conservation Act. Several long-standing commitments in my congressional district on the 19th could not be changed or canceled when it became apparent that the House would be unable to conclude the business of H.R. 39 on Thursday, May 18. For the record, I requested to be "paired" in favor of H.R. 39. Had I been present in the House on Friday, my position would have been recorded as "yea" in support of this legislation.●

ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT, H.R. 39—REMARKS

HON. JIM GUY TUCKER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1978

● Mr. TUCKER. Mr. Speaker, on Friday, May 19, 1978, I was unavoidably absent

from the House during the consideration of the Alaska National Interest Lands Conservation Act, H.R. 39. Had I been present, I would have voted "nay" on rollcall No. 339, on a motion to recommit the bill, and "yea" on rollcall No. 340, final passage of the bill.

I consider this bill, which preserves some 102 million acres of our last frontier, a balanced and reasonable attempt to insure that our children and their children can benefit from the spiritual and material riches of Alaska. I believe H.R. 39 is one of the most significant conservation measures on our era.●

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 Thursday, May 25, 1978, may be found in Daily Digest of today's RECORD.

MEETINGS SCHEDULE

MAY 26

10:00 a.m.

Banking, Housing and Urban Affairs.

To continue hearings on S. 2716, the Interstate Land Sales Full Disclosure Act Amendments.

5302 Dirksen Building

\*Foreign Relations

To meet in closed session to receive a briefing by Secretary of State Vance on the status of SALT discussions.

S-116, Capitol

JUNE 5

10:00 a.m.

Banking, Housing, and Urban Affairs.

To resume hearings on S. 72, to restrict the activities in which registered bank holding companies may engage, and to control the acquisition of banks by holding companies and other banks.

5302 Dirksen Building

JUNE 6

9:30 a.m.

Environment and Public Works

To mark up S. 1493, to provide financial and technical assistance to States, local governments, and Indian tribes to manage impacts caused by energy development.

4200 Dirksen Building

Judiciary

To hold hearings on the nomination of Shane Devine, to be U.S. district judge for the district of New Hampshire.

2228 Dirksen Building

JUNE 14

Select Small Business  
Monopoly and Anticompetitive Activities  
Subcommittee  
To resume hearings on the Federal Gov-  
ernment patent policy.  
424 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs  
Rural Housing Subcommittee  
To continue oversight hearings on the  
impact of solar energy on rural hous-  
ing.  
5302 Dirksen Building

Human Resources  
Health and Scientific Research Subcom-  
mittee  
To resume mark up of S. 2755, the Drug  
Regulation Reform Act.  
4232 Dirksen Building

JUNE 21

9:30 a.m.

Select Small Business  
Monopoly and Anticompetitive Activities  
Subcommittee  
To continue hearings on the Federal  
Government patent policy.  
424 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs  
Financial Institutions Subcommittee  
To hold hearings on H.R. 10899, the In-  
ternational Banking Act.  
5302 Dirksen Building

Environment and Public Works  
Resource Protection Subcommittee  
To hold oversight hearings on the Re-  
source Recovery and Conservation Act  
(PL 94-580).  
4200 Dirksen Building

Human Resources  
Health and Scientific Research Subcom-  
mittee  
To continue mark up of S. 2755, the  
Drug Regulation Reform Act.  
4232 Dirksen Building

JUNE 22

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

Environment and Public Works  
Resource Protection Subcommittee  
To continue oversight hearings on the  
Resource Recovery and Conservation  
Act (P.L. 94-580).  
4200 Dirksen Building

JUNE 23

9:00 a.m.

Judiciary  
Improvements in Judicial Machinery Sub-  
committee  
To hold hearings on S. 2857, proposed  
Customs Courts Act.  
4232 Dirksen Building

JUNE 26

9:30 a.m.

Select Small Business  
Monopoly and Anticompetitive Activities  
Subcommittee  
To resume hearings on the Federal Gov-  
ernment patent policy.  
318 Russell Building

JUNE 27

9:00 a.m.

Judiciary  
Improvements in Judicial Machinery Sub-  
committee  
To resume hearings on S. 2857, proposed  
Customs Courts Act.  
4232 Dirksen Building

Energy and Natural Resources

To resume hearings on S. 499, 1500, 1546,  
1787, and 2465, to designate or add cer-  
tain lands in Alaska to the National  
Park, National Wildlife Refuge, Na-  
tional Wild and Scenic Rivers, and  
National Wilderness Preservation Sys-  
tems.

3110 Dirksen Building

JUNE 7

9:30 a.m.

Environment and Public Works

To hold hearings on a proposed Nash-  
ville, Tenn., public building prospec-  
tus.

1318 Dirksen Building

Judiciary

To hold hearings on the nominations of  
Philip B. Heymann, of Massachusetts,  
to be an Assistant Attorney General,  
Department of Justice, and Mary John-  
son Lowe, to be U.S. district judge for  
the southern district of New York.

2228 Dirksen Building

Judiciary

Juvenile Delinquency Subcommittee

To hold hearings jointly with the Hu-  
man Resources Subcommittee on Al-  
coholism and Drug Abuse on S. 2778,  
and other proposals, to tighten con-  
trols on and increase penalties for the  
manufacture and distribution of the  
drug PCP (angel dust).

4232 Dirksen Building

10:00 a.m.

Commerce, Science, and Transportation  
Communications Subcommittee

To hold hearings on S. 22, to remove  
statutory and regulatory restrictions  
on broadcasters operation under the  
Communications Act of 1934.

235 Russell Building

Environment and Public Works

Environmental Pollution Subcommittee

To mark up S. 2900, proposed Oil Spill  
Liability Fund and Compensation Act.

4200 Dirksen Building

Governmental Affairs

Federal Spending Practices and Open  
Government Subcommittee

To hold oversight hearings on the Gov-  
ernment in the Sunshine Act (P.L.  
94-409).

3302 Dirksen Building

JUNE 8

10:00 a.m.

Banking, Housing, and Urban Affairs

To mark up S. 50, the Full Employment  
and Balanced Growth Act.

5302 Dirksen Building

Environment and Public Works

Environmental Pollution Subcommittee

To continue markup of S. 2900, proposed  
Oil Spill Liability Fund and Compens-  
ation Act.

4200 Dirksen Building

Rules and Administration

To resume hearings on S. 2 and 1244, to  
require periodic reauthorization of  
Government programs.

301 Russell Building

JUNE 9

10:00 a.m.

Environment and Public Works

To continue markup of S. 2900, proposed  
Oil Spill Liability Fund and Compens-  
ation Act.

4200 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

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

Human Resources

To hold hearings on S. 2910, proposed  
Adolescent Health, Services, and Preg-  
nancy Prevention and Care Act.

4232 Dirksen Building

10:00 a.m.

Commerce, Science, and Transportation  
Communications Subcommittee

To hold hearings on S. 864, to reduce the  
radio frequency interference with  
home entertainment products.

155 Russell Building

Rules and Administration

To mark up S. 2, and 1244, to require  
periodic reauthorization of Govern-  
ment programs.

301 Russell Building

JUNE 15

10:00 a.m.

Commerce, Science, and Transportation  
Surface Transportation Subcommittee

To hold hearings on S. 2981, to provide  
for the expansion of the category of  
rail lines eligible for rehabilitation,  
deferred maintenance, and various al-  
ternative facilities.

1202 Dirksen Building

Human Resources

Health and Scientific Research Subcom-  
mittee

To mark up S. 2755, the Drug Regulation  
Reform Act.

4232 Dirksen Building

Judiciary

Citizens and Shareholders Rights and  
Remedies and Administrative Practice  
and Procedures Subcommittees

To resume joint hearings on S. 2117, to  
expand the basis upon which the U.S.  
can be held liable for the conduct of  
its employees under the Tort Claims  
Act.

5110 Dirksen Building

JUNE 16

9:30 a.m.

Commerce, Science, and Transportation  
Aviation Subcommittee

To continue hearings on S. 747, H.R.  
8729, and H.R. 11986, proposed Air-  
craft and Airport Noise Reduction Act.

235 Russell Building

Veterans' Affairs

Housing, Insurance, and Cemeteries Sub-  
committee

To hold hearings on S. 1643 and H.R.  
4341, to eliminate the requirement for  
inspections of the mobile home man-  
ufacturing process by the VA, and S.  
1556, authorizing funds through FY  
81 to assist States in establishing and  
maintaining VA cemeteries.

Room to be announced

JUNE 19

10:00 a.m.

Banking, Housing, and Urban Affairs  
Rural Housing Subcommittee

To hold oversight hearings on the im-  
pact of solar energy on rural housing.

5302 Dirksen Building

JUNE 20

9:30 a.m.

Environment and Public Works  
Resource Protection Subcommittee

To hold hearings on the environmental  
impact aspects (section 5) of S. 3077,  
proposed Export-Import Bank Act  
Amendments.

4200 Dirksen Building