

evaluation and continuity, the Secretary shall obtain all the available data and other records, including a description of the methodology and estimating procedures, which the trade associations used in compiling their data with respect to the reserves.

(e) The Secretary shall, not later than one year after the date of enactment of this section, submit an initial report to Congress. The initial report shall include cost estimates for the separate components of the continuing investigation and a time schedule for meeting all of its specifications. The schedule shall provide for producing all the information required in subsections (d) (1) (A), (d) (2), and (d) (3) of this section on the day following the first complete calendar year after enactment, and every two years thereafter. The Secretary shall make separate reports on the data acquired pursuant to subsection (d) (4) of this section as follows:

(1) a report within six months after the date of enactment of this section, on the acquisition and details of trade association data and information;

(2) within twelve months after submission of the report required by subsection (e) (1) above, an evaluation of the trade association materials; and

(3) within twelve months after submission of the report required by clause 2 of this subsection, the relationship between trade association data and the new data collected under this section.

By Mr. TREEN:

On page 205, line 14, after the word "enactment" and before the word "with" insert the following: "in a frontier area".

Page 211, line 9, strike all after "1972", down through and including line 10, and insert in lieu thereof a period.

On page 215, strike the period on line 23 and insert in lieu thereof the following: ", except that this subsection shall not apply to any lease with respect to which a development plan has been submitted, in accordance with regulations issued by the Secretary under section 5 of this Act, before the effective date of the regulations issued by the Secretary under this section."

On page 265, line 22, strike "available" and insert in lieu thereof "authorized".

On page 269, on line 11, strike "1977" and insert "1978".

H.R. 2664

By Mr. COHEN:

Strike all of the language beginning on page 1, line 7 through to "accordingly." on page 2, line 5, and insert the following in lieu thereof: "Notwithstanding any other provision of law, and without regard to the defense of res judicata or collateral estoppel, the Court of Claims shall review on the merits the determination of the Indian Claims Commission (Docket No. 74-B) entered Feb-

ruary 15, 1974. In conducting such review, the Court shall receive and consider any additional evidence, including oral testimony, that either party may wish to provide on the issue of a fifth amendment taking, and shall determine that issue de novo."

H.R. 8336

By Mr. McDONALD:

Page 3, line 3, insert after the word "exchange." the following new sentence: "No such lands, waters or interests therein may be acquired without the consent of the owner thereof."

Page 9, after line 21, insert the following new subsection:

(d) No amount authorized to be appropriated under this Act may be expended until such time as the Secretary determines that the State in which the recreation area is located has established adequate procedures to permit persons owning, or lawfully using, property adjacent to the recreation area to obtain compensation from the State or local government for any injury or damage to such person or property in any case in which such injury or damage is caused directly or indirectly by individuals while using the recreation area or entering or departing from the recreation area. Such procedures shall not be deemed adequate unless they include an opportunity for such persons to bring an action and obtain relief in State or local courts against the State or local governments respecting such injury or damage in any case in which administrative relief is inadequate to provide compensation for such injury or damage.

H.R. 9214

By Mr. CAVANAUGH:

The Bretton Woods Agreements Act (22 U.S.C. 286-286k-2), as amended, is further amended by adding at the end thereof the following new section:

Sec. 29. The Secretary of the Treasury shall instruct the United States Executive Director to the International Monetary Fund to oppose and vote against the use of Fund resources by:

(1) a member country which has renegotiated for terms more favorable to itself, a majority of the value of its outstanding loans with the Fund, official export credit institutions, and any multilateral or regional development banks and has not agreed to comparable treatment of a majority of the value of its outstanding loans with private creditors; and

(2) a member country which does not agree to refrain from seeking or accepting the renegotiation, for terms more favorable to itself, of a majority of the value of its outstanding loans with the Fund, official export credit institutions, and any multilateral or regional development banks unless it seeks or accepts comparable treatment of

a majority of the value of its outstanding loans from private creditors.

The Secretary of the Treasury shall determine in writing, taking all relevant factors into consideration, whether comparable treatment has been agreed to. These written determinations shall be provided to the appropriate committees of Congress.

By Mr. STEERS:

Page 3, add new section (d) after line 14: The Bretton Woods Agreement Act (22 U.S.C. 286-286k-2), as amended, is further amended by adding at the end thereof the following new subsection:

"(d) (1) The Secretary of the Treasury shall instruct the United States Executive Director on the Executive Board of the International Monetary Fund to initiate a wide consultation with the Managing Director of the Fund and other member country Executive Directors with regard to encouraging the IMF staff to formulate stabilization programs which, to the maximum feasible extent, foster a broader base of productive activities which are designed to meet basic human needs, and upon which participating countries regularly depend for imports.

"(2) In accordance with the unique character of the International Monetary Fund, the U.S. Executive Director shall take all possible steps to the end that all Fund transactions, including economic programs developed in connection with the utilization of Fund resources, do not contribute to the violation of basic human rights, such as torture, cruel or inhumane treatment of degrading punishment, prolonged detention without charge, or other flagrant denials of life, liberty and the security of person; or contribute to the deprivation of basic human needs.

"(3) In order to gain a better understanding of the social, political and economic impact of the Fund's stabilization programs on borrowing countries, especially as it relates to the poor majority within those countries, the Executive Director representing the United States to the Fund shall prepare and submit, not later than 180 days after the close of each calendar year, a report to the Congress. Such report shall evaluate, with respect to countries to which loans are made by the facility during such year, the effects of the policies of those countries which result from the standby agreement on the ability of the poor in such country to obtain:

(a) an adequate supply of food with sufficient nutritional value to avoid the debilitating effects of malnutrition;

(b) shelter and clothing;

(c) public services, including health care, education, clean water, energy resources, and transportation;

(d) productive employment that provides a reasonable and adequate wage."

EXTENSIONS OF REMARKS

BEHIND THE SALT DELAY

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. LAGOMARSINO. Mr. Speaker, the issue of arms control and disarmament has become a critical element in America's foreign and military policy. However, I am very concerned that the current SALT negotiations may not be in this country's best interests.

I would like to bring to the attention of my colleagues an editorial by Messrs. Evans and Novak which outlines some of the problems SALT II faces.

The editorial follows:

BEHIND THE SALT DELAY

(By Rowland Evans and Robert Novak)

The historic Senate debate on arms control is being inexorably delayed, perhaps into next year beyond the 1978 elections, thanks to developments in Washington and Geneva tied to a single word: verification.

In Washington, prospects for Senate ratification of a new SALT (strategic arms limitation talks) agreement are going down instead of up because of serious doubts about Soviet compliance. In Geneva, U.S. efforts at verification are partly responsible for unexpected delay in negotiating an agreement.

Central to this problem is the Soviet Backfire bomber. The Senate insists on verification that the bomber will not be an intercontinental weapon, the difficulty of which has stymied the U.S.-Soviet talks. The U.S. effort

to bar modernization of strategic weapons, another unresolved point, also reveals the limits of verification.

But questions larger than verification are raised. Does the willingness of U.S. negotiators to accept the Backfire as a non-strategic weapon betray over-eagerness for agreement? Is the U.S. attempt to bar modernization an effort to compensate for the vulnerability of U.S. minuteman strategic missiles?

Indeed, expert critics of the nearly completed SALT II agreement feel it gives the Kremlin a dangerous strategic advantage even if all limits on the Soviets could be verified. But it is verification, more understandable to the layman, that causes unease among uncommitted senators—particularly John Glenn (D-Ohio).

Having supported chief SALT negotiator Paul Warnke in his closely contested confirmation fight, Glenn was counted on by

the White House as a vote for ratification. But after attending the Geneva negotiations as a Senator observed, the former astronaut came away worried about verification. Unless restrictions on the Soviet Union are made more verifiable than they are today, Glenn will vote no on SALT II.

Consequently, senior administration officials are in no hurry for a SALT ratification debate and would prefer waiting until after the 1978 elections. This lack of haste is one reason why the old Carter administration forecast that a SALT treaty would be initiated this month is now inoperable.

Moreover, the Backfire bomber issue remains a serious stumbling block. The Backfire clearly has the range to reach North America on a one-way flight. The Russians insist it is not a strategic weapon, will not count it in SALT's numerical limitation on strategic weapons, and will not even mention it in the Salt II agreement. Instead, they offer a letter from President Leonid Brezhnev promising not to use the Backfire as an intercontinental weapon.

In a recent interview over RKO general television, Warnke told us any Backfire agreement "will have to be something which is legally binding and which is verifiable." What the U.S. has in mind is co-signing Brezhnev's letter to make it "legally binding." But even putting it into the agreement itself would not guarantee against the Russians turning the Backfire overnight into a strategic weapon. In short, it is not verifiable.

Simultaneously, Soviet negotiators use the non-verifiable argument in resisting U.S. demands to prohibit modernization of intercontinental missiles. This demand is intended, by preventing Soviet modernization, to bolster the largely discredited argument by the arms-control community that SALT II would contain the Soviet threat to minimum silos.

But Soviet negotiators are adamant. One recent official cable back from Geneva describes this position by Soviet negotiator Shchukin: "Freezing any improvements to existing ballistic missiles (for example, guidance) was impossible and unverifiable. Any military man who wanted to introduce improvements to his system could do so, could not be stopped, and it was absolutely unverifiable." The Russians are saying: We couldn't stop our military if we wanted to.

If missile improvements are unverifiable, why should the Russians complain? The suspicion is that Moscow plans such extensive modernization of missiles that some of it would surely be observed. Thus, the real concern raised by SALT II is not just lack of verification but the Soviet Union's implacable improvement of strategic systems while the U.S. scraps the B-1 bomber, slows development of the MX mobile missile, and agrees to limit cruise missile development.

In reply Paul Warnke is known to feel there must be some measure of confidence in Russian good faith. But if such confidence is all that is necessary, the entire tedious procedure of SALT negotiations would seem superfluous. The fact is that Glenn and many other fence-sitting senators lack Warnke's measure of confidence in the Russians, and that is the basic reason why the administration is by no means ready for a SALT debate in the Senate.

WILLIAM T. MURPHY

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. MURPHY of Illinois. Mr. Speaker, I would like to pay tribute at this time to

former Congressman William T. Murphy, who died January 29 in Chicago at the age of 78. Bill Murphy was my distinguished predecessor who represented Chicago's South Side from 1959 to 1971.

A self-taught expert on China, Bill Murphy made his mark in 1969 when he presided over congressional hearings that opened the door to diplomatic relations with the People's Republic of China. Bill served as chairman of the House Subcommittee on Asian and Pacific Affairs, and was also a member of the Subcommittee on Africa.

Prior to his election to Congress in 1958, Bill Murphy was alderman of Chicago's 17th Ward for 24 years. He was a member of the Chicago Planning Commission from 1947 to 1959, and was a delegate to the Democratic National Conventions in 1944, 1948, 1952, and 1956. In addition to being a lawyer, Bill was a licensed professional engineer and a registered land surveyor.

Mr. Speaker, I know that my colleagues join me in offering their condolences to Bill Murphy's family—his sister, daughter, two sons, and five grandchildren. The passing of Bill Murphy means that Chicago has lost one of its most distinguished and loyal public servants.

ETHICS IN SPACE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. BOB WILSON. Mr. Speaker, Prof. Kenneth Nuss of San Diego's National University recently presented a most timely paper, "Ethics in Space," to the Conference of Science and Ethics in Denver, Colo. Professor Nuss postulates that future travel in outer space is a foregone conclusion and that we should begin planning now for that future use.

We are using outer space to some extent right now—satellites, space laboratories, and the like—and the potentialities of space are limited only by our imaginations.

Professor Nuss raises some thoughtful points, and, most especially in view of the recent crash landing of a Russian satellite in Canada, I commend it to the attention of my colleagues:

ETHICS IN SPACE

(By Prof. Kenneth Nuss, National University, San Diego, Calif.)

INTRODUCTION

(Philosophy is not my common domain. I am a man of science, of engineering, and of business. Men of these professions are known for practical thinking. They do not ponder so much as to where they are going, but rather how to get there. They do not worry so much about the morality of what is done, as they do about how to serve the desires of society. But this in itself is a search for philosophy from my point of view. It is, in effect, philosophy by majority or public ethics. And it is from this point of view that I discuss "Ethics in Space".)

Any discussion of ethics in space is premised on the belief that it is alright for man to venture into space in the first place. With the understanding that there still are many

people who question the extension of our environment into the spaces beyond our atmosphere, I feel a need to address that question first.

Men of philosophy and religion may provide insights to the morality of what we do and what is done. But in the end, their wisdom often has limited impact on what is done. In other words, there is a difference between what should be done, and what really happens. No matter what the decisions of a philosopher are, the broad goals and needs of society and mankind as a whole are served, and it is these needs and goals that dictate the course of events that frame our future.

For instance, the mere dislike for war has not prevented it in the past and will not in the future. So long as masses of people have different ideas as to what the future should be like and are willing to sacrifice some resources for what they consider higher needs, there will be wars.

The point is this: When faced with the alternatives of the future, and upon weighing these alternatives according to what is economically, socially, and technically feasible, the inevitable is bound to occur. Some religions as the AMISH, still view the automobile as a vehicle that God never intended for us to use. But because it was generally socially and economically desirable, and technically feasible, it is here today. And most of us use it. Some, for their religious reasons, do not, but the majority of us do.

Similarly, electricity and the use of it was not universally applauded upon its discovery. But because it fills a social need, and is economically and technically feasible, we have it today. The people want it—they get it.

The airplane, as another example, overcame ridicule and disclaimers because in the end, it satisfied another need and desire, of society.

It is like being constantly presented with a new technical, if not geographic, frontier. And as each frontier is absorbed, a new frontier emerges. The frontiers occur because society has an interest in them. If we did not have an interest in them, the challenge would be ignored, and in reality not exist.

Outer space is our new frontier. To many, the military included, it is socially and economically desirable, and it is technically feasible. It represents the challenge to continue expanding. Therefore it is bound to occur. Outer space is not our last frontier—neither is it our first. It is just another big step for mankind. Another frontier.

Outer space is also a very visible frontier and it indirectly affects everyone. Thus, unlike the automobile and electricity which one could ignore if he or she wanted to, outer space evokes an interest because, like the airplane, we are subject to overflight (either as a country or an individual), an event over which we have no control, and with a resultant loss of privacy. Therefore, for the above reasons, we can fully expect to see continuing ventures into space.

This, then, brings us to the first of several ethical questions that must be asked: Who has the right to space? Like airspace, are the geographic boundaries of nations projected upward to protect that nation's interests? Current aviation regulations recognize the rights of nations to "own and control" the airspace above their territory, similar to one's right to own the water and minerals beneath the private property that one owns. Theoretically, these private airspace projections could project into outer space, to infinity.

Thus, the U.S. or U.S.S.R. could claim the right to destroy any satellites that entered its projected airspace as a violation of national privacy. Such action would, by the laws of astrodynamics, severely restrict the types of orbits that may be flown. If several nations claimed this right to airspace, the effect would be to make it virtually im-

possible to orbit a satellite in any direction because the orbit's ground trace changes as the earth rotates. The unchangeable orbits would eventually invade the "airspace". The rotation of the earth around the sun and the orbital motion of heavenly bodies provide another argument against the projected airspace idea. As an example, suppose one's country were within 21° of the equator. We should then have the sun directly above us, i.e., in our projected airspace, during certain seasons of the year, and could theoretically according to the previous argument, "claim" it. But our claim would be valid only during those periods of the day when the sun was directly overhead. Later in the day, someone else could claim the sun. So in astronautics the property within one's projected airspace changes with time, is near impossible to define, and is an unrealistic argument.

The alternative to projected airspace is that orbital space belongs to everyone. Thus, no nation may claim the sun to be its own during certain times of the day, during certain seasons of the year. No nation may claim its airspace is violated when a satellite from another country overflies it. Each nation would be able to orbit the earth in a manner however it chooses to do so to fulfill its needs. This alternative also presents several problems, however. In agreeing that outer space belongs to everyone, we inherently agree that nations may be overflown for reconnaissance purposes, or to interfere with electronic communications, etc. In addition, if it belongs to everybody, then Mexico, Ethiopia, Vietnam and others have some authority in controlling what occurs in space, just as much as the U.S. and U.S.S.R. do, and should properly be consulted for all space activity. What happens when half-a-century from now, each of thirty or forty capable nations exercises its right to outer space and begins doing its own thing by orbiting vehicles? What happens when large chunks of orbiting material re-enter the atmosphere and crash into another country, destroying life and property? The likelihood of this happening is not probable, but it is possible. The complexities of this space ownership issue rapidly overwhelm any simple solution. Once again, whatever is socially and economically desirable, and technically feasible for the world's varied societies, is bound to occur.

As a practical solution, I propose that projected airspace ends with the atmosphere, the limit being defined as that altitude above which aero-dynamic vehicles cannot sustain flight. Beyond that, it belongs mutually to all participants, but not necessarily to all nations. Perhaps that is not the way it should be, but the way we can realistically expect it to be.

The reasons are related to the second ethical question: Whose laws and rules govern space, if any? We say that outer space belongs to everybody, but why should the two major participants (the U.S. and U.S.S.R.) be restricted in their activity by the desires of third-party nations? And besides, do the third-party nations have any means to enforce their rules in space? It quickly evolves to the fact that as long as they have the power, the U.S. and U.S.S.R. can do as they please. Any territorial or other conflicts in space will have to be resolved between the interested parties. Other parties might have a great interest in the solution, but unless they have some means of enforcing their will, their interest is of little consequence. Thus it appears that the rules of space must be resolved by the interested participants, and that non-participants would realistically have little control.

Eventually, consortium agreements may be necessary to prevent common conflicts and to resolve differences. The U.S. and U.S.S.R. already have existing, limited agree-

ments. Some of us foresee a future requirement for a governing-body, similar to the United Nations, for all nations that participate in outer-space activities. Unfortunately, it can also be foreseen that conflicts in space are inevitable and that we may only attempt to prevent such conflicts, similar to the use of the United Nations in trying to resolve differences among nations before heated issues turn to war. Such a body in reality is probably several decades away. But preliminary efforts should be considered now. Like most issues, this one will probably be resolved in a way that is most expedient for the participants involved, and once again, morality of the solutions may be considered only to the extent of how it effects the decision-makers.

Another important question: Should we colonize space? Should we allow humans to inhabit space-colonies? Once we start it, there is probably no going back. And to some, including my own father, God put us here on earth and that's where we belong. But are we, for eternity, going to live by self-imposed immobility? A short five-hundred years ago, the ethics and sanity of the Spaniards were questioned when Christopher Columbus set to sail "around" the world. Had he not made his attempt, Europe might have for years rested with the thought that nothing was "out there". But surely someone else at a later date would have concluded that earth included more than a flat surface of Europe, Asia, and Africa, and would have made the same discovery. It is inconceivable that we should forever ignore the colonization of space. There shall come a time when it may be socially and economically desirable to do so, and technically feasible. At that time, colonization of space will occur! And just as we Americans feel just as ethical as our European counterparts, the space colonists will feel just as ethical, I am certain, in their belief that they belong there, in space.

Related questions include: What economic priorities should colonization plans receive? Is it ethical to "freeze" bodies to be able to transport them great distances through space? Should colonization of space, like colonization of the Americas, be limited to those who can afford to do so, for distant penal colonies, or who are forced to go because of their beliefs? Should we try to set up new and perfect societies—Utopias—or should we let them evolve, however they happen to?

Most of these type questions may be answered by time. But just as these questions may be answered with time, other unknown queries may arise from answers. What is important is this: as philosophers, and as men of science and commerce and culture, we should proceed with understanding and ethical intentions so that a world precedent may be established. We must provide an ethical launch pad from which to proceed. It could be a great failure of our generation if we proceed without reflection on the significance of these first steps into the great unknown, and allowed outer space to become an arena for the unscrupulous. Therefore we must reflect upon our moral values to determine for the benefit of mankind, what should happen. Common moral values and common decency demand the following:

(a) That one nation, or one agency, should not be allowed to conquer outer space in order to control events on earth. Just as modern military men theorize that he who controls the air (meaning with airpower), controls what happens on the battlefield below, it could be theorized that if any one nation or military organization were allowed to control earth's orbital space, that organization could effectively dominate what happens beneath them on the ground. We must prepare for, and prevent if possible, this

eventuality. The use of space for military reasons must be discouraged.

(b) That exploration into space should not be at the expense of deprived peoples. Any ventures into space should be justifiable in that all mankind will eventually benefit. I believe that NASA has been very responsible in this regard, by (1) searching for scientific truths that will help us understand our own planet, (2) providing communication benefits to the citizens of free nations in the form of TV and telephone communications relay satellites, (3) providing infrared and other maps of earth to the benefit of farmers, fishermen, environmentalists, cartographers, geologists and others. The side effects of aerospace employment and new technology should not be overlooked. Ventures to the moon and other planets also help us in the understanding of ourselves and our planet.

(c) That we must be very careful not to contaminate other planets with diseases and other organisms, thereby providing the possibility of rendering them undesirable or useless for ages to come. A parallel example that we are familiar with is the rabbit in Australia. With no natural enemies there, it has been a nuisance ever since. Any visit to another heavenly body must be carefully controlled in this regard, to prevent the demise of another heavenly body.

(d) That decent ethical standards must prevail in space as well as anywhere else. Piracy, destruction of property, maiming and other unscrupulous acts should not be tolerated. As we inhabit space, it would be appropriate to form laws that all participants can respect and adhere to. A governing body similar to the United Nations, as described previously, could suffice for this purpose.

(e) That if we should find other civilizations in space, we must take care not to disrupt their ways of life by injecting our own, and we should not exploit them if they are weaker, to satiate our need for energy, food, minerals, etc. Interestingly, if they are stronger and/or more advanced than we, we may be subject to their prevailing wisdom and needs. Hopefully they would not exploit us given this circumstance. The subject of other civilizations in space brings up a whole new realm of possibilities that is beyond the scope of this paper.

Failure to adhere to these moral goals could bring catastrophic results. It is in the best interests of humanity that we proceed with responsibility and reflection.

Hopefully man's exploits into outer space will have an effect of bringing the various nations and peoples of earth closer together, and will produce an overall beneficial effect. We need to re-evaluate our goals and our actions on a continuing basis, and if the effect of our actions is detrimental rather than beneficial, we must stop. We must continually and forever ask ourselves, "Is it right?". For the present, I believe that it is.

MAN OF THE YEAR

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. WAXMAN. Mr. Speaker, the most generous gift that can be bestowed upon one's fellows is that of one's self: time and energy and thought tirelessly devoted to community needs. Nat Jolton exemplifies this gift of self, and he is to be honored as "Man of the Year" for his devotion by the Guardians of the Jewish Home for the Aged, Ida Mayer Cummings Auxiliary at its 49th annual Charity Ball on February 26, 1978.

A popular well-loved man, Nat Jolton has been an articulate and successful spokesman for the Home. As a past president he headed 2,500 business and professional men in the Home's Guardians, and has held, in addition, many other key offices including the vice presidency. Currently he serves as chairman of the public relations and auxiliary liaison committee.

Nat's lively wife, Ruth, has been on the advisory board of the Cummings Auxiliary, of which she is a life member, and a second generation of Joltons is now serving the aged through their sons, Buddy and Jerry.

Nat Jolton was raised on the East Side of New York right after the turn of the century, began pursuit of a legal career at Fordham University and finished his law studies at Tifton College in Georgia, where he passed the bar in 1922. But before he could become a practicing attorney, family circumstances took him to Colorado where, with his late brother, Jerry, he operated a chain of general merchandise stores in a number of small towns. When Nat arrived in Los Angeles during World War II, he was not quite 40 and decided to go back into business. He also committed himself to community service. His years of devotion to the Guardians still left room for other activities; he helped organize the Brentwood Country Club, became active with Temple Israel of Hollywood and served as a key man of the United Jewish Welfare Fund as well as supporting many other causes of concern to his community. Nat is a strong believer in the dignity of man, and truly can be termed a "Tzaddik," the Hebrew appellation given to a person who is upright and honorable. His erudition and wit, his humanitarian instincts, his love for his fellow man, his never-ceasing efforts to help others, all combine to prove his fitness to be honored. I ask the Members to join me in extending congratulations and good wishes on this occasion of Nat Jolton's receipt of the Man of the Year Award.

HOUSTONIAN'S VIEWS ON CRS TAX RATE STUDY

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ARCHER. Mr. Speaker, a constituent, James E. Bobo, has shared his letter with me concerning his views on a Congressional Research Service study on "Tax Provisions and Effective Tax Rates in the Oil and Gas Industry." I am sure this letter will be of interest to my colleagues:

Since I am knowledgeable in Federal income tax, I have read with great interest the Congressional Research Service (CRS) study entitled "Tax Provisions and Effective Tax Rates in the Oil and Gas Industry," which was released for Sunday papers October 9, 1977. Undoubtedly, Jane Gravelle is a theorist rather than a tax practitioner. I wish to point out some glaring misstate-

ments and unfounded assumptions noted in a cursory review of the release.

The CRS study is directed toward independent producers, yet the comments encompass the oil and gas industry. One of the deductions entering into the effective tax rate is percentage depletion. Percentage depletion has been substantially repealed for major oil and gas producers, and substantially curtailed for large independent producers. It is interesting to note that percentage depletion has not been repealed for mining and/or hard mineral companies. One of the unfounded assumptions is noted in footnote on page CRS-10; wherein it is stated, "It is unlikely that major oil and gas firms pay any minimum tax." I know that at least one of the very largest major petroleum companies paid substantial minimum tax until the repeal of percentage depletion.

One of the misstatements occurs in the example on page CRS-13 regarding Investor B. If Investor B invests \$100,000 and then sells his asset (producing well) for \$100,000, he has merely recouped his investment. How could he have a taxable gain or loss? The footnote on page CRS-14 indicates special capital gain tax rates apply if a gain is incurred. This is not correct because Sections 1245 and 1254 recapture provisions of the Internal Revenue Code obviate capital gain treatment.

Of major concern is the position taken with respect to the expensing of dry hole costs. An amount paid for an oil or gas drilling operation which results in a dry hole is usually an investment which qualifies as a transaction entered into for profit and can be deducted as an abandonment loss under Section 165 of the Internal Revenue Code in the year of abandonment. It is intimated in the CRS study that dry hole costs should be capitalized as necessary acquisition costs of producing properties. The first question I would ask is, what relationship does a dry hole in one location have to a producing well several hundred miles away? Or stating it in a closer relationship, if you have a producing well on a 1,000 acre tract and subsequently drill a dry hole, the dry hole would have no bearing on the acquisition of the producing well. For an analogy outside of the oil and gas industry, if a fast food or grocery chain constructed a restaurant or store on one location that proved unsuccessful, should such costs be capitalized to other restaurants or stores that were successful? Neither the dry hole nor the restaurant or store will generate any income and are losses in the current year. The same analogy can be applied to abandonment of research projects in companies in highly technical industries such as Eastman Kodak or General Electric. Another example I think of is the abandonment of ship contracts by Todd Shipyards due to cancellation of contracts. Do these types of abandonment losses contribute to successful ventures?

It should be mentioned that the Energy Policy and Conservation Act of 1975 contained a mandate to the Securities and Exchange Commission concerning accounting changes. One of the changes requires the use of successful-efforts accounting, i.e., the expensing of geological and geophysical and dry hole costs as incurred. Also the Financial Accounting Standards Board issued an exposure draft favoring successful-efforts accounting.

The CRS study would lead one to believe the investment tax credit is applicable only to oil and gas producers, when in fact it is applicable to all business with qualified investment.

The effective tax rate computation of the CRS study is clearly erroneous. It does not take into consideration the capital recovery of investment, actual taxes paid, actual income, etc. In other words, the effective tax

rates developed in the CRS study are based on theory rather than actuality. Therefore, it is submitted the theoretical conclusions reached in the CRS study should not be used in future Tax Reform Acts.

Respectfully,

JAMES E. BOBO.

SOLAR ENERGY FUNDING MUST BE INCREASED

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. MOAKLEY. Mr. Speaker, when President Carter was preparing his budget for energy, there was much optimism, because for the first time we had one single agency, the Department of Energy, coordinating our energy priorities.

In his energy message to Congress last April, the President expressed his determination to embark this country on a rigorous program toward developing alternative energy sources, decreasing our dependence on foreign imports. But after reviewing the first energy budget proposals, I am forced to question the extent of the President's commitment.

I must ask why breeder reactor research and technology development, even with the President canceling the Clinch River project, received more in budget authority in fiscal year 1979 (\$367 million) than all the solar projects research combined (\$309 million)? In budget outlays for fiscal year 1979, the administration proposes granting the breeder reactor \$164 million more than solar research.

Another significant question arises when one reviews the solar energy demonstration budget proposals. If it is the administration's aim to stimulate the demonstration and early introduction of economically competitive solar energy systems, why has the budget been cut 23 percent (from \$87 to \$64 million)?

Under this proposal, budget outlays for solar heating and cooling demonstration programs will decrease \$9 million, the Federal buildings program will decrease \$4.3 million, and the solar commercialization program will lose \$1 million.

I find the administration's funding inadequate and I am hopeful that the Congress, through its budgetary authority, will increase the solar budget.

If we are to develop reliable alternative energy sources to meet our long-term needs, the Federal Government must lead the way in developing the vast potential the Sun offers to us.

GRAIN RESERVES

HON. MATTHEW F. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. McHUGH. Mr. Speaker, the editorial page of the New York Times this

morning carries an important statement on an issue that we have heard a good deal about in the last several weeks, and which we are likely to hear more about during the next several months. This editorial deals with the issue of grain reserves, and I am including it in the RECORD at this point for the benefit of my colleagues:

A FARM PROGRAM FOR ALL SEASONS

Federal agricultural policy has traditionally served only farmers, raising their incomes at the expense of other taxpayers and consumers. The Secretary of Agriculture, Bob Bergland, argues, correctly, that a policy designed to even out year-to-year fluctuations in commodity prices would serve the long-term interests of both farmers and consumers, and help to protect the world against famine. If this new approach is to work, however, the Carter Administration should soon breathe life into the centerpiece of its program, the domestic grain reserve.

Raw commodity prices are extremely unstable. A poor grain harvest in any major producing country can push world prices through the roof; a big crop just a year or two later (planted in response to these high prices) can bring them crashing back down. No one really gains from such fluctuations. Consumers suffer more in the lean years than they benefit in the fat. In underdeveloped countries, poor people can be priced out of the market and left to depend on international charity. In wealthy countries, high food prices leave a legacy of stubborn inflation. Farmers, too, lose out in the cycle; they mortgage their land and equipment when prices are up and then find their debts unmanageable when prices fall.

That is why the grain reserve program, authorized by Congress last year, makes such good sense. Under the program the Government lends farmers the cash they need to pay current bills, so that they can withhold a part of their crop from sale in surplus years. In return, the farmers must agree to keep the grain in storage for at least three years, or until market prices reach at least 125 to 140 percent (depending on the grain) of the Government's regular price-support level. With less grain on the market in bountiful years, prices would not collapse as they did in 1976-77. Then, when world consumption catches up with output, as it invariably does, sales from the reserve would be used to avoid starvation abroad and inflation at home.

The concept is good, but farmers do not seem to be buying it. Congress called for a reserve of 300 to 700 million bushels of wheat by next October (in a world that consumes about 14 billion bushels annually). Yet only 75 million bushels are now in the reserve. The Agriculture Department predicts that the target minimum will not be met this year unless the reserve rules are changed.

The farmers' reluctance to commit their grain to the program is due mostly to the fact that immediate sales are still more attractive than long-term storage. Washington provides only 20 cents a year per bushel to offset storage costs of between 25 and 30 cents. Moreover, farmers are charged 6 percent interest on the money they borrow. Just to cover interest payments, therefore, their grain will have to sell in three years for at least 18 percent more.

Secretary Bergland proposes to eliminate all interest charges and to raise the storage subsidy to reflect average farm costs. That might mean a small increase in the multi-billion-dollar budget of farm subsidy—an increase that the President seeks to avoid. But in this case, surely, the additional outlay is warranted. An adequate storage pro-

gram would help farmers who are hurting now and consumers who are sure to be hurt later.

AMERICA'S PROPER ROLE IN RHODESIA SETTLEMENT

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. JONES of Oklahoma. Mr. Speaker, throughout my career in public service, I have strongly supported the civil rights movement in its efforts to end discrimination both at home and abroad. In particular, I have opposed the racially discriminatory policies of the white minority government in Rhodesia.

Nevertheless, I recently read an editorial that appeared in the Washington Star of January 31, 1978, that greatly disturbed me. The gist of the article lends support to those who would accuse the United States and Great Britain of meddling in the internal affairs of Rhodesia. If our country is undertaking a policy of siding with outside pressure groups rather than allowing the Rhodesians to peacefully work out their differences, I sincerely believe we are on the wrong track.

While I am not privy to inside information on this matter, I do think the Star's editorial is noteworthy. It should cause all readers to pause and question the role that America should play in settlement of the Rhodesian question. At this time, I would like to insert the full text of the editorial:

SPOILER'S ROLE IN RHODESIA

If the American people understood the spoiler's role which their government is playing in the current Rhodesian negotiations, how long would they tolerate it? Not long, we suspect. They would insist that Ambassador Andrew Young be summoned from the spillovers' conclave at Malta this week, where another attempt is being made to revive the faltering Anglo-American peace plan. And they would probably insist that the U.S. at long last wish godspeed to those who now seem on the verge of negotiating an internal peace in Rhodesia.

This, we say, is what would probably happen if the complexities of the issue were understood. Unfortunately, they are not. It is not widely understood that after years of international clamor, Prime Minister Ian Smith has conceded the principles of universal suffrage and majority rule. It is not widely understood that, in response to this, three moderate black leaders—who are thought by informed observers to represent a considerable majority of Rhodesian blacks—have negotiated with Mr. Smith a new constitution providing for assured "minority" representation (i.e., largely white) in parliament; a bill of rights; an independent judiciary; and other institutional arrangements that seem fair and workable. It is not widely understood that this "internal" breakthrough, proceeding from Mr. Smith's concession of universal suffrage, is on the verge of consummation if it is not derailed by the foot-dragging of U.S., British and UN officials, who seem to think the black negotiators should hold out for tougher terms.

Finally, it is not widely understood that the U.S. is closely identified with the un-

yielding terrorist-guerrilla "front" led by Joshua Nkomo and Robert Mugabe, which is armed by the communists and supported by the five neighboring "front-line" African states.

The peace terms of these "external" forces are extreme. Although Mr. Nkomo has made occasional noises of moderation, Mr. Mugabe recently threatened to "bash" all the "reactionary" participants in the internal negotiations: a threat that may happily prove idle if peace comes to Rhodesia and his guerrilla troops began to melt away.

Meanwhile, the Nkomo-Mugabe faction insists that Rhodesia's future must be settled between Great Britain (whose crown colony Rhodesia was before declaring its independence unilaterally in 1965) and their "Patriotic Front," whose "patriotic" activities consist largely of the ruthless murder of women, children and the elderly, mostly black. They insist that Ian Smith be deposed, and that they, the intruders and disturbers of the peace, be handed immediate control of the army and the police. In short, they demand capitulation by the Rhodesian moderates; and they indicate no willingness to compromise.

What is perverse about the U.S. position is that the closer Ian Smith and the black moderates come to an agreement, the more cozily we seem to collaborate with the U.S.-British-UN cabal to undermine it. The Economist's Salisbury correspondent reported, on January 21: "There are signs that the (Patriotic Front) is speeding up the war and deliberately picking on black civilian targets in an effort to prevent a peaceful changeover to majority rule. From Salisbury, it appears as if the British foreign secretary, Dr. Owen, and the British commissioner-designate, Lord Carver, are actively discouraging an internal settlement."

In harsher language, the U.S. risks playing accomplice to further bloodshed by pursuing a Rhodesian settlement agreeable to radical outsiders and guerrillas. This is the actual, but we cannot imagine the calculated risk of U.S. policy. Why, then, do we take so sour a view of the heartening chances of internal peacemaking?

The reasons must necessarily be a matter of speculation. In Washington, we suppose, it may be thought more important to appease the demands of Rhodesia's "front-line" neighbors than to bring internal peace to the country. The effect of that policy, intended or not, is to sacrifice the moderate majority in Rhodesia, black and white, to considerations of African real-politik.

This is discreditable enough. It becomes unconscionable if one considers how close Mr. Smith and the black moderates are to a peace settlement and a new constitution. As noted by Morley Safer on the CBS program "60 Minutes" Sunday evening, Rhodesia is one of the few functioning biracial societies in Africa. It is not a police state. Its segregationist policies are disappearing. The army and police are predominantly black, and, so organized, can hardly be accounted dependable instruments of white tyranny.

In bitter truth, the Anglo-American policy on Rhodesia seems to be influenced not only by dubious strategic calculations, but also by an uncharacteristically petty-minded British resentment that Rhodesia has made a success of unauthorized independence. Against all odds and predictions, Rhodesia has become a country in being. It needs only the support of the outside world to make reasonable democratic terms with the black majority.

That the U.S. might not only neglect but actually undercut this success is an offense to sense and conscience. Let us call a halt to this foolish policy—now.

WAGE AND PRICE COUNCIL OPPOSES DOT LIGHT-DUTY TRUCK AND VAN FUEL ECONOMY MILEAGE STANDARDS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. DINGELL. Mr. Speaker, the Council on Wage and Price Stability announced Tuesday its opposition to the proposed 1980 and 1981 fuel economy mileage standards for light duty trucks and vans with a gross vehicle weight of from zero to 8,500 pounds. The standards were proposed last December by the Department of Transportation and the National Highway Traffic Safety Administration. The Council's concern and its urge for a change in the DOT standards, which other Members of Congress and I share, center on numerous harmful effects that the standards as proposed would have on the economy and consumers and point out the distinct probability of truck manufacturing plant closings and subsequent lost jobs across the Nation.

The DOT held hearings on the proposed standards in mid-January and is reviewing the testimony and its data prior to issuing final standards March 1, 1978, as required by law. The testimony from industry and labor, private and public parties, as presented to DOT, was overwhelmingly in opposition to the rule-making proposal, including the statement I issued which appeared in the RECORD January 19 and page E26.

Mr. Speaker, I also alert our colleagues that Representative DALE KILDEE and I are circulating a letter for co-signature which we shortly will be sending to Secretary Brock Adams at DOT urging modification of the proposed truck standards to a reasonable and attainable level. Members who need further information and who may be interested in signing the correspondence are urged to contact either of our offices.

The statement of opposition issued from the Executive Office of the President by the Council on Wage and Price Stability on January 31, a brief portion of which I am inserting in the RECORD at this point, calls for either a 1- or 2-year delay in the implementation of the proposed rulemaking by DOT or urges that "NHTSA adopt less stringent fuel economy standards for 1980 and 1981 * * *."

COUNCIL QUESTIONS NHTSA'S STANDARDS FOR SMALL TRUCKS

The Council on Wage and Price Stability today urged the National Highway Traffic Safety Administration to delay implementation of a proposed 1980 fuel economy standard for light duty trucks and vans. NHTSA has proposed that manufacturers of two wheel drive light trucks be required to increase fuel economy from 1979 to 1980 vehicles by about 21 percent with another 7 percent in 1981. Four wheel drive vehicles must improve fuel economy by 15 percent in 1980 and another 9 percent in 1981.

NHTSA estimates that the necessary changes are technologically feasible for 1980 and 1981 model year vehicles and will cost

about \$155 per truck. The Council stressed, however, that NHTSA's estimate of technological feasibility and costs of compliance are strongly contested by the industry. Moreover, NHTSA itself acknowledges that a significant portion of the industry cannot meet the standard. The automakers who are unable to comply are expected by NHTSA to produce a full line of trucks and pay a fine.

The industry, however, claims that it would be illegal for them to do so and anticipates that production of heavier trucks will be severely limited so as to bring the fleet average into compliance with the standard. Therefore the Council doubts whether the standard can be implemented without threatening significant price increases and potential shortages of suitable trucks for many users. The possibility of plant closures and layoffs also accompanies the NHTSA proposal.

The Council's recommendation that NHTSA either delay implementation of the standard for a year or two or that NHTSA adopt less stringent fuel economy standards for 1980 and 1981 was based on its conviction that a resolution of the engineering dispute over feasibility and practicability is essential to a successful program of truck fuel savings. The Council cautioned that without such a resolution the standard was very likely to be delayed in the courts anyway because of the Congressional mandate to develop fuel economy standards that are both technologically feasible and economically practicable.

The Council noted that, in view of the load carrying demands that determine the purchase of most trucks, care should be exercised so that fuel economy standards do not require too much reduction in performance capability. If in fact the class of trucks covered by the regulation are rendered less suitable to the tasks they now perform because of performance reduction to meet the standards, the goal of fuel saving will be contravened. Users may continue to use older less fuel efficient trucks; they may purchase larger trucks which are exempt from the standards, or they may make an increased number of trips with smaller load.

I additionally point out that the Council's Chairman is W. Michael Blumenthal, Secretary of the Treasury, and that the Council's members include from the administration:

Secretary of State, Cyrus R. Vance.
Secretary of Commerce, Juanita M. Krebs.

Secretary of Labor, F. Ray Marshall.
Secretary of Housing and Urban Development, Patricia Roberts Harris.

Acting Director, Office of Management and Budget, James T. McIntyre.

Assistant to the President for Domestic Affairs and Policy, Stuart E. Eizenstat.

Chairman, Council of Economic Adviser, Charle L. Schultze.

The Council's adviser members are:
Attorney General, Griffin B. Bell.

Secretary of Health, Education, and Welfare, Joseph A. Califano, Jr.

Secretary of the Interior, Cecil D. Andrus.

Special Representative for Trade Negotiations, Robert S. Strauss.

Besides statements of opposition to the proposed truck standards from myself, the Council, and other Members of Congress who testified, the Department of Commerce earlier issued its criticisms of the DOT proposal. Representative KILDEE is inserting the Commerce comments in today's RECORD along with his

testimony to DOT to which I direct the attention of our colleagues.

Additionally, the five truck manufacturers testified against the standards and called for changes. They said unless the standards are changed, several existing lines of trucks and engine families will be dropped from production resulting in the layoff of workers which will be unavoidable. They warned that there was insufficient leadtime available before the 1980 model year to meet such severe increases in the fuel mileage standards. Strong opposition came from both the UAW and NAACP who were largely concerned with the unemployment consequences of DOT's proposal. Truck dealers and truck component part suppliers testified in opposition along with aluminum, tire, and engine lubricant manufacturers, in addition to other suppliers. Truck and van user groups, ranging from on- and off-road commercial enterprises to four-wheel drive associations and the recreational vehicle users, oppose the standards.

Mr. Speaker, it appears that there is almost unanimous agreement within labor and industry, the administration, the user/consumer groups, and among many Members of Congress and other concerned organizations that the DOT proposed rule should be changed.

MR. GARY J. HOUSER OF BOARDMAN, OHIO, RECEIVES RED CROSS CERTIFICATE OF MERIT

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. CARNEY. Mr. Speaker, I would like to bring to the attention of my colleagues in the U.S. House of Representatives a noteworthy act of mercy undertaken by one of my constituents, Mr. Gary J. Houser, 168 Rockdale Avenue, Boardman, Ohio.

Mr. Houser has been named to receive the Red Cross Certificate of Merit and accompanying pin. This is the highest award given by the American National Red Cross to a person who saves or sustains a life by using skills and knowledge learned in a volunteer training program offered by the Red Cross in first aid, small craft, or water safety.

The certificate bears the original signatures of the President of the United States, honorary chairman, and Frank Stanton, chairman of the American National Red Cross. Presentation of the award will be arranged by the Mahoning Chapter of the American National Red Cross, Youngstown, Ohio.

On September 23, 1977, Mr. Houser, trained in Red Cross first aid, was driving his car on a city street when he witnessed a traffic accident that occurred when a young girl ran into the street and was struck by an oncoming vehicle. Stopping to render assistance, he observed that the victim, who suffered extensive injuries, had stopped breathing and had no pulse. Quickly he began mouth-to-

mouth resuscitation and other life-supportive first-aid measures. Soon the victim began to breathe on her own, and her pulse returned. Without a doubt, the use of first aid by Mr. Houser saved the victim's life.

I commend Mr. Gary J. Houser on this meritorious action which exemplifies the highest ideals of the American Red Cross and the concern of one human being for another who is in distress.

BILLS TO AID DEAF INDIVIDUALS

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. RICHMOND. Mr. Speaker, possibly the most overlooked handicapped people are the deaf. Because they are not visually any different than a normal hearing person we tend to ignore the obvious problems that deaf Americans face each day.

What could be more frustrating than being involved in a court case and not understanding the proceedings? Deaf people have been subjected to court trials where not only was there no interpreter, but also there was no one able to communicate with them effectively. In this age of enlightened attitudes toward basic human liberties, this is not only an inequity but a blatant miscarriage of justice.

The Bilingual Hearing and Speech Impaired Interpreters Act, which I introduced on December 6, 1977, will, if passed and signed into law, correct this most unfortunate oversight in the judicial system. The bill, H.R. 10228, states that a qualified interpreter must be present whenever a person involved in a Federal trial does not speak or understand the English language. The court will set standard fees for interpreting and reimburse the interpreter for his/her services. The Administrative Office of the Courts estimates that utilizing this system would cost only \$2 million annually; a very small price to pay to insure equal justice for all under our laws.

Most people who own dogs have them as household pets, blind people have come to depend on dogs for extending their mobility. Deaf people too have a need for highly trained "hearing dogs" to alert them to common noises. A baby's cry, a knock at the door, a teakettle's whistle, the sound of an alarm clock and thousands of other sounds go unnoticed to the deaf. But a trained hearing dog can identify these sounds and inform his master that he is needed elsewhere.

The training of these dogs is highly specialized and much needed. The cost of training the dogs is no more than training a "seeing eye" dog but the demand is much greater as the deaf population in America outnumbers the blind population by more than 30 to 1. Those few deaf people who now have a "hearing dog" testify to the fact that the dog quickly has become indispensable in functioning in the hearing world. The

owner of one of these dogs wrote the following after the dog was killed by a car.

He was a friend and companion as well as a service dog. . . . Randy (the dog) was a tremendous emotional value to me. Being responsible for Randy made me more responsible for myself. In so short a time he became like another "sense" to replace the amount of hearing I lack. I know this is hard for some people to understand. By constantly observing Randy's behavior he became part of me. Now that he's gone I feel mentally crippled in my awareness of the environment.

The "hearing dog" program is particularly significant to those concerned with the destruction of animal life resulting from pet overpopulation and the abandonment of unwanted dogs. Because the standard for hearing dog service does not require particular breeds or sizes, as with seeing-eye dogs, dogs used in the program could come from local animal shelters.

Because there are 13.3 million hard of hearing people and 1.8 million deaf people living in the United States today, the need for "hearing dogs" is evident throughout the country. For this reason I introduced H.R. 10442 which will establish funding for 10 regional training centers to train "hearing dogs." At present there is only one program capable of professional training, and due to the limited staff can only train about 50 dogs a year.

Congress has been all but totally inaccessible to deaf constituencies because the use of a telephone is limited to using an interpreter or a teletypewriter-comunicator (TTY).

Thanks to the efforts of my colleagues PAUL FINDLEY and FRANK THOMPSON every Member of the House of Representatives should be able to purchase or rent a TTY for his/her office in the very near future.

Because most deaf people are not high wage earners it is uncommon for them to make long-distance phone calls. For this reason I have introduced H.R. 10444, a bill to establish a toll-free telephone communications system expressly for the use of TTYs.

The passage of this bill will help make Congress available to millions of Americans who have previously been unable to communicate instantaneously with their elected officials in Washington.

The three bills mentioned here are a strong beginning to solving some of the injustices our society has overlooked. I hope my colleagues in Congress will join me in recognizing the pressing needs of our deaf population and seek equitable legislative resolutions in the very near future.

MONTHLY LIST OF GAO REPORTS

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. BROOKS. Mr. Speaker, the monthly list of GAO reports includes summaries of reports which were prepared by the staff of the General Ac-

counting Office. The November 1977 list includes:

MONTHLY LIST OF GAO REPORTS NATIONAL DEFENSE

The Air Force Audit Agency Can Be Made More Effective. FGMSD-78-4, November 11.

The Naval Audit Service Should Be Strengthened. FGMSD-78-5, November 11.

Loss Of Accounting Integrity In Air Force Procurement Appropriations. FGMSD-77-81, November 1.

Trestle Electromagnetic Pulse Simulator Program Should Be Reevaluated. PSAD-77-159, November 4.

Department Of Defense Consideration Of West Germany's Leopard As The Army's New Main Battle Tank. PSAD-78-1, November 28.

The Five Service Academies: A Followup Report. FPCD-77-78, November 25.

Centralized Department Of Defense Management Of Cargo Shipped In Containers Would Save Millions And Improve Service. LCD-77-227, November 8.

Air Force Maintenance Depots—The Need For More Responsiveness To Mobilization As Well As Peacetime Efficiency. LCD-78-403, November 23.

Planned Realignment Of Two Army Commands In St. Louis, Missouri. LCD-77-358, October 27.

The Navy's Multimission Carrier Airwing—Can The Mission Be Accomplished With Fewer Resources? LCD-77-451, November 16.

Withdrawal Of U.S. Forces From Thailand: Ways To Improve Future Withdrawal Operations. LCD-77-446, November 1.

Temporary Duty Travel In The Management And Operation Of Department Of Defense Programs. FPCD-77-84, October 28.

Department Of Defense Value Engineering Program Needs Top Management Support. PSAD-78-5, November 16.

U.S. Chemical Warfare Defense: Readiness And Costs. PSAD-77-105, November 18.

Letter reports

Army is taking effective action to increase the proficiency of its tank crews in Europe. FPCD-78-3, November 1.

More effort needed to prevent duplication in Department of Defense training technology programs. FPCD-78-7, November 8.

Cost of contract with E-Systems, Inc. for maintenance and modification of three C-135 aircraft was overstated by as much as \$14 million because contracting personnel did not adequately evaluate E-Systems' proposal. PSAD-78-9, November 10.

Lack of independent operational testing and evaluation of the Army's amphibian vehicle, the LACV-30. LCD-78-205, November 11.

The Navy should reconsider its decision to contract out for research and development on training devices and military services should realize the full benefits of self-paced training. FPCD-78-4, November 21.

Target cost overstated on contract with Boeing Company for the Airborne Warning and Control System (AWACS). PSAD-78-42, November 25.

Why the Air Force did not permit a woman with multiple sclerosis to accompany her husband to his new duty station. HRD-78-5, October 7.

Assessment of the Defense Department's system for evaluating the performance of household goods carriers. LCD-78-203, October 31.

INTERNATIONAL AFFAIRS

The Challenge Of Meeting Shelter Needs In Less Developed Countries. ID-77-39, November 4.

GENERAL SCIENCE, SPACE, AND TECHNOLOGY

National Aeronautics And Space Administration Should Provide The Congress With

More Information On The Pioneer Venus Project. PSAD-77-65, November 7.

NATURAL RESOURCES, ENVIRONMENT, AND ENERGY

U.S. Oil Companies' Involvement In The International Energy Program. HRD-77-154, October 21.

Uranium Enrichment Policies And Operations: Status And Future Needs. EMD-77-64, November 18.

Transportation Charges For Imported Crude Oil—An Assessment Of Company Practices And Government Regulation. EMD-76-105, October 27.

Private Profitmaking Firms' Reports On Research And Development Contracts With The Environmental Protection Agency Can Be Evaluated Better. PSAD-77-161, October 31.

Letter reports

How the Department of Transportation and the Environmental Protection Agency are carrying out the Noise Control Act of 1972. CED-78-5, November 4.

Reasons for long delays in settling cases involving alleged noncompliance with Federal Energy Agency petroleum pricing regulations. EMD-77-71, November 7.

Additional GAO views on the Solar Energy Research Institute. EMD-78-20, November 25.

Circumstances surrounding the grant awarded by the San Francisco office of the Energy Research and Development Administration to increase the awareness of the National and local energy situation in California. EMD-78-14, October 28.

Role of the Environmental Protection Agency in the problem of exposures to non-ionizing radiation from high-voltage electrical power lines; radio, TV, and satellite communications; microwave equipment; and from visible, infrared, and ultraviolet light. CED-77-95, July 6.

COMMERCE AND TRANSPORTATION

The Office Of Minority Business Enterprise Could Do More To Start And Maintain Minority Businesses. CED-77-136, November 10.

Changes Needed In Procedures For Setting Freight-Car Rental Rates. CED-77-138, November 11.

HEALTH

Food Additive, Acrylonitrile, Banned In Beverage Containers. HRD-78-9, November 2.

Sharing Cardiac Catheterization Services: A Way To Improve Patient Care And Reduce Costs. HRD-78-14, November 17.

Letter report

Current information on kidney disease treatment programs covered by Medicare. HRD-78-17, November 3.

INCOME SECURITY

Social Security Administration's Procedures For Allocating Administrative Costs To The Supplemental Security Income Program. HRD-78-12, November 17.

An Evaluation Of The Use Of The Transfer Income Model—Trim—To Analyze Welfare Programs. PAD-78-14, November 25.

VETERANS BENEFITS AND SERVICES

Examining Of Financial Statements Of Disabled American Veterans National Headquarters, And Life Membership Fund For Year Ended December 31, 1976, And The Service Foundation For The 16-Month Period Ending December 31, 1976. FOD-77-16, November 16.

Letter report

Veterans Administration hospitals could have obtained elevator maintenance services at lower costs through competitive bidding. PSAD-78-41, November 22.

LAW ENFORCEMENT AND JUSTICE

FBI Domestic Intelligence Operations: An Uncertain Future. GGD-78-10, November 9.

Methadone Deaths In New York City. GGD-77-25, March 14.

Letter report

The President should have proposed a deferral—not a rescission—of \$2.668 billion of Law Enforcement Assistance Administration funds, pending congressional action on a legislative request to transfer the funds to other Justice Department programs. OGC-78-3, October 28.

GENERAL GOVERNMENT

Cost-Of-Living Adjustments For New Federal Retirees: More Rational And Less Costly Processes Are Needed. FPCD-78-2, November 17.

Government Consultants: Standard Definition and Uniform Data Needed. FPCD-78-5, November 29.

The Government Employees Training Act Of 1958: A Progress Report. FPCD-77-66, November 17.

Finding Out How Programs Are Working: Suggestions For Congressional Oversight. PAD-78-3, November 22.

Government Specifications For Commercial Products—Necessary Or A Wasted Effort? PSAD-77-171, November 3.

Tax Treatment Of Employees And Self-Employed Persons By The Internal Revenue Service: Problems And Solutions. GGD-77-88, November 21.

New Methods Needed For Checking Payments Made By Computers. FGMSD-76-82, November 7.

Review Of The Government Printing Office's Internal Audit Program. LCD-77-444, November 23.

Examination Of Financial Statements, Government Printing Office, Fiscal Year 1976. FOD-77-5, November 25.

Letter reports

Better internal controls needed over management of funds by the Food and Drug Administration. FGMSD-77-76, November 8.

Difficulties of a minority-owned small business in obtaining Government contracts in the fields of construction management, construction consulting, and value engineering. PSAD-78-13, November 21.

Review of allegations about employment, travel, and procurement activities at the Denver Regional Litigation Center of the Equal Employment Opportunity Commission. FGMSD-77-64, October 14.

Information on Wisconsin's Aid to Families with Dependent Children Program. HRD-77-125, August 3.

REVENUE SHARING AND GENERAL PURPOSE FISCAL ASSISTANCE

Analysis Of Operating Expenses In New York City's Fiscal Year 1978 Capital Budget. GGD-78-13, November 15.

Antirecession Assistance—An Evaluation. PAD-78-30, November 29.

Letter report

Funding planning targets established for Lackawanna County and Scranton, Pennsylvania, by the Economic Development Administration under the local public works program. CED-77-139, October 25.

The Monthly List of GAO Reports and/or copies of the full texts are available from the U.S. General Accounting Office, Distribution Section, Room 4522, 441 G Street NW., Washington, D.C. 20548. Phone (202) 275-6241.

A PRESIDENT OUT OF HIS ELEMENT—WITH FARMERS

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. SEBELIUS. Mr. Speaker, I have met with literally thousands of farmers since the Congress recessed in November.

One of the questions raised by farmers and others with whom I have met is whether President Carter is out of touch with farmers? Other questions raised include: Is he aware of their plight? Is he equal to the job of governing this Nation as farmers would like to see it governed—with primary emphasis on production and marketing of agricultural products, rather than an agricultural policy and policymakers dominated by consumerism, conservationists, and environmentalists?

I commend to your attention a statement made by Mr. WAMPLER of Virginia in a hearing before the House Committee on Agriculture today relating to "the current agricultural situation." This statement highlights several of the problems facing farmers and ranchers which President Carter appears to be ignoring. The statement also recognizes the shift in agricultural policies (and budgets) under the Carter administration from a farmer to consumer orientation:

MR. WAMPLER'S OPENING STATEMENT

Mr. Chairman, thank you for giving me a few moments to address the Secretary on a general basis before the Secretary makes his statement and the questioning and answering period begins.

Mr. Secretary, we are always delighted to welcome you back home. I think I can speak for the committee when I say you are with old friends and colleagues in the true sense of those words.

As old friends and colleagues, I'd like for you to know that this committee is concerned about a number of events and circumstances that have occurred during the first year of the Carter administration. Knowing you as a former colleague, we know these problems are not to your liking either.

Generally speaking, these problems are: The drop in realized net farm income, the sharp increase in production expenses, the tightening of U.S. agricultural exports, the accelerated growth of farm and ranch indebtedness, and the growing concern over the long-range capacity of U.S. agriculture to provide the American public with abundant supplies at fair prices.

Day before yesterday, I joined with our distinguished chairman in a letter to the director of the Congressional Research Service, Library of Congress to request that CRS provide us with a technical analysis of the American agricultural movements tentative proposals for correcting these very serious problems. We would like to know how AAM's program would be administered, what impact it would have on the general economy and on various income groups, what impact their proposals would have on import and export policy, and how it might affect management decisions by individual farmers and ranchers.

Our chairman has also announced we will be seeking the advice of various other farm organizations and groups. Today and in future meetings we would like to have your views and the views of your department on these most critical problems.

Now, for more specific and practical reasons, the minority members of this committee are concerned about the following: An obvious shift in your department's traditional mission, as evidenced by President Carter's budget, from that oriented towards the production and marketing of agricultural products and assistance for the farmer and those industries concerned with agriculture to a department more concerned with consumerism, conservationists, and environmentalists; an over-balance and an increase in the income transfer programs as

opposed to support for agricultural programs; a continuation of the dominance by the State Department over farm export policies; the Carter Administration's sugar policy; the grain sales policy; the failure of the department to support worthwhile energy programs, such as gasahol and solar; an over-zealousness towards banning protective food additives without properly considering the impacts on farm income and the availability of meat and poultry products; executive branch curbs on agricultural science and education against congressional mandate to expand these fields of endeavor: cuts in the forestry programs; a failure to express the agricultural communities need for adequate pest management in the councils of government; a reduction in proper support for soil and water conservation programs; and finally, our concerns for strongly rumored plans to reorganize the Department of Agriculture and the impacts such undertakings would have on agricultural production and distribution, the farm family and rural communities.

Mr. Secretary, my colleagues will have specific questions on these subjects during the question and answer period.

OSHA COMPLIANCE

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ANDERSON of Illinois. Mr. Speaker, there is a growing awareness that Government regulation imposes a cost on individuals and businesses that far exceeds the simple administrative cost of regulation. A study by the Center for the Study of American Business, for example, estimated that the total cost of compliance with Federal regulation in 1976 was in excess of \$65 billion. An obvious specific example of the high cost of compliance is pollution control. Congress recognized this in 1969 and responded by providing in the tax code a 5-year amortization election for pollution control equipment.

A less obvious, but equally important, subject for relief is the cost of complying with the rules and regulations of the Occupational Safety and Health Administration. I am introducing today, therefore, a bill allowing a 24-month amortization of any property which is used in connection with a plant (in operation prior to January 1, 1978) and which is required pursuant to the Occupational Safety and Health Act of 1970—provided such property does not significantly increase the output or capacity of the plant.

In the more than 7 years since the passage of the OSHA Act, many questions have been raised about the aggregate cost of complying with OSHA regulations, but at present there are no hard estimates available on such costs from either OSHA or private sources.

The fifth annual McGraw-Hill Economic Survey, however, reported in May of last year that businesses planned to invest \$2.88 billion—in general—for employee safety and health in 1977, 21 percent above the estimated expenditures for 1976 of \$2.38 billion. The survey also projected an increase to \$3.7 billion for safety and health expenditures by 1980.

OSHA is considering the application of a number of new standards that would necessitate a multifold increase in these projected health and safety expenditures. A 1976 OSHA-authorized study by Bolt, Beranek & Newman, Inc., estimated that ambient noise control regulations alone could impose if adopted, capital costs of \$18.5 billion and several billion more in annual operating costs. Industry estimates are even higher. The forging industry reports that even partial compliance with OSHA noise standards could cost that industry alone \$2.97 billion—\$67,000 per worker. The steel industry estimates that engineering the maximum workplace noise to an 85-decibel level would cost \$1.2 million for each steelworker affected. But, both the forging and steel industries estimate that personal hearing protectors and monitoring could provide superior protection for less than \$42 per employee.

OSHA has not yet reached a final decision on noise abatement standards. In view of the immense cost (not to mention possible production curtailments), it is unlikely that OSHA will require strict ambient noise standards on those industries where personal hearing protectors can provide satisfactory protection for the employees.

OSHA's regulatory authority, however, extends into other areas where compliance costs, although not as prohibitive as those I have cited, are nevertheless a substantial burden on the industry. Regulations on lead, benzene, acrylonitrile and other substances, for instance, threaten to impose on certain industries required capital outlays that far exceed the estimated 2 percent of capital investment normally spent on employee safety and health.

Affected industries frequently face the prospect of closing down marginal plants and laying off valuable employees. As a matter of public policy, the Government should provide appropriate tax relief to financially ease, and even speed, the transition to compliance with new Government standards that mandate in a short span of time major expenditures for capital alterations of a nonproductive nature.

In part, Congress recognized this need in 1969 and again in 1976 by providing a 5-year amortization of pollution facilities that permits companies to "writeoff" the cost of the equipment over 5 years instead of its useful life.

The logic of an accelerated writeoff for pollution equipment applies with equal, if not greater, force to safety and health measures. OSHA regulations have a potentially sharper debilitating effect on the profitability of small businesses than pollution controls—such industries as forging, cast metals, and certain chemical manufacturers are good examples. A shorter amortization period is thus required if these industries are to avoid shutdowns that would displace thousands of skilled workers. Providing a 24-month amortization election should hasten compliance with existing OSHA standards, as well as giving much needed tax relief to OSHA-impacted industries.

The Congressional Research Service estimates that the present value of a 24-

month amortization for OSHA equipment would be less than \$265 million—a figure derived by using the latest McGraw-Hill estimates on employee safety and health expenditures, the average useful life of industrial equipment (11.1 years), and a discount rate of 10 percent. The probable tax loss would tend to be somewhat less than \$265 million, as the McGraw-Hill estimate is for total employee health and safety expenditures rather than merely OSHA-mandated equipment.

This legislation is, of course, no substitute for a more commonsense approach to health and safety standards on the part of OSHA. Assuring a safe working environment for employees is a concern that all Americans share, but that concern must be tempered with the knowledge that some "safety improvements" do not enhance worker safety in any measurable manner. A 2-year amortization provision, however, is a constructive way of relieving businesses that are severely and adversely affected by Government regulation. I hope that my colleagues will agree and that the 95th Congress will approve, this much-called for relief to businesses that seek to provide safe jobs for our workers.

MR. CHARLES ERABU MIKAMI RECEIVES "ORDER OF SACRED TREASURE, FIFTH CLASS"

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. MINETA. Mr. Speaker, I would like to bring to the attention of our colleagues, a man I have known for many years and for whom I have a tremendous amount of respect and admiration—Mr. Charles Erabu Mikami.

On Sunday, February 5, 1978, Mr. Mikami will be honored at a testimonial dinner sponsored jointly by the Morgan Hill Nisei Service Group, Santa Clara County Hiroshima Nikkei Jinkai, San Jose Wesley United Methodist Church, Sowan Senryu Ginsha, and Nichi Bei Times.

Mr. Mikami, who has lived in the Santa Clara Valley for the last 32 years, recently was awarded the "Order of Sacred Treasure, Fifth Class," from the Japanese Government. He received the award for his contribution in promoting United States-Japan relations through art and poetry.

Mr. Mikami has willingly given his time to demonstrate Japanese painting for clubs and church groups as well as to high school and college students. Over the past 30 years, he has displayed his talent for 115 various organizations. In addition to his paintings, Mr. Mikami has enjoyed writing senryu, the world's shortest poem. He is the current head of the San Francisco Bay area organization of Senryu Writers.

Mr. Speaker, I ask that the Members of the House join with me in congratulating Mr. Mikami on his work and for receiving this honor.

THE WONDERFUL WORLD OF
FEDERAL REGULATION

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. O'BRIEN. Mr. Speaker, I have addressed my colleagues in this body on many past occasions with regard to the growth and complexity of the Federal regulatory process.

Today I would like to call to my colleagues' attention a report which I have received from the editors of a new publication, appropriately called "The Regulators," which will be reporting on the activities of 22 major Federal regulatory agencies.

Among the statistics these editors have brought to my attention is the fact that the Federal regulatory bureaucracy has grown 438 percent since 1951. Whereas in 1951, there were 23,507 permanent Government positions assigned to regulatory bodies, there are now 126,465 such positions in the current fiscal year.

Many of these regulatory agencies have been created since the early 1970's. The Environmental Protection Agency has grown the most among the newer agencies, having increased in personnel strength each year since 1970, when it began with 3,860 personnel positions. In 1977 EPA had 10,150 positions. Of the other newer agencies, the Occupational Safety and Health Administration has increased from 1,558 positions in 1972 to 2,717 in 1977. The Consumer Product Safety Commission has nearly doubled from 586 jobs in 1973 to 914 in 1977. The older agencies have grown, too. The Interstate Commerce Commission, oldest of the agencies, has 1,060 permanent positions in 1951 and 2,205 in 1977. The Securities and Exchange Commission has grown in the same period from 1,060 jobs to 2,123.

These statistics alone point to the exponential growth of the Federal regulatory process. In some ways this growth, while serving a valid public purpose, is analogous to what has happened in the 65 years we have had a Federal income tax. In other words, the rise of the Federal regulator has brought forth a mountain of regulations and a concomitant need to have some third party explain them all to the taxpaying public.

Interestingly enough, the editors of "The Regulators" who plan to decipher and interpret the actions of 22 Federal agencies have undertaken to create what they call a redtape index, which will track in graph form Federal regulatory rules in terms of personnel, budget, regulations, and caseload.

I note that recently, the Council on Wage and Price Stability issued a report saying that a single industry—steel—is subject to 5,000 separate Federal regulations from 29 agencies, administering 57 programs. Again, this is reflective of the amount of regulation which now plays such a tremendous role in the day-to-day operations of business.

Mr. Speaker, the growth of such a body of regulations inevitably means that someone has to interpret these rules to the affected public in a clear and understandable way. While I applaud the efforts of several agencies to reduce the amount of "gobbledygook" contained in their pronouncements, I am confident that it will take competent outside observers to put many of these rules into the kind of English most of us can understand.

The editor of "The Regulators," Louis Kohlmeier, won a Pulitzer prize in 1965 for a series of articles he wrote for the Wall Street Journal. Kohlmeier has also written, in book form, a study of the Federal regulatory process, also called "The Regulators."

I wish him well in this newest undertaking to explain the intricacies of the Federal bureaucracy in clear language.

DOCUMENTING A DUPE

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. DORNAN. Mr. Speaker, a wealthy group of 120 VIPs gathered not long ago to heap still more hyperbolic tributes at the feet of a self-appointed martyr and reborn celebrity. The occasion was presentation of the 1977 Dorothy Shaver Rose Award by Lord & Taylor chairman Joe Brooks to erstwhile Stalin apologist Lillian Hellman—for "unwavering crusade for personal dignity." Miss Hellman's celebrity stems primarily from her past efforts to blacklist anti-Stalinist entertainers and authors, and the accounting she gave of that activity. The questionable sense of personal dignity reflected in Miss Hellman's past and present activities was considered with care and skill by Patrick J. Buchanan in his November 22 column "Honoring An Enemy." I hope that you and our colleagues will study this brief history of an anti-anti-Communist heroine, and "the insatiable appetite of some American businessmen for acceptance in trendy circles:"

HONORING AN ENEMY

(By Patrick J. Buchanan)

WASHINGTON.—The bash at Lord & Taylor's New York store Wednesday two weeks ago was chic enough to merit a full page of copy and pictures in Women's Wear Daily.

Felicia and Lenny Bernstein were there—the latter immortalized in the prose of Tom Wolfe for his little Black Panther party of the decade past.

Norman Mailer arrived too, fresh from his TKO over Gore Vidal. Patricia Neal and Bill Blass, Marietta Tree and Claudette Colbert were on hand, among the "120 high-powered invitees" whom Lord & Taylor chairman Joe Brooks asked to come pay homage—to Miss Lillian Hellman.

Maureen Stapleton raved about the vegetable terrine; John Hersey gave a champagne toast. But the centerpiece of the evening was Brooks' tribute to Lillian Hellman for her "unwavering crusade for personal dignity," as he bestowed upon her the 1977 Dorothy Shaver Rose Award from L&T.

That party, that tribute, that audience, tells us something about Brooks, about the insatiable appetite of some American businessmen for acceptance in trendy circles, about the absence of historical memory and the general empty headedness of our cultural elite.

Some months back, it will be recalled, Miss Hellman wrote the most self-serving memoir of our time. In it, she portrayed herself as the heroine of the 50s, and her hour-long and insignificant appearance before a House committee as the finest hour of the decade.

Ever since, she has been proclaimed as the martyred heroine of the McCarthy era, radiant alongside the "scoundrels" who went public to renounce their faith in Stalin's rule.

Ms. Hellman's book, however, "Scoundrel Time," had the misfortune to fall into the hands of Dr. Sidney Hook, the philosopher whose memory remains as sharp as his files are large. In 10 pages of the February issue of Encounter, Hook describes the career and character of the woman upon whom our cultural aristocracy cannot cease to fawn.

The Lillian Hellman of Hook's prose has the heart and mind of a censor and blacklister. During the 30s and 40s, writes Hook, "Miss Hellman and her Communist associates were running rampant in Hollywood and elsewhere and trying to bar 'Trotskyite-Fascists'—as all anti-Stalinists were then called—from getting work or getting published."

During the same era, Miss Hellman was rooming with Dashiell Hammett, "a committed apologist for Stalin's terror," who was milking for all it was worth the free society and system he was working diligently to undermine.

Miss Hellman herself "played an important role in both the official and unofficial front activities of the Communist Party," and while she "may or may not have been a member of the Communist Party . . . until Stalin died she was not only a convinced Communist but a Stalinist, and for all her posturing about not really knowing what 'dictatorship' means she may still be a Communist." So charges Dr. Hook.

Not until 20 years after Khrushchev had denounced the crimes of the arch-terrorist did Miss Hellman concede that she may have been slow in recognizing the "sins" of J. V. Stalin.

On and on and on Hook proceeds, documenting facts and dates and doings of Lillian Hellman which show her to be something worse than a dupe of the most murderous tyrant in history. To such as this, Lord & Taylor pays tribute for her "unwavering crusade for personal dignity."

RICHARD G. "DICK" McDANIEL—
NEWSPAPERMAN

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. LAGOMARSINO. Mr. Speaker, I would like to take note of an event, small in the scheme of things, but for the newspaper world, of some magnitude.

On Tuesday, January 17, 1978, Richard G. "Dick" McDaniel died. Mr. McDaniel was the owner, publisher, editor, printer, and if need be the delivery boy of the Avila Beach Courier in the tiny seaport town of Avila Beach, Calif. Listed in "Who's Who in Commerce and Industry," he was civic minded, politically aware,

and proud of his independence. Dick McDaniel typified the American free enterprise system. Printers ink ran in his veins; he came from a newspaper family; it was his life; he died a newspaperman. I am saddened at his untimely passing. He was a friend of mine.

Because of Dick McDaniel's contributions to the field of journalism, I ask the Members of the House to join with me and his many friends, in extending condolences to his wife, Rita, and his son, James.

MONTHLY LIST OF GAO REPORTS

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. BROOKS. Mr. Speaker, the monthly list of GAO reports includes summaries of reports which were prepared by the staff of the General Accounting Office. The December 1977 list includes:

MONTHLY LIST OF GAO REPORTS

NATIONAL DEFENSE

The Army's Proposed Close Combat Armored Vehicle Team. PSAD-78-11, December 12.

Development and Use of Military Services' Staffing Standards: More Direction, Emphasis, and Consistency Needed. FPCD-77-72, October 18.

Container-Oriented Logistics System—Will It Be Ready When Needed by the Department of Defense? LCD-77-234, December 21.

Better Management of Defense Communications Would Reduce Costs. LCD-77-106, December 14.

Improvements Needed in the Administration of the Army's Million-Mile Warranty on Trucks in Europe. PSAD-78-45, December 8.

Improving Logistical Support at Kwajalein Missile Range. LCD-77-437, November 7.

The Military Services Are Constructing Unneeded Family Housing. CED-78-8, December 29.

Department of Defense Pay Practices For German Nationals Should Be Changed. FPCD-77-86, December 2.

Letter reports

No support for allegation of improper pay rates for military exchange employees at Fort Dix and McGuire Air Force Bases, but there is a high error rate in conversions to new pay schedules. FPCD-78-8, December 5.

The Department of Housing and Urban Development should not require the Defense Department to pay mortgage insurance premiums on military rental family housing projects. CED-78-14, December 12.

How the military services are improving readiness reporting. LCD-77-442, December 21.

How to improve the Bureau of Naval Personnel's Advanced Information System. LCD-78-103, November 21.

Comments on reply from the Adjutant General, Arizona National Guard, to GAO report on Reserve and National Guard reorganizations. LCD-78-405, November 28.

How enlisted personnel feel about military grievance procedures. FPCD-78-1, October 7.

INTERNATIONAL AFFAIRS

Credit Programs For Small Farmers In Latin America Can Be Improved. ID-77-1, December 9.

Consular Services Abroad Can Be Improved; Process Of Evaluating Need For Posts Questioned. ID-77-52, December 29.

GENERAL SCIENCE, SPACE, AND TECHNOLOGY

Need For Additional Internal Audit Coverage In The National Aeronautics And Space Administration. FGMSD-78-12, December 27.

Maritime Administration's Satellite Communications Program: Is It Still Needed? LCD-77-107, October 27.

Letter report

Inadequate information submitted by contractor to support price of modification of contract for TIROS satellite spacecraft busses. PSAD-78-49, December 9.

NATURAL RESOURCES, ENVIRONMENT, AND ENERGY

Improvements Needed In The Corps Of Engineers' Regulatory Program For Protecting The Nation's Waters. CED-78-17, December 23.

National Water Quality Goals Cannot Be Attained Without More Attention To Pollution From Diffused Or "Nonpoint" Sources. CED-78-6, December 20.

Potential Effects Of A National Mandatory Deposit On Beverage Containers. PAD-78-19, December 7.

Additional Precious Metals Can Be Recovered. LCD-77-228, December 28.

Activities Of The Office Of Energy Information And Analysis, Federal Energy Administration, December 5.

The New National Liquefied Natural Gas Import Policy Requires Further Improvements. EMD-78-19, December 12.

The State Of Competition In The Coal Industry. EMD-78-22, December 30.

Evaluation Of The Plan To Conserve Energy In Federal Buildings Through Retrofit Programs. EMD-78-2, December 22.

Rationale For Power Rates Charged By The Central Valley Project To Pacific Gas And Electric Company. EMD-78-18, November 21.

Alaska Power Administration—Financial Management And Program Operations. EMD-78-1, December 20.

Palmetto Bend Dam And Reservoir: Need For Improved Analysis Of Alternatives And Cost Data. PSAD-78-43, December 16.

Letter reports

Interim report: how Federal agencies recycle waste paper. LCD-78-104, December 2.

Need for additional facilities for the National Center for Toxicological Research and the National Institute of Environmental Health Sciences. HRD-78-29, December 19.

AGRICULTURE

A Better Way For The Department Of Agriculture To Inspect Meat And Poultry Processing Plants. CED-78-11, December 9.

The Federal Crop Insurance Program Can Be Made More Effective. FOD-77-7, December 13.

COMMERCE AND TRANSPORTATION

Effectiveness Of Vehicle Safety Inspections Neither Proven Or Unproven. CED-78-18, December 20.

Highway Construction Zone Safety—Not Yet Achieved. CED-78-10, December 23.

Opportunities For Large Savings By Altering Some Inland Waterway Operations. CED-78-12, December 12.

Improvements Are Needed In Managing Aircraft Used By Federal Civilian Agencies. LCD-77-430, December 22.

United States Travel Service Contractual Relationship With Discover America Travel Organizations, Inc. ID-78-3, November 16.

Combined Truck/Rail Transportation Service: Action Needed To Enhance Effectiveness. CED-78-3, December 2.

Letter report

Need to improve coordination of trade adjustment assistance programs for workers, firms, and communities. ID-78-5, December 6.

EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

Reevaluation Needed Of Educational Assistance For Institutionalized Neglected Or

Delinquent Children. HRD-78-11, December 19.

Letter report

The Veterans Administration has made overpayments of \$9.9 million to schools participating in the Predischarge Education Program. HRD-78-20, December 8.

HEALTH

Cancer And Coal Tar Hair Dyes: An Unregulated Hazard To Consumers. HRD-78-22, December 6.

Services For Patients Involved In National Institutes Of Health-Supported Research: How Should They Be Classified And Who Should Pay For Them? HRD-78-21, December 22.

Information On The Appeals Process For Disputed Claims Under The Federal Employees Health Benefits Program. HRD-78-16, November 22.

Comparison Of The Health Care Financing Administration's Medicare Bureau Claims Processing Costs For 1973 and Fiscal Year 1975. HRD-77-139, December 22.

INCOME SECURITY

Privacy Issues And Supplemental Security Income Benefits. HRD-77-110, November 15.

LAW ENFORCEMENT AND JUSTICE

Illegal Entry At United States-Mexico Border—Multiagency Efforts Have Not Been Effective In Stemming The Flow Of Drugs And People. GGD-78-17, December 2.

Overview Of Activities Funded By The Law Enforcement Assistance Administration. GGD-78-21, November 29.

GENERAL GOVERNMENT

The Consumer Product Safety Commission Needs To Issue Safety Standards Faster. HRD-78-3, December 12.

Methods Of Setting Pay For Nonappropriated Fund Employees Should Be Improved. FPCD-77-51, December 14.

Proposals To Resolve Long-Standing Problems In Investigations Of Federal Employees. FPCD-77-64, December 16.

Audit Of Carter-Ford Presidential Transition Expenditures. GGD-78-36, December 23.

Supervision Of Banks By The Federal Deposit Insurance Corporation Can Be More Efficient. FOD-77-8, December 22.

Repetitive IRS Audits Of Taxpayers Are Justified. GGD-77-74, November 18.

Inequities In The Federal Withholding Tax System. PAD-78-5, December 2.

The John F. Kennedy Center For The Performing Arts Is Financially Troubled. GGD-78-15, December 20.

Vehicle Warranties: Greater Efficiency For Government By Using Commercial Practices. PSAD-78-53, December 15.

Summary Of Open GAO Recommendations For Legislative Action As Of Sept. 30, 1977. OCR-78-1003, December 5.

Cooperative Actions Result In More Economical Computer Acquisition And Improved Security At The New Orleans Computer Center. LCD-77-118, December 23.

Audit Of The Office Of The Attending Physician Revolving Fund—Fiscal Year 1977. GGD-78-31, December 29.

Federal Information Sources And Systems. PAD-77-71, November 8.

Letter reports

Effort to reduce the number of holidays observed by Federal employees stationed overseas should be strengthened. ID-78-7, December 12.

Comments on Hewlett-Packard's contentions about GAO report, "Federal Supply Service Not Buying Goods at Lowest Possible Price." PSAD-78-50, December 20.

Changes in mail processing in eastern Connecticut should not affect quality of service. GGD-78-34, December 22.

Smithsonian Institution's National Gallery of Art has adequate controls over use of its Federal and private funds. GGD-78-26, December 22.

How to improve Drug Enforcement Administration procedures and controls over revenue and expenditure transactions. FGMSD-77-74, December 27.

Potential problem areas in procedures and controls for revenue and expenditure transactions at the Department of Housing and Urban Development. FGMSD-77-75, December 28.

Postal Service's plans to consolidate the Berkeley and Oakland, California, post offices. GGD-78-18, November 28.

Postal Service's procedures in acquiring land for and building a new postal facility in Garden City, New York. GGD-77-89, October 18.

Alleged improprieties in the use of funds by the Chairman, Board of Directors, Federal Deposit Insurance Corporation. FOD-77-14, November 29.

GAO comments on impoundments of \$908.6 million on FY 1978 budget authority proposed by the President. OGC-78-5, November 30.

Veterans Administration and Defense Department procedures for buying medical x-ray film. HRD-78-15, November 1.

REVENUE SHARING AND GENERAL PURPOSE FISCAL ASSISTANCE

Changing Patterns Of Federal Aid To State And Local Governments 1969-75. PAD-78-15, December 20.

Letter reports

Review of allegations about \$5 million grant to Detroit under the local public works program for construction of a sports arena. CED-78-25, December 29.

Can the number of illegal aliens in New York City be estimated? PAD-77-64, June 3.

Increases in New York City's budget above amounts anticipated in the 3-year financial plan. GGD-77-61, June 13.

The Monthly List of GAO Reports and/or copies of the full texts are available from the U.S. General Accounting Office, Distribution Section, Room 4522, 441 G Street, NW., Washington, D.C. 20548. Phone (202) 275-6241.

GOVERNMENT BUREAUCRACY

HON. BOB GAMMAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. GAMMAGE. Mr. Speaker, much has been written in recent months about big Government and the ballooning Federal bureaucracy, and I am sure we all agree that the Federal budget can and must be pared. However, I would like to share with my colleagues an excellent editorial which appeared in the January 23 edition of the *Houston Post*, which puts the present size of the Government bureaucracy in its proper perspective:

ON THE OTHER HAND

Every candidate running for president in the last election campaigned against the federal government he hoped to head. Any luncheon club speaker can draw applause by coming out against big government and the ballooning federal bureaucracy. But we need to keep an eye on the facts as they are. In 1977 the federal government had 2.8 million civilian employees—200,000 fewer than it had in 1967.

The Departments of Agriculture, Interior, State and Defense are smaller than they were from five to 15 years ago. Defense employs 60 percent of the federal force; next comes the Postal Service with 750,000 employees. Some 80 percent of our federal bureaucracy is either at work in defense of the nation or delivering

mail. That leaves only about 20 percent to do all the other tasks—from air control to minting money, serving parks or patrolling borders.

While 3.1 percent of all American workers are federal employees, 12.6 percent work for city, county or state governments. Almost half of these are teachers or working in support of education. Nearly 20 percent are policemen or firemen. This means that a majority—almost 70 percent—of all our non-federal government employees are either teaching children, protecting us from fires or trying to protect us from crime. All told—not a very big balloon for a nation that has grown from 179 million to 226 million since 1960.

CONGRESSMEN BEVILL SPEAKS OUT ON NUCLEAR POWER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. TEAGUE. Mr. Speaker, the Tuesday, January 31 edition of *Energy Daily* ran an article entitled "Representative Bevill Chides Carter" and quotes portions of a letter which our colleague directed to the President concerning nuclear power based on his visits with those people involved on an international basis. It is interesting to me to note the reactions of those people visited by Mr. BEVILL only a few short months following the visit of my Committee on Science and Technology with the same people with respect to the policy which the President had adopted.

Under leave to extend my remarks, I wish to include the article:

REPRESENTATIVE BEVILL CHIDES CARTER

Rep. Tom Bevill (D-Ala.) chairman of the subcommittee on public works of the House Appropriations Committee, has joined the ranks of those who believe that the U.S. has taken the wrong turn with nuclear power. In a low-key but emphatic letter to President Carter, Bevill says: "I have been looking more deeply into nuclear energy issues nationally and internationally.

"Recently, I had an opportunity to visit with the Director General of the International Atomic Energy Agency, the Executive Director of the International Energy Agency, and energy officials in the Republic of Spain. I also visited the French fast breeder reactor demonstration project (Phenix) and the nuclear waste vitrification facilities at Marcoule. Members of my subcommittee staff visited similar nuclear facilities in the United Kingdom."

Bevill says that he found great concern on his tour that the U.S. has abandoned its position as the world leader in peaceful nuclear technology by its decision to defer reprocessing indefinitely and to delay development of the fast breeder reactor.

In his letter to Carter, dated January 25, he states: "It seems that most nations of the world have had great confidence in the breadth and depth of the U.S. nuclear programs. They believed that our intense concern for nuclear safety and critical licensing processes could be depended upon to provide safe nuclear energy options for those nations that do not have our energy reserves, nor capital resources to invest in nuclear development.

"Now, there is uncertainty as to our policy and intentions, and suspicion that our International Fuel Cycle Evaluation initiative

masks an arbitrary decision by the Administration to limit development and use of nuclear power for energy purposes."

Bevill is one of the more quietly influential members of Congress, controlling through his subcommittee large portions of the Department of Energy budget, the Bureau of Reclamation budget, the Corps of Engineers budget and the Nuclear Regulatory Commission budget. He has been a member of Congress since 1966.

The *Energy Daily* has learned that in addition to his letter to the President, Bevill was sufficiently impressed with the clamor he encountered over U.S. nuclear policy abroad that is seeking a meeting with the President.

Bevill's letter continues: "All of our contacts supported U.S. objectives of preventing further nuclear weapons proliferation and assuring adequate nuclear safeguards. But we found no responsible official at the technical level who believes we should defer reprocessing of light water reactor fuels or delay development of the uranium-plutonium cycle liquid metal fast breeder reactor because of proliferation or safeguards concerns. All seemed to think that with appropriate national and international agreements, present programs can be adequately safeguarded, and that the world needs for energy dictate aggressive development of nuclear energy capabilities, particularly a viable breeder reactor."

He said that he found "almost universal surprise and amazement at U.S. proposals to reexamine technologies previously rejected in favor of the LMFBR option since this seems unwarranted on any technological grounds."

Spain for example, Bevill tells the President, has decided to order four nuclear plants "from a non-U.S. supplier and to buy nuclear fuel from Russia. They have contracted with Britain and France for reprocessing." Such decisions, Bevill says, aggravate our unfavorable trade balances and further weaken U.S. leadership in nuclear matters.

The Bevill letter hammers at the different situation which exists in energy-hungry countries abroad. It says: "TEA world energy projections indicate that other nations need to turn to a more permanent source of energy, such as fast breeder reactors, well before the turn of the century. Russia, France and Britain each have already developed and operated 250 MWe fast reactor prototypes comparable to our Clinch River project and have shown great progress in liquid metal technology. They are moving aggressively to reprocess present fuels and have demonstrated technology to reprocess fast reactor fuels. Their waste management programs seem comprehensive and adequately designed to deal with problems of nuclear wastes. These countries are already at work on commercial size breeder reactors."

Bevill goes on to examine the Administration's current budget request and deplores the cutting of nuclear programs there. And he tells the President: "I know of the pressures being exerted by those who oppose the peaceful use of nuclear power in this country and who would like to stop our development programs. But it is obvious that others are proceeding without us and, in fact, may now be several years ahead of us.

"It appears that the choice is whether we decide to maintain a posture of leadership to assure safe use of nuclear energy in the world, and to secure our future energy options, or whether we abandon our leadership role to others and take added risk with respect to energy supplies through a hiatus in our nuclear development and demonstration programs. I think this latter course is dangerous to the Nation and strongly urge your personal reconsideration and redirection of the Administration's present planning."—Llewellyn King.

PROTECTING SMALL BUSINESS
FROM EXCESSIVE GOVERNMENT
REGULATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. GILMAN. Mr. Speaker, our Nation's small businesses face an array of serious problems portending hard times ahead for some and a threat to the very existence of others.

Recent surveys by the National Federation of Independent Business revealed that "Government regulation and red tape is the single most important problem of more than 1 in 10 small firms." Of impediments to small business, all firms cited only inflation and taxes more frequently than Government regulation.

On February 1, 1978, the Subcommittee on Special Small Business Problems held hearings on H.R. 7739, the Small Business Impact Statement Act; a measure introduced by my distinguished colleague from Virginia (M. CALDWELL BUTLER). This bill would require Federal regulators to thoroughly assess the impact proposed regulations would have upon small businesses.

As one of the bill's cosponsors, I testified in support of H.R. 7739, urging the subcommittee to favorably report the measure.

So that my colleagues might share my views concerning the need for protecting this Nation's small businesses from onerous Government regulation, I am including the text of my testimony at this point in the RECORD.

STATEMENT OF REPRESENTATIVE BENJAMIN A. GILMAN

Mr. Chairman, and distinguished members of the Subcommittee on Special Small Business Problems, I am pleased to have this opportunity to testify in support of H.R. 7739, the "Small Business Impact Statement of 1977," which was introduced by the gentleman from Virginia, M. Caldwell Butler, and of which I am a cosponsor.

H.R. 7739 is an extremely well-reasoned remedy to the torrent of often incongruous and shortsighted federal regulations threatening the very existence of American small business. Characteristically out of step with the paper-thin profit margins and the economic hostilities to which small businessmen are subjected, federal regulators annually conceive of a disjointed array of rules and regulations whose intent and purpose are alarmingly divorced from conceptions of actual consequences which will be suffered by small businesses as a result of their compliance with these regulations. The Small Business Impact Statement Act of 1977 goes far in correcting this starkly unreasonable and inequitable situation in which American small business now finds itself.

Noting that the "disproportionate impact" of Federal agency rules is not "fully recognized or considered," thus "unduly and unnecessarily injuring small businesses," H.R. 7739 would require federal agencies, during the course of formulating federal regulations:

- (1) to make a thorough assessment of the costs that proposed regulations impose on small businesses;
- (2) to consult with and obtain the com-

ments of the Office of Advocacy of the Small Business Administration regarding the proposed regulation's effect upon small business; and

(3) to submit the impact statement and these comments to the Chairman of the House and Senate Small Business Committees in advance of the promulgation of each regulation.

Mr. Chairman, the Small Business Administration recently reported that those firms most adversely affected by the increasing array of government regulations are those small firms employing between 50 and 250 employees. A recent Joint Economic Committee report illuminated the specter of American small business becoming "an endangered species," ascribing this fact partially to the ever-escalating number of burdensome government regulations.

The January 1977 Report of the SBA Task Force on Venture and Equity Capital for Small Business concluded that regulation has severely cut small business incentives to take growth risks and further asserts that "the small business today is in grave danger of smothering under the weight—and cost—of repetitive paperwork," spawned by compliance with government regulation.

Also in January 1977, the Domestic Council Review Group on Regulatory Reform grimly reported that "Seldom do we know the real effects of existing or proposed regulations." Yet, in September of 1977 figures released by the Commission on Federal Paperwork pointed out that the paperwork costs of small businesses incurred in complying with the reporting requirements of the Internal Revenue Service, the Department of Labor, the Small Business Administration, the Census Bureau and other government agencies was but a shade under \$15 billion per year. This particular statistic, coupled with the fact that small business firms constitute approximately 97 percent of this nation's business concerns, clearly attests to the high price that government regulations exact from our nation's business community.

Citing the consistent findings of the National Federation of Independent Business's (NFIB) Quarterly Economic Report for Small Business, Federation counsel James D. McKevitt, stated that "government regulation and red tape is the single most important problem of more than one in ten small firms." Of impediments to small business, all firms cite only inflation and taxes more frequently than government regulation.

The Small Business Impact Statement Act does not eschew government regulation for which experience and potential genuine business problems clearly point the need. It does, however, reflect the exigent need to stop the flow of regulations which have not been thoroughly assessed as to the degree and nature of their adverse impact upon the small business community. It is hardly unreasonable for the small businessman to request—in light of past shock waves felt by federal rule promulgation—a responsible estimate of a regulations impact. Such an estimate, as outlined by H.R. 7739, would include information on the average cost incurred by a small business, the types of small businesses affected, and the regulation's effect upon a small business' competitiveness in both the small business sector and other sectors of the economy.

The impact statement would in essence be an analysis of these elements and how they relate to each other. The legislation's provisions for studied review of impact statements by the Office of Advocacy of the Small Business Administration and the Small Business Committees of both the House and Senate would greatly enhance the prospect for the promulgation of regulations more attuned to the particular needs of small businesses.

A recent issue of Time magazine vividly stated that Federal rules and regulations "seem to float out from Washington as casually as children blow soap bubbles, and all too often contain about as much substance." Indeed, I have long been concerned with the Rube Goldberg like nature of the regulation making process and the unquestionable necessity to strike out for reform.

Recently, I introduced legislation underscoring the need to assure that Federal regulations are: (1) written clearly so as to be readily understandable by those persons subject to or affected by these regulations; and (2) are otherwise designed to meet efficiently the goals of the legislative programs to which they relate. My measure calls upon the President to submit annually a report to Congress on progress made towards achieving these goals so that legislative remedies could be directed towards persistent impediments to efficient regulation making.

I believe H.R. 7739, as introduced by my distinguished colleague, the Gentleman from Virginia, Mr. Butler, to be an important step towards rescuing a large and important element of this nation's business sector from the specter of an oppressive and economically deadly proliferation of unsound federal regulations.

Our nation's small businesses have a long and distinguished heritage of significant contribution to our free enterprise system. Passage of H.R. 7739 will greatly assist small businesses in continuing this heritage by reducing the onerous burden of excessive and ill-conceived Federal regulations they now shoulder.

Market place perils and economic vicissitudes are adversities that the hard working, enterprising small businessman is prepared to accept. His lot, however, should not be compounded by excessive and ultimately destructive government regulation.

Accordingly, I urge my colleagues on this subcommittee to act favorably on H.R. 7739, the Small Business Impact Statement Act.

I thank the subcommittee for this opportunity to appear before you on this measure.

INTRODUCES AMENDMENT TO
SOCIAL SECURITY ACT

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. WHITEHURST. Mr. Speaker, Public Law 93-647, which went into effect on January 1, 1975, contained a provision which made it possible for the pay of a civilian employee or military member to be diverted for child support or alimony payments. This was a major step forward, and will benefit a large number of divorced or separated spouses and their children. However, in States which have community property laws, an inequity has continued to exist, since only alimony and child support are specifically mentioned in the law.

For this reason, I am today introducing a brief amendment to section 459 of the Social Security Act (42 U.S.C. 659) which changes the wording to include all "legal obligations to provide child support or make alimony or any other court-ordered payments or settlements." This should make it possible for Federal agencies to make payments based on divorce or separation decrees in all States.

TUITION AND TAX CREDITS

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. FRENZEL. Mr. Speaker, I invite my colleagues' attention to a very thoughtful analysis of the Packwood-Moynihan tuition tax credit bill—a subject that has quickly become one of the major issues of the 95th Congress.

The Packwood-Moynihan bill was the primary subject of hearings that were recently completed by the Senate Finance Subcommittee on Taxation. House hearings will be held on February 14, 15, and 16 before the full Ways and Means Committee.

As the House sponsor of the Packwood-Moynihan bill, I believe that tax credits are the most effective way to provide taxpayers with financial relief from the skyrocketing costs of education, because they do not add to the heavy burden of bureaucratic redtape. More importantly, tax credits will help to provide the educational consumer with freedom of choice. Educational choice has been a popular and successful tradition in America, but inflation has robbed the middle-income American of any real choice.

The lead editorial from the Washington Star on January 24, 1978, offers a commonsense review of many of the issues surrounding tuition tax credits:

TUITION AND TAX CREDITS

Sen. Daniel Patrick Moynihan believes that tuition tax credits are "an idea whose time has finally come," and so do his influential co-sponsors in the Senate.

If so—if, as the senator also submits, "the people of this nation want it"—the message isn't getting through to those who think they know what the people need.

There were hearings last week on the Moynihan-Packwood tuition credit bill in the Finance subcommittee on taxation. The hostile reactions to the bill reflect the same administration attitude that greeted Sen. William Roth's similar proposal of a few weeks ago. It seems to us a case of fatigued imagination.

The tax-credit offset of tuition, said several administration spokesmen, would wickedly benefit "the rich" (for which read, middle-income taxpayers). One Treasury official also charged that the bill "would make it easier and cheaper for a student to attend a private school if his family wished to avoid an integrated public school."

These objections merit a passing glance. Indeed, tax credits would be available to all families, regardless of income, who send children (or a spouse) to a college or university (public or private), a vocational school, a secondary or elementary private school. The credit would equal half the tuition, up to a ceiling of \$500 per student.

Yet it isn't a "rich man's bill"; it is a taxpayer's bill. "Most of the benefit," according to Senator Moynihan, "will go to families earning well under \$20,000 a year, and by making the credit refundable the proposed legislation will also provide a real financial boost to low income families with limited tax liability."

This evidently false designation of a tax expenditure in aid of education as a bonanza for the wealthy is typical. It is supposed to

be an argument stopper, because it has somehow become official dogma in this administration that the only value worth seeking through tax policy is the redistribution of income from middle-class taxpayers to those designated "poor" under the escalating federal definition of that term. Redistribution is a proper concern of tax policy, but not the only one. Others worth consideration are (a) the preservation of a working system of private education, both as a check on the quality of public education and as a self-justifying value in a pluralistic society; and (b) a meaningful choice, for all parents, between public and private education.

The suggestion that parents might "avoid an integrated public school" hardly rises to the dignity of argument. Most parents, if we are not mistaken, are looking for orderly, disciplined, effective education. To what degree it is integrated is a secondary concern—not, of course, a trivial concern. But the Supreme Court recently declared, in the Northern Virginia case of last term, that no tax benefits shall be available to racially segregated private education. That issue is closed.

The principal concern—at least where secondary and primary education are concerned—is whether a tuition credit program of the sort Senators Moynihan and Packwood propose can meet the stern tests of religious pluralism now insisted upon by the Supreme Court. As matters stand, that is at least doubtful.

It is, however, Senator Moynihan's view—a view we share—that in the recent era the Court has imposed needlessly restrictive constitutional limits on state aid (and by implication, federal aid) to private "religious" education. In a commencement address last May at Lemoine College, New York, the senator said of this line of jurisprudence that "the kindest thing to say is that (the decisions) are unpersuasive (and) the unkindest thing to say is that the Court has been given the thankless task of providing constitutional legitimacy for the religious bigotry of the 19th Century."

And what are the grounds for that suggestion? As recently as 1876, after more than half a century's experience with public support of private religious education in New York (and other states), its foes recommended a constitutional amendment to forbid it. The implication is that nothing in the establishment clause of the First Amendment renders such aid clearly unconstitutional.

As is well known, moreover, the Court's rigid line against "excessive government entanglement with religion" has been repeatedly strained, if not breached, by state programs of tuition assistance to private higher education, some of it to institutions far from secular in sponsorship and educational philosophy.

In any event, we share Senator Moynihan's basic feeling—that the "constitutional" case against tax benefits for parents of parochial school students is an unattractive vestige of archaic prejudice. Practically speaking, it is difficult to show that any federal aid "advances" religion *per se*; recent studies cited by the senator suggest that the "religious" effects of parochial education (measured by church communicants or candidates for the priesthood) are practically nil. But even if they were substantial, may we not distinguish between such desirable effects and "an establishment of religion"?

Putting aside the First Amendment problems, the main fact with which public policy must reckon today is this: A swollen system of public education threatens to swallow up the financially-starved private educational sector, to the eventual benefit of neither. For various reasons, private education is pricing itself out of middle-class reach. The Moynihan-Packwood plan would not necessarily

work to the benefit of either sector, private or public, it would offer taxpayers an enhanced choice and would probably help restore a healthy balance.

FORWARD TOGETHER, SCOUTING,
U.S. BOY SCOUTS OF AMERICA,
1978

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. NATCHER. Mr. Speaker, during the entire month of February, the Boy Scouts of America will be reflecting on past accomplishments and anticipating and planning future goals and projects. The month of February is celebrated by the Boy Scouts as National Scouting Month. February is the anniversary month of the Boy Scouts, an organization incorporated in 1910, with the President of the United States as honorary president, and dedicated to the development of good citizenship; an organization which we proudly salute.

The purpose of the Boy Scouts of America is to provide through community organizations an effective program for boys designed to build desirable qualities of character, citizenship, and personal fitness.

Young people of our great country are today, as in the past, faced with the task of preparing themselves to meet an uncertain future, one which holds many grave responsibilities and duties; many opportunities, rights and privileges, both those granted by law and those gained through individual initiative. Perhaps,

Mr. Speaker, never before in history of our democratic process have the meeting of these responsibilities, and the utilization and exercise of these opportunities and rights been so necessary to the perpetuation of the doctrines and beliefs upon which this country is founded. The Boy Scouts of America is an organization in the finest American tradition.

Scouting teaches the values of both responsibility and opportunity. The Boy Scouts of America are knowledgeable about and take pride in their American heritage and understand America's role in the world; they have a keen respect for basic rights of all people and are prepared to fulfill the varied responsibilities of participating in and giving leadership to American society and to the forums of the world.

Mr. Speaker, the principles underlying the Boy Scouts' activities and practices are framed to develop character, intelligence, skill, handicraft, physical, mental and moral health, self-care and reliance, and the practice of service for others. The efficient individual becomes an asset to his community, yours and mine, and to our Nation. The teamwork, the self-discipline is just as important as the sense of adventure that grows out of the Scouting experience and are the very things we need today to build a better America.

The 1977 Boy Scout Jamboree was held in Moraine State Park, Pa., during the

first 2 weeks of August. More than 24,000 Scouts attended their jamboree guided by the theme of "Forward together, Scouting, U.S.A." This was indeed a learning experience. All of our Nation's Scouts who attended this jamboree were bound together by certain ideals—ideals that were strengthened and given new meaning.

Today when some people are casting about for new values, new answers, and new outlooks on life, the key to many of our problems lies in the basic values of the Scout law—in trust, in loyalty, courtesy, thrift, bravery, and reverence.

I am proud and grateful that the Scout groups, from Cubs to Explorers, are dynamic resources in the Second Congressional District of Kentucky, which I have the honor to represent. It is indicative of the fine caliber of men who lead the Boy Scout troops voluntarily devoting ceaseless hours of preparation and activity with their boys. They strengthen our communities by developing young men who know the value of good citizenship and practice it. The strength of our Nation lies in the character of its people and the work being done by the Boy Scouts of America makes it a participant of inestimable value to our future.

LIVE MORE FOR LESS

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. BENNETT. Mr. Speaker, the following editorial from the Florida Times-Union points out that it is much cheaper to live in Jacksonville, Fla., than elsewhere when comparison is made with 14 other U.S. cities studied by a recent survey. This is probably one reason why Jacksonville has had very substantial growth in recent years:

LIVE MORE FOR LESS

There's good news for Jacksonville from an outfit known as Runzheimer Affiliated Services, of Rochester, Wis., corporate cost-of-living consultants.

This firm recently made a survey of 15 U.S. cities (including the suburban areas) studying the costs of housing, taxation and transportation (which account for 60 to 75 percent of most family budgets) as applicable to the family budget of a \$39,000 a year executive.

The study, Runzheimer told the Wall Street Journal, is "the most detailed scrutiny ever given comparative regional family living standards" in this upper middle income bracket. The results show a wide spread in the basic cost of living in the 15 cities studied.

The most expensive was Westport, Conn. And the lowest—Jacksonville.

The difference was considerable: \$28,799 in Westport for the same items which would cost \$18,242 in Jacksonville.

San Francisco at \$27,014 was next highest and Atlanta (\$19,373) was closest to Jacksonville. In general, the more expensive were in the northern portion of the nation and the less expensive were in the South (Charlotte, New Orleans and Dallas join in descending order. Atlanta and Jacksonville).

An analysis of the figures shows, further, that the greatest variation was in the cost of

housing, the least in transportation (operating two family cars). The tax comparison was modified somewhat by the fact that federal income and Social Security taxes (the same anywhere) were included.

In housing the difference was dramatic. In every case the figures are for a seven room home (three bedrooms and two baths) with central heat and air, a fireplace and two car garage. A mortgage loan (for 80 percent of the value) was assumed at prevailing local interest rate, with local property taxes, utilities and maintenance included.

In Jacksonville this shelter total came to \$6,446 a year, in sharp contrast to \$13,698 in Westport, Conn.—more than twice as much. In fact, this one item alone made up some 70 percent of the difference in the cost of living in the two cities.

Incidentally, while the Runzheimer study is based purely on current (actually late 1977) costs, with no historic comparison, the findings can be contrasted to a federal study made five years ago on families in the upper income bracket (average income \$38,500—virtually the same as the current study).

While the federal study gave only a national annual housing cost average—\$4,682—this figure is so far below the current range (Jacksonville's figure is roughly half again as much and Westport's is twice Jacksonville's) that the recent increase in housing costs is dramatized.

Such figures, obviously, show the economic lure of the South in general—and Jacksonville in particular—for executives and managers.

Not to mention Florida's obvious other lure—climate.

Of course, the number of families in this income bracket in the United States, let alone Jacksonville, is relatively small.

The next question is whether this cost differential filters down to the economic plateau on which most people live. If so, Jacksonville has another selling point in its struggle to bring in employers for its large number of underemployed, as well as its unemployed.

IT IS CHEAPER HERE—THAN IN CONNECTICUT, ANYWAY

A \$39,000 executive in Jacksonville can live \$10,000 cheaper than his counterpart in Westport, Conn., according to a recent study by Runzheimer Affiliated Services of Rochester, Wis.

The study, reported in the Wall Street Journal last week, listed Jacksonville as the least expensive of 15 suburbs and small cities. It was based on the cost of housing taxation and transportation, which the Journal said make up 60 to 75 percent of family budgets.

The five least expensive places on the list were all in the South: Charlotte, New Orleans, Dallas, Atlanta and Jacksonville.

The five most expensive were Westport, San Francisco, Rye, N.Y., Minneapolis and Portland, Oreg.

The study showed the cost for an executive living in Jacksonville at \$6,446 for housing, \$8,980 for taxes and \$2,858 for transportation, a total of \$18,284.

These compared with Westport's figures of \$13,698 for housing, \$11,748 for taxes and \$3,353 for transportation, a total of \$28,799.

The comparisons were based on the ownership of a seven-room house with central heat and air conditioning and a two-car garage, and two cars.

Gerald Bartels, executive vice president for the chamber, said he will probably use The Wall Street Journal article in future advertising and promotion.

"That's the best kind of advertising you can get," Bartels said of the news story. "This complements our national advertising program which has promoted the fact that taxes are lower here."

ACTION NEEDED TO PROMOTE HUMANE TREATMENT OF ANIMALS

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. RICHMOND. Mr. Speaker, millions of animals continue to be subjected to terrible and needless suffering and abuse in the United States each year. To promote more humane treatment of animals, we must keep pace with modern developments in this area, such as laboratory experimental and testing techniques, factory-type production of hundreds of millions of head of livestock and poultry, and the explosion of the pet population involving millions of abandoned and starving animals.

Last year, Congressman Koch introduced H.R. 446 and its companion bills, H.R. 3169, and H.R. 3170, designed to establish a Commission on the Humane Treatment of Animals. Since Mr. Koch left Congress, and because the bills have considerable support and have already been considered by a House subcommittee, I am concerned that this vital legislation not be forgotten during this session. Consequently, last week I reintroduced Mr. Koch's bill, complete with the original list of 56 cosponsors, as H.R. 10522, H.R. 10523, and H.R. 10524.

Testimony conducted during 94th Congress hearings on an identical bill before the Subcommittee on Livestock and Grains of the House Agriculture Committee, clearly demonstrated that laws to date concerning animal welfare are grossly inadequate. In light of the millions of dollars spent on the senseless destruction of strays and abandoned pets, and the glaring but invisible conditions in which poultry and livestock are raised in this country, it is time to recognize the strong need for protection for helpless animals.

Briefly, the bill will establish a Commission on the Humane Treatment of Animals to study farming practices and laboratory research experimentation, potential substitutes for animals in laboratory experiments, domestic pet growth rates, especially in urban areas, and the impact on public health and the effectiveness of existing laws. From this study, the Commission will be able to recommend alternatives and potential areas which need corrective measures.

Following, is a section-by-section analysis of the bill, detailing how the Commission will be appointed and how it will operate. I hope my colleagues will take a few moments to study the bill, as it could be a meaningful step in the consideration and adoption of other bills, which pertain to the treatment of animals and animal welfare:

SECTION-BY-SECTION ANALYSIS OF THE BILL TO CREATE A COMMISSION ON THE HUMANE TREATMENT OF ANIMALS

Section 1. Preamble.

Section 2. Establishes a Commission on the Humane Treatment of Animals.

Section 3. Directs the Commission to study:

1. farming practices and laboratory research experimentation (including biomedical and military research).

2. potential substitutes for animals in laboratory experiments.

3. domestic pet growth rates especially in urban areas and the impact of this growth on public health.

4. effectiveness of existing laws, evaluating and recommending alternatives to current inhumane practices. The Commission will study treatment of animals in connection with the exercise of any religion.

Section 4. The Commission shall be comprised of 11 members, with terms lasting the life of the Commission and vacancies filled by those making the original appointments.

The President Pro Tem of the Senate and Speaker shall each select one representative from (a) animal welfare or humane societies, and one representative from (b) medical schools, zoologists, or wildlife biologists.

The President shall appoint an individual with demonstrated administrative or judicial abilities in addition to three representatives from each (a) and (b).

Members shall each receive level V of the Executive pay schedule in addition to travel expenses for each day they are engaged in Commission duties.

Members who are full-time officers or employees of the United States shall receive no additional pay on account of their service on the Commission.

Six members constitute a quorum though a lesser number may hold hearings, and members shall elect a Chairman and Vice Chairman from among themselves. The Commission shall meet at the call of the chairman or six of the members.

Section 5. The Commission shall appoint a compensated director, and additional personnel may be appointed and paid by the Commission as it deems necessary.

Upon request of the Commission, the head of any Federal agency is authorized to detail any of his/her personnel to assist the Commission.

Section 6. The head of any department or agency shall furnish such information as the Commission deems necessary to carry out its duties.

The Commission may use the mails, and issue subpoenas.

Section 7. Within two years after the last member is appointed, the Commission will transmit a final report to the President and to Congress. The report will contain a detailed statement of findings and conclusions, together with its recommendations.

Section 8. Sixty days after submitting the report, the Commission will cease to exist.

SRI LANKA'S INDEPENDENCE

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. FOLEY. Mr. Speaker, February 4 marks the anniversary of Sri Lanka's independence and is an appropriate time for us to give recognition to the role and achievements of this Nation.

I have had the pleasurable experience of visiting Sri Lanka and have been deeply impressed with the people of Sri Lanka as they build and maintain a society committed to advancing the quality of life at all levels. In this regard, Sri Lanka contends with many of the economic problems facing nations that have been working so diligently for the past several decades to truly secure the inde-

pendence that was won with such great difficulty. As we all know, it is a leading spokesman in this area and has earned widespread respect and recognition for this leadership by international organizations.

I commend the people of Sri Lanka for their dedication, and I know that I speak for many Americans in expressing both my congratulations on this important occasion and my every good wish for future success in making real the ideals that have motivated their history as a nation.

PROPOSED MILEAGE STANDARDS FOR LIGHT TRUCKS ARE UNREASONABLE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. KILDEE. Mr. Speaker, I would like to bring to the attention of my colleagues the proposed rule dealing with mileage standards for light trucks which was issued recently by the National Highway Traffic Safety Administration.

Since the Congress gave a clear direction of the factors to be considered in setting the standards when it passed the Energy Policy and Conservation Act of 1975, we should all be interested in how well our directions have been followed. I am personally convinced that NHTSA gave insufficient attention to these instructions.

The abbreviated version of the Department of Commerce's comments on the proposed rule and my own testimony before NHTSA follow:

U.S. DEPARTMENT OF COMMERCE,
Washington, D.C. Nov. 21, 1977.

Dr. RICHARD L. STROMBOTNE,
Program Director, Office of Automotive Fuel Economy, U.S. Department of Transportation, Washington, D.C.

DEAR DR. STROMBOTNE: We have reviewed the notice of proposed rulemaking for 1980-81 nonpassenger automobile fuel economy standards, and we do not consider the proposed standards to be feasible within the time frame allowed. The proposed 1980 standard for two wheel drive trucks requires a fuel economy improvement of at least 25 percent over the level for 1979 models. Such an improvement does not appear feasible within the nominal 18 months lead time provided. Actually the effective lead time is far less because emissions certification testing starts twelve months or more prior to the beginning of the model year. It is our opinion the only method by which manufacturers can comply with the proposed standards is by withdrawing a large portion of their product lines from the market. The magnitude of reduction in product offerings that would be required to meet the proposed standards would risk major employment and production losses. A more detailed statement of our position is contained in the enclosure.

The enclosure deals only with the feasibility and economic issues of the proposed fuel economy standards. However, safety implications should not be overlooked. The compromises in load-carrying capacity associated with the proposal entail the risk that independent manufacturers of camper bodies or other special body types—or the end user himself—may install equipment that sub-

stantially exceeds the load-carrying capacity of the vehicle.

If you desire further information regarding any of the issues raised in the attachment, please don't hesitate to call upon us. Sincerely,

R. V. COLEMAN,
Bureau of Domestic Commerce.
A. M. MAHER,
Office of Energy Programs.

STATEMENT OF CONGRESSMAN DALE E. KILDEE
NONPASSENGER AUTOMOBILE FUEL ECONOMY
STANDARDS FOR MODEL YEARS 1980-1981—
DOCKET NO. FE-77-05; NOTICE 1

Because I represent the district which would be most affected by the proposed mileage standards for light trucks, I initiated an examination of those standards and their possible impact.

In the way of background, the 7th District assembled 443,000 light trucks in model year 1977. In addition, engines and other components for these vehicles are produced within the district. Obviously, any miscalculation in setting the standards could have significant economic implications.

In setting the standards, the Department of Transportation was to consider the technological feasibility, economic practicability, the effect of other federal standards, and the need of the nation to conserve energy. In examining the proposed standards, I also attempted to take each of these factors into account.

Despite this similarity of approach, I am convinced that the standards are unrealistic. For the sake of convenience, I will deal primarily with the standards proposed for domestically produced two wheel drive light trucks, although similar problems are posed by the standards for four wheel drive vehicles. They mandate an improvement in fleet mileage from 17.2 m.p.g. in model year 1979 to 19.2 m.p.g. in model year 1980. This 2 m.p.g. increase matches the largest mandated increase for any one year for passenger automobiles. In addition, the 19.2 m.p.g. figure is actually higher than the 1979 standard for passenger automobiles. The means by which the passenger car standards were met is readily visible to us all. We can all see the downsizing which has been a major factor in the weight reductions which account for 50% of the improvement. Obviously trucks would not have the same cargo capacity if they were downsized in the same fashion.

The measure necessary to attain the 2 m.p.g. increase for 1980 are complicated by the fact that 1979 standards apply only to vehicles up to 6,000 pounds gross vehicle weight while the fleet average for 1980 incorporates a new class of vehicles, those trucks from 6,000 to 8,500 pounds gross vehicle weight. The standards, therefore, would not only mandate a substantial improvement in efficiency but require that a class of vehicles which consume more fuel be included in the determination of fleet standards. The Department of Commerce estimates that the proposed standards would require a mileage increase of more than 25 percent within the one model year from 1979 to 1980. The automakers place the figure closer to 30 or 35 percent. It represents an actual increase of between 4 and 5 miles per gallon.

In examining the first of the criteria which was to be considered in setting the standards, that of technological feasibility, I questioned each of the major manufacturers about each of the technical changes which was suggested by DOT. I am convinced that none of the manufacturers is physically capable of meeting the proposed standards by the 1980 model year.

A number of the suggestions would require major engineering changes. Those who have written the rule are apparently not

aware of the lead time required in making engineering changes. I might point out that the design and production plans for 1980 are already completed. The effective lead time for the 1980 model year is in actuality only a maximum of six to eight months because production models for the 1980 model year must be ready for emissions testing in September of this year. That would preclude the major engineering changes proposed by DOT. The third of the criteria which DOT was supposed to have considered was the effect of other federal motor vehicle standards on fuel economy. It appears that the impact of these standards on engineering lead time was overlooked.

The problem in terms of the resources of the manufacturers is further complicated by the fact that the technology is heavily front loaded. Even to reach the standards by the 1982 model year, which is the first year that totally new engines or trucks could be on line, manufacturer resources would be severely strained. DOT has, however, assumed that all of the available technology, and even some technology which is still in the experimental stage, can be on line by the 1980 and 1981 model years.

If the technical changes cannot be made by the 1980 model year, the automakers have little choice but to severely curtail production of certain models and to produce only limited numbers of trucks powered with small engines if they hope to meet the proposed standards.

One of the things which was to be considered in setting the standards was the economic practicability. It is in this area that I feel that DOT's analysis is weakest. There was a clear congressional direction in the report accompanying the Energy Policy and Conservation Act of 1975 which stated that the Department should consider "the possible implications for the national economy". Despite this admonition, DOT concentrated almost exclusively on the question of whether sufficient internal capital exists within the automobile industry to finance the changes in technology required.

I might point out that even this calculation of \$266 million for the entire industry seems to be grossly underestimated. The Department of Commerce commented: "NHTSA's estimate of capital requirements is substantially understated. . . ." In conversations with representatives of the companies, each pointed out that the estimate for the total industry will be exceeded by a factor of three or four by his/her company alone.

That miscalculation is relatively minor, however, when a very serious omission is considered. The Department almost totally ignored the market impact of the proposed standards. There are no actuarial projections in terms of sales. The rulemaking support paper contained exactly eight sentences dealing with this subject.

These sentences contain no data and can be summarized in the statement: "We do not know for sure, but we think that it will have no major impact." With literally hundreds of thousands of jobs affected by the sale of domestically produced light trucks, I certainly consider the cursory examination of this factor to be inadequate.

In point of fact, the assumption made by DOT without supporting evidence would seem to be inaccurate. In its comments on the proposed regulations, the Department of Commerce stated: "It is our opinion the only method by which manufacturers can comply with the proposed standards is by withdrawing a large portion of their product lines from the market. The magnitude of reduction in product offerings that would be required to meet the proposed standards would risk major employment and production losses."

The figures presented by the automobile industry are chilling to say the least. In order to meet the proposed standards, major product lines would have to be discontinued. You have already heard testimony that up to 95 percent of Chrysler's domestic production would have to be eliminated. You have heard that Ford would have to reduce production by 360,000 vehicles. Such reductions could not help but have a major impact on employment and the national economy.

Even if the light trucks could be produced two additional factors will affect sales, the reduction in performance capacity and the additional cost.

The standards leave no option but to produce trucks with reduced acceleration and restricted load capacities. It is my feeling that the reduced performance capacity will have an impact on sales.

Let me illustrate with an individual example. If I am a farmer with a less fuel efficient 1976 or 1977 truck which still operates fairly well but am considering buying a 1980 truck, what will happen? I go into my truck dealer and discover what the performance capabilities of the new trucks will not meet my needs. What will my decision be? I will most likely decide to keep the older model which is less efficient in fuel consumption for a few more years. Now multiply that individual decision a few thousand times. What will be the ultimate impact on fuel consumption and employment?

The reduced performance capacity will be paired with a market increase in cost. This increase may be far higher than DOT's estimate of \$141. First, the auto manufacturer may be passing on the civil penalties which have been incurred. If the automakers fall the full 2-3 miles per gallon below the standards which they currently estimate, the civil penalties will be between \$100 and \$150. The actual figures for some of the technical changes could be closer to \$400-500. If a price increase of that magnitude were to occur, it would undoubtedly have an impact on sales.

DOT has argued that because of the fuel savings which would accrue over the life of the vehicle, there would be no inhibition on sales. I would like to point out that the Administration has made a directly opposite assumption in its proposal for a crude oil equalization tax. They point out that despite the fact that the tax would eventually be rebated to the consumer, the increased cost would have a deterrent effect on the original purchase. I feel that the same analogy would be true in the case of sales of light trucks.

After the oil embargo, my district encountered severe economic problems. I still remember the headline in *The Flint Journal* which said: "Area Jobless Rate Drops to 15 Percent". (It had been 19.6 percent in the previous reporting period). Due to the downturn in truck production there were 2925 people directly laid off in my district. Many others were affected too, though. Retail sales plummeted. General Motors estimates that for every reduction in truck sales of 100,000 units 13,700 jobs are lost in direct truck manufacturing and another 20,500 jobs are lost in supplier industries. I have seen no accurate estimate of the indirect loss of jobs in small businesses because of the increase in unemployment.

The one criterion that DOT did deal with in a reasonable manner was the need of the nation to conserve energy. They pointed out that if the proposed standards were enacted, 60,000 barrels of oil a day would be saved or considerably less than 1 percent of our domestic consumption. They based that figure on the assumption that the fleet economy standards would remain where they will be for model year 1979. I would like to point out that even if the standards remained the same and the trucks in the 6,000-8,500 pound GVWR class were added

that the 60,000 barrel figure could be reduced substantially.

I feel, however, that even if the figure should be greater than 60,000 barrels that we should take cognizance of other economic and social impacts. I recognize the need to conserve energy and to increase mileage, but I do not think we achieve our purpose if we precipitate an economic crisis.

One thing that I have noted since being here in Washington is that we deal with very large numbers. Because of their very magnitude, those numbers insulate us from the realities that they represent. The size of the numbers enables us to overlook the impact that our decisions have on individual lives.

We are often able to relate to the personal tragedy of one individual or one family if they should be so fortunate as to receive media coverage, but we do not have the capacity of multiplying that tragedy by thousands.

If nothing else, I would hope that I shall be able to convince you to consider the very real human consequences of your action. I would be willing to accompany you to Flint, Michigan, so that you can actually talk to some people in an unemployment line, to people who were laid off only a couple of years ago, and to people whose businesses were hurt because so many people were unemployed.

The Congress mandated that economic implications be considered when the standards are issued. The Department of Commerce has estimated that the proposed standards could have a severe deleterious effect. The Department of Transportation has estimated that the economic impact will be minimal. Given the serious disagreement between the two executive departments, I would hope that you would seriously reassess the proposed standards.

If your proposed standards should go into effect, I would hope for the sake of thousands of people that your assessment of the impact of the proposed standards is correct, and mine is wrong.

TRIBUTE TO PRESIDENT
EISENHOWER

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1978

Mr. WALSH. Mr. Speaker, "Leader," that single word, better than any other, describes Dwight David Eisenhower, Commander of Allied Forces in World War II, President of Columbia University, and for two terms President of the United States of America.

I am proud to join with my colleagues as we mark the 25th anniversary of his inauguration as our President, and prouder still that the memory of this great American has been perpetuated in the college that bears his name in Seneca Falls, part of the 33d Congressional District of New York.

Dwight David Eisenhower became an outstanding military figure, a distinguished educator, and a popular President because of his belief in himself, in the people of his country and in the principles on which this Nation was formed and on which it thrives.

Few Americans have given us so much. And generations to follow will join those of us praising Dwight David Eisenhower today in recognition of his greatness.

SEABORNE DRUG INTERDICTING
JURISDICTION FOR THE U.S.
COAST GUARD

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. GILMAN. Mr. Speaker, under the leadership of the distinguished gentleman from New York (Mr. WOLFF), the Select Committee on Narcotics Abuse and Control, of which I am a member, recently held hearings at the U.S. Mission to the United Nations in New York in international narcotics control, the compliance and regulatory aspects of drug abuse, and the status of the Nation's efforts to interdict narcotics at the border with Mexico.

With regard to the U.S. Coast Guard's efforts to interdict illicit drugs on the high seas, its authority is broadly governed by title 14, section 2, of the United States Code, authorizing the Coast Guard to "enforce or assist in the enforcement of all applicable Federal laws on and under the high seas and waters subject to the jurisdiction of the United States." Section 89 of that same title permits the Coast Guard to make "inquiries, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction for the prevention, detection, and suppression of violations" of Federal laws. However, this broad authority (and certain drug-related statutes) does not prohibit a U.S. citizen from possessing heroin, cocaine, marihuana, and other federally controlled drugs while on board a U.S. or foreign vessel on the high seas.

During the select committee's hearings in New York on international narcotics control, Rear Adm. Norman C. Venzke, Chief of the Office of Operations and director of the enforcement of laws and treaties program of the U.S. Coast Guard, stated:

The general revision of drug laws which produced the Comprehensive Drug Abuse and Control Act of 1970 omitted the provision making the possession of quantities of drugs by United States vessels on the high seas a Federal crime. Consequently, Coast Guard drug law enforcement action against U.S. vessels at sea beyond the 12-mile customs zone now requires the proof of conspiracy to import before law enforcement action can properly be undertaken.

Mr. Speaker, in an effort to help remove this law enforcement loophole from the Coast Guard's seaborne drug interdicting operations, I am today introducing legislation that would prohibit any person on board a U.S. vessel on the high seas and any U.S. citizen on board a foreign vessel on the high seas from possessing with the intent to distribute or dispense heroin, cocaine, marihuana, or any other federally controlled substance unless such substance is officially part of the cargo or part of the supplies of the vessel. This measure would also prohibit an individual from intentionally possessing a federally controlled drug unless such drug was legally obtained from a

physician or pursuant to a valid prescription.

Violation of this measure would subject the convicted violator to an imprisonment of not more than 15 years and a fine of not more than \$25,000, or both. A subsequent conviction would subject the violator to imprisonment of not more than 30 years, a fine of not more than \$50,000, or both—penalties that are stipulated by the Comprehensive Drug Abuse Prevention and Control Act of 1970.

One major drug smuggling technique used by organized crime and independent narcotics traffickers is the "mother ship" technique popularized during the 1920's and the early 1930's by prohibition rum runners, whereby the "mother ship" remains outside the U.S. customs inspection waters and unloads the contraband cargo to a small, inconspicuous vessel that then mingles among the tens of thousands recreational boats in U.S. waters. The smaller "narcotics running" craft eventually unloads its illicit cargo onto the countless isolated coves scattered throughout this Nation's coastline. From there, these deadly drugs are scattered by organized crime's intricate operational networks to virtually every city, town, and school district in this country, injecting our citizens with its horrendous misery and destruction.

In the interest of assisting the Coast Guard in plugging its drug law enforcement loophole, I am inserting the complete text of my measure at this point in the RECORD and welcome the support of all my colleagues on this legislation that would help disrupt organized crime's efforts to pollute this Nation's shores with illicit drugs.

A bill to facilitate the enforcement by the Coast Guard of laws relating to the importation of heroin, cocaine, marihuana, and other controlled substances, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that—

(1) the Coast Guard has the authority to enforce the laws of the United States on the high seas and waters over which the United States has jurisdiction; and

(2) the ability of the Coast Guard to enforce the laws of the United States with respect to the importation of controlled substances into the United States would be greatly enhanced by a prohibition against the possession of these substances on the high seas by United States citizens and on vessels of the United States.

SEC. 2. (a) It shall be unlawful for any person on board a vessel of the United States on the high seas, and for any citizen of the United States on board a foreign vessel on the high seas, knowingly or intentionally to possess with intent to distribute or dispense, heroin, cocaine, marihuana, or any other controlled substance, unless such substance is part of the cargo entered in the manifest or part of the official supplies of the vessel.

(b) Any person who violates subsection (a) of this section with respect to any controlled substance shall be sentenced in the same manner as a person would be sentenced for possession with intent to distribute or dispense such substance under subsections (b) and (c) of section 401 of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

SEC. 3. (a) It shall be unlawful for any person on board a vessel of the United States on the high seas, and for any citizen of the United States on board a foreign vessel on the high seas, knowingly or intentionally to possess heroin, cocaine, marihuana, or any other controlled substance, unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by title II or title III of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

(b) Any person who violates subsection (a) of this section with respect to any controlled substance shall be sentenced in the same manner as a person would be sentenced for possession of such substance under section 404 of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

SEC. 4. As used in this Act—

(1) The term "high seas" means all waters beyond the territorial seas of the United States and beyond any foreign nation's territorial sea, to the extent that such sea is recognized by the United States.

(2) The term "vessel of the United States" means any vessel documented under the laws of the United States or registered under the laws of any State.

(3) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and any other Commonwealth, territory, or possession of the United States.

(4) The term "vessel" includes every description of watercraft used or capable of being used as a means of transportation on the water.

(5) The term "foreign vessel" includes (A) vessels flying the flag of a nation other than the United States, (B) vessels without nationality, and (C) vessels which may be assimilated to vessels without nationality by sailing under two or more flags, using them according to convenience.

(6) The term "controlled substance" has the same meaning as such term has in section 102(6) of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

NATIONAL SECURITY BY UNILATERAL RESTRAINT

Hon. John E. "Jack" Cunningham

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. CUNNINGHAM. Mr. Speaker, the January 16, 1978, issue of Soviet Aerospace presents a very incisive analysis of this administration's National Security Policy, one which should be given careful consideration by every Member.

The material follows:

NATIONAL SECURITY BY UNILATERAL RESTRAINT

STRATEGIC THREAT BEING DEEMPHASIZED

An analysis

Several months ago, during the confirmation hearings for Paul Warnke, President Carter's choice as chief U.S. SALT negotiator and director of the U.S. Arms Control and Disarmament Agency, those opposed to that appointment warned that Warnke was an advocate of unilateral restraint, if not disarmament, and his policies, if followed out, could seriously threaten the future security of the United States.

In the months since the Warnke opposition was overridden in the Senate by a less than healthy margin, the Carter Administra-

tion has steadfastly demonstrated its adherence to the philosophy of unilateral restraint, practicing it to the unmistakable level of selective disarmament and fulfilling the prophecy of those who have opposed it and warned of its threat to the nation's security.

The Administration, during its first year in office, has demonstrated to the Soviet Union that it is willing to concede, not once, but several times on major crucial issues. The Soviets have watched the Carter leadership completely reverse itself in its determination to limit the continued momentum and very ominous threat of the Soviet military machine to this nation's leadership and the rest of the world.

Moscow has stood resolute and let the United States give away, bargain away or seriously delay vital segments of its presently only durable bargaining chip—the technological advantage.

The American executive leadership has also determined that retaining that technological leadership may at times be too expensive or a threat to the strategic "stability" between it and the Soviet Union.

The Soviet Union worried about the B-1 bomber. To counter it and its predecessors, the Soviets have poured untold billions of rubles into an air defense system of unprecedented proportions. At the very least, Moscow might have been willing to have bargained some of its awesome strategic power for a limitation on the B-1.

Instead, the Carter Administration gave it away. Warnke, naively, commented later that now, maybe, the Soviets would reciprocate and stop one of its new weapons, just as President Brezhnev had been promising for several years.

The Soviets have reciprocated by intensifying their opposition to any restrictions on their strategic missile edge, and specifically demanding and getting their demand that the Backfire bomber be left out of the strategic arsenal with no limitations on its rate of production.

In defense of its posture in the SALT negotiations, the Administration argues that its efforts will put a limit on the Soviet Union's arsenal—the Soviet first-strike weapons, the MIRV warheads and the continued growth of that threat.

SALT II WILL NOT LIMIT SOVIET EDGE

The SALT II agreement that the Administration would approve would do none of that. Built into that agreement is a Soviet capability to broaden its threat to the United States and the world.

Once the United States was content to limit the total number of Soviet ICBMs, and, in SALT I, it was first believed that the Soviets would be restrained in expanding the first-strike capability of their ICBMs by limiting the number of the SS-9 Scarp ICBMs.

Since the signing of that treaty, the Soviets have replaced the SS-9 with the SS-18. The Administration, in SALT II, believes it is at least continuing the first-strike limitation imposed by SALT I by finally conceding to the Soviet demands that 308 of those missiles be allowed.

Beyond the fact that the SS-18 is many times beyond the threat that had been posed by the SS-9 (with 30% more throw weight and eight times more warheads), the Soviet Union violated the SALT I agreement with the development and deployment of the SS-19 ICBM as a replacement of the lightweight SS-11. The SS-19 is even more threatening than the SS-9 to the survivability of the U.S. land-based missile force.

The SALT II agreement would effectively increase the threat to the U.S. Minuteman ICBMs, from the 308 weapons under SALT I, to the 800 or more MIRVed SS-18 and SS-19s allowed under the new agreement.

BALANCING SURVIVAL WITH COSTS

Defense Secretary Harold Brown recently said there is nothing that can be done to prevent the U.S. Minuteman force from being vulnerable to a Soviet first-strike capability in the early-to-mid-1980's. He added that the survivability of the Minuteman force "is not exactly the same as the survival of the United States."

The Administration is conceding that the Soviet Union cannot now be stopped in its drive to develop and deploy a first-strike counterforce capability with its ICBM forces, and that the best thing to do is to accept the inevitability in the SALT II agreement and go on for a SALT III, eight years from now, that perhaps can correct the situation.

Shortly after Secretary Brown took office, one of his first actions was to remove from a full-scale development status the one system that so far shows the only promise of shortening the amount of time that the U.S. land-based missile forces will be exposed to vulnerability, the MX mobile ICBM.

Brown, the researcher, the scientist, and the methodical and meticulous engineer, wanted the basing mode to progress more in parallel with the missile technology before he approved its development as a weapon. The decision exposed the Minuteman forces to the SS-18's and SS-19's for an additional year.

Last month, Brown felt he was ready to ask President Carter, also a meticulous engineer, for the full-scale development of the MX, although Brown confessed he still was not fully satisfied with the basing mode. His position was challenged by a 37-year-old meticulous budget cutter with an argument that swayed Carter to hold off still longer on the attainment of the weapon. It has since been argued that later in the year, if the uncertainties have been answered, the Administration can ask Congress for a supplemental and move out with the MX.

All of this has cost the MX program still another year—another year of exposure for the Minuteman ICBM force, another year with the U.S. Triad reduced to a Duad. We remember that Brown said that the survivability of the Minuteman force "is not exactly the same as the survival of the United States."

We cannot fully agree. One of the major arguments against the MX within the Administration, from the National Security Council to the Office of Management and Budget, is that the go-ahead for the MX, with its counter-counterforce capabilities, would be destabilizing to the strategic balance—i.e., it is all right for the Soviet Union to have that capability, or threat to the United States, but not for the United States to possess it against the Soviet Union.

Therefore, a policy that would argue that the survivability of the Minuteman force is not as important as not doing something to make the Soviet Union more edgy because its actions are being counteracted, is, indeed, exactly the same as a threat to the survival of the United States.

It is a policy that would stingily let the preoccupation with debates over how much we should pay to insure the security of the United States depress the national defense budget down to a level where economists say it will have a difficult time overcoming inflation. Further, Congress can be expected to make additional reductions. This, at a time when the Soviet defense budget far outstrips that of the United States and continues to show a high, marked increase each year.

BROWN VERSUS POLITICAL REALITIES

Brown, the mathematician, sees and understands these diverging lines in defense spending and privately expresses concern for the eventual outcome of the trend of those curves.

But, also the shy but forceful administrator of the nation's defense establishment respects the role the President plays in the final decision, willing to concede his position to the President's wishes. Brown says one must know how to deal with political realities.

Never has the United States needed the strongest defense executive. They refer to Brown as the "nimble juggler," a "shy," "stingy big spender," that "avoids doomsday rhetoric." No one says he is not strong. And, no one is suggesting that he fall on his sword, as James Schlesinger did when trying to convince President Ford to undertake a greater effort to close the gap between the Soviet and U.S. defense efforts.

Undoubtedly the strongest defense advocate in the Carter Administration, Brown has also demonstrated in the past that he is a strong arms control advocate as well. This, perhaps, provides a more calming and relatively objective approach to his arguments for more aggressive national security actions, but it apparently is not effective enough to overcome the saturation of unilateral restraint philosophy that permeates the Administration's national security hierarchy.

It is this view which is the foundation of the studies, such as the Presidential Review Memorandum 10, which forms the basis of a new defense strategy that will be a part of the first Carter Administration defense budget. It is a budget that demonstrates dramatically the principle of unilateral restraint and the deemphasis of the strategic threat and the concern for United States strategic inferiority in the 1980's. The policy makes withdrawals from the strategic arsenal in order to finance the long neglected inferiority of U.S.-NATO conventional forces.

It takes a position which may surely and inevitably allow the Soviet Union to achieve the strategic superiority it is seeking.

It raises the issue of whether the United States will continue to be willing to pay the price that the Soviet military machine, both strategic and conventional, is demanding.

PHILADELPHIA CELEBRATES CATHOLIC SCHOOLS WEEK

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. EILBERG. Mr. Speaker, this week the Archdiocese of Philadelphia marks Catholic Schools Week, a proud celebration of the many outstanding achievements of the Catholic school system in our city.

Throughout the week, Archdiocesan high schools and parish elementary schools will hold open houses, providing visitors with an opportunity to see this fine school system at work.

For many years, Mr. Speaker, Philadelphia has been known as the home of the Catholic school system. Archdiocesan officials consistently have exhibited leadership among their colleagues on the national level in demonstrating the strength and vitality of Catholic schools.

As the observance of Catholic Schools Week unfolds, officials can point with pride to the fact that more than 174,000 students attend 30 high schools and 266 parish elementary schools—making this system second to only Philadelphia's public school district as the largest school system in the Commonwealth of Pennsylvania.

This system operates, it should be pointed out, at a savings to the State's taxpayers of more than \$300 million a year.

I offer for the RECORD the following January 25, 1978 Northeast Times account of Catholic Schools Week. I commend this report to the attention of my colleagues, because it describes the impressive accomplishments of the Archdiocese school system, and the many services it makes available to meet the wide needs of its students:

CATHOLIC SCHOOLS WEEK OBSERVANCE BEGINS SUNDAY

Did you know that with the exception of the Public School District of Philadelphia, the Archdiocese of Philadelphia educates more children than any other school district in the state? More than 174,000 students attend 30 Archdiocesan high schools and 266 parish elementary schools, at a savings of over \$300 million annually for Pennsylvania taxpayers.

Or how about the fact that for the past six years these students, who are educated at approximately one-third the cost of public education, scored significantly above the national average on standardized tests in English, mathematics and reading?

And that more than half of the Archdiocesan high school students who graduated last June enrolled in college, receiving over \$7.5 million in scholarships and grants?

The list of achievements by students in the Archdiocese of Philadelphia keeps on growing and that's just the point—in Catholic schools, "Everyone Grows."

"Catholic Schools Week" begins Sunday, Jan. 29. During the following seven days, Archdiocesan high schools and parish elementary schools in your area will hold open house and will provide visitors with information on what the children are learning throughout the year.

And the children are learning, not just the basics for which parochial schools are noted, but a variety of supplementary subjects such as how to use calculators, or plan for marriage or take part in a career awareness program.

For students with special needs, the Archdiocese of Philadelphia has one of the most forward looking educational programs in the country. In 1967, the Archdiocese opened an elementary school specifically designed for very intelligent inner-city youngsters, children who often drop out of school despite their mental abilities. Now in its tenth year, Our Lady of Mercy Interparochial School reports that while all of its graduates completed high school and over 80% went on to college, a study has shown that more than 30% of children with similar backgrounds and abilities who enrolled in other schools failed even to finish high school.

To help Hispanic children with linguistic handicaps, the Archdiocese started a bilingual Carino Center in 1972. Students attend school there for at least a year to learn correct English usage while studying their other subjects in Spanish, thereby making it much easier for them to keep up with all their school work while learning English.

For blind, deaf and mentally handicapped children, the Archdiocese of Philadelphia also operates schools using the most sophisticated equipment and highly qualified special education teachers. St. Lucy's School for the Blind, the Archbishop Ryan Institute for the Deaf, and St. Katherine's and Our Lady of Confidence Day Schools are open to Catholic and non-Catholic students alike, tuition free. Financial assistance is supplied through the Catholic Charities Appeal.

"Catholic Schools: Everyone Grows" is the motto for "Catholic Schools Week," 1978. Visit a nearby parish elementary or Arch-

diocesan high school this coming week and witness this growth in action.

CHAPPIE JAMES: THE EPITOME OF THE AMERICAN DREAM

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. KEMP. Mr. Speaker, it is appropriate that we in the Congress pay honor to an outstanding hero, military leader and, in every sense of the term, a rare and truly great American.

I refer to Gen. Daniel "Chappie" James, Jr., who retired from active military duty last week after 34 years of service to his beloved country.

To the American public, Chappie is widely known as the first black man to earn four stars in the Air Force and to achieve that full general status in the U.S. Military and Establishment. Beyond this signal and much deserved achievement, he is an inspiration in our time and to future generations. And I am extremely proud to call him a friend.

In terms of material riches, he grew up poor on an unpaved, unlit street in Pensacola, Fla., where, as a boy, he glimpsed the blue and white Navy aircraft wheeling in the sky and he dreamed of the future when he might be at the controls of a plane soaring through the clouds.

In terms of family environment and love and guidance from his mother and father, he was immensely rich.

When his mother perceived that Chappie and her other children were not receiving quality education at the segregated "colored" school, she started her own school for them, then other neighborhood children. Like Chappie, his mother, Lillie, was an outstanding and courageous leader.

Chappie's father, who worked in the local gas plant, was a task master, instilling a discipline that Chappie, himself, would find invaluable in dealing with his troops in both war and peace.

To this day, Gen. Chappie James echoes to young black people his mother's admonition, to "be prepared with your bags of knowledge, your patriotism and your honor."

"When somebody opens the door of opportunity," he challenges, "you charge in."

And the most important lesson, Chappie learned from his mother, was to live life by the 11th commandment: "thou shalt not quit."

Chappie never did quit. Not in the face of racism when he was a young Army Air Corps shavetail. Not in the face of flak or Migs in Korea where he flew 101 combat missions in a fighter-bomber squadron. Not as he worked to keep pilots and crews at operational readiness between conflicts. Nor during his combat tour in Vietnam when he flew 78 combat missions.

During that conflict, it was Chappie James who led a flight in which seven Communist Mig 21's were destroyed, the

highest total kill of any mission during the Vietnam war.

His military decorations and awards include the Department of Defense Distinguished Service Medal (the highest noncombat award which can be presented to a member of the Armed Forces), the Air Force Distinguished Service Medal with 1 oak leaf cluster, Legion of Merit with 1 oak leaf cluster, Distinguished Flying Cross with 2 oak leaf clusters, Meritorious Service Medal, Air Medal with 13 oak leaf clusters, Distinguished Unit Citation Emblem with 1 oak leaf cluster, Presidential Unit Citation Emblem with 3 oak leaf clusters, Air Force Outstanding Unit Award Ribbon with 3 oak leaf clusters, and the Republic of Korea Presidential Unit Citation Ribbon.

Some of General James' many civilian honors include the Phoenix Urban League Man of the Year Award, 1970; Builders of a Greater Arizona Award, 1969; distinguished service achievement award from Kappa Alpha Psi Fraternity, 1970; American Legion National Commander's Public Relations Award, 1971, and the Veterans of Foreign Wars Commander in Chief's Gold Medal Award and Citation, 1971. He has been awarded honorary doctor of laws degrees from the University of West Florida, 1971; the University of Akron, 1973; Virginia State College, 1974; and Delaware State College, 1975; and was named Honorary National Commander, Arnold Air Society, 1971.

In successive years, 1967 and 1968, he was awarded the prestigious George Washington Freedom Foundation Medal. And it was in 1970 that Chappie was honored with the Arnold Air Society Eugene M. Zuckert Award for outstanding contributions to Air Force professionalism. In part, that citation read "the fighter pilot with a magnificent record, public speaker and eloquent spokesman for the American dream we so rarely achieve."

Mr. Speaker, Gen. Chappie James is not just an eloquent spokesman of the American dream. He epitomizes it. He is a beacon for emulation now and for generations yet to come.

Upon the occasion of his retirement, we thank him for his devotion and numerous contributions to our country, for his steadfast courage and his heroic deeds.

Chappie, we wish you and your dear family Godspeed.

TRIBUTE TO FATHER FELIX

HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to share with my colleagues the outstanding work of an ex-magician turned reverend, Father Felix. This man has brought to his new calling a little bit of that magic from his old profession. Father Felix is believed to be able to

move mountains by many of his neighbors in the city of Philadelphia.

Father Felix returned to his native Philadelphia after years of work among the poor in California and Mexico. Prior to this work, Father Felix served as president of the Bucks County Association for Retarded Citizens, unselfishly serving the persons who depended on this organization for care and encouragement.

His church at 2055 E. Dauphin Street in Philadelphia is more of a community center for neighbors in the Kensington area than it is a church. Inside Father Felix has ping-pong tables, arts and craft materials and other things to keep the children of the neighborhood busy. Father Felix has also made available to the needy of the neighborhood a clothing and furniture exchange in his church.

However, these activities represent only a small portion of the father's commitment to the people of the city of Philadelphia and the people of Pennsylvania.

Susan Clardy, 12 years of age, is a neighbor of Father Felix. She is a victim of retinitis pigmentosa, a hereditary disease which is destined to eat away the retina of her eyes until she is completely blind. Father Felix learned from Susan that she would like to meet the President and see Washington before she went completely blind. The good father energetically went about making this dream a reality. He arranged for George Pins to donate his Presidential train to Susie's family and friends for the trip. A special tour of the White House was also arranged through Father Felix's hard work, although Susan did not see the President. Through the father's tireless efforts, Susan Clardy was given a day she can cherish in what will be a sightless life.

Father Felix's compassion does not stop at the county line. When he learned of the tragic flooding that took place in Johnstown he organized a drive in the Lower Kensington area of Philadelphia for clothing, food, cleaning, and paper supplies for the victims of the flood. He made three trips to the flood ravaged area to help the victims clean up, regroup, and start a new beginning.

Father Felix cares about people. He has always found the time to help his neighbors or indeed anyone in need. Because of this, many citizens of the world are better for it.

A WORD PORTRAIT OF THE FRATERNAL ORDER OF EAGLES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I would hope that every Member in the House would join with me in saluting the Fraternal Order of Eagles on its 80th birthday, celebrated on Monday, February 6, 1978.

This milestone represents eight decades

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of Eagle fellowship, fraternal spirit, and good works dedicated to the communities in which the more than 825,000 Eagles live.

The civic activities of the Eagles are built around their credo, "To make human life more desirable by lessening its ills and promoting peace, prosperity, gladness, and hope," announced by their first President, John Cort, in 1898.

The Eagles number among their more celebrated brothers President Jimmy Carter and Vice President WALTER MONDALE and former Presidents John F. Kennedy, Harry Truman and Franklin Delano Roosevelt, J. Edgar Hoover, Earl Warren, Father Flanagan of Boys Town, and my late, beloved friend and mentor, David L. Lawrence, former mayor of Pittsburgh and Governor of Pennsylvania, were Eagles.

One of the hardest working Eagles is a close and good friend of mine, Maurice Splain, Jr., of Pittsburgh, Eagle membership director.

In commemoration of the Eagle's 80th anniversary, I would like to include in the RECORD at this time a word portrait of the Eagles, prepared by Maury's son, Dan Splain.

In doing so, let me reiterate my best wishes to all Eagles and affirm my continued support for their good works.

A WORD PORTRAIT OF THE FRATERNAL ORDER OF EAGLES

(By Dan Splain)

Nine days before the explosion of the battleship Maine in Havana Harbor touched off the Spanish-American War, six lonely vaudeville troupers strolled to Moran's Shipyard on the tideflats of Seattle to form the Order of Good Things on February 6, 1898. The purpose of the organization, as its first President, John Cort later related was "to make human life more desirable by lessening its ills and promote peace, prosperity, gladness, and hope."

In February, 1978, in a new wonder age of atoms, missiles and moon walks, the far flung Organization that sprouted from the Seattle seedling—the Fraternal Order of Eagles—celebrates today the 80th anniversary of its founding, changelessly devoted to the same ideals proclaimed by its founders. Today, the Order embraces over 1700 Aeries in the Continental United States, Alaska, Hawaii, the Philippines, the Dominion of Canada, the Republic of Mexico, and England.

Possibly not in their fondest predictions did the pioneers of the Fraternity envision such tremendous growth. But the universal hunger for friendship and brotherhood struck a responsive chord as the theatrical men played in other cities throughout the nation. New Aeries were formed rapidly in the Pacific Northwest. Cort was elected the first Grand Worthy President of the Order.

The Order was, and remains to this day, the Fraternity of the Common Man. From mill, mine, and factory mainly, from the professions, and from public life, from America's melting pot, the Eagles derived their strength, a typical cross-section of the Nation. Several years ago, Collier's Magazine, in preparing an article about the Eagles sent their writer to the local Aerie in Cedar Rapids, Iowa. He asked a spokesman to define the Eagles. He struck this response: "You want to know who the Eagles are—I'll tell you. We're the crowd everybody gets lost in."

However, not all Eagles are "lost in the crowd." Six Presidents of the United States have been Eagles: Theodore Roosevelt, Warren G. Harding, Franklin Delano Roosevelt,

Harry Truman, John F. Kennedy, and the incumbent President Jimmy Carter and Vice President Walter Mondale, Former Chief Justice of the Supreme Court, Earl Warren is a brother Eagle. Monsignor Flanagan of Boys Town was a Past President of the Omaha Aerie of the Eagles. So was Father Elwood Cassedy, founder of Home on the Range for Boys; as is his successor, Father William Fahnländer. Former Governor Lawrence of Pennsylvania helped found the Pennsylvania State Aerie in 1912, along with Congressman John Morin, who himself served the Order as Grand Worthy President. World War II and Korean air ace, Francis Gabreski (Col. Ret. USAF) is a life member of Oil City Aerie No. 283. J. Edgar Hoover, the late FBI Chief, was a brother, too. The list is infinite. Eagles are people, famous and obscure, mighty and humble, great and small.

Among those who have stood out from the crowd are the career Eagles themselves. There was Con Mann, the hearty Dutchman from Milwaukee, who piloted the Fraternity to a position of national prominence in the early part of this century. Then there was Frank Hering, silver haired orator from Notre Dame University, who made the first known plea for the observance of Mother's Day, and later served the Eagle Magazine as its editor for many years. Among contemporary leaders are Wisconsin Supreme Court Justice Robert W. Hansen, who served the Order twice as its International President; Anthony Angelo, present International President, who travels the crossroads of the Nation garnering support for Eagle Programs, and Maurice Splain, Jr., Grand Aerie Membership Department leader who cares for the membership growth of the Fighting Fraternity.

In the three decades from 1910 to 1940, the burgeoning Order acquired a new title, "the Fighting Fraternity." In those years, the Eagles were in the vanguard of social legislative progress, moving courageously, fighting for changes to insure a more secure life for the people of America. In 1911, in Missouri, led by an Eagle Jurist, Edward Everett Porterfield, the Order sponsored the first Mothers' Pension Act. A year later, in Wisconsin, Eagles rallied 'round a young Eagle and labor lawyer, Daniel Webster Hoan, later Mayor of Milwaukee, to enact the first Women's Compensation Act. A few years later, the Eagles began to demand elimination of a national scourge—the poorhouse. The Rubicon was crossed in 1923 when the Montana legislature passed the first Old Age Pension Law of the nation, sponsored by prominent Eagle legislator, Lester Loble, who later became the Order's Grand Worthy President. The Order successfully campaigned for similar laws in the majority of the states. On the national front, the Eagles launched an historic campaign for a national Social Security Act, and spent more than a million dollars for printed materials to publicize and popularize the measure. In signing the Act, President Roosevelt invited an Eagle delegation to the White House and presented them with one of three pens used to sign the Act into law. In so doing, Roosevelt stated, "The pen I am presenting to the Order, one used to sign the Social Security Act, is a symbol of my approval of the Fraternity's vision and courage."

High in the achievements of the Order is the national Mother's Day observance. Back in 1904, in February, Frank Hering, a Notre Dame professor and football coach, gave the first public plea for a Mother's Day observance at an Indianapolis Aerie meeting. Inspired by Hering's address, Eagle Aeries began sponsoring Mother's Day programs annually long before Congress set aside the second Sunday in May as a day reserved for the yearly tribute.

The Eagle story reserves a prominent chapter for the youth of America. With youth programs, junior sports, teen-age dances, youth centers sponsored by hundreds of Aeries, the building of the citizens of tomor-

row is an ever paramount project of the Order. The crowning effort in this field came in April, 1941, when the Fraternity dedicated the Eagle Dormitory at Father Flanagan's Boys Town in Nebraska.

Then World War II arrived, the Eagles conceived their famed Memorial Foundation, a trust fund created by donations of Aeries and their Auxiliaries, to provide physical welfare services and college education for the children of the Eagle war dead. This foundation was later expanded to include survivors of Korean and Vietnam War dead, and Eagle police and firemen killed in the line of duty.

While significant national campaigns have always characterized Eagle activity, the "grass roots" strength lies in the local Aeries and Auxiliaries. Their civic and benevolent contributions have been generous and frequent. Blood banks to save lives, an iron lung purchased for a young polio victim, Aerie quarters provide for a teen-age center, a Christmas Party for the under-privileged kids in the community, funds for a city youth playground, donations to the Red Cross, the Community Chest, and other community services and programs is but a part of the magnificent benevolence of the Fraternal Order of Eagles. No accurate accounting of the total spent by local Aeries and Auxiliaries for charitable purposes has ever been kept, but no doubt, over the years, it would run into staggering millions, and in terms of human happiness and betterment, the amount is above the monetary realm and measured only in terms of the human heart.

In the 1950's, the Eagles set their sights on new goals to "make human life more desirable." During that decade, the Eagles raised over one million dollars for the Damon Runyon Cancer Fund, prompting the fund's founder, Walter Winchell, to write in his nationally syndicated column that the Eagles are "the Santa Claus of the Damon Runyon Cancer Fund." The Eagles donation of \$25,000 for the entrance to the Chapel of the Four Chaplains at Philadelphia, memorializing the four chaplains of three faiths who gave their lives in World War II aboard the U.S.S. Dorchester, bespeaks the Order's zeal for brotherhood and interfaith unity. Distribution of thousands of scrolls of Ten Commandments to schools and courts, and presentation of the Ten Commandment granite monoliths to many American cities, stresses the Eagles' concern for moral and spiritual values.

Late in 1959, the Organization began construction of a retirement home for senior citizens who are Eagle members. The home, in Bradenton, Florida, today boasts 75 units, a library, a lake well stocked for fishing and a large recreational hall. The Eagle Village, as the retirement facility is called, is self-governed by a Mayor and Council elected by the residents.

In cooperation with CARE, the international relief organization, the Eagles have constructed over 25 Eagles-Care Houses throughout the world.

In the decade just past, the Eagles founded the Max Baer Heart Fund, named after the late Eagle Heavyweight Champ, which has donated over \$4,000,000 for heart research in the ten years of its existence. The Eagles have now founded the Eagles Cancer Fund which has raised over \$4,000,000 supplementing the amount contributed to the Damon Runyon Cancer Fund. Just ten years ago, the Eagles founded the Jimmy Durante Children's Fund to contribute funds for research into the catastrophic diseases of childhood. Durante, for whom the fund is named, has long been an active supporter of Eagle programs.

Five years ago, the Organization initiated the "Golden Eagle Program", a three pronged attack on the problems of our aging citizens. The goal of the program is to add years to life and life to the years of the world's senior citizens in three ways: 1) by sponsor-

ing and supporting legislation that will permit our aged to live in dignity and self-respect; 2) by establishing within 3200 local Eagle units, Retired Eagles Activities clubs (REAC) to permit older Eagles and their families to participate in programs of their choosing and to offer their aid and counsel to younger Eagles leaders in the management of their club facilities; and 3) the establishment of the Golden Eagle Fund, to raise and distribute funds for gerontological research.

The Eagles are also responsible for legislation protecting the over 40 worker from job discrimination because of his age.

The latest Eagle programs are "Hometown, U.S.A."—a campaign to make our hometown of America just a little better for you and me, and the "Home and Family Program" designed to strengthen the home and family as the basic unit in our society.

The Fraternal Order of Eagles, with virility and vision, is just beginning to flex its muscles with over 3200 Aeries and Auxiliaries continuing the work started by six men on a Seattle waterfront 80 years ago.

PANAMA CANAL TREATIES: "DEAD-END," "NO-WIN" DIPLOMACY

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. DORNAN. Mr. Speaker, in my remarks in the CONGRESSIONAL RECORD of January 19, 1978, page 186, I quoted a statement on the Panama Canal from the November-December 1977 issue of the American Legion's National Security-Foreign Relations Bulletin and the American Legion's National Convention 1977 resolution on that subject.

One of the best summaries of the various aspects involved in the Panama Canal treaty question is a recent paper by Hanson W. Baldwin, noted military analyst and authority on geopolitics, recently distributed by the Institute of American Relations in Washington, D.C.

For reasons I consider valid, Mr. Baldwin criticizes the pending Panama Canal treaties as the product of a "dead-end, no-win diplomacy" and calls for their "outright" rejection.

Mr. Speaker, as the indicated article by Mr. Baldwin should be read by every Member of the Congress and should be available to the Nation as a whole, I quote it as part of my remarks:

THE PANAMA CANAL TREATIES: ARE THEY SALVAGEABLE?

(By Hanson W. Baldwin)

The treaty, as presented to the Senate, is unsalvageable. The later declaration of intent, or the joint interpretation of what this ambiguous document means—as issued by President Carter and General Torrijos—has no legal validity and, in any case, does not eliminate the basic defects that make this treaty a threat to the vital interests of the United States.

These basic defects—the transfer of sovereignty that has always been ours to Panama; the requirement for an interim management period when the United States would be saddled with the costs and the responsibility of operating a world's key strategic and commercial waterway, but without comparable authority; the transfer of billions of dollars of U.S. taxpayers' moneys and property to an unstable, left-wing dictatorship, and a hobbling promise that binds the U.S.

to build no other Isthmian Canal—cannot possibly be remedied by amendments.

UGHT TO BE REJECTED OUGHT

This treaty ought to be rejected outright—most of all because it presents a potential threat to the vital interests and future security of the United States. If ratified it will dangerously impair the capability of the United States to control the vital "back door" to the Southern tier and the Gulf Coast—the Caribbean-Gulf of Mexico area.

The Canal Zone, as a link between two oceans for our one-ocean Navy; as a sea passageway of tremendous importance to the U.S. economic future, and above all, as a dominating strategic position in an area of vital importance to the security of the United States should never be transferred to any foreign, or international, flag. Redundantly, the character of the present Panamanian government—a government riddled by communism and extremist influences and tainted with corruption and absolutism—indeed, the character of any government that may assume power in the volatile country of Panama—precludes any possibility that the interests of the United States would be protected by this treaty.

The treaty, moreover, is couched in the vaguest possible terms—which can mean all things to all men insofar as U.S. interests are concerned, but is specific, and exorbitantly expensive to the U.S. citizen, when the benefits to Panama are mentioned. It is perhaps the most one-sided treaty ever negotiated and, indeed, merits the description of "give-away", or "taxpayer rip-off". Its terms are certain, moreover, to engender friction and difficulties. In place of straight-line executive control is substituted until the year 2000 a system of mixed U.S.-Panamanian committees, with the U.S. required to manage and operate, but with the Panamanians in ultimate authority. Until 2000 the U.S. promises to foreswear playing what should have been our trump card in dealing with Panama—the possibility of constructing another Isthmian Canal. After 2000 when the U.S. leaves, lock, stock and barrel, neither the treaties, nor the later joint interpretation of what they mean can possibly provide either security for the Canal, or in time of crisis, priority for the transit of U.S. warships. Panama has specifically stated that the Carter-Torrijos declaration prohibits "intervention" in Panama, yet without U.S. sovereignty, U.S. bases and a U.S. military presence how can the security of the Canal, or priority for U.S. ships possibly be insured against future hostile elements in Panama or outside it without U.S. intervention?

TORRIJOS DECLARATION

Indeed, the Torrijos declarations and the Torrijos promises should be viewed for what they are—empty words upon the wind. They have no legal force. Torrijos, a dictator, would of course, promise anything to retain his job, and his position is in danger, indeed, if the treaty is rejected. His smooth talk to visiting U.S. Senators represents more of the Panamanian propaganda—which, spread by treaty proponents in this country—has helped to bring us to our present dilemma. Torrijos is by no means the only obstacle to this treaty; he is merely the present frontman, the figurehead, the facade, for a government that is riddled, at the top level with avowed or concealed communists, open enemies of the United States and other left-wing radicals. Lasting relationships cannot, in my opinion, be based upon promises by such as these.

The treaties as presented are a diplomatic mish-mash—perhaps the worst product of diplomacy's alleged art of compromise that has ever been produced. I agree entirely with the proponents of the treaty that the American people need far more understanding of the document's terms. With all due respect I doubt very much that most of the members of this Congress have read the entire text,

together with all the scores of pages of annexes and supporting executive orders, I urge those who have not done so to leave no comma unturned, to review every word before voting.

There are many interpretations or provisions in the treaty, or its supporting documents, which are cause for serious concern. Under the terms of these agreements we will be bound, for instance, to turn over to Panama any U.S. national in the Isthmus who traffics in drugs, whether he be soldier or civilian. We bind ourselves to abstain from emplacing any nuclear weapons in "Panamanian soil" (which means the Canal Zone, since the treaty transfers sovereignty to Panama). In view of the recent action by Egyptian authorities in barring the passage through the Suez Canal of a British nuclear-powered submarine, could this provision be interpreted in the Spanish text by Torrijos or some future dictator, to bar the Panama Canal to the transit of U.S. nuclear submarines—which are now perhaps the most important vessels in our fleet? And finally, the provisions for transferring billions of dollars of U.S. property to Panama probably ought to have, in view of many constitutional authorities, the approval of the House as well as the Senate.

By all means publicize this Treaty. It represents an incredible accomplishment of double-talk.

NO-WIN TREATY

I say this—not so much in criticism of the U.S. negotiators—as in criticism of the policy constraints that have bound them, blindly and mistakenly, over the past 15 years. Both parties, and now four Presidential administrations, have followed a course of no-return—a continuation of the "No-Win" policies of Vietnam.

This treaty is a "No-Win" treaty; regardless of whether it is approved or rejected, it spells trouble. This is the real tragedy.

It is, I think, of high importance to recognize this before we examine what consequences may flow from either the ratification or the rejection of this treaty.

We are in a damned-if-we-do and damned-if-we-don't position, and the fact that this is so—after Vietnam and Angola and all the lessons of the recent past—should be, it seems to me, of great and troubling significance to the Congress of the United States. I am not one who believes that the nation's foreign affairs can be run by committees of Congress and I do believe the executive in power must enjoy very considerable freedom of action. The negotiation of treaties is an executive function. But a Congress—and particularly the Senate—must be a partner in the establishment of basic policies, or guidelines. And the people must support those policies, or we are in trouble.

LITTLE CONGRESSIONAL CONSULTATION

In the case of this treaty there has been, until recently, too little consultation with Congressional leaders, and a course of action has been persistently and stubbornly followed—i.e. surrender of U.S. sovereignty over the Canal—which has been vigorously opposed since its inception by a large bloc of Congressional opinion, and—if the polls are to be believed—by a majority of the American people. Even more important and more dangerous the policies followed by four administrations have led us into a diplomatic cul-de-sac. In short, we now face trouble, no matter what we do. This is the bankruptcy of both policy and diplomacy; firmness and a long view of the future could have avoided—years ago—the unpleasant choice of the rock or the hard place. In looking at the past and the fatuous "No-Win" course we have followed since 1964 there is one vital lesson to be learned; basic policies must be formed by team effort; the Congress of the United States, acting in behalf of the people of the United States, is ultimately the ar-

biter; the President can propose; the Congress must dispose.

WHAT WILL HAPPEN?

Let us look at the future and what is likely to happen next.

If this treaty is rejected, there will be trouble—sooner rather than later; if this treaty is ratified, there will be trouble—later rather than immediately.

Ever since 1964 four administrations have encouraged and indeed incited the rising expectations of the Panamanian people. We have supported the demagogues of the Isthmus, in their blackmail "diplomacy" of violence. We have created the nightmare from which we now shrink.

Panama has always been unstable politically. One of the oldest ploys in its volatile history has been the manipulation of street mobs by the ruling group to demonstrate against Uncle Sam. Since Torrijos came to power the spectre of rioting and of armed attacks against the Zone—indeed of wholesale bloodshed—has been repeatedly invoked (often by Torrijos himself) as a scare tactic in the belief—perhaps valid, hopefully invalid—that the United States is in no mood today to fight for anything. But this incitement to violence can be a two-edged sword, if the anticipations of the Panamanian people—aroused by demagogic machismo rhetoric and by weak-kneed U.S. policies—are not realized. In other words, if you reject this treaty, there will undoubtedly be violence in Panama quickly.

To anticipate the form such violence might take, one must glance at past history, rather than take at face value the threats of "death to the gringo" so freely expressed by the present Panamanian regime. Riots, stone-throwing, window-breaking, flag-burning, and some damage and looting, there have been plenty in Panama, but the only serious and sanguinary disturbances—insofar as the United States has been concerned—were in 1964, when rioting mobs attacked the Canal Zone and twenty-three Panamanians and four U.S. soldiers were killed.

It is significant that these riots were tacitly encouraged by Panamanian leadership, and were led—according to both Ambassador Ellsworth Bunker and Joseph A. Califano, Jr., by Panamanian, Castro Cuban and other breeds of communists. Most important, the Panamanian National Guard, the only paramilitary force in Panama, and—as long as it is unified, the ultimate and dominant political force—initially took no steps to stop the rioters. Indeed, some individual Guardsmen—allegedly acting on their own responsibility—took part in the riots, used their weapons against American troops and engaged in sniping against Zonian targets. As soon as the Guard intervened—which was quite soon after the Panamanian government realized the United States meant business—the riots stopped.

But their consequences go on. The ghosts of the dead of 1964 are invoked today to help force us out of the Canal.

DEAD-END DIPLOMACY

It is not only possible, but extremely probable, that if the Senate rejects this treaty, the street mobs will form again—in sizeable numbers, and will be encouraged, indeed, led by the Panamanian Government and National Guard. We can be sure that such a mob will once again be incited by communists, both Panamanian-home-grown and Cuban and Russian provocateurs. Such riots could have serious results in terms of property loss and bloodshed on both sides, and would inevitably result in a very tense atmosphere in Panama and in extremely strained relations. Of course, no accurate preview of what might happen is possible, but it seems clear to me that, at a minimum, the bloody toll of 1964 might again be repeated—the penalty of our dead-end "diplomacy." The resultant deaths indeed might exceed the 27 killed

fourteen years ago. In Panama itself the position of Torrijos would certainly be badly shaken, and a kind of street civil war might result, with leftists and moderates vying for power.

Following an initial explosion of violence less predictable consequences might ensue, whether or not a policy of long-term violence would follow would depend, to a great extent, upon the character of the government that might come to power in Panama; that the present government would ultimately be overthrown seems certain. In any case, the possibilities are several. A program of terrorism and sabotage, supported by Castro Cuba and other leftist regimes would require considerable strengthening of U.S. security procedures around the Canal and might turn the Zone, for a time, into an armed camp. Nothing is invulnerable, of course, and modern explosives and weapons make sabotage a more feasible option against the Canal than it was in World War II. Nevertheless, large-scale sabotage of the Canal—of a sufficient seriousness to close, or block it—would be, on the part of Panama, which depends upon it for its principal livelihood—an illogical act, and it would not be an easy one. The vital and vulnerable targets are limited in number and they could be well guarded. More likely and harder to prevent would be sporadic acts of terrorism against U.S. property in and outside the Zone, and against U.S. citizens. This sort of threat could continue indefinitely.

GUERRILLA WARFARE UNLIKELY

However, the least likely contingency, to my mind, would be the development of long-term guerrilla warfare by Panamanians, supported by a mixed bag of Castro Cubans, international terrorists, Libyan extremists and Russian funds and weapons. I do not believe the bulk of the Panamanian or Latin-American peoples would support such an extreme option—particularly since the burden of sustaining a guerrilla war would fall primarily upon a population which, up till now, has enjoyed far higher living standards (chiefly because of direct and indirect benefits from the Canal and U.S. generosity) than its neighbors. Moreover, a guerrilla war, to be sustained, would have to be nurtured and supplied from outside Panama, which would involve a degree of risk by Cuba or Russia, or both, which probably would be unacceptable to Havana and Moscow.

Despite these caveats, the picture of what might occur—what almost certainly would occur, in one form or another, if this treaty is rejected—is a bleak one.

WHAT WOULD RATIFICATION DO?

But let us look at the other side of the coin; what might the results be if the Treaty is ratified as it stands?

If the treaty is ratified, trouble may be delayed, but it will come no less certainly and eventually with even graver results.

Indeed, the treaty terms provide for "built-in trouble".

Until 2000 the United States will have the responsibility for operating and maintaining the Canal, but without the complete authority which such a responsibility necessitates. The present Canal administration will be replaced by a system of committees with Panamanian representatives as the ultimate arbiters. The payments to Panama which this treaty requires will, according to treaty supporters, be paid out of Canal tolls. But Canal tolls, even if increased substantially, cannot possibly provide the revenues specified; the American taxpayers clearly is the ultimate victim.

In the Canal Zone itself, U.S. nationals employed by the Canal administration or the military will be the chief sufferers. Not only will they be displaced by Panamanians and other nationalities, but during the process they will be deprived—according to treaty terms—of the due processes of U.S. law

(which have hitherto governed them) and will be subject to the capricious and often arbitrary actions of the Panamanian police. Many of these U.S. citizens who comprise the technical, maintenance, piloting and administrative hard-core skills of the Canal administration will not wait for displacement. A preliminary poll—possibly exaggerated—indicates that more than half intend to leave their jobs and the Canal Zone as soon as the uncertain rule of the Panamanian police replaces U.S. law and Canal Zone police forces.

ADMINISTRATIVE PROBLEMS

These facts—the monetary arrangements, the provisions for the turn-over of U.S. property in the Zone and the committee system—clearly mean that a well-functioning executive and administrative system will be replaced for the next quarter century by a badly-oiled, political oversight system, with endless possibilities of disagreement and friction. And one can be sure that each disagreement will be magnified in Panama and, once again, the age-old ploy of the street mobs will be invoked. This is all the more likely since a significant percentage—far more than expected (approximately one-third) of the Panamanian people voted against the Treaty during the recent plebiscite. The radicals and left-wingers always want more and will never be satisfied until every "gringo" has been expelled. And many of the moderates and right-wingers—restive under the Torrijos dictatorship and the Torrijos economic dictation—will seek every political opportunity to oust the general.

In other words, I do not expect the historic political instability in Panama to end; on the contrary, the terms of the treaty, with its endless possibilities for friction, may well exacerbate it.

But even more important will be the major—though gradual—shift in the political complexion of the Isthmus that will accompany the Treaty's ratification. I do not, repeat not, anticipate the glowing gains in our relationships with Panama and the rest of Central and Latin America that the treaty proponents promise. Least of all do I believe that the volatile situation in the Caribbean will be stabilized by ratification. The Canal is not only a great—and to the United States vital—waterway, but it is also, and perhaps even more important, a global focal point, and a political and strategic key to control of the Caribbean, which is, in turn, an area of acute importance to the U.S. Ratification of the treaty will not only greatly weaken—perhaps fatally—our capability of controlling the Caribbean, but it will also encourage the growth of ultra-nationalist and/or left-wing governments in the area.

SOVIET OPPORTUNITIES

Until 2000, the American employees will be replaced by other nationals. Many of them will be Panamanian, but not all. The Soviet-Communist proclivity to take advantage of any political opportunity, to move into a vacuum, and above all to expand its influence in important choke points and strategic areas will be a dominant influence in the new Isthmian politics. Already the Castro connection and the Soviet interest are strong; they are certain to become stronger if the U.S. pulls out.

I would anticipate, therefore, until the next century a period of increasing friction and tensions, marked perhaps by sporadic street riots, some terrorism and intermittent acts of violence, a sharp reduction of the U.S. presence (both civilian and military), and a greatly increased Communist, and particularly Russian, "presence".

During this period the U.S. military forces in the Isthmus will be—according to the treaty—much more circumscribed than they are today; a number of military installations will be turned over almost immediately to Panama, and the jungle training and tactical maneuvers possible on soil under the U.S.

flag will be circumscribed or eliminated. But the major effect of the military restrictions, it seems to me, will be upon security; it will be harder and harder for the U.S.—the responsible operating authority of the Canal until 2000—to provide security against sabotage and/or terrorism.

After 2000, when the responsibility of the U.S. for operating and maintaining the Canal ends, it seems to me quite clear that these trends will accelerate. Panama itself cannot provide the technological, engineering and financial requirements; least of all can Panama alone modernize or modify in any major way, the present Canal. They must turn elsewhere for aid. The U.S. may well provide some of this aid, but—given the complexion of politics in Central America and the inducements Cuba and Russia may offer—not, by any means all of it.

THE YEAR 2000

In 2000, the entire U.S. presence—military and civilian—must, if the treaty is approved, be removed from the Isthmus, lock, stock and barrel. This means that the responsibility and authority, not only for operating the Canal, but also for providing free access to all nations and for its security will rest with Panama alone. It is idle to issue tortured "interpretations" of the treaty, in attempts to make it appear that the United States will retain the same rights "as if we were sovereign in the Zone" and that the basic strategic interests of the U.S. will be fully protected. This is simply not so, and the assurances—after the fact—of the Carter-Torrijos "interpretative" statement of meaning changes nothing. Plain English, international law and just common sense demonstrate that the treaty language conveys no rights, whatsoever, of either priority for U.S. warship transits in time of crisis, or intervention to protect the Canal against threatened attack of any kind. Indeed, there was an inherent paradox, a contradiction, in the Carter-Torrijos "interpretation"; whereas the statement indicated the U.S. would have the right to provide such security, Torrijos explicitly added that this did not mean intervention in Panama would be permissible.

This is a nice distinction, indeed; it represents more of the juggling, tight-wire act with words which have distinguished our undistinguished Isthmian diplomacy. With no U.S. troops in the Isthmus, with no U.S. power, with no U.S. presence, how does one provide security? And how does one insure U.S. priority of transit, in time of need; and how can these objectives be accomplished without intervention?

One must immediately recognize that—regardless of treaties, regardless of words—any nation in time of crucial need would do what it must to survive. In other words we could and would—treaty or no treaty—intervene in Panama or elsewhere on the Isthmus, if our vital security was threatened. Without legal sanction we would incur the opprobrium of world opinion. And how much more difficult, how much more costly in U.S. blood and treasure such action—at the eleventh hour—would be, with no bases, no troops, no American presence in the Canal Zone. Such intervention would, in a military sense, pose all the problems of establishing a beachhead on hostile, or potentially hostile, soil. And if we should ever be faced with such an operation—and that is not the remote possibility it may appear—the opposition would include much stronger and better trained forces than the Panama National Guard. By the next century, it seems likely, indeed, that the Soviet-Cuban influences and the Soviet-Cuban presence in Panama will have become strong, and that influence will include troops and arms. One need only recall the ubiquitous Soviet-supported Cuban presence in Africa today, and the past intervention of Castro in Latin American nations.

LOGISTICAL TIME FACTOR

Even more important than the cost of reestablishing U.S. protective power on the Isthmus is the time factor. Swift transit for men-of-war, troop ships and supply vessels in a burgeoning emergency is imperative. But priority of transit cannot possibly be insured without U.S. military power sited in the Isthmus. Our ships cannot simply muscle up to the head of the line and expect to be rushed through the Canal. We are, by this treaty, clearly at the mercy of Panama in the 21st century, and with no U.S. security forces to prevent it Panama can easily block the Canal to prevent passage. Egypt has set the example by blocking the Suez Canal and by exercising the right of selective passage. Panama might well follow suit, if the U.S. threatened intervention or the use of force.

Security and neutrality of the Canal and priority of passage in time of crisis for U.S. ships cannot possibly be even reasonably assured under the terms of this treaty.

In short, this is a mischief-making treaty; it will cause—both short and long-term—more friction than it resolves; it will invite the establishment of communist and third-power forces in the Isthmus and will endanger a focal point of world shipping, and, above all, may fatally weaken the possibility of U.S. control over the Caribbean.

TWO DISASTROUS ALTERNATIVES

The Congress of the United States, therefore, is faced, in consideration of this treaty, with two disastrous alternatives: reject it, and there will be trouble; accept it, and there will be trouble. You face a dead-end dilemma, not of your making. Your only choice, as I see it, is to choose the lesser of two evils.

To me, the choice is clear. I do not want to mortgage the American future; I do not want to leave another political and military powder keg—this one in our own "backyard"—to my grandchildren; I do not want to be an architect of potential disaster.

I urge you to reject this treaty, to shoulder the immediate unpleasant consequences of our own generation's past mistakes, and to retain the responsibility and the burden of a world power.

This does not mean a static position and no treaty whatsoever. Out of the rubble of this diplomatic disaster there can ultimately be fashioned a new treaty, which will provide adequate protection for the vital interests—now and tomorrow—of the United States. To my mind any such treaty must provide for two minimal requirements—retention of sovereignty by the United States over the present Canal Zone, including the Canal, and a veto power by the United States in any Trust, international body, or grouping that might be established to operate, maintain, administer and modernize the Canal. All else is negotiable.

But—and this is perhaps the most important caveat of all—the Senate, through its leaders, must participate in the formulation of basic policy guidelines for any negotiations. The Senate must advise as well as consent. Only by such input—too often lacking in the past—can we avoid in the future, the dead-end, no-win diplomacy which the present treaty exemplifies.

THE 25TH ANNIVERSARY OF PRESIDENT EISENHOWER'S INAUGURATION

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 25, 1978

Mr. CEDERBERG. Mr. Speaker, it is indeed with the greatest pleasure that I

join my colleagues in commemorating the 25th anniversary of President Eisenhower's inauguration. It marked an important time in our Nation's history and the beginning of a distinguished political career for one of America's greatest war heroes.

Although we were at the time involved in the Korean war, it was quickly brought to an end. Under Eisenhower's leadership, we then moved quickly ahead in our transition to a peacetime economy. Although President Eisenhower had been our greatest general in the war, he was also a man who strived for peace. In spite of the "cold war" confrontation during the fifties, he never gave up hope that a permanent peace could be achieved.

However, he never let this overriding desire for peace compromise the integrity of America's defense. The United States had come out of World War II the strongest nation in the world and President Eisenhower did not allow this position of power to be diminished or eroded.

He had a prophetic understanding of America's role at the time and he realized the importance of his actions to the subsequent history of the world. The fifties were years of rebuilding for much of the rest of the world and we were there to lend a hand. Former enemies became strong allies in the effort to thwart the Communist threat. Under the Eisenhower administration we entered into numerous alliances that were to form the cornerstone of defense for the free world. Moreover, these pacts would lay the foundation for friendships and mutuality of interests that would continue into the present.

President Eisenhower's inauguration, however, was a special time for me also. As a first term Congressman, I was embarking on my political career at the same time. Frankly, I was somewhat awed by the prospect not only of serving in the Congress, but also of working under the administration of President Eisenhower. It was a time of great promise and hope.

Of course, the times were especially happy for the Republicans. President Eisenhower. It was a time of great personal appeal had swept Republican majorities into both Houses of Congress. Although the political tides would change in the future, there was a special camaraderie that will never be exactly duplicated again. Many of my colleagues who came into the Congress at the same time still remain some of my closest friends.

Even President Eisenhower's campaign had generated strong national interest. The words "I like Ike" had been on everyone's lips. He was a respected man and a revered leader. He had brought America through some of the worst times in the world's history and he was to lead her into some of the most prosperous times that she has ever experienced.

The Eisenhower years were to be years of general contentment. The memories of war and depression were put aside as Americans looked optimistically to the future. President Eisenhower, as a benevolent and trusted leader, provided inspiration and hope to everyone.

Indeed, we have much for which to thank President Eisenhower. And it is only fitting that we once again remind Americans of his achievements and give a special tribute to this great man.

SHCHARANSKY IS 30 AND STILL IN JAIL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. EILBERG. Mr. Speaker, for the past 9 months one of the leading Jewish activists in the Soviet Union, Anatoly Shcharansky, has been imprisoned on charges of unspecified crimes against the state.

Just recently, he marked his 30th birthday. For me, the fact that he reached this age while in jail has a special meaning. It was less than 3 years ago that I met Anatoly in Moscow when I traveled to the U.S.S.R. as chairman of the House Judiciary Subcommittee on Immigration, Citizenship, and International Law. Anatoly served as a translator for me when I met other activists during that trip, and I remember being tremendously impressed by his courage then in defying Soviet authorities to meet with me.

Since then, I have met his wife, Natalia, who for more than 4 years has campaigned on her husband's behalf since being forced to leave him behind in the Soviet Union.

Mr. Speaker, I offer for the RECORD the following editorial comment from the Philadelphia Inquirer of January 26, 1978 on Mr. Shcharansky's struggle. It echoes the deep concern that I have that President Carter continue to press the Soviet Union to live up to the pledges it has made on human rights. I hope that we can make the Soviet Union understand that we seek all possible cooperation between our two countries, and that the granting of justice to Mr. Shcharansky and other Soviet Jewish activists will go a long way toward facilitating that cooperation:

THE SOVIET DISSIDENTS

Anatoly Shcharansky turned 30 years old recently. It was not, however, a time for celebration. He is in a Soviet prison and has been there for the past nine months.

It is not known why he is being detained since he is charged with unspecified crimes against the state by a secret decree of the Supreme Soviet. What is known, however, is that he is a leader of the Jewish emigration movement and a human rights activist. In the Soviet Union that in itself can be a crime.

How many Soviet dissidents are in Shcharansky's position is unclear. What is clear, however, is that a dissident need not be physically imprisoned to be confined in the Soviet Union.

Vladimir Slepak, a Russian Jew, is a case in point. For the past eight years, he has attempted to emigrate from the Soviet Union, but to no avail. Instead, he is under harassment by the KGB and as recently as two weeks ago reportedly was placed under house arrest.

In one of his last public acts, the late Sen. Hubert Humphrey wrote to Anatoly

Dobrynin, the Soviet Ambassador to the United States, to urge the Russians to permit Mr. Slepak and his family to emigrate.

In a subsequent letter to a friend, Sen. Humphrey acknowledged that this can be "a frustrating exercise, as so often these overtures fall on deaf ears. But we do keep trying and once every so often, to my near amazement, a family such as the Slepaks gets out. I hope such is the case this time."

The Carter Administration deserves immense credit for its elevating the concern over human rights to the public stage. It must be wary, however, of becoming reticent as its efforts fall on "deaf ears." As Sen. Humphrey aptly recognized, a measure of a country's greatness is how persistent it is in trying to enhance human rights.

And, as Sen. Humphrey recognized to his "near amazement," those efforts can be successful.

THE PRESIDENTIAL MESSAGES: THE STATE OF THE UNION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for February 1, 1978, into the CONGRESSIONAL RECORD:

THE PRESIDENTIAL MESSAGES: THE STATE OF THE UNION

The most important presidential communications of the year—the State of the Union address, the budget message and the economic message—have arrived on Capitol Hill within the last few days in a blizzard of policy papers. These messages set the national goals for 1978, define the agenda of Congress and set the tone for discussion of the issues.

The State of the Union address had an overtone of conservatism, moderation and conciliation. In a display of modesty unusual for a chief executive, President Carter admitted he had no simple answers and acknowledged that he and Congress had failed the American people by not developing an energy program. He reached out for a partnership with Congress and the people in an effort to solve the problems.

Despite the President's image as a man who would shake up Washington, the State of the Union message was surprising for its lack of dramatics. In it the President launched no thrilling new federal venture or call to action. He backed off or delayed his requests for universal voter registration, comprehensive health insurance and complete reform of the tax code, and he provided only the beginnings of reform of the welfare program. In his fleeting review of the world and its troubles, President Carter described some progress but was more modest than exuberant, more keenly aware of the problems than satisfied with his successes. He claimed that his commitment to human rights had helped to increase freedom across the world. He also applauded the role of the United States in maintaining the momentum of the peace talks in the Middle East, pushed for approval of the Panama Canal treaties spoke carefully of the SALT II negotiations and restated his intention to reduce arms transfers.

The State of the Union address was restrained, but it showed a sensitivity to the burdens that government places on people. The President noted that people are sick and tired of federal paperwork, government red tape, bureaucratic inefficiency and the gobbledygook of federal regulations. He pointed

out that government regulations add to costs and raise prices and he conceded that the scope of regulation has been excessive. A number of remedies were suggested, including civil service reform and abolition of unnecessary federal boards and commissions.

Throughout the speech a central theme was that government cannot solve all of our problems. It cannot, the President said, "eliminate poverty, provide a bountiful economy, reduce inflation, save our cities, cure illiteracy, provide energy, or mandate goodness." While admitting that government programs can sometimes help, he argued that we must turn to the private sector for the bulk of permanent job opportunities. Private business, not the government, must lead the way toward further economic expansion.

It is remarkable to hear an American President talk about limited government. In doing so, President Carter defined his duties and powers in a manner which most of his predecessors would have rejected. Although he recognized the constructive role of federal action in many instances, he may have contributed, perhaps inadvertently, to the rising skepticism about the usefulness of federal programs.

President Carter offered no succinct or memorable summary of his vision for America. He did not reach for rhetorical heights, but instead presented the nation with a balance sheet of its problems and a catalogue of of his prescriptions for them. He said the overall State of the Union was sound and that we live in times when profound national interests are at stake as we deal with a number of persistent problems which have grown steadily worse over the years. Predictably, the President expressed confidence in the future of the country and a feeling that America's best years are still ahead. Although many persons are puzzled by his ideological compass, the speech he gave showed the President to be pragmatic and moderate.

I sensed that the President was trying to redefine his leadership and sharpen the focus of his presidency in the State of the Union address. In my view he stressed the right issues: energy, jobs, inflation, economic growth and the proper role of government. Understandably, these are the issues that spurred criticism of his first year as President, with critics claiming that he demanded passage of too many programs. My feeling is that the speech established a sharp set of priorities. The President did not present to Congress a long "shopping list" of bills to be enacted. Rather, he talked about the really important problems of the day and suggested realistic, achievable solutions.

PROTECTING AMERICANS FROM OVERPAYING THEIR FEDERAL INCOME TAXES

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. KASTEN. Mr. Speaker, every year thousands of senior citizens needlessly overpay their Federal income taxes.

Many older Americans pay more taxes than are legally due because they are not aware of the special deductions and tax relief measures that can save them precious dollars.

Another reason is that, like millions of Americans, they are overwhelmed by the complexity of the tax law and tax forms.

With the costs of health care, food, utilities, and other necessities constantly on the rise, it is particularly important

that senior citizens, many of whom live on fixed incomes, pay no more than is legally due.

The Senate Committee on Aging once again this year has prepared a convenient checklist to help older Americans prepare their tax returns and avoid overpaying their taxes.

The checklist reflects changes in the tax law for 1977. Several provisions—such as the "zero bracket amount" (standard deduction), new tax tables and the general tax credit—will ease the tax burden for many older Americans.

In fact, the checklist can be useful for the vast majority of taxpayers, young and old, in assuring that they claim deductions, credits and exemptions to which they are legitimately entitled. It can help in determining whether it would be more advantageous to itemize deductible expenses or claim the standard deduction.

It can also be useful for taxpayers who discover that they forgot to claim an allowable deduction in a previous year. These individuals can still obtain a refund for their expenditures by filing an amended return—form 1040X—for the year in question. However, this form must be filed within 3 years after the original return was due or filed, or within 2 years from the time the tax was paid, whichever is later.

Mr. Speaker, at this point I include the committee's checklist in the RECORD so that I can make it available to my constituents in Wisconsin.

PROTECTING OLDER AMERICANS AGAINST OVERPAYMENT OF INCOME TAXES (A Revised Checklist of Itemized Deductions for Use in Taxable Year 1977)

CHECKLIST OF ITEMIZED DEDUCTIONS FOR SCHEDULE A (FORM 1040)

MEDICAL AND DENTAL EXPENSES

Medical and dental expenses (unreimbursed by insurance or otherwise) are deductible to the extent that they exceed 3 percent of a taxpayer's adjusted gross income (line 31, Form 1040).

INSURANCE PREMIUMS

One-half of medical, hospital or health insurance premiums are deductible (up to \$150) without regard to the 3 percent limitation for other medical expenses. The remainder of these premiums can be deducted, but is subject to the 3 percent rule.

DRUGS AND MEDICINES

Included in medical expenses (subject to 3 percent rule) but only to extent exceeding 1 percent of adjusted gross income (line 31, Form 1040).

OTHER MEDICAL EXPENSES

Other allowable medical and dental expenses (subject to 3 percent limitation):
Abdominal supports (prescribed by a doctor);

Acupuncture services;
Ambulance hire;
Anesthetist;
Arch supports (prescribed by a doctor);
Artificial limbs and teeth;
Back supports (prescribed by a doctor);
Braces.

Capital expenditures for medical purposes (e.g., elevator for persons with a heart ailment)—deductible to the extent that the cost of the capital expenditure exceeds the increase in value to your home because of the capital expenditure. Taxpayer should have an independent appraisal made to reflect clearly the increase in value.

Cardiographs;
Chiropodist;

Chiropractor;
Christian Science practitioner, authorized;
Convalescent home (for medical treatment only);

Crutches;
Dental services (e.g., cleaning, X-ray, filling teeth);
Dentures;
Dermatologist;
Eyeglasses;
Food or beverages specially prescribed by a physician (for treatment of illness, and in addition to, not as substitute for, regular diet; physician's statement needed);

Gynecologist;
Hearing aids and batteries;
Home health services;
Hospital expenses;
Insulin treatment;
Invalid chair;
Lab tests;
Lipreading lessons (designed to overcome a handicap);

Neurologist;
Nursing services (for medical care, including nurse's board paid by you);

Occupational therapist;
Ophthalmologist;
Optician;
Optometrist;
Oral surgery;
Osteopath, licensed;
Pediatrician;
Physical examinations;
Physical therapist;
Physician;
Podiatrist;
Psychiatrist;
Psychoanalyst;
Psychologist;
Psychotherapy;
Radium therapy;
Sacroiliac belt (prescribed by a doctor);
Seeing-eye dog and maintenance;
Speech therapist;
Splints;

Supplementary medical insurance (Part B) under Medicare;

Surgeon;
Telephone/teletype special communications equipment for the deaf;

Transportation expenses for medical purposes (7¢ per mile plus parking and tolls or actual fares for taxi, buses, etc.)

Vaccines;
Vitamins prescribed by a doctor (but not taken as a food supplement or to preserve general health);

Wheelchairs;
Whirlpool baths for medical purposes;
X-rays.

TAXES

Real estate;
State and local gasoline;
General sales;
State and local income;
Personal property.

If sales tax tables are used in arriving at your deduction, you may add to the amount shown in the tax tables only the sales tax paid on the purchase of five classes of items: automobiles, airplanes, boats, mobile homes, and materials used to build a new home when you are your own contractor.

When using the sales tax tables, add to your adjusted gross income any nontaxable income (e.g., Social Security, Veterans' pensions or compensation payments, Railroad Retirement annuities, workmen's compensation, untaxed portion of long-term capital gains, recovery of pension costs, dividends untaxed under the dividend exclusion, interest on municipal bonds, unemployment compensation and public assistance payments).

CONTRIBUTIONS

In general, contributions may be deducted up to 50 percent of your adjusted gross income (line 31, Form 1040). However, contributions to certain private nonprofit foundations, veterans organizations, or fraternal

societies are limited to 20 percent of adjusted gross income.

Cash contributions to qualified organizations for (1) religious, charitable, scientific, literary or educational purposes, (2) prevention of cruelty to children or animals, or (3) Federal, State or local governmental units (tuition for children attending parochial schools is not deductible). Fair market value of property (e.g., clothing, books, equipment, furniture) for charitable purposes. (For gifts of appreciated property, special rules apply. Contact local IRS office.)

Travel expenses (actual or 7 cents per mile plus parking and tolls) for charitable purposes (may not deduct insurance or depreciation in either case).

Cost and upkeep of uniforms used in charitable activities e.g., scoutmaster).

Purchase of goods or tickets from charitable organizations (excess of amount paid over the fair market value of the goods or services).

Out-of-pocket expenses (e.g., postage, stationery, phone calls) while rendering services for charitable organizations.

Care of unrelated student in taxpayer's home under a written agreement with a qualifying organization (deduction is limited to \$50 per month).

INTEREST

Home mortgage.
Auto loan.
Installment purchases (television, washer, dryer, etc.).

Bank credit card—can deduct the finance charge as interest if no part is for service charges, loan fees, credit investigation fees, or similar charges.

Points—deductible as interest by buyer where financing agreement provides that they are to be paid for use of lender's money. Not deductible if points represent charges for services rendered by the lending institution (e.g., VA loan points are service charges and are not deductible as interest). Not deductible if paid by seller (are treated as selling expenses and represent a reduction of amount realized).

Penalty for prepayment of a mortgage—deductible as interest.

Revolving charge accounts—may deduct the "finance charge" if the charges are based on your unpaid balance and computed monthly.

Other charge accounts for installment purchases—may deduct the lesser of (1) 6 percent of the average monthly balance (average monthly balance equals the total of the unpaid balances for all 12 months, divided by 12) or (2) the portion of the total fee or service charge allocable to the year.

CASUALTY OR THEFT LOSSES

Casualty (e.g., tornado, floor, storm, fire, or auto accident provided not caused by a willful act or willful negligence) or theft losses to nonbusiness property—the amount of your casualty loss deduction is generally the lesser of (1) the decrease in fair market value of the property as a result of the casualty, or (2) your adjusted basis in the property. This amount must be further reduced by any insurance or other recovery, and, in the case of property held for personal use, by the \$100 limitation. You may use Form 4684 for computing your personal casualty loss.

MISCELLANEOUS

Appraisal fees for casualty loss or to determine the fair market value of charitable contributions.

Union dues.

Cost of preparation of income tax return.

Cost of tools for employee (depreciated over the useful life of the tools).

Dues for Chamber of Commerce (if as a business expense).

Rental cost of a safe-deposit box for income-producing property.

Fees paid to investment counselors.

Subscriptions to business publications.

Telephone and postage in connection with investments.

Uniforms required for employment and not generally wearable off the job.

Maintenance of uniforms required for employment.

Special safety apparel (e.g., steel toe safety shoes or helmets worn by construction workers; special masks worn by welders).

Business entertainment expenses.

Business gift expenses not exceeding \$25 per recipient.

Employment agency fees under certain circumstances.

Cost of a periodic physical examination if required by employer.

Cost of installation and maintenance of a telephone required by the taxpayer's employment (deduction based on business use).

Cost of bond if required for employment.

Expenses of an office in your home if employment requires it.

Payments made by a teacher to a substitute.

Educational expenses required by your employer to maintain your position or for maintaining or sharpening your skills for your employment.

Political Campaign Contributions.—Taxpayers may not claim either a deduction (line 31, Schedule A, Form 1040) or a credit (line 38, Form 1040), for campaign contributions to an individual who is a candidate for nomination or election to any Federal, State, or local office in any primary, general or special election. The deduction or credit is also applicable for any (1) committee supporting a candidate for Federal, State, or local elective public office, (2) national committee of a national political party, (3) State committee of a national political party, or (4) local committee of a national political party. The maximum deduction is \$100 (\$200 for couples filing jointly). The amount of the tax credit is one-half of the political contribution, with a \$25 ceiling (\$50 for couples filing jointly).

PRESIDENTIAL ELECTION CAMPAIGN FUND

Additionally, taxpayers may voluntarily earmark \$1 of their taxes (\$2 on joint returns) for the Presidential Election Campaign Fund.

ADDITIONAL INFORMATION

For any questions concerning any of these items, contact your local IRS office. You may also obtain helpful publications and additional forms by contacting your local IRS office.

OTHER TAX RELIEF MEASURES

	<i>Required to file a tax return if gross income is at least—</i>
Filing status:	
Single (under age 65).....	\$2,950
Single (age 65 or older).....	3,700
Qualifying widow(er) under 65 with dependent child.....	3,950
Qualifying widow(er) 65 or under with dependent child.....	4,700
Married couple (both spouses under 65) filing jointly.....	4,700
Married couple (1 spouse 65 or older) filing jointly.....	5,450
Married couple (both spouses 65 or older) filing jointly.....	6,200
Married filing separately.....	750

Additional Personal Exemption for Age.—Besides the regular \$750 exemption allowed a taxpayer, a husband and wife who are 65 or older on the last day of the taxable year are each entitled to an additional exemption of \$750 because of age. You are considered 65 on the day before your 65th birthday. Thus, if your 65th birthday is on January 1,

1978, you will be entitled to the additional \$750 personal exemption because of age for your 1977 Federal income tax return.

"Zero Bracket Amount" (Standard Deduction).—The former standard deduction has been replaced by a flat amount the law calls "zero bracket amount." This amount depends on your filing status. It is no longer a separate deduction as such; instead, the equivalent amount is built into the new simplified tax tables and tax rate schedules. Since this amount is built into the tax tables and tax rate schedules, taxpayers who itemize deductions will need to make an adjustment. However, itemizers will not experience any change in their tax liability and the tax computation will be simplified for many itemizers.

New Tax Tables.—New simplified tax tables have been developed to make it easier for you to find your tax if your income is under certain levels. Now, even if you itemize deductions, you may be able to use the tax tables to find your tax easier. In addition, you no longer need to deduct \$750 for each exemption or figure your general tax credit, because these amounts are also built into the tax table for you.

General Tax Credit.—The general tax credit has been revised to take into consideration the exemptions for age and blindness. Married taxpayers filing separate returns will now be limited to a credit based on \$35 per exemption.

Multiple Support Agreements.—In general, a person may be claimed as a dependent of another taxpayer, provided five tests are met: (1) Support, (2) gross income, (3) member of household or relationship, (4) citizenship, and (5) separate return. But in some cases, two or more individuals provide support for an individual, and no one has contributed more than half the person's support. However, it still may be possible for one of the individuals to be entitled to a \$750 dependency deduction if the following requirements are met for multiple support:

1. Two or more persons—any one of whom could claim the person as a dependent if it were not for the support test—together contribute more than half of the dependent's support.

2. Any one of those who individually contribute more than 10% of the mutual dependent's support, but only one of them, may claim the dependency deduction.

3. Each of the others must file a written statement that he will not claim the dependency deduction for that year. The statement must be filed with the income tax return of the person who claims the dependency deduction. Form 2120 (Multiple Support Declaration) may be used for this purpose.

Sale of Personal Residence by Elderly Taxpayers.—A taxpayer may elect to exclude from gross income part or, under certain circumstances, all of the gain from the sale of his personal residence, provided:

1. He was 65 or older before the date of the sale, and

2. He owned and occupied the property as his personal residence for a period totaling at least 5 years within the 8-year period ending on the date of the sale.

Taxpayers meeting these two requirements may elect to exclude the entire gain from gross income if the adjusted sales price of their residence is \$35,000 or less. (This election can only be made once during a taxpayer's lifetime.) If the adjusted sales price exceeds \$35,000, an election may be made to exclude part of the gain based on a ratio of \$35,000 over the adjusted sales price of the residence. Form 2119 (Sale or Exchange of Personal Residence) is helpful in determining what gain, if any, may be excluded by an elderly taxpayer when he sells his home.

Additionally, a taxpayer may elect to defer reporting the gain on the sale of his personal residence if within 18 months before or 18 months after the sale he buys and oc-

cuples another residence, the cost of which equals or exceeds the adjusted sales price of the old residence. Additional time is allowed if (1) you construct the new residence or (2) you were on active duty in the U.S. Armed Forces. Publication 523 (Tax Information on Selling Your Home) may also be helpful.

Alimony Paid.—Payments for alimony are now adjustments to income. You no longer have to itemize deductions to claim a deduction for alimony you paid.

Credit for the Elderly.—An expanded and simplified credit for the elderly has replaced the former more complex retirement income credit.

A taxpayer may be able to claim this credit and reduce taxes by as much as \$375 (if single), or \$562.50 (if married filing jointly), if the taxpayer is:

(1) Age 65 or older, or

(2) Under age 65 and retired under a public retirement system.

To be eligible for this credit, taxpayers no longer must meet the income requirement of having received over \$600 of earned income during each of any 10 years before this year.

For more information, see instructions for Schedules R and RP.

Credit for Child and Dependent Care Expenses.—Certain payments made for child and dependent care may be claimed as a credit against tax.

If a taxpayer maintained a household that included a child under age 15 or a dependent or spouse incapable of self-care, a taxpayer may be allowed a 20 percent credit for employment related expenses. These expenses must have been paid during the taxable year in order to enable the taxpayer to work either full or part time.

For detailed information, see the instructions on Form 2441.

Earned Income Credit.—A taxpayer who maintains a household for a child who is under 19, or is a student, or is a disabled dependent, may be entitled to a special payment or credit up to \$400. This is called the earned income credit. It may come as a refund check or be applied against any taxes owed. Generally, if a taxpayer reported earned income and had adjusted gross income (line 31, Form 1040) of less than \$8,000, the taxpayer may be able to claim the credit.

Earned income means wages, salaries, tips, other employee compensation, and net earnings from self-employment (generally amount shown on Schedule SE (Form 1040) line 13). A married couple must file a joint return to be eligible for the credit. Certain married persons living apart with a dependent child may also be eligible to claim the credit.

For more information, see instructions for Form 1640 or 1040A.

TRIBUTE TO LILLIAN CRAIG

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Ms. OAKAR. Mr. Speaker, I rise today to pay personal tribute to a very well known dedicated member of our greater Cleveland community, and in particular our near west side neighborhood, who will be honored by the community at the West Side Multi-Service Center on Saturday, February 4, 1978.

Lillian Craig is the mother of three children—Joe, Michelle, and Billy. She has a fine son-in-law, Mitch, and a grandchild, Regina. Her roots are per-

manently imbedded in the near west side of Cleveland, as she was born in this historical, heterogenous neighborhood on Jay Avenue.

Mrs. Craig is a woman who has devoted her life toward improving the quality of life for others. In the 1960's, she was an outspoken, constructive critic of our welfare system, and raised the level of consciousness of welfare mothers, and instrumentally obtained a hot lunch program for their children. As a member of the West Side Citizens for Better Health, Lillian helped lead a coalition of people who convinced the City Administration to build and staff a much needed health clinic, the McCafferty Health Center, so that people of all economic levels could receive proper health care. In addition, through her persistent efforts other services to the community such as our local hospital and our local neighborhood center became more receptive in serving the people.

Lillian's many kindnesses to others range from housing the poor, feeding the needy, and clothing the elderly.

Presently, Mrs. Craig is director of the West Side Multi-Service Center, which is a program funded by the Federal Government and governed by a resident board.

On a personal note, those of us who hail from the near west side community are proud of our roots. We are proud of the fact that we were raised with people of all economic levels, and of every race and ethnic background. It is truly a cosmopolitan area in our country. We are an older community, and we are a proud community. And we are proud of our people. Yes, dedicated, unselfish people like Lillian Craig.

Lillian Craig is not internationally nor nationally known, but like the late Senator Hubert Humphrey, she has always taught us how to live and how to serve people. Those of us who are fortunate enough to know her have been enriched by her example of the past. We are today blessed by her current example of personal courage, love of people and faith in God. This Saturday we will be with Lillian to pay tribute to her, and to say simply and sincerely, "thank you." Thank you, Lillian, for all you have done for all of us!

MATERNAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S SERVICE ACT

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. CARTER. Mr. Speaker, because of my deep concern over the continuing deficiencies in the health of the children of our Nation it is a pleasure to introduce this bill, to be titled Maternal and Child Health and Crippled Children's Act 1978 Amendments. I am especially honored to introduce the bill with my distinguished colleague PAUL ROGERS, chairman of the Health and Environment Subcommittee.

This act is based on the premise that too many mothers, infants, children, and adolescents still suffer from preventable or crippling illness because of the limited availability of health care services. Since title V of the Social Security Act is the basis of health programs serving mothers and children, extensions and improvements of title V are needed. This act revises and extends title V programs to assure all pregnant women, infants, children, and adolescents a healthy future.

This act increases levels of funding, stresses improved organization of the existing health care delivery system and makes allowances for special grants in that area. At the same time, maximum use of the existing system and the participation of private practitioners in the delivery of benefits under the act are stipulated. Such measures would make health services available to those special groups—pregnant women, mothers and their infants, crippled children, underserved children and youth, and those with disabling diseases—having great health risk and social dependence and for whom the cost of preventive care may be a particular burden.

AUTHORIZATIONS

The act authorizes States to extend and improve services:

First. Reducing infant mortality;

Second. Preventing disease and disability;

Third. Locating, diagnosing, treating and providing follow-up services for children having crippling conditions; and

Fourth. Locating and aiding those in special need.

In addition, the act provides for special grants to States and localities to aid in the solution of existing health problems, training of personnel and for research projects related to the delivery of health care to mothers, infants, children and adolescents.

The act authorizes funding for the fiscal year ending September 30, 1978, in the following amounts and areas:

First, \$350 million for maternal and child health services;

Second, \$150 million for crippled children's services;

Third, \$125 million for special grants for projects of regional or national significance;

Fourth, \$100 million for special grants for county and local projects;

Fifth, \$50 million for training of personnel; and

Sixth, \$25 million for research projects.

The act also sets minimum levels of expenditures for family planning services.

REQUIREMENTS LEVIED ON STATES

To be eligible for funding under the act, States must formulate plans which provide for their financial participation and for administration of the act by a State health agency or similar body. State advisory councils of nine members, at least four being practicing doctors of medicine, would be appointed by State Governors to oversee the act, which requires cooperation with medical, health, nursing, educational and welfare groups

and organizations. State plans must provide for payment of the reasonable cost of inpatient hospital services, for early identification of children in need of health care and services and for services in needy areas and among groups in special need. When such services are available in the community, the State health agency would reimburse individual practitioners or other private health entities to render medical services. Provisions for PSRO review of standards of care and services under the act are included.

States would also be required to develop "unified State plans" encompassing maternal and child health and crippled children's programs. State plans would address health care needs and resources, unmet needs, and objectives and priorities. They would address basic health services for mothers, infants, children and adolescents; family planning and school and health programs plus special programs and projects to respond to particular State needs.

Those special programs and projects could include sudden infant death syndrome, dental programs, expanded perinatal projects, genetic screening and counseling and programs for unwed adolescent mothers.

State plans would also encompass basic services and programs for crippled children, special services for handicapped children and special programs and projects which could include centers to provide multidisciplinary evaluation of children with severe developmental disabilities, special programs for hemophilia, and other programs.

State participation would be funded under two formulas—for maternal and child health services, \$200,000 plus an appropriation based on the number of live births and, for crippled children's services, \$100,000 plus a similar formula appropriation. State funding would also be determined on the basis of a national ranking by average per capita income and would be dependent on strict compliance with the act's provisions.

GRANTS

The act stresses new approaches to solving problems of health care delivery by providing for a variety of grants. "Special incentives in developing new initiatives to address problems of regional or national significance" would result from provisions for grants to State agencies and to public or nonprofit organizations. Such grants could be used to develop new techniques to provide health services in underserved areas or to develop new programs and problem-solving activities, for example. Priority would be given to programs aimed at the special problems of low-income families.

Other grants are provided for underserved counties and local areas, for training health-care personnel and for research, the latter with special emphasis on projects to develop comprehensive health care programs.

ADMINISTRATION

The act establishes a National Office of Maternal and Child Health Services within the Department of Health, Education, and Welfare (DHEW). This office would monitor, coordinate, and evaluate

the act's programs, develop guidelines and organize data collection and retrieval. A Director of Maternal and Child Health Services would be appointed by the Secretary, DHEW.

The Secretary also would appoint a National Advisory Council on Maternal and Child Health Programs consisting of 15 persons, at least 8 of whom would be practicing doctors of medicine. The Council would assist the Secretary in preparing regulations and considering State plans called for in the act.

The Secretary would also be required to conduct a study of all Federal health programs for mothers, infants, children, and adolescents with an eye toward coordination and consolidation of those programs.

Mr. Speaker I am pleased to offer this proposal. I hope my colleagues will give it careful consideration.

CARTER IMMIGRATION POLICY MAKES A MOCKERY OF "TRUST ME"

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ASHBROOK. Mr. Speaker, while our social security system is in imminent danger of collapse, we are providing substantial incomes to elderly aliens who enter this country within 30 days of the time they reach our shores. Americans who have been paying social security for 40 years may not be able to depend on social security when they must retire, but there is money available for newly arrived public charges.

It was San Francisco columnist Guy Wright who found out about the rip-off of SSI funds by elderly aliens who were sponsored by aliens already resident in this country. By bringing over his father, an alien could—and often did—increase his household income by thousands of dollars annually. When Wright found examples of aliens actually doing this, he wrote to the Social Security Administration, which administers SSI funds. First, the Administration denied that such abuses existed. But after Wright's columns began to get public attention, national columnists and Republican legislators, myself included, began putting pressure on, and the truth was finally admitted: Such rip-offs are being paid for to the tune of tens of millions annually. That is just the cash payment side of it. While receiving less attention, medicaid benefits which are offered with SSI are costing us tens of millions more.

Over 6 months ago, on July 29, 1977, I told this House that:

In a time when the average workingman's family can be ruined by a major illness, we have no right to offer free medical care to anyone who has just reached our shores.

Medical costs in this country are reaching a crisis point.

Our social security system is in a state of crisis, but we have plenty of money to support elderly aliens after 30 days in this country. Our medical costs are reaching levels where working people and

especially elderly retired people who need the most simply cannot pay them. Yet it has been an uphill fight against the bureaucracy to get these abuses recognized, much less corrected.

Many of the elderly aliens being brought in to take advantage of the American giveaway on SSI and medicaid are not poor people. If you are an American who has spent his working life in this country, and have some property or a small extra income in this country, it is quick and easy for the Government to find out about it and deny you medicaid or SSI benefits. But if you are an alien, who has just gotten here and have never paid a dime in taxes in this country, you are pretty safe.

I asked the Social Security Administration to inform me as to whether they ever checked on the foreign assets of these newly arrived SSI recipients' assets in their home countries. The reply was:

I am sorry, but the information you requested is not available. Field offices have not been instructed to maintain records of this nature because there is no program reason to compile such data. To say that verification of foreign assets never takes place would not be accurate. Certainly there are instances where contact with foreign sources are necessary in order to determine the value of a person's resources for SSI purposes. However, there are no means to measure how often this is done.

In other words, what I have so far is the assurance, with no examples given, that there is some little checking of foreign assets done. This assurance has been given me by the Social Security Administration, which told Guy Wright last year that the SSI rip-off was not really of any importance.

The Social Security Administration gave a similar answer last year, when I tried to find out how much of total SSI money is going to recently-arrived aliens. No instructions had been given to field offices to collect such data.

The SSI and medicaid rip-offs are especially painful because they strike at our elderly citizens, who are most in need, at the worst possible time. But the sort of response we have gotten in trying to get action on these issues are typical of the Carter administration's dodging and delays on far bigger issue, that of illegal immigration.

Here again, Congress has to get its own information. The administration is not interested in having the public know the real facts about illegal immigration. The General Accounting Office is part of the legislative, not the executive, branch. In response to Congressmen's demands for information which they simply cannot get out of the bureaucracy, GAO has issued two reports. The title of the latest one tells a story of its own. It is titled: "Impact of Illegal Aliens On Public Assistance Programs: Too Little is Known."

Congress is making some progress this year on these issues. Reform of SSI so as to close the loophole which allows payments and medicaid to 30-day residents without means has passed the House and should come up for a vote next week in the Senate. We have collected some information on the cost of

illegal aliens to American workers and taxpayers through GAO, and a final report on the cost to taxpayers of SSI and medicaid benefits to new aliens is due this month, again, of course, from GAO. None of these initiatives owes anything, of course, to the Carter administration.

President Carter went into office on a platform saying "Trust me." Carter was going to get the bureaucracy under control. He was going to make the Federal bureaucracy accountable to the people. Just how bad a joke these promises have become is made brutally clear to those of us who are trying, in the teeth of Federal bureaucratic obstinance, to end giveaway programs for new aliens and to stop illegal immigration.

THE PRESIDENT IS VASTLY OUT OF HIS ELEMENT

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. SYMMS. Mr. Speaker, I have found syndicated columnist Michael Novak to be a thoughtful, intelligent writer, who is very perceptive in judging the performances of politicians on the national scene. Mr. Novak is a person who has the courage to observe (as he notes that children have been known to do with kings) that a man may not be equal to the job.

Mr. Novak's column (which is reprinted below and appeared in the January 31, 1978, issue of *The Washington Star*), whether you agree with it or not, is the product of a syndicated writer who has observed a number of Presidents in the performance of their administrative and executive tasks.

I agree totally with certain of Mr. Novak's observations, such as that "the Carter men plainly misapprehend American reality. Their 'populism' is out of touch with the majority of the American people;" and, I commend the article to your current reading list:

THE PRESIDENT IS VASTLY OUT OF HIS ELEMENT

(By Michael Novak)

Unless I am mistaken, many commentators are still protecting President Carter. They are "giving him a chance," and not daring to face the real fear they are beginning to feel.

It is certainly difficult to admit, in a system like ours, so heavily committed on the Democratic side to the image of an activist, visionary, admirable executive, that we have saddled ourselves with a leader who is vastly out of his element. Sometimes it seems that even the little children see. Our president has no clothes. He is not the man for the job. But no one dares to say so.

The conventional wisdom of these commentators who supported President Carter in his bid for election—from *Time* and *Newsweek* and the major national papers—is that the president is inexperienced, innocent, idealistic, extremely bright, a quick learner. Everyone hopes that the disturbing flaws in his first full year in office will be remedied in 1978.

What if this view is mistaken? What if,

from here on, matters get worse? There are several reasons for believing they will. First, Jimmy Carter is an excellent campaigner, but he is not a day-by-day political man. He doesn't like the real stuff of politics: deals, compromises, smoky rooms. He is private, studious, and willful. He excels at conveying an image of boyish goodness and innocence. This is conveyed in the name he prefers, "Jimmy."

He has almost no feel for the complexities of history, egotism, and the intractability of human affairs. He is a rationalist who sees facts and relations abstractly, mathematically.

The dark political side of his being is underdeveloped. It is asking for miracles to hope that he will suddenly change. Even his closest aides shrug, when pressed, and say: "That's Jimmy."

The moral and political side of human life is nourished by delight in the perplexities, orneriness, and quirkiness of human behavior. It is precisely here that (a) political genius resides and (b) human growth can occur. A person who goes at life as if it were composed of machines with problems to be solved misses all this.

He has the wrong habit of mind. Jimmy the problem-solver prevents the mature Mr. Carter, the political leader, from being born.

Secondly, Jimmy Carter is saddled by a deep sense of cultural inferiority. I sympathize entirely with his distrust for the Washington establishment which he, Jody Powell, and Hamilton Jordan regularly express. They seem even more driven into a narrow circle of trust than Richard Nixon was.

Georgia against the world is not much more attractive than Nixon's Southern California against the world. The self-aggrandizement of the Carter family and the long list of important appointments from Georgia are signs of a death-wish. Under the press relations of "openness," psychic closure is evident. It is as though Carter is programming himself to fail. (His speech is constantly haunted by images of failure. "I don't intend to fail." "You'll be proud of me.")

Thirdly, the Carter men plainly misapprehend American reality. Their "populism" is out of touch with the majority of the American people. Their explanations of why the past year went so badly are painfully limp. They think that they are too far "ahead" of the American people, and that they "proposed too much too fast." This is condescending.

What they proposed was, far more often than not, so breathtakingly out of touch with reality that only a deep, innate respect for the presidency, especially on the part of Democrats for a Democratic president, has prevented them from being laughed out of town. Their errors far exceed in number and substance the gaffes the press so criticized in President Ford.

Vice President Walter Mondale is himself not a tough enough realist to have protected the Carter people from themselves. He, too, exhibits high sentiments, of dubious political and economic reality. A nice man, a good man, his role has been reduced to that of making things go a little less badly. He cannot raise a fundamental challenge to the airy thinking of the inexperienced Carter hands.

The Carter people appointed McGovernites to virtually every post, especially in the State Department. The great unreality of 1972 has been installed in the bureaucracy. This is a huge misunderstanding of the will of the people in the past two presidential elections.

As gaffies on the outside, some of the Carterites once added salt to life. As managers of our national life, their illusions can only be corrected by hard experience. The nation may be in for an exceedingly difficult three years. Can a president be forced to resign? What will the growing numbers of his enemies do?

NATIONAL VOCATIONAL EDUCATION WEEK, FEBRUARY 12 TO 18

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. HARRIS. Mr. Speaker, in recent years, vocational education has emerged as a major component of the American educational system. I think it is time we alert our citizens to the significant contributions vocational education is making to the social and economic development of our citizens and to the still greater challenges for the future.

For this reason, I am introducing a resolution to proclaim February 12-18, 1978, as National Vocational Education Week. The number of people who want and need training for employment is growing dramatically. From a little over 4 million students in 1963, enrollment in vocational programs has climbed to more than 16 million currently. Studies put forth by a number of vocational schools, community colleges, and technical institutes have shown that graduates of vocational programs have an easier time finding and keeping jobs. This has probably been a key reason for the accelerating national interest in vocational education.

Vocational education has expanded not only in numbers of students, but in the scope of the program. From its beginning as a rather narrowly defined secondary program, vocational education has grown to encompass postsecondary and adult programs conducted in all settings. Since 1963, vocational education has also had a strong mandate from the Congress to serve special target groups such as the handicapped, disadvantaged, potential dropouts, unemployed youth, women, and minorities. This charge was reinforced in 1976 by passage of the Education Amendments of 1976 and there is reason to believe that new life is being brought into the movement to serve hard to reach groups through vocational education.

Another reason for increased attention to vocational education is the impact these programs are having on the economic development of cities, communities, and States. Congress is concerned about reducing unemployment, reforming the welfare system, relieving the problems of our urban centers and rural areas, and achieving a stable, prosperous economy. The Nation's programs of vocational education can and should be partners in achieving these economic and social goals.

I would like to take this opportunity to recognize the American Vocational Association (AVA) for its work in support of quality vocational education. The AVA is a professional organization of teachers, administrators, guidance counselors, and others in the field of vocational education. They have worked through the years to strengthen their capacity to provide vocational education for those who need and want education for employment.

To show our endorsement and con-

tinued support of vocational education, I am pleased to introduce this resolution calling on the President to designate February 12 to 18 as National Vocational Education Week.

STACKING THE DECK

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ASHBROOK. Mr. Speaker, last October, the liberal majority in the House of Representatives rammed through the so-called Labor Reform Act. This legislation is now awaiting action in the Senate.

Although endowed with a wonderful-sounding title, the bill is reform in name only. In actuality it is a totally one-sided approach to labor law which takes only a union leadership point of view. It promotes the interests of unions and union organizing while ignoring the legitimate concerns of employers and employees.

Among other things, the bill would pack the National Labor Relations Board with two additional—and undoubtedly pro-labor—members. It would also speed up the election process in order to aid union organizing. In addition, it would give union organizers harsh legal tools they could use against employers and employees who resist unionization efforts.

No; the Labor Reform Act would not provide for a true reform of our labor laws. Instead it is an attempt to stack the deck so that unions cannot lose.

Following is an excellent article on this legislation by nationally syndicated columnist, James J. Kilpatrick:

A MONSTROUS LABOR PROPOSAL

(By James J. Kilpatrick)

The sponsors are calling it the "Labor Reform Act of 1978." They ought to be jailed for fraud. At the very least the authors ought to be called to task under the honest labeling laws, for the bill now pending in the Senate constitutes no reform at all.

Oh, in a sense it might be termed reform. If one believes that existing labor law should be rewritten so that (1) the unions have all the advantages and the employers have none, (2) nonunion workers should be deprived of the few safeguards they now possess, (3) small employers especially should be placed in jeopardy, and (4) the government in certain cases should have the power to fix wages in private industry—then, yes, the bill would accomplish precisely such "reforms."

Curiously, this monstrous piece of legislation has aroused much less attention than the common site picketing bill or the minimum wage bill, though its impact would be immeasurably greater. The entire business community rallied to defeat common site picketing; another effective coalition from the private sector significantly improved the original minimum wage measure.

Where are those voices now? The National Right to Work Committee, as always, is yelling like Paul Revere. The U.S. Chamber of Commerce has circulated some excellent background material. A few other organizations have sounded alarms, but a sense of urgency is missing.

Consider, if you will, a few provisions.

The bill would literally reform the National Labor Relations Board, which would be reconstituted with two additional members named for seven-year terms. The board has five members now. Organized labor, rebuffed in its choice of a Secretary of Labor a year ago, would exert irresistible pressure to make certain that two labor flunkies were named to the posts. We already have seen Mr. Carter's weakness in this regard in his nominations to the Federal Elections Commission. This is Franklin D. Roosevelt's court-packing scheme, born again with Jimmy Carter.

The bill would rewrite the procedures for certification elections. These now are held in most cases about 60 days after a union's petition. The reform bill would speed things up to 14 days—too brief a time for workers who may oppose a union to rally their forces for a fair contest. The whole idea of this provision is to tilt the scales in favor of union victories.

Suppose the union wins one of these instant elections, and management begins to bargain on an initial contract. This is what could happen under this incredible bill: If the newly-packed National Labor Relations Board is not happy with the employer's bargaining, the board on its own motion could compel the employer to raise wages and benefits by whatever percentage the board perceives under "major collective bargaining settlements" in the nation. This is reform?

There is more. Under this bill, an incompetent, insolent, no-account worker need only identify himself with "union activity" to lead a charmed life. The employer who fires such a worker risks an NLRB order directing that the bum be rehired with double back pay. Under one provision, the board would be required to seek court injunctions against employers charged with unfair dismissals, even if the charges were patently frivolous.

The bill is aimed primarily at small companies with 50 to 100 workers. In the eyes of organized labor, these are plump pigeons waiting to be plucked. Under this bill, if the president of such a company dares to talk to his own workers about the union, the union must be given the same time, at the employer's expense, to conduct its counter campaign.

The bill (S. 1833) speaks for itself. If freedom-loving workers fail to lean on their senators, they will have only themselves to blame.

A PRESIDENT OUT OF HIS ELEMENT (WITH FARMERS)

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. SEBELIUS. Mr. Speaker, I have met with literally thousands of farmers since the Congress recessed in November. One of the questions raised by farmers and others with whom I have met is whether President Carter is out of touch with farmers? Other questions raised include: Is he aware of their plight? Is he equal to the job of governing this Nation as farmers would like to see it governed—with primary emphasis on production and marketing of agricultural products, rather than an agricultural policy and policymakers dominated by consumerism, conservationists, and environmentalists?

I commend to your attention a state-

ment made by Mr. WAMPLER of Virginia in a hearing before the House Committee on Agriculture today relating to "the current agricultural situation." This statement highlights several of the problems facing farmers and ranchers which President Carter appears to be ignoring. The statement also recognizes the shift in agricultural policies—and budgets—under the Carter administration from a farmer to consumer orientation.

MATERNAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S SERVICE ACT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ROGERS. Mr. Speaker, today, at the request of the American Academy of Pediatrics and the American Medical Association, I have introduced, along with my distinguished colleague, the ranking minority member of the Subcommittee on the Health and the Environment, Dr. Carter, a proposal entitled, "The 1978 Amendments to the Maternal and Child Health and Crippled Children's Service Act." This measure represents an initiative proposed by these medical organizations to improve and expand service programs under title V of the Social Security Act. I appreciate the work done by these groups in developing this proposal, and am certain that their suggestions will be most useful to the subcommittee during our deliberations on the entire spectrum of maternal and child health service issues.

According to these organizations, this proposal is designed to expand the scope of and increase the funding for health services for pregnant women, infants, children and adolescents under title V.

Delivery of benefits under this proposal would be accomplished through the existing health care system and private practitioners, although improvements in the current system's organization would be affected by this measure. The legislation especially seeks to make health services available to special groups with abnormal health risk, social dependence and limited resources.

Increased funding under the \$800 million proposal would allow States to extend and improve services in the area of reducing infant mortality; preventing disease and disability; locating, diagnosing, treating and providing followup services for children having crippling conditions; and locating and aiding groups in special need. In addition, special grants to States and localities would be directed to the solution of other health problems, training of personnel and for research.

Funding would be available to States which provide for administration of the legislation by a State health agency or similar body and which are prepared to share financial responsibility for the program. State advisory councils would oversee implementation of the program. States would be required to develop "uni-

fied State plans" encompassing maternal and child health and crippled children's programs and responding to particular State needs in the areas of basic health services and children's programs.

Grants under the legislation would be targeted to solve special problems of low-income families, underserved counties, and local areas; training of health-care personnel; and research, with particular emphasis on developing comprehensive health care programs.

This legislation would establish a new National Office of Maternal and Child Health Services within the Department of Health, Education, and Welfare. The Secretary of the Department of HEW would appoint a National Advisory Council on Maternal and Child Health Programs to assist in preparing regulations and considering State plans provided under the bill.

Again, I appreciate the efforts of these medical organizations in developing legislation which they feel will improve the delivery of health care services to mothers and children and will enhance the role which can be played by the provision of preventive services. I am introducing this proposal today, as I am certain that it will be of use to the Congress in exploring a broad range of alternatives during our consideration of the issues surrounding the provision of maternal and child health services.

BIG LABOR BACKS LIBERAL ANTI-JOB POLICIES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ASHBROOK. Mr. Speaker, the very existence of many heavy industries is threatened in the United States. The production of steel, an industry in which hundreds of thousands of blue-collar, union workers earn their livelihood, is a good example. Environmentalist fanatics want to make steel production more expensive than it is, and it is already hard for domestic steel producers to compete with foreign imports. Internationalists want to continue our trade policy, which favors foreign producers over domestic ones. Capital which is essential to the creation of jobs in heavy industry is being drained off to cover huge annual national deficit. And every one of these movements, from environmentalist fanaticism to huge annual deficits, has the full backing of the leadership of the United Steelworkers' national and of the AFL-CIO. It seems as though big labor has some sort of perverse deathwish for the heavy industry a huge proportion of its membership depends upon for their jobs.

Right now, when liberal internationalist trade policy threatens to destroy our steel industry, the United Steelworkers' national is making a great show of attacking this policy. But that union has backed the liberals in every election who set up that policy in the first place, and

who maintain it today. However loudly big labor attacks our giveaway trade policy right now, it will back the liberals who keep that policy going in 1978, and it will back those same internationalist liberals again in 1980.

The fact is that national union leadership is more interested in being good party line liberals than in the welfare of their membership.

Let us take the example of Government deficits. When the Government runs a deficit, it has to sell bonds to investors to cover that debt. To do that, it must go into the capital market and sell Government bonds in competition with industrial bonds, bank deposits, and other uses to which savers could put their money. Banks or industries selling bonds use savers' money to buy machinery or for other job-creating purposes. The Government takes the money and pays for its latest program or welfare boon-doggle. Most of the money which goes to cover each year's deficit is taken out of productive investment.

Heavy industry is more dependent on large-scale investment than any other sector of our economy. Tens of thousands of dollars are required to create an industrial job, and those tens of thousands have to be obtained out of the same capital market the Government dips into every year for tens of billions of dollars to pay for deficit spending for liberal programs. It would seem that if there were ever any fanatics about keeping the budget balanced, it would be the leadership of the industrial unions. But look at what those unions advocate. They want more welfare, which would push up the deficit, they want a national health program, which would push up the deficit borrowing which competes with industrial bonds, bank deposits, and other job-producing uses to which savers could put their money. This waste of investment money hurts all Americans, but it hurts industrial workers most of all.

The fact that Federal deficits use up investment money is crippling America's job-producing ability, as some figures will demonstrate.

Recently, President Carter asked the Congress to raise the ceiling on the national debt by \$82 billion. This means that the U.S. Government is going into the capital market for another \$83 billion to finance its programs. In 1976, investors put \$106 billion into all producers' durable equipment, including the replacement of old equipment. That \$106 billion represented all investment in all machinery and equipment in every form of production in this country, not just to make new jobs, but also to keep the jobs we have. Heavy industry is only a portion of this investment. The new debt ceiling will represent 80 percent as much money taken in by the Government to cover its deficit as we used in 1976 to buy all the new and replacement machinery in our whole economy. With the Government eating up capital at this rate, it is amazing we have any heavy industry left, and certainly no surprise that we do not attain any increase in jobs in heavy industry. If you want to know why our economy cannot provide any new jobs,

look at the Federal debt that is eating up all the capital that should be producing those jobs.

Besides backing the killing off of industrial capital through deficits, liberal union leadership also backs the outright enemies of industry in the environmentalist movement. Most of the environmentalist fanatics would be happy to see heavy industry disappear in the United States. Big production complexes inevitably produce a lot of chemical and other wastes. If you read what they have in their publications, you see a clear and consistent anti-industrial bias in most of the environmentalist publications. They really got this anti-industrial program going in earnest with the Clean Air Act. By this act, the Federal Government began to divert hundreds of millions more steel investment dollars from production capital into cleaning and filtering equipment. All this came at the worst possible time, when the industry was already in a crisis condition due to imports of low-price foreign steel.

Needless to say, the United Steelworkers national backed the Clean Air Act solidly. Every year, big labor supports liberal extensions of this act, and others like it.

If there ever was a time for a union to stand up to the environmentalist lobby in defense of its members' jobs, this is the time and the United Steelworkers is the union. Instead, the union leaders support liberal candidates pushing these measures with union members' cash and with all the influence they can bring to bear.

When it comes to the vital issue of energy, unions once again are backing the liberal line against their members' livelihoods. A job in heavy industry requires the use of more power than one in any major part of our economy. Steel production, for instance, involves the use of huge amounts of coal, electricity, and water. If the environmentalist, no-growth lobby wins out in this country, the first thing we will have to do will be to close down our heavy industry. You would think, therefore, that the leadership of unions in heavy industry would be in the forefront of the fight for as much energy now as possible, and pushing hard for research into new energy sources. But by now I am sure you know what they are actually backing. You see, liberal ideology favors the no-growthers.

Liberal ideology opposes nuclear power, so of course those candidates fighting nuclear reactors get solid political support from the national industrial unions. Liberal ideology favors putting as many restrictions on the mining of coal as possible, so the candidates backing these measures get the full support of national unions. The leftist anti-energy lobby got full union support in 1976, and will get it again in 1978 and again in 1980, all with the money of the union members whose jobs they are busily destroying.

This battle against union members' economic well-being is a whole new field of callousness for the big labor bosses. We have seen these bosses defy their

members' wishes on one social issue after another. The Massachusetts State Labor Council, AFL-CIO, took an anti-busing stand in 1975. George Meany threatened to remove the council members and put the council under receivership unless they rescinded the resolution, in the teeth of nine-to-one member support for it. Labor bosses are everywhere in the forefront of the battle to register and confiscate the guns of honest citizens, including those of union members. In my experience, 90 percent or more of the union rank and file are opposed to registration or confiscation.

But the new drive against union members' economic well-being is a whole new departure for the labor bosses. It may not be long before their long-suffering membership realizes what is going on. When this happens, the members will force the nationals to back members' interests both economic and social, over the dictates of liberal ideology.

COUNTY GOVERNMENT DISPLAYING PROGRESS

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ICHORD. Mr. Speaker, I am very pleased to invite the attention of my colleagues to the fine work of the Boone County government in Columbia, Mo., in developing innovative approaches to the problems of county government.

These appointed and elected officers are demonstrating the potential for the improvement of services and efficiency at the county level by drawing on their own unique talents as well as the help of State and Federal Government.

The Columbia Missourian in an editorial of January 15, 1978, took public note of this activity, and I am pleased to share this commentary with my colleagues:

COUNTY GOVERNMENT DISPLAYING PROGRESS

Despite past accusations—sometimes earned—of dawdling on the job, Boone County government shows heartening signs of progress and efficiency. The men and women in county government are the measure of that progress.

Judges of the County Court, along with Auditor Ken Geel, have been quietly but persistently working to improve, and possibly to computerize, the county's bookkeeping system. County Clerk Chris Kelly entered the picture Friday with what could develop into a breakthrough. A grant that might be available through the Missouri Department of Education would pay for a consultant to analyze the county's fiscal system.

Before he was appointed to office by Gov. Teasdale, Mr. Kelly became known throughout county government as a whiz at securing government grants. He proved to have an uncanny knack for tiptoeing through the red tape without tripping—and he usually came home with the money. His knowledge of the labyrinths of bureaucracy now has produced the possibility of a significant step forward in county bookkeeping snafus—mostly unpaid bills—that came before the County Court. Since that time, Auditor Ken Geel has cleaned up procedures and eliminated much confusion in the current system.

Mr. Geel, together with County Court Presiding Judge Bill Frech, spawned some innovative approaches to budget procedure, particularly with respect to estimating tax revenues. Budget preparation traditionally has been a matter of organized confusion. Thanks to Messrs. Frech and Geel, future budgets should show more organization and less confusion.

In the county collector's office, Roger Wilson has forged ahead with little fanfare. Collecting back taxes is a perennial problem; the county must sue delinquent taxpayers in order to collect. Encouraged by Mr. Wilson, Rep. John Rollins, D-Columbia, has introduced a bill in the legislature that would require back taxes to be paid before auto license plates would be issued to taxpayers. Certainly the basic idea of the bill would improve county tax collection throughout Missouri.

We don't pretend to have given an overview of Boone County government in a single editorial. But these few recent items are encouraging evidence that county officeholders are earning their stripes.

IS TORRIJOS A DICTATOR?

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. RUDD. Mr. Speaker, the lead editorial in this morning's Washington Post, which was entitled "Remember Panama?" inferred that Panama's military dictator Omar Torrijos is not really a dictator.

How could the editors of the leading newspaper in the Nation's Capital have been so misinformed?

The editorial made this startling inference in order to discredit the argument of those who oppose the proposed new Panama Canal treaties on grounds that the United States cannot trust Panama's totalitarian military dictatorship, and should take no action to legitimize such a regime.

The editorial stated about Torrijos—

If he were in fact a dictator, of course, he would have engineered a larger margin in the first plebiscite, and the treaties would not be facing rejection in the second, and he would not be considering stepping down.

Let us look realistically at the true nature of Panama's military regime under Omar Torrijos.

First, Torrijos took power by force in 1968 with the backing of Panama's National Guard. He overthrew Panama's duly elected government and forced the National Assembly to accept his rewritten constitution making Torrijos chief of state for life. Torrijos has never been elected. He is thus a dictator.

As for allegations that Torrijos might step down if the proposed treaties are approved, Torrijos himself has never made such a public pledge. He has been quoted as saying that he might consider such an action. But then Torrijos would have himself quoted in any manner in order to obtain U.S. ratification of the proposed treaties, turning the \$10 billion asset, the Panama Canal and the Canal Zone, over to him.

Torrijos needs U.S. ratification of the proposed treaties in order to maintain his dictatorship in Panama. No dictator would leave office voluntarily, and none ever has. The only time a dictator leaves is when he is shot to death, when he flees, or when he installs another puppet dictator regime in the place of his own.

Torrijos knows that the first two options are entirely possible for himself unless he can win U.S. ratification of the proposed treaties giving him sovereignty, ownership, and control of the Panama Canal—and he will do anything, even if it seems legitimate, in order to deceive our elected officials, and apparently our news media as well, into becoming full partners—guarantors—of his military regime.

Mr. Speaker, I am surprised that the editors of the Washington Post have overlooked some strong evidence about the real totalitarian and repressive nature of the military dictatorship of Omar Torrijos in Panama.

Such evidence exists in a complete survey of all nations of the world recently conducted by Freedom House, the highly respected national organization dedicated to strengthening democratic institutions, showing that Panama under dictator Torrijos is one of only six totalitarian nations among the 47 nations of our hemisphere.

The Freedom House survey, published last month, ranks nations as "free," "partially free," and "not free." Panama is rated as "not free," along with Cuba and all other nations of the Communist world, as well as other military dictatorships, because of its systematic repression of civil, political, and human rights of the Panamanian people.

Freedom House has rated all nations on a scale of 1 ("most free") to 7 ("least free"), and rates Panama at "6"—only one ranking short of being among the most repressive totalitarian nations in the world.

According to the Freedom House definition of this "6" rating, Panama does "not allow competitive electoral processes that would give the people a chance to voice their desire for a new ruling party or a desire for change in policy. The rulers of states at this level assume that one person or a small group has the right to decide what is best for the Nation, and that no one should be allowed to challenge that right."

The Freedom House publication flatly terms Panama's Government as a "military dictatorship," and in this latest survey refers to "Freedom House's frequent analysis and reporting of the deplorable record on human rights of the present regime in Panama?"

Mr. Speaker, it is disappointing that these facts have not become known to the editors of the Washington Post. I have noticed from this newspaper's past editorials concerning policies of other nations that it has often championed human rights and civil liberties of people whose governments have been even slightly undemocratic or repressive.

It has been documented that the military regime of dictator Torrijos systematically jails his political opponents,

denies free elections and a free press to the Panamanian people, and has allied itself with Fidel Castro, the Soviet Union, and other Marxist dictators of the so-called Third World.

Given these unquestioned facts about the Torrijos regime, and the Post's previous editorial policy, it would appear consistent for the Post's editors to vigorously oppose the proposed new treaties with Panama—or any U.S. agreements or aid that would strengthen Torrijos' suppression of the Panamanian people—if they were fully aware of the truly repressive nature of Panama's one-man dictatorship.

I hope that the Post will acknowledge these facts, and correct the public record with regard to the newspaper's characterization of the Torrijos regime. This would be the honest and fair thing to do, in light of the aspersions made by the Post in today's editorial against those who have sincerely opposed a U.S. partnership with the Torrijos dictatorship.

I have every reason to believe that the publisher and editors of the Washington Post take seriously their responsibility as trustees of the Nation's Capital's leading newspaper. I am sure that that trust and the newspaper's credibility are as important to them as they are to those who daily read the Post and support responsible journalism.

That is why I am pleased to bring this matter to their attention, and to the attention of my colleagues in the Congress. General Torrijos is a dictator—and he should be represented properly in that manner by the news media and those of us in the Congress as public debate continues over the proposed new Panama Canal treaties that are currently under consideration.

WILL PRESIDENT CARTER REPEAL OUR IMMIGRATION LAWS?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1978

Mr. ASHBROOK. Mr. Speaker, President Carter has proposed an "amnesty" for millions of illegal aliens in this country, an amnesty of which one of the preconditions would be that the alien state his intention to become a U.S. citizen. If these millions of aliens obtain citizenship, the flood of immigration will not decrease, it will increase so much that our immigration laws will become meaningless. Do not forget these illegals violate our criminal laws. It is against the laws of the United States to illegally enter our country. A second violation is a felony. Repeat, a felony. Why our President so lightly treats criminal conduct of this type is without reason.

There is no quota on the immigration of relatives of U.S. citizens into this country. Parents or children of citizens may come into this country on the strength of their parents' or children's citizenship without restriction. Once

the parents of an alien have been in this country for 5 years, they, too, can take citizenship. Their children who are under 21—the younger brothers and sisters of the original citizen—may then enter free of quota restrictions. These illegals flaunt our laws, becoming welfare burdens in all too many cases and taking good American jobs in others. How much of our unemployment is due to their criminal conduct?

If the millions of illegal aliens in this country—only one portion of whom represent a tenth of the population of the Republic of Mexico—were willing to defy immigration laws and undergo other disadvantages to enter this country, how many parents, sisters, brothers, and spouses are likely to enter when entry is perfectly legal?

According to one estimate "within the lifetime of most of us, the population of Mexico will be larger than that of the United States." Mexico, with an unemployment rate of 9 percent and an underemployment rate of 40 percent, cannot take care of its present population. This does not even take into consideration the different standards of living of the two countries. What will the vastly increased population of the next two decades do? Will they remain in increasing poverty, or will they come to the United States by way of Mr. Carter's open door policy? Accurate unemployment figures for the Philippines are not available, but even the official underestimate admits to 4 percent completely unemployed, and there is substantial underemployment as well. Clearly that country cannot provide for its burgeoning population. Will they remain in their increasing poverty over the next two decades if they can come to the United States through Mr. Carter's open door?

If Mr. Carter carries out his amnesty proposal, the flood of poor and unskilled immigrants into this country will increase. Far from being a solution to the problem of this vast influx, it will legitimize an even greater flow of people, many of whom will take jobs from our workers, and many of whom will become public charges.

At the very outset, amnesty will mean an increase in immigration as newly legitimate immigrants sponsor yet newer ones. Five years later, when these millions become citizens, there will be a massive influx of their parents and children, not to mention a huge number of real and contrived marriages, which will bring their spouses into this country. In 10 years, these immigrants' brothers and sisters will pour into this country as children of their now-naturalized parents, and with them their families, and so on. Within two decades of Mr. Carter's "amnesty", there will, practically speaking, be no barriers to mass immigration into the United States. Taxpayers beware.

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 meet-

ings 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 committee 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, March 2, 1978, may be found in Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 3

9:00 a.m.

Environment and Public Works

*Water Resources Subcommittee

To hold hearings to receive testimony on Federal dam safety requirements.

4200 Dirksen Building

Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To hold joint hearings with Banking, Housing, and Urban Affairs on S. 50, the Full Employment and Balanced Growth Act.

4232 Dirksen Building

Human Resources

Health and Scientific Research Subcommittee

To continue hearings on S. 2410, amending certain sections of the Public Health Service Act relative to health planning and health resources development.

1318 Dirksen Building

Veterans' Affairs

To hold hearings on S. 2384, the proposed Veterans and Survivors Income Security Act.

6202 Dirksen Building

9:30 a.m.

Human Resources

Aging Subcommittee

To resume oversight hearings on proposed extension of amendments to the Older Americans Act.

Until noon 457 Russell Building

10:00 a.m.

Budget

To receive testimony from OMB Director McIntyre in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.

318 Russell Building

Energy and Natural Resources

Parks and Recreation Subcommittee

To hold hearings to receive testimony from the Department of the Interior on S. 1829, to establish the Jean Lafitte National Historic Park, Louisiana.

3110 Dirksen Building

Finance

To hold a business meeting.

2221 Dirksen Building

Governmental Affairs

To hold hearings on the handling of discrimination complaints in the Senate (pursuant to Rule 50 and Section 310 of S. Res. 110).

3302 Dirksen Building

- Joint Economic
To resume hearings to receive testimony on the President's economic report.
345 Cannon Building
- 11:00 a.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings to receive testimony on conditions in South Africa.
4221 Dirksen Building
- 3:00 p.m.
Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1979 for the Department of Labor.
1223 Dirksen Building
FEBRUARY 6
- 9:00 a.m.
Judiciary
Citizen and Shareholders Rights and Remedies Subcommittee
To hold hearings on S. 476, 477, 478, and the substance of S. 1256, 1257, and H.R. 7819, to amend the laws concerning diplomatic immunity.
2228 Dirksen Building
- 9:30 a.m.
Governmental Affairs
Governmental Efficiency and the District of Columbia Subcommittee
To resume hearings on H.R. 7747, to amend the D.C. Code with regard to pretrial release and detention.
6202 Dirksen Building
- 10:00 a.m.
Armed Services
Manpower and Personnel Subcommittee
To hold hearings to receive testimony from Comptroller General Staats on the costs of an all volunteer army.
1114 Dirksen Building
- Banking, Housing, and Urban Affairs
International Finance Subcommittee
To hold oversight hearings on exchange rate policy.
5302 Dirksen Building
- Energy and Natural Resources
To consider the nominations of Lynn R. Coleman, of the District of Columbia, to be General Counsel of the Department of Energy; Stephen J. Gace, of Maryland, to be an Assistant Administrator of the EPA; and George S. McIsaac, of the District of Columbia, to be an Assistant Secretary of Energy; to be followed by consideration of pending calendar business.
3110 Dirksen Building
- Finance
Taxation and Debt Management Subcommittee
To resume hearings on the public debt and the implications of President Carter's budget upon the debt.
2221 Dirksen Building
- Governmental Affairs
To resume hearings on S. 1785 and S. 2026, to require public disclosure of certain lobbying activities.
3302 Dirksen Building
- Select Small Business
To hold hearings jointly with the House Small Business Subcommittee on Minority Enterprise and General Oversight on the SBA minority business contracting program.
424 Russell Building
- Joint Economic
To resume hearings on the President's economic report.
345 Cannon Building
- 11:00 a.m.
Foreign Relations
To hold hearings on U.S. policy with respect to the exploitation of Antarctic resources.
4221 Dirksen Building
- 5:45 p.m.
Veterans' Affairs
To hold hearings on a National Academy of Science study of health care for American veterans
6226 Dirksen Building
- FEBRUARY 7
- 9:00 a.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on the Department of Energy's uranium enrichment policy.
3110 Dirksen Building
- *Human Resources
Aging Subcommittee
To resume oversight hearings on proposed extension of amendments to the Older Americans Act.
Until noon 6202 Dirksen Building
- 9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on the future of space science and space applications.
235 Russell Building
- Environment and Public Works
To hold hearings on proposed authorizations for fiscal year 1979 for the Federal Highway Administration, and to receive testimony from Secretary of Transportation Brock Adams on the Administration's highway legislative proposals.
4200 Dirksen Building
- 10:00 a.m.
Appropriations
Labor-HEW Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1979 for the Departments of Labor-HEW, and related agencies.
S-128, Capitol
- Banking, Housing, and Urban Affairs
To hold oversight hearings on the budgets of bank regulatory agencies.
5302 Dirksen Building
- Finance
Public Assistance Subcommittee
To hold hearings to receive testimony from HEW Secretary Califano, on S. 2084, the proposed "Better Jobs and Income Act."
2221 Dirksen Building
- Foreign Relations
To meet in closed session with the Chairman and staff members of the Select Committee on Intelligence for a briefing on certain issues relative to the Panama Canal Treaty and Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal (Exec. N, 95th Cong., 1st sess.).
S-116, Capitol
- Governmental Affairs
To continue hearings on S. 1785 and S. 2026, to require public disclosure of certain lobbying activities.
3302 Dirksen Building
- Governmental Affairs
Federal Spending Practices and Open Government Subcommittee
To resume hearings on alleged irregularities in certain spending practices of the Small Business Administration.
457 Russell Building
- Select Small Business
To hold oversight hearings on the SBA procurement programs.
1318 Dirksen Building
- Joint Economic
To continue hearings to receive testimony on the President's economic report from OMB Director McIntyre.
2154 Rayburn Building
- 10:30 a.m.
Judiciary
To hold hearings on the nominations of Jack E. Tanner, to be U.S. district judge for the eastern and western districts of Washington; Robert F. Collins, to be U.S. district judge for the eastern district of Louisiana; A. David Mazzone, to be U.S. district judge for the district of Massachusetts; and Almeric L. Christian, to be U.S. district judge for the district of the Virgin Islands.
2228 Dirksen Building
- 10:45 a.m.
Select Small Business
To hold hearings on S. 2259, the Small Business Procurement Expansion and Simplification Act.
1318 Dirksen Building
- 2:30 p.m.
Select Intelligence
To hold a closed business meeting.
S-407, Capitol
FEBRUARY 8
- 9:00 a.m.
Human Resources
Aging Subcommittee
To continue oversight hearings on proposed extension of amendments to the Older Americans Act.
Until noon 457 Russell Building
- 9:30 a.m.
Environment and Public Works
To hold hearings on proposed authorizations for fiscal year 1979 for the Nuclear Regulatory Commission.
4200 Dirksen Building
- Environment and Public Works
Transportation Subcommittee
To hold hearings to receive testimony on issues relating to the Federal highway program, including the level of Federal support, completion of the Interstate System, and the costs of maintenance on the Federal highway system.
1318 Dirksen Building
- Human Resources
Child and Human Development Subcommittee
To hold hearings to review the current programs on child care and child development and the need for additional legislation.
Until 12:30 p.m. 4232 Dirksen Building
- Human Resources
Health and Scientific Research Subcommittee
To hold hearings on the extension of NIH research authorities and community mental health centers.
Until 12:30 p.m. S-207, Capitol
- Judiciary
Constitution Subcommittee
To hold hearings on S. 35, proposed Civil Rights Improvements Act.
2228 Dirksen Building
- 10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Fine Arts Commission, Woodrow Wilson Center, National Capitol Planning Commission, and the National Gallery of Art, Department of the Interior and related agencies.
1114 Dirksen Building
- Banking, Housing, and Urban Affairs
To continue oversight hearings on the budgets of bank regulatory agencies.
5302 Dirksen Building

- Budget**
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building
- Commerce, Science, and Transportation Surface Transportation Subcommittee**
To hold hearings on proposed authorizations for fiscal year 1979 for the U.S. Railroad Association.
235 Russell Building
- Energy and Natural Resources Energy Production and Supply Subcommittee**
To hold oversight hearings on the Federal coal leasing policy and its impact on western coal development.
3110 Dirksen Building
- Finance International Trade Subcommittee**
To hold hearings on H.R. 5643, to implement the U.N. Convention on the means of prohibiting and preventing illicit import, export, and transfer of ownership of cultural property.
2221 Dirksen Building
- Select Small Business**
To hold hearings on S. 1566, to establish procedures for electronic surveillance in the area of foreign intelligence information.
6226 Dirksen Building
- Select Small Business**
To hold hearings to delineate the problems of attracting capital to small and medium sized independent enterprises.
424 Russell Building
- Joint Economic**
To continue hearings on the President's economic report.
2337 Rayburn Building
- FEBRUARY 9**
- 7:00 a.m.**
Human Resources Child and Human Development Subcommittee
To hold hearings on the reauthorization of the ACTION agency (P.L. 93-113). Until 11:00 a.m.
4232 Dirksen Building
- 9:00 a.m.**
Commerce, Science, and Transportation
To hold hearings on the nominations of Edith B. Sloan and Susan B. King, both of the District of Columbia, each to be a Commissioner of the Consumer Product Safety Commission.
235 Russell Building
- 9:30 a.m.**
Environment and Public Works
To hold hearings on proposed fiscal year 1979 authorizations for Title V's Regional Commissions of the Public Works and Economic Development Act of 1965, and the Appalachian Regional Commission.
4200 Dirksen Building
- Judiciary Constitution Subcommittee**
To continue hearings on S. 35, proposed Civil Rights Improvements Act.
2228 Dirksen Building
- 10:00 a.m.**
Appropriations Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Advisory Council on Historic Preservation, Museum Services, and Pennsylvania Avenue Development Corporation.
1318 Dirksen Building
- Budget**
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building
- Finance Public Assistance Subcommittee**
To resume hearings to receive testimony from Secretary of Labor Marshall on S. 2084, the proposed "Better Jobs and Income Act".
2221 Dirksen Building
- Joint Economic**
To continue hearings to receive testimony on the President's economic report from Treasury Secretary Blumenthal.
5110 Dirksen Building
- FEBRUARY 10**
- 9:30 a.m.**
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To hold oversight hearings on the implementation of the National Science and Technology Policy Act (P.L. 94-282).
235 Russell Building
- 10:00 a.m.**
Energy and Natural Resources Energy Production and Supply Subcommittee
To resume oversight hearings on the Federal coal leasing policy and its impact on western coal development.
3110 Dirksen Building
- Select Small Business**
To resume hearings to delineate the problems of attracting capital to small and medium-sized independent enterprises.
424 Russell Building
- Joint Economic**
To continue hearings to receive testimony on the President's economic report from Secretary of Commerce Kreps and Secretary of Labor Marshall.
345 Cannon Building
- FEBRUARY 15**
- 9:30 a.m.**
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To hold oversight hearings on the National Bureau of Standards.
235 Russell Building
- FEBRUARY 20**
- 9:30 a.m.**
Environment and Public Works
To hold hearings on proposed fiscal year 1979 authorizations for programs within the Department of the Interior, including General Services Building proposals.
4200 Dirksen Building
- 10:00 a.m.**
Appropriations Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Navajo-Hopi Relocation Commission, and Alaska Land Use.
1114 Dirksen Building
- Banking, Housing, and Urban Affairs Housing and Urban Affairs Subcommittee**
To hold hearings on proposed fiscal year 1979 authorizations for HUD.
5302 Dirksen Building
- 6:00 p.m.**
Human Resources Child and Human Development Subcommittee
To resume hearings to review the current programs on child care and child development and the need for additional legislation.
Until 9:00 p.m.
4232 Dirksen Building
- FEBRUARY 21**
- 9:00 a.m.**
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To hold hearings on proposed fiscal year 1979 authorizations for NASA.
235 Russell Building
- Human Resources Employment, Poverty, and Migratory Labor Subcommittee**
To hold hearings on proposed legislation to extend the Comprehensive Employment Training Act (CETA).
Until 12:30 p.m.
4232 Dirksen Building
- 10:00 a.m.**
Appropriations Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Water Research and Technology.
1114 Dirksen Building
- Appropriations Labor-HEW Subcommittee**
To hold hearings on proposed budget estimates for fiscal year 1979 for the National Institutes of Health, Department of HEW.
S-128, Capitol
- To hold hearings on proposed fiscal year 1979 authorizations for NASA.
235 Russell Building
- 9:30 a.m.**
Environment and Public Works
To hold hearings on proposed fiscal year 1979 authorizations for the Economic Development Administration.
4200 Dirksen Building
- 10:00 a.m.**
Appropriations Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of the Secretary.
1114 Dirksen Building
- Appropriations Labor-HEW Subcommittee**
To hold hearings on proposed budget estimates for fiscal year 1979 for the Health Services Administration, Department of HEW.
S-128, Capitol
- Banking, Housing, and Urban Affairs Housing, and Urban Affairs Subcommittee**
To continue hearings on proposed fiscal year 1979 authorizations for HUD.
5302 Dirksen Building
- Budget**
To receive testimony from Director Bosworth, Council on Wage and Price Stability, in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building
- Foreign Relations**
To hold hearings on H.R. 7819, S. 1256, and S. 1257, to guarantee fair and equitable compensation for Americans injured in auto accidents with diplomatic personnel, and to require compulsory auto liability insurance for all diplomats.
4221 Dirksen Building
- Human Resources Education, Arts, and the Humanities Subcommittee**
To mark up S. 1753, to extend and amend the Elementary and Secondary Education Act.
Until noon
4232 Dirksen Building
- 2:00 p.m.**
Appropriations Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Center for Disease Control, Department of HEW.
S-128, Capitol
- FEBRUARY 22**
- 9:00 a.m.**
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To continue hearings on proposed fiscal year 1979 authorizations for NASA.
235 Russell Building
- Human Resources Employment, Poverty, and Migratory Labor Subcommittee**
To hold hearings on proposed legislation to extend the Comprehensive Employment Training Act (CETA).
Until 12:30 p.m.
4232 Dirksen Building
- 10:00 a.m.**
Appropriations Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the National Institutes of Health, Department of HEW.
S-128, Capitol

Appropriations

Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for military construction programs.

1224 Dirksen Building

Banking, Housing, and Urban Affairs

To hold oversight hearings on HUD crime and riot reinsurance programs.

5302 Dirksen Building

Environment and Public Works

To hold hearings on proposed fiscal year 1979 authorizations for the Army Corps of Engineers.

4200 Dirksen Building

Joint Economic

To resume hearings on the President's economic report.

1202 Dirksen Building

2:00 p.m.

Appropriations

Labor-HEW Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1979 for the National Institutes of Health, Department of HEW.

S-128, Capitol

FEBRUARY 23

9:00 a.m.

Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To continue hearings on proposed legislation to extend the Comprehensive Employment Training Act (CETA).
Until 12:30 p.m.

4232 Dirksen Building

9:30 a.m.

Environment and Public Works

Resource Protection Subcommittee

To hold hearings on S. 1820, to preserve examples of America's diverse natural ecological resources for classification, identification, and protection.

4200 Dirksen Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Veterans' Administration.

1318 Dirksen Building

Appropriations

Interior Subcommittee

To hold hearings to receive testimony from Secretary of the Interior Cecil Andrus, on proposed budget estimates for fiscal year 1979 for the Department of the Interior.

1114 Dirksen Building

Appropriations

Labor-HEW Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1979 for the National Institutes of Health, Department of HEW.

S-128, Capitol

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1979 for military construction programs.

S-146, Capitol

Banking, Housing, and Urban Affairs

International Finance Subcommittee

To hold oversight hearings on U.S. export policy.

5302 Dirksen Building

2:00 p.m.

Appropriations

Labor-HEW Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1979 for the National Institutes of Health, Department of HEW.

S-128, Capitol

CXXIV—121—Part 2

FEBRUARY 24

9:30 a.m.

Environment and Public Works

Resource Protection Subcommittee

To continue hearings on S. 1820, to preserve examples of all of America's diverse natural ecological resources for classification, identification, and protection.

4200 Dirksen Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal years 1979 for the Veterans Administration.

1318 Dirksen Building

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Alcohol, Drug Abuse, and Mental Health Administration, Department of HEW.

S-128, Capitol

FEBRUARY 27

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold oversight hearings on the impact of building codes on housing rehabilitation.

5302 Dirksen Building

Banking, Housing, and Urban Affairs

International Finance Subcommittee

To resume oversight hearings on U.S. export policy.

Room to be announced

Governmental Affairs

Federal Spending Practices and Open Government Subcommittee

To hold oversight hearings on the SBA minority business program.

3302 Dirksen Building

Joint Economic

To resume hearings on the President's economic report.

1202 Dirksen Building

2:00 p.m.

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Health Resources Administration, Department of HEW.

S-128, Capitol

FEBRUARY 28

9:00 a.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To resume hearings on proposed fiscal year 1979 authorizations for NASA.

235 Russell Building

9:30 a.m.

Human Resources

To hold a business meeting to consider recommendations it will make to the Budget Committee for the fiscal year 1979 budget in accordance with the Congressional Budget Act.

Until noon 4232 Dirksen Building

Veterans' Affairs

To consider committee budget resolution.

412 Russell Building

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings to consider additional funding for items of the Department of the Interior, and related agencies, proposed to be included in a second supplemental appropriations.

1114 Dirksen Building

Appropriations

Military Construction Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1979 for military construction programs.

S-146, Capitol

Budget

To receive testimony from Energy Secretary Schlesinger in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.

6202 Dirksen Building

Environment and Public Works

Water Resources Subcommittee

To mark up H.R. 7744, to permit the contract dredging for improvement of rivers and harbors by private industry.

4200 Dirksen Building

Select Small Business

To hold hearings on small business aspects of the Administration's 1978 tax program.

424 Russell Building

10:30 a.m.

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Department of HEW.

S-128, Capitol

2:00 p.m.

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Education, Department of HEW.

S-128, Capitol

MARCH 1

9:00 a.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To resume hearings on proposed fiscal year 1979 authorizations for NASA.

235 Russell Building

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Bureau of Outdoor Recreation, and Land and Water Conservation Fund.

1114 Dirksen Building

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for elementary and secondary education programs, Department of HEW.

S-128, Capitol

Budget

To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.

6202 Dirksen Building

Joint Economic

To resume hearings on the President's economic report.

1202 Dirksen Building

2:00 p.m.

Appropriations

Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for school assistance in Federally-affected areas, and emergency school aid programs, Department of HEW.

S-128, Capitol

MARCH 2

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1979 for the Consumer Product Safety Commission.

1318 Dirksen Building

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the National Park Service.
1114 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Education, Department of HEW.
S-128, Capitol

Budget
To receive testimony from Defense Secretary Brown in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1979 for the Office of Education, Department of HEW.
S-128, Capitol

MARCH 3

9:30 a.m.
Environment and Public Works
Resource Protection Subcommittee
To mark up S. 1820, to preserve examples of America's diverse natural ecological resources for classification, identification, and protection, and S. 1140, to encourage and assist States in development of improved programs for the conservation of "non-game" species of fish and wildlife.
4200 Dirksen Building

10:00 a.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on spending practices of individual departments (Mission Budgeting) at HEW, and on proposed budget estimates for fiscal year 1979 for the Health Care Financing Administration, Department of HEW
S-128, Capitol

11:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1979 for the Consumer Product Safety Commission, Office of Consumer Affairs, and Consumer Information Center.
1318 Dirksen Building

MARCH 6

9:30 a.m.
Environment and Public Works
Transportation Subcommittee
To resume hearings on issues relating to the Federal highway program, including the level of Federal support, completion of the Interstate System, and the costs of maintenance on the Federal highway system.
4200 Dirksen Building

6:00 p.m.
Veterans' Affairs
To resume hearings on a National Academy of Science study of health care for American veterans.
Until 10:30 p.m. 6226 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1979 for the Office of Education, Department of HEW.
S-128, Capitol

MARCH 7

9:00 a.m.
Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee
To resume hearings on proposed fiscal year 1979 authorizations for NASA.
235 Russell Building

Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To resume hearings on S. 50, the Full Employment and Balanced Growth Act.
Until 12:30 p.m. 4232 Dirksen Building

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Fish and Wildlife Service.
1114 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Human Development and special institutions, Department of HEW.
S-128, Capitol

Appropriations
Military Construction Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1979 for military construction programs, and funds for NATO.
S-146, Capitol

Banking, Housing, and Urban Affairs
To hold hearings on S. 72, to restrict the activities in which registered bank holding companies may engage, and to control the acquisition of banks by bank holding companies and other banks.
5302 Dirksen Building

11:30 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations from officials of the VFW.
318 Russell Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1979 for the Office of Human Development and special institutions, Department of HEW.
S-128, Capitol

MARCH 8

9:00 a.m.
Commerce, Science and Transportation
Science, Technology, and Space Subcommittee
To continue hearings on proposed fiscal year 1979 authorizations for NASA.
235 Russell Building

Human Resources
To continue hearings on S. 50, the Full Employment and Balanced Growth Act.
Until 12:30 p.m. 4232 Dirksen Building

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the National Endowment for the Arts.
1114 Dirksen Building

Banking, Housing, and Urban Affairs
To continue hearings on S. 72, to restrict the activities in which registered bank holding companies may engage, and to control the acquisition of banks by bank holding companies and other banks.
5302 Dirksen Building

Budget
To resume hearings in preparation for reporting the first concurrent resolu-

tion on the fiscal year 1979 congressional budget.
6202 Dirksen Building

MARCH 9

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Environmental Protection Agency.
1318 Dirksen Building

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Surface Mining.
1114 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1979 for the Department of HEW.
S-128, Capitol

Appropriations
Military Construction Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1979 for military construction programs.
S-146, Capitol

Budget
To receive testimony from HEW Secretary Califano and Labor Secretary Marshall in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building

MARCH 10

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1979 for the Environmental Protection Agency and Council on Environmental Quality.
1318 Dirksen Building

Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
6202 Dirksen Building

MARCH 13

9:00 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To resume hearings on S. 2090, 2081, and 1919, to extend certain program authorized by the Economic Opportunity Act.
Until 12:30 p.m. 4232 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To hold hearings on proposed fiscal year 1979 authorizations for the Export-Import Bank.
5302 Dirksen Building

Foreign Relations
To hold hearings on U.S.-U.S.S.R. relations.
4221 Dirksen Building

7:00 p.m.
Human Resources
Child and Human Development Subcommittee
To hold hearings on S. 258, the Children and Youth Camp Safety Act.
Until 10:30 p.m. 4232 Dirksen Building

MARCH 14

9:00 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To continue hearings on S. 2090, 2081, and 1919, to extend certain programs

authorized by the Economic Opportunity Act.
 Until 12:30 p.m. 6226 Dirksen Building

10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Forest Service, Department of Agriculture.
 1114 Dirksen Building

Appropriations
 Military Construction Subcommittee
 To resume hearings on proposed budget estimates for fiscal year 1979 for military construction programs.
 S-146, Capitol

Banking, Housing, and Urban Affairs
 International Finance Subcommittee
 To continue hearings on proposed fiscal year 1979 authorizations for the Export-Import Bank.
 5302 Dirksen Building

Foreign Relations
 To continue hearings on U.S.-U.S.S.R. relations.
 4221 Dirksen Building
 MARCH 15

10:00 a.m.
 Banking, Housing, and Urban Affairs
 To mark up S. 2065, to provide consumer rights and remedies in electronic fund transfer systems.
 5302 Dirksen Building

Budget
 To receive testimony from Federal Reserve Board Chairman-designate Miller in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
 6202 Dirksen Building

Foreign Relations
 To continue hearings on U.S.-U.S.S.R. relations.
 4221 Dirksen Building
 MARCH 16

9:00 a.m.
 Commerce, Science, and Transportation
 Science, Technology, and Space Subcommittee
 To continue hearings on proposed fiscal year 1979 authorizations for NASA.
 235 Russell Building

10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Smithsonian Institution.
 1114 Dirksen Building

Banking, Housing, and Urban Affairs
 To hold oversight hearings on FDIC report on preferential bank lending policies.
 5302 Dirksen Building

Budget
 To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
 6202 Dirksen Building
 MARCH 17

10:00 a.m.
 Budget
 To receive testimony from Secretary of HUD Harris in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
 6202 Dirksen Building
 MARCH 20

9:30 a.m.
 Human Resources
 Health and Scientific Research Subcommittee
 To hold hearings on S. 2040, the Comprehensive Drug Amendments Act.

Until 12:30 p.m. 4332 Dirksen Building
 10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Bureau of Mines.
 1114 Dirksen Building

Banking, Housing, and Urban Affairs
 International Finance Subcommittee
 To resume hearings on proposed fiscal year 1979 authorizations for the Export-Import Bank.
 5302 Dirksen Building

Budget
 To receive testimony from Representative Bolling in preparation for reporting the first concurrent resolution on the fiscal year 1979 congressional budget.
 6202 Dirksen Building
 MARCH 21

9:30 a.m.
 Environment and Public Works
 Transportation Subcommittee
 To resume hearings on issues relating to Federal highway program, including the level of Federal support, completion of the Interstate system, and the costs of maintenance on the Federal highway system.
 4200 Dirksen Building

Veterans' Affairs
 To mark up S. 364, to provide for judicial review of administrative decisions promulgated by the VA, and to allow veterans full access to legal counsel in proceedings before the VA, and S. 2384, the Veterans and Survivors Income Security Act.
 412 Russell Building

10:00 a.m.
 Appropriations
 HUD-Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the National Science Foundation.
 1318 Dirksen Building

Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Bureau of Land Management.
 1114 Dirksen Building

Banking, Housing, and Urban Affairs
 International Finance Subcommittee
 To continue hearings on proposed fiscal year 1979 authorizations for the Export-Import Bank.
 5302 Dirksen Building
 MARCH 22

9:00 a.m.
 Human Resources
 To hold hearings on S. 2084, the Administration's proposed welfare reform legislation.
 Until 12:30 p.m. 4232 Dirksen Building

9:30 a.m.
 Environment and Public Works
 Transportation Subcommittee
 To continue hearings on issues relating to the Federal highway program, including the level of Federal support, completion of the Interstate system, and the costs of maintenance of the Federal highway system.
 4200 Dirksen Building

10:00 a.m.
 Appropriations
 HUD-Independent Agencies Subcommittee
 To continue hearings on proposed budget estimates for fiscal year 1979 for the National Science Foundation and

Office of Science and Technology Policy.
 1318 Dirksen Building
 MARCH 23

9:00 a.m.
 Human Resources
 To continue hearings on S. 2084, the Administration's proposed welfare reform legislation.
 Until 12:30 p.m. 4232 Dirksen Building
 APRIL 3

10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the National Endowment for the Humanities.
 1114 Dirksen Building

Banking, Housing, and Urban Affairs
 To hold oversight hearings on the condition of the banking system.
 5302 Dirksen Building
 APRIL 4

10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Bureau of Indian Affairs.
 1114 Dirksen Building

Banking, Housing, and Urban Affairs
 To continue oversight hearings on the condition of the banking system.
 5302 Dirksen Building
 APRIL 5

10:30 a.m.
 Veterans' Affairs
 To hold hearings to receive legislative recommendations from AM-VETS, Paralyzed Veterans of America, and Veterans of World War I.
 Until 1:00 p.m. 6226 Dirksen Building
 APRIL 6

9:00 a.m.
 Commerce, Science, and Transportation
 Science, Technology, and Space Subcommittee
 To resume oversight hearings on the National Bureau of Standards.
 235 Russell Building

10:00 a.m.
 Appropriations
 Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Geological Survey.
 1114 Dirksen Building
 APRIL 7

11:00 a.m.
 Appropriations
 HUD-Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1979 for the Office of Revenue Sharing, and New York City Seasonal Financing Fund, Department of the Treasury.
 1318 Dirksen Building
 APRIL 10

10:00 a.m.
 Banking, Housing, and Urban Affairs
 To hold hearings to consider the reestablishment of housing goals and proposed extension of existing housing programs.
 5302 Dirksen Building
 APRIL 11

10:00 a.m.
 Banking, Housing, and Urban Affairs
 To continue hearings to consider the reestablishment of housing goals and proposed extension of existing housing programs.
 5302 Dirksen Building

<p>10:00 a.m. Banking, Housing, and Urban Affairs To continue hearings to consider the re-establishment of housing goals and proposed extension of existing housing programs. 5302 Dirksen Building</p> <p>APRIL 12</p> <p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To hold hearings on proposed budget estimates for fiscal year 1979 for HUD. 1318 Dirksen Building</p> <p>APRIL 13</p> <p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To continue hearings on proposed budget estimates for fiscal year 1979 for HUD. 1318 Dirksen Building</p> <p>APRIL 14</p> <p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To continue hearings on proposed budget estimates for fiscal year 1979 for HUD. 1318 Dirksen Building</p>	<p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To hold hearings on proposed budget estimates for fiscal year 1979 for NASA. 1318 Dirksen Building</p> <p>APRIL 20</p> <p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To continue hearings on proposed budget estimates for fiscal year 1979 for NASA and the Selective Service System. 1318 Dirksen Building</p> <p>APRIL 21</p> <p>10:00 a.m. Banking, Housing, and Urban Affairs To hold oversight hearings on monetary policy. 5302 Dirksen Building</p> <p>APRIL 22</p> <p>10:00 a.m. Banking, Housing, and Urban Affairs</p> <p>APRIL 23</p> <p>10:00 a.m. Banking, Housing, and Urban Affairs</p>	<p>To continue oversight hearings on monetary policy. 5302 Dirksen Building</p> <p>APRIL 26</p> <p>10:00 a.m. Appropriations HUD-Independent Agencies Subcommittee To hold hearings on proposed budget estimates for fiscal year 1979 for the Federal Home Loan Bank Board and the National Institute of Building Sciences. 1318 Dirksen Building</p> <p>CANCELLATIONS FEBRUARY 28</p> <p>9:30 a.m. Environment and Public Works Resource Protection Subcommittee To hold oversight hearings on the Resource Conservation and Recovery Act (P.L. 94-580). 4200 Dirksen Building</p>
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SENATE—Thursday, February 2, 1978

(Legislative day of Monday, January 30, 1978)

The Senate met at 10:45 a.m., on the expiration of the recess, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, who rulest the worlds from everlasting to everlasting: Speak to our hearts when courage fails, and men faint for fear, and the love of many grows cold, and there is distress of the nations upon the Earth. Keep us hopeful, resolute, and steadfast. Strengthen and confirm our trust in the triumph of justice, and grant us to know that, amid the uncertainties of our time, Thine alone is the Kingdom, the Power, and the Glory forever and ever. Amen.

—Adapted from "Prayers for a New World."

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, D.C., February 2, 1978.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY F. BYRD, JR., a Senator from the State of Virginia, to perform the duties of the Chair.

JAMES O. EASTLAND,
President pro tempore.

Mr. HARRY F. BYRD, JR. thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF LEADERSHIP

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Jour-

nal of the proceedings of yesterday, Wednesday, February 1, 1978, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Mr. PAUL G. HATFIELD assumed the chair.

THE PRESIDENT'S ADDRESS TO THE NATION

Mr. ROBERT C. BYRD. Mr. President, last night President Carter made a most important address to the Nation on the subject of the Panama Canal treaties.

The President is to be commended on the forthright manner in which he discussed the critical issues involved in the treaties. I think he is to be commended on bringing the public into the discussions, so that the American people may constitute a more informed public as we attempt to reach our decisions, individually and collectively, on these treaties. I believe that anyone who seriously considered the President's remarks will come to the same conclusion that I have reached—that the treaties represent what is right for us and fair to others.

As President Carter said, approval of the treaties is the surest way to protect and save the canal; it would also be the strong, positive act of a people who are still confident, still creative, still great.

President Carter's remarks deserve the thoughtful consideration of every Senator and every American.

I ask unanimous consent, Mr. President, that the text of President Carter's televised speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 2, 1978]

TEXT OF PRESIDENT CARTER'S TELEVISED SPEECH ON THE PANAMA CANAL TREATIES

Seventy-five years ago, our nation signed a treaty which gave us rights to build a canal across Panama to take the historic step of joining the Atlantic and Pacific Oceans. The results of the agreement have been a great benefit to ourselves and to other nations throughout the world who navigate the high seas.

The building of the canal was one of the greatest engineering feats of history. Although massive in concept and construction

it is relatively simple in design and has been reliable and efficient in operation. We Americans are justly and deeply proud of this great achievement.

The canal also has been a source of pride and benefit to the people of Panama but a cause of some continuing discontent. Because we have controlled a 10-mile-wide strip of land across the heart of their country and because they considered the original terms of the agreement to be unfair, the people of Panama have never been satisfied with the treaty. It was drafted here in our country and was not signed by any Panamanian. Our own Secretary of State who did sign the original treaty said it was "vastly advantageous to the United States and . . . not so advantageous to Panama."

In 1964, after consulting with former Presidents Truman and Eisenhower, President Johnson committed our nation to work toward a new treaty with the Republic of Panama. Last summer, after 14 years of negotiations under two Democratic Presidents and two Republican Presidents, we reached and signed an agreement that is fair and beneficial to both countries. The United States Senate will soon be debating whether these treaties should be ratified.

CONCERN FOR NATIONAL SECURITY

Throughout the negotiations, we were determined that our national security interests would be protected; that the canal would always be open, neutral and available to ships of all nations; that in time of need or emergency our ships would have the right to go to the head of the line for priority passage through the canal; and that our military forces would have the permanent right to defend the canal if it should ever be in danger.

The new treaties met all of these requirements. Let me outline the terms of the agreement. There are two treaties—one covering the rest of this century and the other guaranteeing the safety, openness and neutrality of the canal after the year 1999 when Panama will be in charge of its operation.

For the rest of the century we will operate the canal through a nine-person board of directors. Five members will be from the United States, and four from Panama. Within the area of the present Canal Zone, we have the right to select whatever lands and waters our military and civilian forces need to maintain, operate and defend the canal.

About 75 percent of those who now maintain and operate the canal are Panamanians; over the next 22 years as we manage the canal together, this percentage will increase. The Americans who work on the canal will continue to have their rights of employ-