

## EXTENSIONS OF REMARKS

October 11, 1978

—Khar turuut tsakhiai.  
 —Nordmann's greenshank.  
 —Lord Howe wood rail.  
 —White-naped crane.  
 —Black-necked crane.  
 —Cuba sandhill crane.  
 —Montezuma quail.  
 —Elliot's pheasant.  
 —Mitu.  
 —Black-fronted piping-guan.  
 —Peregrine falcon.  
 —Greenland white-tailed eagle.  
 —Harpy eagle.  
 —Pink-headed duck.  
 —Campbell Island flightless teal.  
 —Frigate Bird.  
 —Abbott's booby.  
 —Solitary tinamou.  
 —Laysan (Laysan duck) Teal.  
 —Masked Bobwhite Quail.  
 —White-eared Pheasant.  
 —Swinhoe Pheasant.  
 —Palawan peacock Pheasant.  
 —Mikado Pheasant.  
 —Humes (Bar-tailed) Pheasant.  
 —Edward's Pheasant.  
 —Brown-eared Pheasant.  
 —Nene (Hawaiian) Goose.  
 —Hawaiian (Koloa) Duck.  
 —St. Lucia wren.  
 —New Zealand bush wren.  
 —Guadeloupe house wren.  
 —Tristram's woodpecker.  
 —Red-cockaded woodpecker.  
 —Swayne's hartebeast.  
 —Pying hog.  
 —Barbary hyaena.  
 —Brown hyaena.  
 —Pyrenean ibex.  
 —Walla ibex.  
 —Black-faced impala.  
 —Indris.  
 —Juguar.  
 —Eastern gray kangaroo.  
 —Red kangaroo.  
 —Western gray kangaroo.  
 —Leopard.  
 —Ring-tailed lemur.  
 —Jaguar.  
 —Right whale.  
 —Black lemur.  
 —Mexican wolf.  
 —Gray bat.  
 —Queensland hairy-nosed wombat.  
 —Wild yak.  
 —Barnard's wombat.  
 —Red wolf.  
 —Northern Rocky Mountain wolf.  
 —Maned wolf.  
 —Eastern timber wolf.  
 —Sperm whale.  
 —Ski whale.  
 —Humpback whale.  
 —Gray whale.  
 —Finback whale.  
 —Bowhead whale.  
 —Blue whale.

—Yellow footed rock wallaby.  
 —Western hare wallaby.  
 —Parma wallaby.  
 —Crescent nila-tail wallaby.  
 —Wouifin.  
 —Greenback cutthroat trout.  
 —Lahontan cutthroat trout.  
 —Paiute cutthroat trout.  
 —Manus Island tree snail.  
 —Lemur.  
 —Do.  
 —Langur.  
 —Howler monkey.  
 —Golden langur.  
 —Javan rhinoceros.  
 —Northern white rhinoceros.  
 —Sumatran rhinoceros.  
 —White-nosed saki.  
 —Mediterranean monk seal.  
 —Hawaiian monk seal.  
 —Seledang (guar).  
 —Sumatran serow.  
 —Barbary serval.  
 —Shapo.  
 —Shou.  
 —Siamang.  
 —Sifakas.  
 —Brazilian three-toed sloth.  
 —Cuban solenodon.  
 —Haitian solenodon.  
 —Delmarva peninsula fox squirrel.  
 —Barbary stag.  
 —Kashmir stag.  
 —Tamaraw.  
 —Golden-rumped tamarin (golden-headed tamarin; golden-lion marmoset).  
 —Pied tamarin.  
 —Birdwing pearly mussel.  
 —Dromedary pearly mussel.  
 —Yellow-blossom pearly mussel.  
 —Curtis' pearly mussel.  
 —Sampson's pearly mussel.  
 —White cat's paw pearly mussel.  
 —Green-blossom pearly mussel.  
 —Tubercled-blossom pearly mussel.  
 —Turgid-blossom nearly mussel.  
 —Fine-rayed pigtoe pearly mussel.  
 —Nile crocodile.  
 —Morelet's crocodile.  
 —Cuban crocodile.  
 —American crocodile.  
 —Jamaican boa.  
 —Puerto-Rican boa.  
 —American alligator.  
 —Mariannas mallard.  
 —Swinhoe's pheasant.  
 —Palawan peacock pheasant.  
 —Mikado pheasant.  
 —Bar-tailed pheasant.  
 —Edward's pheasant.  
 —Brown-eared pheasant.  
 —Yellow-shouldered blackbird.  
 —Red siskin.  
 —White-breasted silveryeye.  
 —Western rufous bristlebird.  
 —Koch's pitta.  
 —White-winged cotinga.

—Banded cotinga.  
 —Helmeted hornbill.  
 —Giant scops owl.  
 —Resplendent quetzal.  
 —Hook-billed hermit.  
 —Golden parakeet.  
 —Red-capped parrot.  
 —Little blue macaw.  
 —Indigo macaw.  
 —Glaucous macaw.  
 —Kouprey.  
 —Dhole langur.  
 —Pagi Island langur.  
 —Black lechwe.  
 —Lemnrs.  
 —Leopard.  
 —Formosan clouded leopard.  
 —Snow leopard.  
 —Asiatic lion.  
 —Spanish lynx.  
 —Lion-tailed maeaque.  
 —Amazonian manatee.  
 —West Indian manatee.  
 —Tana River mangabey.  
 —Margay.  
 —Proboscis monkey.  
 —Clouded leopard.  
 —Bobcat.  
 —Andean cat.  
 —Marbled cat.  
 —Jaguarundi.  
 —Leopard cat.  
 —Temminck's cat.  
 —Costa Rican puma.  
 —Black-footed cat.  
 —Flat-headed cat.  
 —Southern river otter.  
 —Marine otter.

H.R. 14104

By Mr. DUNCAN of Tennessee:

—Page 31, line 20, strike out "subsection" and insert in lieu thereof "subsections".

Page 32, line 21, strike out the closing quotation marks and the final period.

Page 32, after line 21, insert the following:

"(1) TELLICO DAM AND RESERVOIR PROJECT.—The provisions of this Act shall not apply with respect to the construction and operation of the Tellico Dam and Reservoir project in Tennessee. The harassment, harm, killing, or wounding, if any, of any endangered species or threatened species attributable to the construction or operation of such project shall not be deemed to be a taking of any endangered species within the meaning of section 9(a)(1) of this Act or the taking of any threatened species if a prohibition against the taking thereof is imposed by regulations pursuant to section 4(d) of this Act."

H.R. 14104

By Mrs. MEYNER:

—Page 30, strike out line 20 and all that follows through page 31, line 17.

## EXTENSIONS OF REMARKS

## A PREVENTIVE HEALTH PROGRAM FOR CHILDREN

HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. MAGUIRE. Mr. Speaker, this week the Congress has the opportunity to support a concept which has come of age in American health care. This concept—prevention of disease and promotion of

health—is a recent phenomenon in our Nation's health policy, although it is as old as man's instinct for self-preservation. Congress, the administration, and the American health care consumer have all recognized the value of prevention, especially in the past few years when the amount of funds for health care has increased so dramatically.

The Child Health Assurance Act (CHAP) which we are now considering is one way we can show the American health care consumer that we are truly

interested in preventing disease and promoting health. The CHAP program, a preventive health program for medicaid children, would replace the existing early and periodic screening, diagnosis, and treatment program, which has been unsuccessful in reaching the children it was designed to reach. It would bring them into an ongoing source of health care. CHAP would assure that 13 million medicaid-eligible children receive preventive health care and that 110,000 additional pregnant women receive prenatal care.

What kind of health assessment would be provided to the CHAP child? HEW guidelines presently include the following assessment procedures: Health and developmental history, physical examination, developmental assessment, immunizations, vision screening, hearing test, appropriate laboratory procedures, and dental assessment. Under CHAP the child who has been assessed would be treated, or at least referred for any health condition found. Services provided would include, in addition to the basic medicaid services, all ambulatory medical and mental health services which medicaid will reimburse, and routine dental care for all medicaid children.

Prenatal care will be provided to women who do not already have a child, but who would receive AFDC after the child is born. Sound medical management can limit the possibility of harm to mother and infant due to the pressure of chronic or acute illness in the pregnant woman. Prenatal care can effectively reduce the incidence of premature births, neonatal deaths, and other conditions associated with high risk pregnancies.

States have, in the past, been reluctant to implement the EPSDT program because there were no incentives for the States to find these children and provide them with preventive health care. The new CHAP program will give States an incentive to increase outreach efforts to bring children into an ongoing source of health care and to follow the child to make sure he is treated for conditions discovered. The program will provide a higher Federal match for the services, reducing costs of implementation for many States.

The positive cost/benefit ratio of preventive health care has been well documented before the Congress in recent years. Preventing disease and disability by providing early diagnosis and treatment of medical conditions has the potential to drastically reduce our health care budget. Moreover, by focusing this preventive effort on children greatly increases the potential long-term benefits. One State has reported that the total expenditures for children who had been screened under the present program—early periodic screening, diagnosis, and treatment—were 47 to 48 percent lower than those who had not been screened. This effect is greatest when a full range of services is provided to the children, including outreach, physical examinations, and counseling.

There are those in the Congress who object to the CHAP bill because of its cost. However, a businessman would not hesitate to invest in a piece of equipment or a service which could reduce his future operating expenses by almost half. Should we invest in our children less than we would in our businesses? In passing the CHAP bill, we are making a sound investment to protect the health of the children and future adults of this country, and a sound financial investment toward reducing long-term expenditures for chronic health problems.●

## EXTENSIONS OF REMARKS

### A TRIBUTE TO GENERAL PULASKI; AMERICAN REVOLUTIONARY WAR HERO

#### HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FARY. Mr. Speaker, October 11, will mark the 199th anniversary of the death of an outstanding Polish patriot who, during the Revolutionary War, sacrificed his life for our country. Gen. Casimir Pulaski, a hero of two continents, will always be remembered as a proud and courageous soldier, the founder of the American cavalry, and a man who gave his life for the cause of American liberty.

Born in 1748 in Podolia, Poland, of an aristocratic and distinguished family, Count Pulaski turned his interest to military affairs. At the age of 20 he joined his father and brother in forming the Confederation of Bar and, by so doing, pledged his time, fortune, and life to the independence of his country. Pulaski led the Polish insurrection against the domination of Poland by Russia, Austria, and Prussia. His heroic feats against overwhelming odds, and his fame as a cavalry leader spread throughout Europe.

General Pulaski first heard of the American rebellion against the British in Paris, and in the summer of 1777 volunteered his services to Washington's army. Impressed with Pulaski's credentials, Washington recommended that Congress commission him as a brigadier general so that he could command the cavalry.

Rather than waiting for his commission to be approved by Congress, Pulaski enlisted in the American Army as a volunteer and was given the rank of captain.

Pulaski fought with Washington at Brandywine and was credited with saving Washington's army by means of a bold cavalry charge. He also fought in the battle at Germantown. His commission as a brigadier general finally came through and he took command of the cavalry at Trenton, N.J. During the winter of 1777-78, General Pulaski joined forces with Gen. Anthony Wayne and helped defeat a British division at Haddonfield, N.J. Generals Pulaski and Wayne again fought side by side in skirmishes at Cooper's Ferry.

During the winter of 1779, Pulaski was ordered south to join forces with Gen. Benjamin Lincoln. Pulaski's Legion arrived in Charleston, S.C., while the city was under heavy seige and on the verge of surrender. He was successful in lifting the morale and the resolve of the defenders until reinforcements under General Lincoln could lift the seige itself.

General Lincoln, General Pulaski, and French Admiral D'Estaing then combined forces against the British who were occupying Savannah. Pulaski was severely wounded in this charge and died aboard the brig *Wasp* on the way to Charleston. Although he was buried at sea, funeral services were held afterward in the city of Charleston and the citizens of Savannah, Ga., erected a monument to the memory of Gen. Casimir Pulaski.

Pulaski's untimely death at the head of this famous cavalry charge served his noble dedication to the ideals for which the colonists fought. His example of sacrifice and devotion to our Nation's cause is a model of patriotism for all time.

I am sincerely proud to join Americans of Polish descent in the Fifth District in Chicago, and all over this great Nation in commemorating the 199th anniversary of General Pulaski's supreme and inspiring sacrifice during our American War of Independence.●

### TRIBUTE TO CROSS SICLARE, A MAN WHO LIVED AND SHARED THE AMERICAN DREAM

#### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BIAGGI. Mr. Speaker, America has welcomed millions of immigrants to its shores and has grown strong and remained free as a result of their productivity, loyalty, and service. Few of these new citizens personify the true spirit of American as fully as Cross Siclare, who passed away on July 24 in Brooklyn, N.Y., at the age of 88. In a very distinctive manner, he embodied the American way of treating neighbor as brother, of investing time, brain, and energy in the pursuit of happiness for himself, his family, and community, and of sharing the fruits of his labor with every friend and many strangers throughout our country and Italy, the country from which he came as a young man in search of the American dream.

Mr. Siclare came to America with his father at the age of 12. Unable to afford a formal education, he worked on farms, in construction, and as a water boy during the laying of the railroad tracks in Pennsylvania. His ultimate goal to set up his own paper converting operation became a reality in 1912.

As founder of Cross Siclare/New York, Inc., one of the country's largest and most sophisticated printing, paper converting and merchant operations, and its guiding hand until his semi-retirement in 1965, Mr. Siclare occupies a distinguished place in the annals of New York's graphic arts industry.

Concurrent with his heading the rapidly growing paper operation, he took over the helm of the U.S. Cinder Corp. and guided it through the depression years. As his paper converting business continued to grow, he divided his executive attention between it and new ventures into real estate, home building, and construction materials.

Mr. Siclare was widely and well-respected for his business acumen and integrity, his civic and community activities, and his philanthropic responses to myriad causes here and abroad. For many, many years, I was privileged to be his friend.

Throughout his life in America, he eminently championed the democratic ideals set forth in our Constitution. His good works influenced the lives of count-

## EXTENSIONS OF REMARKS

less Americans outside his immediate circle of family, friends, employees, and business colleagues. He cofounded and generously supported over many decades, a community hospital in his birthplace, Scilla, Italy, where thousands of Italians have received help and solace. On the 50th anniversary of his company's founding, the mayor of Scilla, Italy, came to Rye, N.Y. to award Mr. Siclare a Gold Medal of Merit.

Through his ongoing involvement since the inception of the American Committee On Italian Migration, he has been a vital force in its effectiveness and its cumulative success in opening up the immigration quotas so that today more Italians like himself are being welcomed than previously under the McCarran Act.

Through his humanity, expansiveness, and compassion, Mr. Siclare inspired all, like myself, who knew him. Proudly American, he had a pioneering spirit, indomitable drive, and inventive imagination, which he put to work in everything he did as a private person, citizen, executive, and friend. At the birth of his company, his horse and buggy were both working capital and headquarters as he plied the New York streets carrying paper from the source to the printer. Today, the corporation he founded operates from a 25-acre complex in Staten Island, N.Y. with over 100 employees.

Among the many honors bestowed upon him during his long career, the most recent was on September 25, 1977, when he was elected a charter member of the Hall of Fame of the Italian Historic Society of America.

In 1970, he received a meritorious achievement award from the Italian-American Professional and Businessmen's Association for his 50 years of dedicated service. He was similarly honored for 25 years of loyal service by the Newton Falls Paper Mill. For many decades, he was an active member of the Knights of Columbus.

Included in his legacy of good works and business achievements, is the ongoing integrity which Mr. Siclare, throughout his life, encouraged among his family, friends, employees, and all whose lives he touched.

In today's graphic arts industry, the corporation which Mr. Siclare founded remains the sole family-owned paper distribution operation which has withstood the economic pressures of depression, war, recession, paper shortage, and industry upheavals without resorting to a merger or going public to survive and grow.

In the top executive position is Mr. Siclare's son, Clemente, who took over the duties of president when his father entered semi-retirement in 1965. Assisting Clemente in top management roles are his brothers, Rocco and Joseph.

Other children of the late Mr. Siclare who have over the years played key roles in the corporation's growth are Victoria, Eugenia, Josephine, and Theresa.

The remaining members of Mr. Siclare's immediate family include 15 grandchildren and 7 great grandchildren.

To his loving family, dear friends, employees, and colleagues, and the many more whose lives he deeply touched, we

extend our warmest wishes that they will enjoy happiness and prosperity as Cross Siclare would have wanted.

May he truly be blessed and rest in peace. His work is done. ●

## WE DO NOT NEED A DEPARTMENT OF EDUCATION

## HON. ROBERT H. MICHEL

OF ILLINOIS

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. MICHEL. Mr. Speaker, I recently read two editorials and one column arguing against the creation of a Department of Education. The Chicago Tribune, the Washington Post, and Post columnist, William Raspberry offer persuasive arguments, based on educational and financial data, that should convince anyone interested in the facts.

When the Tribune and the Post agree and when such a distinguished and thoughtful columnist as Raspberry agrees with both of them, the arguments they make must be listened to with respect.

At this point, I wish to insert in the RECORD "Education and the Feds," Chicago Tribune, October 9, 1978; "Concerning the E in HEW," Washington Post, October 9, 1978; and "Schools in the Cabinet," by William Raspberry, October 6, 1978.

[From the Washington Post, Oct. 6, 1978]

## SCHOOLS IN THE CABINET

(By William Raspberry)

The House leadership has delayed until this week—and quite possibly until the next session of Congress—a vote on President Carter's proposed new Department of Education.

If it turns out that consideration of the measure is delayed until after the scheduled Oct. 14 adjournment, you can chalk up one more entry on the list of good things that happen for bad reasons.

The ostensible reason for the delay is that congressional opponents of the proposed department are dragging their feet on other items of the president's "must" legislative list, including energy, taxes and public works. By taking the education bill off the congressional calendar, Speaker Tip O'Neill hopes to speed action on these other measures.

That may be a bad reason, but the result could be very good indeed—if it gives us time to consider whether a Department of Education is really the splendid idea its backers claim.

For what is involved is far more than the organizational efficiency of which the president is so fond. What is at issue—or would be, if the public were aware of it—is the extent to which the federal government has a legitimate role in making education policy.

David W. Breneman and Noel Epstein, writing in The Washington Post last August, put their finger on the real issue: "Contrary to widespread belief, the proposed department is not chiefly an issue of reorganizing or consolidating federal education efforts, of increasing the time or money spent on education or of deciding which existing agency should or should not be absorbed by a new department.

"Establishing a Cabinet-level department is a back-door way of creating a national education policy, of breaking with the long tradition of a limited federal involvement in education and of virtually no federal re-

sponsibility for schools and colleges themselves."

The reorganization-for-efficiency argument has undeniable appeal. A host of federal agencies now share in the government's education involvement. Wouldn't it make sense to bring under one roof, under one Cabinet secretary, the educational aspect of the GI Bill, of Head Start, of student loan programs, of Title I and the rest?

Yes, if the basic purpose of these programs is education.

It isn't. Their basic purposes, depending on how they came into existence, on who their constituencies are and on who administers them, are veterans' welfare, nutrition, income redistribution, civil rights and child welfare.

As Head Start supporters made clear when they lobbied successfully for Head Start's exclusion from the proposed department, education is only the means by which other things are made to happen. To lump all these programs together because of their one common thread—education—would virtually dictate that they would all become primarily educational programs, administered, no doubt, by a department secretary whose background was education.

It would also do something else: It would bring the federal government, willy-nilly, headlong into national education policy.

Whether that is what is intended is beside the point. How, for instance, could a secretary of education resist the urge to install a single, standardized test of educational achievement, if only to be able to judge the efficacy of various federally funded programs?

Once such a national standard exists, local school officials will almost certainly use it to determine what they teach and how they teach it.

This is not to argue that such national standards should not exist. It is simply to say that they should not be introduced without careful consideration of the question—a national debate, if you will. Because the proposed Department of Education is being presented as a reorganization, rather than a shift in policy, that vital debate is not taking place.

Perhaps the most appealing arguments for the department are 1) the efficiency resulting from the elimination of duplicative reports and paperwork and 2) the higher visibility of education that would result from the attention of a full-time secretary of education.

As a matter of fact, if a competent and sensitive generalist like HEW Secretary Joseph Califano, or his assistant secretary for education, Mary Berry, were named to head the new department, many of the more optimistic projects for the proposal might be achieved.

But what we are likely to get is a secretary from the education establishment, which means that the basic rationale for the now-scattered programs would become secondary to education. We could wind up evaluating school lunch programs on whether or not they increased test scores.

I, for one, see no particular advantages to the proposed consolidation, other than to provide a political victory for President Carter, who promised it.

That's not enough. Delaying consideration of the measure until the next term would give us time to argue the proposal on its true merits—not just on the nebulous promises of its supporters.

[From the Chicago Tribune, Oct. 9, 1978]

## EDUCATION AND THE FEDS

The Senate has approved a cabinet-level Department of Education, an action sponsored by Sen. Abraham Ribicoff (D., Conn.) ever since 1965. The support of President Carter and the National Education Association finally enabled him to get the measure past his fellow senators. But the House has not

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yet acted; Sen. Ribicoff may have to wait a while longer and try again.

Those for a separate department contend that education is a little step-daughter, a Cinderella bullied by her favored sisters in the Department of Health, Education, and Welfare. Historically, education has not been a major concern of the federal government, and federal education appropriations lack both the size and the inevitability of appropriations for health and welfare. Proponents of a separate department hope to get more money for themselves and their constituents if education can have its own house. Also, a secretary of education would have more prestige and perhaps more clout than either the present assistant secretary for education or the commissioner of education.

Among the opponents of a separate department are the American Federation of Teachers and its president, Albert Shanker. They want more money, too, but place less confidence in the effects of a formal reorganization than does the NEA. "If education has clout and the confidence of the American people," Mr. Shanker says, "it will get the dollars it needs. If it doesn't, it won't." Brave words—if not necessarily true. As American public schools have become increasingly unionized, their employees have relied more on clout and less on confidence. In a number of cities, they have done well for themselves financially with a lot of clout and very little public confidence.

Other opponents of a separate Department of Education dread the growth of the federal role in education. The more the costs of schooling shift to the federal government, the more they shift to that level of government that can print money. The inflationary implication is sinister. And the more control of schooling shifts to the federal government, the more control becomes centralized and indifferent to local needs and wishes. Already, the relatively small proportion of school budgets that comes from Washington has given HEW bureaucrats a coercive power over the public schools that is frequently exercised in an arbitrary way.

The heavy hand of Washington is felt also by higher education. Some universities have compromised their proper power to appoint their own faculties without bureaucratic interference, and others have had to spend too much time and energy in educating HEW functionaries in the criteria of faculty recruitment.

For many decades the federal Office of Education did not do much besides compiling statistics on what others did in education. It was in those decades that American education, from kindergarten through graduate and professional schools, evolved into the institutions we know today. They have been characterized by diversity and independence, and most of the time have enjoyed public confidence and often affection.

The best reasons for opposing a cabinet-level Department of Education are that it would almost inevitably boost inflation and diminish diversity and independence. Those are good reasons indeed. If members of the House of Representatives understand them, they will not follow the Senate's bad example. Any good results from consolidating the many school-related programs scattered through various executive departments can be achieved without turning HEW into twins, each with an insatiable appetite for money and power.

[From the Washington Post, Oct. 9, 1978]

#### CONCERNING THE E IN HEW

As time grows short and the end of the session approaches, Congress faces painful choices among bills to be passed and bills to be abandoned. To ease the pain, we offer a suggestion. There is one prominent bill that Congress can dump overboard with a clear conscience, and that is the defective and divisive attempt to establish a new Department of Education.

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The bill is the inspiration of the National Education Association, an organization that has much the same relation to the public schools that the plumbers union has to the plumbing business. A couple of years ago, before the last presidential election, the NEA pressed Mr. Carter for a position. He promised to support a new department. The NEA cheered, and endorsed him. That may be a reason for Mr. Carter to push this bill—but it's not much of a reason for anybody else to go along.

The case for the bill is usually couched in large and cloudy terms of prestige and recognition. Education is important and therefore it follows, according to the argument, that education deserves a seat in the Cabinet, a seal, and a large building of its own on the Mall. Perhaps the reader will suspect that there must be a bit more to it than that vague and vacuous rationale. We share the suspicion.

The NEA, in fact, has good reason to suppose that it would have far more influence in a small department devoted to one subject than it can ever hope to enjoy in the labyrinths of the present Department of Health, Education and Welfare. In that trinity of subjects, education ranks third in terms both of federal money and federal responsibility. But there is a real danger that the new department would become the special possession of the NEA. The bill is firmly opposed, incidentally, by the NEA's rival union, the American Federation of Teachers, and by the National Catholic Education Association.

The decision to establish a new federal department usually constitutes a statement of new federal purpose. The most recent department, Energy, was a response to the oil crisis of 1973-74 and to the realization that the country was going to need stronger and better-calculated policy. The Transportation Department was set up in 1966 to bring order among the dozens of bureaus and boards that, with steadily rising federal outlays, were working not only at cross purposes with each other but frequently in competition with each other.

You could make a case for a Department of Education if you saw a great and urgent necessity for broad new federal authority over the schools. But the present pattern of decentralized control is working very well. You could make a case for a department if you believed that state and local school systems were in deep financial need from which only huge new federal appropriations could rescue them. But at the moment the state and local governments are, collectively, running a surplus of \$10 billion a year while the federal budget is \$38 billion in the red.

Over the summer the bill has become increasingly entangled in the bureaucratic warfare over which programs to bring into a new department and which to leave out. The House leadership has now postponed the final vote for at least another week, and suggests that it may never come up. That would be fine. After long debate, the legislation's sponsors are still unable to demonstrate any plausible public benefit in it. On the contrary, by inviting greater federal intervention and distorting the present satisfactory balance of responsibilities, it is a good deal more likely to bring real harm. •

#### ST. CATHARINE'S CHURCH CELEBRATES 75TH ANNIVERSARY

#### HON. THOMAS A. LUKEN

OF OHIO

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LUKEN. Mr. Speaker, during the week of October 15-22, St. Catharine Parish, located in the Westwood area of Hamilton County, will celebrate its

diamond jubilee with a week-long schedule of special events. It will be my pleasure to take part in a 75th Anniversary dinner on Sunday, October 15, after a special 3:00 Mass, presided over by Archbishop Joseph L. Bernadin.

The history of this church is as interesting as it is long. In fact, an elaborate church history book is being prepared and printed for this occasion through the combined efforts of parishioners Mrs. Bertha Trefzger and Robert Brodbeck, and Pastor Ralph Bange, and Associate Pastor Carl Bach. The parish has grown from under 70 families in 1903 to its present membership of 1,739 families, and the church has held services in various locations throughout that time. Originating as an offshoot of St. Aloysius Church in Bridgetown, St. Catharine's congregation celebrated its first Sunday mass on September 20, 1903, in Donnelly Hall on Montana Avenue, under the pastorship of Monsignor Joseph A. Tieken. Subsequent locations for St. Catharine's Church activities included a 1-year stint in the YMCA meeting rooms on the 2d floor of the Westwood Town Hall.

The first permanent church was built at Fischer Place and Wunder Avenue; it was dedicated on September 13, 1904. The old church building presently serves as part of the church school, which is attended by some 630 children. The present church structure was dedicated in 1923, and Monsignor Tieken served as pastor there until his death in 1948.

I hope my colleagues will join with me in congratulating the members and leadership, past and present, of St. Catharine's Church, for 75 years of spiritual service to the community. •

#### DOMESTIC VIOLENCE ASSISTANCE ACT SUPPORTED

#### HON. THOMAS J. DOWNEY

OF NEW YORK

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. DOWNEY. Mr. Speaker, this week I will support H.R. 12299, the Domestic Violence Assistance Act.

One of the unique features of this bill, sponsored by my distinguished colleague, Representative LINDY BOGGS, is that it will not enlarge the Federal bureaucracy. This act will channel Federal funds, in the form of grants, to community service groups who have demonstrated their ability to administer programs aiding victims of domestic violence. To insure substantial local support for the program, a grantee may only receive aid for a maximum of 3 years. And, these funds may not constitute more than 25 percent of their annual budget or \$50,000. This money could be used to provide temporary shelters for victims, counseling and referral services, training for professionals and paraprofessionals in the field, and other related functions.

The need for these programs is undeniable. It is estimated that 10 to 20 percent of all American families are victims of violence in the home. These victims, including battered children and elderly

grandparents, as well as battered spouses do not come from a particular socioeconomic, ethnic, or geographic category. Rather, this serious problem cuts across all segments of society.

I would like to take a moment to commend two community programs in my district that are addressing this problem. The Victim's Information Service of Suffolk and the Long Island Women's Coalition have been struggling to meet the needs of the area's residents with the limited funding they receive. With the additional Federal funds this bill would provide to eligible community centers across the Nation, these two organizations would be able to do an even better job of assisting the victims of family violence. I urge my colleagues to support H.R. 12299, a much needed piece of legislation which addresses a most serious problem.●

**MILTON KRONHEIM—"A LIVING LEGEND"**

**HON. FRANK ANNUNZIO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ANNUNZIO. Mr. Speaker, a compassionate and humane man, Milton S. Kronheim, Sr., is celebrating his 90th birthday, and the Washington Post has called him "a living legend," and a man "with a genuine, exuberant interest in people of all races and creeds."

I could not agree more, because Milton has been my friend for many years and I know personally of his philanthropic and civic endeavors which have helped so many people, and have inspired the people of our Nation's Capital City for so many decades.

I extend to Milton my congratulations on his 90th birthday, and send him my best wishes for many more years of good health, success, and happiness as he continues his life of service.

A copy of the Washington Post's October 7, 1978, editorial saluting Milton Kronheim follows:

[From the Washington Post, Oct. 7, 1978]

**ANOTHER JERSEY FOR MR. KRONHEIM**

Each year at this time—in what has become sort of a community rite—some of the countless devoted friends of Milton S. Kronheim Sr. present him with a numbered jersey or shirt to mark his age. And for his birthday last Monday, hundreds of well-wishers from all walks of Washington life gathered at a weekend party to watch him don a "90." They came not merely out of respect for the man's age, but out of respect for the man—a living legend in this town who has always spent his long life helping people.

By trade, Mr. Kronheim was a wholesale liquor dealer, but by his deeds he is far better known today as humanitarian. One can win that title, of course, by being a big contributor to worthy causes; and that Mr. Kronheim certainly is. But his financial and personal assistance in civic, philanthropic, social welfare and patriotic interests over the decades has been accompanied with a genuine, exuberant interest in people of all races and creeds. As his grandson Richard noted at the birthday party, Milton Kronheim's success is attributable to "his policy toward

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human beings \* \* \* doing the right thing for the big guy and the small guy."

The "big guys" who have known him by his first name include the presidents since Roosevelt, justices of the Supreme Court and government and business leaders. But many others are proud to count him as a friend for his vigorous opposition to racial and religious bigotry when it meant a lot in this his native city. "I'm feeling pretty good," the honoree said after two solid hours of greeting people at his party. "This is exhilarating." We're glad to hear it, and to join in wishing him many more exhilarating times—and new shirts.●

**ROC TO CELEBRATE 67TH ANNIVERSARY**

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. GOODLING. Mr. Speaker, on October 10 the Republic of China (ROC) celebrated the 67th anniversary of its founding. It is appropriate that individual Members of this body should mark that occasion, and should use it to pay tribute to the accomplishments of our ally, the Republic of China on Taiwan.

At the same time we mark this auspicious occasion, Mr. Speaker, candor compels us to admit that Taiwan has undergone some anxious moments in recent years. There are those in this country who propose, and even urge, that for the sake of the supposed benefits of diplomatic relations with the People's Republic of China (PRC), we should be prepared to scuttle our longstanding relationship with the ROC. I would consider such an action reprehensible in the extreme. The derecognition of the ROC would be a disgraceful act, which would bring shame and deserved condemnation upon the head of the United States. And yet there are those who press for such a resolution of the China question.

On July 25 of this year, the Senate of the United States unanimously accepted an amendment bearing the names of Senator ROBERT DOLE, of Kansas, and RICHARD STONE, of Florida. The amendment spoke well of the Republic of China, and ended by enjoining the President not to take any actions which would materially alter our relations with the ROC without prior consultation with the Senate. In the course of the debate, Senator KENNEDY and others objected to a reference in the amendment to an integral linkage of the Mutual Defense Treaty between the United States and the ROC and other American security commitments in the Pacific area.

Toward the end of the debate, Senator KENNEDY printed in the RECORD a letter from Secretary of State Vance to Senator SPARKMAN. Mr. Vance said he was troubled by the amendment's suggestion of linkages between the United States-Republic of China Mutual Defense Treaty and other U.S. security commitments in Asia which were not contemplated at the time these agreements were signed and which have not been agreed to by our allies. As a result of such ob-

jections, the offending section was excised from the amendment, which was then adopted by 94 to 0.

Now, Mr. Speaker, Mr. Vance may be correct in the sense that there is no formal linkage between the Mutual Defense Treaty and our other defense commitments in the Pacific. But I submit that there certainly are informal connections between them. Indeed, in today's fast-moving and interconnected world, it could not be otherwise: What we do in one part of the globe has immediate impact upon all the rest of the world. And what bothers me about the Vance argument is this: If our commitment to the Republic of China is not linked to anything else, then it simply stands alone, and may be discarded with minimal difficulty and no more than minor damage to the security interests of the United States. In short, Taiwan is not vital to our security interests.

That is an argument we have heard before. In fact we have heard it a number of times before, and somehow just when one of our allies is under attack. Then the sophisticated analysts of foreign affairs begin to assure us that country X, which we would like to abandon, really is of little significance to our security interests. Those of us who are not quite so sophisticated in discussing foreign affairs become more than a little worried when we see how many of our former allies have fallen under Communist domination in this decade alone. And we are correct.

Mr. Speaker, the United States-ROC Mutual Defense Treaty is important to our national security interests. The world is taking very good note of how we have behaved with our allies. And if we abandon one of our most faithful allies without a shred of justification, our allies will understand very well what sort of ally we are. We must, therefore, reject out of hand the arguments advanced by Secretary Vance and others, however subtly they may be worded. For we are linked by historical, legal, and moral bonds to the people of Taiwan. If we violate them, we shall do immense, and perhaps even irreparable, damage to our own global security interests, to say nothing of our moral stance in the world.

Let us then pay tribute in these difficult times to the Republic of China on Taiwan. I hope only that we shall meet our obligations to them as well as they have met theirs to us.●

**MIDDLE-INCOME STUDENT ASSISTANCE ACT**

**HON. BALTASAR CORRADA**

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 10, 1978

● Mr. CORRADA. Mr. Speaker, I would like to express my full endorsement and support for H.R. 11274, the Middle-Income Student Assistance Act. Many times I have replied to a student who inquires about Federal student assistance pro-

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grams, that they are unavailable because even though the family income was modest, it was too large for purposes of receiving a Federal grant or loan. I think that this bill is a giant step in bringing these programs closer to the needs of our hard pressed middle class.

The bill expands the eligibility criteria for the BEOG program, making approximately 1.5 million students eligible, it insures that lower income students are fully funded, establishes a \$1,800 maximum BEOG grant, and eliminates current discriminations against self-supporting students.

The bill also increases the threshold levels for the college work study program and the supplemental educational opportunity grants (SEOG). By increasing the minimum funding level of CWS we will be creating an estimated 145,000 jobs, and by similarly increasing the threshold funding for SEOG, we will be providing close to 135,000 new grants.

With respect to the guaranteed student loan program, we lift the income ceiling, so that any student attending an institution of post-secondary education is eligible for subsidized interest payments on guaranteed student loans.

As a cosponsor of H.R. 11274, I urge my colleagues to approve this initiative, so we don't end up making a college education a scarce commodity, or the factor that forces a family into financial problems or insolvency.●

**HON. ROBERT L. F. SIKES**

**HON. MELVIN PRICE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 10, 1978

● Mr. PRICE. Mr. Speaker, I rise to pay tribute to my good friend from the State of Florida, Congressman ROBERT SIKES.

As we all know, BOB SIKES is retiring this year after 38 years in the House of Representatives. He has the distinction of having served the people of his State for longer than any other Florida Representative, a record which in itself stands as a tribute to the gentleman. I know that if BOB had not voluntarily left his seat, he would remain there forever. That says a lot for BOB and for the confidence the people of Florida have in him.

BOB was first elected to the 77th Congress in 1940. He resigned from the 78th Congress to serve our country in World War II, but so strong was the impression left on the people of Florida that he was returned to the 79th Congress. Florida and the Nation have had the benefit of BOB's experience for more than three decades since that election, and I can say in all sincerity that few Members have represented their constituencies as well as he has done.

Few Members in this House can have failed to benefit from the experience of BOB's nearly four decades in Congress. I have often worked closely with BOB on defense matters and have come away from our discussions with admiration for his legislative ability. No doubt many of my colleagues can tell similar stories.

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Now BOB and his wife are leaving us for a well-deserved retirement. I join my colleagues in wishing them much happiness, and I know I speak for all of us when I thank BOB for 38 years of service and dedication to the Nation.●

### TRANSAFRICA CRITICIZES RHODESIAN PRIME MINISTER'S VISIT

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. STOKES. Mr. Speaker, I would like to bring to your attention and to the attention of my colleagues in the House an article which appeared in the October 5 edition of the Washington Post on the visit of Rhodesian Prime Minister Ian Smith. Randall Robinson, the executive director of TransAfrica, a Washington based African-American lobbying organization, gives an incisive and intuitive account of Smith's bogus attempt to sway American policy and sentiments in favor of the illegal white minority regime. It is clear, Mr. Speaker, that I am unalterably opposed to Smith's visit. Our recognition of Smith in this manner is a slap in the face to the legitimate quest of the Zimbabwe liberation forces who are struggling valiantly to regain control of a nation which is rightfully theirs.

Mr. Speaker, so that my colleagues in the House can gain additional insight into Smith's visit, I respectfully submit the editorial "A Visa for Tyranny," which I feel places the issue in its proper international perspective.

#### A VISA FOR "TYRANNY"

(By Randall Robinson)

Over the past two weeks, virtually the entire national black leadership has urged the administration to remain steadfast in its compliance with United Nations Security Council mandatory sanctions against Rhodesia by rejecting the visa applications of Prime Minister Ian Smith and members of his executive council.

Conceding that granting a visa would be disastrous for our foreign policy in Africa, the State Department has meekly caved in to the wishes of the 27 conservative senators who had threatened to confirm no administration appointments and to stall all legislation until Smith was granted entry. Unless opposing court action succeeds, Smith will get his visa. Why?

The applicable law is clear enough.

Security Council Resolution 253 provides that all member states of the United Nations shall "prevent the entry into their territories, save on exceptional humanitarian grounds, of any person traveling on a Southern Rhodesian passport" and shall "take all possible measures to prevent the entry into their territories of persons whom they have reason to believe to be ordinarily resident in Southern Rhodesia."

Nor can it be persuasively argued that there is any basis for waiver here "on exceptional humanitarian grounds." The State Department's visa guidelines drawn to implement Resolution 253 provide that such "grounds" exist only for students, visitors of close relatives, applicants for special medical treatment and others of that general variety. Smith meets none of those waiver requirements. Moreover, the binding international obligations of Resolution 253 have been further invested with the force of American

domestic law by at least two executive orders.

Any visa to Smith and his party, then, could only be unlawfully granted.

Yet, lamentably, and with vast American foreign-policy consequences, nearly a third of the Senate stands prepared to see America flagrantly violate a treaty-force Security Council resolution that we not only voted for but solemnly co-sponsored.

Perhaps many of us have forgotten why the Smith regime was made subject to U.N. sanctions in 1968 and why it remains subject to them today.

Unlike the African colonies preceding Rhodesia to independence and majority rule, Smith's regime in November 1965 defied British orders to surrender power to the African majority and announced for Rhodesia a "unilateral declaration of independence" from the United Kingdom. After several unsuccessful attempts to turn Smith from his cause of white minority rule, the British government requested the Security Council to impose limited sanctions in 1966 and total sanctions in 1968 against Rhodesia.

Earlier, Smith had banned the Zimbabwe National Union and the Zimbabwe African Peoples Union for peacefully advocating the African right to vote and majority rule. Smith also jailed much of the African leadership, including Joshua Nkomo and Robert Mugabe. Others were executed. The white Rhodesian resolve was unwavering. Under no circumstances were Africans to be given the right to govern themselves. Thus the war began.

Today with white emigration soaring, the economy a shambles and his army losing the war, Smith rejects the British-American diplomacy, which is supported by the Patriotic Front, Organization of African Unity, Western countries and the United Nations. He is taking one last desperate stab at maintaining de facto white minority rule through "internal settlement."

It is inconceivable that any American of democratic inclination could find Smith's proposal for an "internal settlement" acceptable. Under its terms, less than 4 percent of the population—the whites—would control 28 percent of the elected parliament. The Africans, who make up 96 percent of the population, would be without the capacity to amend their own constitution. In a land where the white minority controls 54 percent of the land, the black majority would be constitutionally disabled from redressing the most egregious property wrongs. The police, the army, the public service and the judiciary would remain under white control for at least 10 years, perhaps indefinitely.

White minority rule in blackface. Thus, the Security Council sanctions remain in force against Ian Smith, who for 13 years has obdurately opposed genuine majority rule, but not against those who have sought and still seek to win freedom for all Zimbabweans.

In what assuredly are the final months of the Smith regime, it is sad indeed that the United States has lost its resolve to honor sanctions and thus is giving Mr. Smith hope for a new lease on tyranny.●

### REPORT CARDS FOR FEDERAL PROGRAMS

**HON. WILLIAM A. STEIGER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. STEIGER. Mr. Speaker, Senator CHARLES PERCY and I have introduced legislation which would require the President and the Director of the Office

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of Management and Budget to file a report card at the beginning of each Congress rating Federal programs by department or agency. Our bill, which has 36 cosponsors in the House, has been very favorably received both in and out of Congress since we first proposed it 2 months ago.

George Will, in an October 8 Washington Post column, discussed our legislation and the idea of former Ambassador Larry Silberman which is embodied in our bill. Will suggests that the bill's "strength is its shrewdness about the Nation's psychology."

He says:

The "report card" might captivate a nation that is fond of lists and rankings, such as college football polls. The "report card" also would please journalists who are happiest when regarding public affairs as sport. Even in Washington there is more interest in elections than in government, because elections lend themselves to sports language—who is ahead, who has "momentum." Ranking of programs as "winners" and "losers" would generate public attention. That would serve the public interest, which is the object of the exercise.

If we are to cut taxes, we have to cut Federal spending. I'm confident that the Percy-Steiger proposal, if enacted, would help accomplish that goal. It would draw greater attention to the effectiveness of Federal programs, and it would encourage public participation in the evaluation process. I hope it will be approved by the 96th Congress.

The George Will article follows:

## REPORT CARDS FOR FEDERAL PROGRAMS

(By George F. Will)

Laurence H. Silberman has a curvy-seasoned temperament and a sandpaper turn of mind. He has been under secretary of labor and deputy attorney general. He was ambassador to Yugoslavia where, because of the attention he called to political persecutions, the regime considered him, to his credit, obnoxious.

Today he exemplifies one benefit the Republican Party has derived from losing the White House. He now has time to think and write about his experiences in the executive branch. And when, as is frequently the case, he has a good idea, it is his habit to share it evenhandedly with people who do, and even some who do not, express an interest in it.

His latest idea is to require presidents to submit to Congress periodic reports rating federal programs as "excellent," "adequate" or "unsatisfactory," and ranking the programs within each department. "The hard, miserable, squirmy but incontestable truth," he says, "is that . . . we Americans cannot seem to eliminate any government programs no matter how wasteful they may be. This should be of equal concern to those who wish to maintain or even expand the present level of government as well as those who believe . . . that government's share of GNP must be reduced. . . . Indeed, our reluctance to initiate new programs is surely in part attributable to the wide-spread realization that a program, once initiated, achieves instant immortality."

Bills embodying Silberman's idea have been introduced by Sen. Charles Percy (R-Ill.) and Rep. William Steiger (R-Wis.). These bills, designed to cause government to exercise what Silberman calls "constructive powers of self-destruction," will not pass this year, and if passed next year they will not cause the instant death of much, if anything.

The problem is the "iron triangle": the collaborative relationship among congressional committees that pass, bureaucracies that administer and constituencies that benefit from particular programs. Silberman believes that the way to weaken this "tightknit triple alliance" is to strengthen the large but diffuse part of the public that favors reform. This part believes government should be pruned, but cannot agree on where to begin. The Percy-Steiger bills would facilitate agreement by supplying what Silberman calls "a common evaluative language."

Eventually Congress may pass something like Sen. Edmund Muskie's "sunset" bill to require most programs to be reauthorized—or liquidated—over a 10-year cycle. The Percy-Steiger bill would require the executive branch to help give shape to that system of legislative oversight. Clearly, Congress must force the issue by compelling the executive branch to act.

Already the phrase "zero-based budgeting" has joined "free coinage of silver" and other slogans in the graveyard of panaceas. The Carter administration's capacity for pruning was revealed in its "new" urban policy which, as David Broder reported, "included 160 suggestions for improving old programs left scattered in five agencies," but not one suggestion that "called for eliminating any single existing federal program—despite the almost universal acknowledgement that some of them are real losers."

To the president who once asked, "Why not the best?" Silberman says, "If not the best, at least not the worst." Unfortunately, the hard, miserable, squirmy but incontestable truth is this: A "sunset" law might merely involve reflexive reauthorization of almost everything, and a government "report card" of the sort Silberman proposes might break all records for grade inflation.

Silberman remembers the professor who confessed, tongue-in-cheek, that he had failed to devise a way to produce a class without a bottom half. But egalitarians opposed to the allocation of rewards on the basis of merit have weakened academic grading, and they have counterparts in government. However, the Percy-Steiger bill's strength is its shrewdness about the nation's psychology.

The "report card" might captivate a nation that is fond of lists and rankings, such as college football polls. The "report card" also would please journalists who are happiest when regarding public affairs as sport. Even in Washington there is more interest in elections than in government, because elections lend themselves to sports language—who is ahead, who has "momentum." Ranking of programs as "winners" and "losers" would generate public attention. That would serve the public interest, which is the object of the exercise.●

## TRIBUTE TO CONGRESSMAN ROBERT L. F. SIKES

## HON. JAMES R. MANN

OF SOUTH CAROLINA

## IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 10, 1978

● Mr. MANN. Mr. Speaker, I join my colleagues in tribute to the senior member of the Florida delegation, Congressman ROBERT SIKES.

During the 38 years that he has been in Congress, Bob SIKES has had a distinguished career as a worthy champion of a strong national defense—a career

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which has been recognized by many patriotic groups all across the country. This role came naturally to Bob as a major general (retired), in the U.S. Army Reserve, and as chairman of the Military Construction Subcommittee and vice chairman of the Defense Subcommittee of the House Appropriations Committee.

In addition to his contributions to our national defense posture, Bob SIKES has been instrumental in the enactment of several forest and wildlife preservation bills. Among the products of his labors are the forestry incentive program, and a bill—bearing his name—that provides for wildlife conservation on military reservations and other public lands.

Bob SIKES has been a faithful public servant for many years. I wish him all the best in whatever endeavor he chooses to undertake. I am confident that he will bring to it the same dedication which he has brought to his congressional career.●

## WILSON ATTACKS YOUNG OVER AFRICA DEATHS

## HON. LARRY McDONALD

OF GEORGIA

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. McDONALD. Mr. Speaker, it has long been the contention of many Americans, myself included, that if the United States stopped interfering in the Rhodesian problem, that situation would improve. Support and statements in favor of the so-called "Patriotic Front" by U.S. spokesmen only serve to encourage more atrocities and killing, in my view. Therefore, I was pleased to see that England's former Prime Minister Harold Wilson agrees with this point of view and expressed it to the press relative to the unhelpful statements of our U.N. Ambassador Andrew Young. The news item from the London Daily Telegraph of October 2, 1978, follows:

WILSON ATTACKS YOUNG OVER AFRICA DEATHS  
(By Eric Dowd, in Toronto)

Sir Harold Wilson implied to Canadian reporters at the weekend that Mr. Andrew Young, American Ambassador to the United Nations, inflamed the atmosphere on Rhodesia so that killings continued.

Sir Harold said Mr. Young had claimed that "Britain was trying to get shut of the Rhodesian responsibility, which was totally untrue."

Mr. Young, according to the former Prime Minister, "was attempting to create a situation where no Rhodesian settlement would count and would be acceptable even if it had the support of the Rhodesian people as a whole unless there were killings, unless there was aggression from the outside."

At a press conference before speaking to students at Hamilton, Ontario, Sir Harold was asked about the Bingham report and allegations that his Government knew that British Petroleum was involved in breaks of sanctions.●

## TAX REFORM

## HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

Mr. CRANE. Mr. Speaker, few would disagree with the proposition that our tax code needs a major overhaul. The disagreement would come over the form that overhaul should take. Thus, dialog about comprehensive tax reform can only be beneficial.

To stimulate a healthy exchange on the topic of comprehensive income tax reform, I have prepared a discussion draft of a bill which would establish a flatrate income tax. This discussion draft, together with some arguments in its favor, is put forth to promote a climate of exchange and debate in the hope that it will generate constructive recommendations for changes in our system of taxation:

[Discussion draft]

H.R. —

A bill to amend the Internal Revenue Code of 1954 to increase the amount of the personal exemptions to \$1,500, and to provide a simplified individual income tax

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Individual Income Tax Simplification Act of 1978".

(b) TECHNICAL AND CONFORMING CHANGES.—The Secretary of the Treasury or his delegate shall, as soon as practicable, but in any event not later than 90 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives a draft of any technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

## SEC. 2. INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS.

Section 151 of the Internal Revenue Code of 1954 (relating to allowances of deductions for personal exemptions) is amended by striking out "\$750" each place it appears and inserting in lieu thereof "\$1,500".

## SEC. 3. SIMPLIFIED INDIVIDUAL INCOME TAX.

(a) GENERAL RULE.—Section 1 of the Internal Revenue Code of 1954 (relating to tax imposed on individuals) is amended to read as follows:

## "SECTION 1. TAX IMPOSED.

(a) IMPOSITION OF TAX.—There is hereby imposed on the taxable income of—

"(1) every individual, and

"(2) every estate and trust taxable under this section

a tax equal to the applicable percentage of the taxable income for the taxable year.

(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the term 'applicable percentage' means, with respect to taxable years beginning in any calendar year, the lesser of—

"(1) 10.4 percent, or

"(2) the percentage (as determined by the Secretary of the Treasury) which would result in aggregate Federal individual income taxes for such calendar year which would approximately equal the aggregate Federal

## EXTENSIONS OF REMARKS

individual income taxes for calendar year 1977.

Any percentage determined by the Secretary of the Treasury under paragraph (2) shall be a multiple of one-tenth of one percent.

"(c) AGGREGATE FEDERAL INDIVIDUAL INCOME TAX.—For purposes of subsection (b), the aggregate Federal individual income taxes for any calendar year is the aggregate amount (as estimated by the Secretary of the Treasury) of the taxes imposed by this section for taxable years beginning in such calendar year."

(b) REVISION OF DEFINITION OF ADJUSTED GROSS INCOME.—Section 62 of such Code (defining adjusted gross income) is amended by striking out paragraphs (3), (7), (8), (9), (10), (11), and (12).

(c) REVISION OF DEFINITION OF TAXABLE INCOME.—Section 63 of such Code is amended to read as follows:

## "SEC. 63. TAXABLE INCOME DEFINED.

"(a) CORPORATIONS.—For purposes of this subtitle, in the case of the corporation, the term 'taxable income' means gross income minus the deductions allowable by this chapter.

"(b) INDIVIDUALS.—For purposes of this subtitle, in the case of an individual, the term 'taxable income' means adjusted gross income reduced by the sum of the deductions for personal exemptions provided by section 151."

(d) ELIMINATION OF CERTAIN DEDUCTIONS.—

(1) Sections 212, 213, 216, 217, 218, 219, 220, and 1202 of such Code are hereby repealed.

(2) Sections 161 of such Code (relating to allowance of deductions) is amended by adding at the end thereof the following new sentence: "In the case of an individual, the items specified in this part shall be allowable as deductions only to the extent that such items are allowable in computing adjusted gross income under section 62."

## SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply to taxable years beginning after December 31, 1978.

## FLAT-RATE COMPREHENSIVE INCOME TAX DESCRIPTION OF THE DISCUSSION DRAFT

The Discussion Draft would wipe the slate clean of tax preference, special deductions and credits, exclusions from income, and the like, imposing instead a single proportional tax on all individuals. After doubling the current personal exemption to \$1,500, it would produce tax revenues equal to those raised in 1977 at a tax rate of only 10.4 percent (See Questions and Answers). Corporate taxes would remain untouched.

This tax simplification recommendation would work this way: Income now untaxed, such as municipal bond interest, half of capital gains, some dividends, and even Social Security benefits and welfare, would become taxable. Deductions for items such as state and local taxes, medical expenses, interest, and charitable contributions would swell, so the same revenue could be raised by applying rates that are lower by 30 percent or 40 percent or more. At the same time, the working poor would find a greater portion of their income shielded by the doubled personal exemption.

## ADVANTAGES OF PROPORTIONAL TAX

*Simplicity.*—The present tax code is a complicated, progressive maze. For the principle of progressivity, however, we pay the high price of extraordinary complexity. High rates require Congress continually to adjust provisions of the code to avoid undue tax hardship. Then, of course, adjustments must be later readjusted to close "loopholes." The

result is a labyrinthine tax system that has significantly contributed to the American public's general disillusionment with government. If this tinkering from session to session continues, eventually the citizen will no longer bother or be able to compute his own tax liability. Witness the spreading tax revolt. Moreover, the present tax code is so cumbersome that a massive, costly bureaucracy is necessary to administer it.

Under this flat-rate tax, all taxpayers would benefit in terms of less time diverted from more productive activities to compute taxes, fewer recordkeeping chores, and less of an impact on economic decisions from complicated tax laws.

*Equity.*—A fundamental principle of taxation is that individuals with equal income should pay equal taxes. Existing tax preferences violates this principle. The present tax code does not treat taxpayers with equal income equally. For example, other things being equal, a taxpayer who invests part of his income in municipal bonds pay less in taxes than one who does not. Or the taxpayer who gets part of his income in welfare would pay less in taxes than a taxpayer who earns the same amount by working. The U.S. government simply should not favor some of its citizens over others simply because they invest in municipal bonds or work to stay off welfare.

God set a pattern in Malachi 3 when He commanded all His children, regardless of their worldly status, to donate a tithe, or 10 percent. If God asks for only 10 percent, Caesar should ask for no more!

*Neutrality.*—Individuals should be free to decide how to use their earnings instead of having those decisions made by a tax-writing government. Tax neutrality is the goal of structuring the tax code to eliminate distortions in the economic decision-making of the private sector. To the extent the tax law gives preference to certain activities, it is declaring economic rewards for those who pursue the chosen activity and penalties for those who don't. Thus, the government dictates more or less how our hard-earned resources are to be spent. This presumes that the government is more adept than the individual at deciding the most efficient use for earnings. All too often this artificial tampering with the economic decision-making process shifts resources from more productive activities to less productive. On the other hand, if the tax code is absolutely neutral—having no effect on economic choices—the free market system of individual choices will automatically cause resources to gravitate to their most efficient use.

Consider some examples: An entire tax shelter industry has sprung up to provide taxpayers with tax avoidance. Buying on credit is encouraged by the interest deduction. For the same reason, homeownership is preferred over renting. Due to dividend deductions, stock and bond investments are preferable to investing in livestock. In addition, proposed energy taxes are designed to decide for us how to save energy.

A flat-rate tax would abolish all favoritism and discrimination. No tax shelters. No loopholes. No special interest tax credits. No preferred deductions. No artificial tax penalties for spending your earnings differently than some tax expert seems to think is best. Instead every citizen contributes his fair share and no more. Every citizen is free to decide how to spend everything above his fair "tithe".

*Incentive.*—The high tax rates necessary to raise sufficient revenues under our current progressive system discourage productivity. Broad tax exclusions and deductions shrink the income tax base and require high tax rates. The higher the tax rates, the less a taxpayer keeps of his own income, and the

## EXTENSIONS OF REMARKS

less his incentive to be productive and save, and the greater the incentive to exert himself to avoid taxes. Virtually every itemized tax return, for example, claims a deduction for state sales taxes, the amount of which is closely related to income. Eliminating this deduction alone would reduce tax rates and leave average taxes proportionally unchanged. But incentives for work and savings would be increased. This principle is not isolated, but applies across-the-board to other tax preferences as well.

**Openness.**—Tax preferences are hidden government subsidies. For example, the tax revenue that goes uncollected this fiscal year because of the municipal bond interest exclusion will be the equivalent of more than a \$3 billion grant to the cities. This, and every other tax deduction, is a decision of the government to spend money, without collecting it, on specific ideas. If an idea is worthwhile and warrants government involvement at all, the government should support it through direct appropriations. Appropriations could be reexamined each year. Government subsidies would be open to strict scrutiny, instead of buried under layers of confusing tax language. Many of these subsidies could probably be eliminated altogether if the citizenry recognized it as a government subsidy. This openness is in reality just another benefit of tax neutrality. The government would no longer be favoring one set of business or citizens over others with hidden tax subsidies. The free market system would be free to operate.

## QUESTIONS AND ANSWERS

**Question.** Wouldn't abolishing a progressive income tax also destroy taxation based on ability to pay, or proportionate sacrifice?

**Answer.** Who is to say that a dollar which a member of an upper income group spends for investment or consumption is worth more or less than the dollar spent by a lower-income group member for the same purpose? By what criteria are those value judgments to be made? Who is to say what the curve of progressivity should be? Look at our current system: A wage-earner making \$20,000 annually pays \$2,180 in taxes, while one who earns \$10,000 more (\$30,000) pays twice as much in taxes—\$4,232. Can we really say that the second taxpayer has that much more ability to pay than the first?

**Question.** Doesn't the tithing argument overlook the fact that we pay other taxes? State and local income taxes, excise taxes, property taxes, and social security taxes are already regressive; progressivity in the federal income tax is necessary to achieve some overall proportionality?

**Answer.** The notion of offsetting one inequity with another becomes weaker as state systems of taxation have abandoned their regressivity in favor of a copy of our federal system.

**Question.** Wouldn't it be cruel to eliminate the medical expenses deduction?

**Answer.** The deduction for medical expenses was originally intended to allow a tax offset for extraordinary health care costs. Over the years, because of the effects of inflation and legislative changes, it has become a deduction for rather ordinary medical expenses used by the majority of those who itemize deductions. Because the deduction operates as a Federal subsidy to the consumption of health care, it has been accused of leading to excessive health care consumption and being at least partially responsible for the very high inflation in medical care costs.

Most truly catastrophic medical care expenditures are covered by insurance (or welfare) in the United States. Under a comprehensive income tax, insurance premiums

would not be deductible expenses but benefit payments from health care plans would not be included in income, thus achieving a more symmetric tax treatment. If the present deductibility of health care costs is viewed as a form of Government medical insurance, it has some rather peculiar characteristics, such as providing the largest benefits to those with the highest incomes (an observation equally applicable to other deductions eliminated by the Discussion Draft).

**Question.** Is it fair to eliminate the deduction for taxes paid to State and local governments?

**Answer.** The deductibility of State and local taxes is asymmetrical. The receipt of services provided by State and local governments is not counted as income (impossible to measure), but payment of taxes is allowed as a deduction. The deductions serve as indirect federal subsidies to State and local governments and encourage State and local taxes to be higher than otherwise. Ending this deduction would not substantially alter the distribution of the tax burden across income classes, but would enable a general reduction of tax rates.

**Question.** Could the charity organizations survive without a charitable contribution deduction?

**Answer.** These and all other economic decisions should be made independent of tax considerations. The tax code is simply not an efficient way to achieve socially desirable goals. In many instances, tax incentives reduce the liabilities of those who would have performed the desired economic activity anyway. For example, many who now take the charitable deduction would give as much to charity regardless of the reduction.

With reduced rates overall, individuals would be freer to choose voluntarily to contribute to charity.

**Question.** What is the origin of the 10.4 percent flat rate that is necessary to generate the same revenues raised in 1977?

**Answer.** Secretary of the Treasury Michael Blumenthal, in response to an inquiry from me dated July 26, 1978, provided this figure as the percentage under this formula necessary to produce current revenues under the existing code. Since I began public discussion of the question, Secretary Blumenthal has provided me with revised figures suggesting he miscalculated the first time and has now determined the rate would have to be 14 percent. At the time of my initial inquiry, Secretary Blumenthal's office indicated that the percentage would continue to decline with inflation. Back in 1975, I put this same question to then Secretary William Simon. He provided the figure 13 percent to equal the revenues of that time. If Secretary Blumenthal's statement that inflation is reducing the percentage necessary to equal current revenues, it would appear (based on the Simon figures) that Mr. Blumenthal's earlier figure of 10.4 percent is more accurate than his revised figure of 14 percent. With all the inflation we have suffered over the past three years, it is obvious that the percentage would have decreased from the 13 percent level, not increased.

JULY 26, 1978.

**DEAR MR. CRANE:** This is in response to your letter of July 18, 1978, concerning the proportional income tax rates necessary to produce tax revenues equal to those raised in 1977, under three sets of conditions.

In each case the current personal exemption is \$1,500, and all personal tax deductions including the zero bracket amount are eliminated. Other provisions in the law which were not specified in your letter such as the general tax credit and the earned income credit, are retained. In case one, corporations are taxed as under current law; in case two,

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corporations are taxed as individuals; and in case three, corporations are not taxed at all. At 1979 levels of income, the proportional individual income tax rate needed to raise revenues equal to those raised by individual and corporate income taxes in 1977 is 10.4 percent in case one, 14.5 percent in case two and 17.1 percent in case three. In succeeding years, these rates will decrease as income increases both in nominal and real terms.

Sincerely,

W. MICHAEL BLUMENTHAL.

The discourse spawned by this discussion draft, Mr. Speaker, may be the initial step toward a simpler and more equitable tax code. I am pleased to open this dialog and hope that others will offer their thoughts, pro and con, on this discussion draft and any other proposal to improve our tax system.●

## U.S.S.R. POLITICAL PRISONER MALKIN

## HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● **Mr. PEPPER.** Mr. Speaker, and honorable colleagues, may I direct your attention to the continuing project, dedicated to the freedom and remembrance of imprisoned or persecuted Soviet citizens, the Vigil for Freedom, of which this insertion is a very small segment, only the tip of the iceberg.

As you all know, the Helsinki agreement of 1975, to which the Soviet Union is a signatory nation, explicitly upheld the standard of governmental respect for the basic human rights of its citizens, such as freedom of speech, emigration, fair trial rights, and so forth. Let me touch briefly, then, today, upon the story of Anatoly Malkin, Soviet prisoner of conscience, as it was related to me by the project Vigil for Freedom, through the good offices of the honorable Congressman BROADHEAD, here in the capital of our country, where emigration is easily done, but not a problem at all. I know stories like this one appear often and that they deal with people and sad kernels of bitter substance, which continues to make them arresting food for thought and daily effort on our parts.

Following you will find a short description of Anatoly Malkin's fate leading up to and into Siberian exile, and I would encourage each of us to remain people as described in Mr. Malkin's sentence about some of the friends of his youth: "people who are not indifferent to (his) fate."

ANATOLY MALKIN

Anatoly Malkin is a determined young man—so determined to stand by his beliefs that he is now serving a three year sentence in exile. In June 1974, Anatoly was a third year student at the Moscow Institute of Steel and Alloys. It was then that he requested the Director of the Institute to supply his "characteristica"—the references necessary for application to leave the country for Israel. He was immediately expelled from the Institute. On August 7th, Anatoly wrote to the Supreme Soviet to relinquish his Soviet citizenship. Later that month, he presented his

affidavit for an emigration visa to OVIR, the visa office. As he had meanwhile acquired Israeli nationality, he wrote to the Soviet Army recruiting office that he did not consider himself able to take the oath of allegiance to the Soviet Army nor to serve in its ranks.

Soviet authorities prosecuted him and on August 27, 1975, he was sentenced to three years of deprivation of freedom for draft evasion. After serving part of his sentence in a prison camp, Anatoly was transferred to a small town in the steppe, where he was put to work "at the building of the transformative station for the gas main." He writes a friend:

My grandfather was born in Byelorussia. When the revolution came he became a real commissar—you see, my family has a long and sound revolutionary tradition. My parents are also communists. My father is a doctor of physics, my mother is a lawyer. They are loyal Soviet citizens—it means they regard any person willing to leave either a fool or a villain. When I decided to leave they refused to sign the paper—that's how I ended up in prison. They still wish to convince me to remain here. But they are fond of me—they will probably change their minds.

On January 24, 1977, Anatoly married his fiance from Moscow, Liuba Gurfel. He wrote another friend of the wedding:

The wedding took place here, in Alexandrov-Gal. Just on that day there was no heating at the registration office, so we all wore coats. Three of our friends came from Moscow to celebrate with us. Besides, at the "feast" was present my wagon-mate. (The exiles are living in converted box-cars). It took place in a room of a local inn. It is a fantastic thing with no convenience at all. Liuba stayed here for about a fortnight and left as the Institute term began. . . . It never occurred to me when I was a student that there were such devoted people in the world—people who are not indifferent to my fate.●

#### REPRESENTATIVE BOB SIKES

#### Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 10, 1978

● Mr. MONTGOMERY. Mr. Speaker, with the retirement of Bob SIKES we will be losing one of our strongest voices for a sensible and sane national defense policy. He has always been a staunch advocate of military preparedness—a point of view with which I agree.

In his position on the House Appropriations Committee, Bob SIKES has been able to use his 38 years of experience and knowledge to push for realistic spending levels for the Department of Defense. At the same time, he has always tried to eliminate the so-called fat in our defense budget in order to give the American people the best buy possible for their defense dollar. I am pleased that to a large measure he has been successful in his efforts.

While my colleague from Florida has not always won every fight on the House floor, he has always waged a tough battle with the facts to back up his arguments. Unfortunately, facts and reason have not always prevailed to the detriment of our Nation. But as Bob would

#### EXTENSIONS OF REMARKS

say, "We will be back to fight another day."

Mr. Speaker, I particularly appreciate the personal friendship I was privileged to have with Bob SIKES. I always valued his wise advice and shall miss the opportunity to counsel with him on important legislative decisions. We all wish Bob SIKES the best in the years ahead and much peace and happiness back in his native land of Florida.●

#### COMMENTS ON THE COMMUNICATIONS ACT OF 1978

#### HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. APPLEGATE. Mr. Speaker, Mr. William Coffey, a constituent of mine and executive vice president and general manager of radio station WILE, Cambridge, Ohio, recently had the opportunity to present testimony before a congressional subcommittee during field hearings on H.R. 13015, the Communications Act of 1978. These hearings were held in Cincinnati, Ohio, on September 15, 1978, by the Subcommittee on Communications of the House Interstate and Foreign Commerce Committee and chaired by our distinguished colleague, Hon. THOMAS LUKEN of Ohio.

Mr. Coffey testified on behalf of the Ohio Association of Broadcasters in favor of permitting daytime radio stations to broadcast more hours during the day. Unfortunately, current regulations restrict many of our radio stations to certain sign-on and sign-off times during the most critical winter months.

Representing a rural district as I do, I see a need to expand this service to provide to those people in outlying areas the weather and news information they depend on and need. This is a necessity for thousands of people.

Mr. Speaker, I would like to submit for the RECORD, the text of Mr. Coffey's testimony and ask that my colleagues on the Interstate and Foreign Commerce Committee take heed to it.

#### COMMENTS OF WILLIAM COFFEY, WILE, CAMBRIDGE, OHIO, ON H.R. 13015—THE COMMUNICATIONS ACT OF 1978

Mr. Chairman, Mr. Brown, Mr. Waxman, I am William Coffey, Executive Vice President and General Manager of WILE, Cambridge, Ohio. My comments today reflect viewpoints of the smaller market radio stations in Ohio, particularly those which are licensed for daytime only operation.

Generally, I agree with the comments of my fellow Ohio broadcasters on H.R. 13015. Rather than elaborate on points others have or will mention, I want to address one specific problem of government regulation. It is one that results directly in diminished service or no service at all for many Ohio communities. The problem is that current regulations forces many stations to operate during daytime only hours. The social and engineering premises underlying this restrictive regulation have changed and so should the regulation.

Such change can come now at the Commission: radical restructuring of the Communications Act may not be necessary for the solution. No upheaval of our system is needed.

The role of radio has been expanded over the years. Years ago, we hurried from the supper table to join our friends in the living room. Some of these friends came to us nightly, others weekly. There was no reason why the dishes couldn't wait until after Lowell Thomas. Conversation certainly couldn't be permitted while Amos and Andy were "on". Our attention was rigidly fixed to our radio as Jack Benny made us laugh, a King put a lump in our throats choosing the woman he loved over a kingdom and Raymond with his squeaky door scared the daylights out of us. Radio, then, was mostly our entertainer, but with network news, it kept us informed as to the state of the world. It was ready to tell us if war was declared, the Hindenburg was crashing . . . yes, even when the Martians were invading.

The role of radio in our daily lives then was in many ways different from today. Its functions then were important, but they didn't come close to the involvement that radio stations have developed in their communities today. We cared little then about the local outlet. Our interest was with the network. By today's standards, there were few radio stations: as late as 1945, under 1000 serving the whole country.

The rationale for restrictive allocation was more valid at that time. Even as new stations began to go "on the air", the need for protection from interference was great.

But ours is a dynamic society. Along came television. Replaced in the living room, radio took over the rest of the house. It became a companion, a source for local personal information!

Today, there are over 8000 AM/FM radio stations in the United States. Some have a network affiliation. Practically all use a national wire service and all have music libraries. But, one of radio's most important contributions is its local service.

Weather forecasting used to be based on a whole state. We now have six weather zones in the state of Ohio alone. Agriculture has become more sophisticated. Farmers have many thousands of dollars invested in livestock and equipment. They need local and regional information. Decisions involving millions of dollars are made before 8 AM on some mornings. A letter is attached which reinforces our view.

For better or for worse, a community seems as interested in the activities of their city council, school board, county commission, chamber of commerce, etc., as they are the United Nations, the Congress, and various parliaments throughout the world. For example, it may seem hard to believe, but Guernsey County, Ohio residents are more interested about water rising to cover the road between Pleasant City and Opperman than about a hurricane raging in the Caribbean. Informing 40 children on a rainy day that their school bus is going to be an hour late may not be glamorous news, but it is important to their mothers. Mothers generally have a "thing" about wet shoes, wet clothing, and the health of their children.

The following are examples of the type of announcements used on a local station. Not the heady stuff of which Pulitzer prizes are made of, but important to ordinary people:

Bus No. 6 for the Noble local school driven by Frank Thomas will be an hour late (tomorrow) Friday morning.

The Cambridge City Water Department reports a leak in the water main between Oakland and Edgeworth Avenues. Water will be

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"shut off" tomorrow (Friday) from 8 a.m. until 4 p.m. to make the necessary repairs. Residents affected are asked to "draw" sufficient water for use during this period before 7 a.m. tomorrow (Friday).

The county engineer reports that black-topping of county road 615 will continue during working hours tomorrow (Friday). The road will be closed from the amphitheater entrance to Perry's Orchard. Travelers are asked to use the Skyline Drive entrance from 8 a.m. until 4:30 p.m.

Al Muser of the Cambridge City Pool reports that the pool will be closed all day tomorrow (Friday) but will be open for a moonlight swim from 8 p.m. until 10 p.m.

Local No. 1604, United Mine Workers, are asked to attend a special meeting tomorrow morning (Friday) at 8 a.m. at the Opera House in McConnelsville.

The senior citizens blood pressure check scheduled for tomorrow (Friday) at the National Guard Armory has been postponed for one week. Those needing transportation for next Friday are asked to call the Senior Citizens Center.

The jury trial for the Cambridge Municipal Court for tomorrow (Friday) has been canceled. Jurors called for the 9 a.m. trial need not report.

Mr. Morehead has reported that the presses at the Daily Jeffersonian are experiencing difficulty and delivery of tonight's paper will be approximately two hours late.

Services at the North Salem United Presbyterian Church for Sunday have been canceled due to the death of the minister.

The Red Cross Bloodmobile will visit Guernsey County tomorrow (Friday) from 10 until 4 at the Westminster Church. Urgently needed for open heart surgery in Columbus are A-positive and B-negative donors. Call Marge Tribbil at 432-4409 this evening or before 9 tomorrow morning for an appointment.

The Cambridge singers practice for this evening (Thursday) has been canceled.

The Wills Township trustee meeting scheduled for tonight has been postponed until next Thursday night at the home of the clerk, Ralph Jones.

Guernsey Muskingum Electric Cooperative will be installing new equipment at the Pike substation Wednesday. This will necessitate having the power turned off from 10 until 1 in the western part of Guernsey County, the eastern part of Muskingum in Highland Township and the southern tip of Tuscarawas County.

Season tickets for Cambridge High School football will be sold at the school office tomorrow (Friday) from 10 a.m. until 2 p.m.

All Junior Fair board members are asked to attend a work day Saturday beginning at 9 a.m. at the fairgrounds in Old Washington.

Biddy football practice for the Rolling Hills School District will be held Saturday morning at the Meadowbrook High School. All players are asked to bring their own equipment and a sack lunch.

Every radio licensee is charged with the responsibility of providing service to a particular area. And as more stations have been licensed, their ability to remain "on the air" has been directly related to their ability to weave themselves into the community and become an integral part of its family life.

It would be easy to make a list of the outstanding services performed by local radio during the past two extreme winters. Though this performance was crucial, the significant services that radio provides in scores of communities are those everyday things that spell a better life for the community and its families.

Unfortunately, some current regulations

## EXTENSIONS OF REMARKS

treat many as second-class citizens. They cannot depend on their AM radio station to provide the services they need because their AM radio station must sign-off at sundown and cannot sign-on until sunrise. Even though a 1974 Arbitron listening survey established that, given a choice, most people will choose their nearby local station; many of these local stations must sign-off prematurely and sign-on late to protect stations that are often hundreds of miles away.

The result is that some citizens have full radio service and many, many do not. Citizens in communities with daytime only service not only have no locally oriented information services; many receive no really useful service at all—at crucial times of each day.

This overly restrictive regulation is apparently due to antique engineering standards, for example needed separation, propagation projections—and unrealistic policy. Many daytimes in Ohio have to sign-on and off to "protect" stations in Ontario, New York City, Iowa, Mexico City. Is such excessive protection for a few stations in foreign countries and in the United States worth the loss of service in so many communities? Can we allow AM broadcasting to disappear because it cannot provide the quantity of service needed in a community? AM receivers are the most inexpensive and most economy model automobiles are AM-only equipped.

I am not at odds with clear channels. We need to be unified to have a strong industry. Strength also lies in our ability to serve the country with first class service.

A part of our salvation rests with upcoming WARC treaty negotiations. However, much could be done by taking a realistic approach to protection—the guarantee that every station can serve a reasonable area in and around their city of license.

Another avenue is immediate action by the Commission. Let's call on the FCC to retest a few of their engineering assumptions. Why not run some experiments with longer hours for various kinds of daytimers and see the results—instead of just speculating? Perhaps we will find that today's needs can be better served with a new look at the real interference potential.

And, my point is this can be done now within the current law, the current mandate to serve in the public interest. Re-analysis of this regulation needs no massive restructuring, no change in the good parts of our industry.

In fact, some broadcasters have commented that a rewrite could stall needed action. Instead of acting specifically where it needs to, the Commission can use the old refrain . . . "but there might be a rewrite . . . better wait". Let's act now on the specific, real problems broadcasters and the public face. If the need for Congressional action is proven, then let this action address real problems and fall within the scope of the targeted needs.

Finally, I can't close without saying something about the new proposed fees for licensees. Though some could argue that air waves are a limited resource, so is most everything! And, their allocation is no guarantee of economic success or of essential return on investment. Both are necessary to run a radio station in Cambridge or anywhere else!

The schedules I've seen could prohibit and discourage the needed investment in our industry. The loser will be the public.

Let me close by thanking you for listening. I look forward to working with you in the future.

THE OHIO STATE UNIVERSITY,  
Columbus, Ohio, April 3, 1978.

Mr. JOSEPH D. BRADSHAW,  
WRFD Radio,  
Columbus, Ohio.

DEAR JOE: May I commend you for the superb job WRFD Radio has done over the past 30 years providing farmers throughout Ohio the many kinds of information they need during the noon hour. No other station does it like WRFD.

As agriculture becomes more dependent on technology, more capital intensive, and more sophisticated, it is increasingly important that farmers be able to get, during the early morning hours, the many kinds of information which you currently broadcast at noon. Most farmers make important decisions on marketing grain and livestock, planting and harvesting, applications of pesticides and herbicides, hay making, etc. before 8:00 in the morning. To make sound decisions they must have up-to-the-minute technical information that is not available from city stations.

It is a waste of the broadcast spectrum when stations like WRFD are not allowed to sign-on at least as early as 6:00 a.m. year 'round. The best time for farmers to listen to information programs is between 6:00-7:30 a.m. Occasionally I listen to 880 before WRFD comes on the air and I have yet to hear anything useful to Ohio farmers on the station with whom you now share frequency. They program solely for the New York metro area. Even though WRFD might cause them a little interference in Western Pennsylvania little if anything would be lost because it is doubtful that they program for that area.

Ohio farmers need WRFD during the early morning hours. We sincerely hope that you will be provided a much earlier sign-on time and soon!

Sincerely yours,

Roy M. KOTTMAN,  
Dean and Director.

## BIOMEDICAL RESEARCH AND TRAINING ACT OF 1978

### HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. MAGUIRE. Mr. Speaker, I wish to speak in favor of H.R. 12347, the Biomedical Research and Training Act of 1978, upon which we will vote tomorrow. This bill contains several amendments which I offered which are critical to focusing more attention by the National Cancer Institute on the occupational and environmental causes of cancer and thereby developing a more effective overall anticancer strategy.

We know that one in four Americans alive today will develop some form of cancer during their lifetime and that one in five Americans will die of the disease.

Cancer takes a severe toll on our economy. It is estimated that \$1.8 billion each year goes toward hospital care for cancer patients; an additional \$3 to \$5 billion is spent each year on cancer treatment; and it is estimated that lost productivity and earnings cost the economy an added \$12 billion a year. But cancer is not only an economic drain;

it is an emotional and spiritual drain on its victims and their families as well.

The bill before us tomorrow is a response to the growing recognition within the scientific and medical community that to a large degree cancer is an environmental disease and is, therefore, often preventable. Having participated in hearings both in the Health and the Oversight and Investigations Subcommittees, I know that if we can lower exposures to substances such as asbestos, vinyl chloride, nitrosamines, and several other chemicals that we are only now beginning to control, we can have a significant impact on decreasing our cancer rate. This bill adds the critical element of prevention to our approach to cancer.

With these concerns in mind, I offered a series of amendments to the biomedical research bill. One change adds language to the mandate of the National Cancer Institute to require that it "implement an expanded and intensified research program for the prevention of cancer caused by occupational and environmental exposure to carcinogens."

The biomedical research bill further requires that the Director of the National Cancer Institute publish an annual report to the American people. This report will list all known or suspected carcinogens to which a significant number of people are exposed. It will provide information concerning the nature of the exposure and an estimate of the number of people exposed. And it will require the Institute to look at existing regulations promulgated by the regulatory agencies and comment on their efficacy.

I do not believe we can have an effective preventive cancer strategy unless the National Cancer Institute is aware of just what is out there and whether we are adequately protected from dangerous substances.

Reflecting this new awareness of the environmental element associated with cancer, I offered another amendment which provides that at least 5 members of the 18-member National Cancer Advisory Board—a body which makes policy and reviews grant proposals—be "individuals knowledgeable in environmental carcinogenesis (including occupational and dietary factors)." I believe this amendment will be useful in helping the Institute to reorient its policies toward reducing or eliminating environmental and occupational exposures.

Finally, I offered an amendment which directs the Institute's cancer control programs in hospitals throughout the country to pay more attention to populations at high risk due to occupational or environmental exposures as they conduct research into better methods of detection, diagnosis, prevention, and treatment.

Faced with a rising cancer rate, this increased emphasis on prevention of occupational and environmental cancer may seem modest, but it has the potential for leading to a significant long-term decline in our cancer rate.●

## EXTENSIONS OF REMARKS

### CONGRESSIONAL SALUTE TO THE CLERGY AND PARISHIONERS OF ST. STEPHEN'S R. C. CHURCH, PASSAIC, N.J., UPON ITS 75TH DIAMOND JUBILEE ANNIVERSARY CELEBRATION

#### HON. ROBERT A. ROE

OF NEW JERSEY

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ROE. Mr. Speaker, on Sunday, October 15, residents of my congressional district, State of New Jersey will join the Most Reverend Frank J. Rodimer, Bishop of Paterson, the esteemed Pastor, Rev. Bela Turok, other distinguished members of the clergy, associate priests, sisters and parishioners in celebrating the 75th diamond jubilee anniversary of the founding of St. Stephen's R. C. Church located in the city of Passaic, N.J. I am honored and privileged to call this historic event to your attention and request that you join with me in saluting our citizens of Hungarian heritage who over this past three-quarters of a century have, by their example, engendered the esteem and respect of our people through their steadfast faith, hope and charity in promulgating the richness of their religious culture through the establishment of St. Stephen's R. C. Church.

Mr. Speaker, I know you and our colleagues here in the Congress will want to join with me in extending our heartiest congratulations and best wishes to the pastor of St. Stephen's, Father Torok and all of the members of St. Stephen's congregation on this historic occasion.

In recognition of the fact that our Nation was founded on the cornerstone of our people's faith in God, which is truly the spirit, conscience, and very being of our society, with your permission, I would like to insert at this point in our historic journal of Congress the diamond jubilee celebration program that is planned to commemorate this milestone in the history of St. Stephen's R. C. Church as follows:

#### PROGRAMME

##### HUNGARIAN HIGH MASS, FOUR O'CLOCK IN THE AFTERNOON, AT ST. STEPHEN'S R. C. MAGYAR CHURCH

The Most Reverend Frank J. Rodimer, J.C.D., D.D., Bishop of Paterson, presiding. The Reverend Fathers: Béla Török, John Ádám, Ph.D., S.J., Thomas Fehér, O.Cist., Julián Fúzér, Ph.D., O.F.M., and Serenus Szabó, S.T.D., O.F.M., concelebrating.

Sermons given by: Bishop Frank J. Rodimer in English; Father Julián Fúzér in Hungarian.

Master of Ceremonies: Pál Jámbr.

Lector: Imre Karaszegi, Jr.

Saint Stephen's Choir: Mrs. Júlia Bartko, director.

Soloist: Zoltán Zorányi, organ.

##### JUBILEE BANQUET, SIX O'CLOCK IN THE EVENING, SS. PETER AND PAUL RUSSIAN ORTHODOX HALL

(Corner of Monroe and Third Streets)

Invocation: Rev. Joseph Cassidy.

Dinner:

Benediction: Rev. Roger Hebert.

Unveiling of St. Stephen's Painting: The Most Reverend Frank J. Rodimer, J.C.D., D.D.

Guest Speaker: The Rev. John Ádám, Ph.D., S.J.

Hungarian Folk Songs: St. Stephen's Choir. Hungarian Dance: Kálmán and Judit Magyar.

Hungarian Dances: Hungarian Scouts of New Brunswick.

Hungarian Songs: Eva Beniczky, opera singer.

Hat-Dance: Hungarian School Children.

Closing Remarks: The Rev. Béla Török.

Banquet Chairman: Paul Bacsardi.

Toastmaster: Imre Lendval.

Mr. Speaker, the quality of the leadership of members of the most revered clergy and our citizens of Hungarian heritage who settled in the city of Passaic, N.J., and founded St. Stephen's Church is intertwined in the history of the church. A brief chronology of events that relate some of the highlights of its history is as follows:

#### ST. STEPHEN'S ROMAN CATHOLIC MAGYAR CHURCH, PASSAIC, N.J.

St. Stephen's Parish is one of the younger parishes in the spiritual family of Passaic. Because of the opportunities offered by America, many Hungarians were attracted to the point where they left their native country to enter this land of promise in the New World. Passaic and other surrounding areas, with their textile mills and many other thriving businesses offering an opportunity to all, proved to be so inviting that men and women came from all parts of the old country and established residence in the Passaic area.

Many Hungarian Catholics already in America had been attending services at St. Mary's Church in Passaic. Soon, these same faithful wished to build a parish community where they could worship God in prayer and song in their own language. Shortly thereafter, they made their first real step in this direction when they purchased four lots, and in 1902, the Most Reverend John O'Connor, Bishop of Newark, sent them their first Pastor, Reverend Geza Messerschmidt, who had been ordained in Kasca, Hungary.

Although the many functions of the parish had begun, services were being held in the basement auditorium of St. Joseph's R.C. Church in Passaic. To the amazement of all and after much sacrifice, the Gothic-Roman style church was formally blessed and dedicated on August 21, 1904. With the ever increasing number of faithful, both young and old, St. Stephen's Roman Catholic Magyar Church had now become a reality, and the spark of the flame carried in many hearts had been ignited.

With the arrival of Father James Raile in 1932, a new era began. The growing parish was in need of a place where young and old could carry on the work which had been begun. The Bishop granted permission to purchase a site for a building: a wooden foundry on Market Street. With the transferral of Father Raile and the arrival of Rev. John Gaspar of Woodbridge, the plans for the school building would continue from 1933 to September 19, 1937, when the blessing of this new school building would take place. Soon, Archbishop Walsh of Newark, designated the Daughters of Divine Charity as the teaching sisters of the parish, and regular classes would soon begin.

The period from 1937 to the present would be marked with both joy and sorrow. Rev. Anthony S. Dunay would soon be installed as pastor after the death of Father Gaspar. Soon a modern school building would be built as an extension to the old school. It was also the period when Cardinal József Mindszenty, Primate of Hungary, visited and blessed the church in May of 1974, and spoke fervently to all parishioners regarding their

## EXTENSIONS OF REMARKS

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support and prayers for the universal church. After Father Dunay's death in 1977, the parish was administered by Reverend John J. Cusack, until the arrival of Reverend Bela Turok from Harbor Beach, Michigan.

Mr. Speaker, we do indeed extend our congressional salute to the pastor, Father Turok, and to all of his associate priests, the sisters, and parishioners of St. Stephen's R. C. Church of Passaic, N.J., in national tribute to the elegance of their faith and outstanding good works on behalf of our fellowman which have truly enriched our community, State, and Nation.

Since its founding in 1903, the ever growing St. Stephen Roman Catholic Magyar Church has been ministering to the spiritual, physical, and educational needs of the parishioners as well as the surrounding communities of northern New Jersey. •

## THE AMERICAN MESSAGE

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for October 11, 1978 into the CONGRESSIONAL RECORD:

## THE AMERICAN MESSAGE

Americans everywhere are sending a message to those of us in politics today. It is coming through loud and clear to Congressmen and Senators as they fan out across the nation to visit their home districts and states. The impact of the message will be felt for some time to come.

The message is easy enough to understand. People do not want more government, more taxes, more programs, more bureaucrats and more regulations. They do not want a government which spends more and more while it delivers less and less. They are weary of quick-fix solutions that do not work and endless promises that are not fulfilled. They have had it with government meddling and interference in their lives. Above all, people are distressed by the apparent inability of government to come to grips with the pressing economic and social problems of the day. As one Hoosier recently said to me, "How can an outfit with so many experts get it wrong so many times?"

The message is really not a negative one. People want simple competency, efficiency and honesty from their government. They are not asking us to dismantle every program and they would not allow us to turn our backs on those who need help, but they believe that we can make the government more effective. They are just as concerned about how little they get in return for taxes as they are about how much they have to pay in taxes. They want to put an end to the waste, fraud and corruption that spoil even the best of programs. They are looking for government to do well those things it is supposed to do. In effect, people are saying, "Give us our money's worth."

We should not respond to such a call to action as we would have a decade or more ago. People are not demanding new social strategies or a redistribution of wealth. On the contrary, they expect government to get a handle on the things that threaten their way of life. The chief threat, of course, is inflation. Many Hoosiers have told me that they could put up with almost anything if

the government could just find an adequate solution to the problem of soaring prices.

Although the message from the country is a strong one, I do not think that most people are fundamentally unhappy with their lives. They are only saying—and are right to say—that neither the government nor the economy is working as well as it should. As he takes stock of this apprehensive mood, the politician must ask himself what should be done. I believe that our basic focus must be to make both the government and the economy work better. These two goals must guide everything we do.

To make the government work better we must take many steps. We pare down the bloated bureaucracy by clamping on hiring freezes, imposing personnel ceilings and restricting the use of outside consultants. We simplify the structure of government by pushing for executive reorganization, consolidating offices by function and enacting "sunset laws" to terminate unnecessary agencies. We strive for openness in government by limiting the use of secret sessions, requiring officials to disclose their finances and forcing policymakers to answer directly to the public. We reform the runaway regulatory process by shaving down agency budgets, letting Congress veto regulations and initiating full-scale deregulation wherever possible. We slice through bureaucratic red tape and gobbledegook by reviewing reporting requirements, using paperwork impact statements and writing government documents in plain English. Finally, we rework the federal-state relationship by expanding the revenue sharing program, streamlining the grant application application procedure and cutting "strings" on aid.

Making the economy work better will call for at least as much effort. We hold down inflation by phasing out the federal deficit, boosting productivity and keeping a firm hand on the money supply. We cut taxes by lowering individual rates, trimming corporate rates and giving a break to people who sell their homes. We cut federal spending by curbing growth in existing programs, avoiding commitment to new programs and adhering to zero-based budgeting throughout the government. We eliminate the trade deficit by stimulating export industries, reducing protectionist barriers abroad and taking immediate action against foreign nations that trade unfairly. Finally, we move to solve our energy problem by enacting a national energy plan, instituting strict conservation measures and increasing domestic production of oil and natural gas.

It is no small task to make both the government and the economy work better. The obstacles to success are many, the temptation to delay is great, and even if we were to take a large number of the steps I have indicated there would be no overnight miracle. However, the price we pay for an ineffective government and a sluggish economy is much too high. We cannot ignore the message of the American people. •

## HELICOPTER PILOT TRAINING CONSOLIDATION SHOULD NOT DELAY PASSAGE OF THE DEFENSE APPROPRIATIONS BILL

## HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SIKES. Mr. Speaker, when the conference report on defense appropriations is brought to the floor, we will be confronted again with the proposal to consolidate undergraduate helicopter

pilot training in Fort Rucker, Ala. This proposal originated with professional planners in the Pentagon who make a career of developing plans which can keep them employed for years. This one began about 10 years ago. If the planners ever are successful, they will then undertake to bring about the consolidation of all pilot training. Each program of this type can insure many years of employment for the individuals concerned.

My good friend, the gentleman from Alabama (Mr. DICKINSON), is a strong proponent of the proposal to consolidate helicopter pilot training. He is a direct beneficiary. A consolidation would take the program from a Florida base in my district and transfer it to his district in Alabama. It will be noted that in the most recent vote in the House, nearly all of the members of the Republican Party supported Mr. DICKINSON. I do not say they were supporting a member of that party only to move a base from a Democratic district to a Republican one. I am confident many were swayed by the claimed savings set forth by the professional planners in the Pentagon, particularly since these claims are supported by the General Accounting Office. The claims for savings have been disproved and there is evidence of close alliance between the Pentagon planners and some GAO personnel who formerly were associated with these activities in the Pentagon. There is strong evidence of prior understanding on the amount of savings to be claimed. This situation has provoked a congressional inquiry—not by my committee.

Whatever the motive, the result was the same. The House conferees were instructed to support consolidation. I have a personal interest. My district would lose a base. My constituents would suffer financially from the loss of jobs and of economic benefits from a military base.

On the matter of savings, let me emphasize the fact that these claims have been refuted time and again by the Navy, but the Navy's rebuttal is ignored or glossed over. In the most recent instance, the motion to instruct the conferees by the gentleman from Alabama (Mr. DICKINSON) provided a hopeless problem for the conferees. The motion did not take into consideration the split decision resulting from a confused situation in the appropriation bill on this subject. The floor action on the issue of consolidation at the time of the passage of the bill in the House leaves military personnel and funding in the Navy. It provides instructor and safety personnel at the Navy facility at Whiting Field. However, the House action provides operations and maintenance money for the Army to conduct the training at Fort Rucker. This is an impossible situation—the personnel being retained in the Navy at Whiting and O. & M. money for the Army at Fort Rucker.

The House position deletes the general provision which in past years has not permitted the Defense Department to realine the Navy's flight training squadrons. This effectively gives DOD the ability to reduce Corpus Christi to a naval air facility, and will have a del-

terious effect on the other flight training bases in Texas, Mississippi, and Florida.

Obviously in the conference we could not maintain a position in which there is not room for compromise, even at the expense of this vital training program. The managers on the part of the House could not maintain a position in which the people are given to the Navy and the operating dollars are given to the Army. It is untenable. Consequently, the conferees now have placed all funding for the program in the Department of the Navy.

Before he was bound by instructions, the distinguished chairman of the Appropriations Committee, Mr. MAHON, opposed the consolidation. Now he feels that his hands are tied. In a speech on the floor on August 7th in the opposition to consolidation, he stated, "It is time to stop this controversy, time to put this issue behind us and let the Services proceed with helicopter training for the following year as they are now proceeding."

Mr. Speaker, it is time to clear the air, to accept amendment No. 84 (section 85) which was a part of the House bill when it was reported from the House Appropriations Committee. All that can be gained from pursuing the matter further is a delay in providing funds for military payrolls, both military and civilian.

A letter from Secretary Brown to the members of the Defense Subcommittee and to the Chairman of the House Armed Services and Appropriations Committees spells out a serious situation which now exists. They have no money to meet payrolls for military and civilian personnel. Even if passage of this bill is completed this week, lead time is needed to be sure that checks will be in the hands of personnel. Further delay clarifying the helicopter training question is totally unrealistic. Even if the language is not approved, if we go back to conference, we have no assurance the Senate will yield.

They have been very strong in their position against consolidation. The last Senate vote on this question was 75 against and 21 for consolidation. This is a much stronger position than the House position in favor of consolidation.

Even if a future conference were to agree to eliminate the language, it would not advance consolidation. In that situation, consolidation could come only after a reprogramming action had been approved by the Subcommittees on Defense Appropriations in the House and Senate. There is no indication whatever that such a reprogramming would be approved. While the useless maneuvering for a further resolution is in progress, the DOD personnel will go payless.

Now I want to spell out clearly the true situation on claimed savings the Navy submitted a reclama to the Secretary of Defense on the fiscal year 1979 budget submission setting forth the official Navy view that the assumed consolidation savings are virtually nonexistent.

The facts set forth in the memorandum from the Assistant Secretary of the Navy (Financial Management) to the Secretary of Defense are as follows:

## EXTENSIONS OF REMARKS

[In millions]	
Navy estimate of their 5-year cost for UHPT	\$193.1
Less Army's estimate of their 5-year costs for UHPT	-136.8
Net difference in Navy and Army (OSD) estimates	56.3
Additional 5-year Army costs to conduct Navy UHPT (not previously identified by (OSD)	-50.0
Actual 5-year Navy cost avoidance (as estimated by Navy reclama)	6.3

Thus, Navy's position was that, at best only \$6.3 million in costs could be avoided in the 5-year period.

However, as identified by DOD DPS's on the subject, Navy claims that DOD has deducted manpower required for Navy fixed-wing UPT in their efforts to demonstrate that such consolidation savings do, in fact, exist. Actually, if Navy undergraduate helicopter pilot training were consolidated under the Army, \$6.3 million would have to be restored to Navy to support fixed-wing training in fiscal year 1979. Thus, the best OSD cost avoidance estimate could be wiped out in 1 year.

OSD replied to Navy's reclama by: First, revising their decision program Set and, second, conducting an audit of Navy UHPT costs by the Defense Audit Service.

In the first case (DPS 490R), despite Navy's reclama and billet-by-billet scrub of manpower requirements to conduct UHPT (which showed a reduction of 331 billets, including support, equal to a 5-year total of \$22.5 million under OSD's estimate of Navy's cost), the Navy estimate was rejected by OSD analysts simply because it would destroy their predetermined \$100 million 5-year savings. (It is precisely for this reason that should UHPT be consolidated at least this amount of so-called savings would have to be restored to Navy to permit Navy to conduct fixed-wing pilot training.)

In the second case, the Defense Audit Service, in conducting their audit, ignored the additional costs to be incurred by the Army to conduct Navy UHPT. These costs were identified in part by an internal Navy memo (March 8, 1978) which pointed out that the Army had made no provisions for support facilities, fuel contracts, refueler requirements, crash and fire equipment, and the like. Also, since Navy pilots are officers, the Army planned to house Navy, Marine and Coast Guard officers in their BOQ, while turning their own students out to the economy until more facilities could be constructed. There is no indication that OSD analysts ever computed the additional BAQ and increased housing costs arising from UHPT consolidation.

As a matter of record, the Defense Subcommittee Report of the House Appropriations Committee on the fiscal year 1979 budget identified 261 excess helicopters in the Army inventory, and recommended a reduction of \$3.4 million in annual operating funds. OSD has never correctly applied this \$3.4 million per year against the Army in their calculations of the costs in Army's program

that could be saved by not moving Navy UHPT to Fort Rucker.

Finally, the Chief of Naval Operations, Adm. James Holloway, personally called on Chairman MAHON this spring to voice his opposition to this helicopter consolidation proposal in the light of the most recent information available. Reasons for the CNO's strong opposition may be found in the following:

First. The Army training would not meet Navy standards;

Second. Both the civilian and professional leadership of the Navy now feel that OSD's claim of substantial savings through consolidation is suspect, and have concluded that the cost avoidance for Navy may be more than offset by additional Army costs resulting in no significant net savings to the Defense budget;

Third. With the projected growth of the Anti-Submarine Warfare LAMPS system, Navy helo pilot requirements would increase substantially in the decade to come; and

Fourth. With variations in pilot retention rates and changes in helo pilot and fixed-wing pilot requirements it would be necessary to have greater flexibility to transition pilots from rotary to fixed-wing skills. (This is a major issue with the Marine Corps.)

## STATES' RIGHTS VERSUS FEDERAL POWER IN COASTAL WATERS

**HON. LEO J. RYAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. RYAN. Mr. Speaker, I commend to the attention of my colleagues an October 1, 1978, Washington Post "Outlook" section article by Joanne Omang entitled "States' Rights versus Federal Power in Coastal Waters." This article raises an issue that I am sure has troubled many of us who represent coastal areas, this is, who should control the development and exploitation of the many resources of the coastal zone? Who determines the need for certain kinds of development, which most people oppose who live in areas adjacent to such development? Should the States exercise responsibility and effective control? Should an agency of the Federal Government have such control by working closely with State agencies? These are some of the interesting issues and questions the Omang article raises.

I certainly wish that Omang would have asked me for some input when she was writing her article. I have an excellent case in point, which would have been a superb example for her to use. Let me describe my example for you.

The Department of Interior (DOI) feels that as part of its responsibilities it should sell leases to land in California's coastal zone, which may then be purchased by oil corporations as sites for offshore oil wells. Without really questioning this policy, the DOI bureaucracy keeps pushing ahead. Sale No. 48 is more advanced than sale No. 53 and the draft environmental impact statement for sale

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No. 48 has been released for comment. In the case of sale 53, the DOI has been going through the process of obtaining positive and negative nominations to blocks of OCS land, the leases to which would be sold to oil corporations at some later date.

I find it interesting that negative nominations have been given by most of the local governments, the State of California, the California Coastal Commission, and a multitude of environmental groups, all of which are against lease sale No. 53. This sale would place oil platforms off some of the most spectacularly beautiful coastlines in the world. We can only guess what the attendant blowouts, ships, petroleum vapors, water pollution, and the like would do to these coasts and the view. Yet, DOI plods ahead assuring everyone that the negative nominations will be taken into account in its decision-making processes and no sale will take place until the environmental impact statement processes had been completed.

On the face of it, such an assurance by the Department should mean something, but, as we all know, the EIS process has become rote, and the EIS report was of little use in the decisionmaking process. The EIS has become an expensive, unread, useless joke. Since this is the case, we can only expect that DOI will recommend sale of tract leases.

But why are leases being sold in the first place? There is no evidence that DOI is working in conjunction with the Department of Energy. Why do we need the gross exploitation of the coastal zone? Is it because of the lack of oil on the west coast? On the contrary, there is a glut of Alaskan oil. On land, oil wells are being shut down. Even wells off the once beautiful Santa Barbara coast are being reclaimed by DOI for lack of diligence. There are large amounts of oil being imported from Indonesia and, most suspicious of all, the so-called Elk Hills Strategic Naval Reserve is being pumped by commercial interests.

This kind of situation does not indicate a lack of petroleum; on the contrary, it indicates an excess. Who is in control here? Can we find strong, good defined national policy being served here? There is no coherent policy and there is no need to develop the small amounts of petroleum to be found in the coastal zone. First, the potential for environmental outrage is not worth such a small amount of petroleum. Second, the oil basin in the coastal zone has been identified by geologists as extensions of land deposits. Thus, the same high-sulfur and residual oil found on land will be pumped off the coast. Since there is no market for it now and land wells are being shut down, what will happen to the oil?

If the oil is not to be pumped because of its residual content and lack of demand, there is no sense in allowing the tracts to be leased and wells pumped unless the oil is intended to be sold to the Japanese. I suspect the reasons for the sales 48 and 53 going forward, and the recent Commerce Department decision to allow crude oil—except Alaskan—to be sold to Japan are one and the same.

The OCS oil wells would be developed and our coasts, marine life, fisheries, etcetera, would be jeopardized to allow the oil corporations to make money by selling the oil to Japan. I protest that this is not worth the price. I am in favor of leaving the OCS oil in the ground as strategic reserves, which can be developed at a time when this Nation needs the petroleum to fill its own needs. The article follows:

## STATES' RIGHTS VERSUS FEDERAL POWER IN COASTAL WATERS

(By Joanne Omang)

In 1976, when large numbers of shellfish and plants began to die off the coast of New Jersey, no one seemed to be in charge of finding out what had happened.

Marine biologists ran tests and learned that there was virtually no oxygen in the water near the ocean bottom from just south of Long Island nearly all the way to Delaware. When asked, various authorities blamed offshore dumping of sewage sludge near New York in an area known as the New York Bight.

They also blamed chemical slurries, or the bilge from some passing chemical cargo vessel, or underground seepage or a red tide. The fact was that not only did no one know then or knows now what caused the situation, or whether it would recur, but no one was responsible for knowing.

Murk in the nation's coastal waters is often surpassed only by the murk around jurisdiction for them. With 80 per cent of the population expected to live within 50 miles of the coasts by the year 2000, state governments have burgeoning problems in that area and little research capability even to understand them. Federal activity, meanwhile, seems to continue with little or no regard for the changing situation.

Thousands of small pleasure boats zoom in and out of major shipping lanes, colliding by the hundreds every year in a national tragedy that is barely even documented. The seagoing traffic is particularly heavy in some areas, like the Santa Barbara channel in California, where Washington is preparing to offer leases for offshore rigs involved in the still-growing national thirst for oil.

In Santa Barbara, the facilities would unload Alaskan crude from giant tankers while other vessels maneuver in and out of the harbor. "It'll be almost like running a slalom course through the docks," said Dale Brown, assistant director for critical area planning at the National Oceanographic and Atmospheric Administration (NOAA).

The question of states' rights versus federal laws has not previously meant arguments over sewage sludge, offshore oil wells, king crabs or supertanker routes, but it does now. It also means genteel struggle over damage claims, royalties, revenue sharing and manganese nodules, which are just the latest of the riches in and under the restless sea.

"More and more players keep coming into the ball game and the rules are constantly changing," observed Phillip Clark, coastal zone management coordinator for the American Petroleum Institute, the oil industry trade association. "There's no real way to resolve conflict . . . it's a real limbo-land of regulations."

## CONFLICTS IN THE COURTS

The Senate this week considers final passage of a measure to license U.S. private exploration and mining of those manganese nodules, multimillion-dollar lumps of ore just waiting to be scooped up off the sea floor as much as 5 miles down. Since the ore occurs under the open sea, 200 miles or more from U.S. coasts, one would think there wouldn't be much interest at the state level. Not so.

"There could be environmental disruption with currents we don't know about yet. The ore has to be processed somewhere on shore; it has to be transported somehow. Does that mean pipelines or what? There will be new job markets and new taxes to pay; who gets them? And what about dividing up the profits?"

The speaker is Dean Rusk, former secretary of state and now a self-described lone voice warning from his post at the University of Georgia law school that federal-state relations are going to be a major problem in agreeing on the laws of the sea.

"There's a point at which a lack of uniformity among the states could impose a very heavy burden on anyone trying to work out there," he said.

At the moment, most disputes are settled in lengthy court battles that hinge on defining federal powers granted by the Constitution. Washington, for example, has just banned the dumping of sludge from treated sewage anywhere offshore after 1981.

Coping with the change could cost the states millions of dollars in new sewage treatment plants. "That's a tremendous problem for them," said Robert Knecht, assistant administrator for NOAA's Office of Coastal Zone Management. "What are they going to do?" Several states are contemplating lawsuits.

Recognizing that the 3-mile limit to coastal waters no longer means much, NOAA this week merges its office of Coastal Zone Management and its Oceans Management office to bring them both under Knecht. He and others say that the problems in this area are still being defined and little has been done to solve them.

"The states are being drawn into a rising number of coastal ocean issues [and] the forcing element is outside the states," Knecht said. "Often the argument isn't even over the policy itself but over jurisdiction in deciding."

An example of that occurred in Washington State, where federal action almost by accident has all but settled years of painful state legislation and legal wrangling that went all the way to the U.S. Supreme Court. The high court last year overturned former Gov. Daniel Evans' ban on oversized tankers in Puget Sound, but only on grounds that a state cannot regulate interstate commerce. Sen. Warren G. Magnuson (D-Wash.) has hopes of virtually reinstating the ban through new Coast Guard regulations, which may control such commerce.

Magnuson is against any new oil transhipment port in the Sound, but the Department of Energy is considering a proposal from the Northern Tier Pipeline Co. to build one near Port Angeles and run a pipeline for Alaskan and foreign oil from there east to Clear Brook, Minn.

"One could imagine a situation where the feds say we need the pipeline and the state says, oh no we don't, and there's nothing the state can do," said a Washington resident watching the situation.

In another case, the state did lose. New Jersey's 1976 challenge to federal offshore oil drilling licenses was at first upheld in U.S. District Court on grounds that state interests in the inevitable pipelines and other possible disruptions had been ignored. But the 2nd Circuit Court of Appeals reversed the verdict in August 1977, saying a possible state veto later could not stop the drilling now. "There comes a point where the chain of 'ifs' gets too long and too tenuous to be of any practical use," said Judge Walter Mansfield.

## THE "CONSISTENCY" DOCTRINE

What leverage the states have in the future will probably depend on court interpretation of the concept known as "consistency" that was established in the Coastal Zone Management Act of 1972. The measure provides funding for states to come up with

a coherent plan, following federal guidelines, for their coastal lands and waters out to 3 miles, and then decrees that any federal action afterward must show "consistency" with the state plan "to the maximum extent practicable."

Since anything done anywhere in the ocean is likely to wash ashore sooner or later—in the form of pipelines through areas the state wants as beaches, for example, or in the form of jobs or refineries or even oil spills—the states are newly able to speak up. In one such case, Alaska's Supreme Court upheld the primacy of the state's restrictions on the taking of king crabs over Washington's looser standards for areas outside the 3-mile territorial sea.

"The 'consistency' doctrine gives the states a brand new grant of power on the outer continental shelf, and we are the ox that gets gored," said the oil industry's Clark. Only 13 states and territories of the 34 with coastlines have so far come up with approved coastal zone management plans, and the oilmen are unhappy with most of them.

The petroleum institute took Massachusetts, Wisconsin and California to court on grounds their plans paid inadequate attention to "the national interest" as required in federal guidelines. The oilmen, of course, meant that the states were excessively restrictive on future oil development.

The industry lost in all three cases, only the California case being tried on the merits. However, the judge complained that the ambiguous law had obviously "befuddled" bureaucrats and recommended that the oilmen seek remedial legislation. "That's no remedy at all," Clark said.

The recent Outer Continental Shelf Act amendments require more state consideration and information as federal agencies draw up their plans, and also create multi-million-dollar damage and impact compensation funds.

States are also involved in regional councils set up to coordinate fishing in the newly declared 200-mile economic zone, but all of these measures are too new to have had any impact yet.

"What we really have is only the blunt instrument of yes or no so far," said William S. Gaither, dean of the College of Marine Sciences at the University of Delaware. He wants to set up regional coastal councils that would take over federal decision-making functions, a controversial notion at best.

As the states grope for a new relationship with Washington, the seaward traffic continues to increase and the problems get more complex.

"Clearly we're moving toward a time when there's going to be some kind of mandatory shared use of marine resources," said Knecht, "zoned like Cape Hatteras is for beaches, water skiing, boats and fishing . . . but that's a long way off." ●

#### RED CHINA'S AMERICAN LOBBY: THE U.S. CHINA PEOPLE'S FRIENDSHIP ASSOCIATION (PART II)

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. McDONALD. Mr. Speaker, the United States-China People's Friendship Association (USCPFA) with its 10,000-member lobby in this country has developed in recent years as a major force on behalf of the Communist regime in the People's Republic of China.

In an earlier report on the USCPFA, I

#### EXTENSIONS OF REMARKS

have outlined its background and organization; for the information of my colleagues I now continue with information on this organization, first published in a recent edition of the Information Digest, a newsletter on political and social movements.

The article follows:

##### USCPFA ACTIVITIES

The USCPFA works through a number of committees which include:

National Convention Planning and Rules Committee.

National Outreach Committee—which concentrates its activities (speakers bureau, film library, library, etc.) toward the "minority and working class people [who] make up a majority of the American people."

Normalization of Relations Committee—which calls for the withdrawal of U.S. recognition of the Republic of China (ROC) [Taiwan] and severance of all U.S. economic and military ties to the ROC, including abrogation of the 1954 U.S.-ROC Mutual Defense Treaty.

Membership and Educational Committee—which includes health topics since "Health is a Big Unity subject"—deals with all aspects of events in the PRC and the servicing of USCPFA members.

Publications Committee—which is setting up a National Publications Center in New York City with paid full-time staff.

China Friendship Tours Committee.

##### USCPFA FUNDING

During the San Francisco convention, the USCPFA announced that its projected budget for 1979 would be \$1.4 million, a sum that can in no way be accounted for by their general membership dues of \$5 a year or "sponsor" or "patron" contributions of \$15 or \$25. Nor can it be accounted for by normal fund-raising, sales of subscriptions or foundation support.

However, as the USCPFA has the U.S. "franchise" for tours of the PRC (a "franchise" previously held by The Guardian newspaper until its political dispute with Peking, which provided, along with large numbers of paid subscriptions taken by agencies of the PRC, a vital subsidy for the publication), it is probable that the majority of its funds are controlled by the PRC.

According to a USCPFA organizer, the PRC will issue 5,000 visas for U.S. travel to Red China through the USCPFA during next year. This same organizer reported that a "mark-up" of \$500 is imposed on each "special interest" tour. By this source alone it is estimated that an income of \$250,000 could be generated.

At the San Francisco convention, the USCPFA announced increases in staff. A press and public relations officer will join the Washington Center; a new staff position is being created to organize the campaign to admit the PRC to the 1980 Olympic Games; and still another staff member will be in charge of the outreach to "working class and minority people." Finally, a full-time executive director will be added to the national office staff in Los Angeles.

The staff of New China magazine will be increased to four persons and the new National Publications Center in New York will also require at least one full-time paid staff member to coordinate the dissemination of USCPFA materials.

Sources report that the ASCPFA national office and field staff receive an average minimum wage of \$6,000 each, which in turn indicates a projected payroll of at least \$150,000. This sum, taken together with estimated property rental, telephone, postage, printing, travel expenses and similar expenses, while fully compatible with the USCPFA projected income, leaves undetermined the extent of the PRC's subsidy.

##### USCPFA LEADERSHIP

In 1977, the National Steering Committee of the U.S.-China People's Friendship Association consisted of:

Eastern Region.—John Dove, Boston; Jan Ting, Philadelphia; Roy Johnson, Washington.

Southern Region.—Bill Funk, Atlanta; Robert McFarland, New Orleans; Elaine Budd, Miami.

Midwest Region.—Sylvia Fischer, Chicago; Inuka Mwanguzi, St. Louis; Joseleyne Tien, Greater Lansing.

Western Region.—Don Porteous, East Bay; Sue Becker, Seattle; Junella Haynes, Albuquerque; Tien-ni Fang, Hawaii.

At-large Members.—Frank Pestana, Los Angeles; Fred Engst, Philadelphia (son of Erwin "Sidney" Engst and Joan Hinton Engst, sister of William Hinton, who moved to China in the late 1940s at the instigation of a top Comintern agent and headed the PRC's atomic program during the 1950s and 1960s; Joan Hinton Engst returned to the U.S. in 1977 after 30 years in the PRC for a national speaking tour and appearance at the USCPFA convention); Esther Gollobin, New York; and Unita Blackwell, Mayor of Fayette, MS.

The 1977 officers elected by the National Steering Committee (NSC) meeting on 9/5/77 following the close of the USCPFA convention were Co-chairpersons Frank Pestana and Unita Blackwell; vice-chairperson Esther Gollobin; Secretary-treasurer Don Porteous; and Inuka Mwanguzi.

Honorary NSC members selected at various conventions include Maude Russell (1974); Shirley Graham DuBois (now deceased); Ida Pruitt, John Service and Edgar Snow (posthumously) (1975); Detroit Judge George Crockett, Max Granich, William Hinton, Helen and Samuel Rosen, and Randolph Saller (1976); and James Veneris (1977).

At this year's convention, the RWH and the CPML introduced factional "slates" for the at-large members of the NSC. Two CPML approved candidates and one RWH candidate was elected, as was one person backed jointly by both. The four are Frank Pestana; Mark Sheldon, an employee of the United Methodist Church active in what was termed "progressive activities" retiring to the PRC; Margaret Whitman of New York City; and Unita Blackwell.

##### USCPFA 1978 NATIONAL CONVENTION

The 1978 national convention of the USCPFA was organized by a Planning Committee that included Don Porteous, June Farver, Roy Johnson, Lynn Jones, Inuka Mwanguzi, Nancy Owens and Trev Sue-A-Quan. The National Convention Coordinator was Jan Masaoka.

The main conference workshops and panels included:

Trade union outreach—Jack Hirschfeld.

China Study Tour Program—Joseleyne Tien, Junella Haynes, Margaret Whitman.

U.S.-China Trade Panel—Bob Gomperts, Jerry Levine, Ted Thau, Frank Sebastian.

Education in China—Pat and Roger Howard.

Recent Trip to Tibet—John Service.

Current Farm and Factory Developments—Fred Engst, Joan Hinton, Lou Goldblatt.

Historical overview of China friendship—Alison Stilwell Cameron and Nancy Stilwell Easterbrook, daughters of General Joseph Stilwell.

PRC involvement in Africa—Sadu Sadanand, Susan Warren, Mzonke Xusa, Monroe Sharp.

Outreach to churches—Jean Craig, Richard Lapchick, Anna Singletary.

PRC economic system—Sylvia Wineland, Michael Zweig.

PRC and 1980 Olympics—Richard Lapchick, Nancy Freehofer.

Trade Union Panel—M. Beaugarle, B. Nuchow, G. Gutierrez, P. Schrade, C. Ellis, C. Fischer, B. Berry.

## EXTENSIONS OF REMARKS

Other workshop leaders and panel members included Ellen Brotsky Williams, James Horton, Elaine Budd, Patrick Peritore, Sylvia Yee, Paula Chidichimo, Milroy Levitt, Melea Johnson, Ralph Dale, Mickey Green, Barbara Bernie, Lorenzo Canizares, Greg Tsang, Kathy Chamberlain, Peter Schmidt, Victor Li, Alan Feigenberg, and A.H. and M.E. Ensminger.

According to those who attended the San Francisco convention, the most significant events were the keynote address by Frank Pestana and Unita Blackwell which emphasized the increased need of the PRC for normalized relations with the U.S.; a speech by John Service on his recent trip to Tibet that justified the PRC's conquest of Tibet in 1950; and a presentation on the "Role of the Elderly in Social Change in China" by Maggie Kuhn, founder and president of the Grey Panthers, an adviser to Senator George McGovern [D-SD] during his 1972 presidential campaign, and a member of the USCPFA who recently led a USCPFA "Special Interest Tour" of the PRC.

Also present at the conference was Dr. George Hatem, who had lived in China from 1933 until his return to the U.S. this summer. Hatem, of Lebanese ancestry, whose Chinese name is Ma Hai-teh, was a close adviser of Mao Tse-tung and served the government of the PRC as deputy director and chief of staff of the Institute of Venereology and Skin Diseases. Hatem is widely credited with the near elimination of syphilis in the PRC.

NOTE.—Dr. Hatem does not claim this as a medical victory, but as one of "New China's" political and social achievements. He is quoted in Edgar Snow's *Red China Today*, speaking on current conditions in the PRC, as saying that promiscuity and premarital sex are very rare and that everybody gets married. Said Hatem, "\*\*\*\* very few men or women are still unmarried at twenty five. Before that, they do without—they're kept busy, no time to fool around, minds and bodies occupied."

Many attempts were made to disrupt the USCPFA convention by non-delegates from the RCP, whose role is outlined in the section of this report that follows.

## THE RCP SPLIT

The Revolutionary Communist Party (RCP), formerly the Revolutionary Union (RU), has been active in the USCPFA since its embryonic period and had constantly vied with the October League (OL), now the Communist Party, Marxist-Leninist (CPML) for both favors and recognition from the PRC.

Following the death of Mao in 1976, the RCP supported the losing side, the "Gang of Four," during the internal power struggle in Red China. Moreover, while the CPML quickly rectified its initial mistake in backing the Gang, the RCP, under the leadership of Robert Avakian, has persisted in verbal attacks on Communist Party of China (CPC) Chairman Hua Kuo-feng.

According to a Denver, USCPFA source aligned with the CPML:

"In recent months, RCP has evidently taken the view that the Chinese Communist Party and the government of the PRC have abandoned the principles upon which the PRC was founded, and have betrayed the interests of the Chinese people.

They have attempted to transform the USCPFA into a platform for propagating these views. This not only runs counter to the aims and interests of our members, but is essentially hostile to the Chinese people and to the friendship movement. By presuming to understand Chinese events and policies better than the Chinese people themselves, the RCP has exposed its arrogant, chauvinist character and its deep-seated antagonism to the rest of us in USCPFA."

Using tactics reminiscent of the Trotskyist-Stalinist feuds that have persisted over several generations, and indeed with the active support of the Trotskyist Workers

World Party (WWP), about 80 RCP members attended the San Francisco convention. In small groups and individually, the RCP cadre lobbied for their position with USCPFA delegates, pushed their support for the Gang of Four in the workshops whenever the official Peking-line attack was made, and disrupted proceedings with chants when the Peking-line majority rejected their arguments.

The USCPFA leadership responded by expelling those who supported the RCP line, including one member of the USCPFA NSC who had attended an RCP press conference.

USCPFA co-chairman Frank Pestana led the hardline attack on the RCP, stating:

"Anyone who identifies with the position of the RCP with regard to the USCPFA as expounded in their own publications should be expelled from the association. They are enemies of China and enemies of the USCPFA. The USCPFA should not be used as a platform for criticizing China."

The USCPFA delegates overwhelmingly rejected the RCP's resolution in support of the Gang of Four. A second resolution offered by the USCPFA leadership was almost unanimously passed. This said that while USCPFA members do not have to actively agree with every policy of the PRC leaders, claiming that the role of the USCPFA was not to advocate PRC policies but to promote "friendship," "Members who by their persistent actions disrupt the ongoing program of building friendship \* \* \* should be asked to resign or, if necessary, be expelled by their local."

Thus the USCPFA national convention confirmed a process that had started some months earlier with the demoting of RCP-dominated chapters to organizing committees or the closing of them, and with the removal of RCP sympathizers from positions of influence.

As the official publication of the CPML, The Call reported, "The USCPFA has shown its determination to 'remove all barriers to friendship between the two peoples—whether they come from the U.S. State Department or the RCP.'"

## USCPFA PLANS

Reiterating resolutions first prepared and passed at regional preparatory conferences, the USCPFA San Francisco convention placed near total emphasis on "normalization" work, particularly ending U.S. ties to the ROC. Analysis of conference materials indicates that the leadership has decided to make the USCPFA an influential force in the U.S. to press for the U.S. government to make diplomatic and economic concessions to the PRC.

Various tactics will be used. An attempt will be made to exploit, to the advantage of the PRC, such issues as Soviet-Cuban aggression in Africa; Soviet military threats to the PRC; and the Soviet "hard line" on detente. Additionally, the "benefits" of selling high technology equipment to the PRC, U.S. government extension of trade credits to the PRC, and providing military equipment to the PRC will be detailed to the U.S. business and organized labor communities. A supporting campaign in the media and in the churches has been outlined.

Information developed at the conference indicates that the main thrust of these campaigns will be run from the Washington Center for U.S.-China Relations which will serve as an "educational" resource to lobbying groups while at the same time working closely with the PRC Information Office.

Regional conferences have been planned which are designed to promote the benefits of "normalization" for the U.S. The conferences are to concentrate on special interest groups such as health care professionals, sections of the academic community and labor unions. In the latter area, full use will be made of members of trade union delegations that visited the PRC in 1976 and 1978, and of trade union members who belong to the USCPFA.

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NOTE.—An advertisement in the 1978 USCPFA San Francisco Convention Program, headed, "We Pledge our efforts to fulfill this mutual goal of the working people of the United States and the People's Republic of China," namely "Full diplomatic relations now," was signed:

William H. Nuchow, Sec.-Treas., Local 840, I.B.T.

William O. Robertson, Pres., Local 840, I.B.T.

Harold Sugarman, Trustee, Local 840, I.B.T.

Lenwood Terry, Trustee, Local 840, I.B.T.

Harold Melman, Chief Steward, Local 840, I.B.T.

John Hudson, Intern. Rep., U.H.C.M.U., AFL-CIO.

Carmen Sanchez, Communications Worker.

Mildred Dweck, Communications Worker.

Ray Schaeffer, Local 10, I.B.T.

Phyllis Schmidt, A.F.T.

Karl M. Manheim.

Additionally, as part of the "normalization" campaign, appeals will be made to sports enthusiasts to aid in pressing for admittance of the PRC to the 1980 Olympic Games in Moscow and exclusion of the ROC. This activity, which includes Richard Lapshick in the leadership cadre, is being coordinated by the Ad Hoc Committee for China in the '80 Olympics, 700 N. Dearborn St., Suite 1030, Chicago, IL 60605.

The USCPFA has survived the disruption of the RCP split and is starting a new year of propaganda activity, well funded, and with a program that is designed to promote and protect the PRC. Obviously intimately involved with the PRC, an important question to be investigated is the extent and mechanisms of control exercised by the Peking government over this extensive U.S. apparatus. ●

## LOUIS MARTIN: "THE GODFATHER OF BLACK POLITICS"

## HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. STOKES. Mr. Speaker, as you well know, last month the President appointed the venerable Louis Martin as his special assistant for minority affairs. I, for one, am particularly gratified that the President chose Louis Martin for this sensitive and challenging position. He will bring with him not only solid experience and sterling credentials but also a keen insight into the political process and its impact on the vast social and economic problems of black citizens in this Nation.

Last evening, Mr. Speaker, Louis Martin was honored by his friends and colleagues at a reception at the Federal City Club. Today's Washington Post carries an account of that affair and an extensive article on Louis' long and impressive political and journalistic career. So that my colleagues in the House can familiarize themselves with Louis Martin's outstanding record, I commend to your attention the October 10, 1978 article by Washington Post reporter Jackie Trescott:

"THE GODFATHER OF BLACK POLITICS"—Now LOUIS MARTIN'S 'PINCH-HITTING' AT THE WHITE HOUSE

(By Jacqueline Trescott)

Lyndon Johnson was pacing in his inner offices, ready to call the key senators to in-

form them of his appointment of Solicitor General Thurgood Marshall to the U.S. Supreme Court.

But the president couldn't find Louis Martin, the adviser who had nurtured the appointment of the first black justice, and he would not start the historic formalities without him. While Johnson barked, the White House switchboard searched, and finally Martin was found—on the golf course.

Martin says it isn't so, the golf course part, claiming residence at his Democratic National Committee office. Yet the story circulates among his good friends as proof of Martin's influence, friendship and self-assurance with the powers of Washington.

And Martin himself chortles at that fragment of his legend, a laugh that pumps heartily from his hefty frame. He just misses slapping his knee.

"The godfather of black politics" is what think-tank president Eddie Williams calls Martin, a phrase echoed by other Martin protégés. In the 1960s, Martin, by trade a newspaper publisher, was the vice chairman of the Democratic National Committee, a confidant of presidents John F. Kennedy and Johnson and the behind-the-scenes kingpin of black politics.

He had a large hand in bringing to Washington Patricia Roberts Harris, now secretary of HUD; Robert Weaver, the first HUD secretary; Clifford Alexander, now secretary of the Army; Andrew Brimmer, the first black on the Federal Reserve Board; then assistant Secretary of Labor George L. P. Weaver; then ambassador Carl Rowan, and others now in the leadership structure, such as University of the District of Columbia President Lisle Carter and National Urban Coalition head M. Carl Holman.

Now he's back. Last month, after much public discussion of the need for a senior black adviser on his staff, President Jimmy Carter appointed Martin, 65, as the special assistant for minority affairs. "Yes, I'm a pinch hitter," says Martin, handily, answering a constantly ringing telephone.

Martin returns to the inner circle at a time when the president's stock is sagging among his minority constituencies—and when the White House staff has lost several blacks in the last few months. The highest-ranking black had been Martha (Bunny) Mitchell, who had emerged as the minority liaison but had been criticized by the black leadership for her political inexperience and inability to deliver.

The White House infighting, and Gary, Ind., Mayor Richard Hatcher's refusal to take the job are discussed quickly by Martin. On to business: Why did he take the job, what can he do?

"President Carter asked me about those years with Kennedy and Johnson, asked me how they worked and I said it was a personal relationship. He said, 'We'll do the same.' But I'm not making a career of this," says Martin, a chuckle again casting doubt on his words. "The times are different and," he pauses—his Savannah-tinged speech slowing for the first time—"the people are so different."

#### "YOU HANDLE IT, LOUIE"

The kingpin, in gray glen plaid, his black-rimmed bifocals planted on a fleshy face, elongated by a sweep of slick, graying black hair, sits on the edge of the chair. It's apparent the political operator doesn't share secrets.

"Often my problem, my challenge were all those cats around the president who were trying to get in the way," says Martin. "Kennedy and Johnson were their own men, believed in fairness. But often the guys around were afraid. That's who you fought."

Well how about the people around this president?

"I haven't run into anybody uncooperative yet. But, at first they all look at you sort

## EXTENSIONS OF REMARKS

of crossways, but I am getting responses," says Martin.

From the dozens of people who worked with him, the most frequent description of Martin is "a pro," the second, savvy.

"He's wise. He knows the jungle of politics better than most," says Jack Valenti, one of Lyndon Johnson's men and now president of the Motion Picture Association. "Johnson would be fussing and Louis would get a half-grin on his face, would say, 'Okay, here's the situation,' and the president would settle down. Then he would say, 'Okay, you handle it, Louie.' That was a phrase we heard frequently."

Clifford Alexander remembers the same rapport and expectations. "After the 1964 election, the president, Louie and I were alone. He asked us what percentage of the black vote did he get. We said 96 percent. He turned to Louie and said, 'What happened to the other 4 percent?'"

Similar expectations abound this time, even more because Martin has built his reputation. He is financially secure—"Louie's never been hungry," says one—and isn't awed by titles, just finds the folks behind them interesting.

Says Eddie Williams, another protégé who is now president of the Joint Center for Political Studies, "In many ways Louie's career is behind him, so he has nothing to lose, no one to fear. Money and power are not his goals and his ego doesn't need to be fulfilled. He has walked those corridors before."

#### WELCOME BACK

As he scanned the shoulder-to-shoulder crowd at the Federal City Club last night, Louis Martin kept saying, "There are some people here I haven't seen in 10 years." Packed into the room to welcome Martin back to Washington's inner circles were many of the 1960s black appointees Martin brought together for regular breakfast meetings, and other trenchmen of the New Frontier, Great Society and Carter White House.

"Everyone was fascinated by watching Louie work because he was witty, nonpedantic and usually right," observed attorney Berl Bernhard.

Among the guests were Mayor Walter Washington, Marion Berry, United Nations Ambassador Andrew Young, U.S. Treasurer Azie Morton, HUD Secretary Harris, Solicitor General Wade McCree and Stu Eizenstadt, White House domestic policy adviser.

#### 'WHAT'S COOKING, HORSE?'

Here's how Martin works. As publisher of The Michigan Chronical, one of the most respected black newspapers, Martin was an ally of civil rights and labor. Glosster Current, once head of the NAACP's Detroit branch, remembers, "Louie would call on a Monday and say, 'What's cooking, horse?' I would say, 'Things are a little dull.' And he would answer, 'Let's cook up something.' Then I would fire off a telegram about the housing projects, hiring in the auto plants and he would publish it."

When Holman, of the Urban Coalition, first came to Washington to work with the Civil Rights Commission, Martin's was a constant voice on the phone. "He would say, 'I don't mean to meddle in your business but let's see your travel schedule. You're going to Kansas City. Here are a few names. Call this guy and say, 'I don't have time to see you but just wanted to know how you are doing.' Then the guy feels someone back in Washington cares,'" describes Holman.

The Martin sign-off: "Thanks. You're a great American."

#### NEWSPAPER WORK

Martin was born in Shelbyville, Tenn., but grew up in Savannah, Ga., living in the house his Cuban-born father, a physician, had built. As a youngster, a mild skin rash confined him indoors, gave him a lasting

shyness and turned his attention to newspapers.

The financial pages mesmerized him. Then he heard a sage around Savannah say, "Some white folks are crazy but they all can count," and Martin translated that dictum into dollars and votes.

During his college summers of 1930 to 1934, Martin did some newspaper work for The Atlanta Journal, which was owned by his future father-in-law, and one summer he worked as a bodyguard for a cruise ship's silver room. After finishing the University of Michigan, he went to Cuba for a year's study but the universities were closed. On Feb. 18, 1936, he started as a cub reporter for The Chicago Defender.

Within six months he had been appointed editor of The Michigan Chronicle. With a respectable job, but a slim salary, he went back to Savannah and married the other publisher's daughter. He and Gertrude Martin, a Phi Beta Kappa graduate of Ohio State University, now have five daughters, the youngest being 21 years old.

Like many black newspapers, The Chronicle was a shoestring operation partial to sensationalism but covering black events at a time when the other media ignored them. Martin's wife did the bookkeeping and some editing and remembers as an exceptional extravagance his trip to Canada to cover national Marcus Garvey.

In 1936, when Martin was 23 years old, Franklin D. Roosevelt was running for president and Charles Diggs Sr. for the Michigan state senate. He supported them both editorially and their philosophies shaped his own political views. "FDR had a vision of America. I became a New Dealer for life," says Martin. "What I learned from Diggs was that although he was a comfortable businessman, he also helped the little people. Good services make good politicians, that was what I learned."

In time, Martin took those lessons to the national arena, stepping into presidential politics as a publicist in the 1944 campaign. But he kept coming back to newspapers.

"The thrill of change, that was the most important part of those years," says Martin, punching a right fist into the open left palm. "You saw the blacks upgraded from the foundry into the plants, to iron polisher, then into the offices in the union. I made some mistakes. Once a real racist guy, a baseball player, was running for office and we fought him tooth and nail. He won, and I met an old lady on the street who said, 'I voted for that man you kept talking about.' I learned then never to call the name of the opponent, just name the one you are for."

#### A CRITICAL MOVE

In October 1960, John Kennedy was running a tight race with Richard Nixon; and Martin Luther King Jr. was in a Georgia state prison on a traffic violation.

Sargent Shriver suggested a sympathy call to King's wife. "Everyone was against that. But we believed that a call would be an indication of Kennedy's soul," recalls Shriver, now an attorney in Washington. Shriver worked on the candidate and dispatched Louis Martin, whom Shriver had recruited for the campaign, to convert Robert Kennedy to the plan.

"What was important was that Louie had King's home phone number. When Jack decided, we made the call right there," said Shriver. "The staff shellacked us, but when we got off the plane in New York that was The Daily News headline," and, history proved, one of the critical moves of the campaign.

Just as important as his little black book, Martin had printed 1½ million leaflets describing the call and distributed them to black churches the Sunday before the election.

In the Kennedy years, Martin was in and out of the White House, though he accepted

## EXTENSIONS OF REMARKS

a post at the DNC. One of his "great disappointments" was inaction on civil rights legislation in the early 1960s, but he turned his energy to black visibility in the federal structure and at official social events. On the 100th anniversary of the Emancipation Proclamation, he planned a reception for 800 black politicians, entertainers and civic leaders, the largest number of blacks ever to gather at the White House.

**"SOMEONE TO COMPLAIN TO"**

He operated, too, during those years, as a liaison for those far away from the pulse of power. "When we needed someone to complain to about the lack of Justice Department observers at a trial," remembers John Lewis, then an outsider in the ranks of the Student Nonviolent Coordinating Committee, "the next day someone would be there."

**"IT WAS INGENIOUS"**

The summer of 1966, the year after Watts, the memories of looting and a city burning lingered everywhere. Especially at the White House, where the staff debated if President Johnson should go to the White House Conference on Civil Rights.

No one had an answer. Johnson had suggested the meeting himself but now picketing and serious trouble was anticipated. A few days before the conference, Martin called the deans of two black women's colleges and enlisted the most attractive coeds as ushers.

"They wore long dresses and white gloves. It was ingenious. Louis said now those guys wouldn't make a fuss," remembers Harry McPherson, a legal counsel to Johnson. "That was the last thing I would have thought of, having pretty girls to give a high-class tone. But that was the kind of finesse Louie had, plus an understanding of how people behave."

In 1967 when King announced his opposition to the Vietnam war, Johnson was furious. Martin acted as a go-between. Yet his loyalty to the president didn't stop him from suggesting King, whom he called "a pillar of strength," for an award from a black group that same year. At the ceremony, Martin sat on the dais.

After the 1968 election, when his role was minimized by infighting in the Democratic leadership, Martin returned to Chicago, where he became president and editorial director of Sengstacke Publications. Earlier this year, he retired, sold his stock, and returned to Washington to work for Sen. Adlai Stevenson (D-Ill.). "As great as my need was for a mature staff member, the White House need was greater," says Sen. Stevenson. "All I can say is what took them so long to get Louie?"

**"A RESTLESS ENERGY"**

Martin is restless. You notice the quick, bounding steps of his walk. The brevity of the hard handshake. His posture as he sits, perched, ready to spring.

For years golf and long walks at the family home in Eau Clair, Wis., have been his favorite relaxations. "He has a restless energy. When we are in the country, he likes to walk around the lake," says his wife.

Nothing is better, Martin says, than sitting in his yellow-fabric wing chair and reading a political biography. Recently it's been Churchill and Kenyatta.

"The two books I reread are DuBois' 'Souls of Black Folk,' and Frederick Douglass' autobiography," says Martin. "Douglass sustains me. His rationale for speaking out, his philosophy of economics. The theory that any man who can tell another man what to do, then one is the master, the other a slave. When he was criticized by the abolitionists for starting a black newspaper, he said, 'The guy who is being tortured is the one who should cry out.'" Martin sounds smug.

**"I LINE MY BATTING AVERAGE"**

The then and now. The game plan has turned 180 degrees. In the 1960s, tearing

down the legal barriers of segregation and building the framework of an integrated society was the priority.

"The Civil Rights Bill, the Voting Rights Act. Those were enormous hurdles," says Martin, the weariness of those battles surfacing momentarily. "Now we have to see how the civil rights engine functions. One of the concerns of this job is civil rights implementation, monitoring what we have done."

On the manpower front, Martin also started from scratch. In 1961 only two blacks held supergrade positions in the government. "Just a handful," says Martin. But now we have a body of experts we didn't have before. We really have some superbrothers in the government, with fewer inhibitions, more refined expertise, like energy. That's exciting."

So far, "I like my batting average." Only one loss, but a symbolic one, the visa for Rhodesian Prime Minister Ian Smith. "I told Brzezinski that I didn't want the fallout of violence of blacks and whites in Southern Africa to effect any trouble here."

But he doesn't dwell on the losses, and when prompted, quickly switches to an account of good rapport.

"I really like Hamilton Jordan. He's sort of unorthodox, but if I start cussing, and he starts cussing, we seem to understand one another." ●

## CONGRESSIONAL SALUTE TO PARTICIPANTS IN WAYNE, N.J., CROP WALK FOR HUNGER

**HON. ROBERT A. ROE**

OF NEW JERSEY

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROE. Mr. Speaker, on Sunday, October 15, residents of my hometown of Wayne will host a CROP Walk for Hunger to raise funds to help hungry people; participate, by experience, in the daily existence of millions of poverty-stricken people throughout the world; and register, by their deep concern, the need for food and self-help aid to CROP to help hungry people help themselves.

Mr. Speaker, this year's Wayne CROP Walk is sponsored by the Wayne Inter-faith Clergy Fellowship, a prestigious organization comprised of 14 religious congregations of Wayne. At the outset let me commend to you the diligence, foresight, and hard work that has been extended by our people with special plaudits to the coordinators of the 1978 Wayne CROP Walk, Marcia B. Siegel of the Jewish Federation of North Jersey and Rev. Lloyd Kenyon of the Wayne Clergy Fellowship, and other members of the program committee, Robert Menkow, Sandra Mesuk and Sara Lee Caliri.

The Wayne CROP Walk for Hunger Committee has been working with many of the leading citizens in our community in devising an outstanding program with full citizens participation in a 6-week round of activities commencing with opening ceremonies at Our Lady of the Valley Church, Wayne, on Sunday followed by the 10-mile walk in Wayne to bring awareness to all Americans of the overwhelming problems of global hunger. This community-wide CROP program service on Wednesday, November 22 at Preakness Baptist Church, Wayne, and Reverend Kenyon will lead the services.

Mr. Speaker, I am proud and honored

October 11, 1978

to have been selected to share the honorary chairmanship of this most noteworthy event with the distinguished Mayor of Wayne, the Honorable Walter Jasinski, who joins with me in the highest personal commendation of the residents of our community who are participating in Wayne's annual CROP Walk for Hunger. We strongly support their efforts and seek national recognition of the outstanding public service that CROP—the Community Hunger Appeal of Church World Services—is making to the world's hungry. To better understand this distinguished organization's purpose, goals and objectives, with your permission, I would like to insert at this point in our historic journal of Congress the following information:

CROP works to do two things: to make people in the United States aware of the extent and nature of world hunger, and to raise funds for Church World Service—CWS—and other agencies to use in combating it. For hundreds of thousands of Americans, CROP is the way they can extend a helping hand to fellow humans they could not otherwise reach. For hundreds of thousands in other lands, CWS and CROP are indeed the hand of friendship and God's love—not a handout, but a hand up.

Church World Service is the cooperative agency through which some 30 denominations bring relief and development aid to people in great need. Through offerings taken in their congregations, these denominations provide the basic financial support for the work of CWS. CROP, the Community Hunger Appeals of CWS, works outside the regular church channels to raise public awareness of hunger issues and to seek additional funds.

The way CWS applies CROP resource outlines its approach to world need:

Food—for nutrition centers and food-for-work—to help people who are hungry now build a future with food—and more.

Appropriate Technology—equipment and other materials that may seem primitive to us, but are "just the thing" in other societies.

Technical consultants—augmenting appropriate technology with the experience, knowledge, and ideas of experts.

Seeds—for small farms, homes, and school gardens—perhaps the most welcome aid CWS gives.

Emergency aid—people in a Guatemala earthquake or a Colorado flood, both are the concern for CWS/CROP. Aid to refugees, family planning, and development education round out a comprehensive program of assistance now, self-development for the future and learning together to understand hunger's causes.

Across the United States of America volunteers form the backbone of CROP. They speak at community gatherings, schools, service clubs, and churches. They write articles or appear on radio and TV. They tell their friends and neighbors, and they organize fund raising events that educate about world hunger while raising much-needed resources.

Some of the more popular CROP events are:

Hunger walks. Walkers secure sponsors who give on the basis of miles walked. Many local committees now use this method to stimulate both giving and community interest.

Fasts for the hungry. Participants identify personally with hungry people while raising funds through sponsors who give according to how many hours the fasters go without eating.

Home-to-home canvasses. For years the chief method of carrying out CROP appeals, volunteers raise funds and commodities by

calling on their neighbors and organizing others to do the same.

Friendship farmer program. Whether co-operatively farming a large tract, donating the proceeds from an acre of grain or selling an animal for CROP, many rural Americans have found this to be an ideal way to share.

Individual and group projects. Vacation church school projects, coin cards, special offerings, work days and other marathons such as bowl-a-thons and hymn-a-thons are just some of the ways people are showing their concern.

Educational programs. Schools, clubs, churches, ecumenical meetings, wherever people want to learn more about world hunger, CROP has supportive materials—films and filmstrips, program and study resources—as well as speakers and leaders, ready to help them out. Last year CROP provided assistance to educational gatherings in nearly every State.

Mr. Speaker, may I also take this opportunity to express my personal deep concern which I know is shared by all of us in the Congress for the worldwide hunger and malnutrition that exists and yet should not be with the vast wealth of natural and human resources, knowledge, technical expertise, and know-how available today.

Mr. Speaker, I believe the concurrent resolution I have sponsored with some of our colleagues in the current 95th Congress will provide a greater commitment by the people of the United States of America in this critical area of need. This resolution reads, as follows:

HOUSE CONCURRENT RESOLUTION 44

Whereas an estimated four hundred and sixty million persons, almost half of them young children, suffer from acute malnutrition because they lack even the calories to sustain normal human life; and

Whereas those who get enough calories but are seriously deficient of proteins or other essential nutrients may include half of the human race; and

Whereas the President, through his Secretary of State, proclaimed at the World Food Conference a bold objective for this Nation in collaboration with other nations: "that within a decade no child will go to bed hungry, that no family will fear for its next day's bread, and that no human being's future and capacities will be stunted by malnutrition"; and

Whereas all the governments at the World Food Conference adopted this objective; and

Whereas in our interdependent world, hunger anywhere represents a threat to peace everywhere, now and in the future;

Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of Congress that—

(1) every person in this country and throughout the world has the right to food—the right to a nutritionally adequate diet—and that this right is henceforth to be recognized as a cornerstone of United States policy; and

(2) this policy become a fundamental point of reference in the formation of legislation and administrative decisions in areas such as trade, assistance, monetary reform, military spending, and all other matters that bear on hunger; and

(3) concerning hunger in the United States we seek to enroll on food assistance programs all who are in need, to improve those programs to insure that recipients receive an adequate diet, and to attain full employment and a floor of economic decency for everyone; and

(4) concerning global hunger this country

## EXTENSIONS OF REMARKS

increase its assistance for self-help development among the world's poorest people, especially in countries most seriously affected by hunger, with particular emphasis on increasing food production among the rural poor; and that development assistance and food assistance, including assistance given through private, voluntary agencies, increase over a period of years until such assistance has reached the target of 1 per centum of our total national production (GNP).

Mr. Speaker, I appreciate the opportunity to call your attention to our Wayne CROP Walk for Hunger and know you will want to join with me in extending our best wishes and deep appreciation for their noble action program to help eliminate human misery and the enormous waste of mind and body that hunger and poverty feed upon.

In closing, let me share with you for thoughtful consideration the CROP appeal for the future which reads as follows:

A FUTURE WITH FOOD . . . AND MORE

The future is bleak for the 1.85 billion people of the developing world. More than half of them are malnourished. Some are starving. Almost all are impoverished.

CROP is committed to change this. Through food for today's hunger. Through self-help programs for tomorrow. Through changing life-styles. By providing the resources. By helping people develop their full potential . . . with dignity . . . justice . . . and food for all.

It's not going to be easy. It won't happen overnight. But it must happen. In our interdependent world, their hunger is our hunger. Their future our future.

Will it be a future free from hunger and poverty? It can be, but more is needed.

More than food. More than relief. More than a handout. A helping hand. The means to grow. To develop.

That's what CROP is giving. Won't you help. •

## LEGAL PROBLEMS FOR THE RATIFICATION EXTENSION OF THE EQUAL RIGHTS AMENDMENT

### HON. ELDON RUDD

OF ARIZONA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. RUDD. Mr. Speaker, those of us who opposed the extension of time for ratification of the so-called Equal Rights Amendment raised the question of unfairness in preventing an opportunity for States that have already done so to reconsider and possibly rescind their ratification.

This and other legal questions over extension of the ERA's ratification period are sure to add to the controversy over this proposed addition to the Constitution.

A good article summarizing the major questions over the recent action by Congress in adding 3 more years to the life of this proposal was published last weekend in the Washington Star.

I personally believe that the action by Congress was unwise, and without valid basis. These questions will have to be answered by the State legislatures, the courts, and maybe the Congress itself at a later date.

I would like to include the Star article at this point in the RECORD.

[From the Washington Star, Sunday, Oct. 8, 1978]

EXTENSION OF ERA NOW FACES TESTS IN COURT: FOES PLAN NEW ATTACK

(By Lyle Denniston)

The political life of the proposed Equal Rights Amendment has been lengthened to 1982, and now it begins a new and separate life as a judicial issue, too.

Shortly, the "Stop ERA" movement will go to federal court to test Congress' decision to give state legislatures more time to approve the amendment that would guarantee legal equality of the sexes.

A dozen or more questions, all turning on the meaning of the Constitution itself, will be at stake in the test case or cases. It could take the courts years to give answers.

Already a law professor at Washington University in St. Louis, Jules B. Gerard, has worked up a long list of such issues and Stop ERA's leaders are eager to press them.

Even if ERA does win the 38 states' approval that it needs to be written into the Constitution, its fate probably would not be certain until at least some of the legal disputes are settled.

It is not even clear at this point, however, that the courts will agree to provide answers. They must first decide that the Constitution gives judges some role in monitoring what Congress has done in extending the ratification deadline to mid-1982.

The Justice Department says there is "serious question" whether the courts will agree to be drawn into the dispute.

The department's tentative conclusion is that the courts probably will deal with some of the more basic issues.

In doing so, however, the courts will have to start fresh, because, as the department has said, there is a "lack of authoritative judicial precedent, or guidance from the language of the Constitution itself."

Congress has never before done anything like the ERA extension, and the record of its debates this summer and fall is filled with questions by lawmakers about just what was being done.

At one point Rep. Charles Wiggins, R-Calif., said the bill to add three years and three months to ERA's deadline could only be defined as "None of the above."

"It is not a law," he said. "What is it?"

Whatever it means constitutionally, the bill is now formally ineffective as a law. The Senate's vote Friday, following House action Aug. 15, made that happen.

In its language, it is a simple act: it wipes out the March 22, 1979, deadline for state legislatures to ratify ERA, and it substitutes a new date: June 30, 1982.

If and when the courts review that language, they will compare it with equally simple wording in the Constitution's Article V. The only clause in that article that will count says that "the Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution . . . ."

Congress first sent ERA to the legislatures on March 22, 1972, with each house giving it far more than two-thirds' support.

Up to now 35 states' legislatures have voted to ratify, and four of those states have voted later to withdraw their approval. To become a part of the Constitution, ERA would need ratification by 38 states.

The meaning of the amendment itself—what sex equality means in the law—is not an issue now, and won't be until after ERA had been ratified.

The coming test cases will deal with the deadline: Is there a valid new deadline and, if there is, what may the legislatures do between now and that date?

While the dispute goes on in court, the

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political contest to win more ratifications in state legislatures presumably will go on. It is possible, though, that the courts will be asked to block any further action in legislatures beyond next March 22, the old deadline.

The judicial issues that will arise generally fall into about six categories. Here are the categories, and some of the specific questions almost sure to arise:

## POWERS OF THE COURTS

The initial issue in any court case will be whether the Constitution meant to leave all disputes over the amending process to Congress, or to let some of them go to court.

The Supreme Court has issued a handful of decisions that deal with the amending process—in 1798, 1871, 1921 and 1939—but none of those settles finally what the courts' role is.

It is possible that Congress will be allowed to do what it has done on ERA without any judicial review, on the theory that this was purely a "political" task, the view that the courts could be of no help, or the finding that no one has any legal right even to sue.

Some members of Congress and some state legislators almost surely will claim that they have a right to sue, and some voters are likely to claim that, too. It is not clear that any of them can prove to a court that they have enough at stake to be allowed in court.

## CONGRESS' BASIC POWERS

The validity of a new ERA deadline may turn on the fundamental issue of whether Congress had the power to do that.

It will be challenged on the ground that the old deadline was final and binding and could not be changed unless Congress started all over again with a new ERA.

The original seven-year ratification period will be used in court as a "contract" between Congress and the states, not to be altered except by mutual consent.

Congress, of course, did not start over with ERA and it did not ask the states to approve a new deadline. Acting on its own, it changed the deadline before it was up.

The old deadline was not a part of the actual wording of ERA, but rather was included in the resolution sending the amendment to the state legislatures. Thus, Congress' majority concluded that it was only a matter of "detail" left to Congress' discretion. That, of course, will be at issue, too.

## CONGRESS' PROCEDURES

In adopting a new deadline, Congress did so by passing a "joint resolution"—the kind usually used for dealing with "housekeeping" matters of concern only inside Congress.

That approach means that only a majority of each house must approve, and the president has no duty to sign the bill into law, as he does with regular legislation.

The courts will be asked to rule that, since the new deadline was part of the amending process, Congress could act only through a two-thirds majority in each house.

On ERA extensions, each house voted to let a majority prevail and, in fact, each house's final vote did fall short of a two-thirds margin: 49 short in the House, five in the Senate.

It also will be argued that, if Congress was in fact passing a new law, it could become law only with the president's signature. Both houses rejected that argument and will not ask President Carter to sign.

## THE NEW RATIFICATION PERIOD

One of the few issues likely to arise now, on which the Supreme Court has already had something to say, is whether the time allowed to ratify ERA is "reasonable."

The court has never said just how long an amendment may be allowed to remain before the legislatures without becoming a stale issue. It has said, however, that the period should be no longer than necessary to get a

"contemporaneous" expression of the nation's reaction.

The court has not said, finally, whether only Congress may decide whether such an expression has been given on a particular amendment.

For the nation's first 128 years, no proposed constitutional amendment sent to the states had any deadline on it. Congress began doing that only in 1917, after growing worried because several unratified amendments were simply lying around in "nubibus"—in the clouds. Every amendment but one since then has had a deadline, but never longer than seven years.

With the new deadline on ERA, that amendment will have been allowed before the states for 10 years, three months and one week. It has never taken longer than four years for any other amendment to be ratified. It thus will be argued that seven years is clearly enough.

## STATE LEGISLATURES' POWERS

The most hotly debated issue over ERA extension in Congress probably would also be one of the most difficult issues in court. That is whether a legislature that once approved ERA may later change its mind and reject it, especially during the extended ratification period.

Four legislatures (Idaho, Kentucky, Nebraska and Tennessee) have already tried to "rescind" their approval, but no federal government authority has agreed to that. In the future anti-ERA forces will press hard to get other legislatures to rescind.

Both houses of Congress rejected proposals to let the legislatures rescind during the new ERA period, but the final bill says nothing directly on the point. The usual argument by ERA supporters was that this will be a matter for a future Congress to decide, once ERA has the votes of 38 states.

Several times, on earlier constitutional amendments, states have attempted to change their minds, and Congress has refused to go along, but not in very clear-cut fashion. The Supreme Court hasn't settled that, either.

## FINAL RATIFICATION

If 38 states do cast votes in favor of ERA, the courts then will have even further questions to answer. It is not clear whether they would reach out and decide those even before a 38th state had acted favorably on ERA.

Basically, the dispute at that point would be whether ERA has been ratified, as a fact and as a matter of law.

That dispute will bring up questions that again involve the role of the courts, Congress and the state legislatures, including issues about the majorities needed in Congress to settle disputes, counting—or refusing to count—the favorable votes of state legislatures that ratified and then rescinded, and the after-the-fact role, if any, for the courts.

Some of those questions could be pressed in court even before Congress sits down to count. But, whenever they are raised, they, too, could take years to work out. ●

## COMMISSIONED CORPS—U.S. PUBLIC HEALTH SERVICE

## HON. PAUL G. ROGERS

OF FLORIDA

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROGERS. Mr. Speaker, today, along with my distinguished colleagues, the Hon. TIM LEE CARTER, ranking minority member of the Subcommittee on Health and the Environment, and the Hon. HARLEY O. STAGGERS, chairman of

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the Committee on Interstate and Foreign Commerce, I have introduced two bills designed to provide for maximum efficiency of administration in the Public Health Service, and to extend eligibility for mortgage insurance under the National Housing Act to officers of the Public Health Service.

On February 21, 1978, during hearings of the Subcommittee on Health and the Environment, I asked the Surgeon General, Dr. Richmond, to submit to the subcommittee his recommendations for needed legislative change to provide the best possible management for the Commissioned Corps of the Public Health Service. After a delay of several months, these recommendations were submitted to us; they form the basis of the legislative proposals introduced today.

Most of the changes addressed in these measures deal with technical requirements of the corps authorizing legislation. The first bill proposes changes in such areas as the pay grades of officers serving as Deputy Surgeon General or Public Health Service Agency heads; the number of Assistant Surgeon General positions; penalties for violation of training agreements; severance pay for reserve corps officers upon involuntary release from active duty; statutory Assistant Surgeon General positions; constructive pay credits for reserve corps officers and for graduate degrees in health other than medicine and dentistry; correction of records; leave for officers prior to separation or retirement; and uniform allowances, among others. In addition, both a clarifying amendment of original Congressional intent concerning the detailing of Commissioned officers, and specific authorization for the establishment of a warrant officer corps are included. The second legislative proposal would correct an earlier oversight by including officers of the Public Health Service in the home mortgage program for servicemen administered by the Department of Housing and Urban Development.

Mr. Speaker, the U.S. Public Health Service, which recently celebrated its 180th anniversary, has long been a recognized leader among the world's professional health organizations, and has been in the vanguard of protection of this Nation's public health. Since the late 1700's, in all areas of health endeavor—disease control, research, manpower development and utilization, protection of our environment, assurances of the safety of our food and drugs, and the direct provision of health services—the Public Health Service has provided this Nation's leadership and has continually distinguished itself. As the responsibilities of the Service increase, it is essential that we supply the best possible legislative support to afford responsible and efficient management practices for the men and women who serve their country in the Public Health Service. This is the intent of the proposals introduced today.

Mr. Speaker, I hope that all Members will review these programs with care, and that action will be taken on these needed administrative amendments early in the 96th Congress. ●

WHY WE HAVE A TRADE DEFICIT:  
A CASE STUDY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 4, 1978

• Mr. BINGHAM. Mr. Speaker, one of the few sectors of our economy which has a positive balance of trade with the rest of the world is our advanced technology industry. In this area we maintain a competitive advantage over the rest of the world, which we can exploit to improve our trade balance, provide jobs, and generally strengthen our economy and, consequently, our national security.

Despite the administration's national export policy, which was announced with much fanfare by the President on September 26, the policies of this Government sometimes actually impede the ability of our advanced technology industries to penetrate and maintain foreign markets, and make it easy for our competitors in the other industrial democracies to do so.

I would like to bring to the attention of my colleagues a particularly egregious case in point. It concerns the Cyril Bath Co., a manufacturer of machine tools in Cleveland.

In May 1977 it came to the attention of the Subcommittee on International Economic Policy and Trade, which I have the honor to chair, that this company had been denied a license to export a metal-forming press to the Soviet Union. Since this press would presumably have been used by the Soviets to form aircraft bodies, at first glance the denial decision seemed to make sense. However, the company was able to provide evidence to the subcommittee that a French company, ACB-Loire, was filling a Soviet order for nine other presses which were more sophisticated than the Cyril Bath machine.

Here is what happened. In May 1976, Cyril Bath received an invitation from Avtopromiport, a Soviet import agency, to bid on 10 metal forming presses. Cyril Bath did so, but was awarded a contract to supply only one of the machines. When the president of the company went to Moscow to sign the contract, in January 1977, the Russians told him something very interesting: They were ordering the other nine machines from the French company, ACB-Loire, because they already had ACB presses in operation and were satisfied with the performance of the machines. Cyril Bath was, in effect, being given the opportunity, through the sale of this one machine, to prove the quality of its equipment. Cyril Bath's clear understanding was that, if the Soviets were satisfied with the machine, more orders would be forthcoming. Meanwhile, the business would go to the French.

In February 1977, Cyril Bath submitted an application for an export license for the machine to the Department of Commerce. In April 1977, the application

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was rejected on the grounds that, by agreement of COCOM, such presses are on the list of commodities having significant strategic applications, and the Department did not feel that this case warranted submission for COCOM approval in view of the potential military significance of the export.

What is COCOM? On paper, COCOM is an informal group through which 15 countries—including all the NATO countries, minus Iceland, plus Japan—coordinate their policies on the export of advanced technology to Communist countries. By agreement of the 15 members, a list is maintained of strategically significant commodities which can only be exported to a Communist country by one of the members if none of the other members objects to the sale.

However, many exporters feel that COCOM is really one of the main devices by which the United States denies itself access to markets which other countries are perfectly willing to exploit. Unfortunately, the Cyril Bath case lends credence to this charge. It is difficult to escape the conclusion that COCOM represents a failed attempt by the United States to impose its East-West trade policies on our allies. Subcommittee inquiries raise serious doubts as to whether the other members are willing to accept the sweeping controls which the United States seeks to impose on transfers of technology to the East. To a greater or lesser extent, they appear to violate or selectively interpret the COCOM agreement, or to acquiesce in such behavior by others. The Cyril Bath case calls into question both the commitment of our COCOM partners to the principles of that organization, and the commitment of our Government to take concrete steps to improve this country's export performance.

To continue the story, in June 1977, the Cyril Bath Co. appealed the Commerce Department's rejection of its application. In November 1977, the Subcommittee on International Economic Policy and Trade held a hearing on the case with a view to determining whether the executive branch had made its determination in accordance with the requirements of the Export Administration Act.

The Export Administration Act states:

The President shall not impose export controls for national security purposes on the export from the United States of articles, materials, or supplies, including technical data or other information, which he determines are available without restriction from sources outside the United States in significant quantities and comparable in quality to those produced in the United States, unless the President determines that the absence of such controls would prove detrimental to the national security of the United States.

The subcommittee determined that, incredibly, the Department had not sufficiently investigated the evidence provided by Cyril Bath to the effect that a French company was providing nine machines to Cyril Bath's one and was perfectly capable of providing the tenth.

This evidence included not only oral statements by the Russians, but also written verification from the French company itself. Foreign availability was simply not taken into account in the Department's decision to the extent required by the law.

The Export Administration Act also states:

It is the policy of the United States . . . to restrict the export of goods and technology which would make a significant contribution to the military potential of any other nation or group of nations which would prove detrimental to the national security of the United States.

At the subcommittee's hearing, the Cyril Bath Co. testified that the technology embodied in this machine has been in existence since 1939, that stretch forming is the only method used to form airplane bodies, and that this technology is obviously well known to the Soviet Union since the Soviets obviously possess the capability to manufacture airplanes of high quality and in great quantities. If this be true, it is difficult to believe that this one sale—or any combination of such sales—would significantly increase Soviet military capabilities and prove detrimental to the national security in any way which could be avoided by prohibiting the sale. Nevertheless, the Department reached the conclusion, on the basis of a very cursory analysis, that the sale would contribute to Soviet military capabilities to the detriment of U.S. security.

Based on the company's appeal and the record developed by the subcommittee, the Commerce Department reopened the case. Although the Defense Department was still unwilling to conclude that the equipment in question was of marginal strategic significance at most, the Government was able to conclude that, because of foreign availability from France, under the law the license should be granted subject to COCOM approval. In February 1978, the United States submitted the case to COCOM and requested the approval of that organization for the export of the machine on the grounds of foreign availability. COCOM approval, however, has not been forthcoming, some member countries (reportedly including Britain and West Germany) having refused to approve the sale in the absence of French confirmation of the French company's sale.

In the 9 months that this case has been languishing in COCOM, the Government of France has simply refused to admit that a French company is providing—indeed, by now probably has provided—comparable machines to the Soviets. COCOM approval of the U.S. request on the basis of foreign availability would carry the undiplomatic implication that the French are lying about the availability of the machines. Moreover, other member countries are probably reluctant to take action on the basis that one member is fibbing, for fear that at some future time their own statements of fact about sales might not be accepted.

All this gives rise to a Catch-22 situation for the would-be U.S. exporter, and

## EXTENSIONS OF REMARKS

to a degree for the U.S. Government itself. I do not believe that any other member of COCOM would put up with such a tangle. If faced with a comparable dilemma, I am convinced other members would simply ignore COCOM and ship anyway. Yet a high administration official involved with this case has written to me as follows:

Lacking (COCOM approval), I do not believe that we should approve the Cyril Bath case. Such action by the United States government—the conscience of COCOM—individually of that organization's established policies and procedures would raise grave doubts in the minds of our COCOM partners as to our credibility and our fidelity to COCOM principles. In my judgment a serious erosion of the COCOM strategic control program could result.

Mr. Speaker, it is time we started seeing the world as it is. There are, indeed, few countries which display "credibility and fidelity to COCOM principles" except the United States. A "serious erosion of the COCOM strategic control program" has long since occurred. As the Cyril Bath case indicates, some other members exercise their own judgment as to whether or not an export should be allowed. If the controls seem unreasonable, some of the other members simply ignore them. Only the United States, holding itself up as the "conscience of COCOM," adheres unilaterally to export controls that the other members are unwilling to enforce. We wink at the other members' evasions of the controls for the sake of holding COCOM together, fearing that COCOM would collapse if we tried to hold the other members to the COCOM agreement. The only result of this policy of self-abnegation is to sacrifice the Soviet and Eastern European market to our foreign competitors.

Ultimately, the only way for the United States to get itself out of this box of its own making is to take the initiative to remove obsolete technology such as this from the COCOM list. The COCOM list should include only that technology which all the members agree is strategic, and which all the members are prepared to control. Instead of resisting the effort of the other COCOM members to remove obsolete technology from the list, thus maintaining a category of COCOM-list commodities which are in effect unilaterally controlled by the United States and exported by everyone else, the United States should do itself a favor and embrace efforts to upgrade the list to accord with current realities.

More immediately, the United States should insist that metal forming presses of the type represented by the Cyril Bath machine be immediately removed from the COCOM list, in view of the fact that comparable equipment is being exported to the Soviet Union by another COCOM member. If cooperation in this matter is not forthcoming, the United States should unilaterally license the sale.

Mr. Speaker, why do we have a trade deficit? There are obviously many reasons, some of them more important than the one which concerns me here. But one reason, clearly, is this country's policy of self-denial on technology exports to

the East. Here is an American company which has been waiting for an export license for almost 2 years. One of our foreign competitors is selling nine comparable machines to the same customer. That very competitor's government is trying to block our own sale, and some other COCOM countries are in effect supporting that effort. And we just sit there and take it.

I am currently drafting legislation reforming the Export Administration Act, to be introduced early in the next Congress. This legislation will call for a realistic policy on multilateral export controls. If there is to continue to be a COCOM—and I am not at all sure there should be—it must be based on an agreed policy, with everyone sharing the burdens. Otherwise the United States should be free to act unilaterally, in its own best interests, when other Western countries export strategic advanced technology to the East.●

## IDA NUDEL

## HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SCHEUER. Mr. Speaker, I am pleased to join in the "Vigil for Freedom" sponsored by the Union of Councils for Soviet Jewry on behalf of Soviet Jewish families and individuals who are being detained in the U.S.S.R. as a result of the Soviet Government's repressive emigration policies.

In 1975, 35 nations signed the Helsinki Final Act, which committed the 35 signatory nations to pursue policies consistent with basic principles of human rights. Included among these rights are the reunification of divided families whose members live in different countries, religious freedom, minority rights, and free travel between countries.

Unfortunately, the Soviet Government has disregarded the human rights provisions of the Final Act.

Today, I bring to my colleagues' attention the case of Ida Nudel, a 45-year-old economist from Moscow. In spite of her own harassment, which has included numerous interrogations, imprisonment, and even beatings, she has remained the tireless "guardian angel" of Soviet Jewish prisoners. Ida corresponds with their families and carries on a relentless battle with the Soviet authorities on their behalf.

Ida has struggled to no avail for 5 years to secure a visa that would enable her to join her only relatives, her husband and her sister, who live in Israel.

Ida has now been sentenced to 4 years of exile for "malicious hooliganism." Ida's health is poor and her sister fears that she will not survive prison. It is my hope that this vigil for freedom will result in Ida Nudel's release from prison and her immediate emigration to Israel.●

October 11, 1978

## AMENDMENT TO ENDANGERED SPECIES REAUTHORIZATION

## HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. JEFFORDS. Mr. Speaker, I had originally intended to offer an amendment today which I believed would have really addressed the critical question in this debate: that is, who makes the final determination on going ahead with an action that will result in the elimination of a species? My proposal, had I offered it and had it been adopted, would have given the Congress the opportunity to approve or disapprove the recommendations of the Endangered Species Committee established by this legislation.

However, due to the previous action the House took on the Tellico Dam question, and the probability that my amendment would have been easily amended and used as a mechanism to require Congress to vote on individual projects as well as a decision to eliminate a species, I felt it would be wise not to offer my amendment. I made this decision only after conferring with my colleagues on the committee, and it was a difficult one to arrive at.

I would like to take a few minutes, however, to discuss why I felt there was a need for improvement in this bill.

In passing the Endangered Species Act Congress established an expressly stated national policy of preventing the extinction of species. In my view, the act has worked reasonably well in providing appropriate protection. Yet even since the passage of the 1973 amendments to the act, a number of major species have moved closer to the final abyss of biological extinction. Now, even before the Endangered Species Act has achieved proper funding and begun to function smoothly, we are going to substantially alter our national policy from one of preventing the extinction of species, to one of preventing extinction only as long as they do not interfere with development.

I know that the committee has worked extremely hard to arrive at a compromise between competing interests on this issue. I know that many members of the committee agonized over the decisions and concessions that had to be made to bring this legislation to the floor today. This legislation does make some refinements that will allow more effective implementation of the endangered species program. It provides for biological assessments before action begins on projects where endangered species are present. It provides improved notice procedures for proposed listings and habitat designations, as well as other good features. On the other side of the coin there are features which disturb me. I have reservations about the necessity of a Review Board in addition to the Endangered Species Committee, about the exclusion of invertebrate populations from possible protection under the act, and about the

requirement that the Secretary of the Interior consider the economic and "other relevant impacts" of specifying an area as a critical habitat for endangered invertebrates.

However, what disturbed me most about this bill, and this is something I discussed at length when I testified before the subcommittee, is that we give the final determination to an administrative body not directly accountable to the public. The establishment of this exemption process could result in political considerations taking precedence over legitimate criteria. The life or death of a species could depend upon the political situation during the decision period, and upon the character of committee members and the committee staff. As my colleagues who signed the additional views in the committee report noted, the decision to condemn a form of life to extinction should not be made by some temporary employees of the Federal Government.

There is no question in my mind of the value to society of endangered species. This planet's support system for man rests squarely on its ecosystems and their ability to convert solar energy into forms consumable as food or otherwise. As just one example of the value of various species to man I would like to touch on the medicinal uses of rare plant and animal derivatives. Over 40 percent of modern drugs used today originated in nature rather than synthetically, with about 25 percent coming from plants, 12 percent from microbes, and 6 percent from animals. Here are just a handful of examples:

Had plants of the genus *cinchona* been permitted to go extinct we would not have discovered quinine or been able to develop its synthetic derivative for the treatment of malaria. Also, the synthetic derivative proved inadequate against certain strains of malaria that our troops contracted in Vietnam, so we had to turn to the natural product.

The horseshoe crab has once been thought to be worthless, but its blood is now known to be a detector of toxins in the intravenous fluids used in medicine.

The "pokeweed"—in it was found a chemical used to fight a parasitic disease (*schistosomiasis*) that affects some 200 million people worldwide.

The armadillo, because it is the only species other than man that contracts leprosy, it may furnish the vehicle for the development of a vaccine for that disease.

A chemical involved in the manufacture of birth control pills was first discovered in a plant and it could never have been made synthetically if the plant had first been driven out of existence.

Alkaloids are plant-derived compounds of particular medical value. A host of medicines have been developed from alkaloids such as painkillers, antimalarials, cardiac and respiratory stimulants, blood-pressure boosters, muscle relaxants, local anesthetics, tumor inhibitors, and antileukemic drugs.

## EXTENSIONS OF REMARKS

Tens of thousands of plants have been screened by cancer researchers hoping to find tumor-inhibiting agents. Researchers believe the plant kingdom provides one of the best hopes for finding a clue to a cancer cure.

The extinction of rare plants is particularly significant, as a disappearing plant can take with it 10 to 30 dependent species. There are numerous other examples I could cite demonstrating the unique interdependence of plant and animal species on this planet.

However, if this body is determined to revise the act, as it seems to be, then I believe it is only right that we here in Congress live up to our responsibility to address that ultimate question: do we eliminate a species from the face of the Earth? The bottom line is that if Congress is going to establish a mechanism which allows the total elimination of a species, then Congress ought to have the courage to cast the final "yea" or "nay".

That is why I had developed an amendment which paralleled the procedure we have established in the Executive Reorganization Act in order to offer the Congress the opportunity to approve or disapprove any recommendation of the Endangered Species Committee which will result in the elimination of a species. It would have provided for a resolution of disapproval to go to the floor of each Chamber, and if either Chamber disapproved the recommendation by a majority the decision to proceed with a project and eliminate a species is defeated. Congress would have only become involved when a decision had been made which would have resulted in the definite elimination of a species. It did not deal with the question of "critical habitat," nor did it revise any other provisions of this legislation.

This approach to congressional approval or disapproval is one which is utilized under at least 18 different public laws that I have been able to identify. There are provisions for this type of process under the Fishery Conservation and Management Act, the Federal Election Campaign Act, the Energy Conservation and Production Act, the International Security Assistance Act, and others. We even have responsibility for disapproval of proposed amendments to the International Regulations for Preventing Collisions at Sea, and over Presidential recommendations to allow active duty Armed Forces personnel to enroll in educational assistance programs. Surely if we can take the time to pass judgment on matters such as these, we can make the final decision on the ultimate fate of a living creature.

I believe this amendment would have put the responsibility for a very, very serious decision where it belongs, and I regret that circumstances did not allow its consideration today. I am hopeful that the end product of the conference committee on this bill will present us with a sound and responsible method for dealing with this critical question. I am hopeful that when the bill is revised again this principle will be adopted.●

## PUBLIC AWARENESS TO HOME ACCIDENTS

### HON. JOHN J. FLYNT, JR.

OF GEORGIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FLYNT. Mr. Speaker, I should like to address your attention to an outstanding public service project that may well save many lives in the United States in the years ahead. At its own cost, Gallery of Homes, Inc., the oldest residential real estate franchising organization in the Nation, produced in cooperation with the Red Cross a 30-minute home safety awareness film that the Red Cross and Gallery members are showing across the country.

Accidents in the home are ranked as the fourth leading cause of accidental deaths in the Nation, according to the National Safety Council. This program is designed to create public awareness as to the dangers of home accidents and to encourage people to take a Red Cross first-aid course.

The film serves as a first-aid primer in dealing with such emergencies in the home as choking, drug overdose, burns, falls, and heart attacks. George Elsey, president of the American Red Cross, has termed the public service film "a tremendous help to the Red Cross in helping people to save their own lives and lives of members of their families."

The film, Mr. Elsey said, "has as its objective getting citizens to attend Red Cross courses on life-saving techniques." The film is unique in that its format invites viewer participation through a quiz which asks the viewer what he would do in emergency situations and then later the film expounds on the correct procedures.

Copies of the film through American Red Cross Chapters and Gallery of Homes offices. Gallery of Homes offices are located throughout the United States and Canada. Screenings are scheduled free of charge by either the Red Cross or Gallery members. The film is available both in video cassettes and 15 millimeter prints.

It was Gallery's deep concern for public safety in the home that motivated the project. Henry F. Carter, president of the real estate franchise organization, felt that his company should offer a significant contribution toward making living in homes safe as well as comfortable. The idea was presented to the American Red Cross, the Nation's foremost authority on safety training. This service organization responded favorably, and has participated wholeheartedly in the effort to promote greater participation in Red Cross safety training courses. It is this type of public spirit and public service commitment that should be acknowledged and lauded.

The production of the film is an outstanding example of cooperation between the private sector of our society and a major public service organization. It shows what can be accomplished if

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people really care about each other's welfare and safety.

There is no definitive way to state how many lives might be saved in the future as a result of the showing of this film. Certainly, though, it can be safely assumed that many citizens will benefit from it.●

## LEGISLATIVE PROGRESS FOR THE ELDERLY IN THE 95TH CONGRESS

## HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

Mr. PEPPER. Mr. Speaker, as chairman of the House Select Committee on Aging, I join with all those who have been involved in advocating meaningful changes to improve conditions for the elderly. I commend the Members of the 95th Congress for the foresight to enact a number of important bills that will be of great assistance to older persons. One of the most significant was the enactment of legislation recommended by our House Aging Committee to abolish the mandatory retirement age for Federal workers and raise it from 65 to 70 in private industry. As I noted in the Rose Garden after the signing of this bill by President Carter, this change means that for millions of elderly Americans, the blessings of a 65th birthday will not become a death sentence against their working lives.

There have been many other significant accomplishments for the elderly in the 95th Congress. Legislation has been enacted to reduce fraud in medicare and medicaid, refinance social security, and reduce air fares for the elderly. Other key bills passed will reauthorize the Older Americans Act, provide congregate services in public and section 202 housing for the elderly, expand efforts to help older workers in the CETA program, and provide compensation to elderly victims of crime.

Tragically, this Congress has not seen fit to enact hospital cost containment, national health insurance, legislation expanding benefits for mental health care, or home health amendments to medicare. The failure to expand medicare home health care as an alternative to institutionalization in nursing homes is particularly disappointing since both the House and Senate passed such a bill.

We are far from the point where we can say the job is completed, but we will not cease our efforts. In the next Congress, we will continue to fight for the rights of America's aging.

Major legislation acted on in this Congress included:

The Comprehensive Older Americans Act Amendments of 1978 (H.R. 12255): The Older Americans Act is the chief vehicle for research, community services, employment, and nutrition programs for the elderly. In August, the Senate approved its version of the Older Americans Act (S. 2850) which the House approved last May. Some of the major improvements in the Older Americans Act contained in this new legislation as reported out of conference are as fol-

lows: A 3-year extension of the act, with authorizations totaling almost \$4 billion; a major new initiative to vastly increase home-delivered meals to the homebound elderly; a significant streamlining in the local and State administration of the act, to cut down on redtape and paperwork; a major new program to demonstrate better ways to match older people with the long-term care services they need—a complete continuum from senior centers to nursing homes; a strengthened program of legal services and nursing home ombudsman for the elderly; changes in the Age Discrimination Act that will make it easier for individuals discriminated against because of their age in Federal programs to get relief; and extension of older volunteer programs in ACTION for 3 years. The bill has been signed into law by the President.

The Age Discrimination in Employment Act Amendments of 1978 (Public Law 95-256): The Age Discrimination in Employment Act Amendments of 1978 was signed into law by the President on April 6, 1978. This new law abolished the mandatory retirement age for Federal employees and raises it from 65 to 70 in private industry. The bill takes effect on January 1, 1979 for employees in private business and on September 30, 1978 for Federal workers. Special provisions apply for tenured college professors, top ranking business executives, Federal law enforcement and firefighting personnel, air traffic controllers, foreign service personnel, and some other high-risk job categories.

The Medicare Amendments of 1978 (H.R. 13097): Among its other provisions, the Medicare Amendments of 1978 would make important improvements in the home health benefit. The bill which passed the House on September 18 would liberalize the medicare home health benefit in the following manner: Unlimited visits would be available under both parts A and B; the present 3-day prior hospitalization requirement under part A would be eliminated; home health benefits under part B would no longer be subject to the \$60 deductible; and presumed coverage provisions and provisions that limit reimbursement to the customary charges of a provider of services where these charges are lower than reasonable would be repealed. In addition, the HEW Secretary would be provided the authority to establish additional standards and reimbursement guidelines for the effective administration of home health benefits, and to designate regional intermediaries for home health agencies. Some of the provisions of H.R. 13097 are included in S. 5285 which was approved by the Senate on October 10, 1978, but conference agreement was not obtained prior to adjournment.

Medicare and medicaid antifraud and abuse amendments (Public Law 95-142): The medicare and medicaid antifraud and abuse amendments, now signed into law by the President, include mechanisms to curtail opportunities for fraud and abuse in Federal health care programs. Included in this new law is a provision defining as felonies those instances where contributions are required as a condition of entry or continued stay at

a hospital, skilled nursing facility, or intermediate care facility, for medicaid services.

Social security refinancing amendments (Public Law 95-216): The social security refinancing amendments, signed into law by the President, were designed to strengthen the financial integrity of the system through increases in the wage base and the tax rate for both employers and employees. In addition, the earnings limitation was raised to \$4,000 for 1978, and will increase by increments of \$500 until 1982; the age for which there is no earnings limitation was lowered from 72 to 70. Other provisions remove references to the sex of applicants, permit older persons to remarry without losing benefits, and make homemakers who are divorced after 10 years of marriage eligible for benefits through the earnings record of their former spouse.

Supplemental Appropriations Act of 1978 (Public Law 85-240): The Supplemental Appropriations Act of 1978 provided an additional \$4 million in grants for low-income elderly persons to weatherize and repair their homes under the FmHA section 504 program. In addition this legislation provided \$200 million for the emergency fuel assistance programs under the Community Services Administration. This program provided assistance to low income persons living in energy emergency areas, including the elderly, to pay fuel bills incurred during the winter of 1977-78.

Legal Services Corporation Act (Public Law 95-222): The Legal Services Corporation Act was extended through fiscal year 1980 and amended to require that priority be given to groups with special difficulties of access to legal services with special legal problems, including elderly and handicapped persons.

Reduced airline fares for the elderly (Public Law 95-163): A provision of Public Law 95-163 permits reduced airline fares for the elderly and handicapped. Numerous airlines are now offering special discount airfares for those persons 65 and over. Most discount fares offered allow senior citizens to make reservations within 24 hours of scheduled departure rather than flying on a standby basis. Most tickets will reflect a one-third discount on air travel, and will not require a special identification card prior to use of the fare. Proof of age is required at time of purchase.

World Assembly on Aging and World Year on Aging (H. Res. 736): House Resolution 736, a resolution calling upon the President to instruct the U.S. delegation to the United Nations to work with other U.N. delegations in calling for a World Assembly and a World Year on Aging no later than 1982 was passed by the House by unanimous consent. An identical resolution was approved by the Senate. In addition, an amendment to H.R. 12222, the International Development and Food Assistance Act of 1978, authorizing the United States to contribute 25 percent or \$1 million (whichever is lower) of the cost of a World Assembly and World Year on Aging, was also approved. Language to this same effect was included in the Senate-passed version of H.R. 12222. The United Nations is expected to consider the question of convening a World

Assembly and a World Year on Aging this fall.

The omnibus farm bill of 1977 (Public Law 95-113): The omnibus farm bill of 1977, signed into law by the President, made a significant change in the food stamp program. It eliminated the purchase requirement. This will increase participation of the most needy in the food stamp program. The purchase requirement created problems for many who were eligible to participate but unable to pay for the stamps. For example, less than 20 percent of all elderly persons live below the poverty level, yet only 40 percent of all households below the poverty level are able to participate in the program when the purchase of food stamps is required.

Senior intern program (S. Res. 219): Senate Resolution 219, the senior intern program, approved by the Senate in May, gives the senior citizen intern program formal status in the Senate. Each Senator is authorized to employ one senior intern to serve in his/her Washington office for 2 weeks each year during the month of May. Hearings were held on similar House legislation, but final action is not expected until next Congress.

Health Maintenance Organization Amendments of 1978 (H.R. 13655): The Health Maintenance Organization Amendments of 1978 provides for the establishment of a loan program to help support the acquisition or construction of ambulatory care facilities. In addition, it authorizes the Secretary of HEW to make loans to public and nonprofit private HMO's and to guarantee loans by non-Federal lenders and the Federal Financing Bank to private and nonprofit private HMO's for the projects which serve medically underserved populations. H.R. 13655 passed the House under suspension on September 25. S. 2534, the Senate version of H.R. 13655, passed July 21. The conference report passed both the House and Senate prior to adjournment.

Health Services Amendments of 1978 (H.R. 12370): The Health Services Amendments of 1978, among other things, includes increased support in two areas of special concern. The program of demonstration grants for the establishment or expansion of home health agencies and for the training of personnel to work in these agencies, and the program which is aimed at the detection, diagnosis, and prevention of hypertension. The conference report passed both the House and Senate prior to adjournment.

The Victims of Crime Act of 1978 (H.R. 7010): The Senate amended and passed H.R. 7010, the Victims of Crime Act of 1978 on September 11, 1978. The bill encourages elderly victims to come forward, report crimes, and seek assistance by prohibiting any means test or requiring claimants to seek welfare. In addition, this legislation would waive the \$100 deductible provision for persons 62 or older, recognizing that the financial impact of personal injury can be devastating for older persons on limited incomes. The conference report was passed by the Senate but defeated in the House.

The Housing and Community Development Amendments Act (H.R. 12433): The Housing and Community Develop-

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ment Amendments Act has been approved by both the House and the Senate. Among other things, this legislation by the House would provide \$80 million over the next 3 years for: the development of congregate facilities in public housing and section 202 housing for the elderly; section 232 would be expanded to include facilities which provide day care services for the elderly and others; funding for the rural housing section 504 loan and grant program would be increased; and anticrime programs in public housing for the elderly would be provided. The conference report has been passed by both the House and Senate.

Surface Transportation Assistance Act (H.R. 11733): A 4-year, \$51 billion measure to fund mass transit and highway projects has been approved by Congress. An earlier version of the House bill would have delayed and perhaps killed conversion of the standard mass transit bus to meet full accessibility, or "Transbus" standards. As a result, after September 1979, all transit buses bought with Federal assistance—which means almost all buses—must be equipped with wide doors, lower floors, a ramp or lift to aid in boarding and other "barrier-free" features.

Comprehensive Employment and Training Act (CETA) (S. 2570): The CETA program is extended for 4 years under this legislation approved by Congress. About 660,000 public service jobs would be funded in 1979, depending on the national unemployment rate. Conference retained House provisions requiring local prime sponsors to specify in their plans how they will serve those "most in need," including older workers, and Senate provisions detailing what services prime sponsors should furnish to older workers. In addition, as the House bill provided, the Secretary will be required to develop, from his discretionary funds in title III of the act, programs meeting the unique needs of middle-aged and older workers. Assistance to displaced homemakers will also be funded from title III, with up to 2 percent of the title III funds reserved for that purpose.

Continuing appropriations, for fiscal year 1979 (H.J. Res. 1139): Those programs not funded in H.R. 12929 are funded under a continuing resolution, which allows spending at the rate of last year's appropriation. Among these programs are the Older Americans Act, ACTION older volunteer programs, and CETA. The resolution, which will expire on March 31, 1979, was cleared by Congress on October 14, 1978.

Provisions affecting the elderly from the Revenue Act of 1978 (H.R. 13511): Capital gains on sale of residence.—A taxpayer aged 55 or over will be able to sell his or her personal residence after July 27, 1978, and avoid paying any tax on up to \$100,000 in profits from the sale. This privilege will be available only once in a taxpayer's lifetime, and supplements the current \$35,000 profit disregard for taxpayers aged 65 or over.

Tax counseling for the elderly.—The Internal Revenue Service is authorized to fund training and technical assistance, through nonprofit organizations, for vol-

unteers who would counsel older people on their tax questions.

Social services funding.—The national ceiling on expenditures under title XX of the Social Security Act, which funds social services to all aged groups, will be increased from its current level of \$2.5 billion (unchanged since 1972) to \$2.9 billion in 1979. Further increases for fiscal years 1980 and 1981 were deleted.

Labor-HEW appropriations (H.R. 12929): Since authorizing legislation was not completed on time, most of the major items concerning older people are not included in the regular Labor-HEW appropriations bill for fiscal year 1979. However, several items are included: National Institute on Aging, \$54.5 million, an increase of almost \$20 million over fiscal year 1978; Office of Inspector General, \$40.3 million, an increase of \$7.6 million to fund antifraud and abuse efforts; and community mental health programs, \$257.7 million, up \$44.6 million from last year. The bill was cleared by Congress on October 14, 1978.

Civil Rights Commission Act (Public Law 95-444): In extending the life of the U.S. Civil Rights Commission for 5 years through 1983, this legislation for the first time broadens the Commission's jurisdiction to include discrimination on the basis of age or handicap status. The Commission had previously been able to investigate complaints of discrimination based on race, color, religion, national origin, and sex. Signed into law on October 10, 1978.

Rehabilitation Act Amendments of 1978 (H.R. 12467): H.R. 12467 extends for 4 years programs funded under the Vocational Rehabilitation Act of 1973. Included in a new title VII ("Comprehensive Services for Independent Living") is an authorization for up to 10 percent of the funds to be used for services to older blind persons. Also, a new program of research is authorized, directed at the rehabilitation of handicapped children and of handicapped adults age 60 and over. Conference report cleared by Congress on Saturday, October 14. •

## AN EXPRESSION OF GRATITUDE REGARDING TWO ILLINOIS PROJECTS

**HON. TOM RAILSBACK**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. RAILSBACK. Mr. Speaker, on behalf of the residents of the 19th District of Illinois I would like to express my appreciation for the tremendous assistance and counsel which made possible the inclusion of two important Illinois projects in the Surface Transportation Assistance legislation passed by the House and Senate at the close of this Congress. Congressmen PAUL FINDLEY, BOB MICHEL, and JIM LEACH are to be commended for their efforts in working toward inclusion of the Hennepin to Quincy Expressway and the Keokuk-Hamilton Bridge in the report accompanying this legislation. I am sure that they share with me gratitude for the work of Chairman JIM HOWARD, ranking

## EXTENSIONS OF REMARKS

minority BUD SHUSTER, the other members of the Surface Transportation Subcommittee, and members of the full Committee on Public Works and Transportation. My thanks go as well to their staffs.

After spending several years looking for an avenue of funding for an important proposed road in my district, I was especially appreciative of the advice given me as to available alternatives. As it turned out, the priority primary alternative proved to be a successful one. The bottom line is that the Hennepin to Quincy Expressway is one of eight roads recommended for a share of the \$125 million in discretionary funds allocated to the U.S. Secretary of Transportation. Residents of West Central Illinois have long awaited a safe and direct route to cut diagonally across this portion of the State.

The State of Illinois Department of Transportation also provided me with a great deal of support and I appreciate that aid as well.

Illinois was also very fortunate to have the Mississippi River Bridge extending from Hamilton, Ill. to Keokuk, Iowa named in the report. It is recommended for a share of the \$200 million set aside in discretionary bridge funds. There is no question about the need to replace this obsolete and hazardous bridge.

Of course, I am aware that this legislation was not solely the product of House efforts. I know personally of the efforts made by Senator CHARLES PERCY on behalf of these Illinois projects. The work of the Senate committee and staff is also to be noted.

I sincerely hope that the result of these combined efforts is Federal funding for these two worthy projects. All that remains is one final step: that the Secretary of the U.S. Department of Transportation keep with past practice and commit his discretionary funds on those projects recommended in the report for funding.●

A TRIBUTE TO REVEREND HELEN D. RUSSELL

HON. TENNYSON GUYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. GUYER. Mr. Speaker, service is perhaps the noblest activity known to mankind.

Most of us during our lifetime, deeply seek "commitment" to worthy objectives. In our own way, we truly try to help others.

Now and then we discover a person who goes "the second mile." Such a person is the Rev. Helen D. Russell, minister of the Baltimore Street Church of God in Baltimore, Md.

Helen knows what commitment is all about. With very little of this world's goods but with great endowment of desire, dedication, and direction, this exceptional woman has been cited by the "Baltimore is Best" program for her outstanding achievement in the work she has done through her little mission.

Chiefly, she has lifted the lives of scores of young people who were friendless and often seemingly hopeless.

She really is one of our own. Her husband, George Russell, is an assistant clerk to the Official Reporters of Debate in the House of Representatives.

We are proud of the Russells and take this means of passing along a special verbal orchid to these special people.●

THE EDUCATION AMENDMENTS OF 1978

SPEECH OF

HON. RONALD M. MOTTL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. MOTTL. Mr. Speaker, on Wednesday, September 27, the House and Senate conferees completed their work on H.R. 15, the Education Amendments of 1978. I would like to call attention to two provisions of this bill which I introduced as amendments in subcommittee and on the House floor, and which I am pleased were accepted by the conferees.

The first provision would authorize grants to States to develop their own minimum competency standards. Although this new program is modest in size and involves no Federal control of curricula or tests, I believe it goes to the heart of a major problem in education today.

I think we are all aware of recent statistics which point out that some of our Nation's students are not grasping the basic skills they will need to function well in later life. For example, the national assessment of educational progress found that 13 percent of our 17-year-olds are functionally illiterate, and that the writing skills of this same age group declined overall between 1971 and 1974. Similarly, we have all heard the reports of how SAT's and other standardized test scores have been falling for over a decade.

I find these trends to be quite alarming. And it is no surprise to me that parents, university officials, employers, and the general public have begun to question the value of a high school diploma—or even the effectiveness of the whole educational system.

As a response to these concerns, several States have turned to minimum competency, or educational proficiency, testing. Students are tested at various points in their educational careers to determine whether they have mastered some basic competencies appropriate to their grade level. In some cases, granting of a high school diploma is contingent upon passing such a test, and in most cases, remediation is provided those students who do not attain the required minimum levels.

At last count, 5 States had operational competency-based testing programs, and 29 more were involved in planning or implementing some form of competency-based education in the basic skills.

To my mind, these State programs are

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a step in the right direction. And I see a role for the Federal Government—a limited one—in encouraging States to continue with these activities. It simply does not make sense to me that the Federal Government would spend billions of dollars for education without doing something to help States move toward a sound program in the basic skills.

Toward this end, the amendments which I introduced and which were retained in the final bill would authorize Federal funds to carry out State plans for educational proficiency standards in the basic skills. These grants could be used by States to refine programs already in existence or to develop and implement new programs.

However, I do want to note that the program is not mandatory and that in no way will the Federal Government be involved in specifying which minimum standards or which tests ought to be used. In addition, the bill authorizes the Secretary of HEW to conduct research and evaluation on the uses of tests to measure the basic skills. But again, the Federal Government will in no way impose the results of this research and evaluation on any State or local district.

I believe this new program will offer an incentive to the many States which have considered or planned similar activities, but have not been able to carry them out for lack of funds.

In my own State of Ohio, I am confident that this new program will initiate movement toward the use of competency based testing. At present, only the Berea school system tests students on their ability to master the basic skills. With the implementation of this new program, I hope the Ohio education community will take full advantage of it, because this new program will have implications for our schoolchildren and our educational system far beyond the modest amount provided.

The second provision mentioned deals with one of the most difficult issues the conferees had to take up—the direction which the Bilingual Education Act ought to take.

Certainly everyone in this Chamber is aware that this has been a controversial program. While none of us would want to deny equal educational opportunity for limited English-speaking children, the question remains as to how to best help these children reach the point where they can learn in regular English language classrooms.

This question was recently complicated with the release of a national evaluation of Federal Spanish-English bilingual programs containing some critical findings. This study, which was conducted by the American Institute for Research, found that less than one-third of the students enrolled in bilingual programs were actually of limited English speaking ability. In addition, 85 percent of the project directors surveyed as part of the evaluation said that students remain in the program after they are able to function in school in English.

Although the validity of this study has been questioned, to my way of thinking these findings nevertheless indicate that the goal of the program—to help chil-

dren gain sufficient knowledge in English to succeed in an English speaking classroom—needs to be clarified. I also believe that part of the problem lies with the lack in some programs of evaluation.

In order to rectify this problem, I introduced an amendment on the House floor to require that every child in a bilingual program be evaluated after 2 years in the program to establish the need for continued bilingual services. My amendment also specified that if this evaluation showed the child was no longer in need of bilingual education, the student would be moved out of the program.

I do not believe it is too much to ask of local people that they make a serious assessment of each and every child's progress after 2 years. I am sure that most good bilingual programs already have this type of individual evaluations as an ongoing component. But by spelling this out in the legislation, we can avert occurrences of students being kept in the program long after they can function in English.

In the long run, I feel that this amendment and other amendments in the bill which emphasize the need for careful planning at the local level will strengthen the bilingual education program considerably. And in the future years, I believe these amendments will diffuse some of the controversy surrounding the program by making sure that the students in the program will be able to function in American society. •

#### MORAL CAPITALISM

#### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. DORNAN. Mr. Speaker, Prof. Wilhelm Roepke, the intellectual godfather of the German miracle of the postwar era once observed: "We can breathe the air of liberty only to the extent that we are ready to bear the burden of moral responsibility associated with it." If there is one central truth that should guide our public policy it is this: Political freedom cannot long survive without economic freedom. Neither can liberty survive without a firm and enduring moral foundation guiding our public and private deliberations.

It gives me great pleasure to insert into the RECORD a piece that was first printed 20½ years ago. It remains as true now as it was then. The author of this little piece, Mr. Lloyd F. Hunt, is an exceptional engineer, a great inventor, and a great man—a true star in the California firmament. I am proud to represent him in this great House. I ask that my colleagues read his exhortation:

#### MORAL CAPITALISM

#### MORAL CAPITALISM IS THE BEST FORM OF CHRISTIAN LIVING

The United States of America became the great nation of the world because its government was formed under the basis of Christian

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Living. Religious Freedom and a government acting as the servant of the people are the two very important factors that have contributed the most to establish this greatness. What other country has coins that are engraved with: "In God We Trust"? What other country allows another flag hoisted above its flag as the United States of America does when the Blue Cross Flag is flying above the Stars and Stripes indicating a Christian Service.

If anyone reads the New Testament with the viewpoint of verifying Moral Capitalism is The Best Form of Christian Living he will not only succeed but will find no trace of socialism or communism.

Why have we been so successful in winning the wars in the past? It has been because we were nearer right than the other side. God helped us many times. In World War II why did not the Japanese take over the Hawaiian Islands after Pearl Harbor? Why did not the Germans continue after Dunkirk and take over the British Isles? Why did not the Japanese take over the Solomon Islands after the guns of their battleships neutralized the U.S.A. Forces? The only answer is that Providence was on our side.

Every action, war, government and business in the history of the United States of America has proved Moral Capitalism is The Best Form of Christian Living. At the present time we are spending a great part of our living fighting communism, a very defensive procedure. We will never get very close to a solution by being defensive and negative. We must change to the offensive and constructive attitude of Moral Capitalism. To do this we ourselves at home must get back to the system that has made us great. *Moral Capitalism.*

LLOYD F. HUNT. •

#### TRIBUTE TO BARBARA JORDAN

#### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ROYBAL. Mr. Speaker, I would like to join with my colleagues in paying a well-deserved tribute to BARBARA JORDAN who will be leaving the Halls of Congress at the close of the 95th Congress. It is a pleasure and a privilege to add my words of praise for a woman who has achieved so much during her tenure in Congress.

First elected to represent Texas' 18th Congressional District in 1972, Barbara has made a mark on our Nation's politics which is rarely achieved by any, and particularly in such a short time. Her exceptional dedication and expertise, combined with remarkable oratory skills has brought her to the attention of the American people. And her dynamic keynote speech at the 1976 Democratic Convention is just one example of how we will remember this powerful woman who has been so effective here in Congress.

It has, indeed, been a privilege to know and work with BARBARA and I am pleased to have this opportunity to add my words of praise for our friend and colleague. While her presence will be greatly missed, I know she will continue to use her many talents to benefit the American people. •

#### TEXTILE IMPORTS

#### HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BROYHILL. Mr. Speaker, my state of North Carolina relies heavily on the textile industry to provide jobs for our people. During the past 3 years, there have been several plant closings in North Carolina due to the tremendous increase in textile imports. This is jeopardizing thousands of jobs not only in North Carolina but all over America.

Representative KEN HOLLAND of South Carolina and I have sponsored a bill that would delete textiles and apparel from consideration of tariff cuts in the current trade talks taking place in Geneva. This legislation and the reasons behind its need have been the subject of much debate. In order to help clarify the deep need for corrective legislation, I want to share with my colleagues an excellent article expressing the views of Robert S. Small, president of the American Textile Manufacturers Institute, on the need for "fair competition" in the textile field.

#### TEXTILE OFFICIAL PLEADS FOR "FAIR COMPETITION"

(By Thomas Love)

Robert S. Small's position on the need for protection of the American textile industry from foreign competition reflects the views expressed by other executives seeking government help—his industry is somehow different.

And, like steel and copper executives, Small is adamant that he's not against free trade. He just wants what he calls "fair" competition in trade—a situation now lacking in the international textile market, he claims.

Small is not only chairman of Dan River Inc., a major textile producer, but president of the American Textile Manufacturers Institute, the industry's trade association.

Underscoring the industry's push for governmental help, the association recently closed its offices in New York and Charlotte and consolidated its operations here in Washington.

Small doesn't see the problems of his industry as basically different from those facing other industries under what he sees as a generally anti-business climate in this country.

And, he claims, the Carter administration has backed off from promises to do something about the import situation.

"Our problems are not any different really from the problems generally throughout United States industry," he said. "I think all of the industry problems in the last 10 years have magnified through the governmental process."

He called the textile industry—both cloth manufacturing and clothing production—"the invisible industry. Our industry employs some 2.3 million to 2.4 million. That's one out of every eight industrial jobs in the United States," he said.

Moreover, some 380,000 workers are unemployed or on short time—largely due to growing imports, he charged.

Among the industry's employees are 65 percent women and 24 percent minorities, he added. "We are a tremendous employer of people who are not mobile in the sense they

cannot be picked up and moved from one section of the country to another.

"We operate in 50 states. We operate in the urban problem areas of 7th Avenue in New York, yet we are the only industry in small towns throughout the South, Southeast, Maine, New Hampshire and Massachusetts—even places like Oregon, Chicago, Atlanta, Philadelphia and New York still have a big textile industry that employs the would-be hard-core unemployed."

But "well over 60 percent—65 percent or more—of the industry is in the South," he said. "I'm talking about the Sunbelt states," he explained.

"We have a tremendous import problem. I want to say that a lot of people call us a protective industry, which we are not. We don't claim to be. The fact remains you can't be a protectionist industry when you're running a deficit in balance of trade of \$5 billion a year. And one of our greatest problems in the United States today is inflation and one of the greatest contributors to inflation and the cheap dollar is this terrible balance-of-trade deficit which has been running about three years and getting worse every year," Small said.

"At first, it was largely due to oil, but today, next to oil, the largest single deficit is in textile," he continued. "We understand we must accept the import of a certain amount of textile goods and products. But what we can't accept is unrestrained, uncontrolled, disorderly imports. If we knew we were going to have a 5 percent or a 3 percent or a 6 percent increase each year, we could live with it. But during the first seven months of this year, imports increased on a dollar basis by 40 percent and on a pound basis by 27 percent," he said.

"We cannot live that way. No industry can live that way," he added.

There are international agreements to control imports—both a general agreement and individual bilateral agreements with major trading partners—but they are not working. Small said.

Although foreign products are cheaper, that savings is not passed on to consumers, he charged. Rather, the savings goes to increased profits for distributors.

The major problem of the United States textile industry comes from what he calls "the Far Eastern Cartel" of Japan, Korea, Hong Kong and Taiwan. "This year," he said, "approximately \$7 billion worth of textiles will be imported, while we will export approximately \$2 billion worth. Those four countries bring in about 60 percent of our imports while they take next to nothing from us. They have many means, which we call non-tariff barriers, which prevent American goods from being shipped in, although we could do it competitively."

He explained, "Japanese wages are almost as high as ours and the yen has gone up in relationship to the dollar. It's perfectly obvious the Japanese government is subsidizing the industry and we have a dumping problem (the illegal sale of goods in this country below the cost of manufacturing and transportation)," he said.

To solve the problem, there must be governmental action, according to Small. Either other countries must open up for American imports, or this country should block imports from those nations, he explained.

Not only has the Carter administration failed to show any interest, but the president has failed to do what he promised during his election campaign, Small charged.

For one thing, Small said, even with the existing trade imbalance, the government is proposing to reduce tariffs on imported textile goods.

"The present administration promised the textile industry they would renew the (general) Multi-Fiber Agreement which includes a 6 percent growth factor in imports for four

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years, which we said was unsatisfactory because it exceeded the growth rate of our industry.

"But they went on to say they would renew that—and they did renew that—but they would take care of the American industry through bilateral agreements. But the bilateral agreements which have been negotiated so far have varied from 4.5 percent to 7.5 percent, so we can't see where there has been any improvement. They have not taken care of us in the bilateral agreements.

"More proof of that has been this tremendous surge of imports during the past seven or eight months," Small charged. ●

## ADMINISTRATION'S NUCLEAR POLICY—AN OPPORTUNITY FOR REASSESSMENT

**HON. MARILYN LLOYD**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mrs. LLOYD of Tennessee. Mr. Speaker, as we come to the close of the 95th Congress, I think it is important for my colleagues to reflect on some of the progress we have made in preserving future energy options. This Congress has been called on several times to review its commitment to the nuclear breeder option and has overwhelmingly rejected the recommendation of this administration to cancel the only demonstration project we have, the Clinch River breeder reactor. Unfortunately we will not have an opportunity to complete our work on the DOE authorization prior to adjournment. This is particularly disappointing to me because a successful conclusion of the process initiated some 10 months ago would be a fitting tribute to the untiring efforts of the distinguished chairman of the Science and Technology Committee, OLIN "TIGER" TEAGUE.

When we return for the 96th Congress, an important agenda item will be enactment into law of a DOE authorization for fiscal year 1979. Between now and then, the administration will have an opportunity to thoroughly assess its posture relative to the breeder option. Perhaps the recent series of articles that appeared in both the Washington Star and the Washington Post, regarding the Soviet commitment to breeder technology will have some impact on our policymakers. Perhaps recent State Department analysis of the West German attitude, indicative of the views strongly held by our allies in Western Europe, regarding the importance of reprocessing and breeder technology will be taken to heart. Mr. Speaker, with such a pronounced stream of events pointing to an early misreading of the crucial elements for an acceptable international nuclear policy, I sincerely hope that this administration takes steps to adequately reflect the need for an aggressive breeder demonstration program in its preparation of the fiscal year 1980 budget. The administration should also recognize the need to work more closely with Congress in shaping the final form of the fiscal year 1979 authorization.

Mr. Speaker, for the benefit of my colleagues I am inserting one of the several

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fine articles written by John Fialka of the Washington Star covering his recent tour of U.S.S.R. nuclear installations. I am also inserting an article which appeared in the September issue of Nuclear News characterizing the West German view of the administration's foray into international nuclear policy.

The articles follow:

[From the Nuclear News, September 1978]  
ONE U.S. VIEW THAT FITS WITH EUROPE'S  
(By Simon Rippon)

"Things likely have already gone too far to convince the West German Government that it should alter its plans to make them more congruent with Washington's current views on reprocessing, the breeder, and the retrievable storage of unprocessed irradiated spent-fuel," according to a report prepared by Peter Sebastian for a U.S. State Department Executive Seminar in National and International Affairs.

While German government and industry officials, and many others in Europe, will agree wholeheartedly with this conclusion, the detailed report (dated April 1978) on the status of German proposals for permanent disposal of radioactive nuclear wastes has caused some mild surprise because it appears to have been prepared without the knowledge of those directly concerned. But more disturbing than the slightly covert nature of the study is the fact that all the basic information on the German nuclear program has been freely available for several years, and Washington could, and should, have been able to reach the same conclusion before formulating its current views on reprocessing, breeders, and spent-fuel storage.

The report, in fact, gets several digs in at the U.S. Administration for dragging its feet in the formulation of its own waste management strategies. Sebastian concludes: "Unilateral American decisions to forswear reprocessing will not prevent the spread of this technology to states impelled for their own reasons to seek it for themselves. Persistence in our current efforts, particularly while our own homework remains to be done, will earn us suspicion rather than cooperation." He even dares to suggest that U.S. policy on reprocessing might be changed to fall in line with European thinking: "If the balance of advantages and disadvantages of reprocessing spent fuels tilts in favor of reprocessing, we should not be deterred from going that route." On the other hand, he asserts: "If we can demonstrate the contrary by getting on with the job of waste disposal in the U.S., our own experience and actions will give our assertion a weight they now lack.

The European doubts about the apparent U.S. preference for long-term retrievable storage of spent fuel are also repeated in the Sebastian report. He notes wide support for the view that retrievable storage of spent fuel constitutes a considerable physical danger while still hot but, since retrievability implies renewed access, there is also a significant proliferation risk when elements are once more cool enough to permit "direct maintenance."

Joseph Nye, at the Uranium Institute meeting challenged the economics of reprocessing. Sebastian, on the other hand, claimed that the economic argument in favor of reprocessing is not easily countered in West Germany, which remains crucially dependent on imported fissile fuels, lacks domestic uranium, and foresees steep uranium prices increases as world demand rises to meet supply—particularly if breeders and reprocessing were indeed to be widely forsworn as politically unacceptable.

A more constructive approach of international cooperation rather than confrontation is suggested by the future opportunities to encourage the regional-international use of

the Gorleben reprocessing and nuclear waste management center proposed in Germany. Sebastian expressed the view that there is currently an official deemphasis of the international use of the Gorleben facilities for tactical and political reasons, but this is only likely to persist until opposition to the construction of the center has been dealt with. He also suggests that eventual internationalization of Gorleben could ease relations with the East—the close proximity of the site to the East German border could become another arena for cooperation rather than a new bone of contention.

One statement in the report that is ready-made for a newspaper headline is that West Germany is "in the first stages of direct access to the full range of nuclear explosives technology." But far from refuting this statement, West Germany—and, for that matter, several other European countries—would claim that they have had access to this technology for many years, but they have declined to develop nuclear explosives because it is not politically expedient to do so. Washington would be met with less hostility in Europe if it would openly acknowledge this responsible restraint rather than implying, by restrictive export policies, that these countries are not to be trusted.

[From the Washington Star, Oct. 3, 1978]

SOVIET CONFIDENT THEY'VE MASTERED  
BREEDER REACTOR TECHNOLOGY

(By John Fialka)

OBNINSK, U.S.S.R.—The goal of the nuclear scientists and engineers working here is to introduce a "plutonium economy" into the Soviet energy system by the 1990s.

The device for accomplishing this is called the liquid metal fast breeder reactor (LMFBR), a piece of technology that has caused a major controversy in the United States because it will generate or "breed" large quantities of plutonium for use as nuclear reactor fuel. Plutonium is also the main material used in the manufacture of nuclear weapons.

The feeling here is that handling plutonium along with other materials involved in breeder technology is an art that has been completely mastered.

"I don't see any basic difficulties in transferring from uranium fuel to plutonium," explained Mikhail Troyanov, deputy director of Russia's Institute of Physics and Power Engineering, to a group of visiting U.S. journalists.

The difference between the U.S. breeder program and the Soviet Union's is obvious to a lay visitor to Obninsk, the main breeder research facility, located 80 miles southwest of Moscow.

While the Carter administration and Congress are locked in a protracted dispute over whether to build the first U.S. breeder reactor that will produce electrical power on a commercial scale, the Soviets have already built two and are finishing plans for a third.

The third Russian breeder, to be completed in the late 1980s, is called BN-1600. It will produce 1,600 megawatts of electric power, more than five times that of the proposed Clinch River breeder reactor. Carter stopped the Clinch River project last year because it conflicted with his nuclear non-proliferation policies. The reactor, which still has strong support in Congress, was to have been built near Oak Ridge, Tenn.

Until recently, the LMFBR was the U.S. government's main energy research program. It was considered to be the next generation of nuclear power plants, one that would begin to dominate power production in the United States by the 1990s.

One difference between the breeder and conventional reactors is that breeders operate at much higher temperatures, requiring a molten metal, sodium, as a coolant rather than the water that is used to cool and to

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carry the heat out of conventional nuclear reactors.

The breeder reactor is also designed to operate in a way that physicists call "fast." In a breeder the flow of fast-moving subatomic particles, called neutrons, is encouraged. In the conventional reactor the flow is inhibited.

The neutrons have the capacity to change the atomic structure in the metals surrounding the reactor and so breeders are designed with a blanket of natural uranium around the reactor's core. Under bombardment by neutrons, the uranium turns into plutonium suitable for re-use as reactor fuel.

According to Troyanov, the Soviets hope to use LMFBRs "very intensively" in the 1990s. The reactors will be designed to create about 1.3 times the amount of plutonium fuel they burn up, and to eventually shift the basis of their energy economy to plutonium fuel, rather than coal, oil, uranium or natural gas.

While U.S. scientists maintain that the U.S. breeder program is still ahead of the Soviets in terms of basic research, they admit the Soviets are now well ahead of the United States in terms of testing equipment under actual operating conditions.

Obninsk is the home of the world's first commercial nuclear power plant, which began sending small quantities of electrical power into the Moscow area electrical power grid in 1954, at a time when the United States was concerned with smaller experimental devices.

Almost immediately, according to Troyanov, the basic thrust of the Soviet research program was shifted into the breeder area because of the promise of virtually limitless supplies of plutonium fuel.

Unlike U.S. nuclear engineers, who dress up visitors in white gowns, shoe covers and special radiation monitors, the Soviets have a much more relaxed attitude about displays of nuclear hardware.

They don't use shoe covers, which protect the reactor area against dirt, and they believe that radiation monitors are unnecessary. They like their machinery and they want people to see it up close, even touch it.

For a lecture on the main Soviet breeder research reactor, BN-5, reporters were assembled on the operating reactor's metal cover, just a few yards away from the machine's radioactive fuel.

Next year BN-5 will celebrate its 20th birthday and the engineers here are looking for a way to celebrate what they say has been 20 years of trouble-free breeder operation.

"We could fill it up with cognac," joked one engineer, "but that would slow down the reaction."

The Soviet equivalent to the proposed Clinch River breeder is called BN-350. It began operating at Shevchenko, on the shore of the Caspian Sea, in 1972.

It now produces electricity and also steam for use in water desalination although, as Troyanov admitted it has had "certain difficulties."

Sodium is a very trick chemical to handle in large quantities. It burns on contact with air and can explode upon contact with water.

An explosion occurred in 1974 after some 100 gallons of water leaked into the sodium in one of the steam generators at Shevchenko. Some reports say the explosion was rather large, but Troyanov dismissed these reports as "rumors," saying that the plant remained in operation and that the damage it sustained would not have been noticeable from the outside.

A somewhat larger facility, BN-600, is being completed near Byeloyarsk in the Urals and is expected to begin operations sometime next year.

Recently there has been some discussion among Russian and U.S. scientists that American equipment, such as steam generators, should be tried out in the Russian breeders.●

## STATEMENT CONCERNING CONFERENCE AGREEMENT ON HIGHWAY TRUST FUND PROVISIONS OF H.R. 11733

### HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ULLMAN. Mr. Speaker, the House-Senate conference agreement concerning the highway trust fund provisions of H.R. 11733 follows the House bill, except for a modification of the fuels tax exemption for taxicabs.

#### FUEL TAX EXEMPTION FOR TAXICABS

Under the provision agreed to by the conferees, eligible taxicabs are to be exempt from the 4-cents-per-gallon tax on motor fuels for a period of 2 years, 1979-1980, instead of permanently as under the House bill. As under the House bill, eligible taxicabs are those first, which are not prohibited by law or Government regulation or company policy from furnishing shared ride services, and second, for 1978 model years or later acquired after 1978 which meet the auto fleet average fuel economy standard under the Energy Policy and Conservation Act—EPCA. However, the conference agreement specifically includes the exception to the EPCA standards that is provided for small manufacturers, that is, those that produce less than 10,000 vehicles per year.

The House bill provided for tax-free sales as well as a refund or credit procedure. The conference agreement modified this somewhat to provide only a refund or credit procedure for the tax paid in order to make the provision easier to administer by the Internal Revenue Service. An operator may file for a refund quarterly if the refund of tax due is \$50 or more. Otherwise, a credit could be claimed on the operator's income tax return for the year. Only one claim for refund per quarter could be made under this provision.

The 2-year limitation on the fuels tax exemption for taxicabs was adopted in order to determine the effectiveness of the exemption in removing barriers to ride sharing and in encouraging more energy-efficient taxicabs. Congress would then review the exemption and decide whether it should be extended or not. The conferees expect that the Treasury Department and the taxicab industry will determine, and report to the tax-writing committees before the end of the 2-year exemption period, the extent to which barriers to ride sharing have been removed and more energy-efficient vehicles have been purchased. It is further expected that the taxicab industry will make such information available to the Treasury Department and the Congress in time to evaluate the findings.

The conference agreement with respect to the fuels tax exemption for qualified taxicabs is expected to reduce budget receipts by \$15 million in fiscal year 1979, \$35 million in fiscal year 1980, and \$20 million in fiscal year 1981.

#### OTHER HIGHWAY TRUST FUND PROVISIONS

The other highway trust fund provisions of the House and Senate versions

of H.R. 11733 were identical, and were included in the conference agreement. These provisions include the 5-year extension of the highway trust fund and the highway excise taxes at present tax rates, a modification of the trust fund "Byrd amendment," a highway cost allocation study by the Department of Transportation, and a Treasury Department study of the highway excise tax structure. I am submitting a summary explanation of these other provisions for inclusion in the RECORD at this point.

**SUMMARY OF OTHER HIGHWAY TRUST FUND PROVISIONS OF H.R. 11733**

**5-YEAR EXTENSION OF HIGHWAY TRUST FUND AND HIGHWAY EXCISE TAXES**

The Highway Trust Fund is extended for 5 years, or from September 30, 1979, through September 30, 1984. It also postpones the scheduled rate reductions of the highway excise taxes allocated to the trust fund for 5 years, from October 1, 1979, to October 1, 1984.

**MODIFICATION OF THE TRUST FUND BYRD AMENDMENT**

The operation of the trust fund "Byrd Amendment," which currently provides for reductions in apportionments only for the Interstate System when anticipated trust fund revenues will be inadequate to cover existing expenditures, is modified so that any reductions will be made on a pro rata basis from all apportioned Highway Trust Fund programs.

**HIGHWAY COST ALLOCATION STUDY**

A highway cost allocation study is to be made by the Secretary of Transportation, with assistance of the Congressional Budget Office in designing the study, which is to determine the costs of Federal-aid highways occasioned by the use of different types of vehicles and the proportionate share of such highway costs attributable to each category of users and vehicles. A final report is due to the Congress on or before January 15, 1982.

The term "Federal-aid highways" used in the context of the cost allocation study provision is intended to include all programs and projects financed by the Highway Trust Fund. The highway authorization portion of the bill approved by the conference committee expands the use of the Highway Trust Fund to include certain projects off the Federal-aid system of roads, for example, as part of the bridge replacement program. The allocation of Federal costs called for in this bill include such off-system expenditures.

**STUDY OF HIGHWAY EXCISE TAX STRUCTURE**

The Secretary of the Treasury is directed, in consultation with the Secretary of Transportation and the staff of the Joint Committee on Taxation, to review and analyze each excise tax now dedicated to the Highway Trust Fund with respect to such factors as the ease or difficulty of administration and compliance burdens. This study is to be conducted in conjunction with the cost allocation study. A final report—to the House Ways and Means and Senate Finance Committees—is due on or before April 15, 1982. ●

**TRIBUTE TO OMAR BURLESON**

**HON. EDWARD R. ROYBAL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 13, 1978*

● Mr. ROYBAL. Mr. Speaker, it is a pleasure to join with my colleagues in paying a well-deserved tribute to OMAR BURLESON who is leaving Congress after

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32 years of dedicated and distinguished service.

I consider myself fortunate to have had the opportunity to know, work with and become friends with OMAR. Over the years my respect and admiration for this man have only grown. He has represented his constituents with outstanding ability and unfailing dedication, and will certainly be missed in the House of Representatives.

It has been a pleasure to know and work with OMAR as a colleague in the House and I want to take this opportunity to extend my best wishes for his continued success. ●

**PERSONAL EXPLANATION**

**HON. EDWIN B. FORSYTHE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 11, 1978*

● Mr. FORSYTHE. Mr. Speaker, during September I missed several votes as a result of speaking engagements in New Jersey, illness and meetings with constituents and my colleagues. I would like to take this opportunity to make public how I would have voted if I had been present for the votes:

Rollcall No. 738: H.R. 11711, Trade Adjustment Assistance, September 8, 1978. Passage of the bill to broaden coverage and liberalize certain benefits to workers and firms that were adversely affected by foreign imports under the adjustment assistance programs of the Trade Act of 1974. I would have voted "yes."

Rollcall No. 750: H.R. 11280, Civil Service Reform, September 11, 1978. Collins amendment to guarantee the FBI at least 140 positions at the senior executive service levels equivalent to GS-16, GS-17, GS-18. I would have voted "no."

Rollcall No. 751: H.R. 11280, Civil Service Reform, September 11, 1978. Erlenborn amendment to delete the labor-management relations provisions from the bill. I would have voted "yes."

Rollcall No. 752: H.R. 11280, Civil Service Reform, September 11, 1978. Wilson motion that the Committee of the Whole rise and report the bill back to the House with the recommendation that the enacting clause be stricken. I would have voted "no."

Rollcall No. 781: H.R. 12611, Airline Deregulation, September 14, 1978. Anderson motion that the House resolve itself into the Committee of the Whole for consideration of the bill to partially deregulate the commercial passenger airline industry. I would have voted "yes."

Rollcall No. 805: H.R. 1, Ethics in Government, September 20, 1978. Danielson motion that the House resolve itself into the Committee of the Whole for consideration of the bill to require financial disclosure by high-level Federal officials, including Members of Congress and Federal judges. I would have voted "yes."

Rollcall No. 813: H.R. 12611, Airline Deregulation, September 21, 1978. Oberstar amendment to declare unlawful the pooling of revenues by air carriers in order to provide financial aid to carriers

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shut down by strikes. I would have voted "no."

Rollcall No. 814: H.R. 12611, Airline Deregulation, September 21, 1978. Passage of the bill to encourage airline industry competition by increasing airlines' flexibility to set fares and enter additional routes. I would have voted "yes."

Rollcall No. 815: H.R. 11733, Surface Transportation Assistance Act, September 31, 1978. Giaimo amendment to declare it to be national policy that expenditures from the Highway Trust Fund be "closely related" to the fund's anticipated annual revenues. I would have voted "no."

Rollcall No. 858: H.R. 10909, Clinical Laboratory Improvements, September 29, 1978. Adoption of the rule providing for House floor consideration of the bill to revise national standards and licensing for clinical laboratories and to revise medicare and medicaid reimbursement for clinical laboratory services. I would have voted "yes."

Rollcall No. 859: H.R. 14042, Defense Procurement Authorization, September 29, 1978. Downey amendment to eliminate from the authorization \$209 million earmarked for the payment of naval shipbuilding contract claims. I would have voted "no." ●

**HELP NEEDED IN CAMBODIA**

**HON. STEPHEN J. SOLARZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 11, 1978*

● Mr. SOLARZ. Mr. Speaker, Senator GEORGE McGOVERN and 80 other Senators recently sent a letter to the Secretary of State requesting that there be a U.S. initiative at the United Nations to place Cambodia's behavior on the agenda of the U.N. Security Council as a possible threat to peace.

I applaud the efforts of our colleagues to bring this matter before the U.N. But even more I applaud the recent actions of this Congress to assist the survivors of the Asian Auschwitz by requesting the Attorney General to grant a special parole for the 15,000 Cambodian refugees now in camps in Thailand and by providing some funds to the U.N. High Commissioner on Refugees to aid the almost 100,000 Cambodian refugees in Vietnam.

It would indeed be appropriate for the United Nations to address the very serious human rights violations which have occurred in Cambodia and which have shocked and horrified the civilized world. Many Americans watched with genuine anguish the recent television portrayal of the European holocaust of 40 years ago without realizing that history was repeating itself. Only this time it was happening in Asia and the victims of this new holocaust were Cambodians and not Jews.

On this last night of the 95th Congress I would like to submit for the RECORD another statement about Cambodia, a subject which my colleagues and I have devoted considerable time and energy to during this session. I am submitting this statement for the benefit

of my colleagues and for others who might look through this Journal and who would welcome the opportunity to read what at least one refugee from Cambodia, now living in the United States, feels is the sad fate of his homeland.

The author of this very personal statement is Chahng Song, former minister of information of Cambodia, but now a refugee who has lost family, friends, possessions, position, homeland—almost everything. But he has escaped the holocaust which engulfed his small country, and now works tirelessly on behalf of other refugees and to do what he can for those who remain in Cambodia.

Mr. Speaker, I ask permission to enter the following in the RECORD.

THE MASS KILLING OF A FORGOTTEN PEOPLE

(By Chahng Song)

The continuing slaughter of Cambodians by that country's present regime has so far aroused little concern among U.S. government officials.

The U.S. government that is ostensibly devoted to the preservation of human rights—a campaign initiated by President Carter—has largely ignored the wholesale killing going on in my country. Though the President has branded Cambodia "the worst violator of human rights in the world today," Washington has yet to approve the speedy admission of nearly 15,000 Cambodian refugees now in camps in Thailand. And the U.S. ambassador to the United Nations has yet to make a single statement on recent events in Cambodia.

It is a source of great personal pain that, despite occasional congressional resolutions and the remarks of a number of outspoken senators, the crimes being carried out by the Khmer Rouge regime in Cambodia have stirred the U.S. press far less than the trials of several Soviet dissidents.

The bloody border war between Cambodia and Vietnam continues to escalate, claiming lives on both sides, and may explode into an even larger regional conflict, yet international opinion is curiously muted. Indeed, this new Southeast Asian war has not even been the subject of debate in the U.N. Security Council.

Nevertheless, it is essential that an international consensus be reached if Cambodia is to be saved. For, unless international sanctions are applied, the present bloodletting seems likely to continue. Pressure must also be brought to bear on Cambodia's chief backer—China—sufficient to convince Peking's leaders that it is in their own self-interest to withdraw their support from the Khmer Rouge.

Every diplomatic avenue should be quickly and carefully pursued by the U.S. government in this regard. Even the extreme solution of direct international military intervention, as Sen. George McGovern (D-S.D.) recently proposed, should not be ruled out.

At a recent hearing held by a Senate foreign relations subcommittee, one U.S. Southeast Asia expert opposed such intervention on the grounds that the decentralized structure of the present Cambodian administration precludes direct foreign intervention. This assessment is basically correct but vastly oversimplified, for it ignores the fundamental nature and history of the five-year Cambodian war. With massive foreign intervention, the Khmer Rouge leadership might flee into exile and have to revert to guerrilla resistance, forcing the momentary collapse of the present regime and preventing more killings.

But perhaps the most practical and affirmative action immediately open to the U.S. government is to ease the immigration re-

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strictions for thousands of Cambodian refugees now in limbo in other countries.

Such action would relieve, if only a little, the terrible burden now borne by Thailand in caring for some 100,000 Indochinese refugees and in coping with the daily influx of those who continue to flee the harsh governments of Cambodia and Laos. Their acceptance into the United States would also reaffirm the American commitment to its traditional humanitarian principles, and do much to bolster Carter's sagging human-rights policy.

The United States has already demonstrated its moral and political responsibilities by admitting tens of thousands of Indochinese refugees. However, many Cambodians continue to be excluded by the government's criteria for admission, which stress pre-existing family ties with relatives in the United States and/or affiliation with the government.

If Washington were to act to rectify this situation, it would help relieve the present intolerable condition of the Cambodian people.

It is my prayer and hope that the execution of hundreds of thousands of Cambodian citizens by their present rulers will touch the hearts of the representatives of the American people, and will inspire them to examine with compassion and courage the plight of our forgotten people. I urge that present immigration standards be relaxed in favor of those who have managed to escape the worst hell of today's world—the Cambodian people. •

### NATIONAL ENERGY ACT?

#### HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FORSYTHE. Mr. Speaker, it is clear that this Nation continues to face an energy shortage caused by the increasing demand for a decreasing supply of energy resources. Although the National Energy Act is in some respects a useful beginning to solving that problem, it falls short of solving the energy problems currently facing the United States. Although the act offers some pluses in that there is an emphasis on conservation, the act is neither tough enough nor farsighted enough to cope with the crisis.

My primary reason for opposing the National Energy Act is the natural gas provisions which emerged from the House-Senate conference as a result of political arm-twisting and trade-offs by the administration. For consumers and industrial users, the so-called compromise on natural gas represents higher energy costs without the prospect of much needed additional natural gas supplies. By extending controls to the intra-state market, Federal price controls are imposed on the other one-half of the total U.S. natural gas production for the first time. Virtually all interstate and intrastate natural gas production will remain under control until at least January 1, 1985—and possibly until 1989. The so-called compromise on natural gas policy fails to provide a meaningful framework for termination of Federal controls.

Only a small amount of gas is ever deregulated and large volumes of interstate and intrastate gas will remain under Federal controls forever. The passage of this act requires the hiring of an additional 300 regulators—in addition to the

500 new staff positions authorized by the Department of Energy authorization bill—at a first year cost of approximately \$20 million. This is a costly extension of Federal bureaucracy.

Instead of trying to fool the public into believing that this natural gas policy will contribute positively to an effective U.S. energy policy which will save the dollar, the administration should be working with the Congress in order to fashion equitable and workable gas legislation to encourage domestic production of natural gas at reasonable prices.

Another area of concern with the National Energy Act was the tax provisions which the House-Senate conferees agreed to. I have long supported the enactment of tax credits for the installation of solar and energy conservation equipment. The conferees, however, selected to give the homeowner only 15 percent of the first \$2,000 spent on qualifying equipment for energy saving materials and did not allow tax credits on such equipment as wood and peat stoves, heat pumps, and new and efficient boilers and furnaces to replace old leaky ones.

I would have supported an alternate proposal which would have allowed a tax credit of 20 percent on the first \$2,000 spent on installing energy conservation measures. The tax credit for installing solar equipment is 30 percent of the first \$2,000 spent and 20 percent of the next \$8,000. This provision, however, does not include photovoltaics, which produce electricity directly from sunshine using semiconducting materials. The administration and the Congress promised the American public tax credits for installation of solar and energy conservation equipment. I want to see that promise fulfilled, but fulfilled in a manner that would be most beneficial to the public.

The National Energy Act provides the American people with an unworkable and costly extension of Federal bureaucracy while not insuring a reliable and reasonably priced energy supply. The act omits a realistic approach to oil and gas development and provides the consumer-homeowner with only the barest of tax incentives to conserve energy. •

#### HON. OLIN TEAGUE

#### HON. LAWRENCE COUGHLIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. COUGHLIN. Mr. Speaker, for the past 32 years, the House has benefited from the enthusiasm and personal courage of the Honorable OLIN EARL TEAGUE, of Texas. Now that he is about to retire, I do not want the moment to pass without saluting my dear friend and colleague who so justly bears the name, "TIGER."

Congressman TEAGUE was already a decorated and celebrated veteran when he arrived in Congress in 1946. He went on to build national and international reputations in the fields of veterans' affairs and space science. As chairman of the Veterans' Affairs Committee,

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"TIGER" always fought to protect those men and women who had fought to protect their country. He is well known as the author and sponsor of the Korean war veterans bill (Public Law 550), a landmark piece of legislation. During the 93d Congress, Congressman TEAGUE became chairman of the Science and Astronautics Committee. While remaining a guiding force on the Veterans Committee, he championed the cause of space exploration and scientific research. I had the opportunity to serve with him on what is now the Science and Technology Committee and always found Congressman TEAGUE well-prepared, a tireless worker, and a true gentleman.

Although it will be sad to see him leave this House, I want to wish "TIGER" the very best in retirement. We are certainly much better off for all of his work.●

**WE ARE WORKING TOGETHER: THE PROMISE OF THE NEIGHBORHOOD/CITIZENS MOVEMENT**

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 11, 1978*

• Mr. CONYERS. Mr. Speaker, a month ago I had the privilege of participating in the third annual convention of the Philadelphia Council of Neighborhood Organizations. One of the oldest neighborhood coalitions in the Nation, the Philadelphia council has developed into a citywide organization of 135 neighborhood groups that has led in the drive to put an end to redlining, rehabilitate the inner city, foster neighborhood commerce, and establish effective crime-prevention programs.

The convention that met on Saturday, September 23, drew nearly 1,000 citizens activists. The morning was devoted to a series of workshops in the areas of economic development, crime prevention, housing, and citizen participation. The plenary session in the afternoon included, among other things, the election of new officers and discussion of a series of resolutions before the body. Among the constituent groups within the Philadelphia council, which played a major role at the convention, is the House of Umoja, and its founders, David and Falaka Fattah.

The House of Umoja deserves special attention. Four years ago in west Philadelphia citizens were virtually hostages to the street gangs that overran the neighborhoods. The Fattahs became convinced there was a way to reach gang members. They created a half-way home for a small number. They won the trust and respect of gang members. At a later stage they developed the concept of an extended family who used their home as both a shelter and meeting place. Each morning the group gathered to discuss and allocate work assignments, and deal with problems as they arose. There were also classes in African history, black American history, and on cultural life. Some participants lived at the home, while others visited for group activities.

The House of Umoja is continually evolving. Now there are a dozen shelters for youth, as well as institutionalized programs such as a "youth black olympics" and conferences that bring troubled youth from several cities together. The Fattahs have accomplished in west Philadelphia what few urban experts thought possible: They have given gang youth alternatives to crime and violence and have brought a greater measure of peace to Philadelphia's streets. When I suggested at the convention that the House of Umoja should be awarded a Nobel Peace Prize for its extraordinary work in urban peace and justice, the delegates responded with thunderous applause.

The Philadelphia council, and its constituent organizations such as the House of Umoja, have made possible a tremendous movement toward revitalizing our cities. The neighborhood/citizen participation movement across the country, I believe, is far more significant over the long run as a political movement than the so-called tax revolt movement. I believe this because of what the neighborhood movement stands for, in contrast to the tax resistance drive: It stands for faith and hope, rather than frustration and despair; for activism rather than political withdrawal; for citizen responsibility rather than cynicism.

The keynote speech at the convention was given by Father Joseph M. Kakalec, one of the Philadelphia council's founders. Known as "Mr. Neighborhood," Father Kakalec gave an extraordinary address on the role of neighborhood action in the Nation, and I strongly recommend his remarks that follow to my colleagues:

**WE'RE WORKING TOGETHER**

About five years ago a very significant event occurred in Philadelphia. The event was the birth of the neighborhood movement.

Prior to this event neighborhoods existed but few people spoke about neighborhoods. Very few people in power cared about neighborhoods. Very few resources were allocated to the neighborhoods. Very few private institutional policies reflected the importance of the neighborhoods to our city. And only a very few realized and perceived that if our neighborhoods died our cities would surely die!

Within the past five years, the Philadelphia Council of Neighborhood Organizations, the main force in neighborhood development in the city, took definite shape. Many present at today's convention and many of the founding members of PCNO clearly remember our first meetings. We started a search. We went up many blind alleys but managed to struggle back to our starting point to try other avenues. And we found them. Many people told us—and they still tell us—what we know to be false, namely, that people from different races, religions, and geographic areas will not work together. Those "nay-sayers," those pessimists were and are wrong. Neighborhoods are working together. Success in working together is present but it demands a purposeful will, consistent hard work, granite determination as well as love and respect for one another.

People in the neighborhoods seem to have a great instinct for self-preservation, an instinct that adds to their ability to work together. Over the years neighborhood residents realized that centralized government

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and big government were not handling their problems, and in fact, were creating many of them. In the name of progress, neighborhoods saw and still see many homes destroyed for highways that benefit the few, and too many vacant lots assembled for redevelopment that never seems to take place. Even worse, we are now witnessing in the city reductions in library, health and senior citizens services—reductions aimed at protecting the jobs of the drones who serve the politicians rather than the people. Neighborhood people also saw neighborhoods redlined, the quality of public transportation deteriorate, neighbors displaced by so called, "revitalizations" and security and safety problems on the rise. In response, people have begun to demand more political and economic power, more accountability from government, greater citizen participation in government, and a voice in the decisions of private institutions.

Neighborhood people are often accused of not caring about their neighborhoods. How narrow and false this statement is! A recent Gallup Poll of the country's neighborhoods found that neighborhood residents are proud of their neighborhoods. The majority of people do not want to move from their neighborhoods. Most neighborhood residents have lived in their neighborhoods for long periods of their lives. Most importantly, people are participating more in their neighborhoods than ever before. They are participating because they care. When one person is threatened in the neighborhoods today more people are willing to get involved. Now we must learn that: When one neighborhood is threatened in Philadelphia all other neighborhoods have to get involved to help the suffering neighborhood. No neighborhood is an island. No neighborhood can exist in isolation. If one neighborhood hurts, all neighborhoods hurt. We have to help each other, understand each other, be tolerant of each other, respect each other and grow with each other.

There are people in Philadelphia today who are attempting to divide the neighborhoods. They want one neighborhood to fight with another. There are rabble-rousers who would be happy to see one ethnic group or race fight another. There are demagogues, unprincipled men, who speak words of distrust and disrespect. Such words, such actions, can never find a home in our hearts, in our neighborhoods, and in PCNO. Why? Because we demonstrate positive action and positive thinking, harmony, peace and security. God help us if these do not exist in our hearts!

Only neighborhoods, then, will help the neighborhoods. Few people in positions of power ever helped the neighborhoods to work together. Neighborhood people did it themselves. All that we have was won by pounding and plodding day after day. It was no easy task. If the cities are ever to be saved it will be the neighborhoods that save them. Only in the neighborhoods and neighborhood organizations, such as PCNO, will a healing occur on the grass roots level. Only in the neighborhoods will a harmony of voices, singing the same tune, bring out peace and security.

PCNO is persistently trying to do the job of bringing a sense of neighborhood and community back to the city. As our Board members work in committees and our staff of organizers works with groups throughout the city, we continually share problems and possible solutions. We learn that the problems that ruin our neighborhoods are similar throughout the city. We also learn that the resources needed to alleviate these problems are not beyond our reach. We need only overcome our fears, cast off our hopelessness, and be brave enough to ask for help. Neighborhood people are learning to work together in this way and are learning to respect one another.

One of the loudest cries of neighborhoods today is for justice. Justice means giving each person his due, what he deserves. It means fair treatment. Neighborhoods deserve this justice from all institutions—they demand fair treatment. In these days, beginning with the scandals of Watergate up to the most recent revelations of scandal and corruption in the Pennsylvania state government, we desperately need a return to the civic ideals upon which our country was founded: equality, dedication, fairness, moderation in government, checks and balances, and above all justice.

In the past five years PCNO has fought for justice and equity for all neighborhoods and neighborhood people. We do not oppose for the sake of opposing. When PCNO joined the Clergy United to Save Our Schools (CUSS) in their efforts to settle the school strike, it was because, like CUSS, we were demanding justice for our children. Until then, no one was speaking for the school children. We joined our voices with the clergy to cry out for justice for the helpless children.

When we sponsored the national conference on urban displacement, we were doing so to call attention to the injustice suffered by old time residents in our neighborhoods who are losing their homes as neighborhoods are "revitalized." This treatment still demands a balanced and equitable solution.

When we encouraged groups to lobby for jobs for the unemployed in the spring, we did so because neighborhood people needed jobs. We cannot say justice prevails in our nation when the government allows thousands of willing residents to remain unemployed and justifies unemployment among the poor as a means of fighting inflation.

When we sponsored youth workshops last year we did so because youth are being treated unjustly when they cannot get quality public education, a good job, or equality of treatment in the adult world.

We opposed the center city tunnel, fought fare increases, demanded cleaner busses and bus stop signs with maps and bus schedules because fairness to neighborhoods and transit riders demanded these. Simple justice demands clean, safe, speedy and efficient transportation for a fair price.

PCNO held and will hold more crime and safety hearings in the neighborhoods because our neighborhoods still suffer from insecurity and crime. No amount of statistical mumbo-jumbo from officials will convince residents that they are getting fair treatment when women are still harassed at night, children are molested, drugs permeate a neighborhood and neighborhood residents are treated like criminals in the courts or police response to crimes is poor. Neighborhoods demand and deserve safe, secure streets—this is only fairness of treatment.

When we demanded from the Office of Housing and Community Development more money for housing rehabilitation, a representative citizen participation process, rehabilitation of abandoned houses, a return of money to neighborhood organizations after it was removed for political reasons by city council, we did so because neighborhoods were being treated shoddily and unfairly.

The tasks of PCNO are not finished. There are many things to be done in the city of Philadelphia. We ask all of the neighborhoods to join us in our struggle for better housing, for fair utility rates, for secure, civil and humane neighborhoods, for better and improved opportunities for youth and for economic development to provide jobs and services for the neighborhoods.

We must press for improved performance from our city government. There are no unified and coherent policies in the city for youth, for transportation, for jobs or for economic development. For several years, PCNO demanded the creation of a single office for housing. This now exists but only

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because PCNO fought for such an office. We must now make sure it works. We must demand the same type of unity and response in other areas of government.

Moreover, there is no coherent, unified policy for neighborhoods on any level of government. We must demand from every aspirant to political office a statement of his policy towards neighborhoods. We must only support those candidates and elected officials who support neighborhoods.

Whatever PCNO does, whatever it encourages neighborhoods to do is based upon the values of justice, equality and the need for a sense of community. Let there be no mistake or misunderstanding of our motives. We do not seek personal gain through political power or office nor do we harbor any of the ulterior motives attributed to neighborhood people. We will always fight for and will eventually acquire justice for our neighborhoods.

Above all we must work together for peace and harmony. We must not allow the voices of division and confusion to polarize the neighborhoods. We must oppose all double-talk, racial antagonisms and ill-will. Only by fairness, justice and mutual respect can we grow.

How do we fight for what is just? We start by educating ourselves. The workshops and action panels in which we participated this morning covered a broad array of issues and topics vital to the livelihood of our neighborhoods. Through these presentations and exchanges we hope to have taken the first step in educating ourselves. The hundreds of people here today will go back to their neighborhoods where information and ideas will be shared. Where do we go from there? We begin to act!

Where information was the theme that was pursued this morning, action is the theme for this afternoon's proceedings. This morning we learned how to reduce housing abandonment, how to start community credit unions, how to prepare our youth to enter the job market, how to register voters and build political awareness, how to acquire health services and the how to's of several other areas. Through our action panels we looked at actions we have taken and began to set goals for future action. Now we must collectively fight to attain these goals.

The Philadelphia Council of Neighborhood Organizations is the vehicle for this fight. This organization alone has successfully facilitated cooperation and joint action between the diversity of neighborhoods. Now is the time for the neighborhoods of Philadelphia to focus on the issues that touch us all and shape our lives. We should continue to work in our own neighborhoods, but, to effect substantive changes, neighborhoods must work together through PCNO to fight for decent housing, secure neighborhoods, jobs, adequate education, fair utility rates and responsive and responsible government. ■

### TRIBUTE TO JAMES R. MANN

### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. O'NEILL. Mr. Speaker, I am pleased to join my colleagues in pausing on this occasion to pay tribute to the dean of the South Carolina delegation in the House, the Honorable JAMES MANN, who is retiring at the end of the 95th Congress.

JAMES MANN has had an impressive record of 24 years of service to the people of South Carolina, first in the State House of Representatives, later, as a judicial circuit solicitor, and finally, as a Member of the U.S. House of Representatives. In each succeeding task of public service, JIM MANN has served his constituency and the Nation with distinction and honor. South Carolina has good relatives. In each succeeding task of public service to be proud of its dean and native son.

JIM MANN can point to his record as chairman of the Subcommittee on Criminal Justice with a sense of great accomplishment, and to a number of remarkable legislative achievements in his service on the Judiciary Committee and as chairman of the informal House Textile Committee, and the House Select Committee on Narcotics Abuse and Control.

It is for his courageous and difficult political stand during the trying 1974 impeachment proceedings that JIM MANN earned the greatest respect and admiration among his colleagues and the leadership in the House. For his uncompromising stand on the principle that our Nation is governed by rule of law and not of men, JIM MANN gained national recognition.

Quiet and reserved, not a headline seeker, trusted by his constituents and colleagues in the House to get the job done—these are the qualities that have made JIM MANN a highly reliable and competent Member of the House of Representatives.

I am proud to have served with JIM MANN. I want to thank him for a job well done and wish him well in the years ahead. ■

### LAW AND PSYCHIATRY

### HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FOLEY. Mr. Speaker, Dr. Sol Levy of Spokane, Wash., recently delivered a major address to the Washington State Bar Association concerning the law and psychiatry. Dr. Levy is a distinguished member of the medical profession and has a high reputation in the field of psychiatry. He is held in great respect by his colleagues in the Pacific Northwest, and his contribution to the medical profession and the community at large have been numerous and widely admired. He is a man of independent views, and I think his remarks on the role of the psychiatrist in the area of law will be of interest to many who are concerned about this field:

### LAW AND PSYCHIATRY

Horace, one of the old Greek philosophers, recommended that the truth be told laughingly. I will try to do just that. Humor, I have learned, relaxes tension, steers midway between gravity and levity and paradoxical though this sounds, is the most serious form of seeking and maintaining perspective.

Before talking about Mental Capacity Defenses and the Role of an Expert Witness in a Criminal Trial, we naturally have to realize

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that psychiatry and the law speak entirely different languages and in order to understand this and especially realize the gaps between the language of the law and the language of psychiatry, I wish to point out that crime is not the name of an illness, nor is there any specific psychological or psychiatric category for all criminals and for them alone. To the jurists and lawyers, criminals form a well defined group, while to the psychiatrist, criminal behavior is but one of the many aspects of the concept of social maladjustment. This is due to the fact that the doctor of medicine, and in this particular case, the psychiatrist, is trained to deal not so much with the symptoms of the disease, but with the personality of the individual as a whole, whereas a student of law studies crime as crime. The psychiatrist concerns himself with the welfare of the individual, while the student of law concerns himself with the safety of society. But this however, goes even deeper. The legal concept is one of mind dominated by reason and free will. The medical concept is one of function actuated by emotions and determined by intrinsic factors. In the legal mind, everything is consciously known. In the medical mind, much is unconscious and unknown. We know now that within a society or even within a group, there are some individuals who can obey and follow those rules most commonly accepted in that group or society, while for others that is almost impossible. These latter do not form a psychiatrically or psychologically homogeneous group, but psychiatry and psychology can help explain their behavior to a certain degree. We therefore have to consider the biological, psychological, social and cultural factors and we definitely have to distinguish between them. We therefore speak of a bio-psycho-social and cultural phenomenon as far as the classification of criminality is concerned and therefore must study and attack this problem definitely from all these angles and it is for this reason why it is so important to take all we have at our disposal and to take a complete and detailed longitudinal life history of this particular individual.

Just to be a little bit confusing, I wish to give you an example about the language we psychiatrists sometimes speak and also the language which lawyers sometimes speak and you can actually see how far away we actually are in understanding each other and interpreting what we actually mean by what we are saying.

When it comes to the language of the law, we expect and assume that this is very precise, definite, conclusive, concise and in no way as ambivalent and full of gobbledegook as that of psychiatry and we do not expect ambivalent or contrary answers or more questions asked, without definite answers given. This unfortunately, is usually not the case as we have seen so many times.

Prior to going into the subject of my talk, I should mention that approximately ten to fifteen years ago, new legislation regarding commitment laws for the mentally ill to the state institutions of the mentally ill was introduced and passed in most of the States of the Union, dealing not so much any more with the term Mental Illness, but rather with the concept of being dangerous to himself or to others and these laws are now applied religiously and did get away from the fact, that there are still mentally ill people who are in need of treatment, not because they are dangerous to themselves or to others, but because, to say it bluntly, they are just mentally ill and in need of treatment just as a physically ill person is in need of treatment and not because he is dangerous or will become dangerous. It almost became a crime to talk about mental illness or disease from the legal point of view, in contrast to physical disease; i.e., mentally ill persons don't exist any longer, only people dangerous to others

or themselves and only those apparently need and are given help. The others, the real sick, just leave it up to their destiny and forget them. Even if one occasional patient with mental illness and without being dangerous should get to a mental hospital for treatment—what is done? Two weeks later, if he would not prove dangerous to himself or to others, he is right on the street again. So forget Mental Illness—some call it a myth—and concentrate only on the point of being dangerous and what has illness to do with being dangerous?

No one including psychiatrists, social scientists, computer experts, lawyers or even judges, can predict with 100% certainty who will become dangerous, but waiting for a person to commit an overt act because of a mental illness simply won't work. If we just wait until someone has committed a crime, we will just collapse the civil commitment procedures into the criminal Justice system. Mentally ill persons then will have to be treated as criminals. The key to helping someone recover from mental illness is to treat him as early as possible, not after he has killed or hurt himself or someone else. Mentally ill persons should not have to deteriorate to the point of dangerousness when it is obvious that they are in need of treatment and would predictably respond to treatment. Psychiatry, just as the other fields of medicine of which naturally psychiatry is a part, during the past twenty or thirty years has made tremendous progress as far as our knowledge to the causes, the symptoms, the classification and the treatment of mental illness are concerned and this does not only include the introduction and utilization of the newer psychotropic drugs, the utilization and also the introduction of various other modes of treatment, such as convulsive therapy. Unfortunately however, because of social and political considerations, psychiatry, and this was naturally followed by the law, became more and more involved when the so-called "Action for Mental Health" embraced the philosophy of social and political psychiatry and psychiatrists set themselves up to solve almost any problem and the law followed by its regulations to enforce this. Almost everybody and especially non medically trained people, such as volunteers, social workers, psychologists and just plain "do gooders" became psychiatric experts and the law gave them the opportunity to do just that. At that time, for instance, state hospital superintendents all over the United States joined the race as to who could release patients the fastest and which hospital could reduce their in-patient population the most. They jumped on the social psychiatric bandwagon to impress the public and the legislatures with their startling statistics and successes, which however, did not prove what they set out to do. We were not so much concerned treating the mentally ill and trying to restore them to their previously good emotional and mental health, but we became much more involved in political and social issues, which is still true up to this day. For instance, prior to one previous presidential election psychiatry became concerned about which candidate, from the emotional and psychiatric point of view would make a good President of the United States and to solve this problem, no one took the time and effort to examine this particular person, which is a must in a psychiatric evaluation, but we just sent out questionnaires and counted the answers and without any scientific basis reached certain conclusions.

Regarding concerning competency or the mental capacity to stand trial there is another example where we have numerous questions when we are not so much concerned with the mental health or mental illness of a particular individual but where we are more concerned with the legal implica-

tions as well as the preservation of this particular individual's constitutional rights. Generally speaking, in order to be competent to stand trial, the alleged offender has to understand the peril in which he finds himself and should be able to assist his attorney rationally in his own defense. If one is competent, understands the peril in which he finds himself, and the consequences which can follow and if he is able to assist an attorney in his defense, that should mean that he is able to enter a plea whether the plea is guilty, not guilty, or not guilty by reason of insanity. This particular question has come up recently in great details. There just has been a case locally in the U.S. District Court for Eastern Washington where a particular offender plead Guilty to a First Degree Murder Charge after he has had several examination as to his competency to stand trial, which were all in agreement that this particular offender was competent to stand trial, but it was appealed. Also a similar case was appealed to the Ninth Circuit Court of Appeals in 1973 and the Ninth Circuit Court, at that time, held that there definitely was a higher standard of competency required to plead guilty to a First Degree Murder Charge than the degree required to be competent to stand trial. However, the answer what this higher degree required was not given and about the same time, this same question as to two different degrees, namely the competency to stand trial and the competency to plead guilty in the First Degree Murder Charge was answered to the contrary in the Fifth and Tenth Circuit Courts of Appeal where it was stated, without leaving any doubt, that there is no higher degree of competency to stand trial than to enter a plea of Guilty of Murder in the First Degree. By the way, there just has been another case in the Court of Appeals for the State of Michigan where the same question was answered, as it was in the Fifth and Tenth U.S. Circuit Court of Appeals. Now where do we look? What is the answer? What do we apply? Where is the higher standard which the law, at least one Circuit Court of Appeals tells us to do? It conveniently or inconveniently does not give us the answers where to look for, what to ask and what this higher standard of competency entails. If a person is competent, this means that he realizes when he pleads and whatever he pleads, has thought out all the advantages or disadvantages, with all the positions this particular person gives up (for instance, Jury Trial, right to cross-examination, etc.) and this also means that he knows what will happen to him if he does plead guilty.

Psychiatry, at least despite some of the gobbledegook, can give us some answers as to the competency, but while the law, in this particular case, and especially the different interpretations by the different Circuit Courts of Appeals, has not been able to give us any answer, but only to tell us that something more is required but what? The psychiatrist, during the examination, can ask only so many questions, can tell and test only the veracity and reliability and seriousness of answers and also can evaluate the person, but cannot find out the different motivations to enter a plea for this alleged offense if it is not spelled out by the law what the higher standard means. The psychiatrist can state that, in his opinion although one realizes that he is not always right, this particular Defendant understands his peril and can enter a plea, having weighed his decision very carefully from every angle and thus can assist in his defense, but unless we have something definite to go by which the law has laid down, it is just impossible for a psychiatrist and psychiatry to state that the man is competent but needs more to enter a plea of guilty to a First Degree Murder Charge. This is where the law has to be much more specific before

giving this responsibility to psychiatry and/or the examining psychiatrist.

The plight of the mentally ill has naturally become more popular since according to various Court Decisions regarding the requirements of dangerousness and the main thrust that you cannot imprison a non-dangerous person in the presumption of treatment.

The idea of constitutionally guaranteed right for treatment for involuntarily committed mentally ill has been developing in the Courts for at least ten years—the famous case being O'Connor vs. Donaldson.

What our esteemed brothers forget is naturally that Mental Illness (which is illness and characterized by thinking, mood and behavior disturbances) really does exist, can be diagnosed, treated and even cured in some instances and has nothing to do with being dangerous to himself or others, does not indicate mental illness, neither does mental illness indicate dangerousness, as already pointed out.

This is the greatest tragedy that Law has imposed on Psychiatry. Naturally, constitutional rights have to be preserved, under any circumstances and we also have an informed consent—but sick people have to be treated and not to let them die with their rights on. And because of the so-called dangerousness theory and despite all treatment progresses, no attention is paid to proper and adequate treatment and thus, because of fear of violating constitutional rights, treatment of seriously disturbed mentally ill patients is grossly neglected in a large proportion of our mental hospitals. It almost appears, at least to this observer, that the main thrust as far as the role of Law with Psychiatry is concerned, is that there is no further Homo Sapiens, a thinking creature, a person who really thinks, wants to make up for his admitted mistakes and pays the consequences as distinguished from other organisms, but we have only one concern—preserve by all means his constitutional rights—no matter what, even if it does prevent to help to restore good health again and functioning and coping properly.

The right to the competency to stand trial should also be mentioned. It says that not only does the alleged offender need to understand the peril in which he finds himself with the subsequent consequences, but it also says that he has to be able to assist his attorney rationally in his defense. In order to assist someone, it needs two to make a bargain. It has come up many times and this not only happens in the practice of law, but also in the practice of medicine that two persons just do not cooperate with each other and while a particular Defendant can assist very rationally one particular attorney in his defense, he does not cooperate with another attorney no matter how skillful, intelligent and hard working this attorney is. Does this mean, because the Defendant cannot assist one attorney, he is not competent to stand trial or would it not be possible that he could cooperate and assist very rationally in his defense with another attorney? What does the law do about that?

For many of us, who have participated in some of these competency hearings, it became quite obvious that the Defendant, for one reason or another, did not like (in most cases usually his Court-appointed attorney) and would not cooperate with him by any means, even to the point where he tried to pull "this attorney's legs." The attorney complained because the Defendant would not cooperate and assist the way the attorney wanted the Defendant to do so that the Defendant is not competent to stand trial. We all have non-cooperative clients or patients and it is them up to us before coming to such a conclusion to consider discharging ourself from the case and to try to get some other attorney to take

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over in whom the Defendant has more confidence and with whom he will cooperate and assist. Naturally, I realize that this cannot go on for ever and ever and the line has to be drawn somewhere, however, in a subject as important as this, this naturally would have to be considered very seriously. I have had recently the experience where a Public Defender complained bitterly that he had worked hard with this particular Defendant for thirty-eight hours and was unable to get his cooperation and the assistance he needed to proceed with the trial while on the other hand the same Defendant after fifteen minutes in the Court Room showed an entirely different picture and cooperated not only with the Judge but with the whole proceedings of the competency trial and there was no doubt in anybody's mind that this was just a clash of personalities and certainly this particular attorney should have seen that long before and should have turned the case over to someone else who would have gotten the cooperation and assistance from the Defendant which was required.

As to the role of the psychiatrist as an expert witness in a criminal trial it should be understood that the role of the expert may be to reconstruct the past, to analyze the present or to predict the future. In doing this, he may offer testimony of the general kind, testimony as to facts and opinion testimony. The admissibility of each rests upon different theories. Expert testimony as to fact is admissible because specific skill and experience are needed for the understanding of certain matters. For example, any person of ordinary understanding can testify as to whether a man had a cut or to the color or stains that may have appeared on his clothes. It requires specific experience and knowledge however, to say what arteries, nerves or bones were injured.

Because the ordinary witness is not capable of understanding the particular matter, the expert is needed, but his specific knowledge must be shown before he is permitted to testify as an expert. As a general rule of evidence, opinion testimony is inadmissible. The ordinary witness presents the facts and the Judge or Jury is to draw the inferences or conclusions from such facts. A parallel may be seen in the doctor-patient relationship as when a doctor may say to the patient I will do the diagnosing, if you don't mind. Just tell me what ails you. In many instances, however, it is not possible for the Court to form an intelligent judgment because of the difficulty of the question involved and the opinion of those skilled in this particular subject may be obtained for assistance.

For example, the Jury would be incapable of determining whether or not this resulted from a particular cut, even though it had before it a description of the wound; hence the opinion of a medical person is of assistance to the Jury. Here the function of opinion testing is advising the Jury rather than proving a fact.

The problem of expert testimony, particularly that of a psychiatric character, whether as to facts or opinion, is somewhat different in criminal than in civil cases because of certain constitutional privileges of the accused. On account of the Defendant's privilege against self-incrimination, the expert witness for the State in a criminal prosecution is much more restricted, when the Defendant's mental, rather than physical condition is an issue. The accused may be compelled to submit to a physical examination by the medical witness for the prosecution since this does not involve testimonial compulsion. The accused cannot be compelled to answer any questions asked by the expert in a mental examination, however, because this would violate his privilege against self-incrimination. If the Defendant wishes to plead insanity, he must submit to a psychi-

atric examination but the psychiatrist may testify only on the issue of mental status and may not reveal any statement made to him as to the commission of the offense.

He naturally has to warn and inform the Defendant before the examination takes place that he (the psychiatrist) is there to examine, but not to treat him, that he (the psychiatrist) was sent by either the Court, the Prosecutor, the Defense Attorney and that he naturally has to give a report of his findings as a result of the examination to this particular party and that he (the Defendant) does not have to answer any questions, some questions and that he can refuse the examination at all, but that whatever he says will have to be reported and might even be used against him in Court and finally that naturally he can have his attorney present during the examination.

In this connection, it is very interesting to note that despite the so-called legal logic that in the Statutes of at least one state I know of, the state of Montana, but there might be others too, it is mentioned that as far as the competency of an accused is concerned that if the examination cannot be conducted by reason of the unwillingness of the Defendant to participate therein, the report of the psychiatrist shall so state and include, if possible, an opinion as to whether the unwillingness of the Defendant was the result of mental disease or defect. Now where is the logic? If the Defendant does not participate in the examination or is unwilling to do so, how can one state in not talking to the Defendant whether this was the result of mental disease or defect, or assuming the opposite, just out of protecting himself, or his own interests. This, I think, is an example where we go from the sublime to the ridiculous despite the law's cold logic. What is a psychiatrist to do? Wait and see? Wait for his intuition or, even wait until the psychiatrist hears voices which tell him what the motivation of the non-cooperation of the Defendant represents?

The second part of the paper is supposed to deal with the role of the psychiatrist as an expert witness in a criminal trial. Does the psychiatrist, who in criminal proceedings, is the principal expert witness who is summoned, actually belong in the Court Room? There have been numerous suggestions that for instance a criminal trial should be bifurcated, meaning that the trial should be split up and first that the Jury should decide guilt or innocence and then the psychiatrist comes into the picture to determine whether or not the Defendant was mentally ill at the time of the offense and what disposition should be made of him; for instance whether he was or is mentally ill and should be treated in a hospital or whether or not he is and was not mentally ill and should take the consequences and punishment of the law, such as confinement in a penal institution.

Does the psychiatrist have to be identified in the mind of the public as someone hired to cheat us by testifying that the Defendant is not Guilty by Reason of Insanity? This is one of the reasons why the psychiatrist is reluctant to appear in the courtroom in a criminal proceeding. However, which is more important, there is also the fear of humiliation at the hand of the opposing lawyers and there is a certainty and the uncertainty about the psychological nature of the crime or the relevance of actual evidence and past crime. Thus, there naturally has to be a great deal of criticism of the role of the psychiatrist in the courtroom which not only comes from within but from without the psychiatric profession. I wish to make a small comment first about the so-called fear of humiliation at the hand of the lawyers, especially during cross-examination. This naturally happens very often, especially since the witness, in this case, the psychiatrist,

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is sworn in to tell the truth and nothing but the truth, but while, on the other hand, the attorney who cross-examines him just can get up, can make insinuations which absolutely have nothing to do with the facts, can later retract them, or "strike them" or be sorry that he made them, but they still stand as fact in the mind of the Jury and the Judge. I do not think this is fair and if I had my way, I also would, before the lawyer can cross-examine a prospective witness, especially an expert, have the lawyer take an oath to ask questions containing the truth and nothing but the truth, but I think this is an impossible dream and never will come to realization. For instance how I personally feel as far as the humiliation is concerned, this doesn't bother me at all because I am thinking of the old saying.

When the lion wandered through the art gallery and saw a beautiful picture of a lion being killed by a hunter, the lion just sighed and said, "Oh, if lions could only paint" and then we would have the picture from the different side and sometimes I feel the same way when I sit in the witness chair thinking. If the prospective witness, in this case myself, could only ask these questions or could make insinuations to be later retracted, there would be a different turn of events. However, the next weapon of the attorney and even the Judge is to command to answer the questions with "Yes" or "No" and without being able to further elaborate on it.

Like in every profession, the field of psychiatry also has its own Gods and other important people who, for one reason or another, are admired and their words be final. I certainly do not know how Gods are created and despite contradictions at times, remain Gods. Maybe they write too many articles or publish too much, maybe they speak too loudly, maybe they have good public relations, but nevertheless, Gods have followers and we have some of them in the psychiatric profession. But, by the way, I have learned that this also is true in the legal profession. Some of our Gods are very out-spoken and quite opinionated. Some of them believe that psychiatry should be excluded entirely from the courtroom, not just because they do not like to be disputed by colleagues which then leads to the famous battle of experts, they should not be badgered and discredited or cross-examined by attorneys or suspected of being purchaseable, but also because questions relating to guilt, competence and responsibility are moral or legal questions and not medical or psychiatric ones and Gods are very sensitive, as you very well know and they express it in no uncertain terms. One of our more famous Gods stated that we psychiatrists don't belong in the courtroom. We cannot function effectively there. It is not our professional sphere of action. We do not understand the language addressed to us nor convey what we intend to and think we do, using the language we employ. Our performance in the courtroom ritual is a continuation of what is really a fraudulent, discriminatory, undemocratic procedure, that of trying to manipulate psychiatric categories and legal sanctions for the specific benefit of selected individuals. It goes even further stating that even if we doctors cannot agree, let us disagree in private and submit majority and minority reports. This probably will not be necessary. Our differences are usually going to be on minority points. We are not going to raise legal issues like "Sanity" and "Responsibility" because we are not going to talk legal jargon nor should we talk psychiatric jargon. We should try to say in simple English why we think this man has acted in this way so different from the rest of us and what we think can be done to change his pattern. The Court will then decide if we have been persuasive and make possible, by order, what it thinks is the most promising recommendation.

I, for one, disagree with these Gods completely. It is understandable why many psychiatrists have built up undue anxieties regarding the participation in legal matters. No one relishes the provocative kind of a type of an attack upon one's ability and credibility that sometimes occurs. This is one reason why some psychiatrists prefer to avoid any contact with legal matters seeking the security of their own offices in preferences to the uncertainties, anxieties and occasional inconveniences of courtroom experiences.

While such anxiety is understandable, psychiatrists, who are unwilling to provide the legal system with their expertise, do a disservice, not only to the individual, who might be directly affected by their absence from the witness stand, but to our legal system as well as to society as a whole. The psychiatrist, who shirks testifying, may be failing an individual just at the moment that he is needed most. Moreover, whether in or out of Court, working with the Court offers an unparalleled opportunity to study human behavior as litigation of any kind represents a breakdown in social function that needs to be understood. Avoiding the courtroom is to close a door, a very important one, on the study of disturbed behavior and on the application of current knowledge to the legal and social institutions. In addition, the courtroom provides an arena to inform the public to initiate legal reforms and to influence public attitudes.

There is no doubt that several attacks that were made on psychiatric testimony are certainly justifiable. One attack concerns psychiatrists who testify for publicity sake, having the public in mind, for testimony may be so askew as not to be trusted. However as one of the pioneers of American Psychiatry used to say "When it comes to Criminal Law, psychiatrists have an urge to become a Mr. Know-it-all and a Mr. Fix-it-all." It is in this field that we psychiatrists have listened and written so much and so positively about the dynamics of human behavior and criminality that the public has finally taken us at our word and it looks, I'm sorry to say, that we psychiatrists have talked ourselves into the privilege of holding the bull by the tail. Some of this could not be prevented because psychiatry is a rather new field within the field of medicine and much progress has been made and it is therefore not surprising that the enthusiasm of some of the psychiatrists has run rampant.

However, in spite of the somewhat extreme attitudes, it definitely can be said that psychiatry has made some very important contributions within its field and there is no reason why this cannot be taken advantage of and help to solve some of the mysteries going on in the human mind. However, naturally in this connection the psychiatrist has to remember certain guidelines and has to follow them. First of all, let me say that the competent psychiatrist outside the courtroom will be a competent psychiatrist inside the courtroom. The basic fact to remember is that whenever a psychiatrist participates in Court, he participates as a psychiatrist and not as a lawyer. He is an expert witness because of his expertise in psychiatry. As an expert witness, he is permitted to express opinions. This means, in addition to reporting facts, he may know, he may draw inferences and conclusions such as for instance that, the person he is testifying about, is mentally ill. Very often, a psychiatrist will want to help in the case once he reached an opinion. This is a great mistake because the thing a psychiatrist must do at all costs, is to avoid partisanship. Basically, the psychiatrist's role is to impart medical knowledge, not to win legal victory; so when testifying, the psychiatrist should not pattern his conduct after that of the lawyer's, intent on winning the case. Rather he should present his opinion

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to the best of his ability, making clear to the Judge and the Jury the degree of certainty or uncertainty he has. The psychiatrist's impression when he is testifying, is based on the totality of his knowledge, realizing that he is only expected to present information based on his particular knowledge in the field in which he feels competent and then he certainly will not have to be concerned with a cross-examination. In viewing the interface between psychiatry and law, questions concerning the association between psychiatric illness, dangerousness, criminal responsibility, are the most frequently asked. What psychiatry can offer is the best information concerning the influences of various mental illnesses and behavior, the expected results of treatment and an advocacy of the patient's needs consistent with a responsible view of society's demands and requirements. Although the role of psychiatrist in the courtroom, especially in criminal cases, has been fairly well discussed up to now and contains most of the important points to be considered, there has been within the past ten or twenty years put, in my opinion, an undue and unfair burden on the psychiatrist in his role as an expert.

Up to that time, we were speaking of, especially in civil commitments, mentally ill persons whose thinking processes and moods were so disturbed and who experienced hallucinations and delusions and for this reason were unable to cope with the simple frustrations and requirements in life and with reality of life. This burden has now shifted, not from a mentally ill person any more, but to the concept of a person who is either dangerous to himself or dangerous to others. Dangerousness is the main requirement now for committing a person to a mental hospital, whether this danger arises out of criminal acts or of just the possibility of dangerousness. This is extremely illogical and unfair since being dangerous to himself or being dangerous to others has absolutely nothing to do with being mentally ill, because dangerousness does not imply mental illness, neither does mental illness imply dangerousness. But, unfortunately the law took over and these are the standards we have to go by, which I should mention again are extremely unfair to the psychiatrist and yet the great part of information sought by the Court involves prediction of being dangerous to himself or to others. The more I consider this problem, the more it disturbs me. Are mentally ill likely to be any more dangerous than angry, bitter, disillusioned or disappointed persons? In fact we have good evidence to suggest that the mentally ill persons are perhaps less dangerous than the so called normal people. When one reflects on the rate of violence in this and many other countries during the past decades, it becomes apparent that the majority of capital crimes, serious assaults and crime against property are committed by persons who are not thought to be mentally ill. It certainly would be helpful, as the law assumes it could be, if some member of society including the members of our esteemed legal profession could identify who will kill, rape or burn, but at present this is not possible. In many areas, particularly those involving the psychiatrist, the legal process seeks the prediction of future events, rather than a determination of who did what at some time in the past. In child custody cases, for instance, a judgment is based on the best interests of the child which looks to the future. In divorce cases, based on the breakdown of the marriage, a prediction is made as to the reconcilability of the partners. In criminal law administration, the prediction is sought of the likelihood that the offender will commit another crime and a judgment as to the seriousness of the potential crime.

Any person can become dangerous at some time, either positively or negatively. That is, either what he does do or what he does not

do, may result in harm to others. There are no absolutes in the prediction of human behavior. The psychiatrist or other social scientist is not a computer than can calculate the behavior or trends as they relate to each other, projecting them into the future. Even statistical results tell us nothing about the single instance and it is a single case with which the trial deals. The human situation is open. All the perimeters are neither fixed nor known. Hence, there is a fallibility in prediction. There is little truth for the belief that there are iron laws of history or that we know them well enough to project them with any great reliability. Most turning points of history, great and small, were a surprise both to the participants and the analysts of the day.

Predictions regarding dangerousness in mentally ill persons are notoriously unreliable and most observers who have done work on this subject to test predictions of dangerousness came out quite inaccurate. Persons not mentally ill may be dangerous, but this prediction in them, is no more accurate or reliable than it is in the mentally ill. Mental illness simply adds another factor. Thus again, I have to mention that this is a very unfair charge given to the psychiatrist to make determination at this time. What is even more unfair, is the fact that very often lawyers questioning a psychiatrist during Court procedures are saying "You know what is wrong, you know what the patient is thinking about or what he will do under various circumstances." This implied assumption is that if the psychiatrist does not give definite answers, he is just plain ignorant and when the questioner is belligerent and the psychiatrist witness is cautious, the stage is set for strong feelings that will impede rather than enhance communication between the two professions. Just to mention the fact that collaboration between law and psychiatry is not always easy, particularly when dangerousness is an issue, the price of the failure to collaborate is quite dreadful. Several years ago, for instance, there was a very famous case when pressure began to build for non-hospitalization of mentally ill patients, unless they had actually committed an illegal act. At this particular time, a very famous alumni of one of our noted colleges became psychotic while visiting another city and was taken to a public hospital for treatment. However, she was refused admittance on the grounds that she looked all right and had done no harm to anyone. Having no place to go, she just wandered around the down town area near the railroad station. What happened could almost have been expected. She was found in a garage within a few hundred yards of the station, cut to pieces by an unknown assailant. It certainly was dangerous for her to be around even though she would not have been dangerous to herself.

Another point are the newer laws regarding the right to treatment and the right to refuse treatment. Now we know that psychiatry has made great progress in the last twenty or thirty years and the best place for a person who is mentally ill is to be in a hospital and to be treated, so that his original health can be restored. But unfortunately, again one has to be dangerous to himself or to others, which is only part of the total personality, before proper treatment can be given and instituted and who is in a better way to judge who needs treatment than the treating physician and certainly not the patient, the lawyers, the guardians, the do-gooders or the sensationalists. Treatment is adequate and effective if it only helps a certain percent of patients and if we can treat only five out of one hundred people with certain illness, we have done a good job, as for instance in cancer. In some cases, it goes even as far as eighty to ninety percent. And naturally, the right to refuse treatment is one of the greatest

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ironies. What is the reason for somebody to go to the hospital for treatment and then all of a sudden, decides, especially in his disturbed mind, to refuse to accept the treatment? What does it do good and what practical purpose has it, to commit a patient, who is mentally ill to the hospital for treatment and then if we can't treat the patient sent to the hospital, why bother? Why not just have the Courts return to the old practice of throwing patients back into jail as it was done two hundred years ago? The fuss that has been made regarding medication, electric shock treatment, lobotomies and mind-altering drugs is just humbug. It was invented by sensationalists who do not even know what the treatment is or about and who, in all probability, even when offered, have not carried it through according to directions and those are the people who tell us what is needed, what is adequate, what is effective and what is humane. The purpose of treatment in psychiatry is to remove the illness and to restore the patient to his previous, pre-morbid personality and health. The psychiatrist cannot alter the mind of the patient, just as the eye doctor, who treats an eye infection can remove the infection from the eye, but cannot change the color of the eyes and to be facetious about the refusal of treatment, how would the Honorable Judge feel if, after a fair trial, a Defendant is found guilty through "Justice" and naturally time in prison is also considered a treatment or "rehabilitation," but the Defendant gets up and tells the Judge that "You have been fair to me, that I had a fair trial, that I did what I did, but I refuse to accept the treatment, since this is 'Justice' and I have the 'Constitutional right' to refuse it." Can this ever happen and how would the Honorable legal profession feel about it?

There are many more points which could be considered under the charges given to me in the paper, but unfortunately time does not allow this. However, law and psychiatry can cooperate well together and should and years ago, we tried to do this, but unfortunately social psychiatry and social reform in law became more promising and what we tried to do which, in my opinion, would have been extremely helpful, was just thrown by the wayside. ●

## FEDERAL EXECUTIVE INSTITUTE 10TH ANNIVERSARY ASSEMBLY ADDRESS BY JOE BARTLETT

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. GILMAN. Mr. Speaker, I take this time to congratulate the Federal Executive Institute on the occasion of its 10th anniversary, and to commend Director Tom Murphy and his associates on their splendid contribution to promoting good Government through the development of better Government executives.

The Federal Executive Institute marked this milestone with a reunion of alumni and faculty at the Charlottesville campus, featuring a series of seminars updating subjects of professional concern.

When I learned that my good friend, our clerk to the minority, Joe Bartlett, had been invited to make the keynote address to this distinguished assembly, I asked him if I might submit his remarks for the RECORD so that our colleagues could share his thought. With his

permission, his excellent address appears below.

You will note some personal references to several of the popular personalities at FEI, but I believe you will be duly impressed by the message he brought to this occasion, his expressions of appreciation for the values of the Federal Executive Institute, his appeal for the noblest performance in public service, the inspiring example of his own ideals with respect to the public trust.

Joe is now the "dean" of legislative attachés here in the House, having begun his unusual service as a page in 1941. Except for two brief tours with his beloved Marine Corps (in which he has attained the rank of general), Joe has worked right here in this Chamber ever since. He has served some 2,000 Members of Congress in this time, and has watched five of them become President of the United States.

One marvels how, after all these years, Joe could still be so enthusiastic about this business. But that is Joe Bartlett. And here, for your interest, is his message:

#### ADDRESS BY JOE BARTLETT

Thank you, Madam President Anita (Alpern).

Distinguished Directors, Eminent faculty, Honored guests. My dear friends and valued associates of the Alumni.

It is indeed an honor to be asked to be your spokesman on this auspicious occasion of the Tenth Anniversary of our beloved "Alma Mater", the Federal Executive Institute.

As the assignment approached, I became increasingly aware that it was more of a challenge and a responsibility than I had reckoned. That is why I sought out many of you to inquire what you expected; what you wanted of me on this occasion. And you have been very helpful. So, while the words may be mine, the message may be yours. And I hope they are both adequate to the occasion.

At the time I accepted your very kind invitation, I had no idea that it would be my final official act as a member of your Board of Directors, but so it is.

This does give me an opportunity that I welcome to pay my respects to your Alumni President, Anita Alpern, and to the other outstanding members of your elected governing Board. I can tell you they do a great and unselfish service in your behalf, of which most of us are hardly aware. In praise of Anita Alpern, I cannot say enough.

What a beautiful person! What a magnificent human being she is! She is a real credit to the Federal Executive Corps, and to your judgment in selecting a leader of the association. I do hope you will take the occasion of this reunion to extend a warm hand clasp of gratitude to each member of the Board, and especially to Anita, to say "thank you; thank you for the hours you devote to our common interests." That is the only reward they will ever get, and it will be worth it just to watch their faces light up, or blush, with unaccustomed attention.

My toughest assignment, I believe, is to try to express your appreciation to the three men who are most responsible for the course of events that brings us to this tenth anniversary celebration. I refer, of course, to the three distinguished gentlemen who have directed the affairs of this institution during the past decade. Renown educators, pre-eminent public administrators, inspiring leaders, and cherished friends all: I salute, on behalf of all alumni, our founding Director, Frank Sherwood; followed for some

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five years by the inimitable former Director, Chet Newland; and our present, great Director, Tom Murphy. We thank you from the bottom of our hearts, for making all this possible.

They would be the first to want to share this gratitude and admiration and affection with the members of the faculty, and so I turn my salute to you, the members of the faculty, knowing that there is no way I could possibly express the moving sentiments within the hearts of some 3,000 alumni, who will be forever indebted to you for enriching their lives through your facilitations and friendship. God bless you everyone!

For those who have not had an FEI experience, it is almost impossible for them to comprehend why we cherish it so much. They cannot understand how men and women who have already been through 16 to 20 or more years of formal education, could find a few weeks of informal seminars down here at Charlottesville so gratifying. Like a story that is hard to translate: "You just had to be there!"

But each of us can attest that this is a marvelous vehicle for executive development. It makes us wonder how they ever got along without it. Surely the Federal Executive Institute will stand as one of the most valuable and enduring legacies of the President Lyndon Johnson administration. Its direct contribution to better government will have redoubling benefits into the infinite reaches of time and circumstance. For every person who comes here as a student, goes back a teacher and a believer, and the endless rippling effect of that is incalculable.

We know that one of the keys to the success of FEI is the "non-threatening" environment cultivated and carefully preserved here. Where else, but at FEI, could a group of top government executives get together in a pleasant and casual setting, away from their official responsibilities—and away from those who daily compete with them—where they can really feel free to test bold new ideas—or tired old ideas—against a brain-bank of contemporaries of similar high accomplishment? All of this, in the presence of eminent faculty who stimulate the exchange with the latest techniques from the academic community, and who skillfully "facilitate" the discourse so there will be no inhibition of expression. And they are so good at it! You would never have guessed that Jai Johnson did not agree with everything I said!

One of the great benefits of FEI (and I am sure it is not unlearned) is that you get to know yourself better. As your ideas and reasonings are contrasted with others, it has got to be self-revealing. And if that is not enough, a session with Doctor Tom Gates makes you feel psychologically denuded! That is not a bad place to start a project of self-improvement, is it?

Another great benefit is that you get to know others in contemporary roles throughout government. There were always those areas of government you regarded as fearsome or contemptuous, that after getting to know a real, live person involved in that activity, and finding that his problems and interests were not at all unlike your own, it made all of government seem a little closer, a little more familiar, and a little more human.

But one of the greatest things about FEI, is that you can always come home. The latch string is always out to an alumnus. What a satisfaction it is to know that you can repair to this comfortable campus, and know that you will receive a cordial welcome. And that if you have ideas you need to share, or problems you need to resolve, you will find old friends here who will give you their patient and sincere consideration, and their knowledgeable and constructive counsel. That is really what "Alma Mater" means! What a priceless resource this is for all of us!

The Federal Executive Institute is a veritable well-spring of new and imaginative ideas for better public administration. It is an invaluable touchstone for sharpening the best professional concepts of government. This creates thinking, innovative executives. Now that could never be tolerated in an authoritarian government. And, as a matter of fact, there may be authoritarian minds not too far from here who do not find it too comfortable. But we happen to think it is great, don't we?

But these are not the best of times. Even those in government service who know there is something valuable to be gained here at Charlottesville, are reluctant to leave the security of their desks in Washington for the seven week term. There has been an understandable paranoia among Federal executives during this time of transitions.

Regrettably, it has been necessary to redefine the qualifications for FEI in order to fill the classes. And we all know that the longer you stretch the band, the less give and take there is. That "non-threatening" environment may be threatened.

Nationally, the recent past has been a period when it has been popular among politicians to run against the Washington establishment; to exploit the unpopularity of government; to denigrate and ridicule every hapless civil servant.

This scorn has taken a heavy toll on moral, and on production, and on dedication in government service, as you know better than anyone.

And this scorn has fostered the very conditions that spawn corruption, because people—even government workers—are inclined to live up to—or down to—whatever is expected of them.

Some time ago I heard a story about a particularly contrary missile down at Cape Canaveral. It had frustrated every effort to get it off the pad. A visiting congressman was told the missile had been nicknamed "Civil Servant", because "it wouldn't work, and it couldn't be fired."

Three years ago, before my FEI experience, I would not only have enjoyed that joke, I would have believed it!

But I got to know some mighty fine folks here, and I know that there is integrity and devotion and competence among Federal executives, just as there is in the Legislative Branch. And in just about the same measure!

And these are not the best of times for either. Both are institutions representative of the society of our time. And society as a whole should pause to reflect on that truth, if they but would.

In that vein, I have been asked to comment on the subject of the "whistle blowers": those who go public with reports of alleged improprieties within their official activities. I am not an authority, nor do I claim any particular wisdom on this subject. However, it does seem to me that a situation that comes to this, stands as an indictment of the methods of management that did not provide for the expressions of dissatisfactions before they took the proportions of scandal. It seems most unlikely that such a debacle would ever befall anyone who learned his lessons well here at FEI, because so much of our doctrine is based upon maintaining open communication. Nonetheless, a point not to be forgotten, by the whistler, or the "whistle", is the old riverboat truism: "that the steam that blows the whistle, never turns the wheel!"

I do not mean to make light of malfeasance in office. Verily, I detest and abhor it. But I resent the massive class guilt-by-association we have witnessed of late.

We have heard so much about "white collar crime" the public is starting to look askance at anyone caught wearing a white shirt.

Between that, and the TV commercial that taunts "ring around the collar!", our whole life style is being warped!

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Look around and see how few are wearing white shirts here today. And aren't they the ones with the beady eyes!

Speaking of "ring around the collar" reminds me of an incident that might serve very well as a parable at this point.

Back in my home town (as in many other home towns) some fifty years ago, there was a group that appointed itself to be the conscience of the community regarding certain "disapproved" conduct with which the established law could not, or would not, deal.

Now in this town (as in most towns) there was one notorious rake whose intemperate and immoral conduct could not long escape the attention of this self-righteous band.

So, one afternoon they drove up to where he was standing on the curb in front of the Court House, and two burly vigilantes silently sandwiched him between them, and into the back seat of this big, old touring sedan, and they took off down Main Street.

They did not speak and they did not stop until a few miles out of town they arrived at a wide bend in the river, which in the summer season was a favorite swimming hole known as Willow Beach.

They marched their terrified prisoner to the shade of a majestic sycamore tree, and they pointed to a huge limb that hung over the bank. A limb the swimmers found perfect for swinging (no pun intended).

"See that limb?" they pointed. "Well, if you don't quit neglecting your children . . . And quit cheating on your good wife . . . And quit drinking up all your pay . . . And quit running around with evil women . . . If you don't mend your ways from this day forth . . . You are going to choke your last breath hanging by a rope from that very limb . . . And that is a promise you can count on, brother!"

With that they put the trembling reprobate back in the car and returned him to the Court House plaza.

And do you know what that man did the very first thing next morning? He took his saw . . . and he went out to Willow Beach . . . and he cut off that limb!

Now, the moral of that immoral story is that for the person intent upon doing mischief, there is no accounting for his imagination and resourcefulness in attempting to evade the consequences!

But let us not turn the vigilantes loose on everyone wearing a white collar. Let us save our specific scorn for those rotten-hearted scoundrels who would corrupt their public trust.

For a public office is still a public trust. And I agree that there should be special statutes, and the severest penalties, dealing with any perfidy in public office.

Indeed, in a democratic society such as ours, a public office is more. It is a sacred trust. And I hope there is an especially hot place in hades for those who would willfully betray the precious trust of their fellowman.

But how long are we going to suffer the slings and arrows of outrageous fortune upon those good men and women, without number, who continue to perform faithfully and well in the public service?

A while longer, I am afraid. For those to whom faithful public service is not its own reward, I hope they will be content to wait to get their reward in heaven.

For here on earth, they dare not expect too much gratitude. Let me read to you from an interesting congressional document. From the Committee on Reform in the Civil Service, a report on H.R. 1884, which reads:

"The bill provides for the voluntary retirement upon three-fourths pay for life of all persons who have been employed in the civil service forty-five years continuously, and upon two-thirds pay of all who have served thirty-eight years; also, that in the discretion of the head of any Department under which any person has served thirty years, such person, if incompetent to efficiently perform the duties of his position by reason

of sickness, injury, or old age, may be retired for life upon half-pay."

Those were the provisions of the bill. And this is what the Committee had to say about those provisions:

"The passage of this bill would probably lead ultimately to the building up of a burdensome civil pension list unnecessary to the good of the service and unjust to those who bear the burdens of government. The established pay of the employees is supposed to be adequate compensation for the labor exacted of them. It should be so. It seems to be sufficient to secure efficiency and faithfulness in the service as far as compensation can do this.

"The Committee recommends that the bill do not pass and that the same lie on the table."

Before you get too upset, let me point out that was a report dated February 7, 1888. Unfortunately, there is some of that thinking still around!

That document was one I found rummaging through the underground catacombs of the Capitol many years ago. I came across it recently and thought it might amuse you on this occasion. Following this program I plan to present it to Director Tom Murphy to keep here at FEI to remind us that things aren't as bad as they once were!

Indeed, these aren't the worst of times at all.

No matter what you may think of the recent reform legislation—and I am sorry I could not possibly include all your suggestions in addressing myself to that!—one thing it certainly does: it gives the Civil Service a new start—a new beginning!

The country has been led to believe this new law is the answer to all the faults of government service. Perhaps that creates dangerous expectations. But it is a challenge to each of us to try to live up to those expectations.

This is a new opportunity before us, to try to restore some public confidence in the public service.

If by so doing, we can remove some of the unjust stigma attached to all civil servants by reckless castigations; if we can use these reforms as a vehicle to regain some of the prestige and respect for those in government service; then I am sure we will all rejoice in this new day.

Those of us who have been privileged to attain some degree of status in government service must never forget that if we want to be respected, we must not fail to give respect; If we expect cooperation from others, we must gladly extend our cooperation; If we covet loyalty, we must earn it by tendering our loyalty.

These invaluable characteristics of ideal interrelations, cannot be exacted. They can only be exchanged. And we will most assuredly reap . . . as we have sown. (Thus endeth the reading of the text from the third chapter of the book of St. Patrick Conklin!)

At this tenth anniversary of this great institution, we have a particularly propitious opportunity for rededication. And I hope we will take this opportunity to rededicate ourselves to all the worthy principles we have come to appreciate here at FEI; to all that is good and noble in the public service; and to a determination to keep alive all the good influences of FEI, that they may be as meaningful and as enriching in the lives and careers of those to follow, as they have been to us. As an alumni legacy, we could not devote ourselves to a more worthy purpose.

Grateful as we are, proud as we might be, I have cautioned about any elitist tendencies on the part of FEI grads. We have enough problems with insecure folks who, out of envy or ignorance, hold every alumnus somewhat suspect.

But the companion of every opportunity is obligation.

And ours is an obligation to use this priceless experience to better serve our Country.

## EXTENSIONS OF REMARKS

Remembering always, that our "Country" is, in reality, her people. And that modern technology is rapidly, regrettably, de-personalizing our democratic interactions. In too many instances, a computer is replacing the heart of government.

In this situation, it behooves us to cling to a realization that we are servants of a very personal government, and that devoid of that personal relationship, our republic will have lost its very validity!

Our republic calls for the best in all men and women. My Session No. 33 classmates will understand, if I close with Josiah Gilbert Holland's familiar prayer:

"God, give us men a time like this demands, Strong minds, great hearts, true faith, and ready hands.

Men whom the lust for office does not kill.

Men whom the spoils of office cannot buy.

Men who possess opinions, and a will.

Men who have honor. Men who will not lie.

Men who can stand before a demagogue, and damn his treacherous flatteries, without winking!

Tall men, sun-crowned, who live above the fog.

In public duty . . . and in private thinking."

Do you know what Chong Pak said to that?

He said "Sounds to me like a perfect description of an FEI grad!" ●

## OPPOSITION TO A PROVISION IN H.R. 7577

### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● **Mr. GOODLING.** Mr. Speaker, I did not sign the conference report on H.R. 7577, the Economic Opportunity and Community Services Amendments of 1978, because of a decision made by the conferees on one provision. In the House-passed bill we terminated the National Advisory Council on Economic Opportunity effective 60 days after the end of the next fiscal year. We also limited the amount of funding for this council to \$175,000 per year. The House conferees not only did not stick by the House position, but accepted a figure considerably higher than this amount.

My reason for opposing the council was that it had done little to justify its existence. I felt that their budget of \$300,000 per year did not justify what the council did. I was also concerned that this council, whose primary responsibility is to turn out a 60-page annual report spends \$300,000 per year. To put in perspective what \$300,000 per year is—75 percent of the CSA grantees receive less than \$300,000 each year. There are approximately 940 CSA grantees and 700 receive less than \$300,000 per year. I think that this type of expenditure is ridiculous.

The think what upset me more than anything was the number of staff that they have to turn out this report. Last September when I first objected they had 5 full-time employees and their salaries were: GS-15, step 7, \$43,407; GS-14, step 4, \$33,825; GS-11, step 4, \$20,085; GS-11 step 4, \$20,085; and GS-8, step 3, \$14,572.

Taking the salaries and the office budget, the report that the council puts out came to \$5,000 per page. In the Minority Views I pointed out how outrageous the staff salaries are. Let me point out here the comparison of their salaries and responsibilities to personnel working in the Office of Education in programs authorized by our committee. The OE grade levels are comparable but the OE personnel responsibilities are far in excess of the council staff.

First. In the Office of Education a GS-15 had day-to-day responsibility for the ESEA title I program which has an appropriation of \$1,721,000,000;

Second. The division director in charge of the vocational education program which has a yearly appropriation of \$535 million is a GS-15;

Third. Programs for migratory children under title I of ESEA which has a budget of \$131 million has a GS-15 responsible for day to day operations;

Fourth. A GS-15 is the division director who heads the impact aid program in the Office of Education with an annual appropriation of \$768 million.

When you compare these budgets and the responsibilities to those of the staff director of the Advisory Council, it is difficult, if not impossible to understand let alone justify the need for such a position or the high grade level. The No. 2 person on the staff of the council is a GS-14. Again to compare with OE, there are many GS-14's with day to day responsibilities for programs in the Office of Education which have budgets of millions of dollars. GS-14's and GS-15's are usually considered management positions and it is certainly questionable as to why such grade levels are remotely needed to serve this council.

Every Member of Congress complains about not having enough staff. You all know that each office receives \$250,000 for salaries with which Members can hire a maximum of 18 people. That money covers staff for both the Washington and district offices. That includes administrative assistants, legislative assistants, caseworkers, secretaries and press personnel. Our staff works on thousands and thousands of constituent problems and produce thousands and thousands of letters per year. They get involved in every conceivable matter from poverty and education to agriculture and defense, including such issues as abortion, gun control and unemployment.

You know what the Advisory Council pays the people on their staff for the work they do and the amount of work they produce. When you compare your office staff, the work it does and the number of people working at the council and what it does and the money they get and the work they do, you can understand why I felt that the budget was excessive.

I tried to point all of the problems out to the conferees but the Senate apparently could not care less for substantive information and turned a deaf ear. I think this is a poor way to legislate. I think that the facts and figures that I produced clearly showed that the council was not needed, that their budget was

## EXTENSIONS OF REMARKS

excessive and although there are many fine people serving on the Council, they and their talents could be utilized by the administration and the Congress in other ways without this current expense.

I was certainly disappointed by my House colleagues with whom I and my staff had worked so cooperatively to reconcile other matters in this bill.

Finally, Mr. Speaker, I think that the Democrat Members clearly let their President down on this issue. President Carter claims to want to remove waste from Government and now many people seem to be jumping on the bandwagon. Here was a perfect opportunity to do so, but when push came to shove, they voted to continue the waste. Mr. Speaker, now that the conferees have decided to keep this council which they feel is so important, I will continue to watch it carefully to see if there are any meaningful changes in its operation. Most important, I will watch very carefully to see how they reduce their budget and operating expenses.●

## REDUCING GOVERNMENT OVERREGULATION

## HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. BROWN of Ohio. Mr. Speaker, on September 25, 1978, I introduced legislation designed to lift the heavy burden of Federal regulation, which reduces productivity, increases costs of doing business, fuels the fires of inflation, and generally exasperates businesses and individuals alike. H.R. 14165, "the Regulatory Cost Reduction Act of 1978," deals with the broad scope of regulatory costs. Specifically, it requires the President to submit recommendations to Congress for reducing by 5 percent per year, for 5 years, the compliance costs imposed on society by Federal regulations. H.R. 14166, "The Regulatory Conflicts Elimination Act of 1978," is aimed at eliminating or resolving duplicating or conflicting Federal regulations. These contradictory regulations put businessmen between the rock and the hard place, where complying with one regulation requires violating another regulation. Yes, it does happen.

Mr. Speaker, today I am introducing two more bills to round out this regulatory reduction package.

The first, "The Regulatory Budget Act of 1978," would amend the Congressional Budget Act of 1974 to require the Congress to establish a regulatory budget, along with an administrative budget, which sets for each agency or department the maximum costs of compliance with rules and regulations promulgated by that agency or department. The bill, each year, forces the President and Congress to put a cap on the costs each agency could impose on the private sector, similar to ceilings imposed on the costs of administering the agencies. If nothing else, it would force agencies to choose the least costly way to achieve regulatory goals.

The second bill, "The Independent Agencies Regulatory Improvements Act of 1978," would bring the independent agencies under the provisions of Executive order 12044, issued March 23, 1978. That order directs executive agencies to improve existing and future regulations. It calls for an analysis of new major regulations, including a study of economic consequences for the general economy, for individual industries, for geographical regions or for levels of Government. Regulations requiring analysis are those which result in: First, an annual effect on the economy of \$100 million or more; or second, a major increase in costs or prices for individual industries or geographic regions. In general, the Executive order calls for greater clarity of language, increased oversight, early warning announcements to the public, and opportunities for public involvement and comment.

However, when Executive Order 12044 was issued, 16 independent agencies were exempted from its provisions for constitutional reasons. My bill would bring them into line in their regulatory procedures without relinquishing any congressional authority to the President.

The above four bills comprise a comprehensive package for lightening the heavy hand of Federal regulation, which is a literal drag on our economy. Simply put, Government regulation is a major cause of our current inflation and is a stifling influence on economic growth.

Congress and OMB do quite a good job of assessing the direct Federal cost of administering the regulatory agencies, but when it comes to assessing the costs imposed on society to comply with those Federal regulations, that is another matter. We are groping in the dark, and hurting the economy in the process. It is time we corrected this problem. The bills I am introducing today and the bills I introduced on September 25, will go a long way toward doing just that.

Senator LLOYD BENTSEN of Texas is introducing identical legislation in the Senate.●

## TRIBUTE TO ROBERT KRUEGER

## HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROYBAL. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to BOB KRUEGER who is retiring at the end of the 95th Congress. We have been fortunate to have Bob as a colleague and to benefit from his exceptional legislative skills. During his tenure in Congress, Bob has served his constituents of Texas' 21st district with dedication and distinction. While he will be missed by all of us who had the pleasure to know and work with him, he will be remembered for his outstanding work here in the House.

I want to take this opportunity to extend my personal best wishes to Bob for every success in the future.●

October 11, 1978

## "FUNNY BUSINESS" WITH PUBLIC MONEY

## HON. ROBERT K. DORAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. DORAN. Mr. Speaker, one of the amendments I offered to H.R. 12370 would have limited funding for 1 year at last year's level. I offered this because of a number of title X abuses. As anyone can see by the Pittsburgh Press article, there is some "funny business" going on with this public money. Especially interesting is the use of tax money to settle a private power squabble. It is for this and other reasons that I will ask my colleagues to join my call for a Government Accounting Office investigation of title X funding practices.

The article follows:

[From the Pittsburgh Press, Oct. 8, 1978]  
WELFARE AGENCY FEUDING COSTS \$200,000

(By Kathy Kiely)

Those who care for the poor can sometimes afford a few luxuries.

In the budget of the Western Pennsylvania Family Planning Council, alleviating "personality conflicts" among top administrators has a high priority. Over the past few months, the government-subsidized agency, which is designed to provide medical services to the needy, has spent nearly \$200,000 to quell bureaucratic feuding.

Once considered a model agency in a nationwide program to make birth control counseling and gynecological care available to those who could not afford a private physician, the local council recently has been torn by staff dissension and threatened with cut-offs of more than \$2 million in federal funds.

Resolving the problems has been expensive.

There have been luncheons at Downtown restaurants for the council's board of directors and there was a weekend "retreat" at a local motel for staff members and their families.

And, to appease officials at the U.S. Department of Health, Education and Welfare, the council recently bought out the lucrative contract of the man who served as its executive director since 1971.

Employees of the agency say they have been pressured to remain silent and their superiors are reluctant to comment to reporters about the council's troubles—especially about the cost of the measures they have taken to eliminate them.

But documents obtained by The Press indicate they could add up to a quarter-million dollars.

The crisis at the family planning council revolves around LuGene Bray Jr., who headed the agency from its inception in 1971 until two weeks ago.

That was when Bray resigned, ostensibly to "go into health management consultation."

The announcement was made amidst a flurry of praise from fellow administrators, who hailed Bray for developing "one of the most effective family planning units in the nation."

But the parting of the ways was not as amicable as it was made out to be. Council administrators and directors confirmed late last week that Bray was forced out of his job. And they admit the maneuver will cost the health care agency more than \$180,000.

That's the highest figure the officials will quote when asked about the value of the settlement they made with Bray, who had four years of a five-year contract left to run with the council.

The settlement, which precludes either side from suing the other and provides that Bray's personnel file will be sealed, includes a \$100,000 cash award and \$80,000 worth of insurance, according to HEW administrator Louis Belmonte.

There are additional benefits included in the package, Belmonte conceded, but neither he nor local council officials would give it an exact dollar figure.

But sources who were present at an Aug. 28 board of directors meeting where Bray's resignation was accepted and the terms of the settlement outlined, say it could cost the council as much as \$250,000 to buy out the contract they made with Bray little more than a year before.

Under the terms of the five-year agreement that went into effect in June 1977, Bray was to receive \$46,500 a year, reported Belmonte, who said HEW voiced strong objections to the salary level at the time.

In addition, the council paid an \$11,000 premium on a life insurance policy for Bray and provided a number of other benefits, including Blue Cross-Blue Shield coverage.

Though the terms of that contract became a bone of contention between HEW and the council, they were not the primary reason for Bray's ouster, Belmonte told The Press.

A number of sources identified Belmonte as a prime engineer of Bray's dismissal and the HEW administrator, who described himself as "holding the pursestrings" of the council, confirmed he made it clear that "had he (Bray) not been removed, the council was in danger of losing its funds."

A correspondence file also reveals that Belmonte reiterated that threat a number of times during the summer in letters to council officials.

While Belmonte denied charges he was carrying out a vendetta against Bray, he told The Press: "Gene and I had a sort of Dr. Jekyll-Mr. Hyde relationship."

That relationship had gone steadily downhill over the past year and a half, added Belmonte, who indicated that Bray and he haggled frequently over how various funds should be allocated.

Other sources at the council said Bray had been accused of favoritism in his management of the 37 clinics operated by the 23-county agency. They said he seemed to spend more money on facilities that were operated by staffers with whom he was particularly friendly.

While declining to give details or names, Belmonte insisted he had received numerous complaints about Bray's "autocratic" attitude from council staff members and medical personnel who worked at family planning clinics.

Complaints also reached the council's board of directors and early last June they asked Bray to take an extended "vacation" while an investigation was launched into his stewardship of the program.

The probe was two-pronged—and it was costly.

In a proposal that the council executive committee eventually accepted, the accounting firm of Coopers and Lybrand estimated it would cost between \$13,000 and \$14,500 for them to perform an audit of the program.

At the same time, the executive committee retained a Washington, Pa., legal firm to investigate Bray's management of the agency at \$75 per hour. Figures for the final billing were not available, but a staff member who claims to have seen the firm's August bill said one month's charges totaled \$12,997.

When the investigations were completed in late August, the lawyers told the council directors it would be more legally advisable to ease Bray out of office with a financial settlement rather than to fire him outright, said Belmonte, who nevertheless insisted the council had amassed enough evidence to win a court case if Bray sued for breach of contract.

Reached at his South Negley Avenue home,

## EXTENSIONS OF REMARKS

Bray refused to talk about the settlement, which even his allies at the council privately term "a sellout."

They say that in their support of him they resisted intensive—and expensive—lobbying efforts by other officials of the council.

The council hosted an overnight seminar for staff members at the Marriott Inn in Green Tree the weekend of June 23 and one staff member who attended described it as a "brainwash meeting."

The source said the council paid for meals and accommodations for "50-60" staff members and their families.

Belmonte defended the expenses the agency has incurred during the crisis that led to Bray's dismissal. He maintained no taxpayer's money was used, but later admitted the government might "indirectly" have underwritten the settlement, or the investigations leading up to it.

The Western Pennsylvania Family Planning Council's \$45 million budget for this year is largely made up of state and federal subsidies. Even the \$600,000 collected from patients on a sliding fee schedule is largely from Medicaid funds, Belmonte said.

The settlement money and related expenses would be covered by a \$500,000 surplus carried over from previous years' budgets, said Belmonte, who admitted under questioning that the fund might include government subsidy money that hadn't been spent.

But the money spent helping the health agency's administrators to settle their differences was well worth it because the clinics were able to continue operating without disruption of services, maintained Belmonte.

"It's the patient we really care most about," he said. ■

## AMERICA'S OBLIGATION—IT IS TIME FOR ACTION IN LEBANON

### HON. HAROLD C. HOLLENBECK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. HOLLENBECK. Mr. Speaker, there are many members of the Syrian Orthodox Church in my district—members of the same church as the Christians in Beirut. Mr. and Mrs. Peter Dartley and Mr. and Mrs. Eli Shabo, of my district, were here yesterday representing them. Their request was simple. They want us to allow their fellow church members in Lebanon to enter the United States to escape the death and destruction in Lebanon. I think we have an obligation to help these people. They are being killed and wounded, their houses are being destroyed and their lives are being shattered. There have already been more people killed in the Lebanese Civil War than in all the Arab-Israeli wars combined. It is time we did something to prevent some of that killing. Americans have always been proud of our reputation for helping those who need help. Now we have to show the world that we still deserve that reputation. For my part, I am working to extend the temporary visas for 120 Lebanese Christians already in my district. I intend to introduce this legislation in the House in the next Congress. There are other options open to us, but we must make a decision and take action soon. Every second we delay results in more deaths and destruction for the people of Lebanon's Christian community. We must not allow that death and de-

struction to continue. If we do, the shame is ours. ■

## ON PROFANING CHRISTIANITY

### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. DORNAN. Mr. Speaker, the fundamental principle of Christianity is the love of God. The Divine Commandment is simple: Do unto others as you would have them do unto you. We are further reminded: That which you do to the least of My brethren, that you do unto Me. The message of Christ transcended the earthly trappings of the civil power. He simply said: Render to Caesar those things which properly belong to Caesar and to God those things which are His. That is a simple command. It is clear and straightforward. It is Caesar, however, who contests the rights of men, rights that would not even exist if God did not give them. And it is Caesar who has created a totalitarian hell on Earth for millions whose only crime is their simple attempt to exercise the primal right of human existence: Free will.

The sad truth is that there are those who employ the Christian name for purposes which are quite the opposite authorized by the Founder of Christianity. Anger and outrage are reasonably expected when coming upon such a profane misrepresentation. But, I confess, Mr. Speaker, I can only express sadness.

I am saddened by the fact that a man who professes to be a follower of the Gospel could justify one of the most ruthless totalitarian regimes in the history of the world. What of love? The least of our brethren? I have no more to say on the subject. But I ask that my colleagues pause from their busy schedules and examine the following piece by Mr. John Lofton in the October 9, 1978 edition of Monday magazine.

The material follows:

PROFESSOR OF CHRISTIANITY DEFENDS MAO'S MASS MURDERS

(By John D. Lofton, Jr.)

WASHINGTON.—Looking over his background, you wouldn't think that Creighton Lacy would see eye-to-eye with Mao Tse-tung on anything. Mao was a bloodthirsty, atheistic tyrant who believed that "a revolution is not a dinner party" but "an insurrection, an act of violence by which one class overthrows another." Under the brutally oppressive regime of the late Communist Chinese dictator, millions of so-called "enemies of the people" were put to death. One estimate of these killings ranges as high as 62 million people.

On the other hand, since 1953, Creighton Lacy has taught at Duke University's Divinity School, where today he is a professor of world Christianity. Born in central China, he is a Christian, and from 1946 to 1951 was a missionary to China. Lacy is a Phi Beta Kappa, an ordained elder in the United Methodist Church, a former Fulbright grantee, and was a Danforth visiting professor of philosophy at the International Christian University in Tokyo. He is also a member of the Society of Values in Higher Education and the American Society of Missiology.

But Creighton Lacy and Mao Tse-tung have quite a bit in common. In fact, Lacy believes that mass-murderer Mao "has left a legacy

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that the world as well as China will continue to honor." In a new book reporting on his 18-day trip to Red China in 1977, titled "Coming Home to China," he addresses himself to some "popular misconceptions" about Mainland China, specifically the idea that the communists murdered millions of people. In this small paperback volume—printed, incredibly, by Westminster Press, the official publishing agency of the United Presbyterian Church—Lacy writes:

"How many people died as a result of the Communist Revolution in China? Nobody knows or will ever know . . . I would guess, from extensive reading and weighing of authorities, that five million would be a top figure, probably far fewer than that . . .

"The real issue is not 'how many?' but 'what price for the Revolution?' I happen to be a semi-pacifist (which may be like being 'partiv pregnant'; I wouldn't know). I find it difficult to justify the use of deliberate, destructive, deadly violence for any cause . . .

"Nevertheless, after 'going home to China' and seeing the overall advancement of the country and its people over the past 30 years, I can only conclude that it was worth the cost. That is not to justify or excuse the cost; it is simply to acknowledge that no progress is achieved without its price. And that quality of life for the many is more important than quantity of life for the few."

In an interview, admittedly outraged, I asked Lacy how he could, as a Christian, rationalize the murder of millions in the name of "progress?" He replied:

"My own Christian ethic comes out of a general concern for the humanity of people. To use an old cliché—the greatest good for the greatest number. If more justice, food, education, and medical care and so on are available now, then more lives have been saved than have been lost. It's not that I justify killing (sic), but that I think life and death and war are part of our human experience which may, at least, be related to the results thereof."

And where in the Scriptures or in the teachings of Christ do you find support for such an ends-justifies-the-means moral calculus, I ask? Lacy answers: "I am not a biblical scholar and I wasn't writing a biblical book."

When I ask if it is his view that whatever "progress" has been achieved under the communists on Mainland China could have been achieved only by murdering millions of innocent people, Lacy responds, after a long pause:

"I don't know. The nationalist situation was absolutely hopeless and something drastic had to be done. Whether this required a certain number of killings, and I question how many were deliberate and systematic, I just don't know." He compares the mass murder of millions on the mainland to our own Revolutionary and Civil wars.

When I ask him if it is too early to say whether the mass murder of millions in Cambodia has, in his judgment, also been "worth it," Lacy says he has "no opinion" about this. He accuses me of having "a very strong bias" and trying "to make a case." Observing that our conversation "is not very profitable," he hangs up.

Footnote: When I ask Dr. Paul Meacham, editor of religious books at Westminster press, why his publishing house would print an apologia for Mao Tse-tung, including the mass slaughter committed by his supporters, he says he doubts that Lacy has put it "in those terms." When I read him relevant portions from the Lacy book, he says Westminster Press tries to "present a variety of points of view on significant issues" and doesn't necessarily agree with everything in all the books it publishes.

Meacham characterizes Lacy as a "well-known, respected professor regarded by many people as a man knowledgeable in his field." He says that "taken as a whole, we thought the Lacy book served a useful purpose." Like what? He doesn't answer.

Edward Trefz, the Westminster Press associate editor who actually edited the Lacy manuscript, defends the publication of the book by denying that the defense of Mao and his mass murders was the "thesis" of the book. He charges that I am "picking up on a little point" in an otherwise "fair and generous" book written by a man who is not "vindictive." •

## ENDORSEMENT OF CAMP DAVID SUMMIT

## HON. SILVIO O. CONTE

OF MASSACHUSETTS

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. CONTE. Mr. Speaker, this week 41 of my colleagues and fellow members of the organization Members of Congress for Peace Through Law sent a letter of acclaim to the Israeli Knesset for their recent endorsement of the Camp David summit agreements.

At this time, I would like to share that letter with my colleagues and ask that it be inserted in the RECORD at this point:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., October 10, 1978.  
Hon. YITZHAK SHAMIR,  
The Knesset,  
Jerusalem, Israel.

DEAR MR. SPEAKER: As Members of the Congress of the United States, we salute the action of the Knesset on September 28th to approve the Camp David agreements and to authorize the withdrawal of settlers from the Sinai in the framework of a peace treaty with Egypt. This courageous vote was a crucial step forward in the implementation of the framework agreements. It makes the conclusion of a peace treaty between Israel and Egypt attainable.

We realize that many difficult issues remain to be resolved. But we are confident that the people of Israel, as the vigorous Knesset debates prove, will be able to make these vital decisions in the months ahead through their democratic institutions. This will strengthen the cause of peace and democracy in the Middle East.

Sincerely,

William Lehman, Frederick W. Richmond, Abner J. Mikva, Claiborne Pell, Silvio O. Conte, Benjamin S. Rosenthal, Stephen J. Solarz, Birch Bayh, Donald W. Riegle, Jr., James C. Corman, Philip E. Ruppe, Joseph P. Addabbo, Don Edwards, Edward P. Boland, Thomas J. Downey, John Brademas, Max Baucus, Richard A. Gephardt, Donald M. Fraser, Donald J. Pease, James M. Hanley, Charles W. Whalen, Jr., Paul N. McCloskey, Jr., Robert W. Edgar, William D. Ford, Helen S. Meyner, Edward W. Pattison, Cecil Heftel, Robert F. Drinan, Michael Harrington, Jonathan B. Bingham, Leon E. Panetta, William J. Hughes, Matthew F. McHugh, Lionel Van Deerlin, John B. Anderson, Margaret M. Heckler, John F. Seiberling, Newton I. Steers, Jr., William S. Moorhead, Clarence D. Long, and Anthony Toby Moffett. •

October 11, 1978

## TAX BREAK IS NO JOKE TO FARMERS

## HON. CHARLES E. GRASSLEY

OF IOWA

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. GRASSLEY. Mr. Speaker, two Sundays ago, the Washington Post showed us how ignorant it can be on agricultural issues when, in its lead editorial that day, it took issue with the Senate tax bill. The fact that it took issue with that bill is not particularly bothersome; Lord knows that a number of provisions in it will continue to be debated extensively in this Chamber. But in labeling it "The oink-oink tax bill," and reserving for especially derogatory comment what it apparently considers some kind of special interest tax break for pig farmers, the Post did its readers an injustice and showed us all how far off the mark it can be.

Des Moines Register editorial writer William Symonds, in a signed piece for the October 7 edition of that paper, showed once again why the Register has won Pulitzers for its treatment of agricultural issues while the Washington Post has been left to wonder why. I commend to you Mr. Symond's article. It puts into clear perspective the legislation to clarify who may take advantage of the investment tax credit. The text of the article follows:

"PIG PEN TAX BREAK IS RIDICULED, BUT IT'S NO JOKE TO IOWA FARMERS  
(By William Symonds)

Should farmers be given a tax break for building "pig pens"?

The Senate Finance Committee thinks they should, and included such a break in the \$23 billion tax-cut bill it approved last week. Since then, the "pig pen" provision has become a target of ridicule. A recent Washington Post editorial on the measure was entitled, "The Oink-Oink Tax Bill."

Representative Charles Grassley (Rep., Ia.), Senator Dick Clark (Dem., Ia.), and the leaders of the nation's pork producers aren't amused. They argue that hog producers need tax assistance to help them construct modern hog confinement facilities and that Congress intended to give them this relief in 1971. They believe the Internal Revenue Service has chosen to ignore the will of Congress.

According to the Treasury Department, the provision in the Senate Finance bill that would extend additional tax relief to farmers erecting hog confinement facilities (and certain other agricultural buildings) would cost \$54 million in lost tax revenues in fiscal 1979. Much of this would benefit Iowa farmers, who produce a quarter of the nation's pork.

Businesses buying equipment that qualifies for the credit may subtract 10 percent of the cost directly from their tax bill (with certain limitations). The purpose of the credit is to stimulate economic growth.

A key question raised by the investment tax credit is what kinds of equipment qualify. The 1971 law provides the credit for equipment and machinery, but not for buildings. There are exceptions, including buildings that can be used only for a single purpose, such as grain elevators.

Pork producers argue that modern hog confinement facilities are essential to im-

proving productivity in the pork industry, and that the shell of these facilities is an integral part of the structure that cannot be used for any other purpose. Thus, the full cost of a hog confinement facility should be eligible for the investment tax credit.

The IRS routinely allows pork producers to claim credit for the machinery and equipment inside the confinement structure. This credit usually covers anywhere from 50 percent to 75 percent of the cost of the confinement facility, depending on how elaborate the facility is.

The debate centers on the roof, the walls and the floor. Pork producers insist that Congress meant to make the building itself eligible for the investment tax credit. They make a good case.

They argue that the confinement building meets the test of being a single-purpose building. They point out that a report issued by the Senate Finance Committee in 1971 on the investment tax credit agreed with this viewpoint: "One example of a type of structure closely related to the product it houses . . . is a unitary system for raising hogs, which includes automatic feed systems, special air-flow units, slatted flooring, pens and partitions. . . . Such a structure would be eligible for an investment credit."

Many pork producers routinely filed for the tax credit when they erected hog confinement structures, only to have the IRS challenge and deny the portion of the credit applied to the shell of the facility. But some producers took the IRS to court, and in at least one case the court decided in favor of the producer.

The IRS has not been consistent in its interpretation of the law. Some IRS officials have allowed hog producers to claim the full credit, while others have limited it to just the equipment inside the confinement building.

The Washington Post was right in objecting to the outrageous fashion in which the Senate Finance Committee approved scores of special-interest tax amendments. The amendment concerning hog confinement facilities, however, has merit. How many other special-interest amendments in the tax bill are as meritorious?

#### CHAOS AT THE CONCLUSION

#### HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. CLEVELAND. Mr. Speaker, the Washington Post, with which I do not always find myself in agreement, has called editorial attention to a situation in the House which ought to concern us all very deeply: That is, the glut of legislation which comes before the House during the final days of a Congress under conditions which make it impossible for most of us to know what we are doing.

Whether one calls it legislating in the dark, or legislating with a blindfold, or legislating by the numbers—and all of these terms would be appropriate—what we are doing is irresponsible and dangerous. The ideal of an informed body of legislators deliberating and deciding on matters of public policy bears no relationship to the reality of the confusion and chaos which reigns on the House floor.

This is not a new phenomenon. It has characterized, to an extent, every end-

#### EXTENSIONS OF REMARKS

of-Congress period in my experience as a Member. But as the Post points out in its editorial of October 12, we are breaking all records this year. The situation has gotten out of hand and we deserve the criticism of the Post for outdoing ourselves in—to use their expression—"Most Yeas and Nays Cast Without Any Clear Idea What the Vote Is About."

The Post's distinguished editorial cartoonist, Herbert Block, made the same point even more graphically on today's—October 13—editorial page. His cartoon showed Members preparing to return home, stuffing their bags with bills and reports, and telling each other that maybe there will be time later to read the things they have just voted on.

The Post, too, has zeroed in on some of the factors that account for this legislative logjam:

The volume of business has gotten too great. Past Congresses have created too many programs and agencies for the current Congress to review or at least reauthorize. Moreover, the House's vaunted "democracy"—the advent of lively new members, the spreading-out of subcommittee power, the increases in junior members' staff—has generated a constant flood of new projects and proposals, each with energetic sponsors who can tell you in a trice why their measure is vital to the republic.

The answer, as the Post wisely suggests, is restraint: fewer committees, less "entrepreneurial staff, and fewer bills. More is not necessarily better when it comes to legislation. Indeed, quantity is often the enemy of quality when busy and harried people cannot stay on top of their jobs.

As we pack our bags with Herblock's unread bills, perhaps we should enclose a memo to ourselves, a reminder that our first order of business in the 96th Congress should be the tough decision to impose some limits and stop the proliferation of paper and people which threaten to turn this place into a factory.

Under leave to extend my remarks, I include the editorial from the October 12 Post:

#### BAD HOUSE-KEEPING

By the time Congress leaves town on Saturday, the House will have set two dubious records. One will be for Most Roll Calls in a Year; the previous high (864 in 1976) was exceeded last week. The House is also likely to outdo itself in Most Yeas and Nays Cast Without Any Clear Idea What the Vote Is About. It could hardly be otherwise when members have to vote in quick succession on at least six conference reports, three supposedly minor or noncontroversial bills and perhaps a half-dozen measures requiring fuller debate. That's today's agenda; tomorrow and Saturday could be worse.

Granted, some end-of-session turmoil is unavoidable. Big tax bills always come late. The energy package remains to be passed. House action is also needed to continue ACTION's programs and keep the Endangered Species Act alive.

Still, one may wonder why so much work remains at the end of the year. The answer is not that Congress has been loafing, or that various factions have held back some dubious bills—such as the proposed Department of Education—in hopes of sliding them through in the last-minute crush. Beyond all the maneuvering, what's noteworthy is that the House has been going at a frantic

pace for months. Committees have kept churning out bills. Major measures have piled up on the calendar, with the leadership calling up one, then jumping to another, then going back to the first in mid-fight.

Meanwhile, over 400 bills—another record—have come up under "suspension of the rules." That streamlined procedure is supposedly for minor and noncontroversial matters, but many congressmen complain that they can't be sure what's going through when 15 or 20 bills rush by in one day.

How can the House break the general law-jam? The Democratic Study Group and others want to curb the number of roll calls. That could save some time. Rep. George E. Danielson (D-Cal.) has calculated that in the first half of this year, 517 roll calls ate up about a third of the House's time—and the outcome was overwhelmingly one-sided in 40 per cent of those votes.

Still, some roll calls are useful. If members aren't made to think about a bill, even for a few seconds, they may not look at it at all—and Lord knows what might slip through then. And that points to the heart of the problem: The volume of business has gotten too great. Past Congresses have created too many programs and agencies for the current Congress to review or at least reauthorize. Moreover, the House's vaunted "democracy"—the advent of lively new members, the spreading-out of subcommittee power, the increases in junior members' staff—has generated a constant flood of new projects and proposals, each with energetic sponsors who can tell you in a trice why their measure is vital to the republic.

Streamlining procedures may only increase the glut. House members don't need more time to dream up and promote more projects. What they need is fewer subcommittees, less entrepreneurial staffs and, above all, more self-restraint. If they did fewer things, they just might do them better—or at least less frenetically. It's something to think about while waiting for the umpteenth roll call late tonight. ■

#### FREE WORLD SEEMS TO BE LACKING IN VITAL ELEMENT—WILL-POWER

#### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BOB WILSON. Mr. Speaker, it is no secret that I have always been an ardent supporter of a strong America and a strong national defense. But the continuing massive buildup of the Soviet military machine, especially their inordinate emphasis on warship construction, and our own concomitant slow decline with respect to our contributions to our own national defense, have led me inevitably to the conclusion that at some time in the future, we will no longer be able to face a challenge from abroad, and face it down as we did in the Cuban missile crisis.

But far more eloquently than I can, Vice Adm. U. S. G. Sharp, in his remarks to the California Reserve Officers Association, pointed out the dangers of our present course, and especially the apparent lack of willpower we demonstrate. I commend Admiral Sharp's thoughtful comments to the attention of each and every Member of this body:

## EXTENSIONS OF REMARKS

October 11, 1978

[From the San Diego Union, Oct. 6, 1978]  
 FREE WORLD SEEMS TO BE LACKING IN VITAL ELEMENT—WILLPOWER

(By Vice Adm. U. S. G. Sharp)

National security is determined by the relative balance of power between the competing nations on the world scene.

National power consists of four broad elements: economic power, military power, political power and will power.

The strength of the economy of a nation is obviously an important element of its total power, some would say its most important element. The strength of the armed forces is a fundamental element of national power. Political power—the nature of a nation's security alliances, the strength of its leadership, and the effectiveness of the conduct of its foreign policy—contributes to national power. Will power, the strength of national will, the determination with which a country exercises the other elements of power, is the cohesive forces which brings the total equation together.

Today the security of the United States is threatened by a Soviet drive for world dominance, based on an unparalleled military buildup.

The Soviets have made their intentions quite clear. In 1973 Leonid Brezhnev said: "By 1985, as a consequence of detente, we will have achieved most of our objectives in Western Europe . . . a decisive shift in the correlation (or balance) of forces is such that, come 1985, we will be able to extend our will wherever we need to."

In the early 1960s the United States decided to stop the buildup of strategic forces and let the Russians catch up. It was reasoned that equality of strategic forces would promote stability and peace. By 1969 it was apparent that the Soviets were building their strategic forces very rapidly and would soon be superior to the United States. The United States and the Soviets agreed that an attempt would be made to negotiate a treaty limiting strategic arms.

The United States had two basic objectives in these talks, first to ensure that the strategic forces of the two super powers would remain in balance . . . that we would have stability. Then neither power would see an advantage in striking first. The second objective was to hold down the arms competition.

It is now apparent that the Soviet objective in those talks was to lull the United States into a sense of security and discourage an interest in our strategic forces so that the Soviets could gain superiority.

Gen. George C. Marshall, key military leader in World War II and postwar secretary of state, made a comment on our national policy many years ago which is just as pertinent now as it was then. He said: "We have tried since the birth of our nation to promote our love of peace by a display of weakness. This course has failed us utterly."

The first Strategic Arms Limitation Treaty, commonly called SALT I, was signed in 1972. Since that time the United States has not completed and deployed a single new strategic weapon system. President Carter has canceled the B-1 bomber. Production of Minuteman III missiles has been terminated. The Mobile ICBM has been further delayed. Meanwhile, the Soviets have continued their rapid arms buildup—indeed the pace has increased. They have stretched the terms of the SALT I treaty to the limit and violated some of its provisions.

Now the strategic forces of the two nations compare this way:

	Soviet Union	United States
Intercontinental ballistic missiles	1,450	1,054
Ballistic missile submarines	82	41

	Soviet Union	United States
Sub launched ballistic missiles	1,006	656
Long range bombers	200	373
Sub launched long range cruise missiles	324	0
Defensive	Soviet Union	United States
Surface to air missile launchers	12,000	0
Interceptors	2,600	324
Anti-ballistic missiles	64	0

Although we have more bombers than the Soviets, their air defenses are so good that it is unlikely that many of our bombers will get through to their targets. On the other hand, we have disestablished all of our surface-to-air missile batteries and have a very weak air defense consisting of interceptors built in the 1950s and an inadequate radar detection system.

The Soviets have the capacity to build ballistic missile subs at a rate of eight per year. They are building improved ballistic missile submarines and replacing older, less capable boats. The United States won't complete the first Trident sub until about 1982 and then will produce them at the rate of one or two a year.

The Soviets are developing and producing many new ballistic missile systems with improved accuracy and MIRV warheads. The Carter Administration has made cuts in the improvement program for our Minuteman missiles, has delayed development of the MX mobile missile, and is said to be considering cutting the Trident program.

The Soviets are building the Backfire supersonic bomber at a rate of about three per month. This excellent aircraft has a 3,500-mile range without refueling, and it can be air-refueled. The Russians claim that this is a tactical aircraft—and our SALT negotiators have agreed to leave this highly capable bomber out of the SALT limiting formula. This bomber could easily penetrate our air defenses, bomb any place in the United States and refuel in Cuba. With air refueling it could strike any place in the United States and return to Russia.

Meanwhile, President Carter has stopped our B-1 Bomber program and we are dependent upon aging, subsonic B-52s which are included in the SALT-limiting formula.

We are putting great faith in the cruise missile, to be launched from converted B-52s or from refitted civilian aircraft. The cruise missile is an excellent weapon, if it can be launched to cross the coast line at the correct position, and if it has enough range to reach the vital targets in Russia. But our SALT negotiators have agreed to limit the missile's range to 1,500 miles.

This will mean that the launching aircraft will have to come very close to the hostile coast if the missile is to reach targets in the heart of Russia. The aircraft would then be very vulnerable to Soviet air defenses. The cruise missile is an excellent weapon, but it is not the complete panacea that we have been led to believe.

Trends in civil defense are also startling. The Soviet Union spends about \$1 billion a year on civil defense. In comparison, we spend considerably less than \$100 million. They have massive underground facilities, heavily hardened command and control stations for many echelons of command, and major industrial and foodstuff stockpiling. They have a large shelter building program and thorough training in population evacuation.

I come to the conclusion that the Soviets have probably attained strategic superiority and that their posture is not one of deter-

rence, but rather the capability to survive and win a strategic nuclear exchange.

Now let us look at conventional forces, those forces that would be used in a non-nuclear or limited war. When we consider conventional forces we need to focus on Western Europe for control of that area must be considered a primary Soviet goal. Their control of Western Europe would essentially isolate the United States.

For brevity I will limit my opposing force analysis to the Northern and Central European front. The force structure there is currently about as follows:

	Warsaw Pact	NATO
Divisions	70	27
Tanks	20,500	7,000
Tactical aircraft	4,075	2,350

The Soviets believe in surprise attacks with massed force. In such an attack they could probably over-run Central and Northern Europe in 30-45 days. If NATO resorted to tactical nuclear weapons the Soviets could devastate Europe with their intermediate-range ballistic missiles and other nuclear weapons.

Control of Western Europe might be effected by military conquest, but it also could be accomplished by forcing those countries to take the Finland route. If they became discouraged by the preponderant Soviet military posture and United States inaction, they might decide to pursue a neutral, pro-Soviet course.

Western Europe could also be forced to comply with Soviet desires if the Russians cut off their oil supply from the Middle East. Thus, another Soviet goal is to have sufficient naval forces to seriously threaten U.S. control of sea lanes throughout the world, with the oil routes being a particular target.

The Soviets have built a large and capable submarine force armed with torpedoes and cruise missiles. They will use their submarines in cooperation with the excellent backfire bomber, armed with cruise missiles. A backfire bomber force could be moved rapidly to the many potential bases in Africa, Asia and the Middle East.

The effectiveness of this air-submarine team is enhanced by a well developed satellite reconnaissance capability. This combination is now a serious threat to the Western World's seelines of communication.

We need to look at detente, or peaceful coexistence, as the Soviets like to call it, from their point of view. To them detente is an opportunity to forge ahead in the power struggle with the West. They do not believe in a stable power relationship. The power struggle must go on until the forces of capitalism have been defeated.

Soviet military doctrine emphasizes superiority, not parity; offense, not defense. In March, 1978, Russia's deputy defense minister, Nikolai Ogarkov, told visiting U.S. Congressman John Breckinridge: "You once had military superiority and felt secure. You no longer have that superiority and you will never have it again. And now you will know what it means to feel threatened."

Soviet strategic programs are clearly designed to surpass and dominate ours. Soviet conventional land and air forces are planned, developed and deployed to have the capability to overwhelm Western Europe if necessary. Her naval forces have the obvious mission of disrupting seelines of communication that are essential to Western survival.

Thus, while we Americans talk of detente, and mutual deterrence, and arms control, and relax, fat, dumb and happy, the other side takes a different course. Soviet dedication to the permanent struggle between communism and capitalism is proclaimed openly

and often for those who care to listen. And their actions speak just as loudly as their words.

Our intelligence organizations have been warning us for years of the progressive, adverse shift in the Soviet-American military balance. But our leadership has chosen to acquiesce or simply not to address the issue. But by ignoring the critical situation, the leadership is guilty of not keeping the American people properly informed.

Earlier, I mentioned economic power and political power as two elements of national strength. Today the Soviet Union is one of the two superpowers, yet her gross national product is about one half that of the United States. Politically, the Warsaw Pact is held together mainly by the threat of force.

The Soviet Union has many economic and political weaknesses, but it has demonstrated that it can compete successfully with the Western World in one critically important element of the overall power equation—military power. Perhaps more importantly, the Soviets have shown superiority in that other critical element of the overall power equation—willpower. They know what they want and they have the will to go after it.

Can the Free World, with its vastly superior economic power, mobilize its potential and take on the Communist challenge? Or are we to continue on our present course, refusing to face reality, satisfied with the good life, oblivious to the threat until it is too late? Time is short, we need to get moving. And if we can't convince our NATO and other allies, we had better saddle up and go it alone, for our national survival is at stake.

The Free World seems to be lacking in that fourth vital element—willpower. We would do well to heed Churchill's words of the 1930s when he warned an appeasement-minded England:

"Virtuous motives, trammelled by inertia and timidity, are no match for armed and resolute wickedness. A sincere love of peace is no excuse for muddling hundreds of millions of humble folk into total war."

(Note.—Sharp made the above comments in an address to the California Reserve Officers' Association. The facts he has cited were taken from "Soviet Threat," published by America's Future, Inc. of New Rochelle, N.Y., and from a military treatise by Philip Clark, a specialist in military affairs for Mutual Broadcasting. Sharp's figures are also confirmed by the U.S. Department of Defense Annual Report, Fiscal year 1979.) ●

#### CONGRESSIONAL CASEWORK OFFICE ACT OF 1978

#### HON. JOHN B. BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BRECKINRIDGE. Mr. Speaker, I am privileged to rise today to offer for the consideration and attention of the Members of Congress and the American people a bill entitled, "The Congressional Casework Office Act of 1978."

Mr. Speaker, casework has been defined at various times as the aggregate efforts by Members of Congress and their staffs to deal with the administrative establishment, that is, the executive branch and the independent agencies, on behalf of their constituents. It is also referred to as "departmental business" or "constituent service." A case may be presented to the Member by mail, by the constituent in person, by telephone, or telegraph. You and I know that, by any other name, we serve as an ombudsman—

#### EXTENSIONS OF REMARKS

the man between the private citizenry and the bureaucracy.

Some have suggested that the definition include constituent requests for assistance of any kind in which a personal problem is involved, but most restrict the term to the dealings of the Member as middleman or liaison between his constituency and the Federal Government and its agencies.

The recent White House conference on balanced national growth and economic development produced a pervasive theme of need to redress the deficiencies in the Nation's unique governmental partnerships; and, although there was little support for fundamental changes in the authority or power structure of our Federal system, there was—and is—a well-documented, deep-seated national frustration with Government's unresponsive ness to individuals, cities, and States, and a general mistrust of governmental operations.

Many of us on Capitol Hill have long been aware of this growing frustration, through our mushrooming correspondence and case load. The latter, according to my own district office records, shows a 100-percent increase over the past 6 years, while mail from all constituents has increased sharply by 400 percent. As we all know, the staff available to us has not increased during that time.

The Obey Commission Report of the House Commission on Administrative Review stated in December of last year, that the Members' casework load has doubled in the last 10 years. Some offices handle only 5 or 10 cases a week; others, as many as 300. The Commission also asked Members to estimate the number of cases handled by their offices. These data show that the average load is slightly over 10,000 cases a year. Again, variations were noted. Members with longer tenure (six terms or more) appear to have slightly larger casework loads (an average of over 11,000 per year) than do the more junior Members serving their first or second terms (an average of under 9,000).

The volume of congressional mail has increased in recent years to: 43 million pieces of mail delivered to the House in 1975, more than triple the number delivered just 6 years earlier. An average of 3 million pieces of constituent mail comes to the House each month. Members estimate they receive, on the average, about 31,600 letters annually. According to an excellent article in the May 1978 issue of Nation's Business, constituent mail accounts for as much as 50 percent of staff time in Capitol Hill offices, and many lawmakers have hired people to do nothing but answer mail.

Senator S. I. HAYAKAWA, Republican, of California, according to a spokesman, has six aides on his staff to answer mail, and another seven who spend half their time doing that. In addition, he has 12 who either type responses or operate computers to produce responses.

The aide said that if the Senator himself put in only 10 minutes answering each letter, he would spend every 8-hour working day for the next 40 years answering the letters he received last year. In 1 recent week, the Senator received 17,000 pieces of mail. On the Panama

Canal treaties alone, he received more than 100,000.

Most Senators and Representatives, however, do see a sampling of mail. As one congressional aide says, they see enough so they get a good feel for what the constituents are writing about.

The size of a Senator's staff is determined by a formula based on the population of the State the lawmaker serves. The Senator can also get additional staff people to assist in Senate committee work. Some Senators, especially those from States with large populations, have more than 30 employees on their Capitol Hill staffs plus others in their home States.

House rules limit the number of employees on Members' staffs to 18, who must cover both Washington and the home district; this is clearly not enough to adequately handle normal legislative duties plus the load of mail to a Representative, whose district generally has a population in the 550,000 range.

Consequently, the work pace in a Representative's office becomes particularly onerous. Again, it should be noted that the amount of mail reaching Members varies through the year, adding to the problem of efficiently managing office workload—employees cannot be hired on the basis of peakloads and valleys within the permitted number of 18.

Mr. Speaker, to meet the needs of our ever-growing population with its myriad problems, various proposals have been presented to the Congress for the centralization of services for Members. The General Accounting Office, House Information Systems, and Legislative Counsel are striking examples of workable, centralized authorities serving the Congress and the American people. I have, earlier, submitted legislation to provide an Office of Legal Council to the Congress which, in my opinion would do much to redress the imbalance between the executive and legislative branches, while accommodating the growing legal problems besetting our Federal-State system of checks and balances.

My casework proposal would initiate a central casework office which would handle the mail processing, the referral to agencies, and the correspondence with constituents through a mass-transit-communication vehicle of adequate proportions to process the case and mail load which envelops Capitol Hill.

This vehicle should be located in a central congressional case work office, adequately staffed and wholly responsible to the individual Members and committees for the necessary research, investigation, resolution, and response in depth to constituent problems coming to the Member's and committees' attention.

Constituent correspondence will, through data processing channels, be returned to the individual Member for approval and signature, thus relieving his limited staff of the casework load, and freeing them up for the ever-increasing legislative workload.

This central system, properly designed, will act as ombudsman for the Congress, establish documentation, statistics, and indicia of executive, legislative, regulatory, agency, and personnel oversight;

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produce agency accountability and credibility reportings for all levels of Government; and, additionally serve to provide foresight and planning data and a management tool for the casework office itself.

This is a large order—and only a properly designed automated system can carry the total load which will call upon all levels of government for inputs into a network of reporting information systems involving local, county, State, and Federal governmental entities.

The current method of dealing with this "retail casework" individually in 535 different offices, with separate automatic typing operations, could be more efficiently done with such a central system, as proposed by my legislation, based on a 6-year experiential project conducted by my Lexington, Ky., district office in conjunction with the processing of my constituent case workload, which includes the grants, loans, and projects for the district. This information-reporting system—as described by the bill—was devised and implemented manually beginning in 1973; and modified appropriately for computer banking beginning with the 95th Congress, last year.

Such a system can provide the Congress with a time, paper, and money staff-saver for expediting its constituent liaison work while simultaneously collecting data for congressional and executive research in oversight and foresight work.

My district office as a setting for resolution of the congressional casework load in the Sixth District of Kentucky has proven to be an invaluable vantage point for my staff work, and a study of inter-governmental relationships involved with our countrywide delivery systems network—and I would like to take this opportunity, Mr. Speaker, to call your attention to a description to be found elsewhere in today's RECORD of a unique portion of the Kentucky network known as "Ask Us, Inc." a Lexington, Ky., information and referral center designed to help people make the best use of human services as well as community and consumer information. The levels of service include: Information; information and referral; referral; followup; advocacy; and, basic outreach. I understand that the program has already received wide acclaim and support both in Kentucky and nationally—and I can envision just such information and referral centers throughout the country as supportive of the Federal casework office information system network proposed by my legislation.

These centers, adequately staffed and functional, can, I believe, reduce substantially the constituent demands on Federal Government and the Congress for intervention in what oftentimes is a local, county, or State matter.

Mr. Speaker, specifically, my draft legislation is designed to assist the Congress in the performance of its casework duties, and to work in coordinated, computerized cooperation with all such agencies the subject of these remarks. The bill establishes a congressional casework office, under the supervision of a director appointed jointly by

the House Speaker and President pro tempore of the Senate. The purpose of the office is stated in section 2 of the bill which reads in part that:

It is to provide assistance to Members and committees of the Congress in connection with requests and inquiries to executive agencies, including public and private, profit and nonprofit agencies, as well as organizations which provide services under programs funded entirely or in part with Federal funds (with respect to any action taken by such entity with regard to the case in question), which such Members or Committees desire to make in carrying out their official duties.

I envision the Office soliciting and compiling statistical information relating to the casework functions of Members and committees, developing and maintaining complete computer capabilities sufficient to assist the Members of Congress, all based in large part on my continuing Kentucky experience.

The Office would be empowered to request from Federal, State, and local governments information necessary to assist the Member or committee in casework matters. The reporting requirements of the congressional casework office is of critical importance to servicing constituents, weekly reports to Members and committees on actions taken and programs, is outlined in section 6 of the bill; every 6 months the office would transmit a report to each House of Congress which would cover various items of the activities, assistance, actions taken, and information requested as covered in section 5(c) of the bill. As an oversight-foresight management tool and system will prove invaluable to both the legislative and executive branches of Government.

Mr. Speaker, I consider the Congressional Casework Office Act as merely a first draft piece of legislation designed to start the debate process in the Congress on the need for such an approach. I present this legislation as a first step to assist the Members in their growing casework responsibilities. I urge the Members to consider its provisions and recommend appropriate action.

The provisions of the bill follow:

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the "Congressional Casework Act".

PURPOSE

SEC. 2. It is the purpose of this Act to develop and establish a wholly responsive and responsible, central computerized casework management, information and correspondence service and retrieval system for the Members and Committees of both Houses of the Congress; to expedite the processing and improve the quality and delivery of federal domestic assistance to state and local communities and elected officials, and to those private citizens requesting such assistance; to minimize the paper work of the Congress and maximize the quality of staff work in the discharge of Congressional duties and responsibilities; to utilize all federal domestic assistance indices, as amended from time to time, and all automated information systems, through integration in the network of this central system; to devise such forms and procedures as will provide for the development of an appropriate and viable data base;

to assure the proper, expeditious handling, processing and servicing of any and all such casework needs for the Congress; to facilitate, and to document, both Legislative and Executive oversight in the administration of the delivery system network of domestic assistance throughout the nation; and, to gather, collate, analyze and report in detail on a continuing and periodic basis, to the appropriate inquiring Member or Committee, such information as may be confidential or of a private nature; to provide periodically to both Houses of Congress and the Executive branch of government compilations in statistical form, of all documented data gathered during the period, for the purpose of ensuring the accountability and credibility of the records of governmental performance; and, to provide as an information source and management tool, for the discharge of the oversight and foresight duties of the Congress, and the resolution of individual Members' and Committees' casework as provided for under this Act.

ESTABLISHMENT OF THE OFFICE

SEC. 3. (a) There is hereby established an office of the Congress to be known as the Congressional Casework Office (hereafter in this Act referred to as the "Office").

(b) (1) The Office shall be under the supervision of a Director. There shall be a Deputy Director of the Office who shall perform such duties as may be assigned to the Deputy Director by the Director. During the absence or incapacity of the Director, or during a vacancy in the office of Director, the Deputy Director shall act as Director.

(2) The Director shall be appointed jointly by the Speaker of the House of Representatives and the President pro tempore of the Senate, without regard to political affiliation and solely on the basis of the fitness to perform the duties of the Director. The Deputy Director shall be appointed by the Director.

(3) The Director may be removed from office by either House of the Congress by resolution.

(4) The Director shall receive compensation at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule in section 5314 of title 5, United States Code. The Deputy Director shall receive compensation at a per annum gross rate equal to the rate of basic pay, as in effect from time to time, for level IV of the Executive Schedule in section 5315 of title 5, United States Code.

(c) (1) The Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties and functions of the Office. All personnel of the Office shall be appointed without regard to political affiliation and solely on the basis of their fitness to perform their duties. The Director may prescribe the duties and responsibilities of the personnel of the Office, and delegate to them authority to perform any of the duties, powers, and functions of the Office or of the Director.

(2) For purposes of pay (other than the pay of the Director and Deputy Director) and employment benefits, rights, and privileges, all personnel of the Office shall be treated as if they are employees of the Houses of Congress.

POWERS, DUTIES AND RESPONSIBILITIES OF THE OFFICE

SEC. 4. (a) It is the responsibility of the Office to provide assistance to Members and Committees of the Congress in connection with their requests and inquiries to the various executive agencies, including public and private, profit and nonprofit agencies and organizations which provide services under programs funded entirely or in part by Federal funds (with respect to any action taken by such entity with regard to the case in question, which such Member or Committee desires to make in the discharge of

their official duties), to gather, collate, analyze and report such activities and statistical and other information to all Members and Committees of both Houses of the Congress; and, to the appropriate Executive branches of the government, with the exception of such private and confidential information as relates to section 552 of title 5 of the United States Code relative to the public disclosure of information; and such other information pertinent only to the affairs of the respective Member's office and constituency, which shall be reported to that Member exclusively.

(b) The Office shall under no circumstances, other than with the written permission of the respective requesting Member or Committee, communicate with the constituent the subject of the request, and in all such instances where authorized only on the requesting Member's or Committee's letterhead and through the respective office.

(c) (1) Upon the request of any Member or Committee of the Congress, the Office shall:

(A) Request that an executive agency or agencies, on behalf of such requesting Member or Committee, provide assistance to such Member or Committee in connection with those matters relating to the constituent(s) of such Member or Committee, in connection with such other matters relating to the official duties of such Member or Committee as may be presented for action.

(B) Request that an executive agency or agencies, on behalf of such Member or Committee, provide the necessary and appropriate information, or other data or materials relating to either legislative proposals under consideration by such Member or Committee, or other matters, relating to the official duties of such Member or Committee, including a proposed reply on such Member's or Committee's letterhead.

(C) Make inquiries of the responsible executive agency or agencies on behalf of such Member or Committee with respect to any action, taken or not taken, by such agency(s) in connection with a request made to such agency by or on behalf of such Member or Committee; and

(D) Provide advice and assistance to such Member or Committee relating to the means by which such Member or Committee may obtain assistance or information from an executive agency based on currently maintained computerized information and referral data as collected and stored by the central Casework Office and affiliated delivery network information and referral centers maintained and located in federal Congressional districts or as collected by each of the fifty States and territories.

(E) The Office shall furnish periodic reports to those Members and Committees of the Congress making requests hereunder, which shall indicate the action and time taken, status and anticipated date of response by the respective agency(s) and the Office in provision of the assistance requested by such Member or Committee.

(F) The Office shall also furnish such periodic reports to those Committees and Subcommittees of both Houses of the Congress having jurisdictional responsibility for the subject matter thereof, to facilitate the discharge of their oversight and foresight responsibilities.

#### GATHERING, COLLATING, ANALYZING AND REPORTING INFORMATION

SEC. 5. (a) The Office shall be responsible for the coordination of existing information systems, the acquisition and compilation of statistical information relating to the interrelationships of Members and Committees of the Congress and the respective executive agencies in connection with the discharge of legislative and other official duties by such Members and Committees as provided for herein.

(b) The Director shall be responsible for the development of such forms, materials,

#### EXTENSIONS OF REMARKS

and procedures as may be necessary to carry out the responsibilities of the Office.

(c) The Director shall develop and maintain filing, coding, indexing and retrieval systems which identify the information acquired by the Office; and, shall equip the Office with the necessary computer and software capabilities to carry out the responsibilities of the Office. The Director may obtain the necessary services of experts and consultants in computer and data storage technology.

(d) The Director shall make available to Members and the Committees of the Congress, upon request, information solicited and compiled by the Office subject to the exclusions under Section 4. (a).

#### THE COMPILATION AND REPORTING OF STATISTICAL DATA

SEC. 6. (a) The Director shall transmit a report to each Member, and the respective Committees and Subcommittees of both Houses of the Congress, the appropriate executive agencies and the Office of Management and Budget, as provided in Section 5. (a) above, at least once every six months which shall cover the period since the last such report. Each report shall contain a detailed numerical reporting of:

- (a) agency;
- (b) staff member of the office, or
- (c) constituent.
- (4) The date of each action;
- (5) The case functional category (service type);
- (6) The entity eligibility;
- (7) The suspense level;
- (8) The anticipated completion time;
- (9) The delay factors;
- (10) The Identification of Problem Sources;
- (11) Any recommendation on the part of the requesting Member or Committee.

#### THE UTILIZATION OF SERVICES, FACILITIES, AND PERSONNEL

SEC. 7. The Director, upon agreement with the head of any executive agency, may utilize the services, facilities, and personnel of such executive agency with or without reimbursement. The head of each executive agency shall have authority to provide such services, facilities, and personnel in support of the Office in the discharge of its duties hereunder.

#### OBTAINING INFORMATION, SERVICES, FACILITIES AND PERSONNEL

SEC. 8. (a) The Office may request from any executive agency any information on constituent matters determined by the Director to be necessary to enable the Office to discharge its duties.

(b) The head of any executive agency shall furnish to the Office on a timely basis any information concerning constituent matters as requested by the Director, except that the head of an executive agency is not required to furnish information which is exempted by the application of section 552 of title 5 of the United States Code (relating to public disclosure of information) by subsection (b) of that section.

(c) Any disclosure of information to the Office by the head of any executive agency shall be deemed to be a disclosure to a House of the Congress for purposes of section 552a of title 5 of the United States Code (relating to records maintained on individuals).

(d) Upon the request of the Director, the head of any executive agency may provide to the Office any services, facilities, or personnel of such executive agency, as agreed between the parties.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 9. Effective October 1, 1979, for each fiscal year through the fiscal year ending September 30, 1982, there are authorized to be appropriated such sums as may be necessary to carry out this Act.

#### DEFINITIONS

SEC. 10. For purposes of this Act, the term:

(1) "Director" means the Director of the Office;

(2) "Deputy Director" means the Deputy Director of the Office;

(3) "Executive agency" means any department, board, commission, agency, or establishment of the Federal Government, of an individual State, of a county, or of local governments, or political subdivisions thereof; any regulatory agency or commission of the Federal Government, and any public or private, profit or nonprofit agency or organization, which provides services under programs funded entirely or in part by the Federal funds (with respect to any action taken by such entity with regard to the case in question);

(4) "Member of the Congress" or "Member" means any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress; and

(5) "Office" means the Congressional Casework Office established in section 3(a) of this Act. ●

#### TRIBUTE TO HON. JOHN J. FLYNT, JR.

#### HON. LAWRENCE COUGHLIN OF PENNSYLVANIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. COUGHLIN. Mr. Speaker, today I join my colleagues in paying tribute to one of the most highly esteemed Members of the House of Representatives, JACK FLYNT. As you know, JACK is retiring after 24 years of service to Georgia and the Nation.

I have had the pleasure of working with JACK on the Appropriations Committee and well respect his intense dedication to the House and the Sixth District of Georgia. I believe that this sense of service will be sorely missed, both here and in Georgia.

In addition to the demands of the Appropriations Committee, JACK served as chairman of the Committee on Standards of Official Conduct and as a member of the Select Committee on Ethics. His outstanding integrity while serving on these committees was admired and appreciated by both Democrats and Republicans. He never shirked the oftentimes onerous responsibility of these assignments. Placed in a position of having to judge his colleagues, he never exhibited a self-righteous or vindictive manner. JACK was a leader and his commonsense and steady temperament enabled him to place issues in their proper perspective. I doubt if any other Member of Congress could have handled the tough decisions which he was called on to make as fairly and rationally as JACK. The House and the Nation owe him a giant debt of gratitude for the way he conducted the "Koreagate" hearings, which can never fully be repaid.

JACK FLYNT's intelligence, perception, and view of justice will be difficult to match. I believe it will be some time before the House encounters another Member with his dedication to service. I extend to JACK and his family my gratitude and my sincere best wishes for the future. ●

## FOR SURVEY RESULTS

## HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BLANCHARD. Mr. Speaker, recently I joined with a number of other Congressmen in surveying our districts on the subject of Government regulations.

We did so as part of a "Citizen Audit" conducted by the Forum on Regulation, a bipartisan group of 120 Members of Congress which hopes to improve and streamline the regulatory process. The questionnaire was prepared by a professional research organization, Mathematica Policy Research, Inc., and reviewed by the Congressional Research Service of the Library of Congress.

The results from my district, the 18th Congressional District of Michigan, are now in. I believe they will be of interest to other Members of the House of Representatives. The people of the 18th district do not blindly follow a pro- or anti-Government line. They recognize instead that although in some cases regulations may have been harmful, in others Government agencies have protected the public interest.

The highlight of the citizen's audit part of the Forum on Regulation program came in mid-September, when toll-free lines were held open for 3 days for people to call direct to Washington and state their feelings about Government rules and regulations.

It is my hope that these outreach efforts—the questionnaires and the telethon—will provide our regulatory reform program with the type of grassroots input that is so often sadly lacking in Government programs. The people we represent are going to be the one who have to put up with the rules Government agencies write. The least we can do is to ask their opinion before we try changing the way in which those rules are written. In addition, I believe that Congress should shoulder its responsibility as the people's representatives and I have supported legislation to provide for congressional review and veto of agency regulations.

Over 3,000 responses were received, along with numerous comments. One comment which summarizes very well what we are aiming for in regulatory reform came from Dorothy A. Kosovac, a community leader of Ferndale, Mich.:

Keep them short and simple, quit changing them every other week and work hard to educate people as to why they are necessary.

The results of the survey follow:

1. In general do you think you are better off, or worse off, as a result of federal regulations now in effect regarding:

a. Food and drugs:

Better off, 61 percent.

No difference, 13 percent.

Worse off, 20 percent.

Can't say, 4 percent.

b. Schools and education:

Better off, 14 percent.

No difference, 13 percent.

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Worse off, 64 percent.  
Can't say, 6 percent.  
c. Working conditions:  
Better off, 38 percent.  
No difference, 27 percent.  
Worse off, 24 percent.  
Can't say, 8 percent.  
d. Water and air pollution:  
Better off, 67 percent.  
No difference, 11 percent.  
Worse off, 14 percent.  
Can't say, 5 percent.  
e. Hiring and employment:  
Better off, 18 percent.  
No difference, 18 percent.  
Worse off, 52 percent.  
Can't say, 8 percent.  
f. Advertising, packaging and labelling:  
Better off, 57 percent.  
No difference, 18 percent.  
Worse off, 16 percent.  
Can't say, 7 percent.  
g. How businesses are run and operated:  
Better off, 12 percent.  
No difference, 15 percent.  
Worse off, 56 percent.  
Can't say, 14 percent.

2. Do you think the federal government is/ is not doing enough to inform people like yourself about regulations that affect them?  
Doing enough, 29 percent.  
Not doing enough, 59 percent.  
Can't say, 7 percent.

3. In your opinion are most federal regulations:  
a. Needed:  
Really needed, 37 percent.  
Not really needed, 52 percent.  
Can't say, 6 percent.  
b. Working:  
Working the way they're supposed to, 9 percent.  
Not working the way they're supposed to, 77 percent.  
Can't say, 11 percent.  
c. Practical:  
Practical and well thought out, 11 percent.  
Not practical and badly thought out, 71 percent.  
Can't say, 14 percent.  
d. Simple:  
Simple and easy to understand, 6 percent.  
Complicated and confusing, 86 percent.  
Can't say, 7 percent.  
e. Up-to-date:  
Based on up-to-date information, 16 percent.  
Based on out-of-date information, 47 percent.  
Can't say, 32 percent.  
f. Fair:  
Fair to the people affected by them, 16 percent.  
Not fair to the people affected by them, 56 percent.  
Can't say, 22 percent.

4. How confident are you that when new federal regulations are issued they are based on proven facts?  
Very confident, 3 percent.  
Somewhat confident, 36 percent.  
Not confident, 58 percent.  
Can't say, 2 percent.

5. How confident are you that new federal regulations are issued without unnecessary delay if a need has been proven?  
Very confident, 5 percent.  
Somewhat confident, 25 percent.  
Not confident, 62 percent.  
Can't say, 5 percent.

6. In general, do you think federal regulations are enforced too strictly, or not strictly enough?  
Too strictly, 17 percent.  
About right, 21 percent.  
Not strictly enough, 41 percent.  
Can't say, 16 percent.

7. In general, do you think federal regulations have too much or too little detail?  
Too much detail, 60 percent.  
About right, 14 percent.  
Too little detail, 11 percent.  
Can't say, 13 percent.

8. In your opinion, how often is the cost of developing and enforcing federal regulations justified by their benefits?  
Most of the time, 7 percent.  
About half the time, 32 percent.  
Seldom, 49 percent.  
Can't say, 8 percent.

9. In your opinion, how much of the paper work required by most federal regulations is necessary?  
Almost all, 3 percent.  
More than half, 6 percent.  
About half, 22 percent.  
Less than half, 43 percent.  
Almost none, 18 percent.  
Can't say, 8 percent.

10. What is your opinion regarding the effect of government regulations today compared with 20 years ago:  
a. Product safety:  
Safer, 61 percent.  
Not as safe, 7 percent.  
No effect on safety, 22 percent.  
Can't say, 9 percent.  
b. Product cost:  
Cost more, 86 percent.  
Cost less, 2 percent.  
No effect on cost, 7 percent.  
Can't say, 5 percent.  
c. Working conditions—safety and health:  
Safer and healthier, 64 percent.  
Not as safe and healthy, 4 percent.  
No effect on safety and health, 20 percent.  
Can't say, 11 percent.  
d. Business losing money or failing due to these regulations:  
A great extent, 25 percent.  
Some extent, 47 percent.  
A little, 13 percent.  
Not at all, 7 percent.  
Can't say, 6 percent.

11. Which do you think should be more important when deciding whether the costs of a regulation are worth it?  
Effect on prices, wages and employment, 33 percent.  
Effect on environment, safety and health, 48 percent.  
Can't say, 7 percent.●

## TRIBUTE TO BOB SIKES

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague BOB SIKES.

The first sentence of article I, section 8, of the Constitution, setting forth the powers of Congress says "provide for the common defense." This primary duty imposed on Congress by our Founding Fathers, our strong military posture for the maintenance of peace, was never taken more seriously than by our great third ranking Member of the House—dean of the Florida delegation—BOB SIKES.

Arriving in the House in 1941, he resigned for Army service after Pearl Harbor, but President Roosevelt insisted that he leave the military and return to Congress to help lead legislative efforts during the dark war years. Bob has specialized in defense matters during his entire

38 years, rising to the No. 2 spot on the Defense Appropriations Subcommittee. His advice on defense matters is unparalleled.

With the completion of his term Bob will have served in Congress longer than any previous Floridian, and the people of his west Florida district hold him primarily responsible for that part of the Nation's transformation from sleepy backwoods to an economically and socially advanced area.

Reta and I extend to Bob and Inez our warmest wishes for an enjoyable and fruitful retirement. •

#### CIVIL DEFENSE

#### HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BRINKLEY. Mr. Speaker, as a firm believer and long-time advocate of a strong national civil defense program, I have been privileged to work with many fine State and local officials toward strengthening our present civil defense capabilities.

None of these officials has surpassed the dedication, determination, and tenacity of Col. William E. "Bill" Smith in the fight to insure the best possible protection of our Nation's citizens during natural or nuclear disasters. None has worked harder to encourage the recent congressional approval of Executive Reorganization Plan No. 3, establishing one central Federal agency, designed to facilitate improved administration of our national civil defense network. In recognition of his untiring efforts, Colonel Smith was recently elected president of the prestigious U.S. Civil Defense Council. I submit for the RECORD and commend to the attention of my colleagues the following tribute to this outstanding man, published in the October 1978 issue of the Journal of Civil Defense:

#### LETTERS TO THE EDITOR

Editor, *Journal of Civil Defense*:

When I joined Atlanta-Fulton County Civil Defense, Atlanta, Georgia, over three years ago, I noticed Elbert Hubbard's writing on "LOYALTY" prominently posted on the bulletin board. In essence, it states that if you work for a man, in heaven's name work for him and stand by the institution he represents. If you must growl, condemn and eternally find fault, resign and damn to your heart's content . . . etc. Well, I resigned on 15 August 1978 and can now tell the world what William E. "Bill" Smith is really like.

I have worked very closely with Bill Smith from the days of his candidacy to the USCDC Presidency and have personal knowledge of his countless undertakings on behalf of our nation's civil defense program. Though I cannot make a judgment in the years prior to my joining Civil Defense, I have observed, read, conversed and met many individuals throughout the country whose interest is emergency preparedness. Bill Smith, in my opinion, is "Mr. Civil Defense." His sights are continuously set towards enhancing our nation's civil preparedness program at every level of government.

I know that many of your readers will

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judge this letter as a mutual admiration gime he leave the military and return to Congress to help lead legislative efforts during, but I cannot help that. My intent is to single out a man who has done more for civil defense nationally than anyone I know. Keep up the good work, Bill. Perhaps other "Bills" throughout the country can take a lesson from you.

Sincerely,

ANTHONY J. LUBRANT.

ATLANTA, GA. •

#### FISH AND WILDLIFE MITIGATION— A SYMPOSIUM TO BE HELD IN 1979

#### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. OBERSTAR. Mr. Speaker, in July and August the Subcommittee on Fisheries, Wildlife Conservation and the Environment held 3 days of oversight hearings into the administration of the Fish and Wildlife Coordination Act. That act calls for the equal consideration and coordination of wildlife conservation with other features of water resource development programs.

Unfortunately, in the two decades since this significant piece of conservation legislation was last amended, there have been needless losses of our fish and wildlife resources. Our hearings documented the repeated failures of this act to insure its goal of fish and wildlife conservation.

The blame cannot be placed entirely upon one group. Reasons for the act's failures include lax administration by the involved agencies, insufficient staffing and funding which precluded wildlife agencies from fulfilling their responsibilities, incomplete consultations and notifications by the development agencies, inconsistent interpretations of terms, and Congressional failures to adequately fund or authorize needed mitigation.

The hearings documented the substantial losses of our fish and wildlife resources caused by these breakdowns. For example, of the nearly 2 million acres of land which have been inundated by Bureau of Reclamation and Corps of Engineers projects, less than 56,000 acres have been acquired outside of project boundaries as mitigation of those habitat losses.

Two complementary approaches to improving this situation were examined during the hearings. The first issuance of regulations to fully implement the Coordination Act, has been undertaken by the Departments of Interior and Commerce in response to the President's recent water policy directives. The administration is to be commended for its initiatives in this area. The other approach is amendment of the FWCA itself.

Amendment is necessary to insure that the provisions of the regulations consistently apply to all agencies; can clarify and expand the act's coverage; and can better provide for implementing mitigative features on authorized projects which are already completed, under construction, or partially planned. My own

amendment, H.R. 8161, makes these improvements.

Using the testimony presented at the hearings as a reference, I am currently in the process of redrafting that bill in anticipation of coordinating it with the soon-to-be-released regulations. I plan to introduce this bill early in the next Congress and look forward to introduction of a similar bill in the Senate. Issuance of strong implementing regulations, in conjunction with strengthening amendments can insure wise development of our water resources in coordination with protection of our fish and wildlife resources. These activities can also do much to rectify past mistakes, make up for past losses.

Another matter which reaffirms the timeliness of this subject is the National Workshop on Mitigating Losses of Fish and Wildlife Habitats. Participants in this mitigation symposium and members of the program committee itself represent all involved interests—from Federal construction and wildlife agencies, to State agencies, private conservation organizations, and local interests.

I would like to share with my colleagues the following information on that symposium. I hope this information will reach a broad audience, many of whom may have something to contribute and others who may have something to gain from knowledge of this worthwhile event:

#### THE MITIGATION SYMPOSIUM

A National Workshop on Mitigating Losses of Fish and Wildlife Habitats (The Mitigation Symposium), is to be held at Fort Collins, Colorado, July 16-20, 1979. The event is sponsored by The American Fisheries Society, The American Society of Civil Engineers, the Wildlife Management Institute, and The Wildlife Society. Several federal conservation agencies and private sources are supporting the Symposium financially. Proceedings will be published promptly after the meeting. They should become an important influence on public policy, and a permanent technical reference.

The losses of fish and wildlife habitat which occur as a result of development projects of many kinds, and land use changes, constitute a major national environmental problem. Of particular concern are the development projects of several agencies, including the Bureau of Reclamation, the Corps of Army Engineers, the Soil Conservation Service, the TVA, and some others. In the private sector also there are many developments which affect or eliminate fish and wildlife habitat, and some of them require federal permits before they can proceed.

These habitat losses, sometimes necessary but sometimes preventable, are widely recognized as needing greater public attention to achieve better mitigation. President Carter's recent water policy referred to the problem. An amendment to the Fish and Wildlife Coordination Act (H.R. 8161) has been introduced.

The purposes of the Symposium are to assess the magnitude of the problem, and develop strategies and recommendations for achieving better mitigation, in the public interest. Sessions will deal with the problem in coastal as well as terrestrial and fresh water environments, and with all regions of the country.

For more information write Dr. Gustav A. Swanson, Program Director, The Mitigation Symposium, Fishery and Wildlife Biology, Colorado State University, Fort Collins, Colorado, 80523. •

## TRIBUTE TO WALTER FLOWERS

## HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. O'NEILL. Mr. Speaker, I welcome this opportunity to join my colleagues in paying tribute to the Honorable WALTER FLOWERS, of Alabama, on the occasion of his retirement from the House of Representatives.

Elected to the 91st Congress in 1968, WALTER FLOWERS has given 10 years of outstanding and exemplary service to the people of Alabama's Seventh Congressional District and to the Nation as well. He has been diligent, conscientious, and resourceful in his duties as a member of the Judiciary and Science and Technology Committees, the Select Committee on Aging, and particularly, the Committee on Standards of Official Conduct.

I want to extend my sincere appreciation to WALTER for his significant contribution to the Democratic Steering and Policy Committee, and for his eager assistance in advising the other Members of the leadership in the House of the impact of the decisions of the Steering Committee on the members from the Deep South. In so many ways, he was the spokesman for the Southern Democrats and I am deeply grateful for his support and for his efforts to garnish votes and to work out compromises among his colleagues to get legislation affecting the national interest adopted in the House of Representatives.

WALTER has been a national Democrat in his position as a member of the Democratic Steering Committee and as a member of the prestigious Impeachment Committee of 1974, where he gained national recognition for his courageous political stand on the principle of the rule of law. While WALTER has graphically demonstrated that no Member needs to be totally provincial, he has nevertheless consistently placed the interests of Alabama first and has done as much to contribute to the well-being of that State as any other Member from Alabama who has served in the House of Representatives.

WALTER has brought reasonableness and prudence to the deliberations of the Democratic Steering and Policy Committee. Possessing an affable and witty personality, WALTER always knew when to make a spontaneous remark that would ease tense arguments. These witty, yet pointed remarks made him tremendously appreciated and respected for an ability to address the heart of the matter in any legislative or political discussion. Politics is the art of compromise, and WALTER knew when and where to compromise without sacrificing the principles of his convictions.

I also want to thank WALTER for his superb work on the Committee on Standards of Official Conduct where he was a leading advocate of the conduct by which he lived—that a Member of Con-

## EXTENSIONS OF REMARKS

gress must adhere to the highest moral standards of behavior, and that we need the strongest code of ethics possible to guide the Members of our National Legislature.

I am proud to have served with WALTER FLOWERS. I want to thank him for a job well done and wish him well in the years ahead. •

## TRIBUTE TO ERNEST MAURETTI

## HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mrs. HECKLER. Mr. Speaker, last weekend, Columbus Day activities took place throughout the Nation, and indeed it is an important day for all Americans. In Fall River, Mass., the entire community was involved in 4 days of activities in recognition of Columbus Day. The city was filled with a contagious spirit of good will, and I was privileged to participate in this great event. The highlight of the festivities was the Columbus Day parade—dedicated to the late Alexandre Sbardella for his influential and inspiring leadership in the community—a great honor for the family of this respected gentleman.

The success of the celebration resulted from the dedication and hard work of the members of the Columbus Day Committee in Fall River. I take this moment to give special recognition to the Honorary Chairman of the Committee, Mr. Ernest J. Mauretti. Mr. Mauretti, a former police commissioner in Fall River, has been an active and dedicated member of his community. Through his initiative, the Italian-American War Veterans post was revitalized. His devoted work in behalf of the Holy Rosary Church and the Italo-American Society, and his selfless efforts in behalf of others have earned him our deepest admiration and appreciation. At the Columbus Day banquet he received a very special citation from Massachusetts State Senator Mary Fonseca who noted not only his outstanding community work but also his many personal kindnesses to her.

The other members of the Columbus Day Committee whose important contributions made this national day very meaningful to their community are:

## 1978 COLUMBUS DAY COMMITTEE

Santi DiRuzza, General Chairman.

Ernest J. D'Ambrosio, Secretary.

Frederick A. D'Adamo, Treasurer and Chief of Staff.

John J. D'Adamo, Program Chairman and Publicity.

James Wilcox, Sports Chairman.

Albert D'Ambrosio, Banquet Chairman and Parade Marshall.

Sadie Tigan, Memorial Dedication Chairlady.

David Silvia, Assistant Coordinator.

Daniel Morris, Parade Coordinator.

Major Anthony S. D'Ambrosio, USAR (Ret), Honorary Marshall.

Police Chief Henry Ramos, Honorary Chief of Staff.

Raymond J. Onorato, Reception Chairman and Float Chairman.

October 11, 1978

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## THE HONORABLE GEORGE H. MAHON

## HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. WAGGONNER. Mr. Speaker, the people of Texas showed much wisdom when they sent GEORGE MAHON to Washington in 1934. They could not have picked a better, more conscientious Congressman than GEORGE MAHON. It is apparent that they think so too—they have sent him back to represent them for 44 years.

To list the accomplishments made by the House Appropriations Committee in the 14 years that GEORGE has served as chairman would be nearly impossible. Suffice it to say, that in the 39 years GEORGE has served on the committee and the past 14 he has served as chairman he has worked diligently for those principles in which he believed so firmly and has dedicated himself to translating those principles into legislative action.

When I first came to this Congress, GEORGE MAHON was warning both Congress and the American people that we must start balancing the Federal budget and holding down Government spending to an acceptable level. History proves that not only was he right, but he became a prophet in his own time. There were many factors at work after the passage of so many social programs in the 1960's that made his job virtually impossible, but he continued to fight for the beleaguered taxpayer and continued to warn all of us that the day of reckoning with inflation was just around the corner. A lot of people should have listened to him and I consider it an incredible loss for this country that he will no longer be in the House to sound the clarion call for fiscal sanity.

I would like to thank you personally, GEORGE, for your wisdom, guidance, and receptiveness toward each of your colleagues. You will be greatly missed as you take this well-deserved rest. •

## RHODESIA'S DEMOCRATIC FUTURE?

## HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SIKES. Mr. Speaker, one of the most reasonable discussions of the Rhodesian problem appeared as an editorial in the Washington Star on Tuesday, September 5, 1978, which was entitled "Rhodesia's Democratic Future?" It spells out the weaknesses and inconsistencies of America's policy toward Rhodesia. It is to be hoped that the editorial has had the careful scrutiny of the White House where blame or credit for what happens in Rhodesia must eventually lie. I submit the editorial for printing in the CONGRESSIONAL RECORD.

The editorial follows:

[From the Washington Star, Sept. 5, 1978]

## RHODESIA'S DEMOCRATIC FUTURE?

In a recent fund-raising letter from the Democratic National Committee, controversial for other reasons, we were surprised to read that the Carter administration bases African policy "on the traditional American values of independence and self-determination."

That claim is probably valid in principle; and the administration has conducted a feeble rhetorical offensive against Russian and Cuban intervention in the Horn of Africa.

But those values take a curious form vis-a-vis Rhodesia; for the U.S. continues, with Britain, to insist that a biracial internal settlement that suits a substantial majority of both whites and blacks in that country is invalid and must, to meet our standards, embrace the so-called Patriotic Front of Robert Mugabe and Joshua Nkomo.

If the test is "traditional American values of independence and self-determination," as it should be, our policy fails it.

Consider the background. In negotiation with three black nationalist leaders and their parties, Prime Minister Ian Smith arrived last spring at a plan for free elections (now scheduled for early December); for a new constitution providing a four-to-one black parliamentary majority; for the end of racial discrimination; for a political amnesty and extensive land reform. These features of the internal settlement are now in train. Their object is to make it possible for black and European communities to co-exist harmoniously in a prosperous, democratic Rhodesia.

Despite these major concessions, heralding a definite end to white power, the U.S. and Britain have denounced the internal settlement and sided with the two self-exiled black leaders, Messrs. Mugabe and Nkomo, who with Russian arms and military training are conducting a savage guerrilla war for exclusive power.

The leaders of the Patriotic Front do not conceal their aim. It is total power. They refuse even to talk with the leaders of the internal settlement unless they first agree to disband the Rhodesian army and hand all military power to them. And Mr. Mugabe, for his part, has also made clear his preference for a Marxist one-party state, not a multi-party democracy.

The focus of Anglo-American diplomacy is an "all-party" conference on Rhodesia in which all contenders for political power join. The interim government has agreed to participate; but the Patriotic Front has refused to do so unless its extravagant conditions are met beforehand. At the same time, its two

## EXTENSIONS OF REMARKS

leaders have rebuffed an open invitation from the Salisbury group to participate as equals in the executive council of the interim government. All or nothing is their demand.

If "independence" and "self-determination" are the guiding values, what is "independence" about claimants to power who are dependents of the Soviet Union and Cuba? And what is self-determinative, for Rhodesians who differ from them, about the Nkomo-Mugabe demand that they be given full political and military control over Rhodesia, at the expense of other black leaders, parties and tribal interests? One suspects the real but unstated answer is the belief that power flows from a gun barrel.

But the question is not ours exclusively. It is a question that is being asked insistently by backbenchers in the British House of Commons and by U.S. congressmen and senators, who recently called for a lifting of economic sanctions against Rhodesia by year's end on two conditions. One is that the Rhodesian government "negotiate in good faith at an all-parties conference . . . under international auspices," the other that it hold "free elections . . . with observation by impartial observers."

The interim government is puzzled that Congress imposes tests of its good faith but establishes no standard for testing the good faith of external rivals. Nonetheless, it is willing to meet the conditions. It is willing to confer at an all-parties conference without preconditions; and it has invited the U.N. and the Organization for African Unity to observe the December elections.

Even the OAU, it might be noted, is growing impatient with the all-or-nothing obtuseness of the Patriotic Front. It is cool to the internal settlement and barred its representatives from its Khartoum meeting last month; but the OAU did resolve that Rhodesians have "the right to choose their own leaders" and rebuffed the Patriotic Front's specious claim to be "sole representative of the people of Zimbabwe." The concession is slight but important. It would appear that even the OAU is more open-minded about Rhodesia's democratic future, and who should decide it, than official American policy. ●

## TRIBUTE TO GEORGE MAHON

## HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROYBAL. Mr. Speaker, as the 95th Congress comes to a close, so do the careers of many of our colleagues in the House. Among the most notable of those Members retiring this year is the dean of the House of Representatives, GEORGE MAHON.

It is a pleasure and a privilege to add my words of praise today for a man who, during his 44 years in Congress, has represented the people of Texas and the Nation with steadfast and dedicated service. He has upheld the faith and trust of his constituents and worked unceasingly for the betterment of all Americans.

As chairman of the House Appropriations Committee, GEORGE can take pride in the outstanding leadership he has brought to this all-important post. It has

been a particular honor for me to serve with GEORGE on the committee these past 8 years.

Without a doubt, GEORGE MAHON has been a key force in the shaping of legislative history. He may, indeed, take pride in the outstanding work he has done and the widespread recognition he has received. His retirement should come with the knowledge that his efforts, talents, and devoted service have most certainly been appreciated.

I would like to congratulate GEORGE on this distinguished career and wish him a long and enjoyable retirement—filled with good health and happiness. ●

## FORD'S 75TH ANNIVERSARY

## HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. NEDZI. Mr. Speaker, this year the Ford Motor Co. is celebrating its 75th anniversary. To commemorate the occasion, Detroit historian, Steve Spilos, has written a brief history of this outstanding automotive enterprise which should be of interest to my colleagues.

Upon leave to extend my remarks, I submit the following article:

## A WORLD OF CARS PLUS THE MODEL T

(By Steve Spilos)

The 75th year of the Ford Motor Company, now being commemorated with pomp and ceremony, brings back many memories of how the company was organized, progressed, and in many instances digressed from the norm while establishing itself as a world leader in automobile production.

Founded in Detroit on June 16, 1903 by Henry Ford and 11 associates, the company is publicly owned and does business in more than 185 countries and territories throughout the world.

Among its first supplies or vendors were the Dodge brothers, John F. and Horace E., who owned a machine shop. They agreed to supply Henry Ford with 650 chassis—engines, transmissions and axles—at a price of \$250 each. The two brothers were also among the initial investors in the Ford Motor Company.

C. R. Wilson, a wagon maker, supplied wooden bodies at \$52 apiece and cushions for \$16. George Holley of Bradford, Pa., provided carburetors; W. K. Prudden, wheels, and the Hartford Rubber Company, tires.

By 1919, when Henry Ford brought out all outside stockholders—at a cost of more than \$105 million—the automobile had become a sophisticated piece of machinery. Its increasing complexity gave rise to a number of suppliers specializing in such components as magneto, paint, ball bearings, springs, lamps, speedometers, piston rings and fabric tops.

Wood was used extensively in the production of the world famous Model T. By 1919 Ford had 73 suppliers, 33 of which are current ones, including Firestone Tire and Rubber, Sun Oil, General Motors, Chrysler, Fruehauf, Goodyear Tire and Rubber, Stewart Warner, Studebaker-Worthington and U.S. Steel.

During the early development of the giant Rouge complex in Dearborn, Michigan, Henry Ford purchased huge tracts of timberland, iron and coal mines and the Detroit, Toledo and Ironton Railroad. He also purchased a

## EXTENSIONS OF REMARKS

rubber plantation which he eventually sold to Brazil. In the late '20s he launched twin freighters on the Great Lakes, the Henry Ford II and Benson Ford; then, almost prophetically, added the William Clay Ford.

Ford also decided to produce his own glass. Until then ingredients for its manufacture were heated in large clay pots, lifted with cranes and poured onto tables to be rolled, trimmed, cleaned and polished.

By pouring the glass directly from the furnace onto a moving table, Ford people did away with the pots. The table carried it under rollers and finishing processes, a method that proved so successful it was adopted by other glass makers.

Despite the company's apparent self-sufficiency, Henry Ford could never hope to operate his huge business without goods supplied by outside firms. Today, some 40,000 suppliers worldwide contribute to the growth and success of the Ford Motor Company.

Originally, Ford dealers operate as a sideline out of livery stables and general stores. In its 75th year, the company has more than 8,000 franchised Ford, Lincoln-Mercury, truck and tractor dealers in the United States.

When the Ford Motor Company first came into existence more than 80 new automobile companies were started. Many of them disappeared, but Ford thrived. At first there were 10 employees in Ford's small, converted wagon factory on Detroit's Mack Avenue. Its assets consisted mainly of tools, blueprints, plans, patents and \$28,000 in cash scraped together by 12 investors.

Hardly had Ford opened his doors, than attorney George B. Selden, who had a patent on "road locomotives" powered by an internal combustion engine, filed suit. To protect his patent, Selden had formed a powerful syndicate to license select manufacturers and to obtain royalties for every "horseless carriage" built or sold in the United States.

Henry Ford was convinced that Selden's patent was not valid. He refused to pay royalties, and fought the suit. In 1911, after eight years of costly and incredibly complicated proceedings, Ford Motor Company won the battle which freed it—and the entire automobile industry—from this major threat to further development.

In addition to Ford and Alexander Y. Malcomson, the principal investor, the original stockholders of the Ford Motor Company were John S. Gray, John F. and Horace E. Dodge, Albert Strelow, Vernon C. Fry, Charles H. Bennett, Horace H. Rackham, John W. Anderson, James Couzens and Charles J. Woodward.

This group included a banker, carpenter, two lawyers, a clerk, the owner of a notions store and a man whose company made air rifles. A doctor also offered to invest, but Mr. Ford declined, fearing that 13 investors might bring bad luck.

Henry Ford gave the company its name and designed its first product, the 1903 Model A Ford. It was advertised as "the most perfect machine on the market" and "so simple that a boy of 15 can run it."

But selling cars at first was not so easy. It was like pulling teeth. In a month the company had all but run out of cash. Then, on July 15, a check for \$850 arrived from Dr. Ernest Pfenning, a dentist, who was the first person to buy a car from Ford, and the stockholders breathed a sigh of relief.

Late in 1904 Henry Ford moved to a new, much larger factory on Piquette and Beauvois. Malcomson insisted on producing expensive cars, but Ford held out for "one the average man could buy."

When the Model N, the forerunner of the fabulous Model T, came out in 1906, Ford was overjoyed. He drove it down Piquette and Woodward—and right by Malcomson's main offices at 149 Griswold Avenue, in the heart of Detroit's financial district.

The Model T revolutionized the automobile industry. It was introduced in 1908, before Henry Ford moved to Highland Park and River Rouge, and in the next 20 years a record number of Model T's—more than 15,000,000 of them—had been produced.

To keep up with the demand, Ford and his staff devised a moving assembly line system for mass production of the Model T. A year later, in 1914, he startled the world by announcing he would pay his employees \$5 for an eight-hour day. The next morning more than 10,000 men lined up at the employment gate of the Highland Park plant.

Ford theorized: "If you cut wages, you cut the number of your customers."

The Model T was affectionately called "The Henry Ford's dream of building a simple but Tin Lizzie" and "The Flivver." It fulfilled durable, low-priced car acceptable by the working man—at an average price, including extras, of about \$400.

An only child until that time, the Model T got a big brother in 1922 with the appearance of the first Lincoln produced under the Ford aegis. In 1929, Ford brought "Woody," the first mass produced station wagon, into the automotive world.

A new Model A, not to be confused with the company's first car, went into production in 1927 meeting the "demand for appearance" in the marketplace. The public snapped it up.

From then on Ford introduced the Ford V8, Lincoln Zephyr, Mercury, a name devised by Edsel Ford, who was the president then; the Lincoln Continental—a car that has since become a legend, the Thunderbird, Mustang, Fairlane, and on top of the small car scale, the Falcon, Maverick, Pinto, Mercury Comet, Granada and Monarch.

When his son, Edsel, died in 1943 at the age of 49, Henry Ford resumed the presidency of the company until the end of World War II when his grandson, Henry Ford II, now chairman of the board, became the president.

Henry Ford, himself, died at 11:40 p.m. on Monday, April 7, 1947, following a cerebral hemorrhage. He was 83. His wife, Clara Bryant, was at his bedside. When she died three years later, for the first time in the history of Detroit, flags were lowered to half-mast for a woman.

Soon after Ford's death, two other grandsons Benson and William Clay, assumed greater responsibility with the company. Both are vice presidents.

Henry Ford II's post war reorganization plan rapidly restored the company's health. Profits began to soar, and in four years through a rebuilding program that has been called the most phenomenal comeback in U.S. industrial history, reached a net of \$265 million.

Today, Ford is one of the largest industrial corporations in the world. In 1977, it had record worldwide car, truck and tractor sales of 6.5 million units. With assets at nearly \$11 billion and more than 300,000 stockholders, the Ford Motor Company employs 479,000 men and women in 300 manufacturing, assembly, engineering and research facilities around the globe. ●

## H.R. 11922, DOMESTIC VOLUNTEER SERVICE AMENDMENTS

## HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mrs. COLLINS of Illinois. Mr. Speaker, I wish to express my support for H.R. 11922, Domestic Volunteer Service Amendments, which would extend the authorization of appropriations for the domestic volunteer programs of the

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ACTION agency through September 30, 1980, and generally provide for improvements in the authorizing legislation.

Both as chairwoman of the House Government Operations Subcommittee on Manpower and Housing which has oversight jurisdiction for ACTION and as the representative of an urban district that includes many disadvantaged residents, I have had the opportunity to observe the tremendous contribution made by VISTA volunteers to the revitalization of our poverty-stricken areas and to the morale of the people who live there.

A major purpose of this much-needed legislation is the continuation of the important impact of VISTA upon the quality of life and the level of self-reliance among poor people in the United States. Since it was established by Congress in 1964, over 50,000 volunteers have served to meet the basic human needs of the disadvantaged in such areas as health and nutrition, housing, community economic development, energy conservation and community services.

In addition, title V of H.R. 11922 will authorize a new \$40 million urban volunteer program. Unlike VISTA, the urban volunteer program will rely primarily on part-time volunteers. Title V is designed to assist citizen efforts by providing crucial and often unattainable resources—volunteer technical assistance and small seed grants. Such volunteer efforts can play a vital role in putting a human face on national urban policy. Further, the urban volunteer program is a cost-effective approach which responds to people's concern about big and unresponsive government by relying on volunteers to supplement Federal dollars.

## A WARNING OF EAST GERMAN MILITARY INTERVENTION IN AFRICA

## HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. KEMP. Mr. Speaker, much attention is understandably focused on the political transition in Rhodesia and the stated positions of the government of Prime Minister Ian Smith and rebel leader Joshua Nkomo. Indeed, this is but a part of the mounting concern in the free world over the future of much of the continent of Africa where Communist forces are brazenly fomenting discord and terror in an attempt to implant Marxist ideology on newly emerging nations.

How deep are both covert and overt Communist penetrations in this troubled continent has been sharply delineated in an article written recently by Michael Kilian in the Chicago Tribune.

Of special concern is his report of the role of East German military personnel and advisers and East German arms now being injected in addition to Cuban, Polish, and Soviet assistance to guerrilla elements.

Mr. Speaker, I think we in the Con-

gress and the American people owe a debt of gratitude to Mr. Kilian for his thoughtful, albeit disturbing, editorial alert.

At this time, I wish to add his article which appeared in the Chicago Tribune, to my remarks.

The article follows:

**LOOK WHO'S IN AFRICA NOW: EAST GERMANS!**

(By Michael Kilian)

America faces a new danger in Africa more troublesome even than Ambassador Andrew Young's mouth:

Germans.

More specifically, the not-so friendly East Germans, whose embrace of brotherly Communism has not made them any less adept at military nastiness than they were in World Wars I and II.

It has become convenient in this country to view the present troubles in Africa neatly and simply as a struggle between heroic black freedom fighters and their white racist oppressors.

The whites can do no right. When black guerrillas raped and slaughtered 13 missionaries and their children in June, it was somehow blamed on Rhodesia Prime Minister Ian Smith.

The black guerrillas can do no wrong. Whether raping and butchering missionaries and the survivors of plane crashes, or killing hundreds of their own people, their blackness assures them a sympathetic if not approving look from many Americans.

In this neat black-white view of things, the many black people opposed to the Communist guerrillas are dismissed as irrelevant. Completely ignored are the other white people involved in this conflict—Russians, Cubans, and now Germans.

They are about as sincerely interested in the freedom and independence of black Africans as the crime syndicate is in the welfare of its juice loan victims. They seek what Europeans have always sought in Africa: raw materials, harbors, military bases, and strategic control of land and sea routes.

And the defeat and retreat of their enemy, which, in this unfortunate circumstance, is us.

According to intelligence reports, East Germany is now supplying arms to 23 African and Arabian countries. It has 1,500 military personnel stationed in South Yemen, just across the Gulf of Aden from the Horn of Africa, and 4,500 on the continent of Africa itself.

Some of these are in an as yet undisclosed location, training members of the Palestine Liberation Organization to fly jet fighters. Others are assigned to increasingly mischievous Libya and newly triumphant Ethiopia. Most are assigned to Angola, where they reportedly organized this summer's bloody raid on Katanga and where they assist the local Communist generalissimo in trying to put down Angola's pro-western U.N.I.T.A. rebels.

According to the Sunday Times of London, East German paratroops are now in Angola in preparation for an assault against South African troops in Southwest Africa [Namibia]. With the East Germans are Polish and Soviet instructors, including a planning staff of five generals, and thousands of Cuban soldiers.

The Cubans have shown they can die very well for their Fidel, having suffered horrendous casualties in these African adventures. But if the Communists prevail in Africa, it will be because of the Germans. This sort of warfare has been their national genius since Clausewitz organized Prussian guerrilla units to fight Napoleon.

And the Germans have been uniquely successful in Africa.

World War I—the war to make the world safe for British and French imperialism—

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was waged in large part to turn German colonies into British and French ones.

When the war broke out, British and French troops were quickly able to capture such isolated German colonies as Togo and the Cameroons.

In German East Africa [Tanzania], Lt. Col. Paul von Lettow-Vorbeck had only 17,000 troops and was entirely cut off from Germany and any other source of supply. Yet he fought off more than 300,000 British, Belgians, Portuguese, and South Africans for four years. Hours before the German surrender in Europe, he was able to invade Rhodesia and capture a major stronghold there, Kasama. He didn't surrender until two weeks after the war ended.

Lettow-Vorbeck succeeded because the Germans were exceedingly popular with black Africans. Of his 17,000 troops, only a handful were German. The rest were all black Askaris—fiercely loyal black Askaris.

World War I may not be over. ●

## BURTON OUT TO SAVE PARKS BILL

### HON. GEORGE MILLER

OF CALIFORNIA

#### IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 11, 1978*

● Mr. MILLER of California. Mr. Speaker, commitment, unflinching energy and followthrough are qualities that aptly describe the chairman of the House Interior Subcommittee on National Parks and Insular Affairs, no matter what time of year it may be. But when it is a few days before the adjournment of a Congress and a landmark conservation bill's fate is at stake, these adjectives pale when witnessing the whirlwind activity of PHILLIP BURTON, the author of the omnibus parks bill that cleared the Congress October 13.

Not once did this House Member accept the possibility of the 95th Congress ending without enacting this major conservation bill. And as a consequence of his persistence, the bill will become a reality once it is signed by the President. As Senator ALAN CRANSTON said of BURTON the night the bill passed the Senate, "This bill is a monument to his ability and perseverance."

On October 12, prior to final congressional action on the parks bill, a piece appeared in the Washington Star that described in some detail the back-breaking efforts of PHIL BURTON to bring about its enactment. I believe it accurately reflects the commitment and labors of PHIL in these final hours of the 95th Congress, and I would like to share it with my colleagues. The article follows:

#### REP. BURTON OUT TO SAVE PARKS BILL

(By Roberta Hornig)

Rep. Phillip Burton, chairman of the House parks subcommittee, is conducting a one-man mission to rescue his \$1.2 billion omnibus parks bill from death by congressional adjournment.

During the past 10 days alone, the California Democrat has succeeded in getting the House to approve two different versions of the parks bill, the largest conservation measure to be voted on in congressional history.

The bill originally passed the House by an overwhelming majority last July.

The second version, voted last week, deleted about \$150 million of Burton's request

to meet White House inflation objections and avoid a veto by President Carter.

Yesterday's version, the third, was to delete funds for a Wyoming park extension and was requested by Burton to meet the objections of a senator. It still awaits Senate action.

Burton may call on the House to vote even more versions to meet other Senate objections. With only a few days left in this congressional session, there is no time for a Senate-House conference so Burton is trying to placate senators and negotiate with them individually.

"It is my effort in working around the Senate to pick up, like a postal worker, amendments by the day," Burton explained. "Then I call later, at night, and get changes in their position, and then I call in the morning and I get still further changes, and I try to accommodate them."

In his zeal for the bill, Burton's third version of the park bill inadvertently killed off the Pennsylvania Avenue Development Corp., the planning organization for Pennsylvania Avenue. Burton said he will work to "straighten it out" and revive the corporation.

A new wrinkle has developed that Burton is trying to cope with. Sen. Ted Stevens, R-Alaska, wants to attach a weakened Alaska lands bill to the measure. If Stevens' effort were to prevail, the parks bill probably would die when it goes back to the House.

A nervous Burton, continuing his House-Senate shuttle in hopes of getting the bill out before Congress goes out this weekend, said yesterday on the run, "I'm very optimistic."

Burton's touchy task is to produce legislation that pleases the White House and the Senate without angering his House colleagues.

The bill is personally important to Burton, who reportedly expects to be a contender again next year for House majority leader, a job now held by Rep. Jim Wright, D-Texas.

The legislation has been nicknamed the "park barrel" bill because it contains projects in many congressional districts. The bill is also widely applauded by conservationists.

The omnibus parks bill contains more than 100 park, conservation and recreation projects.

It amounts to a legislative cleanup of a long list of conservation measures that had languished for years in the House Interior Committee.

Besides consolidating the more than 100 bills into one package, in the process Burton helped a number of his colleagues by adding projects dear to their hearts. Generally the bill adds acreage to much of the country's national park system; designates 2 million acres in 12 parks as wilderness areas; creates new historic sites and recreational areas; designates several "frontier paths" as part of the National Trails System, and adds or funds studies of two dozen rivers for the protective designation as "wild and scenic."

The bill also gives more than \$600 million to cities to improve urban parks with projects ranging from community centers to basketball courts.

Finally, it ends a decade-long controversy over the New Jersey pine barrens, the Tocks Island Dam in Pennsylvania and California's Mineral King Valley.

Some \$25 million is set aside to purchase the extensive pine and marshland in New Jersey, which conservationists have sought to preserve for years.

It kills the dam project on the Delaware River, one of the last free-flowing rivers in the East.

And it adds Mineral King Valley to the adjoining Sequoia National Park. The valley has been sought by Walt Disney Productions for development of a ski resort. ●

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NAMIBIAN INDEPENDENCE AND THE DESTRUCTION OF CROSSROADS: BOTH DESERVE THE ATTENTION OF THE HOUSE

HON. NEWTON I. STEERS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. STEERS. Mr. Speaker, it appears that the House will adjourn soon, and that means we will not have time to consider what I feel are extremely important resolutions on matters of the utmost urgency in southern Africa Namibian independence and the crisis at Crossroads, South Africa.

House Concurrent Resolution 720 expresses the sense of the Congress that the settlement plan for Namibia, proposed by the five Western members of the United Nations Security Council and adopted by the Security Council, has the greatest potential for a peaceful, internationally acceptable settlement in Namibia. The resolution calls upon the Government of the Republic of South Africa to reassess its decision not to support this settlement. I strongly believe that the passage of this resolution can only help move us all in the direction of achieving a peaceful settlement in Namibia.

Less than a month ago we were on the verge of achieving a goal which we, together with our allies, have been working tirelessly towards over a period of some 18 months. But then, on September 20, the Government of South Africa announced its rejection of the Secretary General's report on Namibia. South Africa had agreed to the proposals of the Western contact group many months ago. In rejecting the Secretary General's report which has since been accepted unanimously by the U.N. Security Council, the South African Government has placed a hurdle in the path of an internationally acceptable transition to majority rule in the territory of Namibia.

I, among others in the Congress believe strongly that this hurdle can be surmounted, that the U.N. Security Council plan is still the most equitable plan for Namibian independence, and that remaining differences can be resolved. None of us wishes to see further bloodshed in Namibia. None of us wishes to lose this opportunity for peace in Southern Africa. All of us wish Secretary of State Cyrus Vance and the foreign ministers of the other Western powers success in their mission this week in Pretoria. All of us believe that South Africans, too, want an end to the fighting in Namibia and will cooperate in implementing a plan based on proposals which their government accepted.

South Africans, for all their faults, have always prided themselves on being men of their word. We do not want to believe that they cannot be trusted, that they never really wanted the Western group's proposals implemented, or that they always intended to go forward with their own plan for Namibian independence. It is for these reasons that we are hopeful that the South African Government will cooperate with the United Nations and with the Western foreign min-

isters in seeking ways to implement the U.N. plan.

House Concurrent Resolution 720 deals with the destruction of the squatter community of Crossroads, and I will insert it into the CONGRESSIONAL RECORD at this point for the perusal of my colleagues. This resolution speaks for itself.

H. CON. RES. 720

Whereas the community of squatters known as Crossroads was established in 1975 near Cape Town, Republic of South Africa, so that black workers could live with their families;

Whereas Crossroads is the only remaining community in the Cape Town area where black workers are able to live with their families;

Whereas the twenty thousand residents of Crossroads have built their own homes; have provided their own educational, recreational, and sanitary facilities; and have contributed to the economic success of the area through the legally recognized employment of 73 per centum of the men and 25 per centum of the women and the informal employment of an additional 11 per centum of the men and 20 per centum of the women;

Whereas on September 5, 1978, armed riot police forces of the Republic of South Africa broke into homes in Crossroads and arrested between four hundred and five hundred individuals for illegal residency and for the illegal harboring of family members;

Whereas on September 14, 1978, in a massive show of force using tear gas and police dogs, members of the armed riot police forces of the Republic of South Africa charged into Crossroads beating many residents of the community, arresting over one hundred and fifty individuals including community leaders and persons of all races who supported the continued existence of the community, and causing the death of three individuals and the injury to many others including women, children, and religious leaders;

Whereas, to enforce the racist policies of apartheid and separate development, the Government of the Republic of South Africa has repeatedly stated that it will demolish Crossroads by the end of 1978, an action which would cause families to be divided and individuals to be separated from their homes and jobs; and

Whereas political and religious leaders from many nations have condemned the callous actions of the Government of the Republic of South Africa regarding Crossroads: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring). That the Congress is deeply concerned for the safety of the residents of the South African black community known as "Crossroads" and strongly urges the Government of the Republic of South Africa to reconsider its plan to destroy Crossroads and to recognize the right of the residents of Crossroads to continue to live in the community which they built.●*

A TRIBUTE TO A CHICAGO RESTAURANTEUR "PAR EXCELLENCE"

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mrs. COLLINS of Illinois. Mr. Speaker, I wish to pay tribute to one of Chicago's biggest boosters, Mr. Gene Sage, proprietor of Sage's East, 181 East Lake Shore Drive, and three other Chicago area restaurants on the occasion on Gene's 30th anniversary in business. Gene's philanthropic activities for the city of Chicago

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are too numerous to mention, including the provision of food and beverage for Chicago Fest, and the unforgettable Turnabout Days, whereby prominent Chicagoans served as waiters and bartenders with proceeds going to Northwestern Memorial Hospital and the Rehabilitation Institute. However, his greatest gift to the city has been the inimitable spirit which Gene has brought to his labor of love, as is evident in the following summary of his recollections: *MUSINGS OF A SALOONKEEPER OR "MY 30 YEARS IN THE LIFE"*

(By Gene Sage)

In September of 1948, Truman was a "sure loser," the Russians were between the Iron Curtain and the Cold War, the hit song was "Everybody Loves Somebody," and the Cubs finished last.

This fat, curly-headed kid stopped off in Chicago to visit the old man and his mother on his way east to graduate school and, incidentally, to view the new "Alex's Restaurant" on Adams Street which they had just opened.

My father was the ultimate saloonkeeper. A craftsman. My buddy—even my drinking companion—whence all blessings emanated. He supported us all. His knowledge, lore, worldliness gave me background. He was the original standup guy. His word wasn't just his bond—it was FACT.

My mother was the heart and soul of the family. Gentle. Bright. Sensitive. She raised us all and not just my sister and me, but her brother, and even my father as well as numerous strangers who sought and got succor. Everyone turned to her for love and understanding. I broke her heart by going into the restaurant business instead of becoming the Professor she hoped for.

The restaurant was going badly and the kid stopped for a year; thus, the Professor became a saloonkeeper—and thirty years later, he's still that. (Talk about "The Man Who Came to Dinner"—how about the man who came to serve dinner?) That's me, Gene Sage.

It's been a rewarding career emotionally, socially, and financially. Pain and pleasure, fun and frolic, profit and loss, anxiety and anticipation, creativity and the hum-drum. But what other career could offer an opportunity to hang around a saloon for thirty years for the fun of it and do it all for profit?

We've served millions of meals and trillions of drinks (most of them great) to millions of people and that's the crux of it—People! To misquote Mel Brooks who's been a customer of ours, "The great and the near great and the not so very."

The people are you—our customers—those who preceded you to those who hopefully will follow you, too numerous to mention singly by name (and I might forget a few), but you know who you are. You're our Friend—you've made it all possible. From the first man who extended his hand and said, "I'd like to be your customer, to the last prom kid—to the third generation of customers (and that's a point of pride), the neighborhood resident who hangs out, the regular, the steady and the out-of-towner, and the next person in the door: our heartfelt gratitude for your friendship, confidence, patience, loyalty, understanding, patronage, and cash and all major credit cards.

Our customers have sent my three children to college, bought my houses, clad my body and determined my life style, and I appreciate all of that deeply. But when you work in a place 14 to 18 hours a day, your life is there. You're my friends, my milieu, my peers. You provided the environment for my personal development (for good or bad). You turned me from a shy, introverted person lacking in confidence into (whatever it is, you did it, so fill in the blanks yourself).

I've said that out of my restaurants, I'm a diminutive 5'5" — but in them, I'm 6' tall — thank you!

We've served all stripes of people. The Mayors Daley and Bilandic, five Governors of the State, numerous U.S. Senators and Representatives, Supreme Court Judges, and almost the entire bench in Chicago and Cook County. Presidents of the County Board, prominent bankers, industrialists, men of commerce, leaders in all segments of the local and national community, the clergy. We've served Robert Kennedy, Frank Sinatra, Barbara Rush, Bette Davis, Patricia Neal, Ginger Rogers, Robert Vaughn, Tony Randall, Jack Klugman, George Hamilton, Hugh O'Brian, Eva and Zsa Zsa Gabor, Werner Klemperer, The Joffrey Ballet, George Halas, Sid Luckman, the Cubs, Blackhawks, Bears, Bulls—not to mention their opponents.

Occasionally, it was pain, but mostly a thrill. We've also served grand ladies of the evening and grand ladies, drifters, ne'er-do-wells, — and bums, deadbeats, a flash in the pan or two, a felon now and then, fighters and lovers, gamblers and gamblers—and you. We've been baby sitters, psychiatrists, referees, financial advisors; it has been a ball.

So thank you—you've kept me off the streets—and in a bar. You've given me a stature which I don't merit, you've given me food for my body and comfort for my soul. My heartfelt gratitude to you and my pledge to keep the faith, and honestly provide you with the best available food and drink, good times, and companionship.

The people are also YOU, my fellow workers and compatriots, the loyal alumni and the present crew of people who are the best always, all ways. It hasn't been easy for you—I'm a — to work for (though it's been said I've mellowed lately). You've been loyal friends, talented, long-suffering, honest, capable, efficient, unstinting in effort as well as, on occasion, difficult, temperamental and impossible. But without you, we'd be ZIP!

Names, names, names—from Dad's place on Adams Street and my first place on LaSalle Street—to Sage's East, Arley's, Sinner's and Eugene's. I'm afraid to list you all—I might miss someone.

Sufficient to say that restaurant career people are unique. Yes, some of the jokes are true. I've even had a waiter say, "It's not my station," but overall they are highly skilled, work best under pressure, put in long and hard hours, and still manage to keep a smile on their faces.

You're diplomats, psychiatrists, independent merchants, doctors, referees, entertainers, stevedores and more rolled into one. You're fun, flaky and frolicsome. Mostly, restaurant workers are unappreciated.

Here and now, I'd like to tell them all, past and present, good and bad, how much I appreciate and love them. We've had more than our share of great people, highly skilled and par excellence—we've been lucky, we're at our luckiest right now!

So to all of you from porter to manager, from office to kitchen, to bar to dining room—a huge thank you, blessings upon you and a pledge that I know it's a two-way street and will try to make our places even better (not easier) to work in and I'll try to be a better person.

To our purveyors—while it seems at times we're in an adversary relationship—it's not true. You've taught us the business, educated us and bailed us out—most of all, you've provided us with great service and the top quality product we require.

We've grown together and sometimes I regret that it's become impossible for all of us, because of size, to have close personal contact (except when we're yelling). It seemed to work better that way. And yet, during thirty years in business, only two sources have come off the approved list of suppliers. That's

## EXTENSIONS OF REMARKS

either a tribute to our patience or your skill—once again, thank you! And my wishes that thirty years hence, we'll be ordering, complaining, and paying you as we are today.

I don't hope to be around in thirty years, but I believe our companies—yours and mine—will be, and the precedents and patterns we have established have a solid foundation to continue into infinity.

Thank you!

Yes, all of you are my friends. Yet there is a more intimate group of people—wife, children, family, dear friends, accountants, lawyer, public relations people, partners—to whom I need to genuflect and express my undying gratitude for your loyalty, support, advice, understanding, sense of humor, love and patience. I hope I give as much as I receive—I try to.

If my hours, attitudes and priorities have seemed selfish and out of line, I apologize. . . . it was misguided, but not out of a lack of love or caring.

I love you all for what you are as well as for what you helped to make me (blame you, too!).

"STEVE"

Throughout this meandering, I've avoided mentioning names—even names of my dear friends—but not to thank and give honor to one man would be an act of gracelessness.

I'm talking about my partner, my friend, my confidante, my crutch, my brother (though there is actually no filial relationship)—Steve Felsenberg.

He is a very special human being who is more responsible for our success than I—more talented than I—and as hard working as I. Bright, sensitive, tough, fair, honest, kind, gentle, trustworthy—(fat) with a great sense of proportion. Steve possesses an ethical standard that is unparalleled—an understanding of people that is unsurpassed and a knowledge of the restaurant business that makes him the outstanding restaurant man I know, and that covers a lot of ground. Innovative, charming and quick—there just aren't enough adjectives to go around, so just think of how our places really should be: Sage & Fei's East; Arley's & Steve Fei's Restaurant; Steve & Eugene's; and Fei's Sage's Sinners Club.

Steve, I love you. ●

## HON. OMAR BURLESON

### HON. JOE D. WAGGONNER, JR. OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. WAGGONNER. Mr. Speaker, there is no adequate way that I can pay tribute to our dear friend and esteemed colleague, OMAR BURLESON. His great wisdom, leadership ability, and personal warmth simply defies description.

I have worked as closely with OMAR—day in and day out, on big legislative decisions and small—as I have with any Member in this Chamber. I have grown to respect and admire his forceful and persuasive actions on the floor during debate. I have also witnessed firsthand his wise counsel with those who have sought his invaluable advice.

His reasonable, thoughtful, and deliberate approach to legislation commands wide respect on both sides of the aisle and from all political persuasions. His personable manner and keen sense of humor have enabled OMAR to make friends of Members who are miles from his conservative positions. Whether you agree with him or not, there is no way

that you can help but respect and like OMAR BURLESON.

Well, I happen to agree with him, as well as to like him. I have seen him close up in Ways and Means, working to translate his firm convictions into legislation. His influence is not that of a headline hunter or glory seeker; rather, his mission is to quietly accomplish the goals he establishes, not to gain publicity.

The qualities that made OMAR a great legislator—courage, dedication, and genuine concern for the well-being of the country—are qualities this Congress can ill afford to lose. We need more men like OMAR BURLESON, not less.

I cannot say enough about this outstanding Congressman and wonderful human being. You cannot replace this kind of person. He is without question, in my mind, an unequalled and exceptional individual. It is my firm conviction that if the Congress were made up of a majority of OMAR BURLESONS, we would not have the problems that we are faced with today.

Personally, I want to thank you, OMAR for your untiring efforts in behalf of our beloved country. You certainly will be missed. ●

## FOOD PRICES

### HON. CHARLES E. GRASSLEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. GRASSLEY. Mr. Speaker, in recent weeks the subject of food prices has received a lot of attention in the news media. Just this past Thursday, October 12, the lead editorial in the Washington Post was entitled "Farm Prices and Food Prices." In addition, on Friday, October 6, a front page article appearing in the Washington Post stated that increases in food prices were the main cause of the rise of wholesale prices last month.

Two questions frequently asked are, why do food prices rise and who is to blame? Too often people associate increases in food with the farmer and think he is receiving a large share. By looking at some hard facts, however, it is possible to show that this is not true. It will also help us to better understand just which factors do contribute to high food prices, and how the food price situation in this country is reflective of or connected to the general state of the economy.

There has not been a single year since 1965 during which consumer prices increased less than 3 percent. Consumer prices are expected to be up about 8 to 10 percent over 1977. Today you can expect food prices to go up about 1 percent for every 1.5 percent increase in the rate of general inflation. The dollar that paid for 100 cents worth of goods at the end of the Depression is now worth only 21.2 cents in 1939 buying power. Retail food prices for all of 1978 now appear likely to average around 8 to 9 percent above what they were in 1977. The Department of Agriculture estimates that the average family of four will spend \$71.31 to \$72.46 weekly on food by the end of 1979, up from \$68.31 in 1978. Not

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too long ago \$50 was considered a lot to spend on the weekly grocery budget.

It is important, however, that we not ignore some facts that point to another side of the food price picture. Recent figures indicate that of the 15 major countries surveyed by USDA's Foreign Agriculture Service, food prices in the United States have risen the least since the beginning of this decade, except for West Germany, the Netherlands, and Belgium. Consumers spend only about 16.8 percent of their disposable income for food; and, based on 1974 spending, it can be shown that the consumers in the United States and Canada allocated the lowest proportion of private consumption expenditures for food, beverages and tobacco.

A recent exhaustive General Accounting Office (GAO) study on what causes food prices to rise and what can be done about it, shows that while food prices increased substantially and at a much higher rate than nonfood prices in 1973 and 1974, they have, in most instances, increased at a lesser rate than nonfood prices since then. Put another way, figures indicate that relative to the prices consumers must pay for other items in the economy, the cost of food is a "good buy."

When talking about food prices, it is important to realize that conditions which prevail in three areas are the main determinants of final costs to the consumer: The farm production sector, the marketing sector, and consumer purchasing conditions. Of the three, the farm production sector is the most precarious. Production at the farm level is heavily influenced by rather unpredictable natural forces such as weather, pest infestations, plant and animal diseases. These occurrences are almost impossible to forecast; and, when adverse conditions result in a reduction of the available food supply, there are consequences for the consumer's budget, and the State of the economy as a whole. According to the GAO recent report, for instance, the primary causes of rising food prices in 1972 and 1973 were worldwide agricultural shortages produced primarily by adverse weather and by the delay of Government officials in calling for increased agricultural production. Since then, however, higher marketing costs, and not a reduced food supply have contributed heavily to higher food prices.

It seems that many people perceive that farmers are somehow "striking it rich." I would like to show how this is not the case. In 1973, when food prices were at record levels because of reduced supplies, the farmer's share of the total value of the foods in the USDA market basket was 46 percent. Since 1973, however, the farmer's share has declined each year and is now at its more usual level of about 39 percent. For the year 1977, for example, the retail value of foods in the market basket was \$1,937 and the farm value was \$751 or 39 percent. Farmers in 1976 and 1977 appeared to be about as well off economically in relation to the rest of the food industry as they were in 1967, although they were not as well off as they were from 1972 to 1975 when farmers received a larger share of the value of the market basket.

This figure, however, is based on gross income and does not take into account the impact of increased production costs.

It is important to recognize just how large a wedge is cut into the farmers' budget by increased production costs. Farm production expenses depend on the type of farming enterprise, include the costs of feed, livestock, seed, fertilizer, repair and operation, depreciation, and labor. The GAO report shows that between the beginning of 1959 and the end of 1976, a period of 18 years, total farm production expenses tripled, rising from \$27.2 billion to \$81.1 billion. During the same period, realized net farm income only doubled. The GAO study further shows that—

In current dollars, farmers' net income in 1977 was about 45 percent above that in 1970. In 1967 dollars, however, it was actually 7 percent less in 1977 than it was in 1970.

Based on these facts, I can assure you that farmers are not striking it rich. In fact, they are having a difficult time in making a living solely from farm income. They cannot be legitimately blamed for the current or anticipated rise in food prices.

I briefly mentioned earlier that higher marketing costs have contributed heavily to higher prices. Few are aware of just how large a contribution marketing costs make in the final cost of food. Today the costs for assembling, processing, transporting, wholesaling, and retailing food products account for about 60 cents of each dollar spent for domestically produced farm goods. The data in table 1 reveals that higher marketing charges accounted for almost three quarters of the \$76 billion increase in consumer expenditures for food from 1970 to 1977. More than half of the \$22 billion increase in farm value occurred in a single year—1973. Since then, a staggering 87 percent of the increase in consumer expenditures for U.S. farm produced food has been caused by higher food marketing charges.

The GAO report states:

In the past ten years, the USDA farm marketing bill doubled from 61.4 billion dollars to 123.5 billion dollars.

While profits both before and after taxes rose between 1970 and 1977 as much as or more than any other marketing cost, in amount they are relatively insignificant compared with labor costs which account for about fifty percent of the food marketing bill. In 1978, wages are expected to increase 7 to 8 percent because of prior settlements, cost of living adjustments, renegotiated agreements, increases in the minimum wage and higher social security taxes. Needless to say, wage settlements in 1978 will be strongly influenced by attempts to protect workers from further inflation and the possible loss of purchasing power. Keeping in mind that food marketing costs are inputs purchased and bid for in the general economy, food prices, therefore, generally respond to economic pressure outside the direct influence of the food marketing system. Clearly, unless the lid is put on inflation, the food price situation nor the general state of the economy will improve.

Although consumers are getting a relatively "good buy" of farm produced foods, every trip they make to the supermarket reminds them that food prices have steadily climbed. Why is it, many wonder, that farm price increases are passed on to the consumer more readily than farm price decreases? One thing to remember is that when farm prices decline because of increased product availability, marketing costs are not directly affected because they are related to the physical product rather than to the dollar paid to farmers, and to the price trends in the economy as a whole. The GAO study lists some of the reasons why good retail price does not always decline when the farmer gets less for the raw agricultural commodity. Among them are, first, farm value represents a small percentage of retail price; second, decrease of a product's farm value may be partially, completely, or more than offset by increases in marketing costs; third, various retail price methods such as following competitors or letting retail margins increase somewhat when wholesale or farm prices fall and absorbing some of the cost when prices rise; and fourth, there is less price competition in a highly concentrated market and profits therefore are likely to increase.

These are some of the reasons for a widening farm-retail spread, but they alone do not sufficiently explain it. Congressional sources and an ERS official have stated that the farm and food price data the Government currently collects is not timely or specific enough to determine if undue lags occur in adjusting food prices following changes, particularly decreases, in farm prices. Two primary obstacles stand in the way of a more accurate estimate and analysis of the farm value-retail price spread: The marketing industry's unwillingness to supply needed information and the estimated high cost which would be incurred by the food industry in supplying the needed information on a timely basis and by Government agencies in collecting and analyzing such information. The recent GAO report states:

Monthly data on food industry cost and profit would have to be available to determine if rising food market costs or increased profits were responsible for any lack of retail price responsiveness.

Probably the most predictable factor in determining food prices is consumer purchasing conditions. Generally, the total demand of food can be estimated on the basis of population growth and income level changes. However, there have been recent changes. Families are smaller and the number of working mothers has increased. As a result, family income is higher, and the demand to eat away from home has grown. In 1977, the amount spent on food eaten away from home increased about eight percent.

Another way consumers purchasing conditions affect the cost of food is by the mix of food demanded which can change because of price and price relations of various food available in the marketplace, or because public trends increase the demand of certain food items over others. Finally, overall demand for various foods can shift as a result of reports

that a certain food may be injurious to health or as a result of a tendency toward diet programs or better nutrition.

This last factor is integrally linked to the effects that Government regulation has on the determination of food prices. Consumers, farmers, and the food industry alike have seen the Federal Government become continually more involved in their lives. Certain actions now being discussed or formulated by the Congress would, if implemented, supposedly benefit society in a number of ways by educating the consumer on better diets and the nutritional foods, upgrading the environment, and improving levels of worker health and safety. Some of these can be seen in table 2. On the other hand, these actions would increase food costs and consequently raise retail prices. The following chart shows these actions, their anticipated effects on the industry, their intended benefits to society, and where available, their estimated costs if implemented nationwide. We in Congress must carefully weigh the benefits of such actions to society against their costs. Of

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course, we must work to improve the quality of American life, but this must be at a price that Americans can afford.

I would like to close by saying that even though Americans are getting a better buy at the grocery store than people from most other countries, they must contend with food prices that have steadily increased for several reasons. I think it is apparent that farmers cannot be legitimately blamed for rising food prices. In fact, farmers are not well off; in just 18 years, farmers' expenses tripled. We have also seen that 87 percent of the increase over the past 5 years in consumer expenditures for U.S. farm food has been caused by higher food marketing charges, and that 50 percent of the food marketing bill is attributable to increased labor costs and the need to protect workers from further inflation and a loss in purchasing power. Finally, we have seen how consumers need to better understand where their food dollars are going.

Again and again it has been clearly es-

tablished on the basis of hard facts that current conditions in the general economy aggravate the food price situation. A continual inability or unwillingness to control inflation, a stubborn insistence to pursue policies of deficit spending has had negative effects on the overall state of food prices in a number of ways—from the costs of farm production, to the expense of labor in the marketing industry, to the cost to consumers for Government regulation. Polls show that inflation has become the No. 1 worry for most people. We know through the experience of 1971 to 1974 that mandatory wage and price controls do not work and serve only to distort the market. But we also know that the deficit in the year that began October 1 is expected to be about \$40 billion, and that something must be done to reduce this rate. If Americans are to get a better buy at the grocery store than they are now getting then I feel it is these issues—putting a lid on inflation, drastically curtailing the level of deficit spending—that must be addressed first.

TABLE 1  
(In billions of dollars)

	Consumer expenditures	Marketing bill	Farm value	Annual change in			Consumer expenditures	Marketing bill	Farm value	Annual change in			
				Consumer expenditures	Marketing bill	Farm value				Consumer expenditures	Marketing bill	Farm value	
<b>Year:</b>													
1970.....	106	71	35				1975.....	161	106	55	12	13	-1
1971.....	111	76	35	5	5	0	1976.....	172	116	56	11	10	1
1972.....	118	79	39	7	3	4	1977 <sup>1</sup> .....	182	125	57	10	9	1
1973.....	135	84	51	17	5	12	Total increase.....				76	54	22
1974.....	149	93	56	14	9	5							

<sup>1</sup> 1977 data is preliminary.

TABLE 2.—PROPOSED GOVERNMENT ACTIONS THAT AFFECT FOOD COSTS

Action	Effect on food industry	Benefits to society	Estimated cost <sup>1</sup>	Status at end of 1977
Mandatory nutritional labeling.....	Initial increase in labeling costs and more frequent label change, for processors of packaged food products.	Provide consumers with information to prepare nutritionally well-balanced meals.	Initial cost—0.4 percent of sales; annual cost—0.2 percent of sales.	Food and Drug Administration already requires nutritional labeling on those products which contain added nutrients or for which nutritional claims are made in labeling or advertising.
Drained weight labeling:				
Plan A <sup>2</sup> .....	Increase in costs to processors due to additional production steps.	Consumers would be advised of product weight minus liquid in the can.	\$100,000,000 annually.....	Under consideration by FDA.
Plan B <sup>3</sup> .....	Increase in costs to processors due to additional production steps.	Consumers would be advised of product weight minus liquid in the can.	\$10,000,000 annually.....	Under consideration by FDA.
Percentage characterizing ingredient labeling.....	Purchase of additional machinery by processors.	Provide consumers with a method of comparison shopping.	Not yet estimated.....	FDA now requires some foods to be so labeled; bills now before the Congress would increase the number of foods to be so labeled.
Mandatory unit pricing.....	Increase in retailers' costs for labor, equipment, and supplies.	Provide consumers with a method of comparison shopping.	0.17 percent of grocery sales.....	Currently voluntary but a mandatory program is being considered by the Congress.
Mandatory open dating.....	Increase processors' costs by more frequent return of products superseded by fresher products.	Provide consumers with a method to determine product freshness.	Not yet estimated.....	Voluntary program frequently used on processed meats, poultry, dairy, and bakery products.
More stringent noise pollution standards.....	Increase in food processing industry's capital costs needed to decrease noise levels.	Less damage to food industry workers' hearing.	\$1,700,000,000 to decrease allowable noise level from 90 decibels to 85 decibels.	Under consideration by the Occupational Safety and Health Administration.
More stringent water pollution standards.....	Increasing in food processing industry's costs needed to meet and maintain compliance with these standards.	Cleaner water.....	\$100,000,000 for all U.S. industries for a 10-year period ending 1985; no separate estimate for food industry available.	Standards to be fully implemented by 1983.

<sup>1</sup> The sources of the estimates are identified on the following pages.

<sup>2</sup> Plan A would require the processor to determine the product weight after can had rested for 30 days and liquid had been drained.

<sup>3</sup> Plan B would require canning industry to weigh the products before they are canned. ●

### S. 2493—AIR TRANSPORTATION REGULATORY ACT

**HON. JOHN G. FARY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. FARY. Mr. Speaker, the passage of the Air Transportation Regulatory Reform Act of 1978 before the adjourn-

ment of the 95th Congress promises a new era for Chicago's Midway Airport and greater competition among commercial air carriers throughout the United States.

This legislation which I cosponsored mandates the first substantial change in the Federal Government aviation control structure since the creation of a Civil Aeronautics Board in 1938 despite sweeping changes in aviation technology and in public traveling preferences.

A key provision of the new act permits any certificated interstate carrier or large intrastate airline to enter one new market a year until the close of 1981 without having to seek CAB approval as is now needed.

Another competition fostering provision of the act provides that any unused or dormant route may be taken over by any carrier that demonstrates its readiness and ability to do so. The dormant route would be granted automati-

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ically to the first airline that applies within 30 days after the market is officially declared dormant.

A third, and in my opinion a most liberalizing provision of the new act, is to permit airlines to cut fares and shipping rates by as much as 50 percent without seeking the approval of CAB.

The passage of this legislation is a great victory for me personally. Upon being elected to the U.S. House of Representatives, as a Representative from the Fifth Congressional District of Illinois, I made a promise to my lifelong friend, the late Richard J. Daley, mayor of Chicago, that—

My legislative efforts would be directed first and foremost toward the reactivation of Midway Airport and the economic revitalization of the Southside of Chicago.

With the culmination of many hours of hearings, the passage of the Airline Deregulation Act makes the reactivation of Midway Airport at long last a reality.

Once the world's busiest airport, Midway will shortly begin full scale operations. Currently, Delta Airlines provides regularly scheduled daily air service from Midway to St. Louis, Memphis, Kansas City, and Detroit, with a 44-percent reduction from regular coach fares.

With CAB granting operating authority for new low-fare air service from Chicago's Midway to Minneapolis/St. Paul, St. Louis, Detroit, Cleveland, Kansas City, and Pittsburgh, the revival of Midway is expected to occur gradually in three stages in a period of 10 years. The first stage involving the six cities already mentioned, to begin at once.

The second stage would add nine additional cities: Buffalo, Cincinnati, Dayton, Columbus, Louisville, Memphis, Omaha, Des Moines, and Indianapolis, with approval expected without any difficulty.

The third, and possibly the final stage in the Midway revitalization program to bring Midway back to full capacity air service would be to service 17 additional cities, among which would be predominantly Boston, New York, Philadelphia, Baltimore, and Washington, D.C.

Crain's Chicago Business Weekly reports that by 1980 there will be more than 400 flights daily out of Midway.

According to CAB's final environmental impact statement:

The plan to reopen Midway will create 1800 new jobs at the airport, and 800 more off the airport. It will also bring a direct income contribution of \$28.7 million. By the mid-1980s, activity at Midway would generate 10,308 new jobs, a \$79.1 million increase in personal income, 3,963 new residents, \$27.7 million increase in residential property valuation, and \$42.1 million increase in residential property valuation, and \$42.1 million increase in commercial and industrial land values.

Mr. Speaker, I was pleased with the final passage of the Air Transportation Regulatory Reform Act of 1978 which is now the law, and would like to express my gratitude to the conferees for retaining my amendment intact requiring the Civil Aeronautics Board to encourage carriers to provide air service to satellite or secondary airports.

The purpose of my amendment was to prevent in the future what happened to

Midway, the world's busiest airport, with the introduction of the larger jet aircraft which transferred all air traffic to O'Hare Airport, thus leaving Midway a ghost airport, and requires the Civil Aeronautics Board to provide new air service at major urban areas through satellite or secondary airports.

As used in the amendment, the term "secondary or satellite" airports include not only airports serving suburban areas surrounding an urban center, but also secondary airports within urban centers. Examples of such satellites are the Burbank and Ontario Airports in the Los Angeles area, the Oakland and San Jose Airports in the San Francisco area, Midway Airport in the Chicago area, Baltimore-Washington Airport, and the Newark and White Plains Airports in the New York area.

This amendment would foster a policy of creating satellite specialists; namely, air carriers who would gain access to a market serving a major urban area such as presently occurring at Midway with the CAB granting operation authority for new low-fare air service to six cities. This is the first stage in the development and revitalization of Midway which give encouragement to other cities whose airport operations have suffered financially because larger carriers bypass the secondary airports rendering exclusive service to primary urban airports.

To all those who have played a great part in Midway's revitalization, I would be remiss to myself and all those concerned if I did not take a moment to express my sincere gratitude to the Honorable HAROLD T. ("BUZZ") JOHNSON, chairman of the Public Works Committee, Hon. GLENN M. ANDERSON, chairman of House Subcommittee on Aviation, and my colleagues on the Aviation Subcommittee for their consistent enthusiasm and diligence during the past several years in pursuing legislation to deregulate the commercial airline industry.

To the Honorable Alfred E. Kahn, Chairman of CAB, my special thanks for his dynamic leadership in calling for the overhaul of the 40-year-old law governing commercial air lines.

My thanks to the administration, and especially to the Honorable Brock Adams, Secretary of Transportation, without whose consistent and enthusiastic support this legislation would not become a reality, nor would Midway now be on the threshold to a magnet of economic growth.

Last, but not least, my deep appreciation and personal thanks to the members of the Chicago congressional delegation, the Honorable Michael A. Bilandic, mayor of the city of Chicago, members of the city of Chicago and State of Illinois Departments of Transportation, representatives of airlines serving Chicago, businessmen, and civic leaders for their every assistance.

In conclusion, I should like to take a moment to thank my colleagues for their foresight in passing this important legislation which will not only revolutionize air travel but render the public a greater service.

This will be a memorable period for the revitalization of Midway and the

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southside of the great city of Chicago. My promise to Mayor Daley has been fulfilled.●

## HEALTH CARE FOR OLDER VETERANS—ADDITIONAL ISSUES

## HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. PEPPER. Mr. Speaker, I have shared with my colleagues a paper which was prepared by Ms. Dena Belinkoff, who served this summer with the Subcommittee on Health and Long-Term Care of the Select Committee on Aging, both of which it is my privilege to chair.

The final portion of this paper deals with a number of issues which warrant our consideration: standards and evaluation procedures; regionalization and sharing; national health insurance; and research. In addition, Ms. Belinkoff offers recommendations for improving the VA system of care for elderly veterans. I commend this final portion to the attention of my colleagues and include it to be printed at this point in the RECORD:

## STANDARDS AND EVALUATIONS

As a health care system autonomous from both the private sector and other federal providers, the Veterans Administration conducts its own evaluations of facilities and prescribes its own standards. A complex system of review, both internal and external to individual facilities, keeps the overall quality of care in VA hospitals and nursing homes at a high level.

All VA hospitals, long-term care facilities and Hospital Based Home Care programs maintain accreditation from the Joint Commission on the Accreditation of Hospitals (JCAH), which reviews accreditation every two years. In addition, the VA requires appropriate licensing from city, state and county boards for all community care facilities used in VA programs. Community nursing homes, Intermediate Care facilities, Personal Care Homes and State Homes are evaluated by the VA; no formal standards are currently applied to Domiciliaries.

Two systems monitor the on-going operations and quality of care in VA facilities. Systematic Internal Review (SIR) is carried out by a facility's own staff and the Systematic External Review Program (SERP) is administered by VA staff from facilities other than the one under evaluation.

Comparable to the national PSRO program, the VA instituted an HSRO (Health Services Review Organization) program to assess the suitability of the level of care received by each patient. Audits of facilities are regularly conducted by VA Central Office teams.

The VA, with its thorough set of review and inspection systems, undoubtedly maintains an adequate quality of care in its facilities. Nevertheless, the NAS study questioned some VA prices.

The JCAH sets minimal performance standards for the number of certain surgical operations to be carried out annually. In the case of kidney transplants, the majority of VA hospitals with the proper equipment and staff performed a significantly lower number of operations than dictated by the JCAH. The NAS, therefore, recommended the cessation of kidney transplants in these hospitals.

A second NASA criticism referred to the absence of standards for staffing and quality of care for Intermediate Care facilities and Domiciliaries. At present the VA is develop-

ing the necessary criteria for these two programs.

*Comment*

In perspective, the evaluation and review procedures of the VA appear to duplicate many of the programs currently administered by the government to other federal and private providers. Recognition of this occurrence has already led the VA to negotiate with HEW to avoid duplication of inspections of nursing homes that accept both Medicare and Medicaid patients and VA contracts. Implicit in this coordination of efforts is the desire to reduce administrative costs. A logical step for the VA would now be to investigate the further application of this cost-efficient sharing procedure. Since HEW and the VA standards are virtually identical, common sense and economics dictate that one universal system of review is preferable.

Another beneficial by-product of the implementation of such a program might be the elimination of the budgetary incentive to overhospitalization that currently exists in VA facilities. A utilization review team, completely external to the VA, would have nothing to gain by extending lengths of stay beyond the optimal period for the veteran.

**REGIONALIZATION AND SHARING**

Access to medical facilities is a crucial prerequisite to a comprehensive and effective health care system. For elderly persons, the transportation problem is magnified, as they must frequently rely on relatives and friends or on public transportation, which might be costly or injurious to a frail person. Although VA health facilities are distributed geographically across the country, it would be impossible to provide all veterans with equal access to all types of services.

At cross purposes with the need to make services readily available stands the equally important desire to avoid costly duplication of facilities and machinery. In response, the VA recently initiated the Regionalization program, which divides the country into 28 medical districts, each one responsible for coordinating services among the local VA facilities. Regionalization proposes to encourage complementary development of medical specialties among the VA hospitals within each district, in addition to facilitating cooperative arrangements for support services.

*Comment*

Regionalization has not been in effect long enough to gauge its impact on efficiency and utilization patterns, but in theory, the program promises to coordinate planning within the entire VA medical system. In order to arrive at a truly efficient and effective health system in our society, however, the VA should realize that planning must encompass the entire range of health providers in a geographic region. Even with complete VA regionalization, expensive facilities might be duplicated in a single community because of the autonomy of the VA. Hospital beds are already overabundant in many areas—a factor which contributes to inflationary health care costs.

Most other health providers are subject to local Health Systems Agency (HSA) approval for construction and major capital purchases, while the VA remains independent, with Congress and the annual appropriations process serving as a regulator. Veterans serve as voting members of HSA boards and on state health coordinating councils and the VA is required to submit application to the HSA for construction and expensive investments, but the VA Central Office receives the application and may approve or disapprove; the HSA has no actual jurisdiction.

The consequence of this arrangement between the VA and HSAs is to emphasize the separation between veterans health facilities and other federal and private providers, when a more economical and efficient strategy

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would urge the cooperation of all health systems within a particular region.

One effort toward cooperation was authorized in 1966 in the Sharing program, under Public Law 89-785. Expensive CAT scanners and kidney dialysis machines currently are being shared in many locations. A GAO report titled, "Legislation Needed To Encourage Better Use of Federal Medical Resources and Remove Obstacles to Interagency Sharing," found that though the laws permit sharing, none require it. In the case of the VA, only "specialized medical resources," a narrowly interpreted category, may be shared. The GAO reported that several bureaucratic obstacles and a defective reimbursement mechanism prevented extensive sharing between the VA, the Department of Defense (DOD) and HEW medical facilities. For these reasons, the VA showed a decided preference for sharing with the private sector: \$16 million worth of services were shared, as opposed to \$26,000 with federal agencies. (It should be noted that the DOD and HEW both approved of the GAO recommendations for enforced sharing among federal providers, while only the VA objected.<sup>17</sup>

*Comment*

Increased sharing and a regionalization program that extends beyond the VA stand to benefit veteran and non-veteran alike from a financial and a medical viewpoint. The VA should welcome these programs as methods of improving care for their own patients and implementing a cost-efficiency policy.

**NATIONAL HEALTH INSURANCE**

It appears that some form of National Health Insurance (NHI) will gain Congressional approval and begin functioning within the next decade. Although questions as to the extent and terms of coverage remain to be debated, it seems likely that many of the services currently provided by the VA will be offered under the national policy.

The NAS has recommended that the VA system serve as the core to a national health network by way of a four stage phase-in. VA opposition to such a plan clearly recalls the Congressional and Executive commitment to an independent health system to compensate veterans for their service to the United States in time of war.

*Comment*

The VA should continue to fulfill this charge alongside the development of a national health network. Z. Erik Farag, current Special Assistant for Health Affairs, Office of the Governor of Virginia, has observed,

"While they (VA facilities) are separate from other health care facilities and should remain so, they are also vitally interdependent with the rest of our health care facilities. It is in this context that VA health services should be assessed as care delivery planning is done at all levels. We have the ability to do that planning and we would like very much for the VA to be a part of it."

The relationship between the two systems should be complementary—not antagonistic and exclusive—with an underlying philosophy of economic rationality. Duplication of medical, administrative and supportive services is a wasteful policy which the nation cannot afford. Therefore, the VA should look toward cooperation with a national health scheme, which does not necessitate a compromise in the quality of care for veterans.

Most importantly, the VA must carefully assess the implications of NHI in planning for the future. Since the impact of NHI on VA utilization patterns is undetermined, the VA should proceed cautiously with construction plans and expansion of services. One in-

<sup>17</sup> "Legislation Needed To Encourage Better Use of Federal Medical Resources and Remove Obstacles to Interagency Sharing," Comptroller General of the U.S., June 14, 1978.

dication of a potential decrease in VA clientele with the advent of NHI comes from a Congressional Research Service report on the impact of Medicare on the VA medical system. Although Medicare required a deductible and co-insurance, a significant number of elderly patients switched from the VA to Medicare providers.<sup>18</sup>

**RESEARCH**

In an effort to develop the field of geriatric medicine, the VA initiated the Geriatric Research Education and Clinical Centers (GRECC) program in 1975. The aim of the GRECCs now in existence is to improve practice, education and research in geriatrics—a grossly underdeveloped medical specialty. As part of the GRECC program, the VA is sponsoring fellowships in Geriatrics through its Office of Academic Affairs.

**RECOMMENDATIONS**

The VA should continue its overall excellent record of health care and work to implement its proposed expansion of services for the elderly. Most obviously lacking in the VA program is an emphasis on preventive medicine, which serves to reduce costs and heighten patient awareness of health. The Senate has passed legislation to authorize a model health maintenance organization program within the VA, but the House of Representatives has not yet considered the proposal. Congress should approve such a program as part of an effort to turn the VA into a comprehensive health system, rather than one focused on acute medicine. Health maintenance organizations, Hospital Based Home Care and Personal Care Homes are all programs which particularly benefit the elderly because they use health care dollars more efficiently.

As outlined in previous sections of this report, it is recommended that the VA and Congress:

Consider the demography of the VA clientele and utilization patterns in assessing future plans for expansion;

Analyze thoroughly the impact of any changes in eligibility provisions before their implementation;

Eliminate the budgetary incentive to over-hospitalization, possibly through the use of an impartial PSRO program;

Continuously assess the suitability of hospitalization for psychiatric patients, in light of the availability of non-institutional alternatives;

Reassess the level of care known as Intermediate Care as to its effectiveness, goals and standards;

Consider raising the authorized per diem for contract nursing homes, rather than building costly new facilities;

Remove the prior hospitalization requirement on community nursing home care;

Elevate the HBHC program to a position of prominence among long-term care treatments in light of the beneficial medical and economic effects of such treatment;

Expand the Personal Care Home program, after defining goals and standards; explore the possibility of financial support for those placed in the community;

Continue the domiciliary replacement program with caution, keeping in mind the long-term decrease in domiciliary utilization;

Increase support for senior centers;

Combine review and evaluation procedures with programs already administered by the government in an effort to avoid costly duplication;

Increase the sharing of medical and supportive services between VA, private and federal providers within communities through the enactment of legislation to require sharing and HSA jurisdiction over VA planning; and

<sup>18</sup> "The Impact of Medicare on the Veterans Administration Medical System," Congressional Research Service, Sept. 25, 1975.

Investigate the possibility of accepting third party payments for treatment in VA hospitals as a means of utilizing hospital beds to the greatest capacity in every community.

## BIBLIOGRAPHY

1. Congressional Research Service, Library of Congress, "The Impact of Medicare on The Veterans Administration Medical System," September 25, 1975
2. *New England Journal of Medicine*, Vol. 298, No. 11, March 16, 1978. "The Future of the Veterans Administration Hospital System: Two Points of View."
3. *Public Policy*, Vol. 25, No. 3, Summer, 1977. "America's Socialized Medicine: The Allocation of Resources Within The Veterans Health Care System," Harvey M. Capolsky.
4. *Medical Care*, Vol. XVI, No. 6, June 1978. "Patient Outcomes in Alternative Long-Term Care Settings," Janet B. Mitchell, Ph.D.
5. *Veterans Administration Summary of Medical Programs*, April 1978, Reports and Statistics Service, Office of Comptroller, VA, Washington, D.C.
6. *The Aging Veteran: Present and Future Medical Needs*, Veterans Administration, October 1977.
7. *Study of Health Care For American Veterans*, National Academy of Sciences, National Research Council, June 7, 1977.
8. *Veterans Administration Response To The Study Of Health Care for American Veterans*, Veterans Administration, Sept. 22, 1977.
9. Hearings Before a Subcommittee of the Committee on Appropriations, Part 2, Veterans Administration, House of Representatives.
10. *Home Health—The Need For A National Policy To Better Provide For the Elderly*, Comptroller General of the U.S., Dec. 30, 1977.
11. *Legislation Needed To Encourage Better Use of Federal Medical Resources and Remove Obstacles To Interagency Sharing*, Comptroller General of the U.S., June 17, 1978.
12. *Better Services At Reduced Costs Through An Improved "Personal Care" Program Recommended for Veterans*, Comptroller General of the U.S., June 6, 1978.

## NATIONAL FUELS POLICY

## HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. YOUNG of Alaska. Mr. Speaker, I support the Powerplant and Industrial Fuel Use Act of 1978, because it makes sense for the Nation and for the State of Alaska. By passing this bill we will bring some certainty and uniformity to our national fuels policy, which has lacked cohesiveness and direction for many years.

I would prefer that large energy users could have the luxury of choosing to use any fuel that they preferred. But we can no longer afford that luxury—not when we import millions of barrels of fuel oil from abroad to run east coast powerplants and not when Southwestern powerplants consume huge amounts of our inadequate supplies of domestic natural gas. Instead of continuing these shortsighted policies, we should utilize our most abundant domestic energy source and the most logical fuel for our large energy consumers: Coal. The Powerplant and Industrial Fuel Use Act of 1978 will do just that: Make us use coal like the Saudi Arabia of coal should use it.

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The bill does not set unreasonable goals or deadlines—just the opposite. This bill establishes guidelines and limits that recognize the fact that coal is not for everyone, and should not be.

Let me give you some examples of what I mean, which have special meaning for the citizens of the State of Alaska. Currently, the Alaska Petrochemical Co. (Alpetco) is planning a refinery-petrochemical project to be built in Alaska. This project is unique in many respects.

The refinery will process Alaska's royalty oil, which the State chose to take in "kind" rather than in "value." By adopting this procedure, the people of Alaska will share in many benefits. We will, of course, receive the fair market value for our oil. But in addition, the State will benefit from the hundreds of jobs this project will create. Moreover, the refinery complex will generate millions of dollars in property and income taxes for the State.

One special benefit of the project is that Alpetco will set up a charitable trust, to be administered independently, with 5 percent of the project's after-tax projects, beginning the 11th year after the plan begins operations. The purpose of this trust will be to further social, educational, cultural, and environmental conditions in Alaska.

But the benefits of this project will not be limited to Alaska. This new, large-scale refinery will give us a secure source of refined products on the west coast, and full processing of high-sulfur residual fuel oil. This in turn will reduce our need for imported finished products, and curb our balance-of-payments deficit, and could help to ease the glut of high-sulfur residual fuel oil on the west coast.

Yet, as we all know, building a refinery is a complex process. To a large extent the success of this project will depend upon the cooperation of the Federal Government. Government officials will need to work closely with the people from Alpetco on sensible approaches to problems in the area of the entitlements program, export policy, environmental restrictions—and coal utilization.

But it appears that the Powerplant and Industrial Fuel Use Act of 1978 creates few, if any, problems for this project. The manager of this bill in the Senate (Mr. HASKELL) discussed this issue at length during the consideration of this legislation on the Senate floor.

It would be useful to briefly review what was said then. First, it was stated that, under section 103(a)(3)(B), the Alpetco project could possibly use natural gas as a primary or secondary fuel, due to the lack of a commercial market for the gas in Alaska and due to the prohibitive cost of transporting it.

Second, it was stated that temporary and permanent exemptions from the use of coal would be available to allow the refinery to use residual fuel oil as a primary fuel if coal is not otherwise available.

Third, it was stated that, under section 212(a), evidence pertaining to the cost of coal must be based upon other than projections and estimates. In other words, the cost of coal cannot simply be

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projected by DOE upon a speculation that a coal mine might be opened at some future date and at some future cost.

Thus, the legislative history clearly indicates that Congress is aware of the unique characteristics of the Alpetco project. The Powerplant and Industrial Fuel Use Act of 1978 is flexible enough to accommodate these unique characteristics.

Consequently, the Nation—and Alaska—will be served by the passage of this legislation. •

## THE ITALIAN AMERICAN HERITAGE

## HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LAFALCE. Mr. Speaker, like all the other ethnic groups in this country, Italian Americans have made their own unique and invaluable contribution to the traditions, history, and culture of this country. Indeed, I believe their contribution has been unique. Involved in every field of endeavor from nuclear physics to diplomacy, Italian Americans have played an integral role in American society, which has, unfortunately, not always been recognized.

In the fall 1978 edition of the Washington Newsletter of the National Italian American Foundation, Judge Ruggero J. Aldisert made a penetrating analysis of these past and present contributions. He has the distinction of being only the second Italian American to have been appointed to a U.S. Court of Appeals in the history of the United States—none has ever been appointed to the U.S. Supreme Court. In addition to his incisive analysis of the contemporary problems which confront Italian Americans, Judge Aldisert counseled Italian American organizations and individual Italian Americans to hold true to their proud heritage, in order to help solve some of the problems which currently plague our society. I applaud and second his comments.

The article follows:

Italian Americans have, as part of their great heritage, the ennobling experience of a number of rich traditions.

One I call the Roman-Italian tradition of 2,700 years. This great tradition celebrated its bicentennial 2,500 years ago.

It's a superb and bountiful heritage of religion, art, music, government. A millennium of one glorious accomplishment after another—from Roman law, to modern high-fashion, from the Coliseum to the Via Veneto, from Virgil and Ovid to Puccini and Giuseppe Verdi.

The other is what I call the Italian American tradition that has reached fruition after only some 100 years in this land. This tradition is the sum total of contributions to the American way of life of 6 million Italian immigrants, and millions of their offspring now down to third, fourth, and fifth generations.

In addressing the Italian American tradition, there is no question of the importance of the early accomplishments of the age of discovery, led by the Great Admiral Christopher Columbus, and those who followed: Giovanni and Sebastian Cabato, Giovanni da Verrazzano, Amerigo Vespucci; the Venetian

silk artisans who settled at Jamestown, Virginia, in the 1620's; the director of the first band concert in America, Palma; the founder of the Metropolitan Museum of Art, Count Cesnola.

It is also important to honor Francesco Vigo of the Lewis and Clark expedition, or Filippo Mazzel, friend and confidant of Thomas Jefferson.

Nevertheless, it is vital to emphasize the contributions from gigantic migration to these shores mainly from Southern Italy and Sicily. This is the very real source of the Italian American tradition.

This tradition was first established by our immigrant forebears, our fathers and mothers, our grandfathers and grandmothers. It has been enhanced by those representing generally the second generation, American born and bred, and crowned by our children and grandchildren.

As I am proud of my Roman-Italian heritage, this rich and profound bequest of world wide splendor, I am equally proud of this second tradition of a common heritage and of the very real contributions bestowed on this land by the Americans of Italian lineage.

I am fiercely proud of the first generation of Americans of Italian origin, the brave immigrants who sailed a lonely sea and landed on an alien shore. Like the American pioneers who sailed west in prairie schooners to meet the scourge of desert, barrier, and Indian raid, our immigrants crossed the desert of poverty, mounted a monstrous language barrier, and withstood the barbs and arrows of discrimination.

Many of them are still with us today. Others are at home, their once tremendous vitality sapped by the ravages of age.

They are the witnesses to the passing of the eras.

If there is a lesson that we must learn from this history, it is the lesson of pride.

But with pride must be a recognition of reality.

There must be a recognition that although the general American community respects our Roman-Italian heritage, they do not have a corresponding respect for the bountiful and profound accomplishments of the Italians in this land, past or present.

I am obviously not one of those ethnic ostriches who will say that all is right with this world. Although I have reached the highest peak in the American judiciary ever achieved by an American of Italian descent, I do not say that this is proof that all is well in this land. Discrimination against the American of Italian origin has not disappeared. An Italian lawyer cannot succeed as easily as others in admission to or in promotion in the great law offices in Washington, Philadelphia, Cleveland, or New York City.

I am not satisfied that the applicant with an Italian name is given fair treatment by the admissions committees of prestigious universities and graduate schools. I am not satisfied that the ladder of corporate promotion is open to most of our deserving men and women.

The brute fact is that a quantum of social degradation exists. And this is evidenced by middle class America's unabashed easiness to indulge in defamatory "Italian jokes," although unwilling to join in jokes ridiculing religious or racial minorities that were customary a generation ago.

Although large scale community discrimination is not as overt as it was in my late father's day, or when I was a young lawyer hanging out my shingle, circumstances do abide which may and do leave psychological scars and sociological wounds as vicious and traumatic as those inflicted in the immigrant era.

Today, middle class Italian Americans are exposed to subtle nuances of conflict; a con-

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flict that exists within or without our social constellation possessing sociological, economic, civic, educational, and political ramifications.

This conflict exists because of fixed ideas of the greater American community toward you and me and our people; fixed notions, twisted concepts; stereotyping.

You and I together with the National Italian American Foundation must first identify these and then mount a positive program of counteraction. This we must do if there is to be vigor and vitality and real meaning to the work of the Foundation.

What are these concepts held by the community:

Some of them are that Americans of Italian origin have no desire to depart from their original culture, that they are clannish, overly assertive, offensively aggressive, loud and boisterous, impatient, argumentative, and uncooperative.

Much of this must be classified in the category of fault-finding and generalizing, or simply not true. "Stereotyping" is too common a device that has been used to dishonor and suppress any given group.

Yet another allegation is that Italian Americans tend to be individualistic. It seems to me that the "rugged individualism" of the colonial settlers, the western pioneers, the midwestern farmers, and the American soldier has been considered a trait identified with the genius of American progress.

Thank God for the rugged individualism of an Enrico Fermi, A. P. Giannini, a John Volpe, or a Jeno Paulucci.

The stereotype image that causes the most serious problem to Italian Americans, especially to public officials of Italian descent, is that our people are by nature law breakers; that we have no respect for the law, and that our ethnic traits are incompatible with law and order.

We start out with the first impression that it is true that a good deal of organized crime in the northeastern seaboard shows a contemporaneous history of Italian domination.

This is what grabs the headlines, and blots the escutcheon of our good name.

But the reality is that these publicized few represent a minuscule portion of the 25 million God-fearing, law-abiding Americans of Italian descent.

One of the most heinous sociological crimes ever visited upon any ethnic group is to tar the name of all of us for the sins of an infinitesimal few.

This is where the Italian American Foundation must take an active role in dispelling widely held, stereotyped notions of Italian American characteristics. And this can't be done by breast-beating and shrill screams and exclamations of unfairness.

Indeed, this image must be offset by laudatory, positive, affirmative programs that truly reflect what we are contributing to this nation, that truly recite the litany of positive accomplishments of our people.

Whether that criminal element is political or economic, organized or unorganized, regular or spasmodic, ethnic or not, it must be avoided like the plague by each and every one of us.

The members of this Italian American society must be like Caesar's wife—above suspicion.

Each of us has an interest here. Because of the stereotyped image, the transgressions of the few are visited upon the many.

Traits of family unity and family loyalty are projected in the media as something evil. The doctrine of "Honor Thy Father" has been wrenched out of the Ten Commandments and has been given a diabolical connotation when applied to Americans of Italian origin.

As a judge of wide experience, of 18 years on the bench and 37 years in the law, I know

that the greatest single cause of juvenile or adult delinquency today is the deterioration of family discipline, family loyalty, family pride and family respect.

Deterioration of the family unit is a home grown American characteristic. It is not an Italian import. Dishonor to one's mother and father relates closely to crime in America today.

It is with greatest disservice and grossest illegitimacy that the media and modern literature continue to warp, pervert and torture into a sacrifice two of the finest contributions our people have made to the American culture—family unity and family loyalty.

It is in the context of the preservation of these cultural values that we see the very real purpose of the National Italian American Foundation, the Order Italian Sons and Daughters of America, the Sons of Italy, UNICO, and the other great organizations of Americans of Italian origin.

That purpose must be in 1978 a reaffirmation of principle, a ratification of purpose, and a determination that a nationally-directed force shall be present to enhance the efforts of all Italian Americans and Italian American organizations.

The National Italian American Foundation does not seek to replace the great fraternal orders: the Sons of Italy, the ISDA UNICO, the independent orders, the fraternities, the fraternal societies.

For each of these dynamic groups has lodge programs, newspapers, insurance, fraternal benefits, and strong local, regional, and national constituencies.

The Foundation seeks to act as a clearing house, to assist the existing great programs of existing organizations.

But the Foundation must do even more. As a source for research, it can amass data, compile information for the common good, and as a national organization based in the nation's Capital, it can provide a strong voice for Italian Americans.

As a nationally-based center, it can use the power of national public relations to broadcast a forceful, affirmative message to the entire nation.

As a foundation based in Washington, supported by the Italian American Congressional delegation—Congressmen and Senators, Democrats and Republicans—the Foundation can exert a political leadership more powerful than any other existing organization.

In sum, to the great Italian American organizations, the Foundation can serve as a clearing house and central agency to assist in a united front to offset forces of discrimination and the hatreds of bias and prejudice. To the Italian American who belongs to no fraternal organization, or cultural society, the Foundation can serve as a source of inspiration, and a fountainhead of positive ancestral pride.

As the bountiful recipients of both the Roman-Italian and the Italian-American traditions, we can proudly boast the special values of an honorable heritage.

Unless we Italian Americans adhere to these special values, we will be no different than faceless numbers in a census computer print out.

Our forebears sought a land where liberty was not the possession of a few. They gave me a faith and a spirit that I express in the awesome decisions I must make.

I share this spirit with Judge Learned Hand: "The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interest alongside its own without bias; the spirit of liberty remembers that not even a sparrow falls to the earth unheeded; the spirit of liberty of Him who, nearly two thousand years ago, taught

mankind that lesson it has never learned, but has never quite forgotten."

I believe that despite the tensions of this restless era, a true discovery of America is yet before us.

As it beckoned the great admiral 486 years ago, and your father and my father 75 years ago, America still beckons all of us.

It beckons us to cross the frontiers of tomorrow, armed and superbly equipped with the heritage of three thousand years of western civilization. ●

#### TIME TO CLARIFY THE RIGHTS OF PUBLIC OFFICIALS

**HON. ROBERT L. F. SIKES**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SIKES. Mr. Speaker, there is an area in public law which leaves much to be desired. Following rulings by the Supreme Court that the media could lie about public officials if it were done without provable malice, the media has had a field day in criticism of public officials, warranted or not. Sensationalism sells papers. The truth can always be skirted and lies can be hedged so that the media has few restraints on what they print or say and what the consequences may be. There should be legislation which provides at least a measure of protection against defamation of character of public officials.

Having been a member of what is known as the "fourth estate" before my election to Congress, I would be the last to advocate any abridgment of the right of the media to disagree with the point of view of any public official or to expose those in public office who do wrong. But the media has no right to abuse the public trust given them by the first amendment. There should be a balance between the right of the public to know and to comment on various activities of public officials, and the desire to encourage competent persons to enter the public arena, to offer themselves for elective office and to be permitted to perform their official duties without being subjected to slander or libel. It may be that many well-qualified people are not now seeking public office because of constant or unjust criticism. Much of the dignity and prestige associated with the holding of public office in the past is not present today. Undoubtedly there are many reasons for this; certainly Watergate and Koreagate and the like have contributed to the present situation.

Nevertheless, it appears that oftentimes unjust criticism is levied against public officials and that there is little or no recourse under present law for one unjustly accused. Therefore, I believe the question of defamation of character is a matter that should be faced by the Congress. When one is falsely accused of wrongdoing, whether it be trivial or major, it is bound to cause mental anguish, distress and at least to some extent, handicap him in the performance of his official duties. While none of us would want to infringe upon a citizen's right to freedom of expression, either orally or

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in writing, I believe the Congress should examine existing laws to determine whether or not a public official can be unduly maligned and his reputation destroyed by falsehoods, without any effective recourse.

It is in the public interest to have meaningful political debate, the publication of factual information and fair comment thereon; but no one has the constitutional right with impunity to make false and defamatory statements against another person whether such person be a private citizen or a public official.

The citizens of our country are entitled to have effective representation in the Congress and diligent administration in the executive and judicial branches of the Government by the most competent persons obtainable. Moreover, all citizens, regardless of their station in life or official position, are entitled to both due process of law and equal protection of the law.

I believe there is a responsibility on the part of the Congress to see that Federal officials are afforded reasonable protection against defamatory attacks and an effort should be made by the Congress to establish a definite policy without infringing upon the constitutional right to freedom of expression. We all know that newspapers, magazines, and the reporters and editors who prepare them work against deadlines and I am sure that the Congress would not desire to prevent the publication of newsworthy items. Nevertheless, it does not appear to be an imposition on the freedom of the press to require it to make a reasonable effort to determine the truth or falsity of a statement against a public official prior to publication and to hold it responsible in an action for defamation of character if the item is false and no reasonable effort was made to determine its truth or falsity.

As we know, Mr. Speaker, at the present time the media is under no compulsion to print a retraction or correction for any defamatory statement. If it elects to do so, corrections can be buried in a much less prominent position than the defamatory statements, and the reading public, if they notice of the retraction or correction at all, are unlikely to fully relate it in their minds with the earlier defamatory statement. They would more likely remember that an individual was accused or associated with an unsavory activity than they would remember that he was later exonerated.

Of course, the vast majority of elected or appointed public officials voluntarily enter public life. They do so with the knowledge that they are giving up some of their privacy and that their actions will be open to examination and fair comment by their constituency and by the media. But, I believe there is a responsibility to be fair and a responsibility to make a reasonable effort to determine whether or not a specific allegation is true or false with no right to knowingly print a false and malicious statement against a public official.

In the landmark decision in this area, *New York Times* against *Sullivan*, 1964

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the Supreme Court found that in order for a public official to recover damages for libel, he must prove that the publication in question was made with "actual malice." It is conceivable that legislation is in order which would guide the courts in defining such malice as a failure, under the circumstances, to undertake reasonable effort to ascertain whether or not the communication is false. ●

#### ILL-ADVISED AMENDMENT TO EDUCATION ACT

**HON. GUNN MCKAY**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

Mr. MCKAY. Mr. Speaker, I received in the mail today this letter of concern from constituents deeply concerned about some ill-advised amendments to the Elementary and Secondary Education Act. I would like to share their fears with my colleagues.

DEAR \_\_\_\_\_: We have just recently been made aware of the text and import of UP Amendment No. 3511 to the Senate version of E.S.E.A. (See Congressional Record, August 23, 1978, pp. 2, 14155-57) and wish to register our concern regarding the possible implications and consequences of this amendment. We feel this is an ill-advised and inadequately researched amendment to an important and necessary education bill.

We do not oppose the requirement of parental involvement in school psychological services which are mandated by this bill. However, the requirement of parental involvement is redundant because of other rights of privacy acts which require parental consent to psychological testing.

This amendment could effectively destroy most of the guidance and counseling programs now being developed in the schools of our nation. It could also impede current efforts to infuse back into public education instruction relative to ethics and values which the public has demanded in the last several years. This amendment will severely limit the effectiveness of responsible educators in all aspects of psychological education.

The proponents of this amendment have declared that most of the abuse which they are trying to combat is "in the East". Not one of the sponsors represents an eastern state. An aide in Senator Hatch's office told us on the telephone that his purpose was to stop the "mind changing, values bending programs which have led to the moral degeneration of American youth." Unfortunately, instead of allowing concerned states and local school districts to determine their own policies, Senator Hatch's amendment puts into the hands of federal government one more tool for controlling the curriculum of the local school.

Finally, this amendment totally ignores two basic humanistic principles of traditional education—in loco parentis, and the responsible school counselor, teacher, or administrator as a source of help to a child. These school personnel deal regularly with children who are in trouble at home or who live in homes where trouble exists. It hardly seems practical or sensible to be required by law to obtain parental permission to talk with a child who is the victim of abusive parents. In many states, including Utah, suspected child abuse cases must be reported to the proper authorities. If school personnel obey the state law in such circumstances,

they may well be in violation of this federal regulation. Often the reason children and adolescents are in trouble is the breakdown of the family structure and the deterioration of the parent-child relationship. To restrain the school teacher or counselor by requiring parental consent in such cases is to destroy one more source of help for an already helpless and discouraged child.

We understand that our awareness of this amendment and its implications has come too late for any chance of responsible redress. However, we want to register our protest with you and others who can help some way to modify the tragic possible effects of this amendment. We will continue our efforts to communicate with the proper governmental agencies and legislators to see that the regulations which are written pertinent to this bill will alleviate some of the negative consequences we anticipate.

We would appreciate the courtesy of consultation before any other legislation is proposed in the future. The American Personnel and Guidance Association and the National Education Association both have headquarters in Washington, D.C. which stand ready to advise on these matters. As professional counselors and educators in Utah, we are also available to extend support and input pertaining to regulations which directly affect our schools and our students.

Sincerely,

Nancy Hardy, President, Utah Personnel and Guidance Association Executive Board. Carol Sessions, President, Sidney Baskin, President-elect, Utah School Counselor Association; Barry Richards, President, Ted Greaves, President-elect, Granite District Counselor Association.

#### THE TEXAS DELEGATION

#### HON. SAM B. HALL, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. HALL. Mr. Speaker, as we bid farewell to the 95th Congress, we are marking the end of an era for our Texas delegation since eight of our Members—one-third of our membership of 24—will not be returning to the House of Representatives next Congress and their long experience and effective leadership will be missed. The combined service of these retiring Members represents almost 200 years, which is practically the length of time our country has been in existence.

History will certainly record their noble efforts and we are indebted to them for their tireless energy and devoted service. It would be an impossible task to mention all of their achievements or their mighty influence on the course our Nation has taken during this time. My life has surely been enriched by knowing and working with them here in the House of Representatives.

There are, of course, mixed emotions about their leaving us for although we wish them well in their future undertakings, we shall miss their guidance and wise counsel. Certainly their memories will linger, their influence pervade, and their goodness encompass this House as surely as justice, integrity and duty are its cornerstones.

#### EXTENSIONS OF REMARKS

Today we pay special tribute to these retiring members of the Texas delegation, who leave us a rich legacy of faith and pride in our Nation's future: Honorable GEORGE MAHON, dean of the House, Honorable W. R. POAGE, Honorable OLIN TEAGUE, Honorable OMAR BURLESON, Honorable JOHN YOUNG, Honorable BARBARA JORDAN, Honorable DALE MILFORD, and Honorable ROBERT KRUEGER.

Their devotion to duty will serve as a constant inspiration as we intensify our efforts in the next Congress to carry out the legislative duties in the tradition they have established for us. This way we can show our admiration and respect for these outstanding Members of Congress and their many years of diligent and meaningful service.

This House is truly a better place for their having served here, and we shall long remember their warm friendship, their desire to help their colleagues, and their fine comradeship. They leave a noble heritage to our Texas delegation, to the Members of Congress who will follow, and to the American people.●

#### TRIBUTE TO PAUL G. ROGERS

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ANDERSON of California. Mr. Speaker, it is a rarity—a wonderful rarity—when one man is gifted not only with intelligence, integrity, diligence, sincerity, and dedication, but with a large dose of human kindness as well. For the past 24 years, PAUL ROGERS has exhibited each of these virtues in his service as a Member of Congress from Florida's 11th District. At the close of the 95th Congress, PAUL returns to the life of a private citizen after almost a quarter of a century of making invaluable contributions to his district and, indeed, to the entire Nation.

PAUL and I have worked together for many years on the Merchant Marine and Fisheries Committee, where his tremendous capability, dedication, and willingness to give of himself was so clearly and continuously evident, and characterized his entire period of membership on that committee. This characterization is also true of his membership on other committees, and particularly his service as chairman of the House Subcommittee on Health and the Environment. In this position PAUL is responsible for the greatest legislative advances in the field of health and health care since Lister Hill. I do not need to reiterate to you his numerous and well-known achievements.

PAUL is a warm, kind, quiet man who is not known to boast or flaunt his achievements; he does not need to. He is admired and respected by his staff, his colleagues, and his constituents. He is deeply loved by his family, and he makes no secret of returning that feeling. When these aspects of his character are com-

bined with his magnificent legislative knowledge and political ability, the result is truly unique: a man who teaches and learns, who formulates and compromises, who loves and is loved.

It has been an honor and a pleasure to work with this man. My wife, Lee, and I wish PAUL and his lovely wife Becky and daughter Laing all the best in the future. There can be no doubt that all of us here in Washington will miss him when the 96th Congress convenes.●

#### SPENDING CUTS AND TAX CUTS

#### HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FISHER. Mr. Speaker, this week the House voted by a substantial margin to instruct its conferees on the tax bill to adopt a Senate approved provision that would link future tax cuts to prospective restraint in the growth of Government spending. I voted with the majority on this motion as I believe that it reflects a growing sentiment in this country—Government spending should be reduced and such cuts should be tied directly to reductions in the overall tax burden.

Realistically this amendment should be regarded as a pledge of intention to hold down taxes and expenditures in such a way that the deficit can be eliminated over a period of several years. Clearly, any future Congress can enact tax and appropriation measures which will not be consistent with these intentions. Also unfavorable economic developments may necessitate changes. But the major objective is clear: If at all possible, get the budget in balance.

This measure calls for taxes to be reduced from current policy levels in each of the next 4 years if certain conditions are met: First, Government spending can grow by no more than 1 percent above the rate of inflation; second, the ratio of Government spending to the gross national product must be reduced each year, from the present 22 percent to 19 percent in fiscal year 1983; and third, the Federal budget must be balanced by 1982 for that year's tax cut to go into effect.

This interrelated tax and expenditure reduction program would begin in 1980; it would not affect the 1979 budget. It is not entirely clear exactly how this provision would go into effect. But as a general proposition, the concept strikes me as reasonable. Government spending should be restrained, this spending restraint should be linked to further tax cuts, and the combination of tax and spending policies should be aimed at moving as expeditiously as possible toward a balanced budget.

During this past year I have advocated policies consistent with this general concept. I proposed a \$10 billion cut in overall Federal spending below what was recommended by the Budget Committee for the first budget resolution, and an addi-

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tional reduction of \$5 billion in the second budget resolution. In each case amendments I offered to achieve these reductions were defeated by vote of the House. I also voted for a number of significant cuts in specific programs.

I continue to urge the administration to seek further cuts below the \$490 billion ceiling established in the second budget resolution for fiscal year 1979. At the same time tax reduction is needed—the Government should not be the prime beneficiary of inflation in the form of higher revenues. I have advocated somewhat larger tax reductions than the House has been willing to approve. The great difference between the Kemp-Roth proposal and this recent House vote is that this proposal links tax and expenditure cuts whereas Kemp-Roth specifies tax cuts only. In addition, the annual rate of tax reduction is considerably less in this amendment than in the Kemp-Roth proposal.●

**SUMMARY THE BALANCE(S) OF POWER SERIES: BOOK II-IV**

**HON. JOHN B. BRECKINRIDGE**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 11, 1978*

● Mr. BRECKINRIDGE. Mr. Speaker, over the past months of this session of Congress, I have been privileged to insert into the CONGRESSIONAL RECORD a series of articles on important and substantive topics which fall under the heading "Balance(s) of Power." Today I conclude the series which has become known by that title over the past 3 years. I would like to take this opportunity to briefly summarize what I have learned and what I hope many others may also have gained from the series this session.

At the least, the very array of issues and the sheer number of measures in terms of which the United States-Soviet competition presents itself has provoked new thinking and debate about the trends which characterize that relationship today. At the most, the sobering realization about the adverse direction of those trends may have resulted in a new determination and dedication among still others to reverse that trend in our favor.

On December 15 of last year, I summarized book I of the series, "The Military Balance," which began on March 17, 1976 and ended on November 4, 1977, with the "straightforward fact" that the balance of military strength was shifting in the Soviet Union's favor.

Although this margin of increased Soviet strength is a major concern for military planners with profound consequences for our ability to uphold U.S. commitments in the face of increasingly possible Soviet challenges, the implications extend far beyond the conventional, theater-nuclear, or even global nuclear battleground. As I explained last December, the greatest danger posed by the Soviet military gains is probably not in the possibility of nuclear devastation, but in the gradual but growing loss of

U.S. flexibility in safeguarding its interests and of freedom of action in conducting its affairs.

The effects of the shifting military balance on the United States-Soviet balance of power overall will be understood most clearly, therefore, as one element in the strategic equation between our two nations. Accordingly, book I has been followed with three consecutively presented books in the series to describe that strategic equation more fully and to show the inter-relationships of other important factors in the United States-Soviet balance.

First is a book to examine Soviet doctrine and intentions as a whole, to make the point I have just brought out: that military advances are indeed cause for concern, especially if they are wedded to a strategy designed to outmaneuver and ultimately isolate the United States. This has been designated in book IV.

Next is a book to tabulate the regional strengths and weaknesses of national military forces worldwide, onto whose matrix we find the strategic balance between the United States and the Soviet Union superimposed. Although the forces of the superpowers confront each other directly in varying parts of the world, as was shown in book I, the reduced utility of those forces for all but the most cataclysmic conflicts has given added importance to the role of smaller forces which might engage in regional conflicts. Such conflicts not only pose the danger of spreading into global war, but they provide openings at various times and places for the military might of the United States and the Soviet Union to be felt, short of all-out war. As we have examined the regional balances in "The Global Compass," a primary concern has been the ability of forces friendly to the United States to maintain the conditions for peaceful change in troubled areas of the world, so as to deny the Soviets the opportunity to exploit regional turmoil for their own gain.

At the conclusion of book I, I alluded to the Soviets' post-World War II role as spoiler in such areas. In the perspective of book IV, however, we have seen much more method and purpose in that Soviet exploitation, so that we can now speak not simply of Soviet opportunism, but of activities worldwide, directed at limiting U.S. strategic options and maximizing their own.

Finally, book II, "The Strategic Balance," inquires into the relative strengths and weaknesses of the two countries with respect to several key components of national power, on whose foundation each country's position of strategic competitiveness is built. These selections have provided an opportunity to show not only where the United States can most beneficially compensate for its relative decline in military strength, but also those areas where sheer U.S. complacency and inattention to the Soviet challenge may result in the loss of vital assets which have afforded us some measure of strategic advantage in the past.

A list of the selections which have comprised each of these books in the

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series will be presented at the conclusion of my remarks in a subsequent CONGRESSIONAL RECORD issue. I would like to take this opportunity to review some of their highlights.

In accounting for differences in the military postures of the United States and the Soviet Union, it is often pointed out that asymmetries in the uses and strengths of military forces may be due largely to the different geopolitical characteristics of the countries. Despite this possible reassurance, Colin Gray has reminded us that, regardless of whether the motivation for Soviet expansion be insecurity or quest for power, her geopolitical position is one which inherently seeks fulfillment by embracing the entire Eurasian-African land mass. It is incumbent upon the United States and other "Rimland" powers to maintain the politico-military conditions which will keep the Soviets' geographic position as "Heartland" more a source of weakness than strength. This demands a favorable regional balance worldwide, but especially in Europe and to the South, in the Indian Ocean and Persian Gulf regions, as discussed in book III of the series.

In analyzing the policies which have guided NATO over recent years, Justen Galen has shown that the relative decline in allied capabilities has been the result largely of "self-inflicted wounds." Today, however, the Warsaw Pact's advantage in terms of armor, artillery, air defense and chemical-biological weapons is overshadowed by their development of an impressive theater nuclear capability matched with a doctrine directed at nuclear preemption. Corrective policies alone will not alleviate the real danger which now exists of a surprise attack into Europe, bringing the devastation of chemical and nuclear weapons: Galen and others have suggested improved air defenses as one measure, and deployment of cruise missiles as another. Europeans in particular are anxious to have the benefits of cruise missile technology; the United States must not let arms control goals override their need.

Recent developments in Iran, raising the possibility of political change, have brought deserved attention to the strategic importance of this area which separates the Soviet Union from the oil-rich Persian Gulf states and from the Indian Ocean, across whose waters extend sea lanes increasingly important to the economic survival of Japan, the United States, and other Western nations. Although Soviet naval activities have not increased noticeably in the Indian Ocean since 1968, as shown by Richard Haas, the marked involvement of the Soviets in the African littoral states, pointing directly into the Indian Ocean, reflects their intent to project their developing naval strength into this area in the future.

At the same time, this Soviet intrusion into the Horn of Africa, as shown by Peter Vanneman and Martin James, represents a strategic salient into Africa with the potential not only for denying the United States access to ports in East Africa, but ultimately, for cutting off supplies of strate-

gic materials from sub-Saharan Africa to Europe and the United States. If unchecked, this strategy will permit the Soviet Union to exploit western dependency on imports for oil and other natural resources, contrasted with their own wealth of raw materials. A related point, in view of this high degree of Soviet economic self-sufficiency, is that the present growth in Soviet seapower—both merchant and naval capabilities—must be for the purpose of supporting global activities which are not just commercial in nature.

Another region where this expansion is generating particular concern is in the Pacific, among the Japanese and other East Asian allies. As Admiral Weisner states, the actual change in relative strengths of naval forces in the Pacific is probably not so great as the change in Asian perceptions about them. It is these perceptions which may be most important for the immediate future, not only in Asia, but among people in all regions in the world. Perceptions of Soviet power are fed by propaganda whose tripartite threat has been labeled by Kenneth Adelman as "Fear, Seduction, and Growing Soviet Strength." He shows how the Soviet Union has used its new global reach to extend its influence beyond its actual ability to intervene, creating for the United States the problem of countering concrete Soviet advances without adding credibility to their inflated image.

Ultimately, our ability to succeed in this long-term resistance to Soviet expansion rests on the more intangible aspects of national power, such as national will. These are elements of the strategic equation which have been included in the series as national character, morale, and political culture.

Colin Gray at the outset expressed some skepticism about the suitability of the American political culture for the task of confining the Soviet Russians to their heartland posture. Russian national character, on the other hand, is shown by Richard Pipes to encourage combativeness and a predisposition to exploit targets of opportunity. And more significant, perhaps, than the slow increase in political participation in the Soviet Union, attested to by Jerry Hough, is the persisting militarization of Soviet society, shown by Harriet Scott and William Odom. In sum, the Soviet population seems clearly more ready for hardships which may not be far down the road in this historic strategic contest.

There are many reasons for concern, but there are factors mitigating against undue pessimism as well. There is a consensus and political stability in this Nation whose semblance the Soviet Union can only impose from above. The problems of leadership succession discussed by Walter Connor present risks to the Soviets' ability to pursue their strategic objectives with the consistency and effectiveness evident under Brezhnev. A growth of regional-consciousness as well as nationalism among Third World nations will impose limits on the Soviets' ability to influence af-

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fairs outside their borders, including even Eastern Europe.

The selection from Population Bulletin showed trends in the Soviet Union which foretell a labor shortage in the near term with serious economic consequences, exacerbating the "Soviet leadership dilemma" described in still another selection as being presented by an economy too long subordinated to the needs of defense industries. The depletion of Soviet oil and other resources, combined with the increased cost for energy sources worldwide, will soon place strategic limitations on the Soviet Union similar to ours.

These are problems which may operate to our benefit, but only if we are alert to them. As shown, Soviet technology is gaining ground, but the United States retains its edge; in combination with our superior industrial base, it provides the United States the means to carry out whatever measures are decided upon to maintain our freedom.

What this series, and these books in particular, have shown, however, is that the Soviet Union foresees its problems—perhaps better than we—and, more importantly, is taking steps now to overcome them. As Vanneman and James indicated, Soviet expansion may finally achieve not only strategic denial to the West, but strategic access as well for herself, in recognition of the critical shortages which may occur in the future. The continuation of U.S. access to needed markets and materials, of U.S. freedom of action in pursuit of its legitimate goals, and flexibility in maintaining its security and supporting the security of its allies all demand that the strategic imbalance, like the military imbalance, not be allowed to deteriorate beyond its present state. It is ultimately a matter of our national survival.●

### TRIBUTE TO GEORGE SHIPLEY

#### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. O'NEILL. Mr. Speaker, I am pleased to join my colleagues in honoring GEORGE SHIPLEY of Illinois and recognizing his talented contributions, over the last 20 years, to the House of Representatives.

Warm, friendly and conscientiously dedicated to the integrity of the Congress as an institution, and to the legislative process, GEORGE SHIPLEY quickly mastered the complexities of House rules and parliamentary procedure. He knew how and when to use them to carefully guide the annual legislative appropriations bill through the House and subsequent conferences with the Senate. To accomplish this important task which often contained difficult and internal political controversies, GEORGE became one of the most knowledgeable Members in the House concerning parliamentary procedures that spelled the difference between success or failure on countless

funding proposals for the legislative branch.

Intelligent, competent and well informed on national issues that confront every American, GEORGE SHIPLEY has been a sensitive, hard working and dedicated Member of the House. He has earned the respect and admiration of his colleagues for his competence and ability. His generally easy going manner has helped him win many friends among his colleagues.

I am grateful for GEORGE's support over the years, and for his contribution to democratic legislative initiatives. It has been a pleasure for me to serve with GEORGE SHIPLEY and I wish him great success and happiness in the years ahead.●

### THE LIQUEFIED GAS FACILITY SAFETY ACT

#### HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. MURPHY of New York. Mr. Speaker, I am introducing today H.R. 14399, a bill to amend the Ports and Waterways Safety Act providing for the siting and safe operations of liquefied gas facilities.

Liquefied gas, which includes liquefied natural gas, liquefied petroleum gas, naphtha, ethylene, and other energy gas, may be a short-term source of energy for the future. But it is a type of highly flammable and explosive fuel which poses unique threats to our lives and environment.

Natural gas in its pure state is a clean, safe, and economic source of energy. Unfortunately, we have very low reserves of natural gas and, despite our phasing out of regulatory controls, gas will remain in this country a precious fuel to Americans. In other parts of the world it is regarded as of little value. In the Middle East, gas is burned off at the wellhead in the drilling for oil. Not only is that gas wasted but, in its natural form, it is impractical to ship as cargo to American consumers.

The solution to capturing and importing the gas of other countries is liquefaction. This process involves freezing the natural gas into a liquid state at a temperature of about -260 degrees Fahrenheit. In this supercooled state, the gas is 1/600th of its original volume, making it a practical shipping commodity. However, it is just this supercooled state which makes LG highly volatile and potentially explosive.

Today specially built tankers are carrying liquefied gas from Algeria and other countries to ports along our eastern seaboard. Once these supertankers reach our ports, we must have specially built receiving facilities to handle the liquefied gas. Then the supercooled gas can either be stored for future use or regasified into its natural state for delivery by pipeline or truck.

Presently, there are 10 LG import facilities which have either been approved

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by the Federal Power Commission (FPC) or are pending before its successor, the Federal Energy Regulatory Commission (FERC). The proposed sites are located in Massachusetts, Rhode Island, New York, New Jersey, Maryland, Georgia, Louisiana, and California.

It is estimated that by 1985, LG could be some 15 percent of total U.S. gas consumption. Within the next 10 to 15 years, we could be importing as much as 3.5 trillion cubic feet of LG per year from foreign sources.

We have already seen the potential tragedies which can result from liquefied gas accidents. The 1944 East Ohio Gas Co. explosion in Cleveland left 133 people dead, 300 injured, and 10 industrial plants, 80 homes, and 200 automobiles destroyed.

The 1973 explosion of a TETCO LNG storage facility in Staten Island resulted in the death of 40 of my constituents and touched the families and friends of countless more.

My involvement in the Staten Island case has convinced me that we lack any sound, cohesive, and comprehensive program for the siting, design, construction, or operation of LG facilities.

Existing laws with respect to vessel construction standards and movement appear to be adequate. However, there is considerable uncertainty with respect to authority for the promulgation of standards and enforcement of safety regulations with respect to import terminals, storage facilities, and regasification plants.

Therefore, in H.R. 14399, I have introduced a bill designed to address the important issue of protecting the public health, safety, property, and the environment in the siting, construction, and operation of LG facilities. It establishes a proper balance between the national responsibility of the Federal Government to promulgate standards and the rights of States to make the definitive decisions about the advisability and location of LG facilities.

The Liquefied Gas Facility Safety Act amends the Ports and Waterways Safety Act of 1972 by adding title III to authorize the Secretary of Transportation to establish minimum standards for the design, construction, and safe operations of liquefied gas facilities, both onshore and offshore.

In determining these standards, the Secretary will take into consideration alternative site locations in more remote areas, the minimum distances between the proposed facility and residences, workplaces, other powerplants, and adjacent recreational areas. The meteorological, topographical, and other natural characteristics of the location must be a part of the siting regulations.

The Secretary will require that medical, law, and fire protection personnel are adequately trained to cope with the attendant risks.

The design factors for the facility will include its thermal resistance, and the construction materials to be used, such as multiple diking, insulated concrete, and vapor containment barriers. The

most important feature of the design factors must be the ability of the facility to prevent and contain a discharge of liquefied gas.

The Secretary shall require that all personnel be properly trained in operating the facility, handling LG, and all necessary aspects of liquefied gas operations. He will issue standards pertaining to the handling, loading, discharge, storage and movement, including emergency situations, that involve liquefied gas. It is imperative that these standards and operational procedures be periodically inspected and maintained or the license is to be revoked.

No facility can operate without a license which can only be issued after the applicant obtains a "certificate of necessity" from the Federal Energy Commission.

To be granted a license to operate a facility, the applicant also must have evidence of financial and technical capabilities. An environmental impact statement is also required.

The bill states that licenses are issued for a 20-year period, at which time the license can be renewed for another 10 years. However, provisions are made for suspension and revocation, along with strict civil and criminal penalties for violating these standards.

In the licensing procedure, the bill provides for an antitrust review as well as a public disclosure of information regarding the LG facility. The coordination and consolidation of all federal licenses for liquefied gas facilities is encouraged within the Department of Transportation. After DOT issues the minimum Federal standards for siting and licensing, any States which have established an approved coastal management program, pursuant to the Coastal Zone Management Act of 1972, will have the primary role in determining the location of an LG facility in their affected area. Such States may also supersede Federal standards.

The Liquefied Gas Facility Safety Act can ameliorate the dangers of a major industrial catastrophe or maritime holocaust. We can reduce the risk to human life and the environment, by implementing the requirements I have established in this bill.

Despite the skill and dedication of the U.S. Coast Guard in managing LG transport, they cannot effectively carry out their existing jurisdictional authority without clear and precise standards for the siting and operation of LG facilities. Therefore, proper administration is handicapped without the requirements of this bill.

If a marine accident occurred, existing insurance provisions would not be sufficient to protect the general public from a serious financial loss. The normal doctrines of maritime law effectively reduce the extent of liability imposed upon a ship by limiting liability to the value of the ship. Present law is not designed to cover such an ultrahazardous activity as the handling and transport of liquefied gas.

Therefore, I address the problem of liability and compensation in title IV of

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my bill entitled the "Liquefied Gas Compensation Fund."

Title IV requires evidence of financial responsibility by all vessels, regardless of flag, entering our ports. There is strict liability for vessel and facility operators up to \$200 million. However, if the accident results from a violation of the proposed standards, the liability for damages would be unlimited.

The fund is created from a fee of 2 cents per 1 million Btu of imported liquefied gas until the fund reaches \$200 million. It will compensate for any property or ecological damage that is not covered by the responsible party should that party reach its limits of liability.

In the event the responsible party cannot be located (an unlikely occurrence) the fund will pay all compensation and clean-up expenses to those affected by the incident. This includes real and personal property and its replacement cost; the loss of income and impairment of earning capabilities; damage to our natural resources; and losses incurred by the Federal or State governments.

Even if the afflicted party is not the propertyowner but derives 50 percent of his income from the damaged area, such as a fisherman; he is entitled to compensation.

One uniform system for liability with the establishment of a fund for backup protection provides a solution to a complex problem. It will protect such diverse groups as the Government, transportation interests, the gas industry, insurance companies, environmentalists, and the to date, unprotected citizen.

I have introduced H.R. 14399 at the end of this session to encourage my colleagues, executive agencies, the gas industry, and other interested groups and individuals to comment on its content. I will schedule hearings early in the 96th Congress designed to hear all viewpoints on the merits, or lack thereof, of the proposed legislation.

It is clear, however, that some type of legislation is absolutely necessary to protect our citizens from the risks of an LG holocaust. With this in mind, I have introduced the Liquefied Gas Facility Safety Act for consideration by the Congress.●

## LET'S REDUCE SPENDING

**HON. JAMES M. COLLINS**  
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. COLLINS of Texas. Mr. Speaker, I would like to bring your attention to data supplied to me by the Internal Revenue Service which indicate that between 1960 and 1976, the most current year for which figures are available, the average income tax per return has increased from \$821 to \$2,202. At the same time, though the average income per individual return increased, it did not keep pace with the tax burden, which increased by 21 percent per return. The actual figures provided to me by the Internal Revenue Service are shown in the chart below:

## FEDERAL INDIVIDUAL INCOME TAX RETURNS WITH ADJUSTED GROSS INCOME-SUMMARY: 1960-76

Item	1960	1965	1970	1975 (preliminary)	1976	Percent increase (base 1960)
Total individual returns (thousands).....	60,593	67,199	73,863	82,177	84,500	+39.4
Total income tax (billions).....	\$39.5	\$49.5	\$83.9	\$124.8	\$141.9	+\$259.2
Average income per return.....	\$6,183	\$7,623	\$10,288	\$14,570	\$15,318	+\$147.0
Average income tax per return.....	\$821	\$922	\$1,415	\$2,025	\$2,202	+\$168.0

Source: U.S. Internal Revenue Service.

The chart illustrates the significant increase in income tax per return, and shows that average income has increased, though it has not kept pace with the increase in taxation. Furthermore, the increases in average income must be reduced for inflation to compute the real increase in buying power, if any.

The case for a new tax cut or proposed new tax policy must be examined in relation to the last major tax cut in 1963.

Information supplied to me by the Library of Congress, the IRS, and the Department of the Treasury indicates that the Treasury in 1963 estimated that significant revenue losses would be incurred due to the tax cut between the years 1963 and 1968. In fact, actual revenue gains were realized through a "feedback" of funds into the economy that would otherwise have been removed by taxation. The Treasury estimated a tax revenue

loss of \$89 billion over a 5-year period from 1963 to 1968. In actuality, due to the salutary effect of the infusion of these new untaxed funds into investment and employment, the tax revenues substantially increased by \$54 billion over the 5-year period where losses had previously been projected. The chart below illustrates the actual progression, and the approximately 3- to 4-year time lag from 1963 to 1966-67 where the primary revenue gains were realized.

## THE CASE FOR A TAX CUT—TAX REVENUE LOSSES VERSUS REAL NET GAINS

[In billions of dollars]

	1963	1964	1965	1966	1967	1968	Total
Treasury-estimated revenue losses.....	-2.5	-5.2	-13.3	-20.0	-23.7	-24.4	-89
Actual revenue gains.....	+7.0	+6.0	+4.0	+14.0	+19.0	+4.0	+54

Source: Library of Congress.

If we may reflect on the first chart of Federal individual income tax returns, we notice that from 1960 to 1976 the total income tax in billions of dollars has increased from \$39.5 to \$141.9 billion. Critics would argue that this enormous increase is due to the increase in the number of total individual returns over the same period. But when I examined that figure, I found that the number of total individual returns between 1960 and 1976 increased from approximately 60.6 to 84.5 million returns for an increase of only 39 percent, versus the 259.2 percent increase in total individual income tax paid. After carefully analyzing the data provided, I was astounded by the various increases in total individual income tax, particularly the one showing the large increase in the dollar amounts of tax paid (259.2 percent), versus the much less significant increase in the total number of returns (39.4 percent) and average income (147 percent). In fact, the smaller increase in average income and the number of total individual returns serve to highlight the excessive increase in total individual income tax paid making the \$102.4 billion increase even more burdensome to the American people.

The data which illustrate the significant increase in individual income taxes should be enough, in itself, to indicate that a tax cut is necessary.

The 1963 tax cut was a 20-percent total reduction for 2 years which in current dollars would equal \$35-40 billion. The current so-called Kemp-Roth tax-cut bill, H.R. 8333, by comparison is a 33-percent reduction over 3 years with an estimated value of \$62 billion in tax savings. In addition, our Government economists think that by 1983 the current tax cut would cost the Government a total of \$154.2 billion. For a tax cut to be truly meaningful the loss in rev-

enue to the Government has to be equally accompanied by a decrease in Government spending. If spending is not curbed the Government has to go out and borrow like everyone else, and this would fan the fires of our number one problem—inflation.

It is time for these bureaucrats in Washington to realize that they must exercise restraint with the American people's money and not mortgage away our future. As every American knows you can only borrow so much, for so long, without getting into trouble.●

will inspire us, individually, to applaud the efforts of the Interchurch Council and similar organizations which work diligently to eliminate hunger from this society. The question that all of us must ask ourselves is one from the 25th chapter of the Book of Matthew. It is: "When you saw me hungry, did you feed me?"

Are there really hungry people in Cleveland?

Ask the poor: One-sixth of Cleveland families have incomes under \$2,000 a year; 32 percent live in substandard housing. A third of all families do not have access to a car. (Cleveland Planning Commission.)

Ask the unemployed: A door-to-door survey by the Cleveland Department of Human Resources and Economic Development in 1977 documented a citywide unemployment rate of 16.2 percent. Unemployment among blacks equalled 23.1 percent; among black youths, 59.9 percent.

Ask the children: Over 82,000 children in Cuyahoga County are members of families whose sole support derives from aid to dependent children. One in every five Cleveland families depend upon the \$267 per month for one adult and three children.

Ask the hunger task force: Which provides emergency food to 10,000 persons every month—the crime victim, the elderly, seeking food, friendship, hope. Ask the nursing mother and the schoolchild who depend on child nutrition programs for infant formula, school breakfasts and lunch. Ask the teacher who cannot teach when children are hungry.

Ask—"Did we feed them?"●

## THE CLEVELAND INTERCHURCH COUNCIL

## HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. STOKES. Mr. Speaker, as we consider H.R. 12511, the Child Nutrition Amendments of 1978, I thought it would be appropriate and timely to share with my colleagues the following editorial from the Monitor, a publication of the greater Cleveland Interchurch Council:

The hunger task force of the Interchurch Council is an organization with a concrete approach to combat the problems of hunger in Cleveland. The task force involves over 200 greater Cleveland churches, 140 businesses, and 2,000 individuals concerned about hunger. Through 12 self-governing hunger centers, individuals and families are given 3- to 5-day food supplies to meet emergency food needs, and are educated to become self-reliant.

These statistics should remind all of us that hunger is rampant, not only in the Cleveland area but throughout the United States. I hope that this front page editorial from the Monitor serves as an incentive to undecided Members to support H.R. 12511. Additionally, I trust that the information

## MINIMUM WAGE HIKE BOOST INFLATION

## HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROUSSELOT. Mr. Speaker, while we are considering heavy legislation during these last few hours of the 95th Congress—and we have stayed in much

## EXTENSIONS OF REMARKS

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longer than some of us had been lead to believe would be necessary—it has not escaped the attention of my colleagues, the media and the public in general that this is an election year. Some of the Members of the House, and the Senate too I would suppose, have had to cancel plans to be in their districts for campaign activities because of the lateness of adjournment sine die.

We are all given cause to wonder what our constituencies think of us and how enthusiastically they might return us to Congress, or for that matter throw us out, so I was much gratified to pick up a copy of my hometown paper and read an editorial which reflected perfectly my position on the increase in the minimum wage. I have opposed legislation to increase the minimum wage, and so voted when legislation was presented before the House, because I believe that it is inflationary.

The increase in the minimum wage will cause many Americans to be denied employment because employers simply cannot meet the arbitrary wage standards set by law. But, the editorial from the San Marino Tribune, dated Thursday, October 12, says it and I hereby submit the copy to the review of my colleagues:

## MINIMUM WAGE HIKES BOOST INFLATION

Next January 1, thanks to a bill passed in Congress earlier this year, the nation's inflation rate will jump by an additional one-half of one percent. While it might not seem like a great deal at first glance, this "one-half of one percent" increment actually represents a 6% inflation projection for 1979.

Just as the nation begins to recover from double digit inflation and 6% unemployment rates of the mid 1970s, another series of federally mandated minimum wage hikes threatens to boost inflation and throw unemployment gains into a tailspin.

Congress amended the Fair Labor Standards Act in 1977 to increase hourly minimum wages from \$2.30 to \$2.65 (California's was already \$2.50) for all workers covered on January 1, 1978. The new law calls for increases to \$2.90 in January 1979, to \$3 in January 1980, and to \$3.35 in January 1981. These four increases will cause a 45.6% rise in minimum wage levels between 1976 and 1981. By contrast, minimum wage levels increased only 43.4% during the previous 20 years.

Regardless of whether or not soaring inflation of the past can be linked to minimum wage hikes, the wage increases of the next three years will assuredly augment the inflation rate. Federal Reserve Board Chairman G. William Miller has said that the Council on Wage and Price Stability's estimated .5% inflation increment for 1979 will continue with each wage hike.

Proponents of the minimum wage concept argue that it is necessary to promote equity in wage distribution and guarantee low wage earners an acceptable standard of living. Ironically, inflation-fanning minimum wage increases totally undermine the intended purposes of minimum wage laws.

First, they reduce new employment and force many workers into underemployment status. All too often, employers faced with unmanageable cost increases either hire fewer employees, increase overtime for experienced workers or convert fulltime employees to part-timers.

Secondly, the minimum wage doesn't counteract poverty. The breadwinner in a family of four, earning the 1979 minimum wage, would gross an annual income below the federally proscribed poverty level. However, increasing the minimum wage enlarges this dilemma in two significant ways: 1) Cost-

driven price increases severely blunt the potential for any real increased buying power, and 2) the opportunities for secondary breadwinners (namely wives and teenagers) to find sufficient employment are severely reduced—if not curtailed.

The impact of these developments on the economy demand a systematic, effective move in Congress to secure the postponement of additional minimum wage increases—at least until inflation has been reduced to less than 3% a year. Only when Congress begins to perceive substantial grassroots support for a move to halt these increases will it show a willingness to introduce and pass the necessary legislation to do so. ●

## THE NEED FOR BWCA PRODUCTION

## HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. VENTO. Mr. Speaker, charges have been made that this legislation is unnecessary, potentially destructive to the environment, excessively costly, and unfair, but these charges simply have no basis in fact.

First, the claim that new legislation is unnecessary, and that more study is needed ignores reality. No wilderness area in the country has been studied more than the BWCA. Five independent studies have all demonstrated the seriousness of the motorboat/canoeist conflict. The virgin forests, lakes, and wildlife of the area have been the focus of countless scientific and educational studies. The U.S. Forest Service has devoted years to preparing management alternatives and coping with legal challenges arising from the ambiguity of the special BWCA exception in the Wilderness Act. The administration is urging the Congress to settle these disputes and give the Forest Service clear management direction.

Second, the idea that a stronger wilderness policy is "potentially destructive to the environment of the BWCA" is incredible. The U.S. Forest Service has had decades of experience in managing wilderness areas with natural environments posing similar ecological challenges. New protection for the natural environment of the BWCA is desperately needed. Logging in the virgin forests is an immediate threat; mining is a serious potential danger. Several critical areas within the wilderness additions have no potential at all under present policies.

Third, most of the possible cost of this bill is an investment in good forestry on Minnesota's better forest lands outside the wilderness. It is a cooperative program on Federal, State, county, and private lands. Such a program is long overdue. It is supported by both the forest industry and the conservation groups.

Fourth, the idea that this new BWCA Wilderness program is somehow unfair, and denies legitimate access to local people, just does not square with reality. Nobody is "locked-out" of the area. This bill simply increases the area where travel will be by traditional wilderness means—canoes, snowshoes, skis, or on foot. But unlike other wilderness areas,

motorboat use is continued on some 23 peripheral lakes, including virtually all of the lakes where local resorts, cabin owners and fishermen are concentrated. And snowmobile users are actually allowed to use three routes for another 5 years, when such use is now banned. This compromise legislation actually re-opens the area to such use for 5 years. In truth, it is the wilderness-seeking visitors who have limited opportunities. Local motorboat users have access to 2½ times as much lake area outside the BWCA as inside—just within the 3 counties that contain the BWCA,—to say nothing of Minnesota's other 10,000 lakes, or the 30,000 lakes in Minnesota, Wisconsin and Michigan—virtually all open to motors. America has only one canoe country wilderness. The time to protect it is now. Delay will only increase its problems. ●

## DEAN NORVAL MORRIS—NOMINEE

## HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. McDONALD. Mr. Speaker, there has been a good deal of criticism of the current nominee for the position of Administrator of the Law Enforcement Assistance Administration, Dean Norval Morris. Criticism has centered heavily upon his strong emphasis on Federal gun-control as a top-priority law-enforcement need. However, even those deeply concerned on this score are shocked by certain of Dean Morris' other published opinions. As an example, I cite the following letter to President Carter from Mr. John Snyder of the Citizens Committee for the Right to Keep and Bear Arms.

CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS

SEPTEMBER 27, 1978.

THE PRESIDENT,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: Your nomination of Norval R. Morris to be Administrator of the Law Enforcement Assistance Administration is both a political and moral outrage which can not be tolerated.

Not only has this man from New Zealand and Australia advocated the disarming of our American citizenry, he has also stated on page 3 of his book, *The Honest Politician's Guide To Crime Control*, that "sexual activities between consenting adults in private will not be subject to the criminal law. Adultery, fornication, illicit cohabitation, statutory rape and carnal knowledge, bigamy, incest, sodomy, bestiality, homosexuality, prostitution, pornography and obscenity: in all of these the role of the criminal law is excessive."

Frankly, it belabors the imagination to behold you close your address to the recent joint session of Congress and, through the electronic media, to the Nation and the world, with a quotation from Jesus Christ, and then turn right around and nominate an individual with these views for any public office, let alone such a high public office. To avoid general contempt for utter hypocrisy, we honestly believe that you ought to withdraw this nomination and, in fact, we demand that you do so.

Cordially and sincerely,

JOHN M. SNYDER. ●

## TRIBUTE TO JOHN C. HOWELL

HON. RICHARD L. OTTINGER  
OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. OTTINGER. Mr. Speaker, December 1 of this year will be a day of transition for the people of White Plains, for on that date, Jack Howell will retire as executive director of that city's YMCA.

When Jack arrived at this White Plains post in 1958, he brought with him 26 years of "Y" experience gained in Connecticut, Illinois, and upstate New York. Since that time, he has been responsible for a number of innovative programs as well as the successful building drive that brought the "Y" a new look and new facilities.

I join with the residents of White Plains in expressing warmest thanks to Jack for his tireless dedication and concern. We will miss him but look forward to having him remain a vital part of the community through his work with the Rotary, University Club and the church in the highlands.

At this time, I would like to share with my colleagues an article which appeared in the Reporter Dispatch about Jack and his work.

## HE'LL SAY GOODBYE TO PART OF HIS LIFE

(By Paul J. Bass)

The conversation had turned to the ex-convicts who have left jail early as part of the White Plains YMCA's Parolee Early Release Program.

"Don't use that word ex-con," insisted Jack Howell. "That attaches a stigma to the man. He's served his time."

"Somebody has to give the guy a helping hand," he said of the program he started at the YMCA four years ago, using the same explanation for most of the other 100 programs he has overseen each of his 20 years as executive director.

Howell, 65, let himself become a little nostalgic as he spoke of the job from which he will retire in December. The board of directors will announce his replacement this week.

Accepting the state department's offer to run the ex-convict program was a lot easier than selling the idea to the board. But Howell felt strongly about giving the 150 parolees each year a good opportunity to start over, pursuing the idea with the same fervor with which he runs all of the Y's programs.

With the many services he has established in 20 years, he doesn't like to single out single experiences. Instead, he chooses to talk in big numbers, like increased membership from 2,172 to 14,102, and of overall budget from \$176,900 to \$1,272,000 during his tenure.

Or he'll glance behind his desk through the large window at the \$4 million wing for which he spearheaded a fund-raising drive from 1969-1972, getting the Y the extra floor space, gymnasiums and pool it needed.

On a pad on top of his desk, he computes in longhand the impressive number of committee meetings he has had to attend, how many rooms (205) he's added to make the Y the second largest hotel in White Plains, or the number of community members who have shared in fund-raising efforts. With little prodding, he'll draw the file on the Y day camp in Greenwich, where the number of campers has grown from 100 to 500 since he assumed his post.

The YMCA has been Howell's life for 53 years. Born on June 25, 1913, in Geneva, New York, he joined the Y at 12 years old. He even

## EXTENSIONS OF REMARKS

went to a Y college, George Williams College in Chicago, to learn how to become a Y secretary.

Since starting on the payroll in 1930, he has worked in seven programs in three states. He used to keep a saying by former national secretary John R. Mott, which in modified form serves as his motto, on his desk in White Plains.

"No greater privilege can come to any man than to stand at a threshold of a person's life with character, kindling and power." That's what the YMCA's all about," he said.

Mott's original statement dealt with only "young men," but Howell emphasizes the Y's dealing with all ages and both sexes. The program's next fund-raising drive will work toward expanding presently inadequate female sports facilities.

Howell's last day will be Dec. 1 and he plans to maintain his residence in White Plains with his wife, Ruth. His son, Dr. Loren Howell, lives in Amherst, Mass., and his daughter Susan resides in Evergreen, Colo.

In early December, said former Y president and current board member Alan Stevens, Howell will receive a grand honorary dinner.

Remarked Stevens, "Without Jack Howell, the YMCA would not be where it is today. He was a very top administrative leader."

Stevens said he may have to rent out a hall for the occasion. After a career of community involvement which included military, church, Rotary Club, and public committee work, Howell is bound to attract a lot of well-wishers.

Among them should be Howell's successor. Asked if his replacement could equal his own record, Howell said he was certain about everything but the mark of remaining director for twenty years.

"They normally don't stay there unless there's a new challenge," he said. "After all, twenty years in a Y position is a long time." •

CONDITIONING COSTS OF GAS  
FOR SALES

## HON. DON YOUNG

OF ALASKA

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. YOUNG of Alaska. Mr. Speaker, in the course of action on the energy legislation over the last 18 months, there has often been confusion over the role of the Federal Energy Regulatory Commission (FERC) with regard to conditioning costs of gas for sales.

I would like to refer to the Members a clarification of this matter by Senators STEVENS, GRAVEL, and JACKSON in the CONGRESSIONAL RECORD of September 27, 1978, pages 31839-31840. It was agreed that section 110 of the Natural Gas Policy Act of 1978 gives the FERC the authority to increase the maximum lawful price of any natural gas to compensate the seller for costs that it may incur in the gathering and processing of such natural gas. Also, it is my understanding that an interstate purchaser may acquire natural gas at the wellhead, paying the maximum lawful price at that point, and that pursuant to section 601 the FERC could not deny recovery of such amounts. It is my further understanding that in such situations, the FERC would also permit recovery of prudently incurred costs of any necessary gathering and gas treating operations performed by the interstate buyer. •

CONGRESS SPENDING DEVALUES  
U.S. DOLLARSHON. JAMES M. COLLINS  
OF TEXAS

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. COLLINS of Texas. Mr. Speaker, have you all realized how rapidly we are increasing the amount of U.S. money in circulation? In 1960 there was \$177 per capita, and in the middle of 1977 there was \$1,545 per capita of money in circulation. Back in 1897 there was \$16 per capita, 1940—\$59 per capita, and 1950—\$179 per capita.

Note the decade of the 1950's which were the Eisenhower years and 10 of the soundest years in American history. They began with \$179 per capita and ended with \$177.47 per capita. Here were 10 years of stability where the amount of money stayed constant on a per capita basis.

But let us look at the 1970's. The United States began with \$54 billion in circulation and on June 30 of 1977 there was \$335 billion worth of money in circulation.

Back in the early days of our Republic the Continental Government spent more than it had so it printed more money. As it continued to print money the value of the dollar dropped, until finally it was worth only 2 cents. This is when the expression, "It isn't worth a Continental" was first heard. Harry Truman said, "The Buck Stops Here." Our money problem is only partially the problem of President Carter. He recommends many of the big spending programs. But the Members of Congress show weakness by voting for all these excessive Government spending bills.

America is now seeing the results created by a liberal Congress dedicated to redistribution of the wealth. America was made great by dedicated advocates of the Calvinist work ethic who had deep religious convictions and who were concerned with producing more and more goods for the benefit of society. America has changed from a country concentrating on productivity to a country concerned primarily with consumerism. Producing and serving is the only successful way to build a prosperous society.

What is disturbing in addition to the tremendous amount of money in circulation is the overhanging Eurodollar. Frankly, I do not understand Eurodollars but today there are between 500 billion and 650 billion Eurodollars outstanding. If the people who hold these Eurodollars ask for payment, what will happen?

The U.S. citizens were startled to see strong currencies in the world rising as the dollar suffered a severe slide during 1978. Objective foreign investors turned to the German mark, the Swiss franc, and the Japanese yen. These Governments have had politicians with courage who have not squandered their nations' resources.

As I listen to the debates on the floor of the Hall of Congress, I am cognizant of the sincerity of my colleagues in

## EXTENSIONS OF REMARKS

their generous desire to have the Government provide all goods and services for every American. Why does Congress blindly refuse to face economic realities? It is Congress that spends and spends, taxes and taxes, and authorizes the printing of more and more money.

The Federal Reserve occasionally raises the discount loan rate which is the interest charged to Federal banks to borrow money. And these moves slow down the growth of the money supply. But the more common action is to increase the amount of money in circulation.

Remember, the Congress was spending \$100 billion in 1961, \$200 billion in 1970, and \$500 billion today. Remember, it was the 1970's when the Congress so excessively overspent that the dollars in circulation have gone berserk. Compare 1970 when we had \$264 per capita in circulation, to 1977 when there was \$1,545 per capita in circulation.

Where will this policy of today's inefficient, liberal Congress lead America? Create initiative amendments which would permit the American people at the grassroots to introduce constitutional amendments to place ceilings on Government spending. Through the initiative the American people could also put ceilings on taxation.

Will Congress continue to spend, spend, spend? Will Congress spend the dollar to a level where it will not be worth the paper it is printed on? In 1970, there was \$54 billion of money in circulation which raised to \$335 billion in 1977.●

## TRIBUTE TO JIMMY BURKE

## HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ROYBAL. Mr. Speaker, it is with pleasure that I rise now to add my words of tribute to those already spoken about JIMMY BURKE, Representative of Massachusetts' 11th Congressional District. During his 20 years in Congress, JIMMY has established himself as a hard-working Congressman deeply concerned about the average American.

As chairman of the Subcommittee on Social Security of the House Ways and Means Committee, JIMMY tackled the financial difficulties of our social security system head on. His expertise in this critical area proved to be the key force in bringing about a resolution to the problem without jeopardizing benefits to our Nation's elderly.

JIMMY has repeatedly distinguished himself as a dedicated public servant and as a true friend of the American people. He may certainly take pride in his many contributions to our Nation's legislative history and the well-being of our country.

It has, indeed, been a privilege to know and work with JIMMY BURKE and I am pleased to have this opportunity to add my words of praise for a friend and colleague, whose presence in Congress will be greatly missed.●

CONGRESSIONAL CASEWORK ACT  
OF 1978

## HON. JOHN B. BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BRECKINRIDGE. Mr. Speaker, I wish to insert this summary article on the activities of "Ask Us, Inc." a Kentucky-based information and referral center, as a concluding part to my draft legislation on the congressional casework office appearing elsewhere in today's RECORD. The article follows:

## ASK US

May we help you? Is the greeting over 14,000 residents of Lexington and Fayette County, Kentucky, heard during 1976.

The help was requested of Ask Us, Inc., an award-winning Information and Referral Service in this Central Kentucky county of 203,420 (Greater Lexington Chamber of Commerce estimate). Primarily a telephone service, Ask Us helps residents find answers to such questions as: Where do I go for a cancer check-up? Can a private citizen dump trash at the city landfill? How can I get an oil painting cleaned? What city department will fill the chuckholes on my street? Where can I get my birth certificate? I need a business loan. We want to adopt a baby. My daughter is an epileptic and needs constant medication. Can we get it at a discount somewhere? I'm black and they won't rent me an apartment.

The service is free to the caller and to the service provider.

Information and Referral is a relative newcomer to the social service area, built on the tenet that people in need often require help in locating the appropriate agency or service designed to eliminate or alleviate the problem. Or, as the Ask Us slogan proclaims, Information and Referral "links people to the service."

The story of Ask Us is one of citizen initiative and participation in their community. Citizens recognized a need, researched the project, designed, funded and implemented it and finally marshalled troops of volunteers to staff the office and deliver the service.

The idea was conceived in 1973 during a search by the Suburban Woman's Club for a community improvement project that would yield long term benefits to the city of Lexington. Joining forces with the Regional Mental Health/Mental Retardation Board in 1973, the then 19-member club conducted a feasibility study on the need for an Information and Referral Service in Fayette County.

The months of investigation revealed a local network of over 400 agencies and organizations whose common denominator was the delivery of a social service program. The network developed as Lexington's population grew by 27,000 during the 1960's and was expected to swell dramatically by another 40,000 by 1980. Services were added and altered to meet the expanding needs of the growing population, but as agencies grew in number, in complexity, and in specialization, this very growth often created a barrier between the agency and the people they hoped to serve.

The organizers of Ask Us discovered that people who look for help, whether it is for a good counselor, to locate a runaway child, to find a place to live, to get food to eat, or to figure out how to join the Boy Scouts, often do so in a hit-or-miss fashion. They may ask a friend, or a neighbor or go to their minister or doctor. But people do not always know where to find the most appropriate solution or the someone who could suggest alternatives.

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An individual may become lost in a bewildering maze of incidental referrals, going from agency to agency only to find they do not deal with that particular kind of problem or he does not qualify for the program. And so he stumbles on.

Ask Us sponsors observed that this needless, senseless wandering around for help further sapped much of an already troubled person's physical and mental energies.

Work progressed on setting up an Information and Referral Service. Interviews were conducted with key community and civic leaders and government officials. Different model programs around the country were studied. Data collection and classification systems were scrutinized and a library of documents on Information and Referral accumulated.

Finally, in August, 1973 after seven months of work, by-laws were adopted, the name selected, a Board of Directors chosen with widespread community representation, and other administrative details attended to. Telephone lines were installed in office space donated by the county and Ask Us officially opened in January, 1974, to begin providing residents with information about resources available in their community.

Mrs. Ann Ross, Ask Us Director and one of the organizers of the program, said recently she thought it was "significant that we have demonstrated what can be accomplished outside of government bureaucracy with a mixture of citizen volunteers, professional staff, agencies, and a mixture of public, private and voluntary resources."

"With all the resources of government agencies, they had not acted to set up this needed program."

She observed, "people don't look at Ask Us as 'just another government agency' set up to meet a crisis. The need was first documented and then a program built to respond to that need. The result has been overwhelming acceptance by the public."

The number of individuals who seek help from Ask Us continues to grow from 4,800 in 1974 to 8,600 in 1975 and over 14,000 in 1976. The staff projects close to 20,000 calls in 1977 for a 40 percent increase over 1976.

"This program can be implemented anywhere, in a rural or urban area and it can be set up in many ways," Mrs. Ross said. "But the way we have set it up and the success of Ask Us, I feel, demonstrates beyond a shadow of a doubt that this is the way an Information and Referral Center functions best."

Ask Us is organized as a free standing or independent center as opposed to being part of a multi-service organization. It is generic in nature, dispensing information about all social service resources in the community as opposed to centers that deal with specialized problems or with specific target populations. This not only makes it useful to all segments of the community but also contributes to its cost effectiveness.

Objectives of a generic consumer Information and Referral Service are several: to provide a primary telephone number for access into the human service system; decrease the amount of time an individual spends searching for a service; help identify the individual's needs; to optimize the match of human needs to services; document the magnitude of human need in the community; and finally, maintain an accurate and up-to-date inventory of human service resources available in the community.

Who uses Information and Referral? Individuals seeking help for themselves; individuals seeking help for a friend or family member; agency workers; groups seeking information, and individuals or groups needing statistical data.

Ask Us is promoted in several ways which combine to make up an active public relations campaign that is continuously in motion.

tion. Public service announcements on radio and television are used heavily and constantly updated as Ask Us strives to present its message to the public in crisp, imaginative ways. Staff members make guest appearances on local radio and television talk shows and work closely with local newspapers to keep the public informed about the service. Also, last fall a series of public forums was conducted to inform people about Ask Us and its services. These were carefully directed at several different targeted populations in Central Kentucky.

It has been the experience at Ask Us that there is a direct cause and effect relationship between an aggressive publicity campaign and the frequency of calls. Or to state it another way, the public tends to forget. Recognizing this factor of human nature, the Ask Us staff feels the program must constantly be placed before the public through various communications channels.

A significant factor from the conception of the idea for Ask Us and contributing to its success has been neutrality, neutrality of the Woman's Club and similarly, neutrality of the program they established. Members believed that for Ask Us to successfully cut across the network of agencies to meet an individual's needs as effectively as possible, it must not be considered competitive with other human service-type organizations.

To further insure an independent status within the community, Ask Us was set up to operate from a diverse funding base, drawing funds from the State's Department for Human Resources, the local Urban County Government and donations from the private sector such as from business, industry, churches and individual supporters. A federal grant from the American Revolution Bicentennial Administration in September, 1976, provided funds for a series of public forums about Information and Referral, a training manual to train volunteers and staff to work in the program and the compilation of a community resource handbook for use by consumers.

Still Mrs. Ross says "support has been a tough thing to generate from government because of sometimes imagined turf problems. And an unwillingness to admit that government agencies need citizens' help."

Important in helping to hold down staff costs has been the broad use of volunteers throughout all aspects of the program, though Mrs. Ross commented, "a well organized volunteer program must have a firm foundation which means some degree of financial support is necessary." The original proposal setting up Ask Us was based on the premise that a program of this nature could be carried out largely by volunteers, through some paid staff was recommended for continuity.

Community volunteers and student interns from nearby University of Kentucky, Transylvania College and Asbury Theological Seminary are trained as telephone interviewers, to perform on-site surveys for the purpose of collecting information on community agencies, and to assist the resource file manager in updating.

Statistics show that volunteers contributed almost 5,800 hours in 1975 or the equivalent of two and one-half paid staff members. Since the beginning of the program, it is estimated that over 28,000 volunteers hours have been given to this community project.

A recent cost analysis of Ask Us based on the first six months of 1976 revealed that the cost per call or service request was \$2.49. This was determined by dividing the number of service requests (6,847 for the first six months of 1976) into the annual budget (\$17,051.57 for the same period).

How does this cost compare with that of other Information and Referral Services? The Department of Health, Education and Wel-

## EXTENSIONS OF REMARKS

fare (HEW) conducted a study of 19 services throughout the country with these results: lowest cost was \$2.70; median cost, \$7.86; highest cost, \$34.30. One third of the 19 fell in the \$5.01 to \$7.50 cost range. At \$2.49 per request, Ask Us has a very low per request cost.

When it comes to giving callers accurate, helpful information, Information and Referral is typically thought of as a one-step or two-step process. Either information is offered in response to a question, or that information is accompanied with some additional effort aimed at actually connecting the individual with the needed service or resource.

However, Anthony Salvatore, in an article appearing in the Social and Rehabilitation Record, defines it as a sequential process made up of a number of separate activities which may all be pursued depending upon the caller's request.

Basic is the act of answering questions about services, programs and eligibility. However, the telephone interviewer may go further and provide an individual interpretation of how a particular program may be used by the caller. Another step is directing the caller to a specific agency but stopping short of making the contact on behalf of the caller. Referral is actually making an appointment for a person at an agency on a specific day. Or, as a minimum, referral involves making the client and potential service agency aware of each other and thereby laying the groundwork for their connecting with each other on a particular date.

At Ask Us, whether an individual needs simply information or referral help, telephone interviewers complete a log sheet on each call permitting Ask Us to collect several types of client information. The number of calls is tallied and the individual's problem is recorded along with the service requested and the agency or agencies cited to the caller. As each community agency in the Ask Us file has its own code or site number and each service has an individual service code number, these are also listed on the log sheet so the information can be stored in a computer. Certain demographic information on the consumer is also recorded—sex, approximate age and marital status.

This log sheet data is valuable for several purposes. For Ask Us it reveals who most uses the service and helps when publicity campaigns for reaching certain target populations are developed. For community planners it not only documents the magnitude of human need in the community but also uncovers gaps and overlaps in the social service delivery system.

When more than just basic information is given at Ask Us, telephone interviewers then do follow-up on the call at a later date. Follow-up is simply calling an individual back who received information or was referred to a community service to determine if the information given him was accurate and whether he received the help required. It provides an opportunity to help the person again if the first effort was unsuccessful or if new needs have arisen.

By using follow-up, Ask Us can monitor its own resources file: Is the information on agencies and services accurate and up-to-date? Was the referral an appropriate one? Follow-up also works to make agencies more accountable for their service.

The heart of Ask Us is a comprehensive resource inventory of over 750 public, private and voluntary organizations and the service and programs they offer. This body of information is classified by problem areas according to the Human Service Information System (HSIS) developed by the Kentucky Department for Human Resources and on which Ask Us made certain adaptations.

The file is currently on 5 x 8 index cards in a mobile card file and is computer-capable if a decision should be made in the future to switch from a manual to a computerized method of retrieval.

To collect information on new agencies and organizations, trained volunteers visit each agency and, using a standardized on-site survey booklet, gather extensive information about the agency and its services, its eligibility requirements, source of funding, etc.

This information is later processed by the resource file manager who compiles an agency card giving the correct name of the agency, pertinent information about its hours, services, eligibility requirements, location, director and fees charged, if any. This card is filed alphabetically according to agency name.

The subject file, cross-indexed with the alphabetical file, contains a card on each separate category of services provided in the community with a listing of each agency that delivers the service. If the problem is emergency food, the interviewer looks under that particular subject card and is referred to the various sites where emergency food may be obtained. After pulling each of those site cards (or alphabetical agency cards) and checking the eligibility requirements, the interviewer will suggest the agency or agencies best suited to fill the client's needs.

Using this extensive file, the telephone interviewer can provide accurate information and make appropriate referrals.

For any community wanting to establish an Information and Referral Service, a proposed model of the Ask Us Program has been drawn up which could be used by any sponsoring agency and tailored to fit a rural or urban situation. The model program includes the necessary components of an Information and Referral Service: (1) for gathering, storing, and retrieving community resource data and client data; (2) for giving information to clients as quickly and accurately as possible; (3) for operating an effective public information campaign; (4) for training professional and volunteer personnel; and (5) for developing and sustaining a coordinated funding base.

In summary, Ask Us provides general information concerning all community resources. Referral to the proper resource is provided and definite appointments are made on the consumer's request. Follow-up is carried out to determine if the information given was accurate and helpful and if the consumer received the service they required. The resource file is the key to Ask Us and is kept updated at all times.

The ultimate goal at Ask Us is to link the individual to the service and either eliminate or alleviate the problem and help improve their quality of life. (August 17, 1977) ●

## TRIBUTE TO ARKANSAS CONGRESSMEN RAY THORNTON AND JIM GUY TUCKER

**HON. BILL ALEXANDER**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ALEXANDER. Mr. Speaker, when the 95th Congress adjourns, Arkansas will lose half of its congressional delegation in the House. Our colleagues, RAY THORNTON and JIM GUY TUCKER, waged vigorous battles for the Democratic nomination for the U.S. Senate in our State this year. Of course, to seek another office, they had to make a diffi-

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cult decision. They realized the gamble, took it, and, though they were unsuccessful, have maintained the high level of integrity and dedication that has characterized both their careers of public service to the people of Arkansas. RAY and JIM GUY, even in losing, have continued to earn the admiration and respect of Arkansans.

I think we owe them a great debt of gratitude for the manner in which they have conducted themselves while Members of this body. And so, our other colleague from Arkansas, JOHN PAUL HAMMERSCHMIDT, and I stand before you this morning to say thanks to RAY THORNTON and JIM GUY TUCKER for a job well done.

RAY THORNTON's service to the people of Arkansas began with his election as a delegate to the Arkansas Constitutional Convention in 1969-70, whereupon he served as chairman of the Executive Branch Committee. He was elected as Arkansas' attorney general in 1970 and from that post came to the House as the Fourth Congressional District's Representative in 1973.

RAY THORNTON has been a most effective Member in the three terms he has served in the House. RAY distinguished himself during the tense Watergate hearings as a member of the Judiciary Committee and made, if I may say, one of the most eloquent statements of any we witnessed on the case to be made for the impeachment of former President Richard M. Nixon. RAY's service on the Science and Technology Committee has been marked by his expertise in energy research issues, an expertise that has contributed to increased public awareness and congressional acceptance of expanded energy research programs.

When I was elected to the Appropriations Committee, RAY sought and obtained a seat on the Agriculture Committee. RAY has never been one to seek the headlines or to garner praise, but I can assure you that every Arkansan knows that his mark is on many pieces of legislation that have benefited the people of Arkansas.

RAY THORNTON's presence will be missed in the House. I hope that when he returns home he will continue to serve the people of our State in other capacities. We need public servants on his caliber.

Though he is only 35 years old, JIM GUY TUCKER has already given 8 years to the public service of Arkansas' people. His first elective office was that of prosecuting attorney for the Sixth Judicial District in 1971-72. The year RAY THORNTON left the Arkansas' attorney general's office, JIM GUY convinced the people of Arkansas he should be elevated to that law enforcement post.

As attorney general, JIM GUY compiled a record of support of consumer interests. He was elected to the post office first in 1972 and again in 1974.

When Congressman Wilbur Mills elected to retire from his long and distinguished career of service to Arkansas' Second Congressional District, JIM GUY sought and won that job and a seat on the coveted House Ways and Means Committee.

Though a freshman, JIM GUY quickly

established a record as an authority on social security issues. He was instrumental in guiding through the House legislation that revamped the social security system. His service on the Ways and Means Committee assured Arkansas of a continuing influence on the complex and important issues with which this committee deals. Arkansans who have developed a respect and admiration for this young public servant will join in hoping that as he returns to the State he will find ways of continuing his service to our people.

Mr. Speaker, I know my colleagues join me in paying tribute to these two outstanding Members.●

## EMPLOYMENT TRAINING FOR VIETNAM VETERANS

HON. JOHN P. HAMMERSCHMIDT  
OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. HAMMERSCHMIDT. Mr. Speaker, I would like to express my belief that we may finally have a Government employment program with the potential to succeed in doing what every Government employment program should have as a goal: Helping people obtain meaningful jobs in the private sector.

I refer to the possibilities inherent in the marriage between CETA's HIRE II program and the Veterans' Administration on-the-job training program. The HIRE II program provides a financial incentive to private employers to bring veterans into meaningful work. The lack of just such a financial incentive has been the major reason why the Veterans' Administration on-the-job training programs have been less than successful over recent years. Following World War II, employers had this incentive built into the VA program, in addition to the stipend accorded veterans, but the incentive was later eliminated.

So what we now have, Mr. Speaker, is a CETA program that has the potential of breathing new life into a VA program that badly needs it. We have debated the need for Vietnam veterans readjustment assistance for years now, but we have continued to focus in on GI bill education needs. The college programs, in my opinion, now meet the needs of our veterans in school. A single veteran could receive as much as \$14,000, tax free, in educational stipends if he used all of his GI bill, and could receive low-interest loans on top of that. What we have failed to perceive is that the veterans with readjustment problems often come from environments where college is irrelevant, and where the greatest need is for immediate, meaningful employment. This need can be aided through the on-the-job training program, and I perceive it as the duty of the Congress to strengthen that program.

Consequently, Mr. Speaker, I must express my gratification regarding the possibilities of the marriage of HIRE II and the VA on-the-job training program. I hope that in future sessions we will explore these possibilities further.●

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## TRIBUTE TO ARKANSAS CONGRESSIONAL RAY THORNTON AND JIM GUY TUCKER

● Mr. HAMMERSCHMIDT. Mr. Speaker, during the final hours of the 95th Congress, I would like to bid a formal farewell to my good friends and colleagues RAY THORNTON and JIM GUY TUCKER who will soon conclude their congressional service. Also, I would like to thank Mr. ALEXANDER for taking this special order and giving us the opportunity to share our feelings on their departure.

RAY THORNTON, the serious, Yale-educated, attorney, and science oriented Congressman who is best known for his level headedness, hard work, and articulate speech will be sorely missed by his dear friends throughout the Halls of Congress.

In my view, his greatest accomplishments during his many years of public service emanated from his position on the House Science and Technology Committee where he earned the respect and admiration of all those who had the pleasure of working with him. It was through his work on this panel that he mastered the scientific and energy related programs, such as gasohol, that became his special interest. Moreover, it was here where he became widely known within the scientific community as an expert in the complex field of DNA research, the chemical compound that no doubt holds the key to all living organisms.

In addition, he was able to uniquely tie his keen scientific skills with his service on the House Agriculture Committee when assignments covered agricultural research and advanced technologies. In fact, he made a very difficult decision for a lawyer to leave the prestigious House Judiciary Committee to enable him to better serve his constituents more completely on the House Agriculture Committee and during his years of service on that body he proved to be quite instrumental and sympathetic to the farmers' plight.

On a personal note, I became particularly familiar with RAY THORNTON's dedicated service and his most gentlemanly manner during our many meetings on projects of mutual interest which would benefit the State of Arkansas.

His multifaceted background will no doubt allow him to continue to contribute to the betterment of life in Arkansas. I know my colleagues and I will truly miss this man and I hope he will come back often to reminisce with old friends. I know I will miss him.

Lately, I would like to wish him much happiness upon his return to the beautiful State of Arkansas.

The Honorable JIM GUY TUCKER has also earned a distinguished and ambitious record of service. At the early age of 35 he has been in political office for nearly 8 years. His success was predicted at a very early age since at one time JIM GUY was the youngest Eagle Scout in America (age 12) and in 1972 he was named Arkansas' Jaycee "Outstanding Young Man of the Year".

He attended public school in Little Rock and went on to receive his B.A. in

government and history from Harvard and a law degree from the University of Arkansas at Fayetteville. Furthermore, **JIM GUY** polished his literary skills as the author of a book, entitled "Arkansas Men at War."

Based on his renowned reputation as a special prosecuting attorney, **JIM GUY** served two terms as Arkansas' attorney general, followed by his service as a Representative to the U.S. Congress.

As a member of the freshman class in the House in 1977, he acquired a position on the coveted House Ways and Means Committee, which was chaired by his predecessor, Wilbur Mills, and which offered him many opportunities to participate in crucial committee level votes affecting the welfare of the State of Arkansas and the Nation.

During his one term of service in Washington, **JIM GUY** has merited the friendship and respect of his colleagues. I hope the rest of his life with his lovely wife, Betty, will be filled with much joy and future accomplishments.●

**SENIOR CITIZENS—A HELP TO THE HANDICAPPED**

**HON. GLADYS NOON SPELLMAN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mrs. SPELLMAN. Mr. Speaker, I wish to take this opportunity to recognize in

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the Congress of the United States 65 very special people, the Foster Grandparents of Prince Georges County, who give tirelessly and selflessly of their time, energy, and most importantly, their love, to area children with handicaps and special needs. It has been my exceptional privilege to share some time with these outstanding individuals over the last few years, and I can assure each and every one of you that they are we" deserving of recognition. They clearly demonstrate the vital contribution which senior citizens can make in meeting critical community social service needs.

When we meet daily with interest groups vying to protect their narrow causes, it can only warm the heart to see these wonderful people giving 20 hours of their time each week to provide children with something that even the most costly programs could not give—the assurance that there is someone who loves and cares about each of them.

Mr. Speaker, I know my colleagues join in offering our warmest and most sincere congratulations to all the Foster Grandparents of Prince Georges County on being recognized for their service. The residents of my area are fortunate to have the privilege of their presence in the community. Through their commitment to this essential program, they have inspired us by their example—showing us what we can and should strive to be.

I would like to close by asking the

Foster Grandparents of Prince Georges County to accept my best wishes for a future I am sure will be bright.●

**QUESTIONNAIRE AND OPINION POLL**

**HON. MATTHEW J. RINALDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. RINALDO. Mr. Speaker, each year since I was first elected to Congress in 1972, I have conducted a questionnaire and opinion poll in the 12th Congressional District of New Jersey, which I represent.

This survey has been phenomenally successful, and each year has witnessed a greater interest on the part of constituents from all parties, economic levels, and backgrounds. This is one reason why I pay such close attention to the results of this poll; it is an effective means of gauging the opinions of constituents in all walks of life who care enough about their Government to respond to their Representative.

I have recently concluded the tabulation of the 1978 survey and would like to insert these results in the RECORD so that my colleagues may have the benefit of this questionnaire.

The survey results follow:

	[In percent]									
	Yes	No	Undecided		Yes	No	Undecided			
<b>CRIME</b>										
1. Do you believe that crime is a more serious problem now than 5 years ago?.....										
	86.4	8.8	4.6	12. Do you think President Carter is doing a good job?.....	12.4	67.9	19.6			
2. Do you favor a mandatory 5-year prison sentence for anyone convicted of committing a crime with a gun?.....										
	85.8	6.8	7.3	<b>SOCIAL SECURITY</b>						
3. Do you agree with President Carter's decision to halt production of the neutron bomb?.....										
	26.8	56.5	16.6	13. Should general revenues be used to make up the shortage between social security taxes and the real cost of social security benefits?.....	51.7	34.7	13.5			
<b>DEFENSE</b>										
4. Would you favor some form of Proposition 13 in New Jersey to reduce Government spending and State taxes?.....										
	83.8	9.5	6.5	<b>TRANSPORTATION</b>						
5. Would you favor reducing Federal spending even if it means a reduction in some Federal aid programs that you may use, such as mass transit, education, health and welfare?.....										
	71.3	19.9	8.6	14. Should the State of New Jersey approve the completion of the 5-mile stretch of I-78 through the Watchung Reservation?.....	65.0	23.7	11.2			
<b>ECONOMY</b>										
6. Do you favor establishment of a separate Cabinet-level Department of Education?.....										
	26.3	55.8	17.7	<b>TAXATION</b>						
7. Would you favor further development of nuclear energy to meet increased needs for electric power?.....										
	76.6	15.1	8.1	15. The Kemp-Roth bill would make permanent, substantial reductions in the Federal income tax for businesses (about 6 percent) and individuals (about 30 percent). Opponents of the bill say it will mean larger deficits, a reduction in popular Government programs, and allow businesses and the wealthy to escape paying taxes. Supporters of the bill say taxes are already too high and that reducing them will help the economy and actually result in an increase in government revenues. Do you support the Kemp-Roth bill?.....	58.0	17.8	24.0			
8. Do you favor gasoline rationing in order to cut the Nation's bill for oil imports?.....										
	33.6	56.5	9.7	<b>WELFARE</b>						
<b>ENVIRONMENT</b>										
9. Antipollution controls will cost an estimated \$250,000,000 in the next 7 years. Would you favor stretching out the timetable for cleaning up the air and water in order to fight inflation?.....										
	65.2	28.2	6.5	16. Should the Federal Government retain the food stamp program?.....	36.9	49.0	14.0			
<b>FOREIGN AFFAIRS</b>										
10. Do you approve of the United States resuming trade and diplomatic relations with Cuba?.....										
	31.7	56.7	11.5	17. Should Federal tax dollars be used to pay for abortions?.....	27.9	62.4	9.5			
<b>HEALTH</b>										
11. Do you favor a national health insurance program, including protection against catastrophic illness, if it means an increase in taxes?.....										
	43.1	46.2	10.5	(a). Retain the present system.....	5.7	5.8	.....			
				(b). Adopt the President's proposal.....	.....	.....	.....			
				(c). Reorganize the present system, but do not increase costs.....	.....	.....	88.4			

## UNSPENT GOVERNMENT APPROPRIATIONS

**HON. ELIZABETH HOLTZMAN**  
OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Ms. HOLTZMAN. Mr. Speaker, as a member of the House Budget Committee, I have become extremely concerned about the growing size of the appropriations which are not spent by Federal departments and agencies. These unspent or "unobligated" balances will total almost \$47 billion by the end of fiscal year 1979, an amount greater than the estimated deficit in the Federal budget.

Today I am introducing a bill with 30 cosponsors that will enable Congress to reduce these unspent balances. My bill requires the President in his budget to describe his efforts to reduce unobligated balances. Congressional committees must provide the Budget Committees with an accounting of the unobligated balances resulting from their budgetary recommendations and what they have done to reduce these balances. In connection with the first concurrent budget resolution, the House and Senate Budget Committees must also report on the unobligated balances and what steps have been taken to cut them.

These procedures should help reduce unobligated balances. The President and the congressional committees are required for the first time to focus on the problem; in addition they must propose solutions.

Unobligated balances occur throughout the Government. The Department of Defense, for example, is expected to have at least \$21 billion in unobligated funds by the end of fiscal year 1979 (almost half the Federal total of unobligated balances).

These balances have been increasing each year. In 1972 they were \$12 billion; in 1979 they are expected to soar to \$21 billion, an increase of 75 percent.

Other Federal agencies are also guilty. By the end of fiscal year 1979, the Department of Energy is expected to have unobligated balances of more than \$13 billion and the Department of Transportation more than \$7 billion.

If the integrity of the budget process is not to be undermined, agencies' annual requests must be based on realistic assessments of what they can obligate in that year and they must be required to spend their appropriations in a timely manner. In addition, we must insist that these agencies and departments spend what they have previously requested before coming to the Congress for additional funds.

During the recent debate on the second concurrent resolution for fiscal year 1979, I offered an amendment that would have reduced unobligated balances by 10 percent. Although I subsequently withdrew my amendment because it would have imposed serious practical difficulties on the appropriations process, it received strong bipartisan support and represented an attractive and sensible

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approach to reducing waste in Federal spending.

This bill represents a further effort to cut down the massive size of unobligated balances and make our appropriations and budgetary process more responsible. •

## GASHOHL—THE WAY TO GO

**HON. LEO J. RYAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. RYAN. Mr. Speaker, this Nation over the past few years has become increasingly dependent on foreign imports of petroleum for its necessary gasoline and other fuel needs.

One way to lessen this dependency and at the same time be less vulnerable to external pressures, like the 1973 Arab oil embargo, is to develop alternative sources of energy for our machines. This is a strategy that has been given some policy attention by the administration, but not with the same fervor, budget and national priority as in the case in some countries, for example, Brazil.

Apparently even a 10-percent mixture of alcohol and gasoline as is now being used on a full scale in Brazil can save millions of barrels of petroleum. In the United States, a 5-year "gasohol" program in Nebraska has received little attention, even though it has been deemed very successful by people in and out of Nebraska. There is a need for the United States to broaden its national energy policy strategy and give higher priorities to the development and use of such fuels.

I call to the attention of my colleagues an article by Harry Anderson on the subject of "gasohol," which recently appeared in the Los Angeles Times.

The article follows:

[From the Los Angeles Times, Oct. 7, 1978]

"GASOHOL"—NEW SPARK FOR OLD IDEA

(By Harry Anderson)

Henry Ford built his first Model T with an adjustable carburetor that could accept any fuel from straight gasoline to pure alcohol. Very soon, however, the adjustment was eliminated; gasoline was much cheaper and alcohol corroded the engine parts.

In 1935, at the bottom of the Depression, a plant opened in Atchison, Kans., to produce alcohol fuel for automobiles from surplus grain of hard-pressed farmers.

It went broke two years later—despite an abundant supply of cheap raw materials—because its "Agrol" blend of gasoline and alcohol found little public acceptance. The plant was then converted to produce beverage-grade alcohol for vodka, gin and other spirits.

Despite those early, unsuccessful attempts to make alcohol a viable automobile fuel, the idea has come back strongly in the energy-short 1970s. Blended alcohol-gasoline fuel—"gasohol," as it has been dubbed—is being simultaneously touted, pooh-poohed, experimented with and argued about from Nebraska to Brazil.

Its proponents claim gasohol can help reduce U.S. imports of foreign oil. Along the way, it may even solve a lot of other problems, they say, including sewage disposal in major cities and the glut of cane and beets which has depressed the sugar industry.

Others aren't so smitten. Gasohol, they

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contend, requires more energy to manufacture than it generates. To produce enough alcohol to run the nation's cars, industry would have to invest billions in new distilleries, they say, and today's cars would probably need at least major carburetor adjustment to operate properly on gasohol.

Despite the attractiveness of the idea that almost anything—from cornstalks to garbage—can be converted into alcohol, the simple reality is that the cost is too high, critics claim.

Not surprisingly, much of the enthusiasm for gasohol in Congress is coming from farm-state representatives, whose constituents stand to gain from a switch to alcohol fuels. "This is not just any automobile fuel," enthuses Sen. Carl T. Curtis (R-Neb.). "It is a highly efficient premium fuel which if marketed nationally, could reduce oil imports 20 percent while providing a steady market for farm surpluses."

Curtis, the American Automobile Assn. (which has endorsed gasohol experiments) and several other congressmen even sponsored a gasohol giveaway in Washington last June. About 250 government officials were given a free tank of gasohol for their cars in an attempt to drum up interest in the fuel.

The Department of Energy is spending more than \$18 million this year on research and demonstration projects involving gasohol, and the Department of Agriculture has budgeted \$24 million to investigate alcohol fuels—specifically the economics of converting agricultural products and wastes.

More than a dozen pieces of legislation are in the congressional hopper which would boost gasohol in one fashion or another. The most radical, offered by Sen. Frank Church (D-Idaho), would require the secretary of energy to set up a timetable for the mandatory replacement of gasoline with gasohol—from 1% in 1981 to as much as 10% of the total U.S. automobile fuel supply by 1990. None of the proposals has yet passed both houses of Congress, however.

Nebraska, which has already run a two-million-mile test of gasohol with a fleet of 45 state-owned vehicles, is pushing ahead with its own plans to boost the alternative fuel. A tax-financed committee is promoting gasohol throughout the nation, and the Nebraska Legislature has reduced the fuel tax on gasohol.

Outside the United States, Brazil has established a massive program to reduce that nation's dependence on imported oil. Between now and the mid 1980s, Brazil expects to build up to 320 new distilleries—at a cost of nearly \$1.6 billion—to convert sugar cane, manioc root (tapioca) and other plants into alcohol fuel.

The advantage for Brazil would be in making use of its abundant, renewable tropical plant life to cut down on its \$4 billion annual expenditure for foreign oil. Brazil has few known oil reserves.

Ever since the Otto internal combustion engine (the type still used in most cars today) was developed more than a century ago, it has been known that alcohol can be burned satisfactorily as an automobile fuel.

In fact, alcohol has been used extensively as a fuel in high-powered race cars because it has a higher octane rating (which means it burns more efficiently and hence provide more power) than gasoline. A typical 100 percent alcohol fuel has an octane rating of 120 or more, while normal unleaded fuel in the United States has a rating of around 91.

Basically, there are two types of alcohol which can be used as fuels—ethanol, which is the alcohol in beverages, and methanol or wood alcohol, which is normally used as a solvent and for other industrial purposes. Both types can be made from a wide variety of raw materials.

Methanol is frequently manufactured today from either natural gas or wood fiber. It can also be made from coal, the source

most often cited by gasohol boosters since the United States has an abundance of coal.

Ethanol, on the other hand, is most frequently made from grain, although its supporters note that it can also be made from sewage, garbage and agricultural wastes such as cornstalks and leaves.

Typically, alcohol is produced by allowing an organic raw material—sugar cane, for instance—to ferment. The substance travels through heating towers at a distiller in which excess water is removed. The clear liquid that remains is often 95% pure alcohol. The residue can be used for animal feed, fertilizer or in other products.

A key question in the debate over alcohol fuels has been whether the amount of energy needed to make alcohol now effectively eliminates the advantage of alcohol fuel.

A lot of research is now focusing on the issue. Several oil companies have already said that until the price of gasoline rises substantially, the conversion of coal to methanol won't be economically feasible.

Conversion of grains and other agricultural products to alcohol is also the subject of much debate.

Cloud L. Cray Jr., president of Midwest Solvents Co., Inc.—the firm which took over the bankrupt Kansas "Agrol" distillery in the late 1930s—claims flatly that production of alcohol for fuel use isn't presently justifiable.

Cray says that although his company has been able to reduce its energy losses in the production of alcohol for beverages, the distilling process is still a net energy loser.

He figures that a bushel of grain contains about 448,000 British Thermal Units (BTUs) of energy. At Midwest Solvents, he says, it takes about 7 percent of that amount to process the grain and recover the by-products. (A bushel, according to Cray's figures, produces about 2.6 gallons of alcohol.)

When the energy expended in producing and harvesting the grain is figured in, at least 139,000 BTUs must be expended, to produce a gallon of grain-derived alcohol containing 90,000 BTUs, Cray says.

"Our present conclusion is that alcohol from any normal grain source and perhaps from any agriculture source is not a viable base to power automobiles as long as oil and gasoline is readily available," Cray told a gasohol seminar last year.

Cray's statistics have become the most effective ammunition used by gasohol critics, who claim all the research now going on is delaying the development of other, more promising energy sources.

Even the strongest supporters of agricultural interests concede that methanol from coal is much cheaper today than is ethanol from sugar cane or grain. The most generally accepted figures are that methanol from coal costs about 50 cents a gallon while ethanol from grain or other agricultural sources costs up to \$1.30. That compares with gasoline costs of about 38 to 40 cents a gallon at the refinery.

But farm interests note that grain distilleries are much cheaper to build than are coal gasification or liquefaction plants. They also say that part of the high cost of alcohol produced from agricultural products would be offset by sale of the residue for animal feed or other purposes.

And, say the farm supporters, the main reason coal-derived alcohol is currently cheaper to produce is that the government has spent much more money on coal conversion research than on agricultural alcohol research.

"We're in a shouting match for research funds right now between the farm interests and oil-company interests," confides one congressional source. "The farm people claim the oil folks have no interest in alcohol fuel except from coal."

For its part, the oil industry—through its

## EXTENSIONS OF REMARKS

trade association, the American Petroleum Institute—set up an alcohol fuels task force. Although the group has been far from enthusiastic in its assessment, the task force claims that alcohol fuels may help solve the energy crunch, if the high cost of alcohol production can be reduced.

In testimony to a House subcommittee last July, task force chairman Jack Freeman concluded that alcohol-gasoline blends for automobile fuel "constitute the least desirable fuel use, poorly exploiting alcohol's inherent combustion advantages, displacing otherwise useful gasoline components, having generally negative environmental impacts and creating new problems of product safety, customer acceptance and cost."

Oil executives have argued that pure alcohol might be better suited as a fuel for turbine generators and other industrial uses.

The focus on alcohol-gasoline blends, in fact, was a compromise made early in the current debate over alcohol fuels. Most researchers agree that although pure alcohol is a more powerful fuel, major changes in today's automobiles would be needed in order to burn it.

According to researchers for General Motors Corp. the carburetors used on current cars can't vaporize alcohol fast enough to permit starting at temperatures below 45 degrees. Also, alcohol—especially methanol—is very corrosive. Used in an existing car, the fuel would quickly attack fuel system materials such as plastic, rubber and metal linings.

The lead alloy coating that lines all metal gasoline tanks would be easily corroded by alcohol, GM said.

GM, Ford Motor Co. and the other auto companies generally agree that a blend of 10 percent alcohol and 90 percent gasoline would have minimal effects on current cars, however.

"In essence," says one automotive engineer, "we're looking at an 'extender' for gasoline rather than a switch to a whole new fuel; alcohol by itself requires a complete change in car engines and fuel systems. An 'extended' gasoline doesn't."

In Nebraska's two-million-mile experiment with state vehicles last year, consumption of gasohol was about 5% less than for unleaded gasoline, state officials say, and exhaust emissions were about one-third lower for carbon monoxide.

The officials also claim that the vehicles involved suffered no unusual engine wear or carbon build-up from use of the gasohol—which was 90% gasoline-10% alcohol blend recommended by the auto industry.

Automotive executives, however, are less optimistic about the extended use of alcohol-blend fuel in existing cars.

Most drivers will notice a decrease in "driveability," according to GM engineers. Alcohol causes the car to run leaner, which may cause hesitation, stalling and hard-starting, they say.

What's more, automotive engineers claim that because alcohol is more volatile—that is, it becomes a vapor faster than gasoline—vapor locks or bubbles in a car's fuel line could be a serious problem with gasohol. To reduce the volatility, blenders of alcohol-gasoline fuels might have to remove certain elements of gasoline—and in the process all but eliminate the energy-saving advantage.

GM has said that in order to improve the driveability of cars using gasohol, drivers may have to spend \$35 to \$75 for a major carburetor adjustment. Basically, the fuel jets inside the carburetor would have to be enlarged to allow a larger flow of fuel and air, since it takes more alcohol (because of its lower energy content in BTUs than gasoline) to move the car the same distance.

Expert opinion is split on whether alcohol fuels will reduce tailpipe emissions which

cause smog. Burning pure alcohol generally would mean a sizeable reduction in hydrocarbons, nitrogen oxides and carbon monoxide—the three components of smog.

In a blend with gasoline, those reductions are all but eliminated, however, according to most researchers.

But although alcohol produces fewer emissions of smog-producing elements, it also causes an increase in two other tailpipe pollutants which are less understood—aldehydes and unburned methanol.

In terms of fuel economy, Nebraska officials have bragged that its gasohol-powered vehicles achieved better fuel economy than similar cars powered by unleaded gasoline. Gasohol proponents frequently claim that the blended fuel should get 5 percent or better economy in a typical vehicle. However, if the vehicle's carburetor is adjusted to overcome driveability problems, the fuel economy benefit is virtually eliminated, they acknowledge.

All the criticism uncertainty and worries expressed by the doubters, however, hasn't dampened the optimism of gasohol's proponents.

More than two dozen service stations in Indiana, Illinois and Iowa began selling gasohol in small quantities this summer. Most of the fuel being sold is made from ethanol derived from coal, natural gas or wood fiber.

The Department of Agriculture hopes to begin work next year on several prototype ethanol distilleries which will use grain and other agricultural products.

Whether gasohol every really makes it as an automobile fuel in the United States depends in large measure on how high the price of gasoline goes.

As the oil industry argues with agribusiness over whose methods of producing alcohol is superior, the feasibility of large-scale use of gasohol rests on whether either industry can make a profit with the blended fuel. •

## STATEMENT OF CURRENT ASSETS AND LIABILITIES WITH RECORD OF INCOME AND EXPENSES FOR THE CALENDAR YEARS ENDING DECEMBER 31, 1976, AD 1977

**HON. JOHN H. ROUSSELOT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ROUSSELOT. Mr. Speaker, at the close of each Congress I like to submit to the House of Representatives for the public record my personal income and expenses. The following statements for the calendar years ending December 31, 1976, and December 31, 1977, have been prepared by my accountant:

### INCOME AND EXPENSE SUMMARY FOR JOHN H. ROUSSELOT

Item	December 31, 1976	December 31, 1977
Congressional salary.....	\$44,600	\$54,275
Honoraria.....	3,950	11,300
Interest income.....	1,551	1,733
Net income from commercial real estate.....	7,446	7,594
Adjustments to income (official travel expense, etc.).....	1,304	(12,648)
State tax refunds.....	0	909
Adjusted gross income.....	58,851	63,163
Itemized deductions claimed.....	(26,931)	(13,281)
Less exemptions claimed.....	(2,250)	(2,250)
Taxable income.....	29,670	47,632
Federal tax paid.....	13,009	22,227
California tax paid.....	3,570	4,966

## EXTENSIONS OF REMARKS

## FTC BECOMING TYRANNY

## HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ASHBROOK. Mr. Speaker, in these closing minutes of this 95th Congress, I believe it is appropriate to turn once more to the overriding question of the proper role of Government in the lives of 230 million Americans.

Despite clear signals from the grassroots during recent years that the American people are overwhelmingly opposed to the increasing intrusion of the Federal Government into virtually every aspect of their daily lives, there are those in Washington who have not yet received the message.

Chief among those falling into this category are the unelected bureaucrats of the executive branch, and the worst offenders among that self-anointed elite are the would-be national nannies of the Federal Trade Commission.

Mr. Speaker, though the excesses of big government are many and varied, no department or agency better epitomizes the elitist arrogance and inanity of our power-swollen Federal bureaucracy than the FTC. As George F. Will so aptly summed up in a recent column:

The serenity of the Federal Trade Commission is hardly more secure than that of 15th century Florence, so fearful is the FTC lest some activity eligible for regulation escape regulation.

Yet, come citizen protest or grassroots revolt against over-regulated society, the unelected elitists secure in their bureaucratic sinecures at the FTC neither respond nor seem interested in any message that daunts their passion to fill the role of National Nanny.

It was precisely to put the reins of responsive representative Government on these elitists that the House this year voted to amend the Federal Trade Commission Act in order to provide a legislative veto and control over the rules and regulations issued by the FTC.

Mr. Speaker, I hardly need remind the Members of this body that we adjourn today to return to our respective States and districts to stand answerable to the people for our decisions and actions over the past 2 years. That is the essence of free, representative government. It is what distinguishes our system from totalitarian systems. Those of us in Government who owe our positions to the will of the people are going home to take the ultimate political test in a free society. The vote is the people's veto power over the decisions and policies made by those on whom they confer power.

The legislative veto amendment was conceived and supported because it applied the same principle to those in Government who, though unelected, nevertheless wield power. Just as we in Congress are subject to the veto of those who sent us here, so would the legislative veto amendment make the FTC bureaucrats subject to the veto of the legislative body from which it receives its powers.

No principle of representative government could be more logical in an age when people from both ends of the political and ideological spectrum, left and right alike, agree that excessive Government regulation constitutes the most pernicious threat to the American body politic.

Needless to say, the powers-that-be at the FTC, like insulated Government elites through the ages, vigorously object to any check by the people's representatives on their power.

The FTC elitists have taken congressional mandates to serve specific ends and stretched them to encompass all manner of human enterprise. They consider it nothing less than an affront to their bureaucratic rights when the people's representatives seek to call them to account for their decisions and policies.

But Mr. Speaker, I believe I express the sentiments and convictions of Members of the House from both sides of the aisle, regardless of political or ideological differences, when I say that in our effort to reassert the supremacy of the elected branch of Government over the unelected, Congress has just begun to fight.

What has been done in the 95th Congress to put an end to the FTC's pretensions to become America's National Nanny will be continued, with even greater intensity, during the 96th Congress, beginning next January. Of that we—and the arrogant unelected elite at the FTC—can be certain. For what legislative veto reflects is not simply congressional whim. It reflects the people's will to put curbs on the excesses of the bureaucratic over-regulators.

Consider the excesses of recent times which led to this grassroots reaction:

We have had the great nanny of the FTC presume, by regulative fiat, to move into a parental role through censorship of TV advertisements seen by children. The target of the FTC staff in this instance has been TV commercials for sugared products, which incredibly, the great nanny views as a threat to the parent-child relationship.

How can this be? Let me quote columnist James J. Kilpatrick's colorful rendition of the FTC position on TV children's advertising.

Thus mesmerized, children become fat little monsters. Denied their morning Gooey-Wooley bar, they throw temper tantrums. They hold their breath, pop their eyes and turn purple: they scream bloody murder. They nag their mamas to the edge of insanity.

And what are we to do about this woeful state of family affairs in America? Why, rely on the Great Nanny, of course. Let the Federal bureaucracy, in the form of FTC censors move in to do the regulatory job on home TV watching which properly belongs to the parents themselves.

But is this merely a minor bureaucratic foible, a matter too easily exaggerated? I, for one, agree with columnist Kilpatrick that far from being minor, the FTC's continuing effort to assert control over TV advertising is central to the whole issue of how far government should be permitted to go in regulating the lives of the people it was created to serve.

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Writes Mr. Kilpatrick, and I again quote:

Once government becomes the one great Nanny of us all—protecting us, guiding us, loving us, scolding us, holding our hands and wiping our runny noses—once we surrender to the idiot notion that Big Brother knows best, we have abandoned the basis of a free society. The fabric rots.

But as we know, venturing into the area of parent-child relationship is only one aspect of the Great FTC Nanny's overweening compulsion to regulate our lives. The Commission seeks, literally, to extend its power to reach Americans from the cradle of TV watching, to the grave, having asked for some \$219,000 to conduct rulemaking proceedings into the operation of the undertaking industry.

Yes, Mr. Speaker, regulatory power from the cradle to the grave—this is the mandate which the unelected elite of the FTC perceive themselves as having been granted by the Congress. But that is a misperception, and it remains the unfinished business of Congress, as we adjourn to deliver the message that grassroots America is at the end of its patience with the Great Nanny of overregulation.

That message was, and remains, legislative veto over the actions of the unelected bureaucracy. It is time to send the Great Nanny packing, and that should and must be among the priority orders on the agenda when the 96th Congress convenes in January 1979. ●

## REPORT ON THE ADMINISTRATION'S URBAN PROPOSALS

## HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. GREEN. Mr. Speaker, as chairman of the House Republican Research Committee's Task Force on Urban Affairs, I am pleased to share with my colleagues a report this committee recently issued on the President's urban policy. This report expresses our deep concern over the lack of a real commitment by the administration to solving our urban problems. Although the Carter urban program has been highly publicized, its actual level of implementation by the administration has not matched the rhetoric surrounding its announcement.

I hope that my colleagues will carefully consider the issues raised in this urban policy task force report and that it may be a useful guide to steps which the 96th Congress must take to meet the real and urgent needs of our urban areas.

The report follows:

CARTER'S FLOUNDERING URBAN POLICY: AN URBAN POLICY TASK FORCE REPORT—BILL GREEN, CHAIRMAN

As Congress rushes toward adjournment, the needs of the nation's urban areas and their 180 million residents continue to be a low-priority item for President Carter and his Administration. Although it has been given lip service by White House spokesmen, the urban policy legislation package continues to flounder on Capitol Hill for lack of direction and support. The long delays in sending urban legislation to the Hill have

guaranteed that no more than a handful of Carter's fifteen legislative proposals have any chance of enactment in the remaining weeks of this session. One of the most important pieces, the National Development Bank bill, has been sent back to be re-drafted because of serious flaws; most of the remainder will receive nothing more than a superficial review at best.

From the earliest stages this new "urban policy" has been victimized by those responsible for its development. In an obvious unwillingness to confront the myriad problems of our cities, the President, his Cabinet and other Presidential advisors have dragged their feet for more than a year. One need only compare the Administration's lack of progress to their initial lofty promises to judge the true priority the urban policy has received.

Although this Task Force has previously compared the fate of the national urban policy to that of the national energy policy, there is one major difference to consider. It is not the fault of Congress that more than a year was spent working on this package, that several additional months were required to draft the legislative proposals (most of which needed to be re-written), and that Executive Orders implementing policies proposed in March were not issued until August. The wheels of Congress are criticized for moving slowly, but when compared to the Administration's inaction on urban issues, Congress appears to be moving at breakneck speed.

Of the most important elements of the package, the only ones with any prospect of enactment are contained in programs previously created by Congress and scheduled for renewal. Some minor new programs have been passed by the House or Senate, but these are not expected to have any major impact on the urban situation.

The fate of the legislative proposals are no surprise. There has been no clearly defined goal set by the Administration. In fact, the whole urban package has been a "band-aid" approach. In an Op Ed piece in the New York Times, Harvard Law School professor Lance Liebman described the package as a "low-budget, something-for-everyone agglomeration of program suggestions. (It is) . . . a sad document for those who hope this Administration will be a success."

While the President's plan recommended more than 160 changes in 38 federal programs, none of the 160 changes call for eliminating any single existing federal program—a disappointment to those of us concerned with red tape and the ever growing federal bureaucracy. Further, President Carter has failed to indicate whether he intends to seek an increased center city population, stabilization of current population levels, or simply reduction of dislocations from decreases in population. It is impossible to evaluate if the President's program is adequate for the ends it seeks to achieve when those needs are not clear.

In attempting to develop a comprehensive national urban policy, it seems that the Administration has surrendered to the temptation to include more than urban areas. The degree of effectiveness of the proposals is directly related to the amount of diffusion. As this "New Partnership" has been broadened, the potential impact has been lessened. Rather than work together toward a common goal the partners are engaged in protecting their particular interests. The urban revitalization we once viewed as possible through mutual effort is now more remote. The President's approach lacks cohesiveness. The scope of his program has become so broad that it lacks the focus needed to be an effective policy.

While we realize there is a great divergence of opinion regarding the solution to our nation's urban ills, certain points are becoming painfully clear. Recent studies have shown

## EXTENSIONS OF REMARKS

that jobs follow people, not the opposite. Businesses locate where there is a suitable labor market. As people flee the inner cities, so do businesses, thus ensuring the total deterioration of the social and economic base. If the inner city is made attractive and livable; people will remain, new families will settle, and jobs will follow. Consequently this Task Force feels that the Federal government in partnership with local and state governments and with the private sector should concentrate its efforts on the issues of housing, employment and economic problems, education, and health services as the basic elements of an urban policy.

It is difficult for us to understand how anything as fundamental as the housing needs of our urban population could be practically ignored in this program. A year before the urban policy was announced Congress acted to expand the Community Development Block Grant Program as well as several other HUD programs. But these urban-oriented actions by Congress should not be claimed after the fact as urban achievements by the Administration. To demonstrate a strong commitment to urban revitalization there should have been proposals to build on our foundation. The national urban policy announced in March continues to be noticeably deficient in its attention to urban housing problems.

An attempt was made to address the difficulties of providing employment for the millions of people who are currently idle in the inner cities. Chronic unemployment is recognized as a major problem, but the effort to meet this challenge is still weakened by jurisdictional disputes in the Federal agencies and departments. Bureaucratic red tape continues to be a disincentive to greater participation from the private sector—neighborhood groups or local financial institutions. The anti-urban bias which exists in some Federal programs and the contradictory actions which result from regulation or legislation should be resolved by the recent Executive Orders, but strong support for urban impact analysis and the Interagency Coordinating Council need to be demonstrated by the President to reverse long-standing practices.

The infrastructure is in place for cities to be economically viable. With the right mix of economic incentives, job training programs and tax incentives, and with cooperation from the private and public sector, rehabilitation and recycling efforts like those in Boston, Baltimore, Cincinnati, and New York can be duplicated across the country. Obviously, much more can be done; for example, throughout the country there are many places where clusters of utility, railroad, and water facilities are lying dormant that could be modernized to create whole new economic centers.

Another issue that the urban policy fails to address is the crisis in city schools. We understand that there is a decline in the American educational system from elementary through post-secondary levels and we do not feel required to document that problem. The Carnegie Foundation for the Advancement of Teaching has said, "General education is now a disaster area." In urban areas the impact is most critical. The shock waves reach out to all areas of the community. On the personal level, the student is deceived into thinking he or she has the skills to enter the job market, but too often the education has been inadequate. Faced with an unskilled labor pool, businesses are forced to retrain personnel or relocate the business. Current incentives favor relocation. Also, competent professionals with children are hesitant to settle in areas with poor school systems. An urban package that does not recognize the inadequacies of inner city schools is not a comprehensive urban policy.

In addition to the points mentioned above there are several other issues that we feel should have been given greater emphasis, such as health and social services. But our purpose in issuing this statement is to offer constructive criticism of the Administration's proposal. Our hope is that the President will focus his efforts more directly on the "urban" nature of these problems. There is no shame in being committed to the preservation of our cities. It is something of which we are proud, a feeling we share with the people we represent. The success of the "New Partnership" depends on more than a statement of high ideals. We have seen the effort on the local level and we have pledged our continued support. We urge the President to give evidence of his commitment through additional actions aimed specifically at resolving the problems of our urban areas.●

## OUR YOUTH SHOULD SERVE

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. HARRINGTON. Mr. Speaker, the high level of unemployment we have been experiencing in recent years has had a deep social and psychological impact on the youth of our Nation. The scarcity of jobs—combined with an ever increasing specialization of job function and dependence on computer and machine—has created a situation where employment that is both meaningful and gainful seems to be a thing of the past to many now entering the job market. For those who do not go on to college, and for many who do choose profession careers, competency in a narrow area has become more of an asset than intelligence, ambition, and a desire to learn. Variability and on-the-job training are no longer financially practical for employers; it is easier to hire an already trained "specialist" to fill any vacant position.

At the same time, there is a tremendous amount of useful and meaningful work to be done in this country—work that remains undone. Services are sorely needed by the elderly, the poor children with special educational needs, mentally and physically handicapped people. The foundations of our cities need rebuilding, as do our highways, bridges, rail systems, and dams.

In an article in a recent issue of Newsweek, Johns Hopkins president, Steven Muller, proposes the creation of a voluntary youth labor force to tackle this kind of social and physical decay our country suffers from, at an affordable cost. Provided with low-cost housing and low wages, young people would be given the opportunity to be taught their choice of skills and earn financial credit toward future education; to develop a positive attitude toward their value to society through the performance of useful work; and above all, to acquire insight and strategies with which to tackle our major structural problems in the years ahead.

I insert Mr. Muller's article for my colleagues' consideration:

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## OUR YOUTH SHOULD SERVE

(By Steven Muller)

Too many young men and women now leave school without a well-developed sense of purpose. If they go right to work after high school, many are not properly prepared for careers. But if they enter college instead, many do not really know what to study or what to do afterward. Our society does not seem to be doing much to encourage and use the best instincts and talents of our young.

On the one hand, I see the growing problems of each year's new generation of high-school graduates. After twelve years of schooling—and television—many of them want to participate actively in society; but they face either a job with a limited future or more years in educational institutions. Many are wonderfully idealistic: they have talent and energy to offer, and they seek the meaning in their lives that comes from giving of oneself to the common good. But they feel almost rejected by a society that has too few jobs to offer them and that asks nothing of them except to avoid trouble. They want to be part of a new solution; instead society perceives them as a problem. They seek a cause; but their elders preach only self-advancement. They need experience on which to base choices; yet society seems to put a premium on the earliest possible choice, based inescapably on the least experience.

## NECESSARY TASKS

On the other hand, I see an American society sadly in need of social services that we can afford less and less at prevailing costs of labor. Some tasks are necessary but constitute no career; they should be carried out, but not as anyone's lifetime occupation. Our democracy profoundly needs public spirit, but the economy of our labor system primarily encourages self-interest. The Federal government spends billions on opportunity grants for post-secondary education, but some of us wonder about money given on the basis only of need. We ask the young to volunteer for national defense, but not for the improvement of our society. As public spirit and public services decline, so does the quality of life. So I ask myself why cannot we put it all together and ask our young people to volunteer in peacetime to serve America?

I recognize that at first mention, universal national youth service may sound too much like compulsory military service or the Hitler Youth or the Komsomol. I do not believe it has to be like that at all. It need not require uniforms or camps, nor a vast new Federal bureaucracy, nor vast new public expenditures. And it should certainly not be compulsory.

A voluntary program of universal national youth service does of course require compelling incentives. Two could be provided. Guaranteed job training would be one. Substantial Federal assistance toward post-secondary education would be the other. This would mean that today's complex measures of Federal aid to students would be ended, and that there would also be no need for tuition tax credits for post-secondary education. Instead, prospective students would earn their assistance for post-secondary education by volunteering for national service, and only those who earned assistance would receive it. Present Federal expenditures for the assistance of students in post-secondary education would be converted into a simple grant program, modeled on the post-World War GI Bill of Rights.

## VOLUNTEERS

But what, you say, would huge numbers of high-school graduates do as volunteers in national service? They could be interns in public agencies, local, state and national. They could staff day-care programs, neighbor-

hood health centers, centers to counsel and work with children; help to maintain public facilities, including highways, rail beds, waterways and airports; engage in neighborhood-renewal projects, both physical and social. Some would elect military service, others the Peace Corps. Except for the latter two alternatives and others like them, they could live anywhere they pleased. They would not wear uniforms. They would be employed and supervised by people already employed locally in public-agency careers.

Volunteers would be paid only a subsistence wage, because they would receive the benefits of job training (not necessarily confined to one task) as well as assistance toward post-secondary education if they were so motivated and qualified. If cheap mass housing for some groups of volunteers were needed, supervised participants in the program could rebuild decayed dwellings in metropolitan areas.

All that might work. But perhaps an even more attractive version of universal national youth service might include private industrial and commercial enterprise as well. A private employer would volunteer to select a stated number of volunteers. He would have their labor at the universally applied subsistence wage; in return he would offer guaranteed job training as well as the exact equivalent of what the Federal government would have to pay for assistance toward post-secondary education. The inclusion of volunteer private employers would greatly amplify job-training opportunities for the youth volunteers, and would greatly lessen the costs of the program in public funds.

## DIRECT BENEFITS

The direct benefits of such a universal national-youth-service program would be significant. Every young man and woman would face a meaningful role in society after high school. Everyone would receive job training, and the right to earn assistance toward post-secondary education. Those going on to post-secondary education would have their education interrupted by a constructive work experience. There is evidence that they would thereby become more highly motivated and successful students, particularly if their work experience related closely to subsequent vocational interests. Many participants might locate careers by means of their national-service assignments.

No union jobs need be lost, because skilled workers would be needed to give job training. Many public services would be performed by cheap labor, but there would be no youth army. And the intangible, indirect benefits would be the greatest of all. Young people could regard themselves as more useful and needed. They could serve this country for a two-year period as volunteers, and earn job training and/or assistance toward post-secondary education. There is more self-esteem and motivation in earned than in unearned benefits. Universal national youth service may be no panacea. But in my opinion the idea merits serious and imaginative consideration. •

## A TRIBUTE TO CLAUDE AND MILDRED PEPPER BY THE DADE COUNTY SUPERINTENDENT OF SCHOOLS

## HON. DANTE B. FASCELL

OF FLORIDA

## IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. FASCELL. Mr. Speaker, I would like to call attention, at this point, to a very moving and lovely testimony ex-

tended to CLAUDE and Mildred PEPPER by or good friend, Dr. Johnny Jones, serving as superintendent of public schools for Dade County. This beautiful, moving tribute was given as a speech on the great and gala occasion of a beautiful testimonial dinner attended by Rosalynn Carter for CLAUDE PEPPER and his lovely wife, Mildred, on September 28.

I would like to share our deep admiration for Dr. Jones, as well as our feelings of pride and thanks at his thoughtful lines, with the membership of the House of Representatives, my distinguished colleagues:

## CLAUDE AND MILDRED PEPPER TESTIMONIAL

When Athens fell before the onslaught of the Spartans, some of its greatest thinkers walked amidst her ruins and dreamed and talked of a perfect government. In the peaceful groves of Academus, Plato told of the qualifications of those who should rule an ideal state. He said that among the youth of the nation, those with the greatest sense of justice, of loyalty to their country, and the greatest promise of intellect and character should be chosen to serve the high function of human-kind, that of governing one's fellows.

Twenty-three centuries later, a boy was born in a distinguished family in Dudleyville, Alabama. Congressman Claude Pepper was steeped in the atmosphere of training and learning that Plato discussed twenty-three centuries before.

The Pepper tradition is one of amazing service to our country, our state, and the Dade County community.

There is something very interesting about Mildred and Claude Pepper. Despite his eminence and his unquestioned leadership in Congress, and amidst the storms of recent years, his calm voice has sounded from the bridge, pointing out the shoals ahead and charting the path to escape them. In an age of seeming confusion, ill-considered utterances, and hasty decisions, Congressman Pepper has met great issues with Olympian calm, unawed by opposition, uninfluenced by political expedience—and alongside of him has stood Mildred Pepper steadfast in calm and storm.

So I have the distinct honor this evening to extol one of the nation's leading statesmen and his wife, Mildred—people of reasoned judgment, fearless action and unwavering devotion to their country and community's cause—Mildred and Claude Pepper—to speak more specifically of Congressman Pepper whose public service career on behalf of the people of Dade County spans several decades.

After 30 years in the United States Senate and the House of Representatives, and a record of accomplishments matched by few in Congressional history, it seems that one could talk about Claude Denson Pepper forever.

A lot also could be said about Mildred Pepper, the Congressman's indefatigable companion since their marriage in 1936. Mrs. Pepper also has given generously to both the community and the state through her involvement in programs whose sole aim has been to benefit people, and to improve the human condition.

Tonight, however, we wish to talk NOT about what Claude Pepper has done for the nation, but instead about his accomplishments on behalf of Dade County—his community.

First and foremost we must mention that, during the 1977-78 fiscal year, Congressman Pepper played a major role in channeling a substantial amount of federal dollars—over \$2.2 billion, to be precise—into the South Florida economy for a variety of programs and projects in Dade County.

Were it not for these Federal dollars, local tax monies would have been needed to underwrite the projects and programs, bringing about an increase in property taxes in South Florida.

Federal monies coming into Dade County are personal and corporate income tax dollars—paid by all of us gathered here tonight. We all can be certain that the government would perhaps have spent these billions of dollars elsewhere had Congressman Pepper not been in Washington to get them back into Dade County.

Some of the vital services and projects funded by the Federal Government in Dade County include such diverse items as the school breakfast and lunch programs at our Dade County School System—the fifth largest in the Nation—low-income housing, Social Security, urban mass transportation, public works, and various programs and benefits for veterans.

It's no secret that Federal dollars help ease the cost of local government. And it is no secret, either, that Claude Pepper has proven that he can be quite successful in securing these funds for Dade County.

On the subject of minorities, the record proves overwhelmingly that Congressman Pepper always has been a stalwart for equal opportunity for all Americans. He has continuously fought to stamp out the continuing problem of "man's inhumanity to man." His own district is 41 percent Hispanic, but this presents no handicap to Congressman Pepper, even though his Spanish is restricted to just a few key phrases.

Our own junior and senior high schools in Dade County soon will start selecting students from economically disadvantaged families to take part in a unique educational program made possible by a bill introduced by Congressman Pepper and signed into law by President Carter last August. The program will increase the number of minorities who are recruited and trained for careers in medicine.

The legislation, part of the Education Amendments of 1978, will make grants to medical schools and other institutions to identify minority students with potential in medicine and the biomedical sciences.

Selected minority students will be motivated to prepare themselves in high school. They'll be provided with academic assistance in mathematics, the sciences, and English through an intensive program that gives youngsters from disadvantaged groups concrete incentives to seek medical careers in underserved areas.

Bilingual education, a survival skill in Dade County today, also ranks high on Claude Pepper's list of priorities. So important is this subject to him, that we wish to state here tonight—quite clearly and unequivocally—that it was Congressman Pepper who salvaged the bilingual education program for Dade County's public schools. He did it by blocking a recent, unfortunate effort in the House to reduce this immensely important program.

Congressman Pepper brought to the attention of his colleagues the tremendous benefits that are derived when we teach our young people to speak Spanish and the Hispanic children to learn English. We couldn't agree more with Claude Pepper when he says that the bilingual education program brings about better unity and understanding between the people of different cultural and ethnic backgrounds here in the United States and broad, with Dade County no exception.

As a result of his successful appeal, the House approved \$200 million for continuation of the bilingual program, with an increase of \$50 million the following year, meaning that more of Dade County's elementary school-age children will have the opportunity to study two languages in the years to come.

## EXTENSIONS OF REMARKS

Crime against the elderly, with its increasing sequel of murders, beatings, and robberies of aged persons living in public housing facilities, is another major concern of Congressman Pepper as Chairman of the House Select Committee on Aging.

Still vivid in our memory is the image of Claude Pepper, flashed in all of Dade County's television screens helping police officers at the murder scene of an 81 year old Hispanic blind resident of the Claude Pepper Towers here in Dade last May. The victim's hands were tied behind his back and he was beaten to death.

Crimes like this have prompted Claude Pepper to launch a war on crime against the elderly by obtaining \$12 million in Federal dollars to guarantee aged residents of public housing facilities protection and security. The funds, which will not cost one additional dollar in expenditures, will allow stepped-up security and safety measures that will impede the growing victimization of the elderly in public housing.

Our world-famous beaches are of great importance to our economy—and to Claude Pepper as well. Protecting our beaches and the valuable properties along the oceanfront is critical to the enhancement of the economy of our entire Gold Coast.

In line with this, Congressman Pepper has obtained House approval of \$3.9 million for the Dade County beach erosion and hurricane protection project in fiscal 1979—that's \$2.3 million more than the \$1.6 million recommended by President Carter in his budget proposal.

The Dade County beach erosion and hurricane protection barrier project began to move forward in 1975 when Congressman Pepper obtained congressional approval for Bal Harbour to begin the restoration of its beach, with the Federal government reimbursing the city the \$2.3 million federal share of the cost.

After this beginning, the Congress appropriated \$5.5 million in fiscal 1977 and \$4.5 million in fiscal 1978, the maximum amount the Army Corps of Engineers could use. Each year the Federal appropriation has enabled the work to move forward to another segment of the 10-mile restoration project from Baker's Haulover to Government Cut, south of Miami Beach.

South Florida's tremendous potential as an international banking and trade center is still alive and looking as promising as ever, thanks to Claude Pepper. If it had not been for his successful floor fight, the strong proponents of a controversial section of the International Banking Act of 1978 would have succeeded in nullifying Florida's law permitting foreign banks to establish agencies in our Sunshine State.

Just when our Florida legislature was authorizing this kind of international branch banking, the Federal government was about to come along and prohibit it, except through banks in Chicago and New York. Here again, Claude Pepper's strong stand assured Florida of the kinds of international financial connections that will promote the development of our state, and especially Dade County, as a center for international trade and investment.

As if all this were not enough, Claude Pepper also was responsible for securing two-thirds of the land where the Miami International Airport sits today and that, for the Opa-Locka airport—from the Federal government for the amount of \$1. He also played a major role in the acquisition of a new Jetport that will meet all ecological criteria, as well as in the purchase of the Dodge Island Seaport.

One of the original supporters of the GI Bill of Rights, Congressman Pepper was a prime mover for the Rapid Transit System and is credited with having obtained the Hialeah extension of the system. A former high school teacher during his late teens, he

has been a long-time advocate of federal funding to combat the school drop-out rate.

To us Dade Countians, Congressman Pepper always has been just a phone call away. His private number is listed in the telephone pages for everyone to see.

So much for some of the accomplishments of this most amazing man and their effect on Dade County. Unfortunately, since our mind can only go back so far, we're certain to have omitted a myriad of achievements in such a long and distinguished career.

In closing, we wish to bring back a comment once attributed to Congressman Pepper. He is reported to have told an audience that if he had listened to all of his wife's advice, he would be President of the United States today. Well, we're sure glad he didn't listen to Mrs. Pepper, because Dade County would not be what it is today without a Congressman named Claude Denton Pepper.

Claude and Mildred have lived a full life and an abundant life. Somehow or other, I think that Claude and Mildred are best described by this old Quaker proverb—some of you may know it. This old Quaker who loved human beings the way Claude and Mildred do, used to say, "I expect to pass this way but once. If there is any kindness I may show, any good thing I may do for my fellow men, let me not defer, or neglect it, for I shall not pass this way again."

In these times that try men's souls, Mildred and Claude are no summer soldiers nor sunshine patriots who shirk public duty; here are two people with the courage to stand up for that which is right, for that which is just—two people who have the intestinal fortitude to stand up and be counted on the contentious issues of the day; two people who have a genius—and this I stress—for espousing with powerful force and clarity the aims, the ideals, and the needs of all of America's citizens.

As stated by Buliver, it is not by the gray of the hair that one knows the age of the heart, nor do we count a man's years until he has nothing else to count.

To me, Claude and Mildred have always been great people. They have known almost everybody in the United States and they all know them. Both Mildred and Claude have been too busy to grow old, doing fine things for their fellow human beings to improve the human condition. ●

## PERSONAL EXPLANATION

### HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. EARLY. Mr. Speaker, last evening a motion to recommit H.R. 12370, health service amendments, with instructions failed by a margin of nearly two to one. This motion would have instructed the House Committee on Interstate and Foreign Commerce to report the bill back with the necessary language prohibiting the use of title X moneys to support any family planning program which directly or indirectly provides abortion, abortion counseling or abortion referral services.

Congress never intended that title X funds be used for abortions or any related services. Yet, the intent of Congress has been breached by the Health Services Administration's erroneous interpretation of the Public Health Service Act.

For the record, it is my intention to state clearly and emphatically that I have opposed and continue to oppose the

## EXTENSIONS OF REMARKS

use of title X moneys for abortions or related services. Family planning and abortion services are two distinct issues and should remain so. This important distinction, however, has been blurred by a bureaucratic misconception. It was my intention to vote yea last evening on the motion to recommit with instructions to achieve the necessary distinction between the issues of family planning and abortion counseling.●

## A TRIBUTE TO DEPARTING INTERNATIONAL RELATIONS COMMITTEE MEMBERS

## HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ZABLOCKI. Mr. Speaker, on October 4 the Committee on International Relations held a special reception for five distinguished Members who are leaving congressional service and will not be with us next year. They are Hon. ROBERT N. C. NIX of Pennsylvania, Hon. DONALD M. FRASER, of Minnesota, Hon. MICHAEL HARRINGTON, of Massachusetts, Hon. CHARLES W. WHALEN, JR., of Ohio, and Hon. SHIRLEY N. PETTIS, of California.

The Speaker of the House of Representatives, Hon. THOMAS P. O'NEILL, JR., led the tributes to our departing Members on this memorable occasion. His gracious and generous remarks will long be remembered and appreciated.

The committee unanimously adopted resolutions of esteem, commendation, and good wishes for our colleagues which reflect the heartfelt sentiments of us all. It is my pleasure to present the texts of the resolutions which follow:

Whereas the Honorable Robert N. C. Nix has served on the Committee on International Relations with honor and distinction for seventeen years;

Whereas he has ably and conscientiously chaired the Subcommittee on International Economic Policy for four years, and the Subcommittee on Asia and Pacific Affairs for two years;

Whereas he has served for fifteen years as a member of the House of Representatives Delegation to the Mexico-United States Interparliamentary Group—and for thirteen years as Chairman of that delegation;

Whereas he has faithfully and honorably represented the people of the second district of Pennsylvania since May 20, 1958; and

Whereas he is recognized and respected by his colleagues as a man of integrity, responsibility, loyalty, and quiet dignity, whose long and impressive record of public service, covering more than three decades, is by no means limited to his distinguished career on the Committee on International Relations; Now, therefore, be it

*Resolved by the Committee on International Relations.* That the Honorable Robert N. C. Nix be commended and congratulated for his service on the Committee, in the Congress as a whole, and to the American people; and be it further *Resolved*. That his colleagues on the Committee wish him and his family all the best in their future endeavors.

## HON. DONALD M. FRASER

Whereas the Honorable Donald M. Fraser has served on the Committee on International Relations with honor and distinction for fifteen years;

Whereas he has ably and conscientiously chaired the Subcommittee on International Organizations for eight years;

Whereas he has been and continues to be in the forefront of the effort to promote the observance of basic human rights around the world;

Whereas he has tirelessly championed the goals and the ideals of the United Nations Charter during his years in the Congress and on the Committee; and

Whereas he is recognized and respected by his colleagues as a man of conscience, principle, and idealism; Now, therefore be it

*Resolved by the Committee on International Relations.* That the Honorable Donald M. Fraser be commended and congratulated for his service on the Committee, in the Congress as a whole, and to the American people; and be it further *Resolved*, That his colleagues on the Committee wish him, his wife Arvonne, and his family all the best in their future endeavors.

## HON. MICHAEL J. HARRINGTON

Whereas the Honorable Michael J. Harrington has served on the Committee on International Relations with distinction for six years;

Whereas he has conscientiously served as the first chairman of the Subcommittee on International Development;

Whereas he made foreign policy the focal point in his campaign for Congress and has consistently endeavored to bring the high American ideals to the conduct of American foreign policy;

Whereas he has been a leader in reasserting the right of Congress to take an active role in directing our Nation's foreign policy; and

Whereas he is recognized by his colleagues as a man of conscience, principle, and idealism; Now, therefore be it

*Resolved by the Committee on International Relations.* That the Honorable Michael J. Harrington be commended and congratulated for his service on the Committee, in the Congress as a whole, and to the American people; and be it further

*Resolved.* That his colleagues on the Committee wish him, his wife Dorothy, and his family all the best in their future endeavors.

## HON. CHARLES W. WHALEN

Whereas the Honorable Charles W. Whalen, Jr. has served on the Committee on International Relations with honor and distinction for seven years;

Whereas he has ably and conscientiously served as the ranking minority member of the Subcommittees on Africa and on International Economic Policy and Trade;

Whereas he is recognized and respected by his colleagues for his expertise in the field of international economics and in the complex problems on the Continent of Africa; and

Whereas his voluntary retirement from the House of Representatives is deeply regretted by his Colleagues on the Committee, who appreciate his outstanding service in working for a bipartisan foreign policy; Now, therefore be it

*Resolved by the Committee on International Relations.* That the Honorable Charles W. Whalen, Jr., be commended and congratulated for his service on the Committee and in the Congress as a whole, and to the American people; and be it further

*Resolved.* That his colleagues on the Committee wish him, his wife Barbara, and his family all the best in their future endeavors.

## HON. SHIRLEY N. PETTIS

Whereas the Honorable Shirley N. Pettis has performed with ability and distinction on the Committee on International Relations during her service in the Congress of the United States;

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Whereas during her service on the Committee, she has contributed particularly as a Member of the Subcommittee on Europe and the Middle East to the furtherance of United States policy in those areas;

Whereas she has richly earned the respect of her colleagues on the Committee and of the entire Congress for her conscientiousness and courage in dealing with the many difficult issues which face us, and has been commended by the President of the United States; Now therefore be it

*Resolved.* That her colleagues on the Committee wish her and her family all the best in the future.●

## THE NEED FOR FOREIGN LANGUAGE AND AREA STUDIES

## HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. PANETTA. Mr. Speaker, as a newly appointed member of the President's Commission on Foreign Language and International Studies—scheduled to begin its work later this month—I would like to call to my colleagues' attention a column which appeared in the Los Angeles Times and an editorial published in Change magazine. The former is entitled, "Foreign Language Studies Basic for World Communication," and the latter is called, "The Future Forsaken."

Both these pieces deal with the disturbing decline in foreign language and international studies' programs in America's schools. Both articles decry this trend and urge a heightened appreciation in this country for the need to learn more about the languages and peoples of the world. With only one high school graduate in 20 having studied a foreign language for 2 years or more, it is no wonder American efforts to boost exports and to reduce its balance-of-payments deficits have to date met with only limited success. Our business representatives abroad simply are no match for their more aggressive and linguistically competent counterparts, especially those from Germany and Japan.

Without resorting to limp phrases about global interdependence, I would simply admonish my colleagues to pay close attention to the message of these two articles: That America must learn about the cultures and tongues of other nations if we hope to retain a position of prominence in world affairs.

I look forward to working on the Commission and hope that the fruits of our labors will be truly beneficial. I further hope that the Congress, in its turn, will recognize the need for renewed efforts at the Federal level to turn the tide away from cultural isolationism based on ignorance and toward a cultural sensitivity based on a greater awareness of the world in which we live.

The articles follow:

## FOREIGN LANGUAGE STUDIES BASIC FOR WORLD-WIDE COMMUNICATIONS

(By S. F. Starr)

After a decade of well-funded faddism, America's schools are rediscovering the basics. Thirty-four states have introduced "competency tests" in the three R's. Universities are reintroducing core curricula. At last, we

are told, the schools are responding to America's real educational needs. But are they?

America is in hock to the OPEC states. Our balance-of-payments deficit has reached a staggering level. Productivity and innovation are declining, even as Germany and Japan forge ahead in those areas. No longer can Americans assume that their products—or even their currency—will be welcomed abroad.

How has American education addressed such pressing national concerns? By adopting a Fortress America attitude. As our competitive advantage shrinks on practically every front, schools have abandoned the teaching of foreign languages. As our national well-being becomes increasingly linked with that of other nations, schools neglect international studies.

The three Rs are basic. But the three Rs are not enough. Without serious study of foreign languages and of the peoples who speak them, the three Rs will only reinforce our provincialism as the autarky of fools.

Other nations understand this better than we. Much is written about the Soviet Union's growing military budget. We would do well to pay attention also to the Soviet's impressive effort to study the world's major languages and cultures. There are more teachers of English in the USSR than there are students of Russian here. Soviet schools offer rigorous courses in dozens of other languages as well. The Soviet Union's interpreters are famous for their accuracy and professionalism. Ours are not. Its businessmen and negotiators are increasingly competent in whatever languages are necessary to get the job done. Too often, ours are not.

The United States is the only major industrialized country that does not require its children to study at least one foreign language from an early age. Fewer than one in 20 of last June's high school graduates have studied any foreign language for more than two years.

Can anything be done about this in America? President Carter hopes so. Encouraged by a group of farsighted congressmen and by Ernest Boyer, U.S. commissioner of education, he is establishing a Presidential Commission on Foreign Language and International Studies. Members include businessmen, union officials and members of Congress, as well as educators. The commission is charged with recommending programs to improve America's woefully deficient knowledge of the other four billion people on earth.

Will the President's new commission be able to move beyond high-minded principles to action? It won't be easy. For one thing, too few of our teachers are competent to provide high-quality training in foreign languages and international studies. Those who can are concentrated not in the high schools, where they are most needed, but on college and university campuses. Studies have repeatedly shown that by far the best time for a student to learn a foreign language is in the years before college. Americans fall at languages because their schools start teaching them too late.

Before we can teach the students, we must teach the teachers. But who will do this? Curricula at most teachers' colleges read like manuals for isolationism. They ignore the science and art of language teaching. So does the National Institute of Education, which spends 90 million tax dollars each year on more fashionable and politically rewarding issues.

Fortunately, all is not gloom. Several communities are already exploring the possibility of establishing "International High Schools," magnet schools that will concentrate on languages and international studies just as special schools now concentrate on science or the arts. Other efforts are directed toward introducing an international dimen-

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sion into American education at all levels and in all disciplines.

Meanwhile, what is happening at more advanced levels? A few brave university professors have suggested that language requirements may not be evil after all—and they are working to create programs that will generate real mastery rather than frustration. Others are carrying out the advanced research on international affairs that the country so desperately needs. True, funding for such studies is still woefully inadequate. Happily, though, the costs are low, especially when compared to the price tag on a single new jet fighter or any Corps of Engineers boondoggle.

Foreign languages and international studies are not easy. Unlike most fat courses, they demand hard, sustained work. And they require dedicated teachers. But the rewards are great. For the individual, they open up vast new horizons. They provide skills that are applicable in hundreds of professions. For the country as a whole, they create that reservoir of expertise without which the United States can neither protect its interests nor discharge its responsibilities abroad.

One thing is certain, foreign languages and international studies are no longer a luxury. To understand the world in which we live and to be able to communicate with other peoples, they are as basic as ABC.

### EDITORIAL—THE FUTURE FORSAKEN

The future shape of the human race is not likely to be one which the current school and college generation will be able to recognize when its time comes at the helm. One of the tragedies for American schooling—and thus for the nation—is the abominable lack of student preparation for a world in which an adequate global understanding by all citizens may be the only road toward saving the world as we now know it.

While no hard evidence has yet been assembled on this point, we have sufficient glimpses into the appalling world ignorance of college students, which in less urgent circumstances could be considered quaint though not tragic. But it is tragic now. Even college seniors have generally no idea that the world has fought over 100 civil and international wars since The War ended in 1945, or that world expenditures for arms now exceed \$400 billion annually. Comparatively few college graduates know that over half of the world's population has a per capita income of \$150 a year, or that the poverty-ridden Third World is multiplying in population at a far greater rate than the better-off nations.

America's young thus face a set of new national and international circumstances about which they have only the faintest of notions. They are, globally speaking, blind, deaf, and dumb; and thus handicapped, they will soon determine the future directions of this nation.

This country has developed mass communications, and universal education to a point unprecedented in human affairs. We are, in many ways, the most informed nation of citizens, and yet we continue to live in a fool's paradise in believing that this is still the American Century, and that it is here to stay.

A Gallup poll taken last year showed that 50 percent of all Americans did not know that the United States must import any petroleum at all. Less than 10 percent knew that we were importing one half of our energy needs. In another survey, Gallup found that only one third of all Americans could name a single member agency or institution of the United Nations. Sixty-six percent of Americans admitted to having little or no knowledge about the Panama Canal negotiations. A national assessment of the world knowledge of high school seniors showed

that 40 percent thought that Israel was an Arab nation, and only somewhat fewer thought that Golda Meier was president of Egypt.

Our national tribute to the New Parochialism can be confirmed everywhere. In New York, one of the country's most advanced states educationally, less than 15 percent of all history and social science courses in the secondary schools are devoted to covering three fourths of the world's population and two thirds of the area that constitutes the non-West. And no wonder: Only a bare 5 percent of all of the nation's teachers have had any exposure whatever to international studies and training.

Our colleges hardly do better. According to the American Council on Education, only 3 percent of all undergraduate college students—that is, less than 1 percent of the entire college-age group in this country—are enrolled in any studies dealing with international affairs or foreign peoples and cultures. College enrollments in foreign languages continue to drop to the point of national embarrassment. Ten years ago, the percentage of undergraduates enrolled in degree-credit courses of modern languages stood at 15.5 percent. Today, it stands at 8.9 percent. Language requirements for college admissions have been abandoned by all but 10 percent of our 3,200 academic institutions. In a recent UNESCO education study of 30,000 ten- and fourteen-year-olds in nine countries, American students ranked next to the bottom in their comprehension of foreign cultures.

Such a gross lack of preparedness for this interdependent world is not only to be blamed on educators but on the inattention to these issues of citizens generally. At a time when our relations with China are likely to become more demanding and require greater ability and understanding, our major China study centers have declined in support and quality. The 1966 International Education Act remains unfunded 12 years after its enactment, and National Defense Education Act Title VI Fellowships have dropped to an all-time low from 2,557 in 1967 to 800 last year. Certain provisions of this same law, in fact, received no funding from Congress in the 1978 federal budget. Federal funding for foreign area research has declined 58 percent in constant dollars in the past decade.

In the private and voluntary sectors, matters are hardly better: The Ford Foundation, which invested \$242 million in international programs in the sixties, projects less than \$4 million for that purpose this year. Total international giving by all private foundations last year came to \$94.6 million, or 4.5 percent of all foundation grants. Corporate philanthropy devotes less than 2 percent of its educational grants to this purpose. It all confirms a new era of Babbittry.

Our widespread indifference to the essentiality of global understanding is quite removed from the new realities. Even the most ardent isolationist would agree that there remain few domestic political decisions which do not portend important international consequences. The opposite holds true as well. Whatever one's ideologies about global issues, the facts remain: One out of every three acres of American farmland produces for sales abroad, and \$1 out of every \$3 of American profits derives from our international activities, exports, and foreign investments.

Many years ago, UN Secretary General U Thant put the urgent necessity for global comprehension this way: "The inevitability of the development of the first global civilization," he said, "and the necessity for its conscious, directed growth, have not yet been grasped or sufficiently appreciated to

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## A TRIBUTE TO BEN KIDNER

## HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

provide the motive power for the great advances which mankind must take in the very near future or perish—if not with the ‘bang’ of a nuclear holocaust then with the ‘whimper’ of a species and civilization which ran out of air, water, resources and food.”

Since U Thant issued that warning, the world has vastly accelerated its rate of change. The chances for global economic, environmental, and military disasters have multiplied exponentially. But American education, and Americans generally, have turned increasingly inward, understanding less and less the new circumstances of their world.

How to reverse this awesome incongruence between educational shortsightedness and accelerating world change should receive the study and action of the very best people in and out of the academy. The current concern over “back-to-basics” carries its own twists of irony, of course, since not even its most prominent advocates consider a minimal understanding of our nation-world more than a luxury, to be tended to once the three R’s are mastered. Both, of course, require our urgent attention, and both now form a basic requisite to citizen survival.

Academic initiatives, however, are not likely to be brought to bear on this matter with a resolve sufficient to go against the national grain. Nor can the colleges and universities look to federal leadership with much optimism. If the Carter administration’s 15-month dalliance in launching a modest short-term commission on foreign languages is any indication, that wait is likely to be a long one. It is difficult to see how Mr. Carter can have his imposing triumph at Camp David on the Israeli-Egyptian peace treaty and not connect it with the understanding that this nation is no longer an island unto itself. Whatever one might hope for from Washington, there have been other times in recent history when our leading academic institutions have given farsighted national service, especially in the sphere of science and technology. Do we need the shock of yet another Sputnik to jolt us out of our provincialism and produce that brilliant leadership again?

One cannot be too optimistic. No single world-minded academic institution, no matter how affluent or prestigious, is likely to successfully change the character of its educational experience without also risking a large exodus of its students. Boldness should not be confused with institutional suicide. But with a sufficient critical mass of prestigious institutions committed to a more realistic rendering of our global circumstances, some significant breakthroughs are in fact possible. It will take the bold resolve of many institutions to overcome the country’s present myopia. It will take an uncommon effort to prepare this generation of young Americans for a world which they cannot in fact now discern in their classrooms. The need for such collective and imaginative leadership stems not out of some one-world idealism, but out of the clear necessity of surviving in a risk-ridden world. To do anything less is to gamble with the very lifeblood and soul of a great nation that cannot in the long run prosper except as it successfully lives side by side with 150 other nations of vastly differing circumstances.

In this and other of mankind’s great struggles, talk has too often substituted for action. We shall continue to dismiss such urgencies at our national peril, and to the unforgivable disgrace of the academy. With the help of a number of prominent Americans in and out of the academy, the Council on Learning will soon take a major initiative to encourage the further globalizing of undergraduate education. It will be a public effort involving research, policy recommendations, and planning, which we can only hope will ultimately help advance us to a higher level of international consciousness.●

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to remain in the forefront of community efforts to make Torrance a better place to live. The many who benefit from his leadership owe him many thanks. My wife, Lee, joins me in congratulating Ben on his achievement-filled career with the city of Torrance. We extend to him and his lovely wife, Gertrude, our sincere wishes for success and happiness in whatever new endeavors they may undertake.●

## MANDATORY WAGE PRICE CONTROLS REVISITED

## HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ANDERSON of California. Mr. Speaker, later this year, the friends and associates of Ben Kidner will gather to salute him and his contributions to the city of Torrance as he concludes 26 years of faithful and successful service in the city’s department of water. This is a welcome opportunity to present a few words which tell why this man is so deserving of this recognition.

It is especially fitting that Ben be so honored since he has been a constant and active force in community affairs on behalf of his fellow workers. His deep concern and devotion to civic affairs makes him especially deserving of the community-wide respect which he has earned over the years.

A native of West Virginia, Ben joined the Marine Corps at the early age of 17. While stationed at Camp Lejeune in North Carolina he met Gertrude Wilson, a resident of Raleigh. Thirteen days later they were wed and started a marriage that has endured to this day.

He served during World War II and was involved in the major Pacific campaigns fought by this Nation. On three separate occasions he received Purple Heart awards. Military service appealed to Ben, but an unfortunate injury caused during an ammunition destruction assignment forced him to abandon his hopes of making the military life a career.

Following his medical discharge from the service, he moved to California in 1950. In 1952 he started his long tenure with the city of Torrance, first as a temporary worker and in a short time he was given a permanent position as water serviceman. Proving his abilities, he moved up over the years to the positions of senior water serviceman and water service leadman. In 1977 he was selected to serve as active water service supervisor, the position he will be retiring from this year.

Ben Kidner served a valuable dual role with the city of Torrance. He has served as an excellent technician in the water department and also as a leader and representative for city employees. He served for 4 years as president of the Torrance Municipal Employees Association, pulling together loose ends to firm up this organization so that it would both adequately represent the interests of city workers and add stability to employee-employer relations. With this he has done a great service to his fellow workers by improving conditions and pay, and to the citizens of Torrance by insuring smooth-running city operations.

One of Ben’s utmost skills is getting things done. He has been an excellent organizer in each of his endeavors, whether it be at the water department or in negotiations with city management. He is known as a man of ability and dedication.

The city government in Torrance will truly miss Ben Kidner, but he is certain

Mr. Speaker, the most urgent crisis we face as a nation today is spiraling inflation. The President has properly labeled this our No. 1 national problem, and I commend his efforts to develop ways to hold the line. Inflation hurts everyone; but it is especially hard on the old, the poor, and people on fixed incomes.

How bad has the inflation rate been? The facts do not lie as the annual inflation rates of over the past 5 years have shown.

## Consumer Price Index

	All Items	Food
1974	12.2	12.2
1975	7.0	6.5
1976	4.8	0.6
1977	6.8	8.0
1978 (est.)	7.5	9.9

Interest rates also have been rising rapidly with the prime rate, the interest rate that banks charge their best customers, recently rising to 10 percent compared to 6.8 percent prevailing in 1976 and 1977. Further increases are likely, as housing and auto sales continue at a high rate because fear of inflation far outweighs the impact of rising interest rates.

As a result, we are beginning to hear and see evidence of serious consideration of some type of wage and price restraint. The President has repeatedly said, however, that he opposes wage and price controls and would favor, as an alternative, some system of guidelines.

As much as I would hope that such guidelines will work—I will lend my full support to the President in his efforts—my true belief that such a program falls short of holding down effectively the already dangerous path of wage and

price escalation we have trodden over the past few years.

To what do we turn if these guidelines fail? I must recommend, Mr. Speaker, that we begin to consider a period of full wage and price controls.

Such controls are indeed a tough bullet to bite, and it has been the habit of Congress and Presidents to go to great lengths to avoid doing so. Plans and programs are quickly drawn up and packaged as alternatives to controls under the deeply seeded belief that such firm action would be political suicide.

It should be noted, Mr. Speaker, that recent polls have shown just the opposite. The American people are willing to support a tough and determined effort to get our economy under control and reduce our devastating inflation rate. In addition, it was reported just this week that AFL-CIO President George Meany believes simple wage-price guidelines are doomed to failure, and is suggesting that a full, mandatory controls program would be preferable.

Nonetheless, the scramble is on for less dramatic and effective efforts. Let me review the current alternatives to full wage and price controls that are being promoted.

The President is expected to announce, in the next few days, a program of voluntary wage-price standards or guidelines calling generally for average wage increases that are not larger than 7 percent a year and average price increases that do not exceed 5 1/4 percent. The standards are expected to be backed by a set of limited sanctions involving Federal procurement policy and regulatory steps.

Let me reemphasize that I wish the President well in his efforts. He should be aware, however, that voluntary programs have come and gone over recent years and it is doubtful, at best, that his action will change this pattern.

I am of the strong opinion that once a voluntary program fails, as it has in the past, it cannot be resurrected.

Another alternative that is receiving increasing attention is a tax-based income policy, commonly referred to as TIP. The Joint Economic Committee recently suggested that such a TIP policy be given serious consideration, and it is my understanding that TIP legislation is now being drafted in the Senate Committee on Banking, Housing and Urban Affairs.

In essence, a TIP program calls for guideposts for wage increases. Any firm settling for a wage increase greater than the guidepost would be penalized by a higher rate of tax on its profits.

Proponents of the TIP program say it will restrain inflation because business would settle lower wage increases, and thus the markup would result in proportionate lower price raises, causing inflation to steadily decline.

Let me submit, Mr. Speaker, that such a program holds little promise of succeeding and great promise for becoming an administrative nightmare for all involved.

What we are left with, then, is a crucial decision. Either we face the cold, hard facts and take tough action now by implementing full wage-price con-

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trols, or we step back, again, and allow double digit inflation to continue and our economy falter.

The time has come, Mr. Speaker, when we can no longer duck or hide or scramble for seemingly easier alternatives. Double digit inflation is staring us dead in the face again. This time we must act.

Bart Rowen's analysis of George Meany position follows:

[From the Washington Post, Oct. 11, 1978]

MEANY URGES MANDATORY WAGE-PRICE PLAN

(By Hobart Rowen)

"AFL-CIO President George Meany believes that President Carter's expected voluntary wage-price guidelines program is doomed to failure, and is suggesting that a full, mandatory controls program would be preferable.

"The 84-year-old labor leader, basically opposed to any interference with the collective bargaining process, believes that the forthcoming wage guidelines will be enforced on wages by employers, but that there will be no meaningful control on prices.

"Carter's plan reportedly sets a national 7 percent wage standard, plus 1 percent for other labor costs in 1979, with a price standard of 5 1/4 percent.

"In conferences with administration officials drawing up the Carter program Meany has asserted that the guideline program will depress wages, reduce purchasing power and lead the country into a serious recession.

"For that reason, Meany has told Carter's team that if the president is willing to go to guidelines—which he had previously rejected—he might as well 'go all the way' to full controls.

"His reasoning is that if the controls system is supported by legislation, the AFL-CIO would have a role in influencing the system. Specifically, he is understood to feel that labor would have a better chance of avoiding 'inequities,' and that Congress would set up certain standards—and a Wage Board—that would help protect labor.

"The AFL-CIO preference for controls as a 'least worse' alternative was hinted by AFL-CIO Secretary-Treasurer Lane Kirkland in dealings with Carter's people a few weeks ago, but never until now made public or explicit.

"A high-ranking Carter administration official told The Washington Post that the White House response to Meany will be negative. 'The position here is no controls—period,' he said.

"But he acknowledged that the inflation-limiting process is 'a gradually evolving one, and while the president's [voluntary] program is right for now, there can be legislative suggestions in January.' ■

### THE LOVE CANAL AND THE NIAGARA GAZETTE

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. LaFALCE. Mr. Speaker, the Love Canal emergency in Niagara Falls, N.Y., has made headline news across the country, on the networks, in newspapers such as the New York Times, and in national magazines such as Newsweek and Time. However, the national press gave this matter attention only after August 2 when the New York State Commissioner of Health declared the Love Canal Site a "Health Emergency."

On August 10, 1978 the local newspaper, the Niagara Gazette, could proudly

announce—"We didn't discover the Love Canal yesterday \* \* \* We won't forget it tomorrow." For the Gazette on October 3, 1976—2 years ago—first advised its readers of the terrible situation which we have now all come to know. On its front page that day the Niagara Gazette told its readers:

A chemical landfill between 97th and 99th Streets used by Hooker Chemicals and Plastics Corporation in the 1940's and 50's has been seeping into the basements of homes along both streets. Neighbors also tell of children playing on the filled-in dump suffering burned feet.

The Niagara Gazette, since its first story in 1976, has been telling the terrible tale to the public as more and more facts became evident. On November 2, 1976, the Gazette advised:

Chemical analyses of ground residues near the Old Love Canal dump site indicates the presence of heavy concentrations of about 15 organic chemicals, including three toxic chlorinated hydrocarbons.

On May 21, 1978 the Gazette reported that a "medical detective" from the State Department of Health will soon initiate an investigation to try to determine if chemicals buried at the old Love Canal site are connected to cancer or other possible long term illnesses among the residents in the area.

On July 15, 1978 the Gazette reported "hints" that we would soon learn were facts: that Love Canal research showed the exposure of pregnant women to the dangerous chemicals may have caused birth defects and deformed children.

The Niagara Gazette has been a driving force ensuring that the public at large has become fully informed of the details of the Love Canal tragedy. The newspaper has performed a public service and is to be congratulated.

A recent article, which was written by Mike Brown of the Gazette, paints an accurate picture of what is and what is not being done to rectify the mistakes which society has made in regard to toxic wastes. This article is just one of many excellent articles Mike Brown has written for the Niagara Gazette on the Love Canal and the toxic waste issue and its national implications.

Mike is to be commended for his investigative reporting, resulting in the Love Canal story making headlines across the country. He is tenacious, thorough, unbiased, honest, balanced, and objective. His investigative reporting has also led Mike to write analytical pieces on the problems of hazardous wastes. He has reviewed the complete gamut of problems connected with hazardous wastes—from their creation to their burial. His articles have shown a depth of understanding of the complex issues and the need to address these issues before they become gargantuan and destroy the health and welfare of our citizenry.

I understand that the Niagara Gazette and particularly Mike Brown, is being considered for a Pulitzer Prize based on its reporting of the Love Canal and related issues. The newspaper deserves to win, for it has brought the issue of toxic wastes and the monsters they create "ticking timebombs" to the headlines of all the national media and to

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the attention of our colleagues here in Congress. When the national media became aware of the Love Canal, and wanted background material, they went to the Niagara Gazette, and particularly Mike Brown.

The Niagara Gazette, and Mike Brown in particular, can take great pride in knowing that long hours and relentless pounding of the pavements brought national attention to their hideous dilemma, ultimately resulting in the declaration of a Federal "emergency" by the President of the United States. Now funding has been appropriated by Congress and the State of New York to help clean up the toxic wastes buried in the canal and for the relocation of the area residents.

I am proud to be able to have such a fine newspaper in my congressional district. I know that the residents of the Love Canal area are also proud and thankful. We will be prouder still when they get the Pulitzer they so richly deserve.

The article mentioned earlier follows:

OFFICIALS BUYING TIME IN TOXIC WASTE DILEMMA

(By Mike Brown)

Nowhere in America, despite the country's technological prowess, has there been found a feasible final answer to the question of toxic waste disposal. State and federal officials aware of potential Love canals across the country, can only buy time.

A growing number of environmental experts, in fact, are beginning to believe that the dilemma of what to do with dangerous chemicals—especially those suspected of causing cancer—is as or more serious than problems encountered with nuclear wastes.

The reason is that, while chemicals do not possess the potency of radioactive matter, they are produced in far greater quantity and are not as well regulated. For years, industries have dumped wherever was most convenient, including in populated areas such as Niagara County.

By 1978, there will be 3,800 metric tons of commercial nuclear wastes stored in the country. In one year alone, according to the U.S. Environmental Protection Agency, industries generate 344 metric tons of wastes, 30 million tons of it toxic.

For years factories have hauled their wastes to existing ditches or isolated sites near aquifers or in highly permeable soils. While at the time the danger of those materials was not known, recent experimentation has revealed that many of those disposed wastes can cause cancer. And it is becoming obvious that some of the estimated 100,000 waste landfills in the nation will one day unleash their wrath.

About 1,000 new compounds are introduced to the U.S. market each year, adding to the 70,000 already in circulation. Already, 26 compounds have been proven to cause cancer in humans, and hundreds of others are suspected of causing animal tumors. More than 800,000 tons of highly carcinogenic asbestos alone are produced in the country. No one knows, exactly, where all the wastes have gone.

Besides several severe landfill problems in Western New York, there have also been major problems in the chemically-riddled Northeast. The Paskamansett River Basin area in eastern Massachusetts is under the siege of leaching PCBs and in Grey, Me. the suspect carcinogen trichloroethylene has contaminated 20 drinking wells. Both problems are the result of poorly-placed landfills.

Much of past dumping has been illegal. In New Jersey, one of the most industrialized states in the union, midnight haulers have

for years tossed chemical drums in unprotected swamps. In Coventry, R.I., the state found an illegal highly lethal dump on a pig farm, the alleged result of a New Jersey waste disposal firm that preferred an unofficial site to a more expensive approved one.

There are dozens of other examples, in Idaho, in California, and in New York State.

While many of the problems known to date have occurred in New York and New Jersey, it is not because those states produce the highest quantities but rather because they have been in the business the longest. The two states rank 11th and 12th, respectively, in chemical waste generation.

EPA officials in Washington told the Niagara Gazette that the two biggest producers, because of the petrochemical industries, are Texas and Louisiana. Both of those states have shown little interest in the problem of toxic landfills.

Doris Ebner, environmental manager of the Houston-Galveston Common Council, said Texans are only beginning to become concerned about solid waste disposals.

"What will happen is that there'll be some disaster to make a flash," said Ms. Ebner. "There are rumors of outbreaks of illness (near chemical facilities) but it's kept quiet."

There has been "no work" in the area of chemical landfill control, she said, adding that the City of Houston is now having problems finding a place for its regular garbage.

In Bayport, Texas, it has been claimed that the Velsicol Chemical Corp.'s plant production of Phosvel, a pesticide, caused serious health problems among workers at its plant. Tennessee's Public Health Department says there is "strong circumstantial evidence" that Velsicol chemicals have leached from a company landfill in Hardeman County and contaminated three water wells.

William Colbert, an official for the Texas Department of Water Resources' said industrial wastes are "well regulated" in the state, despite Ms. Ebner's apparently contrary opinions. "If companies dispose on their sites, they have to have a permit," he said. "They must register. The landfills have liners, but there are no broad regulations."

Colbert said there have been isolated cases of landfills leaching, but never in a residential area, as was the case with the Love Canal. Most wastes are disposed in coastal areas. "It becomes a vehement emotional issue among the people when an industry tries to dump nearby," he said.

In Louisiana, where the geology is considered excellent for waste disposal, out-of-state companies truck in their garbage for disposal in the five state-approved waste sites. State companies, however, provide the bulk of toxic wastes. Chlorinated hydrocarbons, hexachlorobenzenes, and tyrene tar from plastic production are disposed of in heavy volumes.

Not surprisingly, Louisiana has had its problems. A while back, according to one environmental official, a workman died while unloading dangerous wastes into a landfill. And in another instance, six million gallons of liquid wastes began seeping through a lagoon.

According to a report submitted to Congress by the U.S. Comptroller General, the average waste disposal site is 17 acres in size. Figuring in those dimensions, the EPA has estimated that an average infiltration of 10 inches of water could produce 4.6 million gallons of leachate at such a site each year. Because groundwater is the major source of drinking water in 32 states, that presents a major problem.

"Leachate" is grossly polluted water that results from the penetration of rain into a landfill, where it picks up soluble substances and begins migrating underground. The leachate process at any one dump can last for as much as 100 years, according to figures presented to Congress. Leachate masses can

move up to two feet a day are especially troublesome in humid areas.

Federal officials have mapped out a stretch running from Maine southwest through New York, Pennsylvania, Ohio and down to Texas and Louisiana as the areas with the greatest potential for leachate contamination. Parts of Oregon, Washington, and California are also in danger.

"To date, federal and state agencies have not assessed the extent of damage to groundwater supplies or determined the number of disposal sites which may be leaching," said the comptroller's report. "The limited information that is available generally resulted from studies made after specific water wells were contaminated."

State programs to control waste disposal activities have been ineffective, according to the Congressional report, because government agencies lack the resources to manage their own laws.

While the EPA has yet to implement the Resource Conservation and Recovery Act (RCRA), which was passed in 1976 to regulate solid waste disposal, landfills across the country are existing virtually uncontrolled. Precise estimates on how many existing troublespots there are can't be garnered. Guesses range from 100 to 500 dumpsites that may be leaching dangerous materials.

As long ago as 1972, there was a severe problem in New Castle County, Delaware, where it was discovered that 170,000 gallons of leachate a day were entering an aquifer from a nearby landfill. Thousands of people drew their drinking water from that source.

The county, in emergency reaction to the problem, installed 11 counterpumping wells at a cost of \$710,000. Including maintenance, between 1972 and 1976 the county spent more than \$1.4 million.

But that was cheap compared to the available alternatives. The cost of removing the chemicals and incinerating them would have been about \$38.3 million.

At Aurora, Ill., a 22-acre site began leaching into seven domestic drinking wells just four years after it was built. Water in the community carried inordinate amounts of chlorides, organic acids, sulfate, sodium, and biological particles.

An especially monstrous leachate problem occurred in Islip, Long Island several years ago. A U.S. Geological Survey showed that a 39-year-old, 17-acre landfill has created a leachate plume a mile long, 170 feet in depth and 1,300 feet in width. The plume contained about a billion gallons of groundwater.

If one were to include all the small industrial dumping grounds, there would be between 2,000 and 4,000 private industrial dumping sites in Pennsylvania alone, most of them completely uncontrolled, poorly monitored, and in many instances unknown to health authorities.

While RCRA will take care of presently operating dumps, forcing their upgrading and closing those that do not meet new standards, it would be impossible for any law to force the clean up of every hazardous landfill ever excavated. The cost of doing that is prohibitive, and so the EPA is aiming mainly at cutting the future potentials for pollution instead of going to the root of the problem.

EPA officials now say that it won't be before 1980 when the RCRA standards come into effect, along with ancillary programs aimed at "cradle to death" management of toxic wastes. But even when it becomes fully implemented, the law won't stop old landfills, in some cases built by firms that are now out of business, from leaking into the environment.

And, as the Congressional report points out, most cities in the country have inadequate funds and equipment with which to check drinking water for landfill contaminants.

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"Effectively implementing the RCRA will significantly minimize groundwater contamination from new or upgraded existing sites," says the report. "However, the act does not adequately address the potential threat to public health that exists as a result of groundwater that is already contaminated or that may become contaminated as a result of older closed disposal sites."

John Hall, water resources planner for the Great Lakes Commission, fears that even in controlling currently operated landfills the RCRA guidelines may mean little or nothing in terms of tangible results. "The problem is that lack of adequate funding and manpower make implementation of these laws slow and ineffective," he said recently.

Add to that the problem of laboratory costs. Taxpayers would have to shell out an estimated \$2 billion to test all chemicals known to be in the environment and determine the hazard levels.

Most experts agree that the permanent solution to toxic waste disposal will involve requirements on industry to be able to chemically disband everything they create. But that is expensive—far more costly than throwing wastes in ground pits—and may not even be economically feasible 20 years from now.

In the interim industries will have to use more secure landfills. But how secure is "secure," environmentalists ask? Do modern landfills, built with leachate standpipes to extract liquids, liners and compact clay to better contain migratory substances, and sloped tops to protect compounds against rain, insure against future erosion and leachate?

Niagara County has two of the most sophisticated landfill and waste treatment facilities in the country—SCA Chemical Waste Services Inc. in Porter and Newco Chemical Waste Systems Inc. in the Town of Niagara. They are generally acknowledged as an acceptable, temporary answer to waste disposal, but permanent solutions are not in the foreseeable future.

The report to Congress stressed that those liners and leachate control systems are unproven. "Controlling the migration of leachate using only the site's natural soil conditions needs further study before it can be relied on with any degree of certainty," the report says. ●

**PRODUCTION, NOT RESTRICTION:  
A RESPONSE TO PRESIDENT  
CARTER'S NATIONAL ENERGY  
PLAN**

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. McDONALD. Mr. Speaker, in a time rife with sloganeering, propaganda expertise, statistical sleight-of-hand and every sort of sophisticated confusion, a sound and reasonable discussion of the energy situation in the United States today ought to begin with some solid commonsense—hard and simple.

If you are running short of something you must have, your top priority should go to getting more of it. If you are told that getting more will be risky, you must evaluate the risk in light of the consequences of not getting more. If the facts conflict with your wishes, you had better respect the facts. Wishful thinking is a luxury of those dwelling in security. In a critical situation, it is a short cut to a quick death.

If we lack energy, we must get more. Obviously this is not to say that we

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should waste it. But no one can turn back the clock to the days of preindustrial society, however much some in romantic moments might like to do so. We are going to need more energy for as far ahead into the future as we can see. And we will only get it by producing it, not by restricting its use, or the activities of the producers.

If there are environmental dangers, they must be studied and overcome. But they cannot simply be banished by cutting back all types of energy production. In today's society, a sufficient loss of available energy will kill—as dead as those, fortunately few, who froze in unheated houses in past record cold winters. Severe, even if not deadly energy losses will throw thousands or millions out of work—as also happened in past winters—and undermine our whole society and way of life. Alleged environmental dangers must be measured against these hard realities of the loss of available energy. Any government failing to do so becomes a destroyer of its own people.

Any Government program for dealing with an energy crisis which does not place primary emphasis on production of energy is certain to make the problem worse. It is ignoring the obvious need for the sake of political expediency, economic ideology, romantic longings and bureaucratic aggrandizement. We can probably learn to get by with somewhat less energy than we otherwise would have, in future years. But we are still going to have to produce more—a great deal more—if we are to survive at all.

**I. WHY AN ENERGY CRISIS?**

Energy is the lifeblood of an industrialized nation. Without it, most other resources are useless, and the nation will quickly die.

The United States is the most industrialized of nations. Our economy—our way of life—is built on inexpensive energy. The oil industry was primarily responsible for that condition. For 50 years, oil was so cheap and abundant that we spent less than 5 percent of our national income on fuel to produce the energy that gave life to everything else. At the same time, the United States was the world's foremost exporter of oil.

Then, in the late 1960's, the public abruptly became aware that our Nation was already critically dependent on potentially hostile foreign sources for a substantial portion of the energy fuels we were using; and our dependence was growing every month, because domestic consumption of oil exceeded domestic production.

Why did the oil industry, which had done so much for us for 50 years, suddenly fail us? It did not fail us, and the condition which became widely apparent in the late 1960's was not a sudden development.

The present high prices and shortages of energy fuels do not reflect failure on the part of the energy-producing industries, a failure of technology, or a deficiency of the free enterprise system. The fuel shortage does not even reflect a shortage of available supplies of energy fuels. In fact, we do not have an energy

crisis, in the sense that we have run out of conventional fuels which industry is capable of producing and delivering, or are about to run out. If coal is included along with oil and natural gas, we still have enough known or highly probable reserves of fossil fuels in our own national territory to last a century and more. Private industry has the resources necessary—organization, technology, capital, trained manpower, experience—to produce and deliver these fuels, while at the same time developing the technology of nuclear energy to replace them by that time, still far in the future, when they may actually begin to run out.

Then what is the problem? The problem is government.

The so-called energy crisis is actually a crisis of too much government. Get the government out of the way, and private enterprise would solve the energy problem. The solution would not be instantaneous, because the leadtime between finding energy fuels and delivering them to consumers runs into years; but if the free market were permitted to operate, we would soon have all the energy required to meet our needs. On the other hand, if government is permitted to "solve" the energy problem by amplifying the governmental restrictions and controls which caused the problem, our condition will continue to deteriorate until our great industrial strength and widespread prosperity are gone forever.

In our own history, we can find thousands of instances of government, under the pretext of protecting the people from sharp business practices or of solving their economic problems, creating problems much worse than those which provided the pretext—and then compounding the difficulty by attacking the government-caused problems with enlarged versions of the measures that caused those problems in the first place.

We can find a few instances of government staying out of a problem, with the result that human ingenuity, left with freedom to move and with profit-motivated incentive to dare, produced something better than what existed before the problem arose. One such instance involved, interestingly enough, an energy crisis—the shortage of whale oil in the mid-19th century.

From colonial days to the 1860's, whale oil was our principal fuel for artificial lighting and lubrication. Beginning in 1820, however, reserves—that is, the number of oil-producing whales in the world—declined rapidly while consumption of whale oil increased. The consequences was an increase in whale oil prices—about 400 percent from 1820 to 1860.

There was much doomsday predicting about the lights of America going out and machinery stopping for want for proper lubrication when all the whales were gone. And there were demands for governmental action to avert the impending disaster.

Fortunately, however, the Government was not "activist" in those days. It did not attempt to solve every problem by aggressive and unconstitutional meddling in the market place. The Government stayed out of the whale oil prob-

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lem. Consequently, it was solved by ingenious, profit-motivated free men who invented kerosene and the kerosene lamp—in 1854—and drilled the first oil well near Titusville, Pa., in 1859. By mid-1860's, the whale oil crisis was past. Whale oil, though still a valuable commodity, was no longer a necessity on the American market.

In 1866 the U.S. Revenue Commission predicted that the U.S. crude oil supply would be exhausted by 1890, and suggested that the U.S. Government finance a program to develop synthetic fuels to substitute for crude oil. Fortunately, that suggestion was rejected. When 1890 arrived and the supply of oil still seemed limitless, the Federal bureaucracy warned the public against optimism. In explaining how limited the natural supply of petroleum was, the U.S. Geological Survey, for example, said there was little or no oil in the State of Texas.

In 1914, the U.S. Bureau of Mines estimated that another 6 billion barrels of oil was all the United States could ever produce. Since that prediction was made, we have produced more than 100 billion barrels and have billions of barrels still in the ground.

Throughout the 1920's various authorities in the Federal bureaucracy predicted the imminent demise of the petroleum era, specifically naming years when all our oil would be gone: 1926, 1928, 1931, 1933.

Has Washington officialdom been honestly, if mistakenly, obsessed with fear at the spectre of our oil-fueled economy running out of oil, or has it dishonestly conjured up that spectre as an excuse for meddling in the marketplace? Perhaps no one knows. Everyone should know, however, that the Federal bureaucracy and Congress have felt a compulsion to manipulate and control the oil industry ever since the first producing well was drilled.

Their task in making a case in favor of this manipulation and control has been made much easier by the history of Standard Oil Co. under the Rockefeller family, which aimed from the beginning at monopoly and early in this century established an influence in Government which endures to this day. But what few people realize is that, while oil marketing has long been in the hands of a few giant companies, the majority of all oil exploration and development has been by independent producers far less able than the big oil companies to protect themselves against the worst consequences of Government interference and harassment.

For years, natural gas was worthless to oil producers except, in a limited way, as an aid to getting oil out of the ground. When found—usually by accident—in wells drilled for oil, natural gas—or most of it—was flared—burned off at the wellhead—to keep it from polluting the air, because there was nothing else to do with it.

In time private enterprise developed the technology for profitably producing, refining, transporting, storing and using natural gas. By the mid-1930's it was apparent that gas would become the glamor fuel of the future, because it was cheap, efficient, easy to use, and clean. Private

industry started building pipelines that probably would have become a gas transportation network reaching every village in the United States.

But Congress prevented that development, by passing the Natural Gas Act of 1938 giving the Federal Power Commission (FPC) authority to regulate the interstate transportation and distribution of natural gas.

After World War II, gas pipelines from the Southwest began servicing a significant number of communities in Northern and Northeastern States where no oil or gas is produced, bringing those communities the best and cheapest fuel they had ever had. Nevertheless, politicians in those areas, with no constituents who were oil producers or were directly employed in oil production, curried favor with their voters by accusing rich Southwestern oil men of overcharging for natural gas. This resulted in many demands upon the FPC to protect consumers by regulating the price of natural gas at the wellhead.

In 10 different cases brought before it by 1950, the FPC ruled that while it had authority to regulate interstate transportation of natural gas, it had no authority to regulate wellhead sales of natural gas by independent producers.

In 1951 an agency of the State of Wisconsin asked the FPC to determine whether Phillips Petroleum Co., a firm which produced natural gas in Oklahoma, was charging reasonable prices for gas ultimately delivered to consumers in Wisconsin. At that time, only 6 cents of every dollar paid by natural gas consumers in Madison, Wis., went to the unregulated producer; the remaining 94 percent went to the regulated transporter and distributor. The FPC ruled, for the 11th time, that it had no jurisdiction for such price regulation.

Wisconsin appealed to the Federal courts. On June 7, 1954, the Supreme Court, in a 5 to 3 decision, ruled that the Natural Gas Act of 1938 gave the FPC regulatory authority over the production and sale of natural gas at the wellhead, and ordered the agency to exercise that authority.

As predicted at the time by free market economists, Government imposition of rigid, unreasonably low prices for natural gas, unrelated to the law of supply and demand in a competitive market and not reflecting the rising prices of all other goods and services, discouraged domestic exploration for new sources of gas and oil. At the same time Government was encouraging American firms to develop foreign sources of oil, not to preserve our own resources but to help emerging nations, particularly those in the Middle East and North Africa. In the decade of the 1960's alone, the U.S. petroleum industry spent almost six times as much on exploration and development abroad as it spent at home.

Domestic production of oil and gas held up well for a few years after Government price fixing began—and consumer prices actually declined, in relationship to the costs of all other goods and services—because the industry was producing from pools discovered, proven, and developed years before.

By 1969, however, old pools were being depleted, and the Nation faced a perilous shortage of domestically produced oil. It was just at this time that Congress and the President embarked on legislative programs which seemed designed to curtail the domestic production of oil and gas, while increasing consumption.

The Tax Reform Act of 1969 reduced by 5.5 percent the oil depletion allowance to which the entire petroleum industry—and the millions of outside investors who supplied risk capital for the industry—had been geared to for more than 40 years. That cost the oil industry an estimated \$700 million a year. This cost was immediately reflected by drastic reduction in domestic exploration—until 1973 when high oil prices again made exploration economically feasible.

The National Environmental Policy Act of 1969 hit all energy-fuel producing industries an even harder blow than the reduction of the depletion allowance hit oil. This act was immediately seized upon by militant environmentalist groups as a legal weapon to hold up, for 6 years, the beginning of construction of the Alaska oil pipeline; to stop the building of nuclear powerplants; to prevent oil exploration and drilling on the Outer Continental Shelf; to curtail oil production in offshore fields already explored and tapped; to prohibit the leasing of oil shale lands; and to reduce the production of coal.

Perhaps the most amazing of all the near-incredible tales of this mad drive to shut down all areas of new energy source development is the tale of the Alaska pipeline. It is the one major policy decision against energy of the years of the environmental craze that has finally been reversed; but the 6 years lost can never be regained. No one ever came up with an even moderately plausible reason why the Alaska oil pipeline should not be built. The newly discovered oilfields on the North Slope of Alaska were among the richest in the world. They were located in an area that was absolutely uninhabited; not even Eskimos lived there. The pipeline to bring the oil to the ice-free Port of Valdez ran mostly through uninhabited country. There was no pollution problem of any kind. There was no more danger of leakage and spills than in any area where oil was already being produced. When pressed for reasons for their unrelenting opposition to the pipeline, the best the environmentalists could think of was worries about the trails of migrating caribou. The oil companies developing the north shore fields thereupon offered to build special bridges for the caribou over the pipeline; but even this was not enough. History shows few comparable examples of a nation denying itself for 6 long years a resource of which it stood in the most vital need, for so utterly groundless an objection to its development.

In that same year of 1969 when the National Environmental Policy Act was passed, the Federal Coal Mine Health and Safety Act was also passed, imposing upon mine operators compliance costs of more than a billion dollars, and drastically reducing the already low worker

productivity in the mines; but it did not make coal mining safer or more healthful.

These two major Federal "protection" laws of 1969 bred others, at all levels of government.

The Occupational Safety and Health Act (OSHA) of 1970 was a direct outgrowth of the Federal Coal Mine Health and Safety Act of 1969. As the coal mine act was "protecting" coal miners, so OSHA would "protect" workers in all other occupations—except in government employment which was exempt. The stated purpose of OSHA was to relieve interstate commerce of the economic burden resulting from loss of productivity occasioned by job-caused illnesses and injuries.

Before OSHA was invented, the health and safety record of American industry was the best in the world, and had been steadily improving since the turn of the century. Businessmen know, better than Members of Congress or bureaucrats, that job-caused illness and injury are costly; and businessmen have at least as much human compassion for their own employees as can be found in the breast of anyone on the banks of the Potomac. It follows, as night the day, that OSHA has not, to any degree, reduced industrial hazards or relieved interstate commerce of one penny of the cost occasioned by industrial injury and illness.

On the contrary, OSHA has added greatly to the cost of doing business in the United States, by imposing on businesses expensive paperwork; by saddling them with compliance costs; and by causing many of them to multiply expenditures for legal assistance. The most recent outrage is the face mask required to be worn by textile workers which is uncomfortable, unsightly, and potentially dangerous. This relates to supposed protection against cotton dust. (43 F.R. No. 122, Part III.)

The National Environmental Policy Act of 1969 provided the major impetus for enactment of the Clean Air Amendments Act of 1970 and the Clean Water Act of 1972. These two laws have added many billions of dollars to the cost of doing business. They have required increased consumption of scarce energy fuels, while critically restricting industrial capacity to produce those fuels. Moreover, these two laws, by giving environmentalist groups standing to bring Federal lawsuits against business alleged to be environmental polluters, have—like the National Environmental Policy Act of 1969 which inspired them—become legal weapons which socialist revolutionaries can use against American business.

The National Environmental Policy Act of 1969 also inspired the Environmental Protection Agency, created by Presidential Executive order in 1970. This Agency, guided by the whims and prejudices of its own personnel and largely without specific congressional authorization, is "protecting" the public by impeding production and inflating costs of operating all kinds of business and industries in all parts of the Nation, thus driving up the cost of all goods and services.

Government has victimized the Amer-

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ican people with the most gargantuan protection racket in history. This racket was initiated by the Interstate Commerce Act of 1887; by the 1930's the people were "protected" with Federal programs which taxed them so that they would not grow food or destroy food they had already grown while they paid higher prices for imported foods; by the 1970's, this governmental protection racket had become the No. 1 threat to that great productive achievement often called the American way of life.

The endless parade of sordid trivialities known as Watergate might have done some good if the people had learned from it the obvious lesson that the power of Government is not to be trusted and can very easily be abused. Government is, as George Washington said, like fire, absolutely necessary in a civilized society, but terribly destructive if permitted to operate outside the bounds originally imposed by our Constitution before that document became "whatever the Supreme Court says it is."

For historical interest, today in October 1978, thinking Americans can appreciate George Washington's insight when he correctly observed:

Government is not reason: it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master!

The Nation's effort to develop nuclear energy for peaceful purposes—the only ultimate solution to the energy problem since fossil fuels will eventually run out, even if not nearly so soon as the Government "experts" claim—provides a sobering illustration of the inescapable ineptitude of political management in economic fields.

The Atomic Energy Act of 1946 gave the Federal Government a monopoly on all nuclear research, development, and production, and mandated Government control over the use of all nuclear materials. The Atomic Energy Commission was created to administer this act, empowered to encourage private scientific and industrial activity in the nuclear field.

Immediately after World War II, scientists all over the world began seeking means to utilize nuclear power for energy production and other peaceful purposes.

Nuclear energy research deals essentially with two different phenomena: fission and fusion. Fission is the breaking down of a heavy radioactive element into lighter elements. Fusion, an opposite process, is the fusing together of light elements to get a heavier element. When either fission or fusion occurs, enormous energy is released. Fission was the process used in the atomic bomb, first exploded in 1952. Nuclear energy research seeks to produce and harness this power for peaceful purposes.

Fusion—the H-bomb process—is cleaner and safer than fission because it does not produce dangerous radioactive wastes, cannot get out of control, and uses a fuel which is cheap and abundant—deuterium, a form of hydrogen, which occurs naturally in water. In 1 cubic mile of seawater there is enough deuterium to provide, through the fusion process, all electricity which would be

consumed in the United States at the present rate of consumption for more than 10,000 years.

In theory, production of usable energy by fusion is simple. One needs only heat the fuel above a minimum temperature and hold the reactants together long enough for the atoms to collide and implode—the opposite of explode, as in fission.

In practice, however, there are problems. It took an atomic bomb, using fission, to trigger the hydrogen bomb fusion process. The minimum temperature required to produce fusion is 100 million degrees centigrade; there are no materials on Earth which can resist such heat and retain the reactants long enough for implosion to occur.

The Atomic Energy Commission concluded that we could not realistically hope to develop energy from fusion before the next century. (But a private research effort was later to prove that they had given up too soon.) Therefore they focused primary attention on fission, which presented less baffling problems. The Commission subsidized some private research by industry and universities; it licensed and monitored, without subsidizing, a great deal of private research; and it spent much tax money on research in three huge Government laboratories at Los Alamos, Livermore, and Sandia.

Nevertheless, progress has been slow, because of Government controls. For security reasons, the Atomic Energy Commission refused to permit a great deal of private research in certain areas. Their secrecy has inhibited free exchange of ideas and information. The Atomic Energy Commission has been slow to make available to private industry important information already available to foreign governments; it has been bureaucratically slow to issue permits; and it has imposed burdensome reporting requirements and operational procedures.

Furthermore, the fact of Government monopoly in this vital area complicated the problem of raising private capital for nuclear research, because investors could never know what proprietary rights they might have if the research they invested in did produce something of economic value.

Today, we have 72 nuclear powerplants in operation, all of them using the fission process, producing about 10 percent of the electrical energy used in the United States. This is a disappointing net result of 30 years of expensive effort. We would have more nuclear powerplants today if Congress had not given the militant environmentalists the legal tools to block or delay construction of many of them, through the National Environmental Policy Act of 1969 and subsequent legislation. No better recent example can be found than the Clamshell Alliance protest by radical and militant environmentalists in efforts to block the construction of the nuclear powerplant at Seabrook in New Hampshire.

### II. OUR PRESENT ENERGY SITUATION

Exciting speculation about exotic new sources of energy often leads to a lack

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of sufficient attention to where energy is coming from right now. Nowhere in President Carter's 103-page energy plan is there so simple a thing as a clear statement of exactly how much of America's current energy use comes from which sources of energy. These facts must be the starting point for any rational consideration of the energy problem.

During 1976, virtually all energy used in America came from just five sources, and three-quarters of it came from oil and natural gas. Expressed in terms of the common unit of a million barrels of oil per day or its equivalent in energy, these sources and the approximate amounts used in 1976 were as follows:

Petroleum	17.4
Natural gas	9.5
Coal	6.7
Hydroelectric power	1.5
Nuclear power	1.0
Total	36.1

Of the energy sources in the above list, only petroleum and coal can be imported in quantity from overseas. Coal imports were not significant in the U.S. energy situation for 1976. Approximately 45 percent of the oil consumed in the United States today was imported. For the first half of 1977 the oil imports were distributed as follows by country of origin:

	Percent
Saudi Arabia	18.3
Nigeria	15.0
Venezuela	10.3
Libya	9.3
Iran	9.1
Indonesia	7.2
Algeria	5.8
Canada	5.0
United Arab Emirates	4.9
Others	9.4

Middle East oil therefore comprised slightly less than half—47.7 percent—of the total imports—disturbing enough, but not quite the picture of utter helplessness before the sheikhs which is often portrayed. But by far the most significant statistics on oil production are the following, for crude oil produced in the United States from 1965 through 1975:

	Barrels
1965	2,848,514,000
1970	3,517,450,000
1971	3,453,914,000
1972	3,455,368,000
1973	3,360,903,000
1974	3,202,585,000
1975	3,056,779,000

In the 6 years from 1970 through 1975, therefore, crude oil production in the United States declined by 460,671,000 barrels—about 13 percent leaving it scarcely more than 5 percent above the level of a decade ago. The years of decline include the period of the Arab oil boycott in the winter of 1973-74 and the subsequent steep jump in the price of oil. The President's "National Energy Plan" notes the decline in U.S. crude oil production, but seems to accept it as an unchangeable fact of nature. Is this production decline due to exhaustion of our oil supplies? This is certainly what a quick reader of the President's plan would assume. It may be what the President assumes. But the true answer to that question is an emphatic no.

This shocking decline in our own na-

tional production of our most important, presently indispensable energy source does not reflect exhaustion of supplies or technical incapacity, but essentially two conditions for which Government is solely responsible: First, the delay in construction of the Alaska oil pipeline for the entire 6 years of the period of the production decline, and second the restrictions on producing oil from the Continental Shelf off our coasts. The new Alaskan oilfield are capable of producing 700 million barrels of oil per year, more than enough to have wiped out the entire production decline; and the oil reserves on our Continental Shelf are estimated by the U.S. Geological Survey at between 50 and 127 billion barrels. Yet so tight are present governmental restrictions on offshore oil drilling that only one-third of the 13 million acres of offshore oil lands offered for lease in December 1975 even found one bidder.

Undoubtedly a contributing cause of the crude oil production decline has been the new Government restrictions imposed during the past 6 years upon new oil well drilling in the continental United States, and the removal of some \$5 billion annually by Government action from the funds available to oil companies for new exploration and drilling. This \$5 billion removal has resulted from the following actions by Government in the past 3 years alone: First, repeal of the percentage depletion allowance for about 85 percent of domestic gas and oil by the Tax Reduction Act of 1975; second, rollback of approximately \$1.50 per barrel in prices for new crude oil on February 1, 1976; third, retroactive imposition of a heavy tax on expenditures—not income—of independent oil and gas producers by the Tax Reform Act of 1976; fourth, price freeze on all domestic crude oil imposed July 1, 1976; fifth, rollback of 20 cents per barrel in the price for new domestic crude oil on December 31, 1976; sixth, retroactive doubling of rental fees on most oil and gas leases on Federal offshore lands on February 1, 1977; and seventh, rollback of 45 cents per barrel on the price of new U.S. crude oil on March 1, 1977.

Continued growth in our domestic oil production at pre-1970 rates, using known reserves in Alaska and the Continental Shelf, along with developing new reserves, could have cut our present dependence on imported oil very substantially over the past 6 years. But instead of that, Government restriction actually decreased production, thereby helping to create the present problem.

## PROJECTED DEMAND AND CONSERVATION

No one really knows just how much energy we will use or need in the future. What we do know is that the total amount will keep on growing. No conservation program can do more than slow down this inevitable growth to some extent; no responsible economist or planner even pretends otherwise.

Projections of energy use by 1985 range from a low figure of 48 million barrels of oil per day equivalent—the Federal Energy Administration estimate—to 62—the National Petroleum Council estimate. The President's na-

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tional energy plan visualizes a 12-percent cut in oil consumption, reducing the overall energy demand by about 3 million barrels per day in 1985. By no possible stretch of the imagination can so small a saving, even if possible, "solve" the energy crisis or even make a truly significant contribution to solving it. It should be obvious that the real issue is not whether we are going to save 3 million barrels of oil per day by 1985 but where and how we are going to get the additional 10 million barrels of oil per day energy equivalent that even the national energy plan expects us to be using by then. An associated, and very important question is whether the conservation program would throw the economy into a new recession which, if combined with continuing governmental restrictions on energy production and development, would more than cancel out the effects of any saving due to conservation by reducing production still more.

It is a sufficient commentary on the utility of conservation in dealing with the energy crisis to note that two-thirds of the entire amount of energy the President's most stringent conservation measures hope to save annually would be flowing into the United States right now if the Alaska pipeline had been built on schedule. For the Alaskan oilfields can produce 2 million barrels of oil per day. The rest of the amount projected to be saved, and much more, could have been brought in from the oil lands on the Continental Shelf whose offered leases found no takers because of Government restrictions.

So there is no possible way that conservation can reduce energy demand sufficiently to have a really major impact on the energy situation. At best it is a fringe benefit; at worst it is counterproductive, a drag on the economy and hence on production which is the only ultimate answer to the energy shortage.

## D. PESSIMISTIC PRODUCTION PROJECTIONS

President Carter's national energy plan and the April 1977 CIA estimate of the international energy situation between now and 1985 combine to present an extremely pessimistic view of future oil production. Both documents begin with the assumption that the United States simply cannot produce significantly more oil than it is now producing. They project U.S. oil production, even with Alaskan and continental shelf development, on essentially a flat line over the next 10 years—increasing at most by a million barrels a day in 10 years and perhaps decreasing by that amount, relative to the 10 million barrels a day now being produced. In other words, these two estimates rule out any U.S. oil production increase of more than 10 percent, and the President's plan regards a 10-percent decrease as equally likely.

This conclusion, surely the most important of all for Americans in these two documents, is presented with astonishingly little evidence; it seems scarcely more than a bland assumption. The CIA estimate in this area is simply based on the U.S. oil production figures since 1970—given above—without any consideration of whether or how the

1970-76 trend might be changed. The national energy plan states correctly that domestic oil production cannot possibly be expected to meet the entire U.S. demand for oil by 1985; it then goes on to predict a maximum 10 percent domestic oil production increase by that year, even including 3 million barrels per day expected from Alaskan and Continental Shelf production. "For more than 17 years," the Plan states:

Domestic oil discoveries have been outpaced by consumption, except for the discovery of oil on the North Slope of Alaska" (italic added).

What kind of reasoning is this? The exception totally destroys the thesis. Presumably the implication is that the Alaskan oil discovery is a one-time bonanza, never to be duplicated. The whole history of the oil industry shows that such an implication is nonsense. Several finds of the magnitude of the Alaskan oil discovery could easily be, and in fact probably will be made under the Continental Shelf, where oil reserves are estimated from 50 to 125 billion barrels. For example, the new Mexican President recently let it be known, what had been whispered about for some time, that Mexico has proven reserves of 20 billion barrels, plus an additional 37 billion, and possibly as much as 200 billion barrels, putting it in the same league as Saudi Arabia.

By contrast to the Carter administration, the National Petroleum Council predicts that with a maximum effort to increase domestic oil production, removal of government price and other controls, rapid offshore leasing and reduction of environmentalist obstacles to offshore oil development, and more drilling of new wells, as much as 15 million barrels of oil—a 50-percent increase—could be produced on American territory by 1985.

Nevertheless, even with this much domestic production, some oil imports would be needed—though not nearly as much as without it. This is obvious from the fact that present oil use is already over the 15 million barrel per day figure and certain to continue to rise, though at a slower rate if nuclear power becomes more widely available. Oil imports will probably have to be continued at least at the present rate for a long time to come, and even under ideal circumstances these imports would probably increase somewhat.

The dangers of even a partial dependence on imported oil can obviously be greatly reduced by importing from many different countries in different parts of the world, avoiding as much as possible a primary reliance on the Middle East.

This policy is already being followed to a considerable extent by drawing a substantial portion—nearly one-fifth—of all U.S. imported oil from Nigeria. Great confusion is created by lumping together the Organization of Petroleum Exporting Countries (OPEC), which has now formed a very effective cartel, and the Arabs of the Middle East. It is in the OPEC's interest to raise prices where it can, but not to boycott production. A boycott can have only a political purpose, and there is no common political

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purpose among all, or even a majority of the members of the OPEC. It is widely forgotten now that even Iran, a Muslim but non-Arab nation, did not participate in the 1973-74 boycott.

The CIA estimate, suspect because of historic use of the agency for political purposes, asserts that by 1983 it will no longer be possible for oil production in all nations to meet the free world's demand for oil, unless Saudi Arabia increases its production capability to a greater extent than the CIA expects. President Carter relied heavily on this pessimistic estimate in his energy speech to the nation, coupling it with his projection of no significant increase in U.S. production.

The CIA prediction contains one obvious and glaring flaw: it takes no account whatever of new oil discoveries which may be made anywhere in the free world between now and 1985. As President Carter's own national energy plan admits, had it not been for new discoveries it could have been solidly and correctly predicted in 1940 that the United States would run out of oil in 1954. In fact, new discoveries have continued to be made regularly ever since oil fuel development began at Titusville, Pa., over a century ago. "Known reserves" constantly grow as demand presses on supply of any scarce and much-needed product, thereby encouraging search for new reserves.

According to a special report of the Council on International Economic Policy of the Executive Office of the President, known world reserves of oil increased sixfold, from 75 billion to 455 billion metric tons, in the 20-year period 1950-70 when world demand for oil greatly increased. During the period 1948-72, known oil reserves in the United States and Canada more than doubled, from 21.4 billion to 47 billion metric tons.

Furthermore, the rate of growth in newly discovered reserves during that period substantially exceeded even the record increases in consumption. Available world oil reserves in 1948 would have lasted for about 20 years at the then current rate of consumption; available world reserves in 1972 would have lasted about 35 years at the 1972 consumption rate.

The CIA estimate does not cover the new discoveries of oil and gas in Mexico. Failure to do so again points to the "Agency" being more political than factual.

These facts alone make the conclusions of the CIA report absurd. They can be so characterized even without proceeding to ask the awkward question of why the CIA is—with considerable justification—everybody's whipping boy these days when it comes to politics, but suddenly an oracle of unchallengeable economic wisdom when it comes to energy. It should hardly be unreasonable to suggest that the architects of the Bay of Pigs disaster and of countless "openings to the left," the subsidizers of the National Student Association, the ham-handed spinners of Rube Goldberg assassination plots, whose political and ideological estimates have been wrong so often as to become almost a Wash-

ington joke, are not to be depended on when it comes to estimating how much oil the free world will produce over the next 10 years.

### E. THE NATURAL GAS SHORTAGE

Just as it took the Arab oil boycott and the great gasoline shortage of the winter of 1973-74 to awaken millions of Americans to the energy crisis as it relates to oil, so it took the record cold winter of 1977 to awaken them to the energy crisis as it relates to natural gas. Unfortunately, in neither case was the cause of the crisis clearly understood.

What makes the factory, school, and store closings of the winter of 1977—causing widespread unemployment, immense inconvenience and a substantial national economic slowdown—so ironic is that such events were specifically predicted over and over again the preceding year not only by the natural gas industry, but by many distinguished newspapers and Members of Congress. These predictions were made during the public discussion of a critical bill defeated in the House of Representatives in February 1976—just a year before the cold weather crisis—which would have eliminated Government price control on interstate shipment of natural gas, by a margin of a bare four votes.

Since the Supreme Court decision of 1954 ordering Federal price control of natural gas shipped interstate, overwhelming evidence has accumulated showing that these controls have been a disastrous mistake. With most of the incentive for finding and producing new natural gas removed by the Federal price controls, exploratory gas well completions plummeted from a high of over 900 in 1959 to little more than 400 per year in 1971, to almost none today. Proved reserves of natural gas peaked in 1967 and then began to decline; production of natural gas peaked in 1973 and then began to decline. To assume that this is simply because new fields do not exist is nonsense. How can we know that if we are not looking for them?

Natural gas price decontrol in 1976 was supported by substantial popular majorities, as indicated by various polls, and by a large number of newspapers including many, such as the Washington Post, generally known for their ideological support of Government intervention in the market. During the 1975-76 public debate on decontrol—which culminated in the defeat of decontrol in the House, after it had passed the Senate, by a vote of 205 to 201—the following explicit predictions of a major, destructive natural gas shortage were made, which were borne out just 1 year later:

A severe winter now can mean factories and schools shut down again. Acute problems in home heating could develop. Hundreds of thousands more people could be thrown out of work . . . Ohio, West Virginia, and New Jersey may face 60 percent curtailments, at a cost of thousands of jobs and a drastic relocation of population and industry . . . Our population is still growing, demand for natural gas is still increasing, and supplies of it are still dropping, so the shortage will worsen and sooner or later we will get a savagely cold winter.—Mobil Oil Company, January 1976

An unusually cold winter could bring a shutdown of some plants and layoffs of

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thousands of workers.—former Secretary of Commerce Rogers Morton, September 15, 1975

Since production has declined significantly during the past several years and consumption is predicted to increase with economic recovery, the prospect for economically-caused shortages in future years is self-evident. Gradual deregulation of natural gas prices, such as the Krueger proposal permits, is the logical solution to this part of the energy problem. . . . It would seem unlikely that the United States will be as fortunate in future years as it has been during the past four heating seasons—years which have been extraordinarily warm, thereby reducing fuel demands considerably below estimates.—Congressman Clarence J. Brown, January 1976

"The current shortfall in natural gas supplies will continue to grow worse . . . Industrial consumers in several states have already experienced significant curtailments, and these curtailments are likely to be much larger in the future. Although I have not estimated the number of jobs that would be lost as a result of industrial gas curtailments, I would expect the number to be significant, particularly in some states. The effects of a growing shortage would be much like those of an Arab oil embargo—increased unemployment and a reduced level of gross national product. The natural gas shortage differs from an oil embargo in that we are imposing it upon ourselves."—Robert S. Pindryck, Professor of Economics at the Massachusetts Institute of Technology, January 1976

"It seems indisputable that the nation's natural gas supply is shrinking at a rate which justifies alarm for the longer term, if not for the weeks just ahead. And the only logical approach, as the Senate finally realized in passing its version of the emergency bill, is graduated relaxation of price controls to stimulate drilling for new supplies. . . . So Congress should address itself to this broader, permanent remedy without delay, striving to cushion the blow on price as best it can, but realizing (as does the public, we suspect) that the price simply has to go up to some degree. Otherwise, the country probably will have a stunning gas shortage some cold winter month when, typically enough, no one is predicting it."—Washington Star, December 27, 1975

"The Senate has passed an excellent bill, permitting short-term emergency sales at higher prices this winter and, next spring, beginning the deregulation of prices. . . . The bill has now gone to the House Commerce Committee, whose chairman, Rep. John D. Dingell, is evidently determined not to report the half of the bill that provides permanent deregulation. That makes a hard choice for the administration and the Senate majority: Should they settle only for a Jerry-rigged emergency sales procedure, or use the shortage as a lever to try to get the whole Senate bill? Probably, on balance, it's better to get whatever can be passed quickly. There are jobs at stake, and a legislative stalemate here would be very bad for public morale. But not much gas is going to be sold under short-term emergency procedures, and Mr. Dingell's tactics are already contributing to a further gas shortage in the winter of 1976-77."—Washington Post, November 6, 1975

Rarely have "I told you so's" been more quickly and decisively verified.

The American Gas Association predicts that between now and 1985, price decontrol of natural gas would bring about an increase in production of 4 trillion cubic feet of natural gas per year, roughly equivalent to 2 million barrels of oil per day. Once again, this figure should be compared with the maximum ex-

pected fruits of the President's energy conservation program, 3 million barrels of oil per day energy equivalent by 1985—a further demonstration that encouragement of more energy production by removal of governmental restrictions is not only the best but the only way to solve the energy crisis.

### III. THE ABSOLUTE NECESSITY OF INCREASING ENERGY PRODUCTION

#### A. NO POSSIBLE SUBSTITUTE FOR MORE OIL NOW

In any realistic energy scenario for the next 10 years, the United States is going to have to use a substantially larger amount of oil. Since natural gas production is often—though not always—closely associated with oil production and oil well development, what is said in this respect about oil applies to natural gas as well. The two fuels together now account for three-fourths of all energy consumed in the United States.

Even with the maximum savings from conservation expected by the President, and using the lowest estimate for energy demand in 1985, we will need between 9 and 10 more million barrels of oil per day energy equivalent than now. The most optimistic estimates of the development of energy production from coal and nuclear power—the only realistic large-scale alternatives to oil and gas as energy sources between now and 1985—predict no more than a 7-million-barrel-per-day equivalent increase from these sources by 1985. Such an increase presumes major changes in governmental policy particularly toward nuclear power, giving it a full green light instead of the administration's cautious amber. The other 2 to 3 million barrels per day has to come from expanded oil and gas production in the United States—or from increased oil imports. Hydroelectric power, now contributing 1.5 million barrels of oil per day energy equivalent, is not included in these estimates because most of its readily available sources have already been used and new dam construction on a large scale is very slow and costly.

No one wants increased oil imports, except as a last resort. In fact, the oil and gas industry maintains that it is fully capable of increasing oil and gas production by as much as 7 million barrels a day, from American sources, by 1985, if governmental price and other restrictions hampering development and production are removed. This, combined with the maximum expansion of coal and nuclear energy production, could actually reduce our present dependence on imported oil by 1985.

But the essential fact is that even with maximum conservation and maximum increase in coal and nuclear energy production by 1985, at least 2 to 3 million barrels per day of additional oil and gas will be required by then. Consequently we must produce more of them. To the extent that we fail to do so, we will have to import more. And if energy demand increases above the minimum estimate, or the President's energy conservation program proves unfeasible or counterproductive in its economic effects, the increased oil production becomes all the more clearly necessary.

#### B. NO POSSIBLE SUBSTITUTE FOR MORE NUCLEAR POWER

While it is certainly true that prophets of doom have repeatedly and greatly exaggerated the rate of depletion of oil and natural gas reserves, it is equally true that these fuels are of finite supply and must ultimately be exhausted. While no one should now pretend to be able to predict when that exhaustion will occur—though many, from the CIA on down, do so pretend—it is a fact to be reckoned with in very long-range energy planning.

In speaking of the exhaustion of fossil fuels, it should be clearly understood that the oversimplified popular picture of a steady flow of oil and gas up to the point of exhaustion, followed by a sudden and complete cutoff, is economically absurd. Once it is apparent to the producers—as distinct from the products of governmental think-tanks—that most reserves are depleted and few more are likely to be found, production will be cut back and the price will rise. A fairly long period of adjustment may be anticipated.

So eventually we must develop an alternative to fossil fuels which is virtually inexhaustible and renewable. The only practicable alternative is nuclear power. The only other possible choice, solar power, is so diffuse that the equipment needed to concentrate it for really large-scale energy production is beyond all present technological horizons. Therefore, even though we have much more time than President Carter and the CIA think before our fossil fuels are used up, we need to advance in every practicable way the development of nuclear power which will be our only recourse when the fossil fuels truly do run low.

Nor is this only a necessity for the distant future. We need nuclear power right now—all we have, and as much more as we can get. Not only can it help significantly over the next 10 years to fill the gap between expected demand and limited supply; it can and does act as a reserve for times of crisis. This role of nuclear power is almost unknown, yet it was of enormous importance in the cold weather crisis last February, as Dr. Peter Beckmann graphically describes in the March 1977 issue of his outstanding newsletter, *Access to Energy*:

As the icy grip of winter tightened, U.S. electric output went up, until for the week ended January 8 [1977], it reached a value never attained before by any nation on earth—43,927 billion kilowatt-hours.

The awesome record stood for a whole week. The following week it was surpassed with 45,459 billion kWh. And it was broken again for the week ended January 22 (the latest figures we have), with an unheard of 45,639 billion kWh.

The week included the morning of Monday, January 17. That morning, the U.S. faced a crisis beyond the grasp of the ozone-layer warriors and the cocktail-party Cassandras.

The power was running out. A black-out from Michigan to Virginia threatened—not a little fun like November 1965, but a deadly blackout in the deep freeze, with massive loss of life.

11,000 MW of capacity was down on scheduled maintenance; and another 9000 MW stood helpless, because coal piles had frozen, or because the desperately awaited coal or oil

was on barges immobilized in the ice of the Ohio River. Appeals went out to industrial consumers to cut back demand. Dayton Power & Light was down to 50% capacity. Parts of Virginia, Georgia and Florida went black for periods of an hour or more. Like a horse that slows down before it collapses under the load, the 60-cycle frequency of the power net began to sag from Indiana to Virginia.

What saved the 90% coal-fired East Central States from disaster that icy morning?

Nuclear power did. From Illinois, from New York and from New England, the life-giving juice flowed in. Chicago's Commonwealth Edison, with 40% of capacity the nation's most nuclear utility, increased its nuclear output to 48% and came through. All of New England's nuclear plants, 'unsafe, uneconomic, unreliable and unnecessary,' were on line providing 30% of the region's output and came through. Beleaguered Con Edison of New York reduced its voltage by 5% so it could export; Indian Point, the thorn in the Penthouse Proletariat's flesh, came through, as did the nuclear plants of Niagara Mohawk and Rochester G & E.

Nuclear power, what little had survived the vicious onslaught by an intellectualized elite, had bailed out the eastern half of the country.

#### C. THE EFFECT OF GOVERNMENT RESTRICTIONS AND CONTROLS ON PRODUCTION

If a cynic about human nature were to undertake to prove that men are by nature irrational and incapable of learning from experience in serious matters of public policy, he could probably make his best case with reference to the stubborn refusal of so many men over so many years to recognize the restrictive effect on production of Government controls, notably price control.

Of course, men are rational and can learn from experience. But many find it peculiarly difficult especially in this area. When full allowances are made for every man's desire to be able to buy what he needs very cheaply, and for Government's conviction that its powers enable it to do almost anything it wants in society, it remains difficult to understand why the simple lesson of the effects of governmental restrictions and price controls on production should be so hard to learn.

All history bears witness to it. The first attempt to impose price controls in recorded history was by the Emperor Wang Mang of China in the year 9 A.D. A famous attempt was made by the Emperor Diocletian, absolute ruler of the Roman Empire, in 301 A.D. As governments have grown more powerful and the technical means of exerting power at their disposal have grown greater, such attempts have been made with increasing frequency.

The result is always exactly the same. The proponents of price controls have convinced themselves and others that the producers are making so much extra money that they do not need any more and cannot even use any more except on personal luxuries. But the fact turns out to be that once the price controls are imposed, it becomes uneconomical for most producers to produce the controlled products at all. They simply stop producing them, and go into other lines of work. The result is a shortage. Shortages follow price controls as night follows day. The controlled prod-

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uct becomes increasingly unavailable at the controlled price.

Where the nature of the product is such that it can be sold without government's knowing about it, a "black market" immediately springs up. Black markets have been a central feature of life in Communist countries ever since the first Bolshevik government took over in Russia, and will continue to be so long as communism remains in power. Without the "black market," in fact, the peoples in those countries probably could not live at all. Where the product, like oil or natural gas, cannot be concealed in quantities sufficient to meet any significant portion of the demand, the result of price controls is that less of it becomes available and more consumers have to turn to substitutes. This is what happened to automobile gasoline following the Arab oil boycott of 1973-74—which remained effective only so long as gasoline prices were artificially held down by our Government. This is what happened to natural gas in the cold winter of 1977.

It is also what happened to meat in 1973, and has been happening to apartments in New York City since World War II when rent controls were first imposed and have never since been lifted. Over and over again the economic truth has been proven that Government restrictions and controls create shortages. Yet the dream of getting value without paying for it is so perpetually beguiling that this lesson never seems to be learned.

When a product is in short supply, its price must be allowed to rise. Otherwise it will become less and less available, and even those who truly need it and are fully able to pay for it will be denied it.

But a price rise is helpful only if the increased price provides substantially more money from production. If it is the result of a direct or indirect tax, it is worse than useless except, to some extent, as a conservation measure—presuming it really works for this purpose. Certainly no tax can encourage production. But the ordinary consumer does not know, and is most unlikely to take the trouble to find out, how much of the price he pays for an essential product goes to the Government in taxes and how much goes to the producer. Every survey on the subject has shown that the public almost universally assumes that a much larger share of the retail price it pays goes to the original producer or manufacturer than is in fact the case. So deeply ingrained in this attitude that many people simply will not believe the truth, no matter from how high an authority it comes. Therefore, taxes on essential products in short supply make the situation worse by convincing people that they are paying more and getting less, while the producers are getting more and providing less. In fact, only Government is the gainer.

What this can lead to was vividly demonstrated by a mass protest against paying the bills charged for electric service by the Georgia Power Co. in February 1975. This protest was organized by a group known as the Georgia Power Project, which in December 1972 described

its objectives, in a widely distributed flyer, as follows:

We are socialists, working toward a time when the Company will be run and managed by its workers and consumers. We believe this is necessary not only for the Georgia Power Company but also for many other economic and political institutions which so dominate our lives.

Most of those supporting this protest had no idea of the background and objectives of the organization which promoted it. When I pointed out the facts in a public meeting, the protest quickly ended. But this avowedly socialistic group got its initial support from the anger of consumers over soaring electric bills and their unawareness of the fact that these increases were mostly due to Government action, not the greed of the company.

Direct restrictions on energy production in the name of protecting the environment have a crippling effect which is evident to anyone. Here, clearly, one danger must be weighed against another: The danger of real injury to the environment, and consequently to people, versus the danger of decreased energy production—which can be a very real danger both to livelihood and to health. In making this evaluation, the primary criterion should always be people, not the misplaced esthetics of those whom Dr. Beckman devastatingly calls "the Penthouse Proletariat."

When a coal miner dies of black lung disease or an elderly man with emphysema dies ahead of his time because of air pollution from a coal-fired powerplant, these are genuine injuries effected through the environment by energy production and strong arguments for using cleaner sources of energy, such as natural gas, hydroelectric or nuclear power. But to deny people the energy they need because an oil or gas pipeline might cross an animal trail, a new dam for hydroelectric power might imperil an obscure species of inedible fish, or a nuclear powerplant might remind certain activists of those bombs they want so much to ban, is not protecting the environment but injuring ordinary people for the sake of the romantic dreams and ideological prejudices of a relative handful of influential intellectuals.

Finally, in addition to the clear-cut effects of environmental restrictions and price controls in discouraging production, there is the constant and increasing burden of the immense paperwork Government now requires from energy producers. Many people still seem to have trouble grasping the fact that this paperwork is not something a few big businessmen can and will do in their spare time as a civic duty, but imposes a huge additional cost of doing business by requiring thousands of additional accountants, bookkeepers and report writers to be hired, who are for all practical purposes working for the Government while being paid out of the money Americans pay for energy and assume is going into the coffers of the big oil companies. The Government reporting requirements are, in economic effect, nothing more nor less than a hidden tax. The cost of this work, like the cost of all money paid by the consumer in taxes on

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energy products, is not available for investment in increased energy production.

It is absolutely necessary to increase our energy production. Yet Government's price controls and environmental restrictions are directly preventing it, and present and proposed taxes and new reporting requirements will deceive people into believing more money is available for increasing production than is actually the case.

## IV. A CRITIQUE OF PRESIDENT CARTER'S NATIONAL ENERGY PLAN

## A. IDEOLOGICAL STARTING POINTS

President Carter's national energy plan clearly starts from socialist, big-government premises. These premises, assumed without argument or discussion to be true, shape the entire plan and turn it in a direction that is not only wrong according to the thinking of advocates of free enterprise, but also will prevent the plan from achieving its own stated objective: enough energy for the United States. In short, it won't work.

The President's national energy plan lays down 10 basic principles. Not one of them so much as mentions the word "production." Nor do they have anything significant to say about the subject of production, even without the word. The first principle alone establishes the plan's ideological premises beyond the shadow of a doubt: "The first principle is that the energy problem can be effectively addressed only by a Government that accepts responsibility for dealing with it comprehensively."

In other words, the solution to the energy crisis must be found first of all in Government—and not through the withdrawal of Government from its interference which has done so much to create this crisis, but through even more "comprehensive" programs of Government of action.

If that is not a Socialist premise, what is?

Of the other nine principles, one particularly is singled out as "the cornerstone of national energy policy." It "is that the growth of energy demand must be restrained through conservation and improved energy efficiency." The primary emphasis—the "cornerstone"—of the President's energy program is therefore conservation; yet the plan itself later admits—page 95—that the maximum savings possible with conservation are the equivalent of 3 million barrels of oil per day in energy by 1985 and that we will still need the equivalent of 45 million barrels by then, 25 percent more than we now have. Being sure that at least we get that much, rather than struggling to save the 3 million barrels, should be the cornerstone of our energy program—and if it were, we might soon find that we could produce even more, and avoid the threat to employment and national economic growth which any severe restrictions on energy use obviously pose.

Why is conservation nevertheless designated the "cornerstone"? It would seem that it is because this is something Government can do. Government cannot produce one barrel of oil, but it can restrict the use of the oil that is produced. If the very first principle of our

national energy policy is comprehensive action by Government, then we have no choice but to concentrate on conservation since it is only in this area that Government can comprehensively act.

Of course, there could be another kind of Government action: decontrol. This is action in the opposite direction. It is anathema to "liberals." The 3-year, \$4 million Ford Foundation study on national energy policy, "A Time To Choose," managed in its hundreds of pages to avoid completely the question of natural gas price decontrol. Yet, as we have seen, a bill for that purpose almost passed Congress last year and even had the support of some "liberals." Decontrol is possible. At the very least, it is an option that ought to be considered. The seventh principle of the national energy plan does recognize that the price of energy sold should reflect its replacement cost. Natural gas is specifically mentioned as an instance where this principle has not been followed. Perhaps we should be grateful that the Government has finally recognized that it should not expect private companies to produce energy below cost. But that is a long way from decontrol—a long way from recognizing that there has to be a substantial return over cost to encourage and finance development of new energy sources.

The other seven principles are a combination of truisms and hopes—that economic growth must continue, that environmental protection should not be given up, that we should try to reduce our dependence on oil imports, that our national energy policy should take into account the needs of all citizens in all parts of the country and treat them all fairly, that Federal energy policy should not keep changing fundamentally, that we should make more use of energy resources in plentiful supply and less use of those in short supply, and that we should expand research and development into exotic new sources and potential sources of energy. It would be difficult to argue with any of these as stated. But they hardly get at the root of the problem.

Though the President's national energy plan is a little more rational than the Ford Foundation study, "A Time To Choose," it reflects many of the same crippling biases. Indeed, in the nuclear power area it appears to have adopted the Ford Foundation analysis almost without change—see below. All the emphasis is on what Government is doing and could do; little or nothing is said about what it might and should stop doing.

Severe energy scarcity is assumed to be inevitable, because no increase in domestic oil and gas production is expected or encouraged. The whole accent, on every page, is on restriction, not production—the exact opposite of what is needed to fulfill even the plan's own goals for national energy availability. Without greater freedom and incentive to producers, there is no way that the energy which even the plan recognizes that we must have can be produced, at least in this country. A continuation of the present price controls, bureaucratic delays, and blockage of the development of new energy sources in the name of protecting

the environment will make inevitable a greater and greater dependence on imported oil—exactly what it is one of the primary purposes of the plan to avoid.

## B. THE TAX PROGRAM

Two major new taxes are proposed by the national energy plan. One is a gasoline tax, which could rise as high as 50 cents a gallon. The other is a tax on fuel-inefficient new cars, the so-called gas guzzler tax.

Clearly the most vulnerable element in the entire program is the gasoline tax. It has been so widely condemned already that further criticism may seem to be "beating a dead horse." Yet this proposal is not an isolated aberration in the plan, but a logical consequence of its ideology and its entire approach to the energy problem.

Prices of scarce products rise. This is fundamental, obvious economic law. The rising price simultaneously discourages unnecessary consumption while encouraging greater efforts to find, develop and produce more of the scarce commodity.

When Government steps into the picture, it can essentially do just one of two things: either hold the price down artificially through price control, thereby making the shortage worse—as has happened with natural gas—or raise the price through taxes and keep the extra money for itself or those it favors, thereby helping somewhat in conservation while doing nothing about production. Of the two policies, price control is worse because it encourages consumption while discouraging production; taxation such as the President proposes for gasoline discourages both consumption and production.

The plan recognizes that the money collected through the gasoline tax cannot simply be retained by Government to increase its spending, but must be returned to the taxpayer in some way. But as everyone except the most fanatical big-Government ideologues now recognize, such money sticks to many, many bureaucratic fingers along the way. Whenever it is ultimately cycled to, much less comes out at the end of the cycle than went in at the beginning.

This is not to accuse anyone of actual dishonesty. It is simply that the process of cycling money through Government is immensely costly, and always will be. The studies that have been made of the operations of the Social Security Administration and how its efficiency compares with that of private insurance companies have certainly made this clear.

And whatever finally happens to the tax money collected, not one penny of it goes into the development of more energy production. Even the most rabid critics of big business have to admit that at least some of the money paid for energy, over and above costs, goes into development. None of the money collected by the proposed gasoline tax would go to that. For development purposes—for increasing production—it would be a dead loss.

Furthermore, a gasoline tax would be fundamentally unfair. The large-scale use of gasoline is absolutely essential to American life today. The vast majority of Americans drive every day to and

from work. Many drive 100 miles a day, or even more. It may be possible to extend car pooling, but whether this is practicable for a particular individual living in a particular home and holding a particular job is purely a matter of chance. Rapid transit development cannot begin to keep pace with the growth of the suburbs. It is incredibly slow and enormously costly. Many people simply have no choice about using large quantities of gasoline every day. They must or lose their job or their home. To tax their gasoline for reasons that have nothing to do with its production and availability, simply to help attain a nationwide conservation goal to which their individual contribution, no matter what they do, is far too small to measure, is an act of tyranny.

Fortunately, it appears that Congress sees this, and will not pass the legislation to implement this part of the national energy plan. But it should never have been suggested in the first place. That it was, demonstrates once again the pro-restriction, antiproduction orientation of the entire plan.

The other proposed tax, on large gas-guzzling automobiles, is perhaps somewhat more defensible. Some (not all) large cars are energy wasters and some people do buy them as status symbols or because it gives them a feeling of power or security. But the kind of people who feel this way and are able in today's high-priced car market to buy such automobiles are very unlikely to be deterred by a few hundred dollars tax penalty. And there are other people who very much need larger cars—usually station wagons—to transport large families. Nothing in the President's plan suggests that he or his advisers gave them a thought, and yet any Sunday spent on the road anywhere in the United States during the warm months of the year should have forcibly reminded them of the importance of the family station wagon.

Another factor, often overlooked, deserves to be mentioned here. A substantial number of low and lower middle income Americans today can only afford to drive an old gas guzzler. They cannot pay the high prices of new cars or even fairly recent compacts; only the old gas guzzler is within their means. So they waste gasoline because Ralph Nader and his allies have, by imposing one costly construction requirement after another on new cars, driven the price of the more fuel-efficient automobiles out of the range of these drivers.

#### C. CONTINUATION OF GOVERNMENT ENERGY PRICE CONTROLS

While on the one hand the national energy plan proposes to tax gasoline to promote conservation, on the other hand it clings stubbornly to Government price controls on crude oil and natural gas, though allowing some increases in present price levels. Retention of these controls discourages both conservation and production. In view of the price increases that are proposed, the consumer will pay more in any case; the difference between what he would pay under the President's program and what he would pay under full decontrol is slight. Who gains from

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a continuation of these price controls? What possible advantage do they offer?

The plan never comes to grips with these questions. It makes repeated references to a need to prevent windfall profits. It is time to face this foolish bugaboo squarely, because it always comes up in any discussion of energy pricing. What is so enormously evil about windfall profits? Does not every man on whose land oil is unexpectedly found enjoy a windfall profit—whatever is left after taxes, that is? Does it make any sense at all to deny American producers of "old oil"—oil developed before the Arab embargo—the present world price of oil while paying it to Arab sheiks who are enjoying the biggest windfall in history? Should we not give a few more windfalls to our own people rather than to Abu Dhabi and Kuwait, for example?

The plan also tries to make the absurd point that the oil companies physically cannot spend more money for development. While physical limitations may prevent production increases within limited periods of time, it is certainly nonsense to say that they make increased income useless for development. Money for development can always, eventually, be used. In addition, it should be remembered that over 80 percent of new oil wells are drilled not by the large international oil companies but by small independent producers for whom maximum incentive is needed since the majority of all the wells they drill are dry.

While the plan makes some price concessions allegedly to promote the discovery and development of new sources of oil and gas, the result of its retention of existing price controls right along with the concessions would be to plunge producers of both oil and natural gas into an incredibly complex multilayered pricing system whose Alice-in-Wonderland character becomes more apparent the more closely it is studied.

Take crude oil first. Crude oil is crude oil. It is all the same. But under the National energy plan, there are no less than three kinds of crude oil: First, "old oil," drilled before the Arab embargo of 1973-74 and the great worldwide increase in the price of oil, still held at the pre-embargo price of \$5.25 per barrel; second, a category which the plan does not name, but which we might call "less old oil" drilled between 1974 and 1977, still held at its present price of \$11.28 per barrel; and, "new oil," hopefully to be drilled as present price of \$11.28 per barrel; and third, "new oil," hopefully to be drilled as a result of the plan's generosity, for which the price would be allowed to rise until by 1980 it had reached the 1977 world price of \$13.50 per barrel.

So right now, while the Arab oil producers we are trying to import less from make \$13.50 per barrel from all their oil regardless of whether it is very old, less old, or new, American producers are restricted to the three different price levels all of which are less than the Arabs get. The greatest concession the national energy plan makes to our American producers is that by 1980 they will finally be allowed to collect what the Arab producers are getting this year—then maybe,

out of the goodness of the Government's heart, they will be allowed in 1983 to get the Arab oil price of 1980. So a plan which has as one of its primary objectives reducing our dependence on imported oil perpetuates a 3-year price advantage for imported oil over American oil.

Exactly the same approach, with if possible even less justification, is taken with natural gas. Here too a multilayered price system would be created. Natural gas now sells in the unregulated intrastate market at approximately \$2 per thousand cubic feet. Until 2 years ago, interstate natural gas prices were held down to the fantastically low level of 52 cents per thousand cubic feet. Is it any wonder we had a shortage last winter? Last year, while refusing to decontrol natural gas, Congress did allow its price to rise to \$1.42 per thousand cubic feet—still more than 50 cents below its actual market value. The national energy plan holds to that artificially depressed price for "old" natural gas—except for an allowance for general inflation—while permitting "new" natural gas to qualify for a \$1.75 per thousand cubic foot price—only half as much below the market price as the "old" natural gas. Worse still, this \$1.75 price ceiling is now to be applied to "new" natural gas sold intrastate, thus removing the present incentive of the \$2 price for intrastate natural gas development. Whatever is gained by raising the price for "new" interstate natural gas is taken away by lowering the price for "new" intrastate gas.

So the first tier in the natural gas pricing system is the \$1.42 per thousand cubic foot price for "old" gas sold interstate; the second tier is the \$1.75 price for "new" gas wherever sold; and the third tier is the \$2.00 price for "old" gas sold intrastate. Natural gas can be imported in quantity, but it is a much more expensive process and not nearly as efficient. We must produce most of what we need ourselves. In this area there are no sheiks to bail us out even if we wanted to let them.

Thus, rejecting natural gas price decontrol which came within just four votes of passing the House of Representatives in 1976, President Carter's plan actually extends the price control system for this vital energy source. This could well make shortages next winter even more severe. And this is done without even attempting to justify the wildly varying and complex pricing system, one of the most striking imaginable illustrations of how Government's efforts to correct its own past errors involving intrusion into the market place, by still more intrusion into the market place, simply compound the problem.

#### D. UNJUSTIFIED FEAR OF NUCLEAR POWER DEVELOPMENT

One of the very worst features of the national energy plan is its absolute ban on the development of the plutonium breeder reactor.

In the other specific areas covered in this critique, at least the plan was attempting to respond to a real problem or a real need, however wrongheadedly. Some effort to conserve energy should

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be made. A major effort to limit our dependence on oil imports should be made. Grudging as is its admission that gas and oil prices must rise, confused and inadequate as is the weird pricing system the plan would impose, it does represent to some degree a concession to economic reality. But with regard to the plutonium breeder reactor the plan, in startlingly harsh and uncompromising language, simply closes the door on the most promising new source of energy now available to us.

Here is how the door is closed:

The United States will defer indefinitely commercial reprocessing and recycling of plutonium, as well as the commercial introduction of the plutonium breeder. The President is proposing to reduce the funding for the existing breeder program and to redirect it toward evaluation of alternative breeders, advanced converter reactors, and other fuel cycles, with emphasis on nonproliferation and safety concerns. He also is proposing to cancel construction of the Clinch River Breeder Reactor Demonstration Project and all component construction, licensing, and commercialization efforts.

It is surely not coincidental that the Ford Foundation's energy policy project which produced the pro-Government, antiprivate enterprise report "A Time To Choose" 3 years ago, made this identical recommendation under the directorship of S. David Freeman, who has now become an energy policy adviser to President Carter. The recommendation of Freeman's committee, presented at the conclusion of "A Time To Choose," reads as follows:

The breeder reactor program, to which we have committed a major portion of the federal research and development funds, is an outstanding example of the neglect of public participation as well as independent assessment, and of failure to protect the public treasury. We recommend that the present open-ended government funding commitment to the liquid metal fast breeder reactor demonstration project be terminated immediately.

Subsequently the Ford Foundation issued another study, report, and recommendation confined solely to the nuclear breeder reactor program, recommending its abandonment. This is the position the President—no doubt with much nudging from Mr. Freeman—has adopted. What is its rationale, and what will be its consequences?

The rationale, such as it is, is almost entirely psychological and political rather than technically realistic. The decades-long debate about atomic weapons has made it almost impossible to discuss objectively in public any question relating to nuclear energy. The reaction of many people to any mention of the subject is simply one of blind fear, and refusal to listen to the facts. The reference in the national energy plan to safety as one of the primary reasons for killing the breeder reactor reflects a surrender to this attitude.

As Dr. Petr Beckmann, professor of electrical engineering at the University of Colorado, establishes by overwhelming evidence in his very important book, "The Health Hazards of Not Going Nuclear" (Boulder, Colo., 1976), nuclear energy production is by far the safest of all forms of energy production—ap-

proximately 100 times safer than the others. Nuclear energy production has not yet led to a single fatality, while oil fires and the black lung disease of coal miners take many lives each year. The waste products of nuclear energy production, contrary to popular belief, are far less dangerous than those from coal production, are small in volume, and can easily and with complete safety be buried in stable salt formations underground. The danger of a nuclear explosion, which is what most people really think about when they hear the words "nuclear safety," is virtually nonexistent.

So far as plutonium goes, widely circulated and terrifying statements about its toxicity are enormously exaggerated. Its only real danger is when inhaled in dust form. All radiation from plutonium is stopped by any intervening solid, even if it is as thin as a sheet of paper or of plastic. The use of plutonium in reactors can be controlled, as in any nuclear reactor, more safely and reliably than any other energy source because it is so small and easily confined. Many tons of plutonium have been handled and successfully guarded in our nuclear weapons establishments for more than 30 years, along with the production, refining, manufacture, and storage required, with no significant problems. So safety is simply not a real issue.

Nuclear proliferation, the other reason mentioned in the national energy plan for killing the breeder reactor program, is a serious political problem but one that can hardly be solved simply by our denying ourselves the benefits of this advanced form of nuclear power. Great Britain, France, West Germany, and Japan all have breeder reactors. Far from stopping their breeder reactor programs because we do, they are all the more likely to step them up. Apparently the Ford Foundation report on plutonium actually expects people to believe that if the United States decides not to develop plutonium breeder reactors, everyone else will be shamed into making the same decision so that there will be less nuclear proliferation.

It did not happen with the supersonic airliner, as the world knows from the Concorde—we stopped building it, but other nations went ahead—and it certainly is not going to happen with the plutonium breeder reactor. All we can do by halting its development is to put ourselves behind other countries in energy production and make our energy crisis still worse.

Why is the plutonium breeder reactor so important? Dr. Beckmann gives the answer in four hard-hitting sentences:

The beauty of breeding nuclear fuel is that it does not, like uranium enrichment, use energy; on the contrary, it produces it. A breeder not only converts fertile material into fissionable fuel; it produces energy at the same time. \* \* \* The possibilities of the breeder boggle the mind. Consider just this single aspect: if no more than the uranium tailings ( $U_{238}$ ) now going to waste in storage vessels around the country were used as breeder fuel, they could provide the energy now imported from the Organization of Petroleum Exporting Countries for 700 years.

That is what the President's national energy plan gives up by killing the plutonium breeder reactor.

## V. A CONSTRUCTIVE PROGRAM TO STIMULATE ENERGY PRODUCTION

## A. OIL AND NATURAL GAS DECONTROL

The most fruitful single action Government could now take to solve the energy crisis through increased production would be to remove all price controls on crude oil and natural gas.

This should be accompanied by a drastic reduction in the bureaucratic procedures that must now be followed, and clearances that must now be obtained, before new oil wells are drilled, whether on dry land or under the oceans on the continental shelf.

All reasonable safety measures to prevent environmentally damaging oil leaks and spills should be kept in effect.

By contrast to the expectation of no increases, and possibly even decreases, in domestic oil and natural gas production in President Carter's national energy plan, these actions, by industry estimates, would increase domestic production of crude oil by 5 percent and of natural gas by 20 percent during the next 8 years.

If outcries, however ill founded, about unconscionable oil company profits proved an insurmountable obstacle to full decontrol, an acceptable compromise position would be to remove the price controls but impose sufficient income reporting requirements to be able to enforce a law requiring that a specified percentage of the return to oil companies from increased prices for crude oil and natural gas would have to go directly into production development, rather than being distributed to stockholders.

What ever else can or cannot be done in this area, the whole "Mad Hatter" distinction among very old, less old, and new oil ought to be scrapped without worrying about windfalls. This has led to situations where independent oil producers beg the Federal Energy Administration to tell them whether oil struck by a new well they are thinking of drilling would be classified as "new" or "old"—and the FEA refusing to tell them in advance, probably because they do not know themselves. Since the price differential is more than double, this is, to put it mildly, a rather significant economic consideration in well drilling.

Contrary to many charges, the oil industry is not a monopoly. There is active competition among oil producers. This competition, with decontrol, would encourage the development of more oil supplies and would prevent excessive price increases. After a thorough study, the energy policy research project of George Washington University concluded, in its report entitled "Competition in the Oil Industry"—Washington, D.C., 1975, 1976—that:

The oil industry is one of the least concentrated in the United States. There is no evidence that the major oil companies have expanded their share of the marketplace at the expense of independents. Indeed, the evidence, if anything, suggests the opposite. Nor, as a rule, does it seem that the majors have used vertical and horizontal integration, joint ventures, exchange and processing agreements, or interlocking directorates to engage in anti-competitive practices. Finally, oil industry profits, when viewed in their historical perspective, have not been excessive; nor

were recent short-lived increases in profits "unconscionable."

Decontrol should not mean a complete removal of all regulation designed to protect the environment, but it should mean a much more commonsense approach to this matter than has prevailed in recent years, and the regulations that are retained should be applied by State and local governments rather than by the Federal Government, except in the case of offshore oil, which is under direct Federal jurisdiction. Much more than the remote possibility of damage should be demonstrable before an oil or gas producing plant or well is shut down, or development of new plants and wells prohibited or long delayed. Remote possibilities of damage are always with us; and we know from past winters that the damage from energy shortages is no longer remote and can be very great indeed. Irresponsible and baseless incitement of environmental panic should be harshly criticized whenever it appears, and should never be allowed to influence governmental decisions. The "disaster lobby" should be made to prove its case, not simply assert it. One is tempted to suggest that each of its major leaders, as a condition of being taken seriously by intelligent men, should be required to debate his conclusions publicly with Dr. Petr Beckmann.

The only real problems of pollution relate to air and water. Even the Ford Foundation study, "A Time To Choose," admits that—

Recent cleanup efforts appear to have improved air quality, with measurable reductions in the concentration of particles and sulfur dioxide in urban air in recent years.

It further states that dangerous air pollution is only likely to return if there is widespread reconversion from oil-fired to coal-fired plants without adequate scrubbing of the ash and smoke emissions. Thus increased production of oil—and more nuclear power—will help keep air pollution low—though this conclusion, obvious as it is, does not appear in the Ford Foundation report.

It is with regard to water pollution that the great current panics pertaining to the production and transportation of oil are spread. Periodically it seems that there is another major scare story in the newspapers about oil spills in the ocean, from a series of wrecked or leaking tankers. Not too long ago there was the blowout of a well in Norway's Ekofish field in the North Sea. Certainly oil spills and blowouts are destructive and dangerous and should be prevented by any feasible means. But they are not the kind of doomsday threat often portrayed. Readers of this year's scare stories on oil spills should stop and think: Did any one of the highly publicized spills actually do any measurable damage at all, to nearby coasts or to ocean life? The answer is "No." Each of them, from the sunken tanker spill near Nantucket Island last winter to the Ekofish blowout, was broken up by wind and wave action and did no harm at all.

It is true that we cannot always expect to be so fortunate with major spills. But

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the recent record suggests that most of the time they do no harm.

The objection to oil producing equipment, particularly offshore, as unsightly will not bear a moment's serious consideration. When it comes to the life-blood of our economy, to cut it off because some people do not like the looks of it is surely the height of folly.

Government decontrol—except for the basic regulations genuinely needed to protect the environment—is the answer and the corrective to our declining domestic production of oil and natural gas, and our increasing and precarious dependence on imported oil. We may not be able to attain complete self-sufficiency in energy, or in oil and gas, within 10 years, but we can move much closer to it than we are today. In the national energy plan, Government admits that it can do nothing—evidently it does not want to do anything—to increase oil and natural gas production. Our oil and natural gas producers want to do much more, but they are held back by Government controls, redtape, absurd distinctions, and endless delays. If they are freed of these restraints, they can and will do for us what they did in the 1930's and 1940's and 1950's before the restraints were put on, and give us abundant energy from fossil fuels—at somewhat higher prices than today's, but still readily available—until nuclear energy is ready to take over once our reserves actually begin to run out.

A new development points up all the more clearly the potential for increased production in this area. Studies by Dr. William M. Brown of the Hudson Institute and Professor Jones of Louisiana State University show that the highly pressurized water often struck during drilling for oil along our gulf coast is saturated with methane, the main ingredient (95 percent) of natural gas. The potential energy in this methane is enormous; the lowest estimate is that it would be equal to the entire energy consumption of the United States at present rates for 62 years. And there is substantial evidence that the actual amount of methane recoverable from this pressurized water, continuing to flow into the wells as it is extracted, could come to six times that figure.

As Dr. Beckmann says:

If the Gulf Coast does indeed hold such a vast treasure, then there is only one human institution willing and able to keep it underground—government. It will, no doubt, be assisted by the inevitable environmentalists who will point to the land subsidence and the possibility of triggering earthquakes (prove that they can be ruled out!)

But ultimately, success—or even verification—will depend on whether the government, all three branches of it, will make their only effective contribution, which is to get out of the way. With price controls on natural gas at artificially low prices, this energy source, like so many others, will be kept uncompetitive—"Access to Energy," May 1977.

### B. COAL PRODUCTION

The United States has one-third of all the coal reserves in the world. This is an enormous potential source of energy, but it is not as efficient per unit weight as other major energy sources, and its use

does pose genuine environmental hazards.

Typically, the President's national energy plan proposes to solve these problems and increase the use of coal by industry through taxes on industrial use of oil and natural gas to drive up the price so as to make coal competitive, by investment tax credits to encourage conversion to coal, and by appointing various committees to study coal pollution problems. But any intelligent observer of Washington should now know that all such committees do is perpetuate themselves and spawn more committees. The differential taxes would simply hamper oil and gas development without helping coal production, since the cost of coal presumably would remain at or near its present level.

Increasing coal production is not quick or easy. The Bureau of Mines estimates that an additional 200 million tons per year (equivalent to 2 million barrels of oil per day) can be produced by 1985. We will probably need that much more in any case; it cannot be regarded as a substitute for oil and natural gas.

The best way to encourage coal production now would be to remove crippling environmentalist restrictions—not on the burning of coal, which must be closely watched because it can seriously pollute the air, but on the mining of coal in ways which environmentalists consider unsightly: surface or strip mining. While it is possible that some restrictions on strip mining are needed to prevent severe erosion and land subsidence, the usual objections to it are simply based on esthetic considerations and the desire to preserve land as unspoiled wilderness even though we already have millions of acres in national parks and wilderness areas legally set aside for that purpose, and protected from strip mining.

There are enormous reserves of low-sulfur coal in our Western States, ideal for generating electricity with a minimum of air pollution. But most of this coal lies too close to the surface to be mined by underground methods. It has to be strip mined. Actually, this technique has many advantages over underground mining. It is much safer for the workers. It can be done faster, more efficiently, and with less capital investment. It does not look pretty. But what is the price of not permitting it?

No coal mining should be prohibited by law unless there is clear evidence that major, tangible environmental damage would result from it.

The development of unconventional energy sources should be encouraged in every economically practicable way, but they should not be expected to pick up any really significant portion of the load being carried by oil, gas, coal, and nuclear power much before the end of the century, if then. Solar power is the darling of the environmentalists, who do not appear to have troubled to make any serious study of it. Because solar energy is so diffuse, it takes vast and expensive collecting areas to convert it into usable forms of energy. As Dr. Beckmann points out in "The Health Hazards of Not Going Nuclear," an electrical generating plant using fossil fuels or nuclear power to pro-

## EXTENSIONS OF REMARKS

duce 1,000 megawatts occupies only a few acres, while to get that much output from solar energy would require 50 square miles of collecting equipment. The most optimistic forecasts for solar power are that it could produce the energy equivalent of 1 million barrels of oil per day by 1985 and 2 million by the year 2000.

If this can be done it should be done, and the tax credit and tax forgiveness proposals for solar power development in the national energy plan might actually help. But there is no way that any feasible expansion of solar energy production even by the end of this century could make a really large contribution to solving our energy crisis.

The same is even more true for other unconventional energy sources such as wind power and geothermal power (except for the methane-bearing aquifers discussed above, which can soon become a major byproduct of natural gas production if natural gas is decontrolled).

Second only to decontrol of oil and gas, the full-scale development of nuclear energy at all levels of present or near future technical feasibility would be the best way to increase energy production in the United States. Here, as in the case of oil and gas, the President's program makes a few tentative gestures in the right direction—such as his different suggestion that 10 years is rather too long a time for Government to take to license a nuclear plant—but then comes down solidly on the wrong side in ruling out the plutonium breeder reactor.

Half measures and wrong measures in the nuclear field are particularly damaging because, even without bureaucratic interference, the leadtime to develop nuclear energy production is the longest of any of the present major sources of energy. Government foot-dragging and environmentalist hysteria have already vastly delayed the development of nuclear power, thus helping to create the present energy crisis. Utilities have actually canceled 70 percent of the nuclear plant construction originally scheduled for 1985. The power industry had expected that by 1980 no less than 22 percent of the Nation's electricity would be generated by nuclear power plants. Now the best that can be hoped for, if all 175 nuclear power plants now licensed or under construction are completed on schedule (for it takes 10 years to build one—on top of the 10 years which President Carter admitted are often required to get a permit to build) is that 10 percent of our electrical energy will be nuclear-generated by 1985. This is an appalling slippage in the midst of an energy crisis. We are going to do less than half as well in this area as we had expected and should have been able to do—5 years later.

Even so, it is estimated that nuclear power will supply between 4 and 6 million barrels of oil per day in energy equivalent by 1985, up from just under 1 today. This spectacular prospective increase, even after this industry has been so badly hobbled, clearly demonstrates the enormous potential of nuclear energy.

The safety, reliability, and enormous

potential of nuclear power has been convincingly demonstrated. Opposition is based almost entirely on irrational fears and fuzzy politics. The rejection of anti-nuclear-power referendums by voters in seven States in 1976, by margins ranging from 58 to 71 percent, shows that despite the well-crafted propaganda of the anti-nuclear crusaders, the majority of the public has not been fooled. The national energy plan support for light water reactors combined with opposition to plutonium breeder reactors is simply playing politics with the Nation's whole economic future. This pathetic compromise ought to be flatly rejected. Government should reduce licensing procedures for new nuclear plants to a simple check to make sure that necessary safety regulations can and will be effectively enforced, continue to support research and development of the plutonium breeder reactor, and take the same steps to encourage its commercial use that the national energy plan recommends for the much less promising solar power. The wrath of Ralph Nader & Co. would be great. But every single American—even including them—would benefit.

There is one real problem with nuclear energy as it is now used. So long as we are employing the fission process, the basic raw material must continue to be uranium (though the extraction of nuclear energy from uranium can be made much more efficient through the plutonium breeder reactor and the recycling of used fuel rods, both of which would be banned by the Carter energy program). Uranium, like oil and gas, is in relatively short supply. In fact, there is some evidence that it may run very low even before oil and gas do.

The ultimate answer, as pointed out earlier, is nuclear fusion, the energy used in the hydrogen bomb. Instead of scarce uranium, it would use heavy water, the isotope of hydrogen called deuterium, readily obtainable from sea water. The brief comments on fusion in the national energy plan indicate that it shares the Atomic Energy Commission's long-established view that energy production by fusion will not be practicable for decades. It is true that even a crash program to develop energy production through fusion would almost certainly be unable to produce significant amounts of energy from this source by 1985. But the time to begin is now, because only this road can take us to the energy production we will ultimately need.

An energetic and dedicated private company, KMS Industries, headquartered in Ann Arbor, Mich., has perhaps shown the way. Where Government gave up, they went to work. In 1969, scientists at KMS began exploring the possibility of laser fusion, a method for releasing fusion energy that relies on laser beams not only to furnish the energy to implode fusion fuel, but also to bring about the condition for the release of energy. Keeve M. Siegel, founder of KMS Industries, formed KMS Fusion, Inc., a subsidiary, to work exclusively on laser fusion. Money to support its work came largely from the sale of other divisions of KMS Industries during the following years.

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But when Siegel applied to the Atomic Energy Commission for patents, he was ordered to stop his research. The scientist in charge of it was ordered not to discuss the subject with his coworkers, and to refrain from making any more calculations with regard to laser fusion, except in his head. (The Government just could not figure out a way of stopping him from doing that.)

Siegel hired lawyers to challenge the ruling, and in February 1971 the Atomic Energy Commission granted a contract permitting KMS to work in laser fusion without Government funds or access to Government information, but under Government contract. The contract asserted the Government's right to contest any patents issued to KMS, and it prohibited KMS from hiring any scientist, technician, or engineer who had ever worked in Federal laser or nuclear weapons programs. Later KMS was allowed to hire people who had been out of such Government work for 2 years or more.

Thus, after 2 years of delay, KMS Fusion was able to hire experienced personnel and begin large-scale work. At that time, an Atomic Energy Commission spokesman said:

We do not believe it will be possible for such a firm to compete with the vast experience and resources of our laboratories.

Nevertheless, in May 1974, KMS Fusion announced that it had "obtained unambiguously high energy neutrons from a process of laser fusion." That is, the little private company had achieved laser fusion in its laboratory—something that teams of Government-financed scientists in university laboratories and in huge Government laboratories all over the world had not yet accomplished.

Siegel claimed the KMS accomplishment as "the beginning of the fusion age." He predicted that, if politics did not intervene, powerplants using the limitless energy locked up in sea water could be operating in the United States by 1985. Since the KMS Fusion work, other breakthroughs in fusion technology have occurred.

The history of KMS vividly demonstrates what we ought to be doing—but have not been doing—in the development of nuclear fusion power. Private initiatives such as that of KMS should be encouraged and helped in every possible way, not blocked and hampered. The kind of assistance through tax credits and tax forgiveness that the President's national energy plan proposes for solar energy development should be given instead, and on a much higher priority, to companies like KMS developing nuclear fusion. Where Government subsidies are necessary to continue work already in progress, they should be provided, so long as they never become the total or primary source of funding. But the long-term objective should be to phase Government out of the whole energy production field and clear the way for full private funding of such vital energy research and development projects as that undertaken by KMS Fusion.

## VI. SUMMARY AND CONCLUSIONS

Our energy crisis is real. Its fundamental cause is not some inevitable consequence of dwindling supplies and increasing demand, but the large-scale Government intervention in the energy market and energy production, and Government's general hampering and harassment of private enterprise, during the past quarter century in particular. The only cure is to remove the controls, interventions, and harassments by Government which have caused the crisis.

Energy conservation measures, the principal emphasis of President Carter's energy program, are at best a partial stopgap measure, and at worst counterproductive. No amount of energy which we could ever reasonably expect to save through conservation can make up for failure to increase production. We must either greatly increase our energy production, greatly increase our oil imports, or fall victim to an economic disaster due to energy deprivation which would make the Great Depression of the 1930's look like the proverbial picnic.

Government price controls on energy must be removed. Like all price controls, they inevitably produce shortages. Environmental restrictions on energy production must be brought down to a reasonable level and imposed only when there is real danger to life and health locally, which is definitely not the standard employed today. The best agencies to determine the existence of such dangers are State and local government, closest to the people. Any reasonable reading of the Constitution should make clear that it is State and local, not Federal Government which should be charged with this responsibility.

The irrational fear of nuclear power must be overcome and nuclear energy development given top national priority. President Carter's proposal to kill the plutonium breeder reactor program is a grievous error which should be condemned by every American who wants to see a continuing flow of needed energy for himself and for his children.

The ultimate answer to the energy crisis can only be the development of nuclear fusion power using seawater as fuel. The laser fusion process appears now to be the only practicable means of developing commercial use of nuclear fusion for energy production before the end of this century. It should be encouraged in every possible way, with Government subsidies for research and development where necessary to support ongoing programs—but not with strangling Government controls—until we reach the stage, hopefully soon, when such research and development can and will be financed by private power companies.

## SYNOPSIS

Sound and reasonable discussion of the energy situation in the United States today ought to begin with some solid commonsense—hard and simple.

If you are running short of something you must have, your top priority should go to getting more of it. If you are told that getting more will be risky, you must evaluate the risk in light of the consequences of not getting more. If the facts

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conflict with your wishes, you had better respect the facts. Wishful thinking is a luxury of those dwelling in security. In a critical situation, it is a short cut to a quick death.

If we lack energy—and we do—we must get more. Obviously, this is not to say that we should waste it. But no one can turn back the clock to the days of preindustrial society, however much some in romantic moments might like to do that. We are going to need more energy for as far ahead into the future as we can realistically see. And we will get the energy we need only by producing it, not by restricting its use, or restricting the work of the producers.

If there are environmental dangers, they must be studied and overcome. But they cannot simply be banished by cutting back all types of energy production. In today's society, a sufficient loss of available energy will kill—as dead as those (fortunately few) who froze in unheated houses in the past record cold winter. Severe, even if not deadly energy losses will throw thousands or millions out of work (as also happened last winter) and undermine our whole society and way of life. Alleged environmental dangers must be measured against these hard realities of the loss of available energy. Any government which will not measure them in this way could become a destroyer of its own people.

Any Government program for dealing with an energy crisis which does not put primary emphasis on production of energy is certain to make the problem worse. Any such program ignores the obvious need for the sake of political expediency, radical ideology, romantic longings for unspoiled wilderness (how many would really like to live in one, year-round?), and bureaucratic power-grabbing. We can probably learn to get by with somewhat less energy than we otherwise would have used, in future years. But we are still going to have to produce more—a great deal more—if we are to survive at all.

Our present energy crisis is real. Its fundamental cause is not locked away in some unfathomable mystery of dwindling supplies and soaring demand; rather, it is the large-scale Government intervention in the energy market and in energy production, and Government's general hampering and harassment of private enterprise, during the past quarter-century in particular. Government produces no energy; all it can do is restrict production, or the use of the energy that is produced.

The only solution to the energy crisis, therefore, is to remove the controls, interventions and harassments by government which have caused it.

President Carter's national energy plan does not take this road. Not one of its 10 basic principles so much as mentions the word "production," to say nothing of decontrol. Instead, the very first principle establishes the plan's socialistic orientation beyond the shadow of a doubt:

The first principle is that the energy problem can be effectively addressed only by a Government that accepts responsibility for dealing with it comprehensively.

Of the other nine principles, one particularly is singled out as "the cornerstone of national energy policy." It "is that the growth of energy demand must be restrained through conservation and improved energy efficiency."

Energy conservation measures are at best a partial stopgap measure, and at worst counterproductive. No amount of energy which we could ever reasonably expect to save through conservation could make up for failure to increase production. If all the goals of the President's conservation program should be realized, we would be saving the equivalent of 3 million barrels of oil per day by 1985—while our overall demand for energy has still risen by 9 million barrels of oil per day over its present level. And severe mandatory cutbacks in energy use could plunge us into a recession which would still further hamper energy production and thus make the problem worse.

Essentially, we have three choices: First, greatly increase our energy production, primarily from oil and nuclear power; second, greatly increase our oil imports; third, prepare for an economic disaster due to energy deprivation which would make the Great Depression of the 1930's look like a picnic.

Obviously, the first choice is the best. Reliable estimates show that oil, gas, and nuclear power production could be increased sufficiently to meet all our anticipated needs by 1985, with moderate and reasonable conservation (not going as far as the President's plan), and even reduce our dependence on oil imports. But to accomplish this requires courage and vision in changing our present Government policies on energy—including those set forth in the President's national energy plan.

Government price controls on energy must be removed. Like all price controls, they inevitably produce shortages. Environmental restrictions on energy production must be brought down to a reasonable level and imposed only when there is real danger to life and health locally, which is definitely not the standard employed today. The best agencies to determine the existence of such dangers are State and local government, closest to the people. Any reasonable reading of the Constitution should make clear that it is State and local, not Federal Government which should be charged with this responsibility.

The irrational fear of nuclear power must be overcome and nuclear energy development given top national priority. President Carter's proposal to kill the plutonium breeder reactor program is a grievous error which should be condemned by every American who wants to see a continuing flow of needed energy for himself and for his children.

The ultimate answer to the energy crisis can only be the development of nuclear fusion power using seawater as fuel. The laser fusion process appears now to be the only practicable means of developing commercial use of nuclear fusion for energy production before the end of this century. Its development should be encouraged in every possible and constitutional way.●

## ACTION ON TRUCK-UNLOADING RACKET

## HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. CONTE. Mr. Speaker, the House Small Business Committee, on which I serve as ranking minority member, this year completed an in-depth investigation into various impediments in the marketing and pricing of meat. One major problem that the committee unearthed involves the payment of exorbitant and in some cases extortionate fees paid to dock workers—known as lumpers—for unloading meat from incoming trucks. My colleague and chairman of the House Small Business Committee, Honorable NEAL SMITH of Iowa, recently wrote an article on the committee investigation and recommendations which appeared on the editorial page of the Des Moines Register, Saturday, October 14, 1978. I would like to insert the article in the RECORD at this time:

## ACTION ON TRUCK-UNLOADING RACKET

(By Neal Smith)

Hundreds of truckers pull into grocery chain warehouse docks across the nation each morning. In too many cases they are threatened, abused and ripped off—forced into making illegal or unnecessary payments to have their shipments unloaded. Many pay without question because they know that failure to do so will result in costly delays, or worse.

The money, in most cases, comes directly from their pockets. It is always cash. It is rarely repaid to the trucker by the shipper. It is seldom reported for tax purposes.

The recipient will not even provide a sufficient receipt to enable the trucker to prove to the Internal Revenue Service that a deductible expense was incurred.

Depending upon the city, the unloading charge ranges from \$30 to \$120. In some cases, the unloaders, or "lumpers," may be tied in with a local racket or with organized crime.

For the past year, the House Committee on Small Business has been investigating impediments in the marketing and pricing of meat. During the course of this probe, one central aspect has been the transportation of meat products into the marketplace. The committee has found that a serious consequence of these conditions is a trend toward the abandonment of refrigerated truck transport service on an ever-increasing scale by independent owner-operators who do most of this hauling.

Witnesses called before the committee have vividly documented the problem.

Nate Magid, a partner in the now-defunct Raskin Packing Co., of Sioux City, described the difficulty in having his product unloaded in East Coast markets. He said that it cost him roughly 10 cents per 100 pounds for unloading, and estimated that these charges amounted to about \$1,400 per week.

Murlin John Burch Sr., a trucker from Waterloo, testified that he was forced to wait for two days at a Maryland grocery chain warehouse because he didn't have enough cash to pay lumpers to unload his truck. It did not matter that he could have unloaded the truck himself; he was not allowed to.

Joe David Martin, former independent owner-operator from Fresno, Calif., told the committee: "I was badly beaten at the Safe-

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way compound in Richmond, Calif., nearly two years ago when I refused to hire lumpers to unload my cargo." He said the unloading charges in the San Francisco area are \$65 to \$120 per load.

Interstate Commerce Commission Special Agent Edward Bill, who has investigated the lumper problem in the San Francisco Bay area, told the committee he believes that organized crime receives a piece of the extortionate unloading fees being paid by truckers.

Committee investigators and news reporters have ridden with truckers and have witnessed these payments. Although in some cases a service is rendered that the trucker wants, many times it is unwanted. Furthermore, while the trucker, in some cases, would not mind paying a reasonable fee to have his truck unloaded, frequently the amount he is told to pay far exceeds the value of the service.

Interviews with lumpers reveal that large sums of money can be earned working the grocery loading docks, and that it is neither reported for income tax purposes nor included in the Social Security benefit system.

In addition, the IRS has added to the confusion by claiming that a somewhat ambiguous 1947 Supreme Court decision supports its ruling that lumpers are employees of the truckers and, therefore, truckers are responsible for withholding taxes and Social Security payments even though the work is performed on someone else's premises. Independent owner-operators and selected trucking firms are now being levied upon for these payments by the IRS.

The Committee on Small Business has made these recommendations:

The Interstate Commerce Commission is advised (1) to work closely with law-enforcement agencies to put an end to abuses of truckers by lumpers; (2) not to permit a warehouse to participate in any scheme that forces a trucker to violate the tariff under which he operates by paying for unloading when the receiver is supposed to do so; (3) to assign an adequate number of enforcement personnel; and (4) to work closely with the IRS on tax liabilities being assigned to truckers and trucking firms forced to pay lumper fees.

The committee advises the IRS to update its policies regarding the relationships of truckers and lumpers so that the unloaders be considered either employees of the receiver or independent contractors. It also urges the IRS to pursue a more vigorous approach toward identifying unloaders and collecting the appropriate amount of federal tax on their wages.

The committee recommends legislation that would remove from carriers any responsibility for the task of loading and unloading; would make the issuance of false receipts for loading or unloading fees a crime, and would subject to criminal penalties the operator of a warehouse, port, terminal or distribution center who knowingly permits robbery, extortion or extortionate practices.

For years, independent owner-operators and trucking firms have been abused by lumpers at grocery warehouse docks. It is time to end these abuses.

## TRIBUTE TO CONGRESSMAN DELANEY

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to

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the outstanding service in Congress of our distinguished colleague JIM DELANEY.

JIM DELANEY is the last of the four outstanding chairmen I have had the honor to serve under during my 18 years on the House Rules Committee. His imprint remains on all the major legislation which, of necessity, has passed through the Rules Committee all these years.

This dean of the New York delegation will also always be remembered for his famous Delaney amendment, affecting the purity of all foods and drugs consumed by the citizens of this Nation.

Reta and I extend to JIM our warmest wishes for an enjoyable fruitful retirement.

JAMES J. DELANEY

## HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LENT. Mr. Speaker, I am honored to join with my colleagues in paying tribute today to one of the outstanding leaders of the House of Representatives, the Honorable JAMES J. DELANEY. I know that my colleagues appreciate the loss this body will suffer with the retirement of JIM DELANEY.

His record of quiet effectiveness has seldom been equalled. JIM's thorough understanding of the legislative process, his wisdom and above all, his good humor, have marked JIM as one of the most able legislators in our time.

As chairman of the House Rules Committee, JIM DELANEY was noted for the fairness of his rulings, the firmness of his decisions and his ability to resolve differences. These are indeed, notable qualities of a leader, and in those qualities JIM DELANEY has few peers.

Nor has his service as chairman of perhaps the most powerful committee in the House of Representatives interfered with his efforts to attend to the needs of his constituents. The high regard in which he is held in the Ninth District of New York is shown by the fact that JIM has received the nomination and support of the Democratic, Republican and Conservative Parties of his district. That accomplishment is almost unparalleled in New York State's political annals. It is a striking tribute to JIM DELANEY's ability as a public servant. There is little doubt that had he decided to continue his service, his constituents would have continued to honor him with reelection, as they have done every 2 years since 1948.

I would like to add a special tribute to JIM DELANEY's efforts on behalf of that unique area of New York known as Long Island. We who represent Long Island know and admire the effort JIM DELANEY has invested in helping achieve the bipartisan cooperation needed to attend to the varied needs of our island community. Without JIM DELANEY's invaluable assistance, I am certain that our successes would have been fewer.

Now that Jim has chosen to put aside the heavy duties of public office which he has carried so ably and effectively for the past three decades, I know that every one of my colleagues will join me in extending warmest best wishes to a man whose friendship we greatly value. We hope that he will favor us with a visit from time to time. And that he may find his retirement years filled with the warmth of memories, the richness of friendships, and the best of health. No one is more deserving.●

**THE BREEDER—SOLUTION TO MORE THAN A SECURE ENERGY FUTURE**

**HON. MARILYN LLOYD**  
OF TENNESSEE  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mrs. LLOYD of Tennessee. Mr. Speaker, the Science and Technology Committee has continued to closely monitor the progress of the Department of Energy's waste management program as part of our overall jurisdiction over energy research and development. In this regard, I would like to bring to the attention of my colleagues a recent article which appeared in the Energy Daily which indicates at least foreign interest in using the breeder reactor to assist in solving the long-term nuclear waste management problem. The objective of the experiment, which unfortunately must be conducted in the British version of our Clinch River Breeder Reactor, is to speed up the natural process of radioactive waste decay to stable and benign elements by using the neutrons from the reactor. Scientists call this process transmutation, but to a layman this process burns up or incinerates the radioactive waste.

This program will hopefully be pursued vigorously by the Department of Energy as yet another value to be extracted by an aggressive breeder demonstration program. It is my intent to include an extensive discussion of this matter when DOE representatives next appear before the committee. A machine like the Clinch River plant could be used to fully demonstrate our own technology for either making fuel or destroying waste while producing electricity.

The text of the brief article follows:

**USING A BREEDER**

The UK is awaiting formal approval from the U.S. government for an Anglo-U.S. experiment in destroying radioactive waste. Fuel rods of radwaste made by Oak Ridge National Laboratory are to be neutron-irradiated in Britain's first Prototype Fast Reactor at Dounreay, Scotland, in a joint experiment on the use of fast breeders as "incinerators" of nuclear waste.

The first radwaste capsules—simulated fuel elements—will contain pure actinides such as americium and cesium, separated chemically from high-level liquid waste. If initial runs are successful, the next step will be a mixture of plutonium with the radwaste. All information is to be shared.●

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**PROTECTION FOR BOUNDARY WATERS CANOE AREA**

**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. VENTO. Mr. Speaker, today's action brings to fruition years of struggling to offer further protecting of the Pristine Boundary Waters Canoe Area. The preservation of this de facto wilderness resource that was set aside almost 100 years ago, and more recently designated as an agriculture wilderness in 1964, has been redefined. The uncertainty associated with the 1964 law, an imperfect legislative management policy, coupled with court challenges and contested administrative rulings, are addressed in this measure.

Among the many individuals who have worked for the passage of H.R. 12250, I would like to thank the following:

**SUBCOMMITTEE OF NATIONAL PARKS AND INSULAR AFFAIRS**

Cleve Pinnix, Nancy Drake, Judy Lemons  
Dale Crane, Clay Peters.

**INTERIOR AND INSULAR AFFAIRS COMMITTEE**

Fran Sheehan.

**CONGRESSMAN NOLAN**

Stan Mahon.

**CONGRESSMAN FRASER**

Richard Rapson.  
Mark Carlson.

**CONGRESSMAN VENTO**

Larry Joe Romans, James Pirrus, Brenda Nelson, Shirley Geer, Jon Fellows.

**SENATOR ANDERSON**

Peter Grove.  
Susan Martell.

**SENATOR HUMPHREY**

Gene Graves.

**SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Tom Williams.

**NEGOTIATORS**

Chuck Dayton.  
Ron Walls.

**FRIENDS OF THE BOUNDARY WATERS WILDERNESS**

Nancy Adams, Fern Arpi, Steve Apfelbaum, Barbara Bader, J. Arnold Bolz, Marvin Borell, Audubon, Gerry Brimacombe, Lucy Bruntjen, George Collier, Robert Conklin, Janice Conklin, and Calvin Dahm.

Wallace Dayton, Harry Drabik, Daniel Engstrom, Lance Field, International Backpackers Assn., Richard Flint, Ed Fisher, Nelson French, Bernard Friel, Rick Glanz, Janet Green, Bud Heinzelman, Fran Heinzelman, Herbert Johnson, and Kathy Johnson.

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Jack Mauritz, Eva McGinnis, John McLaughlin, Libby Muir, William Muir, Paul Nachman, Darby Nelson, Gerry Nelson, Mary Olson, Sigurd F. Olson, Steven Payne, the Wilderness Society, and Dave Pearsall.

John Peck, Mattie Peterson, Kevin Proescholdt, Molly Redmond, Steve Ring, Becky Rom, Roger Rom, William Rom, Jr., and Clayton Rudd.

Mickie Scholtus, Jerry Seck, Erika Sitz, Paul Sitz, Carol Slothower, Steve Snyder.

Edward Solstad, Charles Stoddard, the Wilderness Society, and John Syverud.

Fred Thompson, William Thompson, Paul Toren, Jon Waters, Al Watson, Melissa Watson, Bill Weller, El Winston, Fred Winston, and Quetico Superior Foundation.

Herbert Wright, Friends of the Earth, Eric Zaetsch, Dave Zentner, IWLA, Brock Evans, the Sierra Club, and Pat Goggin, National Wildlife Federation.

Destry Jarvis, National Parks and Conservation, Maitland Sharpe-Izaak, Walton League of America, Steve Young, Audubon, Mary Poppleton, League of Women Voters, Martha Gerhardstein, and Patricia Record—Sierra Club.

The bill's supporters are many and the omissions of some names are inevitable, so I would like to thank all supporters for their invaluable assistance.

Mr. Chairman, two individuals must be recognized for their invaluable contribution to today's success. Dr. Miron Heinzelman has spent over 15 years in tireless efforts trying to achieve protection of this valuable resource. His efforts are appreciated by all Americans and we thank him for his tenacious efforts to educate this Congress on the values of the BWCA. One of our colleagues has demonstrated exemplary courage and dedication to the preservation of the BWCA. At a time when others might cave in to one-issue voters, Don FRASER has remained firm in his support for the adequate protection to preserve this natural resource. He did this not because it was politically expedient but because he felt his support was right. Don's dedication and leadership in this issue has served as inspiration to us all.

Mr. Chairman, H.R. 12250 is the result of a grassroot effort.

Today's passage was not caused by a single individual or interest group. It was the result of the concerns and support of so many thousands of Americans.

**BOB POAGE**

**HON. B. F. SISK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague Bob POAGE.

Until prevented by House rules from continuance I had the honor of serving for several years on the House Agriculture Committee under able former chairman Bob POAGE. Since agriculture is the lifeblood of the 15th California District which I represent, this association with one so knowledgeable and capable in that field was particularly gratifying to me.

The second ranking Member of the House in point of service, his long and valuable tenure in office will be sorely missed by the people of Texas and the Nation.

Reta and I extend to Bob our warmest wishes for an enjoyable and fruitful retirement.●

## THANKS FOR A JOB WELL DONE

## HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. WAGGONNER. Mr. Speaker, during my 18 years in Congress I have worked about as closely with TIGER TEAGUE as I have with any other man here. It is with a deep sense of personal pride that I can say he is a personal friend.

He has been a source of inspiration as I have watched him in action on the floor and in the way he has handled his position as chairman of the Committee on Science and Technology. He tackles each new job vigorously and makes the hard decisions that have to be made. At times, the positions TIGER has taken were unpopular; but he has remained true to his conscience and principles, and let the chips fall where they may.

Together we have fought many battles, and I have always been proud to have been on the side of TIGER TEAGUE. Always, that is, except early fall of each year when LSU plays the Texas Aggies! Anyone who knows me, knows of my love—or sympathy—for those who have chosen to further their education at Texas A. & M. As far as I am concerned, there is just nothing better than a good old Aggie joke! Well, TIGER has been the blunt of many an Aggie story and his good-natured acceptance of them just goes to prove that what they say about Aggies is true.

We are all aware of the growing complexities and demands of our Government; however, few have risen to the challenges and met the needs with the courage and strength that TIGER displays. Despite odds against him or criticism of his positions, he has met each challenge head on. This service and dedication is deeply appreciated and respected by me and all of us. He is a gallant legislative warrior who always places personal honor above merely winning.

As TIGER leaves the Halls of Congress at the close of a brilliant and illustrious career, I want him to know that this is one Member who will long remember and cherish the warm friendship and close association we have had over the years. This House and this Nation and the veterans of this country owe TIGER TEAGUE more than can ever be repaid.

Looking forward to retirement myself, one of the retirement gifts Mary Ruth and I have received is a set of rocking chairs, which I am looking forward to putting to use come January. Somehow, though, I have a feeling that TIGER will not be one to sit and rock! You have earned a well-deserved rest, TIGER, from the demands of public office. I will be greatly surprised, however, if this dampens your devotion to public service. For the guidance, friendship, and understanding in providing leadership to me and a generation of Congressmen, I thank you. For once I am not going to jump on the Aggies—especially a fellow Aggie.●

## EXTENSIONS OF REMARKS

## THE SCOURGE OF INFLATION AND SLOW GROWTH IN NEW YORK STATE AND THE NATION

## HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. KEMP. Mr. Speaker, a Government-created scourge upon the people and their commerce is pervading every corner of the economy. It is inflation.

Since 1976 the rate of inflation for all items has doubled, from a 4.8-percent annual rate to the present 9.8 percent. There are economic indicators which suggest it could go even higher. And the overall rate does not reflect how bad it is for some specific types of commodities. For example, prices for food are going up more than 28 times faster than they were in 1976, from a 0.6-percent rate to a 17-percent annual rate.

At present rates, all prices will double again in a little over 7 years—by 1985.

This situation has created great hardship for the people of this country, including especially New York. It has reduced the purchasing power of their money and reduced the real value of their incomes. The median income in New York in 1977 was lower than it was in 1972 or 1973 in terms of what that income will purchase and, of course, job opportunities and economic growth have diminished steadily.

## INFLATION: A NATIONAL PROBLEM

As every working person in New York and throughout the country knows painfully well, inflation is accelerating. It is eating into their income, raising the cost of living—especially for necessities—and striking hardest at those who are most in need: the poor, the elderly, and those on fixed incomes.

Inflation is not caused by workers or by businessmen seeking to stay ahead of the price spiral caused by the Federal Government's irresponsible behavior. Consequently, wage and price controls can never be of any use in controlling inflation. What is that Government's irresponsible behavior?

The real cause of inflation is the Federal Government's monetary and fiscal policies. When the Government runs massive budget deficits year after year the difference between revenues and expenditures must be made up by borrowing, which raises interest rates, or through monetization, which means that the Government simply creates money out of thin air via the Federal Reserve System.

The Government's indices indicate clearly that the rate of inflation increased dramatically in 1977, following the election of President Carter. This accelerating upward trend is most pronounced in the area of food prices. As I just summarized, in 1976 food prices went up a mere 0.6 percent for the entire year. By 1977, however, the rate of inflation in food prices had increased more than 13 times, to an annual rate of 8 percent; the year 1978 has seen even this high rate doubled. As of June food prices were rising at an annual rate of 17 percent.

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## CONSUMER PRICE INDEX

[In percent]

Period	All items	Food
1976.....	4.8	0.6
1977.....	6.8	8.0
1978:		
January.....	.8	1.3
February.....	.6	1.2
March.....	.8	1.3
April.....	.9	1.9
May.....	.9	1.5
June.....	.9	1.3
Total.....	4.9	8.5
Annual rate.....	9.8	17.0

Source: U.S. Bureau of Labor Statistics.

## THE CONSEQUENCES OF INFLATION

With the inflation rate for all items rising at the rate of almost 10 percent per year, this means that all prices will double in a little over 7 years. It means that a person who earned \$10,000 last year will have to earn \$11,000 this year just to stay even. And he or she would have to earn \$20,000 by 1985 if present trends continue.

But as we all know, not everyone is able to keep up with inflation. If inflation goes up 10 percent and your money income is unchanged you are just 10 percent worse off than you were before, through no fault of your own. Since this is exactly what has happened for many people in the United States, it is not surprising that the median family income, in real terms, is lower today than it was in 1972 or 1973. Measured in 1977 dollars the median family income in 1977 was \$16,009. In 1972 it was \$16,102 and in 1973 it was \$16,433. In fact, because of inflation, the real median family income in the United States is barely twice what it was in 1947 even though it is more than five times higher in dollar terms.

## MEDIAN FAMILY INCOME

Year	Current dollars	Percent change	1977 dollars	Percent change
1977.....	16,009	7.0	16,009	0.5
1976.....	14,958	9.0	15,923	3.1
1975.....	13,719	6.3	15,447	-2.6
1974.....	12,902	6.5	15,855	-4.0
1973.....	12,051	8.4	16,433	2.1
1972.....	11,116	8.1	16,102	4.6
1971.....	10,285	4.2	15,389	-1
1970.....	9,867	-----	15,399	-----

Source: U.S. Department of Commerce, Bureau of the Census, "Money Income and Poverty Status of Families and Persons in the United States: 1977."

Workers in New York share this national problem of rising nominal income and stagnating or dropping real income. According to the State's labor department, gross weekly earnings for factory workers in New York have almost doubled since 1965. Weekly take-home pay has increased more than 85 percent. But when you factor out all the inflation that has taken place since 1965, it turns out that real gross weekly earnings have increased only 6.5 percent, and real take-home pay has increased a mere 0.6 percent. In other words, in terms of what his real disposable income will purchase, a factory worker in New York has not had a pay increase since 1963.

GROSS AND SPENDABLE WEEKLY EARNINGS, IN CURRENT AND 1967 DOLLARS, FOR FACTORY WORKERS IN NEW YORK

Year	Gross earnings		Take-home	
	Current dollars	1967 dollars	Current dollars	1967 dollars
1965	\$106.40	113.71	95.02	100.66
1966	111.35	114.32	97.72	100.33
1967	114.44	114.44	99.85	99.85
1968	121.48	116.47	104.65	100.34
1969	128.30	116.11	108.99	98.63
1970	134.96	113.94	114.94	97.32
1971	145.84	117.23	125.05	100.92
1972	157.61	121.80	135.41	104.64
1973	167.58	121.79	141.58	102.98
1974	178.48	117.04	149.62	98.11
1975	191.00	115.83	152.49	98.54
1976	209.35	120.04	176.58	101.25

Source: New York State Labor Department.

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### TAXES AND INFLATION

In addition to inflation, rising taxes have also been an important factor in reducing real disposable income. According to the U.S. Bureau of Labor Statistics, a family living in New York City in the fall of 1975 would need an income of \$17,498 to maintain an intermediate standard of living. By the fall of 1977 this family would have to earn \$19,972 to maintain the same standard of living. Over 27 percent of the increased cost of living was due to higher personal income taxes. Taxes were less of a factor for a family living in Buffalo, but personal income taxes were still significantly higher for a family there than in the rest of the United States.

A family with a higher level budget living in New York City would have

found that more than 45 percent of the increased cost of living between 1975 and 1977 was due to higher taxes. In Buffalo 33 percent of the increased cost of living was due to higher personal income taxes. Both figures are considerably higher than those for the Nation as a whole.

Families with lower level budgets, on the other hand, have generally had their taxes reduced over this period. This is due largely to Federal income tax reductions, which have been heavily weighted toward those with lower incomes. Yet higher personal income taxes still accounted for more than 12 percent of the increased cost of living for a family with a lower level budget living in New York City between 1975 and 1977.

City	Autumn, 1975	Autumn, 1977	Increase in total budget		Increase in personal income taxes		Taxes as percent increase in budget
			Amount	Percent	Amount	Percent	
<b>Higher budget for a family of 4:</b>							
New York	\$27,071	\$31,655	\$4,584	16.9	\$2,076	32.5	45.3
Buffalo	23,617	26,818	3,201	13.5	1,056	21.1	33.0
United States	22,294	25,202	2,908	13.0	850	20.6	29.2
<b>Intermediate budget for a family of 4:</b>							
New York	17,498	19,972	2,474	14.1	683	24.6	27.6
Buffalo	16,283	18,298	2,015	12.4	404	16.5	20.0
United States	15,318	17,106	1,788	11.7	285	13.8	15.9
<b>Lower budget for a family of 4:</b>							
New York	10,266	11,155	889	8.6	111	11.4	12.5
Buffalo	9,733	10,681	948	9.7	-37	-4.4	-----
United States	9,588	10,481	893	9.3	-61	-7.8	-----

Source: U.S. Bureau of Labor Statistics.

The Speaker, the BLS budget figures, of course, take into account only personal income taxes and exclude all other types of taxation. Yet these other taxes, such as sales and property taxes, are among the fastest growing taxes, especially at the local level. To get a better idea, therefore, of the rise in taxes that has taken place and its effect on inflation we need to examine other data.

According to figures compiled by the Census Bureau, between fiscal years 1975 and 1976 per capita personal income in New York State increased by \$405, from \$6,159 to \$6,564. However, over the same period, per capita State and local taxes in New York increased by \$115, from \$1,025 to \$1,140. Thus 28.3 percent of the increase in per capita personal income in New York was completely eaten up by State and local taxes. This means that disposable per capita income increased a mere 4.7 percent—less than the rate of inflation. By contrast, for the Nation as a whole, the rate of increase in State and local taxes as a percentage of the increase in personal income was half the New York rate: 14.5 percent.

State	Increase in personal income, 1974-5 to 1975-6	Increase in State and local taxes, 1974-5 to 1975-6	Percentage of increase in personal income	Increase in State and local taxes as a percentage of increase in personal income		
				1974-5 to 1975-6	1974-5 to 1975-6	1974-5 to 1975-6
Maine	\$196	\$100	51.0			
Alaska	2,386	1,054	44.2			
North Dakota	154	54	35.1			
Arizona	228	73	32.0			
New York	405	115	28.4			
Idaho	241	62	25.7			
Massachusetts	357	89	24.9			
Michigan	290	67	23.1			

State	Increase in personal income, 1974-5 to 1975-6	Increase in State and local taxes, 1974-5 to 1975-6	Percentage of increase in personal income	Increase in State and local taxes as a percentage of increase in personal income		
				1974-5 to 1975-6	1974-5 to 1975-6	1974-5 to 1975-6
Maine	\$196	\$100	51.0			
Alaska	2,386	1,054	44.2			
North Dakota	154	54	35.1			
Arizona	228	73	32.0			
New York	405	115	28.4			
Idaho	241	62	25.7			
Massachusetts	357	89	24.9			
Michigan	290	67	23.1			
South Dakota	239	53	22.2			
Montana	466	97	20.8			
Colorado	470	97	20.6			
Wyoming	727	150	20.6			
Florida	222	45	20.3			
Utah	450	87	19.3			
Minnesota	365	69	18.9			
Ohio	293	52	17.7			
Wisconsin	422	72	17.1			
California	561	95	16.9			
Maryland	531	86	16.2			
Mississippi	249	40	16.1			
Connecticut	518	81	15.6			
North Carolina	287	42	14.6			
New Jersey	475	68	14.3			
South Carolina	307	43	14.0			
Oregon	485	68	14.0			
Hawaii	616	83	13.5			
Rhode Island	498	66	13.2			
New Hampshire	371	46	12.4			
Georgia	335	41	12.2			
Tennessee	344	42	12.2			
Kentucky	429	52	12.1			
Arkansas	420	49	11.7			
Illinois	555	58	10.4			
Virginia	446	46	10.3			
Kansas	523	53	10.1			
Nebraska	809	81	10.0			
Washington	537	52	9.7			
Texas	679	66	9.7			
Pennsylvania	496	48	9.7			
Delaware	442	41	9.3			
Alabama	428	40	9.3			
West Virginia	546	51	9.3			
Louisiana	513	44	8.6			
Iowa	798	64	8.0			
Nevada	631	50	7.9			
New Mexico	638	50	7.8			
Oklahoma	669	48	7.2			
Vermont	733	43	5.9			
Indiana	469	8	1.7			

If one looks at total taxes as a percentage of personal income—including Federal taxes per capita—it becomes even clearer that rising taxes have an

inflationary impact. Increased Federal taxes per capita between fiscal years 1975 and 1976 ate up 24.7 percent of the increase in personal income nationally. In New York, rising Federal taxes ate up 33.1 percent of the increase in personal income. Thus the combination of increased Federal, State, and local taxes consumed 39.2 of the increase in personal income nationally and 61.5 percent of the increase in personal income in New York. This reduces the increase in personal income nationally to \$276, and a mere \$156 in New York.

Economists, therefore, now believe that taxes are an important inflationary factor in themselves. If taxes reduce a worker's real disposable income or a businessman's profit margin, then they will each attempt to make up for this loss by demanding higher wages and charging higher prices. This is known as cost-push inflation. Consequently, if taxes were reduced this could aid in the fight against inflation.

### INFLATION AND TAXES

Unfortunately, taxes not only operate to fuel inflation but inflation acts to fuel increases in taxes. This results from the fact that as inflation increases nominal—money—income people are pushed up into higher tax brackets. Thus your income goes up, say, 10 percent, your incomes taxes will go up more than 10 percent. And because tax brackets become more steeply graduated as they go up, the higher your income rises the more your taxes will go up. As a result the Federal Government's income tax revenues go up more than 1.6 percent for every 1 percent increase in the Consumer Price Index.

For example, if you take a family of

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four earning \$17,000 per year and assume that family income and prices both rise at the rate of 6 percent for the next 4 years, the family's adjusted gross income will rise by 19.1 percent but its combined Federal, social security, New York State, and New York City income taxes will rise 39.4 percent. Consequently, although its gross income in real terms—1978 dollars—will be unchanged its real disposable income—after taxes—will be reduced by almost 5 percent. In other words, just by keeping up with inflation you lose ground because taxes go up faster than prices.

## CHANGES IN TAXES AND INCOME USING CURRENT DOLLARS

Year	1978	1979	1980	1981
Adjusted gross income	\$17,000	\$81,020	\$19,101	\$20,248
Federal income tax	1,822	2,042	2,311	2,586
Social security tax	1,028	1,105	1,171	1,346
New York State income tax	632	718	815	925
New York City income tax	247	275	307	341
Total tax	3,729	4,140	4,604	5,199
After-tax income	13,271	13,880	14,497	15,049
Effective tax rate (percent)	21.9	23.0	24.1	25.7
Marginal tax rate (percent)	32.7	33.9	36.9	38.9
Cumulated increase in adjusted gross income (percent)	6.0	12.4	19.1	
Cumulative increase in taxes (percent)	11.0	23.5	39.4	
Cumulative increase in after-tax income (percent)	4.6	9.2	13.4	

Note: Totals may not add due to rounding.

## CHANGES IN TAXES AND INCOME USING REAL DOLLARS

Year	1978	1979	1980	1981
Adjusted gross income	\$17,000	\$17,000	\$17,000	\$17,000
Federal income tax	1,822	1,926	2,057	2,171
Social security tax	1,028	1,042	1,042	1,130
New York State income tax	632	677	725	777
New York City income tax	247	259	273	286
Total tax	3,729	3,906	4,098	4,364
Excess burden of taxation	177	369	635	
Real after-tax income	13,271	13,094	12,902	12,636
Cumulative increase in adjusted gross income (percent)	0	0	0	
Cumulative increase in taxes (percent)	4.7	9.9	17.0	
Cumulative increase in after-tax income (percent)	-1.3	-2.8	-4.8	

Note: Totals may not add due to rounding.

The same thing happens in a different way with property taxes, as all homeowners know. It works like this: Inflation increases the potential sale value of a home in nominal terms, thereby leading to an increase in assessed value, leading to higher property taxes. Thus if a house were purchased for \$20,000 in 1968 and property values have increased 10 percent per year, then this house would be assessed at \$51,874 today. If there were a 5-percent effective tax rate then this increase in assessment would result in a \$1,594 increase in property taxes.

## THE EFFECT OF INFLATION ON PROPERTY TAXES

Year	Property value assuming 10 percent increase per year	Property tax assuming 5 percent effective rate	Increase taxes over previous year	Cumulative tax increase
1968	\$20,000	\$1,000		
1969	22,000	1,100	\$100	\$100
1970	24,200	1,210	110	210
1971	26,620	1,331	121	331
1972	29,282	1,464	133	464
1973	32,210	1,610	146	610
1974	35,431	1,772	162	772
1975	38,974	1,949	177	949
1976	42,872	2,144	199	1,144
1977	47,159	2,358	215	1,358
1978	51,874	2,594	236	1,594

The problem is that the homeowner's income would have to increase  $2\frac{1}{2}$  times over the same period for property taxes to take up the same percentage of his income. But personal incomes are not rising as fast as property taxes in New York, both because of the rise in home values and because of property tax increases. Since fiscal year 1971-72, for example, property taxes in New York have risen from 5.8 percent of personal income to 6.3 percent in 1975-76. By contrast, throughout the United States as a whole, property taxes have gone down as a percentage of personal income, from 4.9 to 4.5 percent over the same period.

## THE ADMINISTRATION'S MISDIRECTED RESPONSE TO INFLATION

As we have seen, inflation is a serious problem which is growing worse, especially in the area of necessities such as food. What, then, has been the response of the Federal Government? And, in that I have used New York State as my example, of that State government?

President Carter has announced a so-called anti-inflation program, but it seems to consist of little more than having Robert Strauss and Barry Bosworth go around telling workers to hold down their wages and businessmen to hold down their prices—as though this could possibly do any good. No where do we see any recognition of the fact that Government is solely responsible for inflation.

The first step that needs to be taken in this direction if we are to control inflation is to get the Federal Government to reduce its excessive spending. For as long as the Government continues to spend more than it takes in its deficits will fuel inflation. The following table shows the magnitude of the Federal Government's profligacy:

[Dollar amounts in billions]

	Federal outlays	Deficit	Deficit as percent of outlays
Fiscal year:			
1977	\$401.9	-\$45.0	11.2
1978	453.5	53.0	11.7
1979	499.4	59.6	11.9
Total	1,354.8	-157.6	11.6

<sup>1</sup> Estimated.

Source: Department of the Treasury and Office of Management and Budget.

In other words, the Federal debt run up by President Carter in only 3 years is more than twice the total Federal debt in 1942; a debt which took more than

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150 years to accumulate. Furthermore, the currently projected deficit for fiscal year 1979 of \$60 billion is more than the entire Federal budget as recently as 1949.

The Governor of New York has made absolutely no effort to urge President Carter to do something about the accumulating deficit or the rapidly rising inflation rate. Nor has he made any effort at the State level to mitigate some of the unnecessary hardship caused by inflation.

For example, it has been pointed out that as inflation increases nominal—money— incomes this causes both individuals and businesses to pay more than a proportional increase in taxes. This is true not only of the Federal income tax by the New York State income tax as well. This is because both Federal and New York State income tax rates are steeply graduated; meaning that you pay a higher percentage of your income in tax as your nominal income rises. But if the nominal increase in your income is due solely to inflation then there is no change in your real income. Nevertheless, your income taxes will increase anyway.

Inflation also causes businesses to pay additional taxes as well. This is because inflation tends to overstate inventory profits while understating depreciation costs. The latter is especially important to New York because it is especially harmful to older manufacturing industries, like those located in the Northeast. The result is that such firms end up paying more taxes than newer industries, like the aerospace industry, which are predominantly located in the sunbelt States.

Inflation is also aggravated by regulations which force up business costs unnecessarily. Such regulations for environmental protection and worker safety have proliferated at all levels of government in recent years with no concern whatsoever for their economic impact. For example, the typical new automobile now costs hundreds of dollars more than it would in the absence of all the Federal regulations imposed since 1968. Then we could afford the cost. Today, perhaps we cannot.

And of course, taxes of all kinds can act in a cost-push manner to push prices and wages up. If a worker is getting less take-home pay because of higher taxes he will just demand more from his employer. Employers, meanwhile, must try to pass the higher wages and taxes on to their customers in the form of higher prices. President Carter's \$227 billion increase in social security taxes is particularly significant in this respect.

## PRODUCTIVITY: THE FIGHT WILL CONTINUE

## HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LaFALCE. Mr. Speaker, during my two terms in Congress, I have de-

voted a great deal of effort and attention to the problem created by the decline in the productivity growth rate in this country. I felt it was imperative to deal with the productivity problem because of the serious economic ramifications an unchecked decline can have. In fact, our present economic situation reveals some of the negative impact that a reduction in productivity has, not only on the particular industry, but on the economic conditions of a community and the standard of living of an entire nation.

Because of unusually large productivity growth in the years immediately following World War II, we in the United States have come to expect, almost as a right, a continuous increase in the standard of living which we enjoy. Probably over half of our population grew up in a generation in which the guiding philosophy for parents was "I want to give my children the things I didn't have." If the generation that is now beginning to bear and raise children is to be able to continue this philosophy, we need to pay serious attention to our declining rate of productivity and make concerted efforts to turn that decline around. Even if we seek no more than middle class affluence for all residents of this Nation, we still need to make significant improvements in our productivity.

My involvement with productivity began within the first 6 months I was in Congress, during which time the Subcommittee on Economic Stabilization, of which I am a member, held hearings on a bill to create a National Center on Productivity and Quality of Working Life, of which I was a cosponsor. At that time, top level representatives from both labor and management testified as to the benefits that were possible through improved productivity and their willingness to work together to achieve the necessary improvement. It was also apparent, through their testimony and that of key Government witnesses, that it was imperative there be an impartial element in the process, preferably a Government agency which could disseminate information and focus Government assistance when available. Government support for the effort was absolutely necessary if it was to succeed in altering the usual adversary relationship between labor and management and the general mistrust that accompanied it.

But anticipation knew no bounds. In the spirit which formed this country, we were sure that great things could be accomplished, and we gave the national center the authority and the responsibility for accomplishing an unbelievably large number of goals.

Any one of these functions could have used up all the time and resources given to the center, and no agency, acting on its own could expect to fulfill all of them with only a \$3 million budget.

And here is where the problems began. Any agency which is to set national policy must have support from other arms of the Government, particularly the White House. The national center never had that support. It was always underfunded for the tasks with which it

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was charged; it operated without a board of directors for most of its 3-year life due to the disregard of two administrations; and it never had the active support of the President for setting what amounts to a national economic policy. Little wonder, then, that its battles were all uphill, and that its limited successes were viewed from the outside as failure to accomplish all that it had set out to do. The center itself, though, and its personnel are partly to blame for the lack of attention it received, because they did not adequately enough enlist the support of the rest of the Government into a recognition of their failure to encourage productivity increases both in the private sector and in the public sector. Nonetheless some very important things were accomplished in plants, industries, and communities throughout the Nation, and the programs established by the center in these areas will continue to look to the Government for leadership and assistance in continuing their efforts.

One specific example of this is the Western New York area, including the 36th Congressional District, which I represent. During the past 3 years, I have held two seminars in the district for business and labor leaders on the subject of productivity and labor-management relations.

In each of these I had a great deal of assistance from the center in presenting the problem, the potential benefits to all parties if the problem is solved, and ways of improving productivity and quality of working life in individual work situations. Not only was the center involved in the presentation of information at the seminars, they also were available to follow-up and answer questions from those who chose to pursue the suggestions offered at the seminars. And there have been some marked success stories, including the establishment of a labor-management relations committee in a plant which was notorious for its poor labor relations. On an area-wide basis, the Buffalo-Erie County Labor-Management Council has been established with the support of the key business and labor leaders from throughout western New York. This council has been particularly active in trying to minimize the adverse consequences of the massive layoffs at the Bethlehem Steel Plant in Buffalo, and the cooperative approach has been far more successful than either labor or management working alone could ever have been. Throughout all of this, the national center has provided support through expertise and information.

In the later half of 1976, the board of the center, with Vice President Rockefeller as its chairman, was finally approved by the Senate, and met to set out its goals and projects. Unfortunately, this was the only meeting of that board, since the authorizing legislation provided that the board would serve during the tenure of the President. Thus, the recently approved board left office on January 20, 1977, when President Carter was sworn into office. Knowing of this fact, I wrote to President-elect Carter right after the election, urging him to be

prompt in his appointment of a new board and pointing out that many of the individuals already on the board would be the most logical candidates and would welcome the opportunity to continue to serve in this capacity. At that time, I received a noncommittal response that my suggestions for the makeup of the board would be considered.

At the beginning of the 95th Congress, in March of 1977, I introduced legislation H.R. 5283, to more specifically target the energies of the center to work with State and local governments, public and private nonprofit agencies, educational institutions and labor-management committees to do the following:

First, to organize and conduct workshops, conferences, seminars, meetings, or other forums on new methods of improving productivity and quality of working life;

Second, to provide training and educational development programs to supervisors, managers, employees, and union officials in methods and techniques to improve productivity and quality of working life;

Third, to collect, prepare, and disseminate information on practices to improve productivity and the quality of working life; and

Fourth, to assist and advise small businesses, State and local governments, and labor organizations in the application of improved practices.

Unfortunately, this proposal never received the direct attention of the Economic Stabilization Subcommittee. However, its general thrust was incorporated into the Human Resources Development Act, H.R. 2596, as it was eventually reported by the Banking Committee. This bill, which I had cosponsored, would set up a series of programs within the Federal Government to encourage labor-management cooperation and foster increased productivity, much more expansive than the concept behind H.R. 5283, and also much more expensive. The committee eventually pared this proposal down to dimensions more like those of H.R. 5283, but still with some specifically funded demonstration projects. Since the Departments of Labor and Commerce were also included in the authorities granted under H.R. 2596, it was also referred to the Education and Labor Committee, and although the Banking Committee completed consideration of the bill, the Education and Labor Committee never held hearings on it, and it has died in committee.

On April 29, 1977, I wrote to Labor Secretary Marshall and Charles Schultze, Chairman of the Council of Economic Advisers, following their testimony to the Economic Stabilization Subcommittee on the President's anti-inflation policy and program, pointing out that there was at their disposal a very potent weapon in the double war against inflation and unemployment, namely the national center. The impacts of improved productivity are such that it not only keeps inflation down by holding down costs of production, but also tends to increase job security and can even stimulate job creation, since it is a well accepted fact that prosperous companies

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tend to expand, and companies that can control production costs tend to be prosperous. During the anti-inflation testimony, it was revealed that the President hoped to establish a group to meet with him periodically to discuss the response of business and labor to inflationary pressures. In my letters to Secretary Marshall and Chairman Schultze, I indicated:

The make-up of the Board, which is mandated by the legislation creating the Center, insures that there is a full cross-section of business, labor, federal, state and local governments, and consumer interests. This would seem to be an ideal group to work with the President in the periodic meetings for discussion which he has indicated he hopes to hold. Many of the people on the Board have worked together before, and therefore will not have as much difficulty overcoming the mistrust which is usually present in the initial formation of labor-management committees. The Board of the Center has the added assurance of public support since its membership is approved by the Senate, and not drawn from a group to which the public has no input. Finally, the work of the Center is already well underway, and the costs of starting up a new group and staffing it would be eliminated. This conservation of tax dollars is fiscally responsible and fits in well with the President's goal to minimize the number of councils and other advisory groups. In a realm where such an outstanding board already exists, the need for another group should be clearly demonstrated before it is created.

The staff of the Center has had an excellent track record in aiding labor, management, and government, working together and separately, to improve productivity and communication. They have been instrumental in the establishment of local labor-management committees throughout the country. They have set up test cases on an industry-wide basis to improve methods of productivity. They have conducted an extensive education campaign to familiarize potential participants of the benefits that can be reached through cooperation and communication. They have served as a conduit to put interested parties in contact with other groups across the country who have had similar experiences and who may be able to give valuable advice. In essence, they have done all of the things which the President has indicated he hopes his labor-management committee can do. Experience then, makes the Center the natural agency to carry out the Administration's program against inflation.

There was no administration response to my suggestions.

In April of this year, I introduced legislation to extend the life of the national center 1 year beyond its original expiration date of September 30, 1978. This was done because it was evident that no other productivity improvement efforts were being initiated by the administration, and I felt it essential to at the very least continue the work which the center had begun. The bill even acknowledged the lower funding levels which the center had been receiving, and only authorized an expenditure of \$2.9 million, in contrast with the \$5 million authorized in the earlier bill, which was never appropriated. My sentiments at that time are my sentiments today, with only one adjustment: my conviction is now even stronger.

Productivity is a key to fighting inflation, helping to keep prices at levels that insure

constant consumer demand and profits at levels that permit us to maintain a strong and economically strong industry. Productivity is also a key element in keeping American industry competitive throughout world markets. We must not abandon efforts to improve productivity when faced with economic conditions such as the ones we are now experiencing—growing inflation and continuing high rates of unemployment.

Over the long term, American productivity has been the major factor underlying the growth of real earnings and our standard of living. If we are to continue to experience that growth, we must pay serious attention to improving our rate of productivity.

The introduction of this bill was met with opposition from the administration, saying that it had other plans for addressing the productivity problem. I was more than willing to listen to any alternatives they might have come up with. The national center was not the only way to encourage productivity increases, and I was not wedded to it as the only way. However, I did want to make absolutely sure that this issue was dealt with in a comprehensive and effective manner. Thus, I invited those individuals in the administration who were supposed to be developing the plan for the future of productivity emphasis to a meeting in my office on May 22 to discuss those plans in detail.

I wanted to confront them with their collective inaction and get from them an ironclad commitment to support productivity efforts in a coordinated fashion. What I heard from them was not really surprising, but nonetheless very disturbing. Without so much as a wriggle of discomfort, the administration was going to let the center go out of existence, and had absolutely no concrete plans for continuing the work that the center was doing, either through a new office or through existing departments and agencies. True, there were some nebulous plans to have OMB coordinate a Government productivity effort, but the planning that had been done simply amounted to naming OMB as the coordinator.

No plans had been made about what functions could or should be transferred to which departments, and no thought apparently had been given to who, within each department, should be responsible for promoting productivity improvement. In fact, there is not even a national policy on productivity established yet by this group.

Productivity lag is a relatively difficult concept to grasp, and there are no plain and simple solutions to the problem. Because of the far-reaching consequences of the slump, though, it is crucial that we have a concerted, comprehensive effort to reverse the downturn in productivity. This cannot be done through small programs here and there throughout the Government headed by individuals who have other primary responsibilities which will continually preempt their work on productivity improvement.

Productivity needs to become a national concern, and this cannot occur unless and until the issue is presented to the public over and over again, so that its seriousness is grasped and the potential benefits to all are clearly stated—so

that productivity becomes the concern of every worker, manager, and government head. Without a high degree of visibility, productivity will continue to decline, and a rebound from these years of laxity and neglect will become virtually impossible.

I originally introduced legislation to extend the life of the center for just 1 year. Following the meeting and recognizing the irreversible decision of the administration to let the center die, I introduced another bill which would have extended the center for 1 year, but would also have given the President the authority to transfer the functions of the Center to other government agencies when a plan had been devised.

This would have given the administration plenty of time to "get its act together" while maintaining the continuity necessary in previously established productivity improvement programs. It also would have given the administration the flexibility it sought in reassigning the productivity initiative to the several departments. I had hoped that this approach would receive the support of OMB and the administration, since it contained all that they needed to accomplish what they sought to do. However, that support was not forthcoming.

Both in June and in July I urged the Economic Stabilization Subcommittee to hold hearings on the productivity issue and the future plans of the Administration for productivity improvement, sharing with the members of the subcommittee the comments I had received from the administration and my concern that the issue was not being given sufficient attention. Both times, the administration claimed that it was not yet prepared to present its plans to Congress and hearings that were originally scheduled for July were postponed.

I felt it was imperative that the administration be forced to state its position and its plans sufficiently far ahead of the demise of the national center to allow smooth transitions. Therefore, I called hearings in my own Subcommittee on Capital, Investment, and Business Opportunities in the Small Business Committee. I requested the attendance of representatives of the Office of Management and Budget, the General Accounting Office (which had just completed a study on the national center, its effectiveness, and the most appropriate Government involvement in productivity improvement efforts), the Council of Economic Advisors, the Council on Wage and Price Stability, and the national center itself.

What I heard at those hearings was disturbing in many respects. The testimony of the Council on Wage and Price Stability indicated that "Preliminary data for the first half of 1978 suggest a productivity disaster."

When asked to expound further on this, it was explained that the figures for this time period not only showed no increase in productivity, but in fact showed an absolute decline in our rate of productivity.

Clearly, this is a turn of events which this Nation cannot afford. The Council concluded that if inflation could be brought under control, productivity rates

would improve. This, to me, is putting the cart before the horse, for one of the main benefits of increased productivity is that inflation will be controlled, because we cannot hope to control inflation without improving our productivity.

The General Accounting Office in its report on productivity and the national center made the following recommendation:

GAO believes that a properly funded and supported national center would be the best way to foster improvement in private sector productivity.

However, the GAO also recognized that this administration was not funding and supporting the center in the necessary fashion, and so concluded that the functions should be transferred. This May 23d report contained rather specific recommendations to OMB, the agency which administration had selected to head up future productivity initiatives. It also recommended that a National Productivity Council be established to focus national attention on productivity and to develop the Federal response to private sector productivity declines.

From May until August, virtually no steps had been taken by OMB to implement the recommendations of the GAO report. OMB's testimony before the subcommittee was a vague restatement of the GAO recommendations, with no evidence of any specific actions taken. All plans were still being stated in the future tense. OMB stated "Assignment of responsibilities to the agencies will be timely," but even to this date, no assignments of responsibilities have been made to my knowledge. Certainly none had been made by mid-September when OMB again testified on the subject of productivity, this time before the Economic Stabilization Subcommittee. OMB also stated that "Our intention is to issue executive guidance early this fall." This too has not yet been accomplished. This is particularly important since the agencies take on new responsibilities with the fiscal year and new responsibilities assigned later generally take a back seat to those which were assigned from the start.

It is little wonder that no executive guidance has been issued though, since OMB testified at the September hearing that they still had not made their recommendations to the President. Their entire testimony at that time was filled with the phrase "We will be recommending to the President . . ." That this has been the fate of the productivity issue at the hands of OMB proves convincingly my point that "Something will always come in its way, whether it is the civil service reform bill, or whether it is the Health, Education, and Welfare appropriations bill, or whether it is the foreign aid authorization bill. You name it. Something is always going to be moving that thing called "productivity" which doesn't have any immediate consequences, but has tremendous long-range consequences, to the back burner."

The September hearings were troubling in another way. OMB's testimony was again extremely brief, with no concrete plans outlined and the testimony

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of the Council on Wage and Price Stability was virtually identical to the testimony that it had given a month earlier, despite the fact that a month had passed, and there were only 2 weeks left in which the administration could act to insure the continuity of our productivity programs. Such a blasé attitude toward a serious problem does not suggest that this administration has any real conviction toward improving productivity.

The National Center on Productivity and Quality of Working Life went out of existence 2 weeks ago. The damage is already being done, and the continuity is being lost. However, it can be minimized, and I hope that the House will bring pressure to bear on the administration to come up with a definite plan for productivity improvement in this country, and to implement that plan. It is the responsibility of the Congress to continue to call the executive branch into account if it fails in this serious responsibility. I shall continue to do all I can in this important endeavor. •

### COMMENDING THE STANDARDS OF OFFICIAL CONDUCT COMMITTEE

#### HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. MANN. Mr. Speaker, I rise today to express deep admiration for my colleagues on the Standards of Official Conduct Committee, and to praise the integrity, fairness, skill, dignity, and courage with which they carried out their duties in connection with the so-called Koreagate matter. There is a desperate need for the House to demonstrate to the American people its willingness to undertake investigations into its own internal problems and its ability to carry out discipline of this sort.

That, I submit, is what the Standards Committee did. There was no personal vendetta; there was no effort to cover up more widespread abuses; there were only 12 honorable men and women striving to perform a difficult and distasteful duty in the most fair and equitable way possible. There was only a committee attempting to honorably discharge the responsibilities delegated to it by the full House in rule X—a most solemn responsibility, Mr. Speaker.

To those who questioned the motivations of the committee; to those who made disparaging allegations about the manner in which the committee handled the Korea investigation; and particularly to those who unfairly and without factual basis raised the ugly specter of ethnic considerations in the committee's recommendations—I say to those Members, you are wrong. I challenge them to undertake the onerous burden carried by those who serve on the Standards Committee, and only then presume to speak of coverups, bias, mockeries. I suspect the tone would be very different then, Mr. Speaker.

For myself, I take this opportunity to commend the distinguished chairman of

the committee, my esteemed colleague from Georgia (Mr. FLYNT); the ranking minority member, a fellow South Carolinian who has brought pride to our State (Mr. SPENCE); all the other able committee members; and an obviously dedicated staff. You did not have an easy job, but you discharged your responsibilities with honor. •

### BALANCE(S) OF POWER SERIES— SALT II BOOK I ADDITION

#### HON. JOHN B. BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BRECKINRIDGE. Mr. Speaker, evidence is beginning to mount that the administration intends to sign a SALT II Treaty/Agreement with the Soviet Union before the year is out and to present it to the Congress for its consideration early next year.

In view of the serious implications which SALT II could have for United States and Free World security, I would like to draw the attention of my colleagues to an article by William T. Lee, which appeared in Air Force magazine, September 1978, entitled "Soviet Targeting Strategy and SALT."

Mr. Lee argues that the Soviet Union's negotiating positions at SALT clearly have been, and will continue to be, based on the Soviet concept of how they would use nuclear weapons in war. Understanding that concept, which is drastically different from U.S. nuclear strategy, is one key to assessing Soviet SALT II objectives and the merits of any SALT II agreement with the Soviet Union.

Mr. Lee's article is as follows:

#### SOVIET TARGETING STRATEGY AND SALT

(By William T. Lee)

SALT is a political dialogue not about how many and what kinds of weapons each superpower will have on hand to deter the other, but also about the forces each would have left after an initial exchange if deterrence fails. Both the US and the USSR reject initiation of nuclear war by an "out-of-the-blue" surprise attack as an instrument of national policy. Both expect nuclear war, if it occurs, to arise out of a crisis. At the same time, each superpower suspects the other of harboring dark designs for a surprise attack should the circumstances appear propitious, or if some desperate and reckless leader comes to power. In all cases, the "bottom line" is how each superpower proposes to use its weapons: What targets are to be attacked? What degree of damage is to be inflicted? What are the politico-military objectives, if any, of strategic nuclear strikes once deterrence has failed?

Public discussions of such matters in the US are dominated by two perceptions of how the Soviets would use their nuclear weapons. The most prevalent perception is a "mirror image" of the US "assured destruction" concept: attack US cities with large weapons to inflict as many millions of casualties and as much damage to production facilities as possible. The second, less prevalent, perception stresses the danger of a Soviet attack on US strategic nuclear delivery systems—ICBMs, heavy bombers, and submarine-launched ballistic missiles (SLBMs) in port—while withholding strikes on our cities to see if the

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US would capitulate after losing most of its land-based strategic nuclear forces.

In SALT, the U.S. has sought to constrain or reduce Soviet forces so that they would be effective only against U.S. population and urban infrastructures. Thus, we have tried to limit the number of "heavy" Soviet missiles that threaten our land-based missiles while granting the Soviets numerical advantages in missiles that are effective against U.S. cities and other soft targets. The Soviets, on the other hand, have held out, very successfully, for high limits on both "heavy" ICBMs and total "strategic" launchers while avoiding specific constraints on missile characteristics.

There are two essentials to understanding Soviet performance at SALT. First, Soviet targeting strategy differs from popular U.S. perceptions, more so from the purely counter-value perception than from the mixed counterforce/countervalue version. Second, Soviet strategic targeting strategy applies to both Eurasia and the United States. While we equate "strategic" to "intercontinental," the Soviets do so only in the context of SALT, where accepting our definition of "strategic" is in Soviet interests. To the Soviets, Europe and adjacent areas in Asia are of equal, if not greater, strategic importance than the "transoceanic" dimension. Both Soviet targeting strategy and the Soviet concept of strategic dimensions have had, and probably will continue to have, much influence on SALT negotiations.

Many factors, of course, have been involved in SALT, not least of them Soviet fear of the consequences of the ten-to-fifteen-year lead the U.S. had in antiballistic missile (ABM) technology when SALT began. Understanding the implications of Soviet nuclear targeting thus is not the single necessary condition for understanding what has happened in the SALT process, but it is one necessary condition.

Specifically, Soviet nuclear targeting strategy appears to have played an essential role in negotiating the Interim Agreement on Offensive Forces signed by the two superpowers in May 1972 and in the negotiations leading to that agreement. Consider:

The Soviets attempted to include in the U.S. strategic aggregate those U.S. tactical aircraft and missiles deployed in Europe that conceivably could deliver nuclear weapons in Soviet territory—the so-called "forward-based" systems.

The relatively high ceilings—far more than required to destroy U.S. cities under the most adverse second-strike conditions—of about 1,600 ICBM launchers and 740 to 950 SLBM launchers.

The Soviet refusal to join in the U.S. unilateral declaration designed to limit the payload (throw-weight) of all but the largest of the four Soviet ICBMs now being deployed, the SS-18.

The absence of any constraints on development of the current generation of ICBMs and SLBMs, early prototypes of which were already at or en route to the flight-test range when the Interim Agreement was signed, or of the generation now under development.

Similarly, both the limits agreed at Vladivostok and Soviet insistence that that agreement serve as the basis for limits on offensive systems after October 1977 are intimately bound up in the requirements of Soviet targeting strategy. The Vladivostok accords gave both sides high ceilings of 2,400 total strategic delivery systems, including 1,320 MIRVed missiles, provided freedom to mix delivery systems, and permitted the Soviets to retain 308 "heavy" ICBMs.

In order to understand the relationship between the provisions of these agreements and Soviet targeting strategy, it is necessary to examine the content and origin of that strategy, how it is applied, and trends in the capabilities of Soviet forces.

## SOVIET TARGETING STRATEGY

Since World War II, the Soviets have consistently argued that defeat of an adversary's armed forces is the first and primary objective of military operations in a nuclear war. To defeat a nuclear-armed enemy, it is necessary first to destroy his nuclear weapons and means of delivering them.

One of the most authoritative public statements of Soviet targeting strategy was made by the Commander of the Strategic Rocket Forces (SRF), Marshal Krylov, in September 1967. (Krylov was SRF Commander from 1963 until his death in 1972.) Consistent with the view that even a nuclear war should be conducted for positive ends, Marshal Krylov stated that the objective of such a war would be "victory" for the USSR. According to Marshal Krylov, the principal targets of the SRF would be the enemy's delivery systems and weapons storage and fabrication sites; military installations; military industries; centers of politico-military administration, command, and control.

This listing of targets, presumably in approximate order of priority, is designed to fight a war rather than to retaliate against cities. It has nothing in common with "maximum-fatality" targeting, and is not consistent with any simple "assured-destruction" objective. The list is, however, consistent with the damage-limiting missions of Soviet forces, and is consistent with the "victory" objective interpreted to mean survival as a national entity, and postattack recovery.

## TARGETING ORIGINS

Despite his public statements denigrating nuclear weapons and evident internal restrictions on discussions on their military significance, Stalin probably understood their political and military potential quite well. He spared no effort to develop nuclear weapons as rapidly as possible and gave equal priority to strategic nuclear delivery systems. Shortly before or just after the end of World War II, Stalin created two supraministerial organizations: one to develop nuclear weapons; the other to develop missiles to deliver them. Meanwhile, much effort was devoted to developing and producing long-range bombers until missiles became available.

Recent articles by General V. F. Tolubko, Commander of Soviet Strategic Rocket Forces since 1972, throw fresh light on Stalin's appreciation of both nuclear weapons and strategic missile delivery systems. The first operational unit for future ballistic missile delivery systems was formed in 1946 on the basis of a tactical rocket regiment. Research organizations and design bureaus for ballistic missiles were formed around a scientific-engineering cadre. Among those who served on the supraministerial organization charged with missile development were such prominent Marshals of the Soviet Union as G. K. Zhukov and R. Ia. Malinovsky. Two nominal civilians who served as missile czars are still prominent: L. I. Brezhnev, First Secretary of the Communist Party since 1964 and Marshal of the Soviet Union since 1976; and D. F. Ustinov, Central Committee member of the Military Industrial Commission for more than a decade, and Marshal of the Soviet Union and Minister of Defense since 1976.

As a result of the organizational efforts begun under Stalin, the Soviets were able to arm some of their missile units with nuclear weapons in the mid-1950's. These units apparently included not only tactical missiles but also the first Soviet "strategic" missile, the medium-range ballistic missile (MRBM) designated as the SS-3 by the US and NATO. Operationally, all the strategic missiles—SS-3 and later SS-4—may have been under the Soviet Air Forces' Long Range Aviation (LRA) before the Strategic Rocket Forces (SRF) were formed as a new branch of service in 1960. Alternatively, the early stra-

tegic missile units may have been directly controlled by the Council of Defense.

The nuclear targeting doctrine stated by Marshal Krylov in 1967 was worked out by LRA not long after World War II, probably before the USSR began to stockpile nuclear weapons. The early strategic missile units evidently shared LRA's nuclear-targeting strategy and carried it over to the SRF.

It is essential to understand that the SRF consisted entirely of MRBM units when it was formed in 1960, with the possible exception of a handful of SS-6 ICBMs, and that the SRF had more IR/MRBMs than ICBMs until 1968-69. The early history of Soviet strategic-missile targeting, therefore, focused primarily on the European and Asian theaters of military operations (TVDs).

## THEATERS OF MILITARY OPERATIONS

The general principles of Soviet nuclear targeting strategy must be applied to specific geographic areas of strategic military operations. The targets located in each geographic area differ, and Soviet politico-military objectives are not identical in all potential areas of conflict. Each area must be analyzed for differences in the targets, and the most vulnerable points of each target, in order to maximize the military effectiveness of an attack with the least collateral damage commensurate with Soviet politico-military objectives in that area.

Whereas the prevalent US concept of "strategic" nuclear operations is limited to intercontinental exchanges, to the Soviets' "strategic" operations begin at their borders. While this geographic definition of "strategic" may be a very natural result of Soviet history, geography, and physical juxtaposition of those states the Soviets regard as their probable enemies in the event of nuclear war, it is a fact of far-reaching consequences for the size and characteristics of Soviet strategic nuclear forces.

In the Soviet view, "the theater of military operations (TVD) is defined as the land or sea area within the limits of which armed forces during war execute a single strategic mission. The boundaries of probable theaters of war, along the front and in depth, are established in consideration of their political-economic and military-geographic conditions, and also the possibilities of deploying the forces and material on one or more fronts (fleets)." Politically, a TVD may include Soviet/Warsaw Pact territory and "that of the enemy as well," and "its boundaries may change in the course of the war."

For the conduct of strategic nuclear operations, NATO probably represents at least three, probably four, TVDs—one or two in Central Europe and one each on the north and south flanks. China, Japan, Korea, and Okinawa probably constitute one or two more TVDs. Finally, there is the "transoceanic" TVD: the US and its military bases in the Atlantic and Pacific basins. To the Soviets, each of these TVDs is equally "strategic" although the Central European TVDs may be first among equals in Soviet strategic force planning and resource planning.

The Soviets have deployed, and continue to deploy, four basic types of strategic weapon systems for strategic nuclear operations in all of the prospective TVDs: IR/MRBMs, SLBMs, medium and heavy bombers, and ICBMs. In the Soviet scheme of things, all of these weapons are equally strategic, and Soviet forces must be able to destroy or neutralize all targets located in each TVD.

## TARGETING STRATEGIES FOR THE TVD'S

Certain general factors affecting the conduct of strategic nuclear operations in the TVDs are stated in Soviet writings. Although these factors apply to all TVDs, variations probably exist because the Soviets recognize the differences in the target arrays found in each TVD, and Soviet politico-military objectives vary with the TVDs. The principal fac-

tors governing targeting strategy for each TVD appear to be:

The political objectives set by the Soviet political leaders.

The nature and objectives of planned Soviet military operations in each theater.

The requirement to limit collateral damage to population, industry, and urban infrastructure commensurate with achieving military objectives.

The most vulnerable components of the targets to be attacked.

Although these factors either have been explicitly stated or have been inferred from Soviet unclassified military and political literature for nearly two decades, they have not been widely accepted in the West. Recently declassified issues of the Soviet general staff journal, *Military Thought*, contain discussions of Soviet targeting that, while quite consistent with the open literature, are more explicit and detailed in most cases. The following summarize pertinent points from articles in this journal:

Political factors will dominate the course and conduct of a nuclear war between the USSR/Pact and US/NATO because in such a war both sides "will pursue their own decisive political ends."

The theses and application of Soviet military strategy are derived from the political strategy of the Communist Party of the Soviet Union (CPSU). Soviet strategic nuclear forces will be under the direct command of the top political leaders.

Two basic options exist: (a) use large weapons that can inflict heavy damage on "individual states" and "would retard the social progress of their peoples for a long time," and (b) use smaller weapons that can defeat the enemy "without doing essential injury to the economy or populace of states whose aggressive rulers unleashed the war." Only the Soviet political leaders can make the decision as to which option would be exercised.

First-priority targets are the enemy's nuclear delivery systems, nuclear weapons stocks, and associated command control and communications, followed by other components of the enemy's military forces.

In attacking the enemy economy it is essential to select the most vulnerable points where destruction would disorganize economic support of the war effort. While collateral destruction cannot be avoided, "the objective is not to turn the large economic and industrial regions into a heap of ruins."

This general principle of destroying only what is necessary to achieve Soviet political and military objectives is further expressed in discussions of what are the most vulnerable (*i.e.*, vital) components of any given target array. Some of this discussion is related to contemporary economies; some of it appears in Soviet critiques of Allied strategic bombing operations in World War II.

In planning attacks on industrial targets, the Soviets stress analysis of the regional distribution of industry, interindustry relationships, plants and facilities that produce modern weapons, and "the quantity of forces and means required for the destruction of the target and the capabilities of the enemy to rebuild." Destroying one or two key branches of transportation may be sufficient to sap or "significantly weaken" a country's military potential. Similarly, it may not be necessary to attack all of the plants and facilities engaged in missile production, since it is "sufficient to destroy a few enterprises producing transistors in order to extremely restrict the production of missiles for all branches of the armed forces."

In general, the following economic activities appear to be the most lucrative first-priority targets for prohibiting the replacement of nuclear delivery systems, nuclear weapons, and other military assets and for limiting capabilities to use surviving

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military forces effectively: transportation, power stations, facilities producing liquid fuels, chemical industries, selected bottleneck facilities in other industries.

The Soviets do not consider general attack on all types of industrial targets to be either necessary or militarily effective. They are particularly critical of the political and military futility of attacking population and cities.

Most of the latter arguments appear in Soviet critiques of Allied strategic air operations in World War II, for which the Soviets display considerable practical and moral disdain. Their analyses of the military effect of Allied bombing of German and Japanese industry and cities are not much different from the findings of the U.S. Strategic Bombing Survey or the observations of Germany's wartime production czar, Albert Speer. The Soviets also note that until nearly the end of World War II, when the Allies systematically concentrated on German liquid fuel production and selected components of the rail and barge transport systems, German war production showed steady growth. At the same time, the Soviets give the Allied strategic bombing campaign no credit for tying down large German military assets for air defense.

US incendiary bomb attacks on Japanese cities are said to have been ineffective, and destruction of Hiroshima and Nagasaki pointless. In general, the Soviets charge that both the bombing of Japanese cities and the militarily pointless destruction of Dresden at the close of the European war were designed to intimidate the USSR rather than to break Japanese or German morale. The Soviets do not consider population and cities to be valid targets on political, military, or moral grounds, but rather another manifestation of the evils of "imperialism" as expressed in such strategic concepts as "mutual assured destruction." On the other hand, this does not mean that the Soviets would not target some selected population groups such as business and government elites—the "ruling groups" who are the "class enemy"—and possibly selected concentrations of scientific-technical personnel.

While these targeting principles apply to all TVDs, there may be some variations in applying them to different TVDs in order to achieve differing Soviet politico-military objectives. In the European TVDs, Soviet objectives are clear: defeat and disarm NATO forces and occupy Western Europe as intact as possible. Politically, they want to bring their version of "social progress" to Western Europe in the wake of the next war, just as Eastern Europe was "liberated" after the end of World War II. Two practical considerations also guide Soviet nuclear targeting in the European TVDs. First, the prevailing winds are from the west, so it is very much in the Soviet interest to target selectively and avoid "overkill" with large weapons in order to limit fallout on Eastern Europe and the USSR and on the Soviet/Pact occupation forces. Second, the Soviets could make good use of Europe's economic resources during the course of protracted military operations and to help rebuild their own in the aftermath of a nuclear war. They have said so quite explicitly.

In the Far East, Soviet objectives probably would be more complex. They might wish to occupy sparsely populated regions outside China's Great Wall, and possibly Manchuria, but probably consider it quite infeasible to occupy China proper, where the population density would support a "people's war." In China proper, the Soviets probably would use strategic nuclear force to disarm China and to destroy sufficient industrial and transportation facilities to ensure that China could not become a nuclear or conventional military threat to the USSR for some time. Against Japan, on the other hand, Soviet targeting might be much more

selective because Japan, like Europe, could contribute to Soviet postattack recovery.

All the evidence known to the author explicitly or implicitly indicates that Soviet nuclear targeting strategy against the US is generally the same as for other TVDs. On the other hand, since the Soviets have no ambition to occupy the US they not only must seek to destroy our military forces in being at the beginning of the war but also must prevent the US from reconstituting its military forces. Hence, Soviet targeting of US industry might be more extensive than in Europe and Japan, and targeting selected US cities might be more comprehensive than in Europe. Soviet literature indicates that nuclear targeting in all TVDs would be selective both with regard to the targets attacked and the degree of damage inflicted.

### SOVIET MISSILE TRENDS

In order to understand the relationship between SALT agreements and Soviet targeting, it is also necessary to examine trends in the capabilities of Soviet strategic missile forces against each TVD. In the European TVDs generally, and in NATO in particular, most of the targets are relatively "soft," which is to say that nuclear weapons with submegaton yields rather than multimegaton yields are adequate, even with relatively inaccurate missiles. As missile accuracy improves, even lower-yield weapons will suffice, unless something is done to make the targets less vulnerable.

In the period 1958-64, the USSR deployed a force of more than 700 SS-4 and SS-5 IR/MRBMs, backed up by about 100 SLBMs, to deal with all classes of targets, mostly soft, Eurasian TVDs. As further insurance, the Soviets maintained most of their medium and heavy bombers. Given the state of missile technology at the time, the SS-4 and SS-5 were not particularly accurate. But since most targets in the Eurasian TVDs were, and still are, "soft," *i.e.*, capable of resisting blasts of fifteen pounds per square inch (psi) or less, these relatively inaccurate missiles were effective with warheads yielding kilotonnes (KT) rather than megatons (MT).

Most targets in the Eurasian TVDs could be destroyed with weapons in the fifty to 500 KT range, if missile Circular Error Probable (CEP) were in the 0.5 to 1.0 nautical mile (NM) range, which probably is the best the Soviets could have achieved with the IR/MRBMs designed in the 1950s.

In the transoceanic TVDs, however, target vulnerabilities are much more varied. SAC airfields in the US are soft, and many military and virtually all US industrial targets are as soft as their Eurasian counterparts. Megaton weapons are as superfluous against many targets in the US as they are against most targets in Eurasia. But the US contains a large number of really "hard" targets—more than 1,100 ICBM silos and launch control centers, nuclear weapons storage facilities, command and control facilities—that have few, if any, counterparts in the NATO area. To destroy these targets requires overpressures of several hundred thousand psi. Given the CEPs of Soviet ICBMs, the hard targets located in the US have required multimegaton weapons.

For first- and second-generation Soviet ICBMs—the SS-6, SS-7, SS-8, SS-9, and SS-11—very large yields, on the order of five to twenty-five megatons, were required to destroy US ICBM launchers and nuclear-weapon storage sites because first- and second-generation Soviet ICBMs hardly could have had CEPs of less than 0.5 to 1.0 nm. The same reasoning applied to the SS-N-6 and SS-N-8 SLBMs on Yankee- and Delta-class submarines.

When attacking soft targets, wider variations in CEP factors are tolerable since the probability of damage is not very sensitive to small differences in planned vs. actual CEPs. But against hard targets, particularly

## EXTENSIONS OF REMARKS

ICBMs that can reach the USSR in thirty minutes if not destroyed, Soviet planners probably want very high confidence factors. And because of the danger of fratricide and other characteristics of a nuclear-attack environment, multiple attacks on each ICBM silo provide a low confidence of success. For high confidence, one-to-one attacks must be effective, and this means megaton weapons until CEPs drop to 0.1 nm or less.

These requirements for large yields to compensate for the modest accuracy of Soviet strategic missile systems when attacking hard targets in all TVDs led the Soviets, very naturally, to develop large warheads in the 1950s and 1960s. This, in turn, led to the very questionable perception that, since all Soviet strategic missiles could deliver multi-megaton weapons, every missile in the Soviet inventory was armed with as much megatonnage as the missile could carry. Given also the popular "mirror image" that the Soviets target population masses (which is the foundation of our concept of assured destruction but which we do not in fact follow), one of the popularly perceived functions of the SALT process is to restrain "overkill" of cities.

Recently released data on Soviet strategic missile accuracies and yields provide the basis for a more realistic assessment of what the Soviets have been doing and why. There has been a sharp decrease in CEPs from the initial systems deployed two decades ago to current and projected systems. The most plausible explanation is that accuracy must be improved for effective counterforce capabilities against hard targets, and in order to use smaller warheads effectively against soft targets while limiting collateral damage. Concurrently, there has been a declining trend in the yields of Soviet strategic warheads. As accuracy increases and yields decline, effectiveness against most industrial and military targets—except missile silos, hardened command control installations, and the like—holds constant or improves with each generation. Multimegaton single-warhead options have been retained in some SS-17, -18, and -19 missiles for attacks on some classes of hard targets. The high side (1.0 MT) of the yields reported for the MIRVed SS-17s and SS-19s may be the maximum these missiles can carry. But 0.2 to 0.5 may well be more representative yields because such yields are quite adequate against most industrial and military targets, which are relatively soft—five to fifteen psi.

These trends in Soviet strategic-missile characteristics also illustrate Soviet requirements for future generations of strategic-missile systems. Even the SS-18 is marginal for its primary mission of destroying hard targets. The SS-17 and SS-18 MIRV versions are effective against targets up to about 100 psi but are not likely to be very effective against US missile silos. For flexibility and greater effectiveness, the Soviets probably want at least two of their ICBMs to be effective against hard targets. Meanwhile, the SLBMs still are relatively inaccurate as the yields required are much larger than for the current ICBMs. Deployment of the SS-NX-18 SLBM will improve force characteristics considerably. Deployment of the Typhoon system should make Soviet SLBM capabilities at least comparable to the current SS-17 and SS-19 ICBMs.

## IMPLICATIONS FOR SALT

Against this background it is not difficult to understand why the Soviets have held out in SALT negotiations for high ceilings on total delivery vehicles, on "heavy" ICBMs, and on MIRVed missiles. When the SALT negotiations started in 1969, the Soviets were far short of the forces they needed to satisfy their targeting requirements in the transoceanic TVD. By the middle of 1969, the Soviets had about 1,000

ICBMs, some operational Yankee-class SLBMs and many more such missiles in production. But the force was still much too small and inaccurate to be effective. Originally designed to immobilize the US ICBMs by destroying the 100 Launch Control Centers that control the 1,000 Minuteman ICBM launchers, the SS-9 deployments were frustrated by the US airborne launch control system, which can launch missiles from each silo even if the Control Centers are destroyed.

Building enough SS-9s to attack every Minuteman silo was not a feasible course of action. The Soviets experimented with a three-RV version of the SS-9 that probably was an attempt to acquire a limited MIRV capability against the silos, which are relatively closely spaced. But this approach either did not work or, more likely was dropped in anticipation of achieving full MIRV technology. However, the first generation of true Soviet MIRVed ICBMs, probably approved for development in 1966 and part of the eighth Five-Year Plan military programs, were still three years from flight-testing when SALT began. Even with accuracy improvements, the current generation of new systems (SS-16 through SS-18) required much larger payloads (throw-weight) to carry MIRVs with megaton yields.

In 1969, Soviet requirements for hitting soft targets in the transoceanic TVD also were far from being satisfied. The new SS-11 ICBM and the SS-N-6 SLBM were effective against such targets, with warheads in the KT range in most cases. But there were a lot of targets. U.S. and allied military bases and facilities located in Asia (beyond IRBM range), the Atlantic and Pacific basins, and in the U.S. and Alaska must number at least 600 and possibly more than 1,000. Some of these are large complex installations requiring several warheads to destroy all of the facilities. And then there are all the industrial, transportation, communications, and administrative targets specified by Soviet targeting strategy.

It is no wonder, therefore, that the Soviets stretched out SALT until they had some 1,600 ICBMs, agreed only very reluctantly to a limit of just over 300 launchers for SS-9-type ICBMs (so-called "heavy missiles" in SALT jargon), and insisted on an upper limit of 710 to 950 SLBMs. Equally unsurprising, the SALT agreements were not concluded until the Soviets were nearly ready to start flight-testing their four new ICBMs in 1972, all of which have the MIRV system required to cover all the targets.

As has been noted, the U.S. tried to limit the throw-weight of all new missiles, except the successor to the SS-9 "heavy" missile, to roughly the throw-weight of the SS-11. But this was futile since the new liquid fuel successors to the SS-11—the SS-17 and SS-19—were designed in 1965-66 as "heavy" missile, having throw-weights approximately two to three times that of the SS-11 in order to carry enough MIRVed warheads to cover the entire target array in the transoceanic TVD and other areas outside the range of the IR/MRBMs.

This is not to argue that the Soviets made no concessions at all in SALT. They may have intended to replace many, even all, of their IR/MRBMs with ICBMs, which they began to deploy with IR/MRBM units some time after the SALT negotiations began. On the other hand, they have intended to replace most of the SS-4 and SS-5 missiles with the SS-20 IRBM from the beginning, since the latter missile is the first two stages of the SS-16 ICBM.

The SALT agreements permitted the Soviets to go ahead with their new ICBMs and placed no restrictions on the SS-20. This missile will be much more effective than the SS-4s and SS-5s for strategic operations in

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the Eurasian TVDs. It reduces collateral damage as well. To satisfy requirements of Soviet targeting strategy in the transoceanic TVD, yet another generation of ICBMs will be required. The next generation of Soviet strategic missiles, now being developed, will provide a large MIRVed force to cover all of the military and industrial targets.

The Vladivostok agreement limiting Soviet peripheral i.e., transoceanic, strategic delivery systems to 2,400, without placing any limits on central Soviet strategic systems for the Eurasian TVDs, was made to order for the Soviets. Development of the next generation of Soviet ICBMs probably had been approved in 1970-71 as part of the ninth Five-Year Plan's military programs, and flight-testing probably will begin in 1978-79.

Most important, at the start of SALT I negotiations, the Soviets probably intended to build many more SS-9 type silos than the 308-odd launchers of this type they finally agreed to. Because they desperately wanted agreements to prohibit large-scale US anti-ballistic missile (ABM) deployment, which would have frustrated all of their nuclear targeting ambitions and, in their view, would have given the US a great military advantage the Soviets had to make some concessions. But the limit on SS-9-type silos is about the only concession that mattered since the unconstrained SS-20 will more than make up for ICBMs the Soviets may have planned as replacements for their SS-4 and SS-5 MR/RBMs.

Anticipating the Vladivostok limits, the Soviet approved completing development and initial deployment of the new systems in 1975-76 as part of the tenth Five-Year Plan's military programs. Sometime in the early to mid-1980s, the combination of the current ICBMs plus the four to six next-generation ICBM and three SLBM systems now under development finally should provide sufficient accuracy and enough warheads to satisfy the transoceanic TVD requirements that Soviet military planners have been struggling to meet since the late 1950s.

## STRIDES IN COUNTERFORCE WEAPONS

The Soviets also are continuing to improve the performance of one or more of their current-generation ICBMs. One report stated that an improved version of the SS-18 has a CEP of only 0.10 nm. The first flight test of the SS-18 occurred nearly six years ago, which may have been enough time to have developed a new guidance system to retrofit into the basic airframe. With this reported accuracy and a one to two MT warhead, the SS-18 would be a very effective counterforce weapon. Given the uncertainties concerning test-range CEPs applied under operational conditions, a prudent Soviet planner might well count on only 0.2 nm CEP. Even so, the SS-18 is well on its way to becoming a very effective counterforce system, and the SS-17 and SS-19 may not be far behind. And whatever capabilities these systems lack, almost certainly will be included in the four or more new ICBMs under development. There are also indications that the Soviets are pressing for the right to test only one new ICBM during a three- to four-year Protocol period that may accompany a treaty on offensive system limitations. This appears to be a substantial Soviet concession even if it is tied to Soviet efforts to block development of a new US Air Force ICBM.

On the other hand, if the accuracy of the current generation of Soviet liquid-fueled ICBMs has been improved to the extent reported, some delay in testing the next generation could be tolerated. The single new ICBM the Soviets reportedly are holding out for may represent an effort to get some return on the Soviet investment in solid fuel missile development which, except for the SS-20 (and some sixty SS-13s), has not paid off very well thus far.

## SUMMING UP

To recapitulate, Soviet nuclear targeting strategy is reflected in most aspects of Soviet performance in SALT, from the Interim Agreement through the Vladivostok Accord to what appears to be emerging from the current negotiations.

The Soviets have insisted on high ceilings for total delivery vehicles (2,200 or more), MIRVed missiles (1,200-1,300), and "heavy" ICBMs (more than 300).

The Soviets summarily rejected the US proposals of March 1977 that would have made it impossible to meet their targeting requirements—granted that the timing of those proposals also was not propitious for other reasons.

The agreements have permitted replacing the S-11 with the SS-17 and SS-19, which have three times or more throw-weight than the SS-11, in order to accommodate large MIRV payloads and a high-yield single RV version of these missiles. The MIRVed versions are needed to complete coverage of all soft military targets and selected industries, and perhaps to cross-target Minuteman silos as well. The single warhead versions of the SS-17 and SS-19 will be useful against certain classes of hard targets, particularly command control and communications facilities.

Thus far, limits on new missile-system R&D have been avoided while the Soviets are free to modify, modernize, and improve all performance parameters of the current generation of ICBMs.

Understandably, the Soviets have been reluctant to delay testing of the new ICBMs and the large SLBM they have under development, but they may make some concessions in this area in order to get an agreement. Meanwhile, they are continuing to test and improve current ICBMs and SLBMs.

They have built to the limit of their sixty-two boat-950 launcher SLBM ceiling under the Interim Agreement, giving them a secure reserve force to conduct war after the initial exchange, and probably also as a hedge against future US counterforce capabilities.

For the purposes of SALT, the Soviets created a definition of "strategic," (i.e., systems that can reach each superpower's homeland from existing bases) in order to exclude much of their strategic forces from SALT limits while trying to include US tactical assets in SALT ceilings.

No wonder the Soviets do not want to give up their policy of "peaceful coexistence," which we call "détente." It has served them well in acquiring grain, technology, credits, and SALT agreements compatible with their strategic targeting requirements. ■

## TRIBUTE TO "TIGER" TEAGUE

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague OLIN TEAGUE.

Every veteran in America owes a debt of gratitude to "TIGER" TEAGUE. This most highly decorated combat veteran of World War II was destined by fate and experience to be the voice of the military veteran in Congress and has fulfilled his role to perfection. Also, in recent years when the "space race" opened new frontiers

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tiers for American exploration, his determination, perseverance and legislative skills were natural for him to chair the House Science and Astronautics Committee. The Nation will be poorer for his departure from Congress.

Reta and I extend to TIGER and Freddie our warmest wishes for an enjoyable and fruitful retirement. ■

## WATERWAYS USERS FEES

## HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. MURPHY of Pennsylvania. Mr. Speaker, I take this opportunity to explain my reasons for opposing the establishing of waterways users fees. At a time when this Congress has expressed such grave concern over creating a comprehensive energy policy and faces the most serious questions raised by our ever increasing inflation, at a time when we find our domestic industries jeopardized by cheap foreign imports, this measure is most counter productive.

Water transportation is our most energy efficient means of moving massive quantities of bulk goods. We seek to reduce serious drains on our petroleum resources, we seek to reduce the importation of foreign petroleum and the impact of foreign prices, and yet there are those who introduce measures that would penalize a mode of transportation that carries large cargoes with less fuel drain than any other. We should instead seek to encourage water transportation to stimulate the movement of coal supplies to supplant the use of petroleum and reduce our dependency on an uncertain supply of foreign oil. The great rivers of the Northeast, especially those flowing through Ohio, West Virginia, and my own home State of Pennsylvania are the arteries of the coal industry that we will depend on through the coming years to light our homes, fire the boilers of our generators, and give us a whole new technology leading to greater energy independence. To establish a tax that will rise to 10 cents a gallon by 1985 will place an additional and onerous burden on the towboats that ply these waters and on the coal industry, and the steel mills that built this Nation.

Let us not forget those steel mills. They are now struggling under the burden of predatory pricing practices by foreign producers, extensive and expensive non-productive investments in pollution control equipment, and now some of my colleagues seek to add to that burden a tax on their most efficient means of transportation. These two major industries, coal and steel are not the only industries along our river system that will suffer. And if they all suffer so will the economy of our country. If this waterways users fee is passed they will have no choice but to pass their increased costs on to their consumers and ultimately on to you and me and the constituents that we are here to serve.

I can see the day when the river boats become fewer in number as they fall one by one to this tax and our great multi-million dollar locks and dams see only pleasure craft bobbing within their channels and then where will be our efficiency.

In closing, I do not seek to argue points of law older than this room in which we debate, but I must remind you of the intent and spirit of article 4 of the Northwest Ordinance of 1787 and I quote:

The navigable waters leading into the Mississippi and St. Lawrence and the carrying places between the same, shall be common highways, and forever free. As well as to the inhabitants of the said territories, as to the citizens of the United States, and those of any states that may be admitted into the confederacy.

This ordinance was continued in effect after the adoption of the Constitution by an act of this very body on August 7, 1789, and should well remain the law of the land today.

I cannot, in good conscience, support a measure whose primary effect will be to raise the cost of goods transported over our waterways. ■

## TRIBUTE TO CONGRESSMAN OTIS PIKE

## HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LENT. Mr. Speaker, it is a privilege to join with my colleagues in paying tribute today to the Honorable OTIS PIKE who is retiring from this body. I am certain that all of my colleagues share a real sense of regret that OTIS has decided to leave public service.

We will all miss OTIS PIKE's sparkling wit, and his articulate and pertinent contributions to the work of his committees, and in debate and action on legislation on the floor of the House. His candor, his knowledge, and his demonstrated mastery of the intricacies of the legislative process have been most impressive. OTIS PIKE has established an enviable record as a lawmaker.

Those of us who are members of the Long Island delegation have especially appreciated the efforts of OTIS PIKE in furthering the interests of our unique part of New York State. We on Long Island owe a debt of gratitude to OTIS for his dedicated and determined efforts on behalf of Long Island needs which have deserved congressional attention.

Few have done more for our Nation than has OTIS PIKE. His service to our country began during World War II in which he flew 120 combat missions as a Marine Corps dive-bomber pilot. Always interested in community service, OTIS served for a number of years as Justice of the Peace for his home town of Riverhead, before being elected to the 87th Congress on November 8, 1960. In the nearly two decades since that election, OTIS has been reelected to every succeeding Congress, certainly demonstrating his effectiveness as a public servant. And

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had OTIS PIKE chosen to continue his service in the House of Representatives, I am sure that his constituents would have continued to honor him with reelection.

Although OTIS and I served on opposite sides of the aisle, his good humor and understanding never permitted whatever differences we had on issues to interfere with our friendship. I value that friendship most highly.

As OTIS PIKE leaves the House of Representatives, I am sure that my colleagues join me in extending our very best wishes to OTIS. May he enjoy the best of luck, and the best of health in the years to come.●

## VIGIL FOR FREEDOM

## HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mrs. SPELLMAN. Mr. Speaker, I am pleased to join in the "Vigil for Freedom" sponsored by the Union of Councils for Soviet Jewry on behalf of Soviet Jewish families and individuals who are being detained in the U.S.S.R. as a result of the Soviet Government's repressive emigration policies.

In 1975, 35 nations signed the Helsinki Final Act, which committed the 35 signatory nations to pursue policies consistent with basic principles of human rights, including the reunification of divided families whose members live in different countries, religious freedom, minority rights, and free travel between countries.

Unfortunately, the Soviet Government has disregarded the human rights provisions of the Final Act.

Today, I bring to the attention of my colleagues the case of Lydia Nisanova, a 33-year-old woman from Derbent who applied to emigrate to Israel in 1975. Immediately subjected to harassment, she was called several times to the prosecutor's office where a case was begun against her for "speculation." She went to Moscow and delivered a declaration of protest. Although semiliterate, she was forced to sign a statement she had not even been given the opportunity to read.

On returning to Derbent, she was told that the case had been dropped. But, "Because she had gone up to Moscow and had complained there, a new case was being opened against her, also on a charge of 'speculation' but with a different investigator and with generally new facts."

Her trial took place December 17, 1975, at which time she was given an 18-month prison sentence. In April 1976, her appeal against this sentence was rejected by the Derbent Court of Appeal. She was further informed that the examination of her application for emigration had been indefinitely suspended.

It is my hope that this vigil for freedom will result in the termination of Lydia Nisanova's 3-year ordeal, and her speedy emigration to Israel.●

## THE ASIA FOUNDATION CONGRESSIONAL FELLOWSHIP PROGRAM

## HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. PEPPER. Mr. Speaker, many of my colleagues in both the House and Senate are acquainted with the Asia Foundation congressional fellowship program. In fact, many of them have acted as hosts to the dozens of Asian professionals who have interned in their offices in an effort to acquire an indepth knowledge and appreciation of the American national legislative process. I personally have had the pleasure of having five of these Asia Foundation congressional fellows work with me since the program's inception. Only last month I said goodby to a senior judge from Pakistan who has been with us for the past year. The distinguished Representative from Hawaii (Mr. AKAKA), also participated in the program this year, hosting a journalist from Malaysia. It has been, I believe, a mutually rewarding experience.

This program is maintained by the Asia Foundation, a publicly supported nonprofit organization headquartered in San Francisco, Calif. The three basic purposes of the Asia Foundation are: First, to support Asian individuals and organizations striving to strengthen their own societies; second, to facilitate regional and interregional cooperation among Asian, American, and international private and public organizations concerned with progress in Asia; and third, to promote in the United States a better understanding of the peoples, cultures, values, and histories of Asian countries. In furthering those objectives each year the Asia Foundation fully or partially supports the travel of dozens of Asians to the United States to study for advanced degrees, to meet with their colleagues at conferences and seminars, to observe American practices during short-term observation trips, to participate in professional programs at educational institutions, such as the Nieman Fellowships for Journalists at Harvard, and to serve as interns in some of this country's major public and private institutions, such as the Congress of the United States through the congressional fellowships.

Working in cooperation with the American Political Science Association, which sponsors the Congressional Fellows program, the Asia Foundation helps to select Asian participants in the program through its network of field offices. The Foundation provides necessary financial support of these Asian Fellows and with APSA, monitors their progress during their year in Washington.

Since Asia Foundation involvement in this program began in 1958, some 70 Asians from 14 countries have taken part in this program. The countries represented are Korea, Japan, Taiwan, the Philippines, Singapore, Malaysia, Indonesia, Thailand, Vietnam, Bangladesh,

India, Sri Lanka, Pakistan, and Afghanistan. Through a series of interviews, each Asian Fellow obtains a place in a congressional office, and spends almost a full year working learning the complexities of how our laws are made and policies formed. Many of these Fellows bring unusual skills to their assignments, and have been valued by me and many of my colleagues for their contributions to an perspective on issues of mutual interest.

The Asian Fellows, like the other Congressional Fellows, have represented a wide range of occupations, including government officials and academicians, journalists, jurists, legislators, and others. The Asian Fellows selected have been of high quality, witness their professional advancement since their participation in this program. The Asian Congressional Fellows alumni now list among their number at least two ambassadors, two vice ministers, the chief of a national news agency, several editors of major Asian newspapers, college deans, and several senior parliamentary officials.

All of these Asian Congressional Fellows have returned to work and live in their home countries with a much more mature grasp of the U.S. legislative process, and a warm affection for their year in Washington. As influential policy-makers and opinion-molders, their enhanced ability to interpret U.S. policies and political developments accurately for their countrymen is of no small significance.

As the Asia Foundation Congressional Fellowship program completes its 20th year, I would like to take this occasion to commend it and wish it continued success. I would also like to express my deep thanks to the Asia Foundation for its valuable services in making this program possible, and for its extensive contributions to Asian-American understanding and cooperation.●

## OTIS PIKE

SPEECH OF

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague OTIS PIKE.

After truly outstanding World War II service as a Marine combat aviator and civilian community service in his native Riverhead, N.Y., OTIS came to Congress in 1961 and has rendered effective service since as a potent member of the Ways and Means Committee. Also, his chairmanship of the Select Committee on Intelligence led the way for correction of some unfortunate abuses in our Nation's intelligence gathering apparatus.

Reta and I extend to OTIS and Doris our warmest wishes for an enjoyable, fruitful retirement.●

VOLUNTEER SPIRIT IN CALIFORNIA  
SUSTAINS SUPPORT OF PROPOSITION 13

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ROUSSELOT. Mr. Speaker, in June, when the people in the State of California accepted proposition 13 on their primary ballot, they began a taxpayers revolt that has swept across the country and which has certainly been felt and heard in the Halls of Congress. Now, proposals for tax cuts and spending limitations are not new, when the voters returned me to Congress in 1970, one of the early resolutions I cosponsored was House Joint Resolution 23 making the Federal personal income tax unconstitutional. I have reintroduced this resolution (originally introduced by another Californian now deceased, James Utt) each succeeding Congress where it has been referred to the House Judiciary Committee and placed in the "inactive" file along with other proposals introduced by my spending and tax conscious colleagues. For the past three Congresses I have introduced and reintroduced a balanced budget amendment calling for restraints in Federal spending and an across-the-board cut in tax rates, but the Congress has not acted favorably on spending-limit measures and has, instead, voted year after year to increase spending—the revenue for which comes from the hard working taxpayers of our Nation. Citizens groups have been active, there is the National Taxpayers' Union and the National Tax Limitation Committee, several States have enacted a constitutional limit on Government spending, but it took the cussed tenacity of Howard Jarvis to bring about the tax revolt that has visibly shaken legislators at every level of government. When the Jarvis-Gann property tax relief measure got on the California ballot, there was a thundering protest from the establishment that its passage would cause financial chaos, but proposition 13 was approved, overwhelmingly approved. This was a signal from the people of California that they were ready to restrain programs and diet on a smaller piece of the tax pie. Mr. Speaker, I want my colleagues in the U.S. House of Representatives to know that I am proud of the people of California for making this sober judgment and I know that they are willing to practice the disciplines that will be necessary to "live within their means." This was a hard choice, but the people of California are resetting their priorities and working to cut "frills" and find ways to locally fund those programs and services which best serve their own community needs. The citizens of my own hometown, San Marino, Calif., have given me special reason for pride, because of their vigorous and spirited volunteer effort to raise private funds to carry on city services that were discontinued or reduced by the enactment of proposition 13. I submit to the attention of my colleagues an article which ap-

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peared in the October 12 issue of the San Marino Tribune entitled, "Volunteer Spirit Propels Blue Ribbon Committee," and ask the Members of the House whether they do not believe that this firm, determined spirit is exemplary of an attitude that will prevail throughout the country if the American taxpayers are given the chance to prove their willingness to establish fiscal sanity:

VOLUNTEER SPIRIT PROPELS BLUE RIBBON COMMITTEE

(By Jeff Weir)

The spirit of 1776, symbolizing independence and commitment, reared its head last Friday when 60 residents gathered at City Hall to celebrate the fact that they'd completed the first in a long list of tasks for the Blue Ribbon Committee.

On the surface, the volunteers who took time off from work to congratulate one another and pose for pictures, were simply reveling in the knowledge that they'd hand-addressed more than 9000 envelopes for the BRC's two mailings, the first of which goes to the post office next week.

Underneath, their presence physically illustrated a significant though unspoken point—that they, and the Blue Ribbon Committee for which they've worked, aren't going to quit on San Marino—come hell, high water or budget cuts.

If the spirit of selfless volunteerism demonstrated last week is any harbinger of future success, then the BRC should be well on the way toward accomplishing its lofty goal, which is to restore city services to their pre-Proposition 13 levels by raising more than \$800,000 from San Marino property owners—most of whom voted for Proposition 13 and stand to pocket substantial tax savings from its passage.

The message of the first BRC mailing will be primarily educational, according to Deborah Noble, the organizer of Friday's "demonstration" and BRC envelope addressing. "Our first mailing will include a cover letter and informational brochure, which will tell people where San Marino stands fiscally. We'll just give people the facts—no gimmicks or threats."

The letter will also describe how the BRC intends to recoup 80% of the city's 1977 budget—through voluntary citizen donations.

The point of it all, she added, "is to show San Marino people working to solve San Marino problems. And we'll solve them."

Mrs. Noble is also coordinating a citywide phone bank operation on October 24, 25 and 26, during which she and 30 BRC volunteers (including the 10 committee members) will try to reach 2500 residents between 6 and 9 p.m.

"The phone bank will give people a chance to go one-on-one with a committee member, to ask questions about the brochure, the fundraising campaign or the committee," she said. "We won't be asking for money."

The second BRC mailing, tentatively set for the second week in November, will be more personalized—and more to the point, she said. That mailer should include a computation of every homeowner's 1977 tax, their 1978 tax, their Jarvis savings, and the BRC's solicitation request—15% of the Jarvis windfall.

"We'll be as accurate as the assessor's roles, if not more accurate, in our computations," Mrs. Noble promised.

In addition to stamping and addressing envelopes for the BRC, Mrs. Noble and BRC colleague Paul Kral have recruited more than 90 volunteers to help with the phone bank. Each number has had to be checked and rechecked, she said.

Miles Turpin of Grey Advertising and

James Cross collaborated on designing the BRC mailers. The materials, in addition, were donated or funded separately by individual BRC members.

The volunteers who showed up at Friday's demonstration included Susan Norton, Dorothy Pichel, Dr. John P. Dobbins, Jackie Armstrong, Mary Ann Strakosch, Maryadele Clougherty, Selma Sax, Judy Hoy, Anni Szanto, Tita Johnson, Linda Hulting, Jeanne Cornwell, Elinor Miller and Charlene Seley.

Also, Cathy Shanahan, Jeanne Schmid, Pamela Simpson, Barbara Ann Kral, Helen Foreman, Diane Lucas, Jan George, Mary Fran Warnock, Sally Adams, Dorothy Brown, Jean Dampier, Marilyn Henriksen, Allen Laws, Maybelle Poole, Lin Hildeburn, Joan Garrett, Luz de la Madrid, Betty Lou Warren, Dottie Stevens and Lorna Reed.

Also, Winnie Reitnauer, Joan Blocker, Ellen Meudell, Becky Archer, Betsy Buchanan, Sue Garrison, Carol Bigger, Barbara Steele, Angela Scott, Maurene Bell, Ted Burnett, Janine O'Connell, Dorothy Olson, Patricia Salvaty, Betty Foster, Pat Hutter, Valerie Woosley, Maria Johnston, Jane Bell, Nancy Selley and Barbara Strong.

"And that's just some of the volunteers," Mrs. Noble laughed. "The rest were still addressing envelopes." ●

TRIBUTE TO BOB NIX

HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to salute a great American for 20 years of outstanding leadership in the House of Representatives and a lifetime of service to his fellow man.

Born in an era when nothing came easy Bob Nix left his hometown of Orangeburg, S.C., as literally a youngster traveling alone to New York City in search of educational opportunities not available to blacks at that time in the South. He came to Philadelphia to attend the University of Pennsylvania School of Law, graduating from that institution with highest honors. Following a brilliant career as a defense attorney in Philadelphia, Mr. Nix was elected to the 85th Congress in a special election on May 20, 1954.

During his years of service to the House of Representatives, Mr. Nix served on the International Relations Committee and was an outstanding chairman of the Post Office and Civil Service Committee. His experienced guidance was vital to the passage of the civil service reform bill in the House of Representatives during the 95th Congress as it was for the passage of the vital civil rights legislation during his earlier years in the House.

Bob Nix's son, Pennsylvania Supreme Court Justice Robert N. C. Nix, Jr., will continue to follow in the Nix tradition of service to Philadelphia, Pa., and the Nation. And I am sure, waiting in the wings, will be Bob's pride and joy, his four grandchildren, Robert Nix III, Michael, Anthony, and Stephen.

Mr. Nix, on behalf of my colleagues in the House, myself and a grateful citizenry of your district, I salute you for your years of public service during which you have helped so many. ●

## REVENUE BONDS

## HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

- Mrs. SPELLMAN. Mr. Speaker, I have introduced H.R. 7485 to permit commercial banks to underwrite and deal in revenue bonds issued by State and local governments.

This is the last of seven identical bills I have introduced during this 95th Congress on this subject on which 53 other Members have joined me. In addition, three other Members have also introduced identical bills, for a total of 56 sponsors.

When Chairman REUSS of the Banking Committee joined me in introducing H.R. 7485 in May of 1977, we hoped that this type of broad support for expanding competition and the market for municipal revenue bonds would have lead to hearings, committee approval, and passage. This hope was nurtured when practically all major organizations representing the public officials, who are responsible for assuring that the bonds issued by their governments carry the lowest possible interest rate, expressed their support for the legislation. These organizations include the National Governors Association, the National Association of Counties, the U.S. Conference of Mayors, the National League of Cities, the Municipal Finance Officers Association, the American Public Power Association, the National Association of State Auditors, Comptrollers, and Treasurers, and the Airport Operators Council International.

It was further nurtured when support came from such diverse areas as the Federal Reserve Board, the FDIC, the American Federation of State, County, and Municipal Employees, and the National Association of Home Builders. In fact, in connection with an earlier floor statement, on June 5, 1978, I inserted in the RECORD a copy of the report of the Division of Research and Statistics to the Board of Governors of the Federal Reserve System recommending that the Board support the legislation. That report very ably pointed out that the many benefits that would flow from enactment of H.R. 7485, including substantial savings to the thousands of State and local governments that issue revenue bonds each year.

This broad range of support, both in and out of the Congress, led in July to a gracious promise from the chairman of the Financial Institutions Subcommittee, Mr. ST GERMAIN, to schedule hearings on H.R. 7485 as soon as other business pending before the subcommittee had been dealt with. These would be the first hearings on this issue held in the House since 1965. Unfortunately, as my colleagues are aware, despite very kind cooperation on the part of the subcommittee chairman, it was difficult to find a date convenient to all parties, and there

## EXTENSIONS OF REMARKS

was mutual agreement to postpone hearings until the start of the 96th Congress.

I am pleased to report, therefore, that the chairman of the Financial Institutions Subcommittee has promised that he will hold hearings on revenue bond legislation early next year—in fact, by 2 weeks after the organization of the House in the next Congress.

I should like to express my gratitude and appreciation to the chairman for that commitment. It means that this important legislation will get the type of full consideration it deserves and, hopefully, will be ready to be moved on to quick passage.

I should also like to thank the many other Members of the House who have supported our effort. It is their support which has made it possible for us to get to the point where we will be able to get off to a running start next year.●

## THE 75TH ANNIVERSARY OF ST. WENDELIN PARISH

## HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

- Ms. OAKAR. Mr. Speaker, it is a great pleasure for me to be able to congratulate those in St. Wendelin Roman Catholic Parish on the occasion of their 75th anniversary—their diamond jubilee.

St. Wendelin's is located in my district on the near West Side of Cleveland. This is one of the oldest sections of the city, and one of the most historical areas. George Condon writes in his wonderful book on Cleveland—

It was into this area that the new flood of immigrants which gave Cleveland the forward impetus that in the late 19th and early 20th century made it one of the great cities of this nation.

St. Wendelin's was founded to serve one of these groups of immigrants—the Slovak people who left their native land. It served as a haven for them—helped them to cope with the bewildering ways of the New World, and educated their children so that they might be able to make their way in this new, exciting country. The Slovak people have contributed a great deal culturally and intellectually to our city.

Like so many parishes in our inner cities, St. Wendelin's has experienced a loss in population over the last 20 years. However, it is a tribute to the parish, and the pastors who have been there that there is still a strong loyalty to the church. And it is also a tribute to the pastor and the parishioners that the school which was known for its academic excellence has become one of the most innovative in the city. On a personal note, I consider it to be almost my own parish having been born and raised in the same community. I sincerely congratulate the people of St. Wendelin Parish and its fine pastor, Father Jerome Lahack, and I wish them continued success in the years to come.●

October 11, 1978

## BROOKLYN BUREAU OF COMMUNITY SERVICE

## HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

- Ms. HOLTZMAN. Mr. Speaker, this year, the Brooklyn Bureau of Community Service is observing its 113th anniversary. When the work of the Brooklyn Bureau began in 1866, the burden of relieving poverty rested almost entirely on the shoulders of private charity. The Brooklyn Bureau came into existence because something had to be done about the intolerable misery of Brooklyn's poor. In the early years, the Brooklyn Bureau carried on this work virtually alone. Today, it is part of a larger network of voluntary and public agencies working together. The Brooklyn Bureau of Community Service can take pride in the part it has played in helping bring this about.

In the history of its work with children, the handicapped, and families is found an inspiring record of social progress. In helping people overcome adversity and enter the mainstream of life, the Brooklyn Bureau participated in, and often led, important social movements.

The Brooklyn Bureau is a nonsectarian, nonprofit, voluntary social services agency. Today, as throughout the years, its programs and services reflect the changing community needs and problems of an increasingly complex society.

Under one roof is a whole spectrum of vital services to help the poor and distressed. In its sheltered workshops, the Brooklyn Bureau trains people with a wide variety of handicaps to perform jobs for which they receive wages. It is the only business in the world that "fires" its most efficient workers. As soon as they are skilled enough to enter the labor market, they are helped to find jobs where they can become part of the normal life of the community and take their place as useful and self-supporting neighbors and citizens.

In all of its services to the handicapped, the bureau is concerned with the total person, not just his handicap. The specialists in the sheltered workshops help him develop skills leading toward independence. Rehabilitation counselors, psychologists, and caseworkers who are concerned about his emotional strengths, his family life, his opportunities for social and cultural experiences are also part of the treatment team.

The Bureau's home living and working center is a model apartment in which the severely handicapped learn to take care of their personal needs. The blind, heart disease victims, men and women suffering from cerebral palsy, muscular dystrophy and many other kinds of disabling afflictions, learn to cook, clean, iron, sew, budget their funds and do all the other things necessary to

maintain themselves independently. This training enables many to remain in their own homes and out of institutions.

Those in our community who are isolated from others because of severity of handicap are of special concern to the Bureau. The agency's work-at-home program permits the bedridden the blind, the crippled and others too incapacitated to leave their homes, to perform work where they live. Materials are brought to them, and the handicapped person can work at his own speed. For many of these persons, it is the first time in their lives they have known the dignity of paid employment.

The indigent aged and the handicapped are helped by still another Bureau service. The agency's free summer vacation camp at Shelter Island on eastern Long Island is a place where their loneliness is relieved by 2 weeks in the fresh air and sunshine. The happy memories, the friendships formed, the interests developed and the affectionate and concerned care received may make a whole year happier and more hopeful.

The Bureau's services to children include placement in foster homes, psychiatric and social work counseling, and remedial services. A special foster care unit operates from an office in Kings County Hospital. Handicapped, abused and neglected children living in pediatrics wards with no parents to care for them are placed in foster homes where they have a chance to grow normally. While children are being helped to find security and a feeling of being loved in their substitute homes, every effort is made to rehabilitate the families that had to give them up. Where this is not possible, long-term foster care or adoption becomes a viable alternative.

Families too are the focus of the Bureau's work. A Preventive Service Project offers intensive counseling and other services to help troubled families stay together where there is the danger that children may have to be placed in foster care. The service was begun in 1974 and has kept scores of families intact at a cost of the community that is far less than the placement of children in foster homes.

Some measure of the achievements of the Bureau in its 113 years can be seen in the highlights of its history—

#### HIGHLIGHTS

1866—opened a lodging house for homeless boys. Established foster children service.

1867—established industrial schools to train young people. Opened kindergarten for children of working mothers.

1890—started program to distribute pasteurized milk to infants.

1898—legal aid for needy started with 25 volunteer lawyers.

1908—Jewish branch recognized as independent Jewish Aid Societies, forerunner of Jewish Family Service.

1910—organized housing committee to improve housing conditions.

1912—established school lunch program for undernourished children.

1912—started free employment service for the needy.

1913—established home teaching for the blind and disabled, and sheltered workshops for the handicapped.

## EXTENSIONS OF REMARKS

1916—provided nursing, ambulance and other medical services to 3,600 victims of Brooklyn's worst infantile paralysis epidemic.

1919—nursing affiliate reorganized as independent Visiting Nurse Association of Brooklyn.

1920—established Shelter Island summer camp, now used for the aged and handicapped.

1930-33—distributed \$1,770,000 in relief to victims of the depression.

1946—tuberculosis committee reorganized as independent Brooklyn Tuberculosis & Health Association.

1954—established homemaker service to help families disrupted by illness stay together.

1964—printed first braille cookbook of convenience foods.

1966—major building program increases capacity of sheltered workshops by 50 percent—grant from New York State Division of Vocational Rehabilitation.

1969—established a homemaking teaching center for the severely handicapped in a specially-constructed model apartment.

1974—organized its Preventive Service Project for troubled families to keep children at home and out of foster care.

Mr. Speaker, as we look back over the history of our country, we see that many of the conditions of life that we take for granted today came about after long uphill struggles that, at time, must have seemed hopeless. I believe that the Brooklyn Bureau of Community Service is an organization that has helped in a substantial way to create a society in which the poor, the helpless and the despairing are not merely objects of charity, but the focus of genuine concern. Certainly there is much that is undone. But the Brooklyn Bureau of Community Service has played its part in helping prepare the way to a better future for all.

### CONGRESSMAN WAGGONNER RETIRES

#### HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to salute my colleague and good friend, Congressman JOE D. WAGGONNER of Louisiana, who will be retiring after 18 years of outstanding service in the House of Representatives.

For the past 2 years, I have had the privilege of his tutelage and friendship as we served together on the Ways and Means Committee. Needless to say, this has been a very enlightening and instructive experience. I have also had the benefit and honor to serve under his chairmanship of the Subcommittee on Miscellaneous Revenue Measures. His knowledge of the legislative process and of the intricacies of tax legislation has helped me immeasurably during my freshman term in Congress.

Mr. Speaker, you will be leaving a void in the 96th Congress which will be sorely missed. On behalf of our colleagues in the House, the people of Louisiana's Fourth District and the rest of the Na-

tion, I salute you for a lifetime of public service which will continue to benefit the people of this country after your retirement. •

#### YVONNE B. BURKE

#### HON. B. F. SISK

OF CALIFORNIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague YVONNE B. BURKE.

YVONNE BURKE is retiring from Congress, but, for the good of the people of California, not from public life. It is my hope that her quest for the attorney generalship of California will be a successful one and that the people will continue to have the benefit of the vibrant, forward-looking ideal of this outstanding woman.

I extend to her my warmest wishes for a continued fruitful career. •

#### TRIBUTE TO LLOYD MEEDS

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. ANDERSON of California. Mr. Speaker, after 14 years of dedicated public service, LLOYD MEEDS is shedding the hectic lifestyle of a U.S. Representative to return to the somewhat more normal pace of a private citizen. There can be no doubt that his fellow Members and the citizens of Washington's Second District will feel the absence of such an honest, effective legislator.

LLOYD represents one of the most beautiful areas in our country, the far northwest corner of the United States. The clean air and breathtaking scenery complements quite well the character of the people of the second district, who are healthy, hard-working, and straight-forward. LLOYD very aptly represents this group, for his character is much like that of his constituency. He is not a man who casually spouts rhetoric or staunchly refuses to compromise on any issue. LLOYD has been recognized in Congress as a man who, whether he agrees or disagrees, will listen to his fellows and his constituents—and in turn will talk to them, rather than at them. Needless to say, such attributes are most welcomed and highly valuable on Capitol Hill, as well as in everyday life.

LLOYD's work on the Rules Committee and on Interior and Insular Affairs has been marked by his tenacity, diligence, and sincere desire to produce legislation which is both workable and acceptable to those involved. Although LLOYD and I may not always agree on every issue, he is living proof of the old maxim that "honorable men can disagree honorably."

bly." LLOYD is truly a man of reason, and I will miss him, as will the rest of his colleagues. My wife, Lee, joins me in wishing him, his lovely wife Mary, and their four children, Marsha, Debbie, Michelle and Michael all the best in their future endeavors.♦

#### CONCENTRATION OF ECONOMIC POWER

### HON. JOHN B. BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

Mr. BRECKINRIDGE. Mr. Speaker, during this second and last session of the 95th Congress, the House Small Business Subcommittee on Antitrust, Consumers, and Employment, which I am privileged to chair, has been conducting a series of hearings on a variety of issues that relate to the future of small business in America.

In the course of these hearings—in which we have investigated small business's undeniably important contributions to such matters as scientific and technological innovation and to the solution to our unemployment problems—we have heard witness after witness say that small business is rapidly declining, that small business is an "endangered species."

Despite this decline, our witnesses have uniformly and unequivocally established the fact that in the areas of job creation, invention, innovation, and technological development, small business is the keystone. Small business is, indeed, the key to those problems that continue to plague our paradoxical, frustrated economy—the problems of inflation and unemployment with which we have yet to cope. Mr. Speaker, it is time that we coped.

Furthermore, according to our witnesses, which included professional economists at work in the business community, government, and academia, one of the major causes of the decline of small business is the growing concentration of economic power in the hands of the few. Small businesses are, have been and will continue to be the primary victims of these generally uncontrolled trends toward corporate "bigness" underway in our economy today—unless and until remedial action is taken, the antitrust laws notwithstanding.

These observations and conclusions are not new. We witnessed one of their more incisive and eloquent expressions some 40 years ago, when, on April 29, 1938, then President Franklin Delano Roosevelt sent to Congress his proposal for the creation of the Temporary National Economic Committee to investigate the concentration of economic power and the growing influence of monopoly over the American economy and the life of its people. The title of President Roosevelt's proposal was "Recommendations to the Congress to Curb Monopolies and the Concentration of Economic Power," which, interestingly enough, followed the 40-year cycle inaugurated by

#### EXTENSIONS OF REMARKS

the Sherman and Clayton Antitrust Acts; I would like to share this message with my colleagues with a simple observation to the effect that the cycle has run its course and the time is overripe for a new, in-depth and in-depth study of these continuing phenomena which point more to an emerging corporate state than to the extension of the American dream of an open, competitive, and expanding economy in a society of free men.

The first part of President Roosevelt's proposal follows:

Recommendations to the Congress to Curb Monopolies and the Concentration of Economic Power. April 29, 1938.

To the Congress:

Unhappy events abroad have retaught us two simple truths about the liberty of a democratic people.

The first truth is that the liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic state itself. That, in its essence, is Fascism—ownership of Government by an individual, by a group, or by any other controlling private power.

The second truth is that the liberty of a democracy is not safe if its business system does not provide employment and wide public distribution of their securities. The mere number of security-holders gives little clue to the size of their individual holdings or to their actual ability to have a voice in the management. In fact the concentration of stock ownership of corporations in the hands of a tiny minority of the population matches the concentration of corporate assets.

1929 was a banner year for distribution of stock ownership.

But in that year three-tenths of 1 per cent of our population received 78 per cent of the dividends reported by individuals. This has roughly the same effect as if, out of every 300 persons in our population, one person received 78 cents out of every dollar of corporate dividends while the other 299 persons divided up the other 22 cents between them.

The effect of this concentration is reflected in the distribution of national income.

A recent study by the National Resources Committee shows that in 1935-36: 47 per cent of all American families and single individuals living alone had incomes of less than \$1,000 for the year; and at the other end of the ladder a little less than 1½ per cent of the nation's families received incomes which in dollars and cents reached the same total as the incomes of the 47 per cent at the bottom;

Furthermore, to drive the point home, the Bureau of Internal Revenue reports that estate tax returns in 1936 show that: 33 percent of the property which was passed by inheritance was found in only 4 per cent of all the reporting estates. (And the figures of concentration would be far more impressive, if we included all the smaller estates which, under the law, do not have to report.)

We believe in a way of living in which political democracy and free private enterprise for profit should serve and protect each other—to ensure a maximum of human liberty not for a few but for all.

It has been well said that "the freest government, if it could produce and distribute goods in such a way as to sustain an acceptable standard of living.

Both lessons hit home.

Among us today a concentration of private power without equal in history is growing.

This concentration is seriously impairing the economic effectiveness of private enterprise as a way of providing employment for labor and capital and as a way of assuring a

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more equitable distribution of income and earnings among the people of the nation as a whole.

#### THE GROWING CONCENTRATION OF ECONOMIC POWER

Statistics of the Bureau of Internal Revenue reveal the following amazing figures for 1935:

Ownership of corporate assets: Of all corporations reporting from every part of the nation, one-tenth of 1 per cent of them owned 52 per cent of the assets of all of them;

And to clinch the point: Of all corporations reporting, less than 5 per cent of them owned 87 per cent of all the assets of all of them.

Income and profits of corporations: Of all the corporations reporting from every part of the country, one-tenth of 1 per cent of them earned 50 per cent of the net income of all of them;

And to clinch the point: Of all the manufacturing corporations reporting, less than 4 per cent of them earned 84 per cent of all the net profits of all of them.

The statistical history of modern times proves that in times of depression concentration of business speeds up. Bigger business then has larger opportunity to grow still bigger at the expense of smaller competitors who are weakened by financial adversity.

The danger of this centralization in a handful of huge corporations is not reduced or eliminated, as is sometimes urged, by the

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exist, would not be long acceptable, if the tendency of the laws were to create a rapid accumulation of property in few hands, and to render the great mass of the population dependent and penniless."

Today many Americans ask the uneasy question: Is the vociferation that our liberties are in danger justified by the facts.

Today's answer on the part of average men and women in every section of the country is far more accurate than it would have been in 1929—for the very simple reason that during the past nine years we have been doing a lot of common sense thinking. Their answer is that if there is that danger it comes from that concentrated private economic power which is struggling so hard to master our democratic government. It will not come as some (by no means all) of the possessors of that private power would make the people believe—from our democratic government itself.

#### FINANCIAL CONTROL OVER INDUSTRY

Even these statistics I have cited do not measure the actual degree of concentration of control over American industry.

Close financial control, through interlocking spheres of influence over channels of investment, and through the use of financial devices like holding companies and strategic minority interests, creates close control of the business policies of enterprises which masquerade as independent units.

That heavy hand of integrated financial and management control lies upon large and strategic areas of American industry. The small business man is unfortunately being driven into a less and less independent position in American life. You and I must admit that.

Private enterprise is ceasing to be free enterprise and is becoming a cluster of private collectivism: masking itself as a system of free enterprise after the American model, it is in fact becoming a concealed cartel system after the European model.

We all want efficient industrial growth and the advantages of mass production. No one suggests that we return to the hand loom or hand forge. A series of processes involved in turning out a given manufactured product may well require one or more huge mass production plants. Modern

efficiency may call for this. But modern efficient mass production is not furthered by a central control which destroys competition among industrial plants each capable of efficient mass production while operating as separate units. Industrial efficiency does not have to mean industrial empire building.

And industrial empire building, unfortunately, has evolved into banker control of industry. We oppose that.

Such control does not offer safety for the investing public. Investment judgment requires the disinterested appraisal of other people's management. It becomes blurred and distorted if it is combined with the conflicting duty of controlling the management it is supposed to judge.

Interlocking financial controls have taken from American business much of its traditional virility, independence, adaptability and daring—without compensating advantages. They have not given the stability they promised.

Business enterprise needs new vitality and the flexibility that comes from the diversified efforts, independent judgments and vibrant energies of thousands upon thousands of independent business men.

The individual must be encouraged to exercise his own judgment and to venture his own small savings, not in stock gambling but in new enterprise investment. Men will dare to compete against men but not against giants.

#### THE DECLINE OF COMPETITION AND ITS EFFECTS ON EMPLOYMENT

In output per man or machine, we are the most efficient industrial nation on earth.

In the matter of complete mutual employment of capital and labor we are among the least efficient.

Our difficulties of employing labor and capital are not new. We have had them since good free land gave out in the West at the turn of the century. They were old before we undertook changes in our tax policy or in our labor and social legislation. They were caused not by this legislation but by the same forces which caused the legislation. The problem of bringing idle men and idle money together will not be solved by abandoning the forward steps we have taken to adjust the burdens of taxation more fairly and to attain social justice and security.

If you believe with me in private initiative, you must acknowledge the right of well-managed small business to expect to make reasonable profits. You must admit that the destruction of this opportunity follows concentration of control of any given industry into a small number of dominating corporations.

One of the primary causes of our present difficulties lies in the disappearance of price competition in many industrial fields, particularly in basic manufacture where concentrated economic power is most evident—and where rigid prices and fluctuating payrolls are general.

Managed industrial prices mean fewer jobs. It is no accident that in industries, like cement and steel, where prices have remained firm in the face of a falling demand, payrolls have shrunk as much as 40 and 50 per cent in recent months. Nor is it mere chance that in most competitive industries where prices adjust themselves quickly to falling demand, payrolls and employment have been far better maintained. By prices we mean, of course, the prices of the finished articles and not the wages paid to workers.

When prices are privately managed at levels above those which would be determined by free competition, everybody pays.

The contractor pays more for materials; the homebuilder pays more for his house; the tenant pays more rent; and the worker pays in lost work.

Even the Government itself is unable, in a large range of materials, to obtain competi-

#### EXTENSIONS OF REMARKS

tive bids. It is repeatedly confronted with bids identical to the last cent.

Our housing shortage is a perfect example of how ability to control prices interferes with the ability of private enterprise to fill the needs of the community and provide employment for capital and labor.

On the other hand we have some lines of business, large and small, which are genuinely competitive. Often these competitive industries must buy their basic products from monopolistic industry, thus losing, and causing the public to lose, a large part of the benefit of their own competitive policy. Furthermore, in times of recession, the practices of monopolistic industries make it difficult for business or agriculture which is competitive and which does not curtail production below normal needs, to find a market for its goods even at reduced prices. For at such times a large number of customers of agriculture and competitive industry are being thrown out of work by those non-competitive industries which choose to hold their prices rather than to move their goods and to employ their workers.

If private enterprise left to its own devices becomes half-regimented and half-competitive, half-slave and half-free, as it is today, it obviously cannot adjust itself to meet the needs and the demands of the country.

Most complaints for violations of the anti-trust laws are made by businessmen against other business men. Even the most monopolistic businessman disapproves of all monopolies but his own. We may smile at this as being just an example of human nature, but we cannot laugh away the fact that the combined effect of the monopolistic controls which each business group imposes for its own benefit, inevitably destroys the buying power of the nation as a whole.

#### COMPETITION DOES NOT MEAN EXPLOITATION

Competition, of course, like all other good things, can be carried to excess. Competition should not extend to fields where it has demonstrably bad social and economic consequences. The exploitation of child labor, the chiseling of workers' wages, the stretching of workers' hours, are not necessary, fair or proper methods of competition. I have consistently urged a federal wages and hours bill to take the minimum decencies of life for the working man and woman out of the field of competition.

It is of course necessary to operate the competitive system of free enterprise intelligently. In gauging the market for their wares, businessmen, like the farmers, should be given all possible information by government and by their own associations so that they may act with knowledge and not on impulse. Serious problems of temporary over-production can and should be avoided by disseminating information that will discourage the production of more goods than the current markets can possibly absorb or the accumulation of dangerously large inventories for which there is no obvious need.

It is, of course, necessary to encourage rises in the level of those competitive prices, such as agricultural prices, which must rise to put our price structure into more workable balance and make the debt burden more tolerable. Many such competitive prices are now too low.

It may at times be necessary to give special treatment to chronically sick industries which have deteriorated too far for natural revival, especially those which have a public or quasi-public character.

But generally over the field of industry and finance we must revive and strengthen competition if we wish to preserve and make workable our traditional system of free private enterprise.

The justification of private profit is private risk. We cannot safely make America safe for the businessman who does not want

to take the burdens and risks of being a businessman.

#### THE CHOICE BEFORE US

Examination of methods of conducting and controlling private enterprise which keep it from furnishing jobs or income or opportunity for one-third of the population is long overdue on the part of those who sincerely want to preserve the system of private enterprise for profit.

No people, least of all a democratic people, will be content to go without work or to accept some standard of living which obviously and woefully falls short of their capacity to produce. No people, least of all a people with our traditions of personal liberty, will endure the slow erosion of opportunity for the common man, the oppressive sense of helplessness under the domination of a few, which are overshadowing our whole economic life.

A discerning magazine of business has editorially pointed out that big business collectivism in industry compels an ultimate collectivism in government.

The power of a few to manage the economic life of the nation must be diffused among the many or be transferred to the public and its democratically responsible government. If prices are to be managed and administered, if the nation's business is to be allotted by plan and not by competition, that power should not be vested in any private group or cartel, however benevolent its professions profess to be.

Those people, in and out of the halls of government, who encourage the growing restriction of competition either by active efforts or by passive resistance to sincere attempts to change the trend, are shouldering a terrific responsibility. Consciously, or unconsciously, they are working for centralized business and financial control. Consciously or unconsciously, they are therefore either working for control of the government itself by business and finance or the other alternative—a growing concentration of public power in the government to cope with such concentration of private power.

The enforcement of free competition is the least regulation business can expect. ●

#### HON. GEORGE SHIPLEY

#### HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. WAGGONNER. Mr. Speaker, after 20 years of service to the United States as a Member of Congress, GEORGE SHIPLEY has decided to retire.

Having known GEORGE since I came to Congress in 1961, I can truthfully say that he has given unselfishly of his time to help not only his district but also his colleagues. He has served his country well since 1958 and I am proud to have been able to work closely with him on many occasions. I have always found GEORGE to be a man of integrity and honor, whose word is his bond.

GEORGE has his own personal reasons for leaving Congress. I wish that he could be persuaded to stay, because we need him and the country needs him. He brings to Congress the qualities of leadership that are in short supply today.

Looking forward to retirement myself, I know the mixed emotions that you are now feeling, GEORGE, and I wish for you the best in all your future endeavors. ●

## FINAL ACTION ON DEFENSE APPROPRIATION BILL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. BOB WILSON. Mr. Speaker, because of the urgent need to get final action on the defense appropriations bill, so that our Nation's servicemen and women around the world received their pay checks on time, we did not take issue with the conferees' agreement to the Senate language on CHAMPUS reimbursement.

I want to associate myself with the remarks of the gentleman from Indiana (Mr. HILLIS), the ranking minority member of the Military Personnel Subcommittee, and to commend him for his tireless efforts on behalf of improved military health care. I am deeply concerned that the conferees did agree to accept a CHAMPUS reimbursement rate at the 80th percentile, rather than the 90th percentile as contained in the Defense authorization bill.

In 1966 Congress established the CHAMPUS program in order to assure medical care to eligible beneficiaries who were unable to receive health care at uniformed services medical facilities. As doctor and other shortages at military facilities have accelerated in the succeeding years, an increasing number of dependents and retirees have found that they must seek treatment from civilian sources under CHAMPUS.

By contrast, the thrust of recent defense appropriations bills has been to restrict CHAMPUS access, limit the rate of reimbursement, and send beneficiaries to uniformed services facilities. While I fully share the concern of the distinguished members of that committee with respect to the need to tighten our belts on all Government-funded programs, I feel that the course on which they have set CHAMPUS afloat over the past few years is ill-advised.

At the behest of the Appropriations Committee, the Defense Department several years ago reduced the level of reimbursement from the 90th percentile of the customary charges made for similar services in the same locality to the 75th percentile. What this means in dollars and cents is a substantial increase in the out-of-pocket expenses for CHAMPUS beneficiaries. In these days of rapidly escalating medical costs, the dependents of low-grade enlisted personnel and older retirees are particularly hard hit. By the time that CHAMPUS pays, after the deductible, either 80 or 75 percent—depending on whether the beneficiary is an active duty dependent or retiree—of the reasonable or customary charge, based on the 75th percentile reimbursement rate and fee schedules several years out-of-date, the CHAMPUS beneficiary is lucky to be reimbursed for even half the bill. This is a cruel hoax at best.

## EXTENSIONS OF REMARKS

While the 80th percentile contained in this conference report is a slight improvement, it does not resolve the situation. I feel very strongly that we need to go back to the 90th percentile figure, in addition to using more current fee schedules and providing for greater responsiveness on the part of the fiscal intermediaries who handle CHAMPUS claims.

I do not consider this subject closed and we will continue to pursue a more realistic level next year.●

## TRIBUTE TO LETHA ANN PLAISANCE

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LONG of Louisiana. Mr. Speaker, I would like to take this opportunity to call to the attention of my fellow colleagues, a most significant honor bestowed on one of my constituents, Ms. Letha Ann Plaisance. Through her quick thinking and responsible behavior, this young lady saved the lives of three small children, and has been awarded a C-19 Presidential commendation card from the White House.

I request permission from the Speaker to reprint a newspaper article that appeared on August 10, 1978, in the Donaldsonville Chief, describing this act of bravery by Ms. Plaisance. It is inspiring to know that our Nation can produce a young citizen of this caliber, and her parents can be extremely proud to have raised a daughter with such a rare sense of responsibility.

I am certain my colleagues will join me in commending this outstanding teenager. The article follows:

## FIRE DESTROYS MOBILE HOME

Three children and their baby-sitter escaped injury Sunday as flames engulfed a mobile home in Brusly, McCall around 1 a.m.

The fire destroyed the trailer shortly after Letha Plaisance was able to evacuate three children from the home where she was babysitting. Mr. and Mrs. Richard Bouchereau were out at the time of the incident.

According to Jennifer, 10, Letha awakened her and said she had been dreaming of a bonfire. Shortly after that conversation, they smelled smoke and heard some crackling sounds within the mobile home.

Upon realizing that the house was on fire, Letha rescued four-year-old Jody and Jennifer from the residence.

Trapped in another portion of the trailer, however, was eight-year-old Ricky who Letha guided out of the trailer although she was unable to reach him physically.

Ricky brought the telephone from the smoke-filled room as Letha requested in order that they could call for help.

"She (Letha) handled the situation beautifully," Mrs. Bouchereau said, noting that many persons would have panicked.

The children nor Letha suffered any smoke inhalation or injury.

Donaldsville Fire Department responded to the call, put the fire under control, but the trailer was totally destroyed by that time. No cause for the fire has been determined.●

October 11, 1978

THE EEOC AND QUOTAS—  
MS. NORTON'S COMMITMENT

HON. ELLIOTT H. LEVITAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LEVITAS. Mr. Speaker, for many years, Americans have been working to make this Nation truly free, to make equality for every man and woman a living reality. We have not always succeeded, but we tried.

It has been a concern of mine that in striving to achieve equality for all, certain practices have been used that are not themselves free of discrimination. I refer to those practices which result in what is known as "reverse discrimination." Such practices are hiring quotas or ratios for employment or acceptance in educational institutions, and they can be the result of a number of things.

While we strive for equality and non-discrimination, we in the Congress have left it to the bureaucrats to find ways of carrying out the high-sounding purposes of nondiscriminatory legislation. For someone with no imagination and no foresight as to the possible backlash it could cause, using numbers is the easy way out. It is a bureaucratic way of complying. Numerical quotas present a clearly defined goal and they are an easy way of proving compliance with the intent of the law. But, by definition, they also discriminate. A quota excludes as surely as it includes.

The House Government Operations Committee has made clear that such methods are not the intent of the law.

Such methods cause ill feeling, because they prohibit people not in the target group from gaining employment or from being admitted to institutions of higher education. Oftentimes, in the zeal to meet the numerical requirements, people are hired or admitted who are not qualified but who do meet the racial or sexual criteria. An even worse problem occurs if the person admitted or hired under these quotas cannot keep up or perform as the job or school requires. It is self-defeating in that coworkers or fellow students perceive that person as inferior, thus introducing or reinforcing notions of innate inferiority.

For these reasons, I have become concerned that the Equal Employment Opportunity Commission, that agency of the U.S. Government entrusted with the duty of enforcing nondiscrimination, may be guilty of such practices. During hearings of the House Government Operations Committee on the reorganization of the civil rights sections of our Government and consolidating many of them within the EEOC, both I and Mr. WALKER of Pennsylvania, asked Mrs. Eleanor Holmes Norton, the Chairman of the EEOC, if she intended using quotas or numerical requirements. We were assured that EEOC under her direction would not do so.

Later, I read a speech by Mrs. Norton in which she seemed to be saying something quite different than her testimony before the committee. She has since re-

affirmed her testimony and again denied the intent to use quotas. All of this was done in a series of letters among Mrs. Holmes, Chairman Brooks, and myself. I include this correspondence for the RECORD. I truly hope that Mrs. Norton means what she says about her dislike of quotas and that she will display these feelings in the day-to-day workings of the EEOC:

JULY 17, 1978.

Hon. ELEANOR HOLMES NORTON,  
Chairman, Equal Employment Opportunity  
Commission, Washington, D.C.

DEAR MS. NORTON: I recently had occasion to read a copy of your speech delivered on July 5, 1978 at Portland, Oregon to the NAACP Annual Convention. I have compared it with your testimony before the House Government Operations Subcommittee on Legislation and National Security on March 7, 1978. There are certain portions which appear to me to be irreconcilably contradictory. I call the following items to your attention:

Testimony before Legislation and National Security Subcommittee, March 7, 1978:

"I can assure you, Congressman Walker, . . . that this agency will not endorse quotas. . . . Goals and timetables are used by enforcement agencies and have been sanctioned over and over again by the courts. They are targets. They are not firm and inflexible numbers. . . . It is the case that the courts of the United States, in some cases and under some circumstances, have, in fact, ordered quotas. The EEOC has never done so and will not do so under my tenure."

Speech, Portland, Oregon, July 5, 1978:

"Many of you will be concerned that agencies such as EEOC, which have used numerical remedies, will no longer be able to use them in employment. But after a careful reading of *Bakke*, we at EEOC have concluded that we can continue to use them . . . we believe numerical remedies, including quotas under certain circumstances, are still permissible, and we will not stop using them unless the courts tell us we must."

I would appreciate your advising me which of the two positions is the current policy of your agency.

Very truly yours,

—  
WASHINGTON, D.C.,  
August 1, 1978.

Hon. ELLIOTT LEVITAS,  
Congress of the United States, House of Representatives, Cannon House Office Building, Washington, D.C.

DEAR CONGRESSMAN LEVITAS: Thank you for your letter of July 17, which was received at the Commission on July 21st. I appreciate your bringing your concern directly to my attention to allow me to clarify my position and that of the agency on the use of goals and timetables as opposed to quotas. In the NAACP speech to which you referred, the sentence which contains the words "including quotas" was carelessly drawn, but judging in its full context and read alongside similar and almost simultaneous statements from me on the subject, I think you will agree that there is no inconsistency.

Let me reiterate at the outset that my position and the practices of this Commission remain what they were when I testified before the Government Operations Committee on March 7th. Moreover, mine is not a position recently arrived at, but was my policy during seven years at the New York City Commission on Human Rights, and, moreover, has always been the position of this Commission.

Upon receiving your letter, I looked closely

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at the NAACP speech to which you referred. I can see that the sentences that concern you may imply that the EEOC would use quotas. However, reference to the total context, to a virtually contemporaneous speech to the NAACP on this same issue, and to the transcript from my recent Meet the Press appearance should clarify the issue.

Earlier (at page 7) in the July 5th NAACP speech to which you referred (enclosed), I noted that:

"With all the debate about *Bakke*, it has seldom been noted that there is a long line of existing court decisions providing for the use of very strong remedies, including quotas, in employment." (Emphasis added.)

I wanted to make clear to the NAACP what you of course know, that in appropriate instances the courts, not the EEOC, would order quotas. The sentence you quote was a summarizing sentence concerning the entire discussion of numerical remedies that had preceded, and I regret that it inartfully included reference to the prior discussion on quotas as applied by courts, in a sentence concerning EEOC action.

I drew this same distinction—between court imposed quotas and EEOC imposed goals—before the Subcommittee on March 7, as noted in the quotation from my testimony that appeared in your recent letter:

"It is the case that the courts of the United States, in some cases and under some circuits, have, in fact, ordered quotas."

Even in the *Bakke* decision disapproving the use of set-asides in that situation, the Court specifically referred to court decisions approving quotas in employment cases. Justice Powell said:

"The employment discrimination cases also do not advance petitioner's cause. For example, in *Franks v. Bowman Transportation Co.*, 424 U.S. 747 (1975), we approved a retroactive award of seniority to a class of Negro truck drivers who had been the victims of discrimination—not just by society at large, but by the respondent in that case. While this relief imposed some burdens on other employees, it was held necessary "to make [the victims] whole for injuries suffered on account of unlawful employment discrimination." *Id.*, at 771, quoting *Albemarle Paper Co. v. Moody*, 422 U.S. 405, 418 (1975). The courts of appeals have fashioned various types of racial preferences as remedies for constitutional or statutory violations resulting in identified, race-based injuries to individuals held entitled to the preference. *E.G., Bridgeport Guardians, Inc. v. Civil Service Commission*, 482 F. 2d 1333 (CA2 1973); *Carter v. Gallagher*, 452 F. 2d 315, modified on rehearing en banc, 452 F. 2d 327 (CA8 1972). Such preferences also have been upheld where a legislative or administrative body charged with the responsibility made determinations of past discrimination by the industries affected, and fashioned remedies deemed appropriate to rectify the discrimination. *E.G., Contractors Association of Eastern Pennsylvania v. Secretary of Labor*, 442 F. 2d 159 (CA3), cert. denied, 404 U.S. 954 (1971);<sup>40</sup> *Associated General Contractors of Massachusetts, Inc. v. Altschuler*, 490 F. 2d 9 (CA1 1973), cert. denied, 416 U.S. 957 (1974); cf. *Katzenbach v. Morgan*, 384 U.S. 641 (1966)."

(pages 32-3)

In light of the careless use of language in the sentence referred to earlier, you were apparently left with the impression that I would speak differently to the NAACP than to Congress on this issue. Thus I include another speech again to the NAACP, at their National Summit Conference in May, where I had the opportunity to lay out my position on goals and quotas at some length, and I might add, for someone in my position, at some risk, since there are many within the

civil rights community, who believe that quotas should be used in all civil rights enforcement. In my NAACP summit speech, I said:

"There is some considerable evidence that the nation does not even understand affirmative action. For a debate goes on in the land not about affirmative action or Title VII of the 1964 Act but about one or two techniques on the fringes of affirmative action. In my more irreverent moments I think of it as the *Bakke* bungle and the quota quagmire.

"We all know it is vitally important to win the *Bakke* case. And quotas have indeed been ordered in a fair number of court cases. But neither the set-aside places of the *Bakke* case nor the occasional quotas courts order are central to affirmative action.

"Affirmative action is far more complicated, more subtle, and ultimately more effective than an occasional quota case. For correctly done, affirmative action brings permanent institutionalized change to the total personnel system of a company. It erases the white male preference that currently exists for most jobs except those at the bottom. It opens the all-important recruitment process, forcing business to recruit from black sources as well, so that the pool from which workers are chosen does not have the pronounced white male bias that still infects the best jobs in America. It gets rid of tests which are not related to the job to be performed. It readjusts credentials so that they too are job-related. It uses goals and timetables. And it involves dozens of other techniques that free personnel systems of bias and introduce blacks into jobs from which they have been historically barred. By allowing the concept of affirmative action to be debated exclusively around *Bakke* set-asides and quotas, we are playing into the hands of the enemies of affirmative action.

"Do not misunderstand me. The *Bakke* set-aside places in the University of California are legal and constitutional in my view. It is vitally important that we win this case. It is critically important to win it. Moreover, quotas when they have been used, have been ordered by courts, assuming that they must be legal. Along with others, I worked very hard to make certain that the federal government took a position in favor of the minority program at the University of California. The most important lever we have going for us in the *Bakke* case is that the government finally submitted a strong affirmative action brief. I recognize and accept the symbolic importance of the *Bakke* case and believe we will win it. But it is gross error to believe that set-asides places or quotas are central to affirmative action and that if we lose *Bakke*, we shall have lost affirmative action.

"For while quotas are used only in narrow circumstances as ordered by courts, goals and timetables are routinely and effectively used. During my tenure as New York City Commissioner of Human Rights we got almost 60 million in jobs and promotions for minorities and women through pattern and practice cases using goals and timetables. With effective monitoring, companies regularly met goals. Moreover we established this record without opposition. The groups who oppose quotas generally do not oppose goals. To them, quotas imply hard and fast numbers of jobs to be filled without regard to qualification and recall a period in American life when quotas were used to keep many people out of jobs and schools. Goals monitor hiring quite effectively but without the rigidity and historic connotations of exclusion that attach to quotas. 'Quota' has become a buzz word. It has obscured, detracted and distorted the

## EXTENSIONS OF REMARKS

national debate about the most important tool for rectifying discrimination in America, affirmative action."

Finally, let me quote from the transcript of my appearance on *Meet the Press* on July 2, 1978 shortly after the decision was handed down:

"Mr. MONROE: . . . Mrs. Norton, the Supreme Court said in the *Bakke* case that a college can consider race as one factor in admitting students, but cannot use rigid quotas. How is that going to affect your program, using affirmative action designed to get industry and business to hire more minorities and women?

"Mrs. NORTON: The Equal Employment Opportunity Commission has never used rigid quotas in its work. As a law enforcement official, therefore, looking at the *Bakke* decision for whatever guidance may come forward, I do not see an impact on our work in that regard. . . ."

I can appreciate your concern, given that the language you brought to my attention did not sufficiently distinguish the courts from the EEOC. Let me reassure you that my position remains unchanged.

Sincerely yours,

ELEANOR HOLMES NORTON.

AUGUST 4, 1978.

Hon. JACK BROOKS,  
Chairman, Committee on Government Operations,  
Rayburn House Office Building,  
Washington, D.C.

DEAR MR. CHAIRMAN: With further reference to recent statement by Mrs. Norton of the Equal Employment Opportunity Commission and particularly in light of her statements to the Committee during the hearings on the Administration's civil rights reorganization plan, I am enclosing the response to my letter to Mrs. Norton.

I find her answer totally unsatisfactory and I believe that we should hold another hearing at which time she can testify under oath and clarify the matter.

With best personal regards, I am,  
Very truly yours,

ELLIOTT H. LEVITAS,  
Member of Congress.

WASHINGTON, D.C.  
September 5, 1978.

Hon. ELLIOTT H. LEVITAS,  
House of Representatives, Washington, D.C.

DEAR ELLIOTT: I can understand your concern about the apparent discrepancy between Mrs. Norton's remarks on the use of quotas before the Committee and before the NAACP convention. After it was called to my attention by you and Congressman Walker, I, too, wrote to Mrs. Norton seeking an explanation. I received a reply similar to the one she sent to both of you, although a bit more detailed, and copies of the speech and an earlier one to another NAACP group. Having read those speeches carefully, I am satisfied with her explanation that in the passage you cited, she was referring to court-ordered quotas.

The July 5 speech is devoted to the impact of the *Bakke* decision on EEOC's affirmative action programs. And, here, it is necessary to understand the meaning of affirmative action as used by Mrs. Norton and as understood by her listeners. She defined it clearly in the May 5 speech as the use of goals and timetables, monitoring, and "dozens of other techniques" besides quotas. And, invariably, except for the one paragraph you question, whenever she mentioned quotas, she related them to court action. Here are examples from the two speeches:

"We all know it is vitally important to win the *Bakke* case. And quotas have indeed been ordered in a fair number of court cases. But neither the set-asides of the *Bakke* case nor the occasional quotas courts order are central to affirmative action."

"Moreover, quotas, when they have been used, have been ordered by the courts, assuring that they must be legal."

"For while quotas are used only in narrow circumstances as ordered by the courts, goals and timetables are routinely and effectively used."

Finally, in the July 5 speech leading up to the offending statement, she said:

"Fortunately, the *Bakke* decision did not intrude upon the procedures regularly used in affirmative action in employment. With all the debate about *Bakke*, it has seldom been noted that there is a long line of existing court decisions providing for the use of very strong remedies, including quotas, in employment."

Citing Justice Powell's decision in *Bakke* and a subsequent Supreme Court ruling upholding a court order requiring A. T. & T. to hire more blacks and women, Mrs. Norton concluded that the court "has left intact the basic affirmative action framework. . . ."

It was in summing up and reaching this conclusion that Mrs. Norton, in an admittedly "carelessly drawn" sentence, used the words "including quotas" to describe the remedies she felt were still available to EEOC.

I don't see any purpose to be served by bringing her before the Committee to make this explanation again. I think all of us have been guilty of a careless use of words at some time or other. The important thing is that Mrs. Norton has reaffirmed in her letters to all of us that "my position and the practices of this Commission remain what they were when I testified before the Government Operations Committee on March 7th." I hope, upon reviewing this matter, you will agree with me that we can let it rest here.

Sincerely,

JACK BROOKS,  
Chairman.

SEPTEMBER 18, 1978.

Hon. JACK BROOKS,  
Chairman, Committee on Government Operations,  
Rayburn House Office Building,  
Washington, D.C.

DEAR MR. CHAIRMAN: I have received your letter of September 5th, and have given careful consideration to the further explanation of Mrs. Norton. I accept her reaffirmation that her position on the use of quotas is that of her testimony to the Government Operations Committee on March 7, 1978. Therefore, at this time, it would be best, as you suggest, not to pursue the matter with further hearings.

I am pleased that Mrs. Norton has reiterated her statement not to use quotas, and, in the last analysis, her actions will speak much louder than her words. We will just have to wait and see.

If you have no objections, I would like to put our correspondence and Mrs. Norton's in the *Congressional Record*.

With best personal regards, I am,  
Very truly yours,

ELLIOTT H. LEVITAS,  
Member of Congress. ●

## PERSONAL EXPLANATION

## HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SARASIN. Mr. Speaker, on October 4, 1978, I was absent from the legislative session of the House of Representatives. Had I been present, I would have voted in the following fashion:

October 11, 1978

Rollcall No. 860: H.R. 12930—Treasury-Postal Service appropriations.—The House agreed to the conference report on the measure making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1979, "no";

Rollcall No. 861: H.R. 12930—Treasury-Postal Service appropriations.—The House receded from its disagreement and concurred, with amendment, in Senate amendments Nos. 30 and 31, "yes";

Rollcall No. 862: H.R. 12930—Treasury-Postal Service appropriations.—The House agreed to table a motion to reconsider the previous vote wherein the House receded and concurred in Senate amendment No. 31, "yes";

Rollcall No. 863: H.R. 12255—Older Americans—The House agreed to the conference report on the measure to amend the Older Americans Act of 1965 to provide for improved programs for older persons, "yes";

Rollcall No. 864: H.R. 11302—EPA Research authorization—The House agreed to the conference report on the measure to authorize appropriations for environmental research, development, and demonstration for fiscal year 1979, "yes";

Rollcall No. 865: H.R. 11445—SBA Programs—The House agreed to the conference report on the measure to amend the Small Business Act and the Small Business Investment Act of 1958, "yes";

Rollcall No. 866: H.R. 7843—Additional Federal Judgeships—The House agreed to order the previous question on the preceding motion, "yes";

Rollcall No. 867: H.R. 7843—Additional Federal Judgeships—The House agreed to a motion to recede from its disagreement and concur, with amendment, to the Senate amendment to the measure, to provide for the appointment of additional district and circuit judges, "yes";

Rollcall No. 868: H.R. 13845—Perishable Agricultural Commodities—The House passed the measure, amended, to amend the Perishable Agricultural Commodities Act, "yes";

Rollcall No. 869: H.R. 12917—Rural Transportation—The House passed the measure, amended, directing the Secretary of Agriculture to compile and publish certain information relating to the adequacy of a transportation system to meet the needs of agriculture and rural development in the United States, "no";

Rollcall No. 871: 14042—DOD authorization—The House rejected an amendment that sought to provide for congressional approval of contract claims in excess of \$25 million proposed to be made by the Department of Defense by requiring both Houses of Congress to adopt a concurrent resolution approving such actions, "no";

Rollcall No. 872: H.R. 14042—DOD authorization—The House passed the measure, Department of Defense Appropriation Authorization Act for fiscal year, 1979, "yes";

Rollcall No. 873: S. 1613—Magistrates—The House passed the measure

to improve access to the Federal courts by enlarging the civil and criminal jurisdiction of United States magistrates, "yes"; and

Rollcall No. 874: H.R. 13059—Water Research and Development—The House passed the measure authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control, "yes."

Mr. Speaker, On October 5, 1978, I was absent from the legislative session of the House of Representatives. Had I been present, I would have voted in the following fashion:

Rollcall No. 875: H.R. 12932—Interior appropriations—The House agreed to the conference report on the measure making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1979, "yes";

Rollcall No. 877: H.R. 12928—Presidential Veto—Public Works appropriations—The House sustained the President's veto of the Public Works Appropriations measure, "yes";

Rollcall No. 878: H.R. 13635—DOD appropriations—The House agreed to a motion to instruct the managers on the part of the House to insist on the House language concerning the consolidation of helicopter training by the Department of Defense, "yes";

Rollcall No. 879: H.R. 13635—DOD appropriations—The House agreed to a motion that the conference committee meetings on the measure be closed to the public at such times as classified national security information is under consideration, provided that any sitting Member of Congress shall have the right to attend any closed or open meeting, "yes";

Rollcall No. 880: H.R. 12932—Interior appropriations—The House agreed to a motion to recede from its disagreement and concur in Senate amendments Nos. 4, 17, 39, 48, 49, 72, 78, 90, 102, and 104, "no";

Rollcall No. 881: H.R. 13471—Financial institutions—The House rejected an amendment that sought to authorize payment of attorney's fees and court costs to persons who prevail in an appeal, "no";

Rollcall No. 882: H.R. 13471—Financial institutions—The House agreed to an amendment that strikes language exempting the Securities and Exchange Commission from financial privacy provisions, "yes"; and

Rollcall No. 883: H.R. 13471—Financial institutions—The House agreed to an amendment that deletes the grandfathering of bank holding company insurance affiliates which had applied for authority to engage in insurance activities prior to June 6, 1978, "yes."

Mr. Speaker, on October 6, 1978, I was absent from the legislative session of the House of Representatives. Had I been present, I would have voted in the following fashion:

Rollcall No. 885: House Resolution 1404—Conference reports—Recesses-

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suspension—The House agreed to the resolution providing for the consideration of conference reports, authority to declare recesses, and motions to suspend the rules, "yes";

Rollcall No. 886: H.R. 12442—Consumer product safety authorization—The House agreed to the rule (H. Res. 1410) providing for the consideration of the measure to amend the Consumer Product Safety Act to extend the authorization of appropriations contained in such act, "yes";

Rollcall No. 887: S. 2640—Civil Service reform—The House agreed to the conference report on the measure to reform the civil service laws, "yes";

Rollcall No. 888: H.R. 13750—Sugar stabilization—The House agreed to an amendment that adds a cost of production escalator to the price objective provisions, "no";

Rollcall No. 889: H.R. 13750—Sugar stabilization—The House passed the measure to implement the International Sugar Agreement between the United States and foreign countries; to protect the welfare of consumers of sugar and those engaged in the domestic sugar-producing industry; and to promote the export trade of the United States, "no"; and

Rollcall No. 890: H.R. 11545—Meat imports—The House rejected an amendment that sought to set the minimum level of meat imports at 739 million pounds per year rather than 1.2 billion, "no";

Mr. Speaker, on October 12, 1978, I was absent from the legislative session of the House of Representatives. Had I been present, I would have voted in the following fashion:

Rollcall No. 892: H.R. 12929—Labor-HEW appropriations—The House rejected a motion to recommit the conference report to the committee of conference with instructions to the managers on the part of the House that the House recede from its disagreement and concur in Senate amendment No. 110 (prohibition on use of funds to implement quotas in admission policies of institutions of higher education), "no";

Rollcall No. 893: H.R. 12929—Labor-HEW appropriations—The House agreed to recommit from its disagreement and concur with amendment, in Senate amendments, Nos. 9, 15, and 16, "yes";

Rollcall No. 894: H.R. 12929—Labor-HEW appropriations—The House agreed to recommit from its disagreement and concur in Senate amendments Nos. 23, 24, 25, 29, 31, 32, 33, 38, 39, 42, 44, 57, 72, 80, and 92, "yes";

Rollcall No. 895: H.R. 12929—Labor-HEW appropriations—The House rejected a motion that the House recede from its disagreement to Senate amendment No. 103 (language concerning abortions), "yes";

Rollcall No. 896: H.R. 13511—Revenue Act—The House agreed to a motion to instruct the managers on the part of the House to concur in the Senate amendment that would provide income tax rate reductions for each of the 4

calendar years beginning with calendar year 1980, conditioned on the ratio of outlays to the gross national product, the rate of growth of Federal outlays, and balancing the Federal budget for fiscal year 1982, "yes";

Rollcall No. 897: S. 1566—Foreign intelligence surveillance—The House agreed to the conference report on the measure to authorize electronic surveillance to obtain foreign intelligence information, "yes";

Rollcall No. 898: S. 555—Ethics in Government—The House rejected a motion to reject title VI of the conference report (Special Prosecutor Provisions); "yes";

Rollcall No. 899: S. 555—Ethics in Government—The House agreed to the conference report on the measure to establish certain Federal agencies, effect certain reorganizations of the Federal Government, to implement certain reforms in the operation of the Federal Government and to preserve and promote the integrity of public officials and institutions, "yes";

Rollcall No. 900: H.R. 9893—Tax credit for the elderly—The House passed the measure, amended, to amend the Internal Revenue Code of 1954 to increase the adjusted gross income limitation on the credit for the elderly, and to increase the amount of such credit, "yes";

Rollcall No. 901: S. 957: Consumer Controversies Resolution Act—The House failed to pass the measure, amended, to promote commerce by establishing a national goal for the development and maintenance of effective, fair, inexpensive, and expeditious mechanisms for the resolutions of consumer controversies, "yes";

Rollcall No. 902: S. 1503—Payment of losses from TRIS ban—The House passed the measure, amended, to provide for the payment of losses incurred as a result of the ban on the use of the chemical Tris in apparel, fabric, yarn, or fiber, "yes";

Rollcall No. 903: H.R. 12050—Tuition tax credit—The House agreed to a motion to recommit to the committee of conference the conference report on the measure to amend the Internal Revenue Code of 1954 to provide a Federal income tax credit for tuition; with instructions that the managers on the part of the House insist on the House provisions which provide that tuition paid to elementary or secondary schools is eligible for the tax credit and on the provisions that set forth the maximum amount of the credit for tuition paid to elementary and secondary schools, "yes";

Rollcall No. 904: H.R. 12931—Foreign assistance appropriations—The House rejected a motion to recommit the conference report to the committee of conference, "no";

Rollcall No. 905: H.R. 12931—Foreign assistance appropriations—The House agreed to the conference report on the measure making appropriations for foreign assistance and related programs for the fiscal year ending September 30, 1979, "yes";

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**Rollcall No. 906: H.R. 12931—Foreign assistance appropriations**—The House rejected a motion that the House recede from its disagreement to the Senate amendment No. 63, "yes"; and

**Rollcall No. 907: H.R. 11545—Meat imports**—The House passed the measure to modify the method of determining quantitative limitations on the importation of certain articles of meat and meat products, to apply quantitative limitations on the importation of certain additional articles of meat, meat products, and livestock, "yes."

Mr. Speaker, on October 13, 1978, I was absent from the legislative session of the House of Representatives. Had I been present, I would have voted in the following fashion:

**Rollcall No. 909: House Resolution 1426—Rules Committee reports**—The House agreed to the rule providing for consideration of reports from the Committee on Rules, "no"; and

**Rollcall No. 910: H.R. 8533—Replacement of lock and dam 26**—The House agreed to order a second, "yes." •

#### WON SEAT IN HOUSE BY SPECIAL ELECTION

#### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Saturday, October 14, 1978*

• Mr. HARRINGTON. Mr. Speaker, it was just about 9 years ago that a young State Representative from Massachusetts won a seat in this House by special election, following a campaign that captured the imagination of the Massachusetts Sixth District like few had before, and none has since. It was a political matchup dreamed up by a sportswriter: the scion of one of the State's first families and the son of a former U.S. Senator, against the scion of one of the North Shore's oldest Irish political families. The Democrat ran hard to force withdrawal from a war his own party had backed itself into, the Republican defending the adventure and our continued determination to withstand the expense and the pain. The national media saw the contest as a test of the Nixon first year, and inordinate amounts of time, money, and advice from the outside were added to the considerable local enthusiasm. I was the winner of that contest over a good legislator and a good man named Bill Saltonstall, and that day will always be for me the high point of a public career that had not before, nor has since, captured the same excitement, optimism, and pride as that victory night.

I did not just replace a Congressman in the House, I replaced a family, George, and then Bill Bates had served the Sixth District in Congress for 33 years running, always tending to the needs of people who sought out their help, protecting our local interests in Washington, and playing well the role of loyal backbencher for the minority—twice briefly the ma-

#### EXTENSIONS OF REMARKS

jority—party. They were both extremely popular and unbeatable.

Neither by temperament nor preference did I choose to carry on that tradition of playing out the quiet, inside game. I had made a campaign issue of it. And so when I arrived in Washington, it was no surprise to those back home that I would so quickly take to the floor of this House for a maiden speech jabbing a finger at those who preceded me here, and who were in control. The subject was seniority, and how it had removed the House—let me quote now—"from the mainstream of American life and blighted our chances of focusing on those national issues most relevant to Americans today." I blamed the seniority system primarily for our institutional irrelevance.

Having now reached my 42d year, and my ninth in Congress, and attained the requisite seniority to have chosen an office in Rayburn, and enough seniority to qualify for chairman of a subcommittee, I have decided to take a sabbatical from public life. And while I now am not so sure as I once was that seniority is our biggest problem, I am even more certain than ever that our institutional irrelevance has become the most fundamental issue of all.

Between my maiden speech and today, there are but 43 percent of the Members who were Members then. Of the 21 committee chairmen who I accused of having lost touch with the American people, only 7 are still chairmen. As the public has been so often reminded, our salaries have jumped from \$42,500 to \$57,500, our staff allotments from \$132,000 to \$287,000. Instead of a hostile President and a tight-lipped bureaucracy, we now have the active cooperation of a friendly President grappling with a bureaucracy that is increasingly open, if not always creative. And as a result of some good legislation and some unfortunate history in the mid-1970s, we in Congress have either won or been handed more responsibility for shaping public policies for a democracy of 215 million people—more responsibility and power than we could have imagined in 1969.

But my purpose today, Mr. Speaker, is to suggest that we have so far fumbled that opportunity, and are now collectively in danger of so turning off the public to Government generally that we offer fertile grounds for radicals, know-nothings and nincompoops of all stripes peddling political snake oil concocted to soothe the public frustration. Absent war or national catastrophe—moral equivalents notwithstanding—I doubt we have any prospects of extricating ourselves from this downward spiral short of major overhaul in the constitutional framework in which we operate, and in the institutional priorities of the House itself.

The public today identifies as the crucial problems, in some rough order of importance, inflation, unemployment, tax reform, energy, Government inefficiency and corruption, and crime. I would ask the House to think back over this session, to each day and week and month,

and compare that list of priorities from the people who pay the bills, to the way we, collectively and individually, have expended our energies. I would suggest that there has been no relation between the two at all.

Our time and energies are misplaced. We have become experts at managing mail systems not to cater to the few people who sit down and write us a thoughtful letter, but to the thousands who pump out canned messages at the call of a lobbyist or interest group. We know how to swoop down into a city or town, according to a tightly drawn schedule, touch the right people, say the right things, pay attention to the right local projects, all to assure that it will always be Congressman, not just Mr. HARRINGTON. We have a tolerance for irrelevant, arcane, protracted, uninspired debate on the floor, and for recorded tallies on the most inconsequential of matters that belie our sophisticated demeanor and overtaxed schedules. Rarely do we pass up the opportunity to announce the award of a Federal grant or contract which we had nothing to do with, even some of us at the same time that we are posturing on the size of the Federal budget. The list of hearings each day is as staggering as the disappointment and boredom served up to anyone who regularly sits through them—can there be anything so vapid as the administration witness? Some seasons, we see the Democratic and Republican photographers more often than we see our children at home. When was the last time you were over to the Library of Congress to read, think, or write?

I have no illusion that the Congress will ever—or should ever be peopled by ciceronian heroes. Nor do I share the puritanical instincts of our latter-day mugwumps who would draw a mythical line between politics and government, who take satisfaction in cleansing the process and reducing it to the sterility of a civil service exercise and the probity of a church deaconate. I look for a legislative recipe that is a balanced mix of things mundane and lofty, routine and stimulating, peripheral and fundamental, personal and intellectual, partisan and philosophical. Right now, it is the mundane, the routine, the personnel, the peripheral, and the partisan which predominate.

I have, in my way, tried to add a dimension to this job which begins to address the fundamental issues, even at the expense of other worthwhile activity. There was first, the Vietnam war, and the larger question it posed about the enormous commitment to a deceitful and ineffective bureaucracy across the river. There were the deceptions and conceits of the Nixon administration which took a Judiciary Committee 11 months and 13,000 pages to chronicle. There was our still unfinished campaign to expose the illegal, unethical, underhanded operations of the Central Intelligence Agency. And more recently, there have been our collective efforts to view economic development from a regional standpoint, and ask narrowly if we must

continue to have the pendulum always swing so that one region's boom is another's decay, and more broadly, ask what ought to be the role of the Federal Government in planning a postindustrial economy.

In addressing each of these issues, I have been painfully impressed with how members jump through hoops to avoid facing the key questions and making the tough choices. In the House, we never exercised our constitutional prerogative to set the purposes and parameters of a war we even refused to officially call a war. With the House's silent concurrence, Speaker Albert had us avoid the Nixon issues until the flood of indignation was about to wash over us, too. The House Intelligence Committee work was begun too late, kept needlessly in check, abandoned by the House at the first counterattack, and it avoided the fundamental issues about the role of an intelligence agency in a free and open democracy. On the regional issue, we still have yet to carry on a credible debate which goes beyond the questions of Federal allocations and asks how a 20th century industrial power is prepared to shore up a crumbling capitalist system with public intervention.

It hardly seems an accident that our constituents no longer have faith in the capacity of Congress to solve, let alone address, the complex problems of modern America.

After 9 years of wrestling with all this, Mr. Speaker, it seems apparent to me that we need a major overhaul of the constitutional setup in which we operate, to focus our attention, force a degree of cooperation with the executive branch, and provide the voters with a clear idea of what the issues are, and who has authority and responsibility for formulating solutions.

The model I prefer would be a distinctly American parliamentary setup, in which the President and Cabinet would be drawn from the Congress, for a term concurrent with the Congress, and would serve both as legislative leadership and policy coordinators for the independent bureaucracy that exists even today without constitutional mandate. At the same time, we ought to shift to the Cabinet many of the secondary powers and responsibilities of the Congress that seem to take up so much of our time—the private bills, the land claims, the declaration of ceremonial days, many of the routine authorizations, and even appropriations once overall budget categories are set—and concentrate every year on a few key issues. The function of Congress ought to be to set broad public policy outlines, exercise systematic oversight, and force major restructuring for delivering Government services.

We need a new constitutional framework, and a new Constitutional Convention to fashion it. Unlike many of my liberal colleagues, I am not afraid that an informed electorate can select Representatives to do a job with equal cunning and foresight as performed in the 18th century. And I do not share the religious reverence for a 200-year-old parchment, a work of genius in its time, which many argue foolishly is so sacrosanct that mere mortals dare not tinker with it. The Founding Fathers were men like us, and

## EXTENSIONS OF REMARKS

we should not deny our own generation the chance to shape our collective futures in the same manner that they did for theirs, and long after. There is no way to match the brilliance of the Philadelphia convention unless we try.

Mr. Speaker, I do not want to convey any sense of bitterness at leaving the House, or a sense that these have not been fruitful, educative, challenging, and generally enjoyable years for me, both personally and professionally. I would not have missed the opportunity, and will always cherish memories of the associations made and the battle fought. I am sure I will never forget the excitement of opposition during the Nixon-Agnew period, or the inventive strategy sessions among our rump minority at Armed Services to put the war up for a vote. I doubt if I will ever meet a man I admire as much as Jerry Waldie, nor will I ever run into as effective an opponent as JOE WAGGONNER. Never have I enjoyed a speech so much as watching Ed Koch dissect the Lockheed loan, nor been so disappointed as with the House decision to insure my noninvolvement in the intelligence investigation. I doubt I will ever feel quite as lonely as when I suggested to an unfriendly Judiciary Committee that my colleague, Jerry Ford, had served too many years in the House to make a good President. These have been rich years for me.

But I would be less than candid if I were not also to admit I leave with an ambivalence about the relevance of our collective exercise during the past 9 years, and the value of my role in it.

It is folly for anyone running for the House to think that either the constituents back home, or the colleagues in the House, or even the seers up in the press gallery will appreciate those who go beyond the obvious and the politically necessary, to those matters requiring foresight, creativity, and courage. The system of rewards and punishment working officially and unofficially in the House put a premium on fellowship, not leadership; on moderation rather than strategic stridency; on deference to experience and the way things were done last year, rather than on fresh thinking. Parochial rather than national perspectives dominate, personal rather than policy factors weigh in most heavily in legislative success. In the press gallery and in newsrooms—and consequently back home—there has developed a laziness in approaching the issues, and a viewpoint so jaundiced that many of us stoop to creating stunts and resort to extremist posturing in order to stir up some interest in what we are doing. If we could get the same sort of attention paid to our legislative successes, and failures, as we do to our haircuts, our parking spaces and our salaries, I am not sure we would know what to do with all the mail.

If I were a constituent, I would find it hard to believe that the 95th Congress did not have enough time this year to handle tax reform, welfare overhaul, executive branch reorganization, an anti-inflation program, criminal code reform, a full-employment bill and national health insurance in a period in which we met for a record number of days and hours, with a record number of staff as-

sistants, having filed a record number of bills and passed and sent to the President a record number of new statutes. If they can solve a centuries old conflict in the Middle East with 12 days of seclusion at Camp David, we ought to be able to tackle a few of the big ones here on Capitol Hill. We can learn something about galvanizing our own and the public's attention by the success model that Messrs. Carter, Begin, and Sadat have left us.

Like any human being, I will miss the prestige that comes of serving here, but I will hardly miss the tediousness of much of it, and the restraint it puts on one's natural self, one's candor, and one's own sense of priorities. I have been blessed over the years with the hardest working, brightest, most loyal staff, and I will miss those associations but not necessarily the constant demands they placed on me as I undoubtedly put on them. Nothing has meant more to me than going to a city and seeing the results of some work we had done, or having a stranger or old friend walk up and say how proud she was to have me representing her in Congress. Nor has there been a more painful feeling than receiving not merely word of opposition and disagreement, but expressions of derision or distrust, or disrespect for me personally and to the calling of a politician.

It is this last development, Mr. Speaker, which I think is somewhat unique to our time, at least in its intensity, and which is the most fundamental of problems. As a liberal, an activist, one who thinks Government has a positive role to play in improving the lives of each individual and in shaping positively the American experience, the public disenchantment with Government and politics is debilitating. We cannot paper over the problem by better packaging, by still further increasing the appearance of frenetic activity, without coming to grips with the crucial and fundamental concerns of the country. Nor do we do this process any service by joining with the nay sayers and pandering to sentiments that Government is best which governs least. We need a major constitutional and institutional overhaul—anything short of it is simply shoveling sand against a tide of revulsion and rejection.

For those of you who will be here next year, I hope that you find your way clear to setting an example for those back home: An example of putting aside the personal and parochial, of taking risks, of looking wholistically at Government rather than simply policy by policy, of having the courage to make big changes, and with that running the risk of making big mistakes. The periods of greatest progress have not come when America's leaders here in the House have been timid, afraid of the electorate, fearful of their own and the country's future, nor when the House has been so reverent about what already exists that it dares not ponder the world without it. Our American genius has been a unique balance between the adventurous and Cavalier robber baron and the Puritan moralist. We have recently lost that balance, and the self-confidence that comes with it. We take ourselves here in the House too seriously, our job in its most basic sense not seriously enough.●

## METRO'S NEW HOURS

## HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. DELLUMS. Mr. Speaker, as a member of the District of Columbia Committee and one who has always been concerned with this city and its environs, I was pleased to note the following letter to the editor on the October 4 issue of the Washington Post.

I would like to concur with the remarks of Ms. Weiner, and express my optimism about the future of Metro's expanded hours and expanded services. This growing system is working proof of the worth and necessity of mass transit, an integral part of urban life today.

The remarks follow:

## METRO'S NEW HOURS

A couple of years ago, The Post published a letter I wrote about the frustrations of being a car-less cab-taker in Washington. Well, aside from affording me an opportunity for a little public ventilation, the effect, as those in a similar position will agree, was minimal. Cab service in this town is still abysmal. However, I am delighted to report that real help has finally arrived—in the form of the new Metro hours.

As a transplanted New Yorker, I feel that a certain degree of normalcy has been restored to the subterranean aspects of my existence (even if the cleanliness and attractiveness still throw me a little), and I would like to recommend evening Metro travel to one and all as a new way of life.

I send this letter as both an advisory and a plea. Advisory: Try it—you'll like it! It's terrifically convenient, a pleasant adventure and, so far, it's safe. Plea: Do it early and often. I have visions of seeing the service eliminated after a series of stories with eight-column headlines screaming, "New Metro Hours Cause New Millions' Loss Due to Lack of Ridership." I need Metro in the evening, and once you've tried it, you will, too.

ROBERTA WEINER, Washington.

CONGRESSMAN JOSEPH LE FANTE

## HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to honor Congressman JOSEPH LE FANTE, who will be retiring from the House of Representatives after this session. In some cases, it may be difficult to pay tribute to a fellow colleague who has been with us for so short a time. This is not the case with JOE LE FANTE.

In his brief 2-year tenure in the House of Representatives, Joe has impressed his colleagues and fellow members of the Education and Labor Committee with the skill and dedication with which he represented his constituents of the 14th District of New Jersey. His courage and zeal to serve this constituency was self-evident in the courage which he demonstrated in his remarkably swift recovery from open heart surgery this year.

Mr. Speaker, I am sure I speak for all my colleagues in the House in saluting a

## EXTENSIONS OF REMARKS

fellow Member whose stay with us has been all too short. I am sure that JOE'S selfless dedication to the people of New Jersey will continue for a long time to come. •

## ST. MICHAEL'S SCHOOL 125TH ANNIVERSARY

## HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. LEDERER. Mr. Speaker, Philadelphia has long been known as the City of Brotherly Love, and I can think of no better occasion which exemplifies this spirit than the October 1978, 125th anniversary of the founding of St. Michael School. The long and glorious history of St. Michael's has been marked by accomplishment, happiness, tragedy, but always a continuous spiritual and civic dedication to the Fishtown, Kensington, Northern Liberty neighborhoods for which it serves.

St. Michael's Parish was founded in October 1833, helping countless Catholic immigrants adjust to life in the New World. In 1844, St. Michael's was burned down during the "No-Nothing Riots," an anti-immigrant period in the city and the country which will long darken the annals of history in Philadelphia and the Nation. However, the unquenchable spirit of the people of St. Michael's insured that the reconstruction of the church would take place as soon as it was burned down.

In 1856, further tragedy struck—58 school children from St. Michael's parish were killed, in one of the worst railroad accidents in this Nation's history. Nearby Ambler, Pa., was named after Mary Ambler, for her heroic efforts in trying to save the lives of these children, who died during this catastrophic collision while on a school picnic outing.

St. Michael's has survived these tragedies to go on to great accomplishments. The church was the original home of LaSalle College, now one of Philadelphia's most outstanding institutions of higher education. The Sisters of Charity, now a major order of nuns numbering over 2,000 was founded in St. Michael's Parish.

St. Michael's enjoys a reputation, second to none, both for scholastic achievement and athletic excellence. The history of its football teams, as well as its boys and girls basketball teams has reached legendary proportions. Most of all, however, St. Michael's is known, and will continue to be known, for its people. Out of this parish have come doctors, lawyers, judges, religious leaders, civic and community leaders in the city of Philadelphia and beyond. We shall always remember those brave sons and daughters who served our country in times of war, particularly those who never returned. But most important are the deeply religious, hard working, decent men and women which St. Michael's has helped form. It is these people which have been and will continue to be the bedrock of their neighborhood and their Nation.

Mr. Speaker, I would like to pause in

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the business of the House to salute St. Michael's Elementary School for 125 years of a job well done. •

## PERSONAL EXPLANATION

## HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

Mr. PURSELL. Mr. Speaker, on October 6, 1978, the House of Representatives debated and voted on the Sugar Stabilization Act. During the debate, an amendment was offered by the Honorable WILLIAM A. STEIGER, which added the cost-of-production adjuster provision to the bill. I supported this amendment and intended to support the bill. However, due to the rush of legislative business, and the conference meetings I was attending on that day, I made an error in voting against the bill.

Therefore, I would like to state that I do support the Sugar Stabilization Act, H.R. 13750, and that my vote on final passage was in error.

## TRIBUTE TO REPRESENTATIVE YOUNG

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague JOHN YOUNG.

Member of one of the oldest pioneer families in Texas, lawyer, prosecutor, and judge of great ability, JOHN YOUNG and I have served together for many years on the House Rules Committee. His wise counsel and valuable insights were helpful to me through the years. His presence will be missed by all.

Reta and I extend to JOHN our warmest wishes for his return to private life. •

## PAUL ROGERS

## HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague PAUL ROGERS.

There are only 10 remaining Members of the class of January 1955, left in the House. My friend PAUL ROGERS and I will deplete this number of two this year.

This outstanding legislator—known as "Mr. Health" for his preeminence in this field—succeeded his equally outstanding father to this seat in the House, and has compiled an enviable record of legislative competence since.

Reta and I extend to PAUL and Becky our warmest wishes for the future which

I know will include more public service for this still young man.●

#### TRIBUTE TO TENO RONCALIO

##### HON. GLENN M. ANDERSON OF CALIFORNIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ANDERSON of California. Mr. Speaker, Wyoming's only Congressman, TENO RONCALIO, leaves us at the close of this 95th Congress. TENO has been not only an outstanding servant and guardian of the public weal, but a close personal friend as well. I am sure that I do not stand alone in saying that this body will not be the same without him.

TENO and I have worked closely together for the past 8 years on the Public Works and Transportation Committee, where we have shared the full gamut of legislative victories and defeats. In that time I have grown to deeply respect and admire TENO for his unending diligence and dedication in carrying out the equally unending duties of Congress.

TENO has the unique privilege and very difficult task of acting as the sole representative of the entire State of Wyoming. Unlike most of the rest of us, he does not work within a limited district, but must go all over the State in order to keep in touch with those who elected him. Whereas I am able to maintain close relations with my constituents fairly easily for my district is only 53 miles in circumference, TENO must travel many times that distance to do the same job. And he has done it very, very well. In the 10 years that he has been on Capitol Hill, he has not forgotten the people of Wyoming, whether they are from Cheyenne or Medicine Bow.

All of us, colleagues and constituents alike, regret that we must say goodbye to TENO, for we will miss him. He has been an honorable public servant who deserves only the best in his impending private career. My wife, Lee, joins me in sending our wishes for a wonderful future to TENO, his lovely wife Cecilia, and their two sons.●

#### TRIBUTE TO OMAR BURLESON

##### HON. B. F. SISK

OF CALIFORNIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague OMAR BURLESON.

This quiet but effective Texan has been a key Member of the House for 30 years, finishing his career as one of the top members of the Ways and Means Committee after having once served as chairman of the House Administration Committee. As one of the true "behind the scene" giants of the House, his wise

#### EXTENSIONS OF REMARKS

counsel on all legislative matters will be sorely missed.

Reta and I extend to OMAR and Ruth our warmest wishes for an enjoyable and fruitful retirement.●

#### SALUTE TO CONGRESSMAN BURKE ON HIS RETIREMENT

##### HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to salute a dear friend and colleague, Congressman JAMES BURKE, who will be retiring after 20 years of outstanding service in the House of Representatives.

I had the benefit and honor of his tutelage and friendship while serving under his chairmanship of the Social Security Subcommittee. His monumental efforts in guiding President Carter's social security legislation through the committee and the House of Representatives will be remembered long after his retirement by the millions of citizens who depend on this system which he helped preserve through the enactment of this bill.

Mr. Chairman, you will be leaving a void in the 96th Congress which will be sorely missed. On behalf of a grateful citizenry of your district and the Nation I salute you for a lifetime of public service which will continue to benefit the people of this country long after your retirement.●

#### TRIBUTE TO BOB LEGGETT

##### HON. B. F. SISK

OF CALIFORNIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague BOB LEGGETT.

BOB LEGGETT has faithfully and well represented his constituents of California's Fourth District during his 16 years of service and has been a most effective member of our delegation. His contributions to national defense as a member of the Armed Services Committee will not soon be forgotten.

My best wishes are extended to Bob for an enjoyable, fruitful retirement.●

#### TRIBUTE TO ROBERT L. LEGGETT

##### HON. GLENN M. ANDERSON

OF CALIFORNIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ANDERSON of California. Mr. Speaker, at the close of the 95th Congress we must bid farewell to BOB LEGGETT, a Member who has been not only

a very able legislator but who, in his 16 years here has managed to maintain the jovial, friendly, personable character which has been his trademark since he arrived. We, his colleagues, will lose both a friend and a supremely competent Member of Congress when BOB retires.

BOB and I have similar political backgrounds, both of us working our way through the ranks in California's State Assembly and eventually moving from one coast to the other upon our elections to Congress. When I arrived in 1968, I joined BOB on the Merchant Marine and Fisheries Committee, where we have worked very closely together, sharing the trials and the joys which we have all experienced in our time on the Hill. BOB's service on this and the other committees of which he is a member has been nothing short of outstanding. As chairman of the Fisheries and Wildlife Conservation and the Environment Subcommittee, he has very effectively fulfilled the monumentally difficult task of bridging the gap between the sometimes idealistic plans of environmentalists and conservationists and the practical realities of the demands of the real world. His efforts have resulted in compromises leading to all parties.

All of us will miss this highly effective legislator. My wife, Lee, joins me in wishing him, his lovely wife Barbara and their children, Jeanne, Rob, and Diana all the best in the future.●

#### CHARLES WIGGINS

##### HON. B. F. SISK

OF CALIFORNIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague CHARLES WIGGINS.

It has often been remarked that Congress has too many lawyers, but I am grateful and the Nation should be for the legal skills of CHUCK WIGGINS. Often regarded as one of the finest lawyers in Congress, CHUCK's legal acumen and juridical skills have marked his highly successful terms as a most effective Member of the people's lawmaking body.

Reta and I extend to CHUCK and Betty our warmest wishes for his return to private life.●

#### PULASKI BENEFICIAL ASSOCIATION 75TH ANNIVERSARY

##### HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

##### IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. LEDERER. Mr. Speaker, I rise today to request my colleagues to join with me in saluting the Pulaski Beneficial Association on their 75th anniversary.

This association was formed in 1903 by 10 Polish immigrants who wished to aid their fellow immigrants as they ad-

justed to life in a new land. Their efforts have helped many new Americans to overcome the problems and barriers which they encountered. Their duties have covered many areas, from helping with hospital and doctor bills, to burying indigent family members, to caring for the bedridden. This kind of service has become a tradition of the Pulaski Beneficial Association in serving the Polish community in Philadelphia, and it is a tradition that is stronger today than ever before.

Reflecting upon their 75 years of selfless service to those in need, I am proud and honored to serve as their representative in Congress. On behalf of my colleagues in the House and the people of Philadelphia, I congratulate the Pulaski Beneficial Association for their many years of dedication during which its members have helped so many.●

GEORGE MAHON

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague GEORGE MAHON.

GEORGE MAHON will go down in history as one of the true congressional giants of the 20th century. Never has a man worn the mantle of power with more humility, piety, strength of character, and integrity.

As dean of the House in point of service and chairman of the Appropriations Committee, this legislative titan has made a mark that some might equal but none will ever surpass.

I have called him "my leader" in my 24 years here and take special pride in that he represents the Texas congressional district in which I was reared.

Reta and I extend to GEORGE and Helen our fondest wishes for an enjoyable and fruitful retirement.●

TRIBUTE TO W. R. POAGE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. ROYBAL. Mr. Speaker, we are certainly going to miss our good friend and distinguished colleague BOB POAGE who has chosen to retire at the end of the 95th Congress. BOB has distinguished himself as a dedicated and able leader during his 42 years in Congress.

He may reflect with pride and satisfaction on his considerable contributions to our Nation's legislative development. His outstanding work as chairman of the House Agriculture Committee has been particularly important in shaping our Nation's agriculture policy.

I would only like to add my personal best wishes to BOB for a long and very enjoyable retirement.●

## EXTENSIONS OF REMARKS

### A TRIBUTE TO DEL CLAWSON

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague DEL CLAWSON.

DEL CLAWSON has personified to me the "loyal opposition." While a member of the minority party and often at odds with me on the issues, DEL's gentlemanly demeanor and persuasively reasoned arguments were effective in our legislative work together on the House Rules Committee. His service as chairman of the Republican Policy Committee testifies to the high esteem in which he was held by his colleagues. And, finally, as the greatest musician ever to serve in the House I hope he will be tooting that horn for many years to come.

Reta and I extend to DEL and Marjorie our warmest wishes for an enjoyable, fruitful retirement.●

### TRIBUTE TO CONGRESSMAN MOSS

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close, I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague JOHN MOSS.

As dean of the California congressional delegation, JOHN MOSS has provided solid leadership for Congress' largest delegation. In addition, from his key posts on the Government Operations and Interstate and Foreign Commerce Committees, JOHN has led the fight on governmental inefficiency. American consumers will be ever in his debt, and his milestone Freedom of Information Act will always be his monument against oppressive governmental secrecy.

Reta and I extend to JOHN and Jean our warmest wishes for an enjoyable, fruitful retirement.●

### TRIBUTE TO REPRESENTATIVE SHIRLEY PETTIS

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague SHIRLEY PETTIS.

Death took from us our beloved colleague and Shirley's husband, Jerry Pettis, but as his replacement and on her own, SHIRLEY PETTIS has left her mark

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as an effective Member of Congress. Her service here was much too short.

Reta and I extend to SHIRLEY our warmest wishes in her return to private life.●

HONORABLE REPRESENTATIVE  
JOHN DENT

HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to honor Representative JOHN H. DENT, for a lifetime of public service to Pennsylvania and the Nation.

As a young man I was fortunate to have seen Congressman DENT sworn into this body 20 years ago in 1958. He was a legend even then, for his years of dedicated and outstanding leadership in the Pennsylvania State Senate. His brilliant service in the Pennsylvania State Senate has been more than equaled by his 20 years in the House of Representatives. As a member of the Education and Labor Committee, the working person of this country always had a friend. His membership in the blue-collar caucus is more than just symbolic—JOHN DENT never forgets his roots.

On behalf of a grateful citizenry of Pennsylvania and the Nation, I salute you for a lifetime of public service which will continue to benefit the people of this land for many years to come.●

### TRIBUTE TO JOHN DENT

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. SISK. Mr. Speaker, as the 95th Congress draws to a close I should like to take this opportunity to pay tribute to the outstanding service in Congress of our distinguished colleague, JOHN DENT.

The wage earning, working men and women of America are losing perhaps their greatest friend in Congress with the departure of JOHN DENT. With a solid dual background of labor union experience and legislative skills honed as Democratic leader of the Pennsylvania Senate, JOHN came to Congress in 1958, and since has distinguished himself in the field of labor legislation. Every major piece of legislation affecting the working people of America in the last 20 years bears his imprint and his wise counsel in such matters will be sorely missed.

Reta and I extend to JOHN and Margaret our warmest wishes for an enjoyable and fruitful retirement.●

CONGRESSMAN ROBERT N. C. NIX

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

● Mr. WALKER. Mr. Speaker, I want to express my sincere best wishes to my

distinguished colleague, Congressman ROBERT N. C. NIX, as he retires from the House of Representatives. Since he was first elected to the 85th Congress, Congressman Nix has worked diligently for the people he represents.

In his two decades of service, Congressman Nix has risen to positions of considerable influence as chairman of the House Committee on Post Office and Civil Service and as a senior member of the House International Relations Committee. He will long be remembered by his House colleagues, particularly by those of us in the Pennsylvania delegation.

ROBERT NIX has been a faithful servant of the people for many years. As his career in the House draws to a close, I know he is looking forward to different endeavors and new challenges. I am confident that he will bring to his new activities the same dedication which he has brought to his congressional career.●

#### THE STATE OF AFFAIRS IN LEBANON

#### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1978

• Mr. WOLFF. Mr. Speaker, I want to again bring to the attention of my colleagues the grave state of affairs in Lebanon. The situation in Lebanon is very complex, but it comes down to some very simple facts: people are dying, combatants and noncombatants alike, and the chances for peace in the Middle East are in jeopardy.

The tragedy of Lebanon is that, before 1975, when internal strife began, it was a modern, cosmopolitan nation, the model of religious and cultural toleration. Moslems, Christians and Jews lived together with little trouble. Lebanon was the intellectual center of the Arab world, where the elites of Arab countries sent their children to get the best education. Beirut was one of the major capitals of international business of the world, and a beautiful city. Now Beirut is in shambles and the various religious groups at war with each other.

The Lebanese were so tolerant that they accepted Palestinian refugees that no other state would take. Radical PLO members have aggravated the divisions in Lebanon by joining with extremist, leftist-Moslems in fighting the Christian groups.

When Syria intervened in mid-1976, it was ostensibly to save the Christians who were being attacked by leftist Moslems and the PLO. Now, however, the Syrians have been shelling the Christians. Their original aim is becoming very clear: having never accepted Lebanon as an independent nation, they want to annex it and make it part of "Greater Syria." The "peacekeepers" are showing their true colors as an invading and occupying force.

For this reason, I have joined with my colleagues, Mr. GILMAN, Mr. KAZEN and Mr. ABDNOR and 228 cosigners on a sense of the Congress resolution. This resolution calls upon the President and the Secretary of State to seek total with-

#### EXTENSIONS OF REMARKS

drawal of all foreign troops from Lebanon, and replace them with a UN-mandated peacekeeping force; and to support the Central Lebanese Government's efforts to disarm all nongovernment groups, including the PLO.

Mr. GILMAN, Mr. KAZEN and Mr. ABDNOR have worked hard to alert the other Members to this resolution, and ask their signatures. Today, on the floor of the House they gathered the signatures of Members of Congress. I am certain that many more Members would have signed this resolution had we been able to contact them in this short period of time. As we know, due to the press of business, that this resolution will not pass the House, we have sent it to the President so that he may know how concerned we are. Here is the text of the resolution and the list of signers:

##### RESOLUTION

Whereas, it is in the interest of all nations of the region that there exists a secure, independent, and stable Lebanon; and

Whereas, the presence of a dispassionate peacekeeping force in Lebanon would serve the interests of peace; and

Whereas, the continued presence of Syrian Troops in Lebanon no longer serve to further the attainment of peace in that country; and

Whereas, the continuing crisis in Lebanon threatens not only the peace and stability of that nation, but that of the entire region; and

Whereas, the recent tragic clashes between the predominantly Syrian "peacekeeping" forces and the Lebanese Front Forces (Christian forces) in Beirut have resulted in the needless deaths of thousands of innocent civilians in Lebanon:

Now, therefore, be it resolved that we the undersigned Members of the House of Representatives urge the President to direct the Secretary of State to:

(1) Seek the withdrawal of all foreign troops from Lebanon with the exception of those specifically mandated by the U.N. peacekeeping effort;

(2) Support the Central Lebanese Government effort to disarm Palestinians and all other armed non-government groups presently operating within Lebanon;

(3) Seek an expanded role for the U.N. peacekeeping mandate to develop a credible, trustworthy, and effective deterrence to violence;

(4) Seek the formation of a United Nations Commission to investigate and report upon conditions and developments in Lebanon with the objective of adopting specific steps for the economic and political rehabilitation of Lebanon.

##### LIST OF SIGNERS

Listed below are the Members of the House of Representatives who co-signed the enclosed resolution on Lebanon:

Hon. James Abdnor  
 Hon. Benjamin A. Gilman  
 Hon. Abraham Kazen, Jr.  
 Hon. Lester L. Wolff  
 Hon. Thomas P. O'Neill, Jr.  
 Hon. John J. Rhodes  
 Hon. Jim Wright  
 Hon. John Brademas  
 Hon. Robert H. Michel  
 Hon. Joseph A. Addabbo  
 Hon. Daniel K. Akaka  
 Hon. Jerome A. Ambro  
 Hon. Glenn M. Anderson  
 Hon. John B. Anderson  
 Hon. Mark Andrews  
 Hon. Frank Annunzio  
 Hon. John M. Ashbrook  
 Hon. L. A. Bafalis  
 Hon. Robert E. Bauman  
 Hon. Robin L. Beard  
 Hon. Berkley Bedell  
 Hon. Anthony C. Beilenson  
 Hon. Adam Benjamin, Jr.  
 Hon. Charles E. Bennett  
 Hon. Mario Biaggi  
 Hon. Jonathan B. Bingham  
 Hon. Michael T. Blouin  
 Hon. Lindy Boggs  
 Hon. John B. Breaux  
 Hon. William M. Brodhead  
 Hon. William S. Broomfield  
 Hon. Clarence J. Brown  
 Hon. James T. Broyhill  
 Hon. Clair W. Burgener  
 Hon. J. Herbert Burke  
 Hon. James A. Burke  
 Hon. Omar Burleson  
 Hon. Bruce F. Caputo  
 Hon. Bob Carr  
 Hon. Tim Lee Carter  
 Hon. John J. Cavanaugh  
 Hon. Elford A. Cederberg  
 Hon. Bill Chappell, Jr.  
 Hon. Don H. Clausen  
 Hon. James C. Cleveland  
 Hon. E. Thomas Coleman  
 Hon. Cardiss Collins  
 Hon. James M. Collins  
 Hon. Barber B. Conable, Jr.  
 Hon. Silvio O. Conte  
 Hon. Tom Corcoran  
 Hon. James C. Corman  
 Hon. Robert J. Cornell  
 Hon. William R. Cotter  
 Hon. Lawrence Coughlin  
 Hon. Dan Daniel  
 Hon. George E. Danielson  
 Hon. Mendel J. Davis  
 Hon. Ronald V. Dellums  
 Hon. Edward J. Derwinski  
 Hon. Samuel L. Devine  
 Hon. John D. Dingell  
 Hon. Christopher J. Dodd  
 Hon. Robert K. Dornan  
 Hon. Thomas J. Downey  
 Hon. Robert F. Drinan  
 Hon. John J. Duncan  
 Hon. Robert W. Edgar  
 Hon. Jack Edwards  
 Hon. Mickey Edwards  
 Hon. David F. Emery  
 Hon. Glenn English  
 Hon. John N. Erlenborn  
 Hon. Billy Lee Evans  
 Hon. Frank E. Evans  
 Hon. Thomas B. Evans, Jr.  
 Hon. Dante B. Fascell  
 Hon. Millicent Fenwick  
 Hon. Hamilton Fish, Jr.  
 Hon. Joseph L. Fisher  
 Hon. Walter Flowers  
 Hon. John J. Flynt, Jr.  
 Hon. Thomas S. Foley  
 Hon. William D. Ford  
 Hon. Edwin B. Forsythe  
 Hon. L. H. Fountain  
 Hon. Wyche Fowler, Jr.  
 Hon. Donald M. Fraser  
 Hon. Bill Frenzel  
 Hon. Bob Gammie  
 Hon. Robert Garcia  
 Hon. Dan Glickman  
 Hon. Barry M. Goldwater, Jr.  
 Hon. Henry B. Gonzalez  
 Hon. William F. Goodling  
 Hon. Willis D. Gradison, Jr.  
 Hon. Charles E. Grassley  
 Hon. S. William Green  
 Hon. Tennyson Guyer  
 Hon. Sam B. Hall, Jr.  
 Hon. George Hansen  
 Hon. Tom Harkin  
 Hon. Augustus F. Hawkins  
 Hon. Margaret M. Heckler  
 Hon. Jack Hightower  
 Hon. Elwood Hillis  
 Hon. Marjorie S. Holt  
 Hon. Elizabeth Holtzman  
 Hon. Carroll Hubbard, Jr.  
 Hon. William J. Hughes  
 Hon. Andrew Jacobs, Jr.

## EXTENSIONS OF REMARKS

Hon. James M. Jeffords  
 Hon. John W. Jenrette, Jr.  
 Hon. Harold T. Johnson  
 Hon. Ed Jones  
 Hon. James R. Jones  
 Hon. Barbara Jordan  
 Hon. Robert W. Kasten, Jr.  
 Hon. Jack F. Kemp  
 Hon. Martha Keys.  
 Hon. John Krebs  
 Hon. Robert Krueger  
 Hon. Robert J. Lagomarsino  
 Hon. Debert L. Latta  
 Hon. Robert L. Leggett  
 Hon. William Lehman  
 Hon. Norman F. Lent  
 Hon. Elliott H. Levitas  
 Hon. Bob Livingston  
 Hon. Jim Lloyd  
 Hon. Marilyn Lloyd  
 Hon. Clarence D. Long  
 Hon. Trent Lott  
 Hon. Robert McClory  
 Hon. Paul N. McCloskey, Jr.  
 Hon. Joseph M. McDade  
 Hon. Robert C. McEwen  
 Hon. Gunn McKay  
 Hon. Stewart B. McKinney  
 Hon. Andrew Maguire  
 Hon. James R. Mann  
 Hon. Marc L. Marks  
 Hon. James G. Martin  
 Hon. Jim Mattox  
 Hon. Helen S. Meyner  
 Hon. Barbara A. Mikulski  
 Hon. Abner J. Mikva  
 Hon. Clarence E. Miller  
 Hon. Norman Y. Mineta  
 Hon. Donald J. Mitchell  
 Hon. Parren J. Mitchell  
 Hon. Anthony Toby Moffett  
 Hon. G.V. (Sonny) Montgomery  
 Hon. W. Henson Moore  
 Hon. Carlos J. Moorhead  
 Hon. Ronald M. Mottl  
 Hon. John M. Murphy  
 Hon. John P. Murtha  
 Hon. Gary A. Myers  
 Hon. John T. Myers  
 Hon. Stephen L. Neal  
 Hon. Lucien N. Nedzi  
 Hon. Robert N. C. Nix  
 Hon. Mary Rose Oakar  
 Hon. George M. O'Brien  
 Hon. Donald J. Pease  
 Hon. J. J. Pickle  
 Hon. W. R. Poage  
 Hon. Larry Pressler  
 Hon. Richardson Preyer  
 Hon. Melvin Price  
 Hon. Joel Pritchard  
 Hon. Dan Quayle  
 Hon. Nick Joe Rahall II  
 Hon. Tom Railsback  
 Hon. Charles B. Rangel  
 Hon. Ralph Regula  
 Hon. Frederick W. Richmond  
 Hon. Matthew J. Rinaldo  
 Hon. Ted Risenhoover  
 Hon. Ray Roberts  
 Hon. Peter W. Rodino, Jr.  
 Hon. Teno Roncalio  
 Hon. Fred B. Rooney  
 Hon. Benjamin S. Rosenthal  
 Hon. Dan Rostenkowski  
 Hon. John H. Rousselot  
 Hon. Edward R. Roybal  
 Hon. Harold Runnels  
 Hon. Leo J. Ryan  
 Hon. David E. Satterfield III  
 Hon. Harold S. Sawyer  
 Hon. James H. Scheuer  
 Hon. Patricia Schroeder  
 Hon. Keith G. Sebelius  
 Hon. John F. Seiberling  
 Hon. B. F. Sisk  
 Hon. Gene Snyder  
 Hon. Gladys Noon Spellman  
 Hon. J. William Stanton  
 Hon. Newton I. Steers, Jr.

Hon. William A. Steiger  
 Hon. Louis Stokes  
 Hon. Samuel S. Stratton  
 Hon. Gene Taylor  
 Hon. Charles Thone  
 Hon. Bob Traxler  
 Hon. David C. Treen  
 Hon. Paul S. Trible, Jr.  
 Hon. Morris K. Udall  
 Hon. Lionel Van Deerlin  
 Hon. Joe D. Waggonner, Jr.  
 Hon. Robert S. Walker  
 Hon. William F. Walsh  
 Hon. William C. Wampler  
 Hon. Wes Watkins  
 Hon. Henry A. Waxman  
 Hon. Ted Weiss  
 Hon. Charles W. Whalen, Jr.  
 Hon. Charles Whitley  
 Hon. Jamie L. Whitten  
 Hon. Charles E. Wiggins  
 Hon. Bob Wilson  
 Hon. Larry Winn, Jr.  
 Hon. John W. Wydler  
 Hon. Chalmers P. Wylie  
 Hon. Sidney R. Yates  
 Hon. Don Young  
 Hon. Robert A. Young  
 Hon. Clement J. Zablocki  
 Hon. Leo C. Zefteretti

Mr. Speaker, when the foreign aid authorization bill came before this body we voted overwhelmingly to delete the earmarking of \$90 million of assistance to Syria because of her action in Lebanon. The Senate, in the appropriations measure, voted to keep \$90 million. Because of Parliamentary procedure, the House is not able to have a separate vote on this money for Syria in the conference report. I want to let the administration know that I do not think that this money should be spent to aid Syria until she gets out of Lebanon, and joins in the Middle East peace process. Cosponsoring this resolution would tell the administration the depth of the concern in Congress about this situation. I urge my colleagues to cosponsor the resolution if they want to send the same message to the White House.

Throughout the crisis in Lebanon, the press has presented the situation in black and white terms, of "right versus left" and "Christian against Moslem." Admittedly, the many groups and sects involved make a complicated story. However, the press presentation has done very little to Americans a real understanding of what is taking place in Lebanon. One notable exception to this pattern is an editorial from the Wall Street Journal of October 11th. I feel that it is a cogent discussion of the situation in Lebanon, and the issues that this country must face in dealing with it. I would like to insert this editorial into the RECORD:

## TURNING POINT IN LEBANON

Addressing Congress after the Camp David accords, President Carter added some words about ending another Middle Eastern tragedy, the civil war in Lebanon. What President Carter does to redeem that promise will demonstrate whether he truly has revitalized the American will for decisive action in the Middle East.

In one sense, it was definite progress that the President spoke at all about ending the Lebanese conflict. At least it was a change from the dormant U.S. policy of the last two years, which has been completely bypassed by events. In 1976, the U.S. gave tacit endorsement to the thinly disguised Syrian army of occupation which ended the Leb-

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anese war of all against all. This policy briefly made sense. After all, the Syrians were offering a reasonable internal political settlement, and they rescued the pro-Western Christians from losing to a Palestinian-Muslim-Druse coalition. But now the Syrians are playing the other side of the balance, trying to crush the organized Christian resistance so that they can completely dominate the country.

The Syrian shelling of east Beirut is only Lebanon will be that much further on the serious offensive in late August, the Syrians actually moved ground troops into Christian villages in the northern mountains. They arrested relatives of militia fighters and even murdered families of some political opponents. The foray was brief, but showed the Syrian determination to choke off Christian independence at its source.

If this type of occupation isn't checked, Lebanon will be made much further on the way toward absorption into "greater Syria." A real turning point in the occupation is at hand. The 30,000 to 35,000 Syrian troops in Lebanon are formally part of an "Arab Detterent Force," which also includes Sudanese and Saudi units and is heavily financed by the Saudis. The mandate for the force expires on October 26. A change in the composition and deployment of this force could conceivably end the bloodshed. Militant Christians, for instance, still praise the Sudanese and Saudi troops for their "exemplary" conduct. Lebanese President Elias Sarkis, a noncombatant Christian, is now roaming the Arab world arranging a continuation. But it will take heavy diplomatic pressure to revise the force, the sort of pressure that won't be generated while the U.S. remains passive.

And make no mistake, the U.S. is now the key player. The French had a fling last week, lobbying at the UN with an impractical idea of interposing reconstructed Lebanese army units between the Syrians and the Christians. When that initiative fizzled, senior diplomats left the field to the State Department.

The question is whether, in spite of the President's words, the State Department is up to the task. Our diplomats are so used to feeling powerless in the Levant that they seem uncomfortable in a situation which requires them to throw around some weight. The mood seems to be to drift with the Syrians some more, to write off the Christian militias as a violent, unrepresentative minority, to tread softly where the Russians might get involved and in the meantime to hope that providing uniforms and equipment to the Lebanese army remnants will help restore central authority.

Too much is at stake for this passivity. Lebanon threatens the flanks of the Camp David peace talks, and that alone is sufficient reason for U.S. action. An accidental explosion in the north would have an imponderable effect on Egyptian-Israeli negotiations. Syrians and Israelis could easily get swept away in their current game of threat and deterrence. We suspect neither side wants to go to such extremes. But it will take active diplomacy to find the way out of the crisis.

The point is that diplomacy will have to make haste while the timing is right. Reports of Syrian troop movements yesterday underlined the tenuous nature of the latest cease-fire, but it has at least given some pause. The future of the "deterrent force" is up in the air, and President Sarkis still has formal leverage over the Syrian presence. A compromise to save the situation might still be possible, but it will require the orchestrated backing of Western powers and their Arab friends. American interests are clear and President Carter has recognized them. It remains to be seen whether he can prod his government to seize the initiative.●