

## EXTENSIONS OF REMARKS

## CUBAN AND HAITIAN REFUGEES

## HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mrs. CHISHOLM. Mr. Speaker, on June 20, 1980, after weeks of uncertainty and delay, the administration announced its intended policy regarding Cuban and Haitian refugees. A legislative package was sent to Congress in early August. Many knowledgeable observers agree, however, that the administration's proposal does not adequately address the issues presented, and that it is therefore necessary to propose an alternative approach.

I am also concerned with indications that the administration's proposal will be rejected by the relevant congressional committees, and that the currently untenable situation will continue indefinitely. I believe that the desperate needs of the Cuban and Haitian refugee populations, and the fiscal and social needs of State and local communities impacted by these refugees, must be immediately and fully resolved.

To this end, I am convinced that the national interest will best be served if, as expeditiously as possible, Congress enacts legislation authorizing the granting of political refugee status to up to 120,000 Cubans who entered the United States after April 21 and date of enactment, and up to 30,000 Haitian boat people who entered the United States in Florida after January of 1972 and date of enactment. Today I am introducing legislation which would provide that these persons are political refugees within the meaning of the Refugee Act of 1980, and are thereby eligible for rights and benefits accorded the Indochinese, Soviet Jews, and other refugees. The legislation would also provide for Federal assistance to States and localities pursuant to the provisions of the 1980 Refugee Act.

Problems mount day by day as the status of the Cubans and Haitians remains unresolved. I, therefore, wish to stress my hope that this legislative initiative can be considered and enacted prior to congressional adjournment on October 4, 1980.

PRINCIPLES WHICH SHOULD GOVERN U.S. REFUGEE POLICY AND THE RESOLUTION OF THE CUBAN/HAITIAN REFUGEE PHENOMENA

I believe that appropriate resolution of the Haitian/Cuban refugee situation should be guided by the following principles:

First, U.S. refugee policy must be consistent, based upon objective fact and free of racial or ideological bias.

Second, the Refugee Act of 1980 expresses the will of Congress regarding equitable principles, benefit eligibility, and Federal fiscal responsibility for the cost of refugee resettlement. If the integrity of the act is to be upheld, Cubans and Haitians must be brought within its terms.

Third, refugee policy is set by the Federal Government and the financing of refugee policy and resettlement assistance is a Federal responsibility. States and localities extraordinarily impacted by resettlement of significant numbers of refugees should be relieved, to the greatest extent possible, of social and financial burdens associated with refugee resettlement. Therefore, consistent with past policies and practices and the Refugee Act of 1980, for the first 3 years of their residence Cuban and Haitian refugees should be fully eligible for Federal benefit programs with 100 percent Federal financing of these programs.

Fourth, the Federal Government should reimburse at a 100-percent rate costs incurred by States and localities arising prior to passage of the proposed legislation from the presence of Cuban and Haitian refugees in their communities.

SUMMARY OF JUSTIFICATIONS FOR LEGISLATION TO GRANT REFUGEE STATUS TO HAITIANS AND CUBANS

The United States has admitted millions of refugees in the last 20 years. The vast majority of these persons have fled Communist dominated regimes, and are not persons of color.

In enacting the Refugee Act of 1980, Congress recognized this country's humanitarian responsibilities to provide refuge to persons who have a well-founded fear of persecution if returned to their homeland. Congress also explicitly established that U.S. refugee policy must be free of racial, ideological, and geographic bias. The Refugee Act further recognizes that refugees are particularly in need of resettlement assistance, and that full refugee access to social services is necessary to accelerate assimilation and self-sufficiency and minimize long-term social and fiscal costs. The act also establishes that refugee policy is a Federal responsibility and that the costs of resettlement and social services for refugees should be borne 100 percent by the Federal Government during the first 3 years of a refugee's residence in the United States.

As described below, the record establishes that Cubans and Haitians are true political refugees within the meaning of the Refugee Act. The proposed legislation is necessary to preserve the integrity of this newly enacted legislation and preserve the confidence of States and localities that

Federal refugee policy will not impose undue burdens upon them. Honestly classifying Cubans and Haitians as refugees is also in the national interest in order to distinguish legitimate policy for refugees from U.S. policy for aliens who, on the basis of objective facts, do not fall within the 1980 act's definition of refugees. In this regard, Cubans and Haitians who arrive in the future should also be presumptively classified as refugees.

Over the past 20 years, the United States has granted political refugee status to over 800,000 Cubans who have fled their homeland. Many of these refugees have settled in south Florida. They have enjoyed full access to virtually all Federal benefit programs. The Federal Government has assumed virtually full responsibility for financing these programs and other resettlement services. As a result, Cuban refugees have been able quickly to become active members of our society. They have made significant contributions to the social and economic revitalization of Miami and other communities. Increases in local taxes or cutbacks in services available to citizens were avoided which would have been inevitable absent full Federal financing of resettlement and other essential service needs. And, by granting refugee status to the Cubans the United States demonstrated its commitment to providing sanctuary to those fleeing oppression.

The administration, however, has announced a proposed policy which rejects the positive accomplishments of 20 years of Cuban refugee policy. No justification is offered and no reasons are given to explain why 800,000 Cubans have been admitted as refugees, but suddenly the most recent arrivals are to be denied refugee status. Further, virtually all affected parties agree that the administration's proposal portends human, social, and fiscal disaster for these newly arrived Cuban refugees and the communities into which they resettle.

In contrast to the success of a 20-year policy of granting refugee status to Cubans, the tragedy of south Florida's Haitian refugees represents a shameful experience. As is eloquently described by U.S. District Judge James Lawrence King in a 180-page opinion issued on July 2, 1980, in Haitian Refugee Center versus Civiletti, the Haitians and south Florida have suffered greatly as a result of the Federal Government's intentional racial and national origin discrimination. Moreover, after considering evidence from both the Haitians and the State Department regarding political conditions in Haiti, Judge King made findings of

fact which established beyond doubt that the Haitians are true political refugees. As his opinion states:

This case has forced the court to confront a profound set of questions: Why have so many taken such great risks? What do they flee? Why do they fear to return?

In reaching its conclusion the court has listened to a wealth of . . . testimony. Much of the evidence is both shocking and brutal, populated by the ghosts of individual Haitians—including those who have been returned from the United States—who have been beaten, tortured and left to die in Haitian prisons.

Returnees, particularly those who claim to asylum abroad, will be greeted with great suspicion upon their arrival. Given the Haitian legal system that status means they face a substantial danger. Many will go to prison, their sole offense having been an attempt to gain asylum. In prison many will be beaten, perhaps even tortured and some will die as a result. Even those who are not imprisoned will not be entirely free. They will undergo harassment and live with a continuing threat of a midnight visit from the Macoutes.

Mr. Speaker, in summary, an objective assessment of political conditions in Cuba and Haiti establishes the likelihood that Cubans and Haitians would suffer severe persecution if returned to their homeland. They are political refugees. Consistency and commitment to the fundamental principles that U.S. refugee policy must be free of racial and ideological bias requires that the Haitians and Cubans be granted refugee status.

The proposed legislation would accomplish this objective. It would not, however, prevent the United States from expelling common criminals or other undesirables who may seek to remain in the United States. Section 207(c)(3) of the Refugee Act of 1980 provides that refugee status may be denied persons excludable from the United States by reason of criminal conduct, security risks and other characteristics which pose a danger to society. Under the proposed legislation, Cubans and Haitians in the prescribed class would be presumptively eligible for refugee status. However, they would have to apply and would be subject to screening to determine if they are ineligible pursuant to section 207(a)(3). Those found excludable would be subject to expulsion.

#### ELIGIBILITY AND FEDERAL FINANCING OF RESETTLEMENT AND SOCIAL SERVICES PROGRAMS

The proposed legislation provides that those Cubans and Haitians granted refugee status shall be refugees for all purposes pursuant to the Refugee Act of 1980. Thus, like Indochinese, Soviet Jews, and other refugees, these Cubans and Haitians would be eligible for the full range of benefits the 1980 act authorizes for refugees. An intent will be stated that these programs would be 100 percent financed by the Federal Government. In this regard, the proposed policy is fully consistent with past and current refugee programs.

The legislation is also intended to reimburse, at a 100-percent level, costs

incurred by States and localities prior to the granting of refugee status.

The foregoing benefit and fiscal package for Cuban and Haitian refugees is a critical component of the proposed legislation. As past policies and the Refugee Act recognize, refugees have extraordinary service needs which must be met to facilitate resettlement and accelerate self-sufficiency. Thus, in contrast to the administration's program for Cubans and Haitians, refugees enjoy eligibility for virtually all Federal programs. Experience indicates that meeting service needs early and fully best insures avoidance of acculturation problems and long-term social and fiscal costs. Further, 100 percent Federal funding of service expenses minimizes the potential and unfair impact of refugee resettlement costs on local taxpayers. Costs are spread over all taxpayers, not simply those residing in the limited number of communities where resettlement is concentrated. Full Federal funding also best insures that refugee resettlement does not result in cutbacks in local programs available to citizens, and thereby tends to alleviate potential tension between refugee and domestic communities. ●

#### HANDICAPPED SENIOR CITIZEN REFUSES WELFARE

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. CHAPPELL. Mr. Speaker, in a time when many Americans appear to have lost the will to fend for themselves and the faith necessary to sustain that will, an outstanding black American and senior citizen is an inspiration to us all. James R. Robinson, 84, of Tallahassee, Fla., works a full 5-day week. That is perhaps not so remarkable except that Mr. Robinson, besides being 84 years old, had both legs amputated 15 years ago because of diabetes and his work is one of the hardest physical labors there is—chipping and cleaning bricks.

I would like to direct my colleagues' attention to this superb article by Tom Hillstrom of United Press International which was in the August 18, 1980, issue of the Florida Times-Union. It is an excellent story both for the example that Mr. Robinson sets for all of us and because of his eloquent philosophy which all of us should heed:

I work because it is right to work. That's what the Bible says. As long as you feel like work, then work. That way you stay off the welfare checks. Give welfare to the people who need it.

James Robinson is a shining example of humanity and I insert the newspaper article recounting this story of encouragement and hope in the body of the RECORD to be shared with our colleagues and fellow citizens, and to

give well-deserved recognition to this great American:

#### LEGLESS, HE WORKS A FIVE DAY WEEK, ASKS NO HANDOUTS

TALLAHASSEE.—James R. Robinson sits on a pile of rubble at the base of the state's new 22-story Capitol eight hours a day, five days a week, the sun beating down on his nearly hairless head and the dust of the rubble pile coating his thick, graying moustache like snowflakes.

Occasionally, he takes a respite from the sun by maneuvering into an adjacent lean-to fashioned of stacked bricks and corrugated metal. The rubble makes movement difficult. Sometimes it's a struggle, especially when his hand slips from a brick and he lurches to the side.

But he props himself up again and keeps trying with the determination that comes to a person who's been without legs for 15 years—he's not sure of the year that he lost them.

Nearby, in the \$45 million skyscraper Capitol, the state's power brokers talk of complex governmental problems. To the rear of the Capitol's sweeping plazas and fountains, Robinson also talks about these problems and proposes solutions inspired by 84 years of life and thorough familiarity with the Bible.

"The whole world is depending upon the government and the government is going down the drain-hole," he declares with authority.

His hands are in uninterrupted motion, the left reaching for an ancient brick in the pile on one side, the right chipping the mortar away with 10, 15, sometimes 20 strokes of a small pickax and the left then flipping the newly cleansed brick onto a stack in front of him.

Four of the fingers on Robinson's left hand are bandaged, the result of blows from the pickax miscalculated despite his 40 years of experience in using one.

"I work because it's right to work," he tells a visitor. "That's what the Bible says. As long as you feel like work, then work. That way you stay off the welfare checks. Give welfare to the people who need it."

The bricks come from dismantled sections of the state's old Capitol, which stands behind the new structure and is undergoing renovation for use as a museum. Once stripped of their clinging mortar, the bricks are returned to use inside the 135-year-old domed structure. Robinson is paid two cents for each brick he chips clean.

"I worked like hell yesterday and made \$15. You've got to clean a whole hundred to get \$2," he says, frowning.

Robinson lost his legs above the knees from the effects of diabetes. Eight years ago he suffered another loss with the death of his wife. But one son and two daughters remain close to him in Tallahassee.

"Everytime God looks at you, you ask him for a favor and when he does you a favor, you walk off from him," Robinson says, citing an appropriate passage from the Bible.

Robinson has the neck of a bull and the broad shoulders of someone who has worked hard at farming and construction most of his life. He receives Social Security from his earlier labors and supplements it with savings and his earnings at the brick pile.

"Welfare is for disabled persons, I don't need no damn welfare. I could be home sitting around, waiting for a check, but we're going to have to cut that off for them that can work," he continues.

"The taxpayers are getting tired of giving their money away to do-nothings sitting around on their —. Work awhile and rest awhile, That's my philosophy."

A brick splits in half from the force of the pickax. Robinson tosses the two chunks behind him. When his pay is calculated, they won't be counted.

A fellow worker, Nathaniel Green, lights up a cigarette.

Robinson looks at him disapprovingly. "I don't drink and I don't smoke. All that beer kills you. And the caffeine in coffee is poison. God don't kill you; you kill your own self. You drink and those Milwaukee companies get plenty and you get nothing. Look how long you've got to work for a can of beer."

Robinson's wheelchair is parked next to the lean-to. The wheels wobble. The chair's lower carriage is reinforced with baling wire. The rubber of its tires is worn and muddied. Strips of old carpeting have been stretched to replace the long-shredded canvas seat and backing.

"The state sent a girl out here to tell me to rest one day but I didn't pay her no listen," he says, smiling. "And a man from Jacksonville said he'd buy me a new wheelchair but I never heard from him. A lady told me to go buy one and send her the bill but I don't have time to go shopping. Maybe someday I'll find a way to get one."

A roar comes from inside the old Capitol as another wall of bricks is sent tumbling.

"I was born a Democrat and I'll vote for Carter," he says. "Inflation's not his fault. Inflation was predicted in the Bible and that Republican setup is nothing more than sweet talk."

Robinson raises a battered jug-like picnic cooler to his lips and takes a sip of water. His brown hands are caked with white mortar dust so he runs his forearm across his mouth.

"God takes care of me," he says, looking the visitor directly in the eyes. "If you ask him, he'll take care of you."●

#### THOUGHTS OF OWEN STANLEY

##### HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. SWIFT. Mr. Speaker, while back home recently I had a chance to meet with a long-time constituent of mine, Mr. Owen Stanley, of Edmonds, Wash. Mr. Stanley, now in the twilight of his years, has had a long and active history on behalf of senior citizens throughout his native Snohomish County. For example, he has long been a champion of low-cost housing for seniors. Now, sadly, Mr. Stanley is seriously ill. But Owen is using these days to collect his thoughts. He recently shared some of them with me. I would like to share them with my colleagues.

Let us of all phases and modes of living show concern for the dignity and integrity of our fellow men. No longer can we or should we rely on each faction seeking their special laws or special maneuvers to seek economic assistance without clarification of its enhancing the "General Welfare".

Only in the Senior Citizens do all people have potential of eventual participation in programs designed for Senior Citizens. No other program or faction of society encompasses the entirety of citizens in their waning years, from the sage to the less fortunate. They do not ask to be assuaged or placated. They do rightly ask for conditions

to stimulate their ability to stand tall with head high, with dignity unimpaired.

What we need is a people united in an endeavor to perceive Right and Justice. What we need are representatives of the people to take time to meditate and conceive a means of affecting strong action to alleviate our bounding from extreme to extreme. A representative body dedicated to the preservation of individual freedom; rights and above all responsibilities. We need a government with foresight to adjust social justice to modern technology.

We have heard the cry of free enterprise for years, yet when enterprise fails in foresight to avoid financial ruin then our government guarantees loans to assist them. Thus enterprise is free to succeed but not free to fail. A one way street.

On the other hand government uses financial maneuvering to combat inflation, causing financial distress to millions of workers and families. Does the government guarantee their prosperity?

How long before freedom's back breaks under such discrepancy.●

#### RAIL ACT OF 1980

##### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DINGELL. Mr. Speaker, in the interest of providing you with the most factual and up-to-date information regarding the level of opposition to various provisions of H.R. 7235, the Rail Act of 1980, I urge that the following letter I received be seriously considered.

The letter articulates why the surcharge and cancellation of rates provision of H.R. 7235, even as amended by the proposed Lee amendment, would be disastrous for small railroads, their shippers, ports, and receivers of goods throughout the United States. To the 60 short lines and small rail carriers who endorsed the letter, 10 of which are members of the Board of Directors of the American Short Line Railroad Association, even a Lee amendment version of section 301 of the bill spells certain disaster.

I hope that my colleagues will not be misled by blanket endorsement of H.R. 7235. Cogent arguments have been presented, backed by solid support, that substantial changes must be made to provisions of the Rail Act of 1980 in order to make it acceptable to all parties concerned—particularly smaller railroads and shippers who stand to be hurt the most if the bill is adopted in its present form.

SMATHERS, SYMINGTON and HERLONG,  
ATTORNEYS AND COUNSELLORS AT LAW,  
Washington, D.C., August 22, 1980.

HON. JOHN DINGELL,  
U.S. House of Representatives,  
2221 RHOB, Washington, D.C.

DEAR CONGRESSMAN DINGELL: As you are aware from the urgent pleas of the many small railroads in Michigan, the surcharge and cancellation of joint rates provision of the Rail Deregulation Bill, Section 301 of H.R. 7235, even as amended by the proposed "Lee Amendment" presents the utmost danger for small railroads, their shippers,

ports and receivers of goods throughout the United States.

Perhaps most revealing is the fact that the Chairman of the Subcommittee actually wrote to the Chairman of Conrail expressing the fear that the surcharge and cancellation powers would be abused by the large railroads. Unfortunately, Mr. Florio's response to that fear is a mere annual reporting requirement by the ICC to the Congress. Small railroads and small shippers could be forced out of business between the time a surcharge is imposed and the time that the Congress receives, reads and acts upon a report from the ICC.

The small railroads strongly object to the surcharge and cancellation power because it can be used in an extremely discriminatory fashion against them. While the alleged ceiling on a surcharge is 110 percent of variable costs and while cancellation of a joint rate can be nullified by giving the cancelling carrier 110 percent of its variable costs, in point of fact the economic leverage provided by Section 301 can be enormous.

Surcharges can be imposed on certain rates and withheld on competing rates even though the latter could be below 110 percent of variable costs. The dominant railroads could do this in order to favor certain shippers or certain areas of the country where in the long run they will make more money either through creating a monopoly or because they will be able to reduce their costs through increased traffic. Shippers, small railroads, ports and the communities in which they are located will suffer drastically. The minor increases in revenues to the large railroads will be greatly overshadowed by the costs to the state and federal governments in supporting these communities.

As you are aware there are endless examples of the methods by which large railroads can injure the smaller railroads using these powers. We would be most happy to describe them should you so request. An attempt to include them in this letter would make it unduly lengthy.

Attached is a list of railroads which are opposed to Section 301 even as it is proposed to be changed by the "Lee Amendment." You will note that the list includes nine members of the Board of Directors of the American Short Line Association which, when it stood alone without the support of the thousands of shippers and many ports now opposing Section 301, adopted the Lee Amendment. In addition we have been advised directly by at least ten other railroads located throughout the country that they oppose Section 301 as amended by Mr. Lee; that they are contacting their Congressional representatives to urge them to support Eckhardt's substitute; but that for very understandable reasons do not wish to be included in the attached list.

In closing, we wish to thank you for previous efforts on behalf of the small railroads on this issue and urge you to continue this most important effort.

Very truly yours,

GEORGE A. SMATHERS.

Attachment.

SMALL RAILROADS WHICH SUPPORT ELIMINATION OF SURCHARGE AND CANCELLATION PROVISION, SECTION 301

Green Bay & Western Railroad Co.,<sup>1</sup> Wisconsin; Ahnapee & Western Railway Co., Wisconsin; McCloud River Railroad, California; Hartford & Slocumb Railroad Co., California; Apalachia Northern Railroad Co., Florida; New York Dock Railway, New York; Hillsdale County Railway Co., Inc.,

<sup>1</sup>Members of the Board of Directors of the American Short Line Railroad Association.

Michigan; Lenawee County Railroad, Michigan; Florida East Coast Railway Co., Florida; Chippewa River Railroad Co., Wisconsin; Ann Arbor Railroad System, Michigan; Minneapolis, Northfield & Southern Railway, Michigan; Brooklyn Eastern District Terminal Railroad, New York; Brillion and Forest Junction Railroad Co., Wisconsin; Chicago, Madison & Northern Railroad Co., Wisconsin; Nicolet, Badger & Northern Railroad, Wisconsin; Railroad Task Force Northeast Region, Inc., Pennsylvania; Little Rock & Western Railroad, Arkansas; Michigan Northern Railway Co., Michigan; Massachusetts Central Railroad Co., Massachusetts; North Louisiana & Gulf Railroad Co., Louisiana; Prairie Trunk Railway, Illinois; East Camden & Highland Railroad Co., Arkansas; Stockton Terminal & Eastern Railroad,<sup>1</sup> California; Roscoe, Snyder & Pacific Railway Co., Texas; Tulsa-Sapulpa Union Railway Co., Oklahoma; Transkentucky Transportation Railroad, Inc., Illinois; Toledo, Peoria & Western Railroad, Inc., Illinois; Canton Railroad Co.,<sup>1</sup> Maryland; La Salle & Bureau County Railroad, Illinois; Gettysburg Railroad Co., Pennsylvania; Mercersburg Railroad Co., Pennsylvania; Texas Central Railroad Co., Texas; Madison Railroad, Indiana; New Hope & Ivyland Railroad Co., Pennsylvania; Louisiana Midland Railway, Louisiana; Lamolille Valley Railroad, Vermont; the Vermont Railway, Inc., Vermont; Wisconsin & Southern Railroad, Wisconsin; Denver & Rio Grande Western Railroad,<sup>1</sup> Colorado and Utah; Green Mountain Railroad Corp., Vermont; Bath & Hammondport Railroad Co., New York; Kansas City Southern Railway Co., Missouri; Port of Tillamook Bay Railroad, Oregon; Soo Line Railroad Co., Minnesota; South Buffalo Railway Co.,<sup>1</sup> New York; Longview, Portland & Northern Railroad, Oregon and Washington; Georgetown Railroad Co.,<sup>1</sup> Texas; Salt Lake, Garfield & Western Railway,<sup>1</sup> Utah; and Yancey Railroad Co., North Carolina.●

#### LITTLE LEAGUE CHAMPS

### HON. RAPHAEL MUSTO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MUSTO. Mr. Speaker, I would like to direct our colleagues' attention to a champion ball team from Berwick, Pa., that has competed with the best and has deservedly earned its fine reputation. It is the Sam Balliet All-Star Senior Division Little League, winners of the district 13 and section 3 playoffs and eastern regional State champions.

The Sam Balliet all-star team went on to represent the Eastern United States in the world series at Gary, Ind. They finished in fourth place against teams from Taiwan, Western Europe, Canada, Venezuela, Western United States, Southern United States, and Central United States.

All who participated in this achievement is deserving of recognition, starting with the team members, Dave Gotchall, Carl Pruitt, Wade Prueitt, Keith Seeley, Keith Warner, Rich Bodwalk, Andy Thomas, Mike Dalberto, Dave Kishbach, Doug Collins, Todd Robbins, Scott Karchner, Chet Kempenski, and Al Steward. They were coached by Dave Kishbauch and man-

aged by Chuck Robbins. Mr. Arthur Welch is president of the little league of Berwick and Mr. George Seeley is chairman; and the program is sponsored by the Berwick Athletic Booster Association.●

#### THE DEFECTIVE AIRCRAFT REMEDY ACT

### HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. SEIBERLING. Mr. Speaker, existing consumer laws provide reasonable redress for defective consumer products. If nothing else, they guarantee consumers a public forum for the resolution of conflicts with product manufacturers when questions of repairing or replacing defective merchandise arise.

However, for the owners of nonmilitary aircraft, there is little opportunity for such redress without resorting to lengthy and expensive litigation. A constituent of mine has forcefully brought to my attention the problems he has faced as the owner of a small aircraft. Aircraft owners must meet rigid safety requirements as administered by the Federal Aviation Administration, or else lose their airworthiness certification. Therefore, they face considerable expense in complying with routine airworthiness directives issued by the FAA. Privately owned aircraft are frequently covered by warranties for as little as 6 months from the date of purchase. Thus, it is very difficult for aircraft owners to recover even part of the cost of effecting repairs required by a Federal agency, even when those repairs may be necessitated by a manufacturer's design or manufacturing defects.

With this in mind, I am today introducing legislation designed to help nonmilitary aircraft owners recover some of the expenses incurred in complying with airworthiness directives in cases where the safety problem is the result of design or manufacturing defects. My bill, the Defective Aircraft Remedy Act, requires the Secretary of Transportation to determine whether an unsafe condition resulting in the issuance of an airworthiness directive is the result of a design or manufacturing defect. If so, my bill requires the manufacturer either to repair the defective part without charge to the owner within a period of time specified by the Secretary, or to reimburse aircraft owners who have had the repairs made at their own expense for the cost of the parts used in the repair. The bill requires owners who choose to make the repairs on their own to notify the manufacturer that they have done so not more than 30 days after receiving notification that a defect exists, and requires the manufacturer to reimburse owners—who have done their own repairs—within 90

days after receiving notice from the owner that repairs have been completed, or within 90 days after a final determination has been made that a safety problem is design or manufacturing defect related. The bill specifically excludes labor charges as a reimbursable expense, and limits a manufacturer's liability for reimbursement to 1 year from the finding that a defect exists.

The Defective Aircraft Remedy Act also requires aircraft manufacturers who have knowledge of a safety defect to notify the aircraft owner and the factory, provides for full public hearings on questions of defect, and sets penalties for failing to notify the Secretary of a design or manufacturing defect, or for failing to comply with the repair or reimbursement provisions at \$1,000 per incident—to a maximum of \$800,000. The bill also gives the Secretary the authority to reduce or eliminate the penalty, and requires the Secretary take into consideration such factors as the gravity of the violation and the size of the business when determining the size of the penalty, in order to help insure that small companies are not unduly penalized.

I believe that my bill will help provide aircraft owners with a reasonable means of redress when they are forced to make repairs because of design or manufacturing defects. Let me note that I do not consider this bill to be a finished product. I am introducing it now in the hope that interested individuals can give me their views and help in such redrafting as may be necessary to improve the bill. I welcome any comments my colleagues or other interested parties may have.●

#### GREEN PRAISES MANHATTAN RSVP

### HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GREEN. Mr. Speaker, as a member of the Select Committee on Aging, and as one with a congressional district population of 23 percent senior citizens, I would like to take this opportunity to pay tribute to the retired senior volunteer program (RSVP) in Manhattan. Participation in this program will be honored at a ceremony on September 5, 1980.

The national program of RSVP is sponsored by ACTION on the Federal level and is supported locally by the Community Service Society. These volunteers, who are 60 years and older, contribute their time and energy in an effort to better their communities. Many schools, hospitals, and senior citizen centers benefit from the valuable service that these dedicated volunteers provide. Volunteerism plays an important function in today's society, and I thank RSVP for responding to

and fulfilling the needs of the people of Manhattan.●

TRIBUTE TO MRS. GEORGE M.  
"LIB" TROTTER

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DUNCAN. Mr. Speaker, in the next few days, on September 8, 1980, to be exact, a large number of people in my hometown of Knoxville, Tenn., will gather to honor one of our community's most outstanding civil leaders. Unfortunately, the business of the Congress will prevent me from being present for the occasion, which is sponsored by the Citizen's Honor Committee. However, I would like to share with my colleagues a brief summary of the outstanding public service of Mrs. George M. "Lib" Trotter.

Mrs. Trotter has become known throughout the Southeast as a person always ready to help young people. She began volunteer work with the March of Dimes 20 years ago, and 14 years ago helped organize Knoxville's first March of Dimes Telerama. This highly-successful fundraising program has led the Nation for 3 of the last 4 years.

It was more than 20 years ago when Lib Trotter began working with Brownie and Girl Scout troops. In 1964, she began volunteer service with the Knoxville Teen Board. In 1966, she became chairman of the Teen Board of Knoxville Presentation Dance. Her service continues today as an adviser to the Teen Board.

Mrs. Trotter has also served as co-chairman of the Medical Auxiliary Fashion Drama, a fundraising activity by the auxiliary of the Knoxville Academy of Medicine to benefit their nursing scholarship fund. She is also a member of numerous other philanthropic and charitable organizations, including Women's Guild of the Knoxville Symphony Society; Women's Circle of the First United Methodist Church; Alpha Omicron Pi Alumni; Dulin Art Gallery; United Daughters of the Confederacy; Daughters of the American Revolution, James White Chapter; the Blount Mansion Association; and the YWCA.

It would be hard for me to sum up the value of Mrs. Trotter to Knoxville and east Tennessee. If there is a person who has a greater love of her fellow man than she has, then I surely have not met that person. She is the kind of lady this city, State, and country could ill-afford to do without.

I ask my colleagues to join with me in extending our congratulations to Mrs. Trotter for her years of service and dedication to so many worthwhile causes and organizations. It is impossible to say how many lives have benefited from Mrs. Trotter's love and un-

selfishness and her special devotion to young people.●

THE MILITARY MANPOWER  
PROBLEM

HON. CHARLES F. DOUGHERTY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DOUGHERTY. Mr. Speaker, the following letter to the editor of the Washington Star was written by Gunnery Sgt. Thomas G. Poulk, U.S. Marine Corps. Sergeant Poulk has aptly described some of the major causes of the manpower problem facing our military today and I share his letter with my colleagues:

THE DANGER LIES WITHIN US?

To the Editor:

If one believes the recent newspaper articles and news broadcasts about the draft and registration of 19- to 20-year-old men, one would think that the majority of the youth of America do not desire to serve in the armed forces of the United States. It is really saddening that this fact is true and that the young people feel that serving their country is beneath them, infringes upon their civil rights, hinders them in accomplishing future aspirations and is the first step towards another world war.

I would like to address these self-centered children of American democracy for they hold the destiny of this nation, and the entire free world, in their hands, whether they like it or not.

There are many problems with America's all-volunteer armed forces, ranging from low pay to shortages of equipment. We, the career service men and women, recognize these problems and try to cope with them so that we may accomplish our primary mission—to support and defend the Constitution and the people of the United States.

However, there is one major problem that the military establishment cannot deal with and that is the "I don't give a damn" attitude of the American people, especially young Americans, when it comes to national defense.

If the youth of America will not defend their country, who will? What is really appalling is how older Americans tolerate and at times even encourage the anti-draft attitude. The manpower problem facing our military today is the end result of the lack of concern, the misplaced values and the poor attitudes of the American people.

The problem of providing young Americans for military service goes beyond recruiting; finding qualified men and women to fill our ranks is just as important as the number of people in uniform. It is a shame that we are being forced to accept men and women who are so illiterate that the military has had to spend millions of dollars re-writing training manuals in the form of comic books and lowering the reading level of others so that these recruits can understand them. This can be done with some of the manuals but not all. How do you turn a technical manual on the jet engines, radar sets, satellite communication equipment or nuclear missiles into comic books? What a way to train an army!

The American military establishment is running very short of another important ingredient—experience. A lot of our experienced men and women are leaving the military after 10 to 15 years of service. Two of the most important reasons for this are low

pay and the attitude of the American people. Many of us ask ourselves why we are in the military, working long hours, leaving our families and being paid just enough to put hamburger on the table while we lay our lives on the line for a people who are not willing to serve or defend themselves.

If today's youth is only concerned with themselves and are not willing to guarantee their own future, then why should we concern ourselves, make these sacrifices; why shouldn't we get out there and get some of those good-paying jobs and live the easy life, too? A hell of a lot of us are.

What the American military establishment needs is young, strong, well-educated men and women, dedicated to duty, honor and country. Without these good people, the American armed forces have no future, and neither have the American people.

As President Lincoln said in 1838: "If danger ever reaches us, it must spring up from amongst us. It cannot come from abroad. If destruction be our lot, we must, ourselves, be its author and finisher. As a nation of free men, we must live through all time or die by suicide."

The manpower crisis in our military establishment is at hand. The cause is simple: neglect, complacent attitudes, social ills, misplaced values and a lack of concern by the American people for their own future and security. The American people are allowing history to repeat itself for the third time in this century, and no one really seems to care, least of all our own youth.

The only thing your Army, Navy, Air Force and Marine Corps cannot do is protect the American people from themselves.

THOMAS G. POULK,  
Gunnery Sergeant, U.S.M.C.

ARLINGTON, VA.●

THE CAPITOL—AN INSIDE LOOK

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MURPHY of Pennsylvania. Mr. Speaker, a newspaper article written by an inspiring young journalist and former intern in my office presents an interesting view of our Government and its legislative process from an intern's perspective. Therefore, I submit this excellent article into the CONGRESSIONAL RECORD so that it may be shared by all.

THE CAPITAL—AN INSIDE LOOK

(By Doug Bell)

Power. Few get it, fewer can keep it and nearly everybody wants it.

Washington, D.C. is a city where the men who wield it to go about the daily task of governing the United States.

It is a city of startling beauty and horrifying ugliness. It is a city of enormous wealth and desperate poverty. It is a city where boundless power and hopeless impotence live side by side.

It is a city of contradictions.

But the common denominator in this city of contradictions is power. It is almost a part of the atmosphere, an ever-present force which touches the lives of the people who call this city home.

My four-week stay in Washington, D.C., as an intern in Congressman Austin J. Murphy's office was an eye-opening experience. It was a chance to see from the inside how the United States government really operates, a chance to learn what no political science course could ever teach.

The U.S. government has traditionally been described with terms like legislature, executive, administrator and committee. But abstract terms tend to remove the human element from a government "of the people, by the people and for the people." Jargon and abstractions have made us forget that government not only governs the people, but is, itself, composed of people.

And the people who live and work in this city are not so very different from those you might find anywhere else. But the world in which they live is a very unstable one. It is a world where jobs and lives can be only as secure as the next election, where fear and doubt coexist with the city's contradictions.

Perhaps the first thing noticed by any congressional intern is the hundreds of other interns on Capitol Hill. They are literally everywhere, in almost every office and agency.

And if you ask an intern why he has come to Washington, the answers you receive will be as different as the interns themselves. Some come for the experience, others to "make connections," still others want the feather in their cap—another entry for the all-important résumé. For many interns, their stay on the Hill is just a short stop-over on the road to law school.

But the reasons which bring an intern to Washington are less important than the experience received when they get there. The life of an intern is filled with opening mail, answering it, chasing down information and generally doing whatever needs done.

Yet somewhere in this workday routine that every intern eventually falls into, an understanding of how our government really works slowly filters through. It is an understanding which can bring immense satisfaction—or intense frustration.

Ours is a government which can get things done quickly . . . or slowly . . . or not at all. It is a government of incremental change and compromise. Non-compromising interests rarely last long, or at least they don't get much accomplished.

After spending five days attending a bill mark-up session in the Committee of Interior and Insular Affairs, I came to the conclusion that the making of law is not unlike the buying and selling of used cars—the seller always asks for more than the car is worth; the buyer always offers less than he is willing to pay. And a lot of bickering goes on before the two come together.

A whole lot of bickering. The bill in question was a revision of land reclamation laws, which affect irrigated lands in the West. At the outset it was evident that the committee was sharply divided on the issue. Several committee members were in favor of amendments that would impose acreage limitations and residency requirements on land irrigated by Federal water projects—measures which would protect the small family farmer.

Other members of the committee insisted that "the days of 40 acres and a mule" are over, and that large, corporate farms are a solution to the world's and the Nation's food shortages. At one point in the debate, the opposing sides became so enraged that they couldn't even agree on what time to break for lunch. Committee Chairman Morris Udall settled the issue and eased the tension by saying, with a hint of a smile, that the committee would break for lunch when he was good and ready.

The result of five days of furious debate, dazzling oratory and red-faced rebuttals was, of course, a compromise. And throughout the markup Udall kept reminding the committee that the bill they finally approved should have enough flexibility to give the committee a strong bargaining posi-

tion when they went into conference committee with the Senate.

The compromising had just begun. Washington's many contradictions are probably more evident to the intern than anyone else. On the House floor, millions of dollars are spoken of and allocated the way most of us talk about loose change. But on a quick trip to 14th Street to pick up a passport, you can see a half dozen old men literally living in the streets, their worldly possessions packed into easily-carried garbage bags.

But the ironies of this city do not end there. In a city where the past is preserved and the future carefully planned for, it is strange and somehow very sad that the present is hardly ever mentioned. Sometimes it seems as though today has been lost somewhere between the memories of yesterday and the plans for tomorrow.

Yet the most interesting thing about living and working in the nation's capital is the people. If the United States is a melting pot, then its capital is even more so. Nowhere else can you find such a diverse group of individuals as those assembled in Washington, D.C.

The interns are a reflection of this diversity. They come from all over the country, bringing their ideas and beliefs and hopes and dreams, still young enough and idealistic enough to believe they can turn the world upside down and set things right again.

Some interns are paid and others are volunteers, but all come away with a different view of the United States Government than they had upon arrival. Many interns secretly—or openly—hope to return to the Hill someday as Congressmen.

For some interns, frustration is the result of being so close to the policy-making process and yet so far from making the actual decisions. One discouraged intern described the experience as being "like a hungry lion with a piece of red meat hanging outside the cage."

Not all the interesting people in Washington work for the government, though. One of the most fascinating individuals I met in the city was an artist named Agnes, who had worked on the Hill for 20 years before quitting and making her hobby, painting, her career.

An afternoon in Agnes' gallery, located across the street from the Eastern Market, could be a memorable experience. People of all ages from all over the country and the city would wander in and out, browsing at the paintings and taking a short rest.

One day near the end of my stay I was talking with a local photographer who had come by to ask Agnes if she knew of a small studio that was for rent. After discovering that I was a congressional intern, he proceeded to ask me several questions about the job—what kind of work did I do, what were the hours, who I worked for.

And then he asked another question. It was a simple query, straight forward and direct—so much so, in fact, that I wondered why I had never heard anyone ask it before. I decided, with some regret, that it was the kind of question you could only hear in Agnes' gallery on a Sunday afternoon.

"Do you believe in what you're doing?" he asked.

And it was possibly the most enjoyable moment of my congressional internship when I was able to answer "Yes" without hesitation.●

## TRICENTENNIAL CELEBRATION OF MANHASSET

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. WOLFF. Mr. Speaker, it is indeed with great personal pride that I bring to the attention of this Congress and our Nation the tricentennial celebration of Manhasset, a community that I have represented for 16 years.

The tricentennial celebration of Manhasset stands for more than the celebration of a community's longevity. It reflects the remarkable achievement of 300 years of excellence and commitment to its neighborhoods, town, county, and State. Manhasset has consistently demonstrated that the concept of "community" is not an antiquated phrase but can be, in fact, the backbone of the great standards of our Nation. Since Manhasset's beginnings in 1680, this community has grown and developed from its beginnings as a settlement in the new world to great leadership in the world today.

Throughout my tenure in the Congress, Mr. Speaker, I have held among my highest priorities the preservation of our neighborhoods, families, and spirit of community participation. Manhasset's tricentennial observance demonstrates these values, how important they have been in our history and how essential they are to our Nation's future.●

FATHER CARL M. REINERT

HON. JOHN J. CAVANAUGH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. CAVANAUGH. Mr. Speaker, it is not often that the death of a single person affects an institution, a society, or a city as deeply as the August 13 death of Father Carl M. Reinert has moved Creighton University, the Jesuit Community, and the city of Omaha, Nebr. Father Reinert has touched the lives of many students, businessmen, and fellow clergy across the Nation in his different capacities as an educator, a fundraiser, and most importantly a Jesuit priest.

In his 30 years of service to Creighton University he is credited with adding 12 new buildings to the campus and raising some \$200 million for the university's development. Father Reinert entered the priesthood, as did two of his three brothers, out of a deep sense of dedication and zeal for enriching the lives of students through the teachings of Christ. Father Reinert was loved by all who knew him and will be missed by many. In his honor I would like to include this tribute to Father Carl M. Reinert which appeared recently in the Catholic Voice newspaper of the Archdiocese of Omaha.

The tribute follows:

**FATHER REINERT'S DEATH ENDS ERA**

He had been dying for almost a year. Maybe that's why his death didn't seem like the sudden, shocking end of an epoch—it would have been had he been taken away while still in his vigorous prime.

Death of Father Carl M. Reinert was a release and a blessing. It came after long months during which this once poised, strong, dynamic leader suffered in body and spirit as an invalid without hope of recovery.

But on the rainy summer Saturday morning that his remains were buried, the throng of his mourners overflowed St. John's Church on the campus of the university which had been his life—right up to the day last September when recurrent chest pains sent him into surgery. For most of the throng, it would be hard, after an association of 30 years, to think of Creighton University without its Father Reinert.

That association began in 1950 when the 37-year-old priest was looking forward to another year as principal of Campion High School in Prairie du Chien, WI. As he himself told it, when he received a B'nai B'rith Americanism citation in 1962, "I might have spent my days in this work, or in the college classroom—both honorable and appealing occupations. But my superiors challenged me to embrace a broader scope."

That was putting it mildly. Creighton University in 1950 was in serious trouble.

Not only was enrollment down after a temporary resurgence following World War II. It faced a financial crisis. There was talk of closing at least one of its professional schools.

There hadn't been a new building in decades. Facilities were inadequate in many areas. Alumni still resented the recent decision not to resurrect intercollegiate football.

Worse yet, few seemed to recognize the full plight of the institution. A fund drive had fallen on its face—primarily because people couldn't believe that the university endowed by the wealthy Creighton family really needed money, some say.

When Carl Reinert received his new assignment at age 37—making him the youngest of Creighton's presidents—he wisely spent those first weeks and months learning as much as he could about the university. He had one distinct advantage—he knew Creighton and Omaha from his years (1938-41) as a Creighton Prep teacher, and he had friends here who could help him size up the situation.

The rest is history. He saw the university's plight, spoke about it frankly and credibly, won the enthusiastic support of influential business and community leaders, and led an effort which saw Creighton develop and grow into a strong independent urban university.

He was gracious, enthusiastic and positive. He was also confident, decisive and articulate. Sometimes his confidence led to action beyond the perimeters suggested by better informed advisers, and sometimes his decisions seemed heedless of the experience and wisdom of subordinates. Sometimes he drove his staff to distraction by telling too much too soon about the university's hopes and plans.

More often than not, this was a result of his enthusiasm and his love for the institution whose nurturing had become his life's work.

He was most widely hailed as a successful fund-raiser, sometimes deprecatingly. He made many key contacts personally, but he was also peerless in recruiting talent—both in his full-time staff and among the thousands of volunteers who carried out Creighton's major campaigns.

The first drive in 1955, led by Omaha advertising executive Morris Jacobs, raised more than \$2 million. That became the first phase in an expansion program that was to reach the \$14 million mark in the next few years.

In 1962 when, in a sense, he traded jobs with the late Father Henry Linn, Father Reinert guided a five-year \$24 million program. By 1970 he was in the midst of a 10-year "Centennial Thrust" campaign that was to bring in more than \$117 million.

Before 1956, the campus had seen little physical change for more than a quarter-century. After 1956 the sight and sound of construction were continuous.

Yet Carl Reinert was more than a dollars-and-bricks man. He was always approachable and accessible. He was constantly in contact with students and alumni—counseling, encouraging, and even interceding when asked to.

He also was recognized as a community leader. The list of his awards and citations more than proves that.

Through all this activity, he insisted that he was, above all, a priest.

Though he had grown up in Boulder, his parents had sent him and his four brothers to the Jesuit high school in Denver because of their belief in the importance of Catholic education. And it was at Regis High School that Carl Reinert at age 18 made his decision to become a priest.

He entered the Jesuit seminary in Florissant, MO in 1931, continued his studies at St. Mary's College in Kansas, then spent the traditional three years as a scholastic (Jesuit high school teacher) before his ordination in 1944. For almost 36 years of his active priesthood he began each day by celebrating Mass—halted only when his crippled body became a prison for his soul.●

**WILLIAM E. BURKE**

**HON. VIC FAZIO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. FAZIO. Mr. Speaker, on August 31, 1980, William Edmund Burke retires as the fire chief for Yuba City, Calif. I would like to take this opportunity to commend this distinguished citizen for his outstanding service to the community.

Born on November 2, 1923, in Roswell, N. Mex., Chief Burke served his country in the U.S. Air Force from 1942 to 1945. In 1946 he began his career as a firefighter in Lynwood, Calif. and subsequently was promoted to the position of engineer captain, respectively. He also served as president of the Lynwood Firemen's Association and president of the Lynwood City Employees' Association. In 1957 Chief Burke joined the Downey Fire Department, again serving as president of both the Downey's Firemen's Association and the Downey Employees' Association.

In September of 1964 Yuba City was most fortunate to have Chief Burke accept the position of fire chief. In this capacity, Chief Burke worked to update department rules and regulations, develop and finalize new ordinances and enforcement procedures, and to improve fire protection equip-

ment and fire prevention programs. Under the chief's leadership the Yuba City North Substation was dedicated on March 31, 1980.

The chief's professional capabilities were enhanced by his active participation in organizations such as the California State Board of Fire Services, the California State Firemen's Association, the National Safety Council, the California College Fire Advisory Board, the California Fire Chiefs' Association, the International Fire Chief's Association, the California Conference of Arson Investigators, and the California State Fire Educators.

Married to Marjorie and the father of William, Michael, Pamela, and Janet, Chief Burke found time in his daily life not only for his family and career but also to help better the lives of those around him. This includes such activities as serving as chairman of the American Red Cross, CPR chairman of the Yuba-Sutter-Colusa Heart Association, a director of the Midland District Boy Scout Council, a director of the Arroyo Grande Girl Scout Council, public education chairman of the American Cancer Society, and a director of the Rotary Club. He has also been involved with the March of Dimes, United Way, Muscular Dystrophy Association, YMCA, and the Lions Club.

Chief William Burke deserves to be honored by the community he has served so well for 16 years. He has been a competent leader of the fire department and his fine work reflects his dedication to the public. He has made unselfish personal contributions of his time to improve the lives of those in the community. I commend Chief Burke as an outstanding citizen and superb public servant.●

**ASSURING ACCESS TO STRATEGIC MATERIALS**

**HON. WM. S. BROOMFIELD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BROOMFIELD. Mr. Speaker, assuring access to foreign energy and raw materials requires the harmonization of economic policy with our defense and foreign policy. In particular, a strong defense is vital not only to our physical security but also our economic well-being. In this regard, I commend to my colleagues the following article which appeared in the August 21, 1980, edition of the Washington Star:

**THE STRATEGIC MATERIALS GAP**

(By Daniel James)

Mention American dependence on shaky or hostile foreign sources for essential raw materials and most people think oil. But other strategic materials may turn out to be more important to our defense effort and ultimate national well-being.

Consider. The U.S. Bureau of Mines lists four minerals of prime concern in the manu-

facture of such weapons as fighter jets, tanks and other armaments. These are chromium, manganese, platinum and cobalt, all of which come from central and southern Africa.

The United States imports 98 percent of its manganese, 92 percent of its chromium and 91 percent of its platinum besides nearly all of its cobalt from Gabon, Zaïre, Zimbabwe and South Africa. Manganese is essential to making steel. Platinum is a necessary catalyst in the automotive, electronic and petroleum industries. Jet engines require cobalt. Chromium is vital to aerospace weapons.

The United States is also over-dependent on foreign sources for less exotic but equally significant materials. Take bauxite, the basis for aluminum, which is, in turn, the basis for many defense and non-defense manufacturing needs in this country. Ninety-three percent of our supply comes from abroad, much of it from the conspicuously unstable and dubiously friendly country of Jamaica.

There is also rubber, which goes into the making of tank treads and aircraft tires as well as ordinary radials, for which synthetic substitutes are unsuitable. The United States, which does not grow rubber, is forced to import all its supplies. And these come from, of all places, Southeast Asia, whose rubber production was denied to America when the Japanese occupied the region in World War II. Forty years later, the United States has gone back to total dependence on the same unreliable source.

Happily, we are exploring the possibilities of producing a natural rubber substitute from a natural plant, guayule, in this country. But research has scarcely begun, and even if guayule proves feasible, it will take four or five more years to produce commercially.

Meanwhile, the Soviet Union is as independent of foreign sources of strategic materials as the United States is dependent on them. It needs to import only six of the 93 substances defined by the Strategic and Critical Materials Stockpiling Act of 1979 as critical. Soviet imports run no higher than 50 percent and that maximum applies to only two materials.

The most serious Soviet lack is of bauxite, of which it imports only one-third of its needs. In a conventional war, the Soviets would be virtually self-sufficient in strategic materials.

The Stockpiling Act, an update of a measure dating back to World War II, sets stockpiling goals for the 93 materials it has designated as strategic or critical. Under the act, the quantities to be stockpiled should be "sufficient to sustain the United States for a period of not less than three years in the event of a national emergency."

So far, though, only 50 materials have reached stockpiling goals. The remaining 43 fall short by as much as 100 percent. Among those lacking are cobalt, bauxite, platinum, cobalt and rubber.

The dangers are obvious. When are U.S. leaders going to start taking them seriously? ●

#### INCREASE CONGRESSIONAL OVERSIGHT

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MAZZOLI. Mr. Speaker, in his state of the Union address to the 96th Congress, and in many public state-

ments since, President Carter has strongly endorsed the passage of legislation to provide a major overhaul of the Federal regulatory process.

However, the actions of the administration raise questions in my mind about how fervent, indeed, is its commitment to regulatory reform.

The House Judiciary Subcommittee on Administrative Law spent many long hours in hearings and markups on all the pending versions of regulatory reform bills—including the administration's. All viewpoints were given careful and thoughtful attention before a bill was reported to the full House Judiciary Committee.

The full committee has already held several markup sessions on this important bill. While the product of all this labor is not perfect it is, on balance, an excellent piece of legislation. It does not deserve the fate it seems to have been consigned: to be allowed to slip under the murky waters of the 96th Congress without a ripple.

Daily, I hear complaints from residents and business people of the Third Congressional District that they are driven to distraction by the flood of bureaucratic rules and redtape. They are pleading for relief.

Mr. Speaker, passage of legislation to increase congressional oversight of—and public participation in—the regulatory process should no longer be delayed. ●

#### CONGRESSMAN FLOYD FITHIAN CARRIES THE MESSAGE OF GASOHOL

**HON. JOHN BRADEMÁS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BRADEMÁS. Mr. Speaker, no Member of the House of Representatives has been more articulate or effective in urging the use of gasohol as an alternative to petroleum than our distinguished colleague from Indiana, Hon. FLOYD FITHIAN.

I insert at this point in the RECORD the text of a most thoughtful editorial from the August 22, 1980, issue of the LaPorte (Ind.) Herald-Argus, published in the district I have the honor to represent, concerning Congressman FITHIAN's leadership in this respect.

The editorial, "Carrying the Message," follows:

#### CARRYING THE MESSAGE

Second District Congressman Floyd Fithian, D-Lafayette, a prime pusher of gasohol as one means of stretching petroleum-based motor fuels, at least got the message on gasohol to a congressional committee during recent hearings on the Purdue University campus.

Fithian has been concerned that Congress and the federal Department of Energy (DOE) are among the hardest people to convince that gasohol can indeed contribute to the petroleum conservation, and that it is feasible economically. The most difficult to convince, of course, are leaders in the petro-

leum industry—with the notable exception of Texaco.

During recent House Government Operations subcommittee hearings arranged by Fithian on the Purdue campus, several of the university's most authoritative gasohol researchers assured subcommittee members that use of corn in fuel production would not significantly reduce world food supplies, and that Purdue's tests of biomass conversion processes definitely shows they develop more energy than they consume.

The most important point made at Purdue was that current technology permits use of agricultural starch and sugar to be developed into fuel while still leaving its protein products for the farm feed lots where a lot of the American corn crop is used.

At Purdue they pointed out that maybe in the long run it will not be corn anyhow but the "biomass" process that can best manufacture alcohol to stretch gasoline. Gasohol is about one-tenth alcohol and the rest is unleaded gasoline.

Biomass is a catch-all term for vegetation that can be converted to energy through fermentation, or possibly distillation. This vegetation may include cornstalks, wood chips and straw—essentially residuals. It is more difficult to ferment these materials than starch from corn kernels, but Purdue is one place where researchers are coming up with solutions to this sort of conversion.

We hope that the congressmen who have witnessed the immense possibilities for biomass development such as using feedlot wastes that we previously never dreamed were reusable can take this message back to Washington and convince political decision-makers there that gasohol can become a viable source of energy. ●

#### FEDERAL GOVERNMENT SPENDING

**HON. CHARLES E. GRASSLEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GRASSLEY. Mr. Speaker, at this time I would like to bring to the attention of my colleagues and readers of the CONGRESSIONAL RECORD a matter that in its own right needs no introduction. I am referring, of course, to Federal governmental spending.

I sincerely feel that it is time to take action. It is time to account for the billions of taxpayers dollars that, during the course of every year, are so recklessly spent on projects and programs of a questionable nature. It is no secret that excessive Federal spending has, in turn, led to an astronomical national deficit as well as a double digit inflation rate. Public awareness of the irresponsibly large amount of dollars spent each year by the Federal Government and agencies is on the upswing.

Fiscal sanity can be returned to the Federal Government by the overall realization that its spending cannot exceed its revenues. Much like the American taxpayer the Federal Government must be responsible in its spending ways. We cannot continue to spend more than we take in. It must also initiate its own "belt tightening" to maintain fiscal stability.

In light of this fact, I would like to share with my colleagues now, a resolution of special significance. Authored by Iowa City attorney, John T. Nolan, the resolution was adopted as part of the platform by Republicans of Johnson County, Iowa, and Iowa's First Congressional District. The resolution proposes to heighten voter awareness of the big spender problem by focusing on the diametrically opposite calendar dates of the April deadline for filing income tax returns and the November general elections. It is felt that the voter, still ripe from filing his returns, would give more thought to the candidate and his spending proposals when voting. The resolution text follows:

Be it resolved that the deadline for filing State and Federal income tax returns be moved to the Monday first preceding the general election Tuesday, and corresponding off-year dates.

The intended purpose of the Resolution is to achieve the heightening of voter awareness as to fiscal responsibility, and to provide artillery for candidates who are so inclined.●

#### REAGAN AND BUSH SPEAK OUT ON ASIA

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GILMAN. Mr. Speaker, at a time when the Soviet Union is increasingly flexing its muscles throughout the world, our relationships with our friends and allies around the globe continues to gain importance. The recent report by Ambassador Bush of his mission to the Far East stressed the vital role that Japan plays as a pillar of our Asian policy, both militarily and economically. At the same time he noted that United States-China relations have developed far beyond trade and cultural ties as we share mutual concerns about the pace and scale of the Soviet military buildup.

Upon the return of Ambassador George Bush from his special mission to Japan and China, Gov. Ronald Reagan commented upon the importance of our role in Asia and in the Pacific area and the findings of Ambassador Bush's trip. In a series of high level meetings with the distinguished leaders of Japan and China, Ambassador Bush had an opportunity to hear their views firsthand and to discuss their recommendations concerning our future foreign policy.

Governor Reagan pointed out that the leaders of both China and Japan acknowledged to Ambassador Bush that the United States must be a strong and vigorous defender of the peace and they favor the bolstering of our defenses and alliances. In particular, he found the Japanese leaders unanimous in their view that the United States must be a strong, reliable and leading partner.

To overcome past inconsistencies and to avoid vacillation in our Far Eastern policies, Governor Reagan and Ambassador Bush, in their recent statement in Los Angeles, have outlined a strong, vigorous role for our Nation in Asia.

Mr. Speaker, in order to share their views with my colleagues, I ask that a full copy of the Reagan-Bush statement on Far Eastern policy be inserted at this point in the RECORD:

#### STATEMENT BY RONALD REAGAN

Ten days ago George Bush and I met with you here in Los Angeles on the occasion of his departure for Japan and China, a trip he undertook at my request. As we stressed at the time, the purpose of the trip was to provide for a candid exchange of views with leaders in both countries on a wide range of international topics of mutual interest. Ambassador Bush returned last evening, and has reported his findings in detail.

We are both very pleased with the results of his extensive discussions. In a series of meetings with distinguished leaders in Japan, including Prime Minister Suzuki, Former Prime Ministers Fukuda, Kishi and Miki, Foreign Minister Itoh and Minister of International Trade and Industry Tanaka, he had the opportunity to hear their views and recommendations concerning the future of U.S.-Japanese relations.

Our Republican Party Platform stresses that Japan will remain a pillar of our policy for Asia, and a Reagan-Bush Administration will work hard to insure that U.S.-Japanese relations are maintained in excellent condition, based on close consultation and mutual understanding.

Japan's role in the process of insuring peace in Asia is a crucial one, and we must reinforce our ties with this close ally. Japan is our second most important trading partner, and we are her first. We have close ties in other fields, too. A most important example is the U.S.-Japan Mutual Security Treaty which recently marked its twentieth anniversary.

Understanding the Japanese perspective is important for the success of American policy. As Ambassador Bush will tell you in detail, he found Japanese leaders unanimous in their view that the United States must be a strong, reliable, leading partner.

I appreciate receiving their views, and I am grateful to them for the courtesies extended to Ambassador Bush. I would also like to express my appreciation to, and regard for, U.S. Ambassador Mike Mansfield, who also extended many courtesies.

Of equal importance was Ambassador Bush's trip to China, where he held a series of high-level meetings. As I said on August 16, "we have an obvious interest in developing our relationship with China, an interest that goes beyond trade and cultural ties. It is an interest that is fundamental to a Reagan-Bush Administration."

The meetings in Beijing provided for extensive exchanges of views. George has reported to me in great detail the points of similarity and agreement, as well as those of dissimilarity and disagreement. Since the objective of the trip was to have just such an exchange without necessarily reaching agreement, I believe that the objective was reached.

We now have received an updated, firsthand of China's views, and the Chinese leaders have heard our point of view.

While in Beijing, Ambassador Bush and Richard Allen met at length with Vice Premier Deng Xiaoping, Foreign Minister Huang Hua, as well as with other top foreign policy experts and military leaders. I

appreciate the courtesies which the Chinese leaders extended to our party, and I also wish to thank U.S. Ambassador Leonard Woodcock for his kind assistance.

We now maintain full and friendly diplomatic relations with China. This relationship began only a few years ago, and it is one which we should develop and strengthen in the years ahead. It is a delicate relationship, and the Reagan-Bush Administration will handle it with care and respect, with due regard for our own vital interests in the world generally, and in the Pacific region specifically.

China and the United States have a common interest in maintaining peace so that our nations can grow and prosper. Our two-way trade has now reached approximately \$3.5 billion annually, and China's program of modernization depends in a major way on Western and U.S. technology.

Along with many other nations, we and China share a deep concern about the pace and scale of the Soviet military buildup. Chinese leaders agree with Japanese leaders that the United States must be a strong and vigorous defender of the peace, and they specifically favor us bolstering our defenses and our alliances.

It is quite clear that we do not see eye to eye on Taiwan. Thus, this is an appropriate time for me to state our position on this subject.

I'm sure that the Chinese leaders would place no value on our relations with them if they thought we would break commitments to them if a stronger power were to demand it. Based on my long-standing conviction that America can provide leadership and command respect only if it keeps its commitments to its friends, large and small, a Reagan-Bush Administration would observe these five principles in dealing with the China situation.

#### GUIDING PRINCIPLES FOR THE FAR EAST

First, U.S.-Chinese relations are important to American as well as Chinese interests. Our partnership should be global and strategic. In seeking improved relations with the People's Republic of China, I would extend the hand of friendship to all Chinese. In continuing our relations, which date from the historic opening created by President Nixon, I would continue the process of expanding trade, scientific and cultural ties.

Second, I pledge to work for peace, stability and the economic growth of the Western Pacific area in cooperation with Japan, the People's Republic of China, the Republic of Korea and Taiwan.

Third, I will cooperate and consult with all countries of the area in a mutual effort to stand firm against aggression or search for hegemony which threaten the peace and stability of the area.

Fourth, I intend that United States relations with Taiwan will develop in accordance with the law of our land, the Taiwan Relations Act. This legislation is the product of our democratic process, and is designed to remedy the defects of the totally inadequate legislation proposed by Jimmy Carter.

By accepting China's three conditions for "normalization," Jimmy Carter made concessions that Presidents Nixon and Ford had steadfastly refused to make. I was and am critical of his decision because I believe he made concessions that were not necessary and not in our national interest. I felt that a condition of normalization—by itself a sound policy choice—should have been the retention of a liaison office on Taiwan of equivalent status to the one which we had earlier established in Beijing. With a persistent and principled negotiating posi-

tion, I believe that normalization could ultimately have been achieved on this basis. But that is behind us now. My present concern is to safeguard the interests of the United States and to enforce the law of the land.

It was the timely action of the Congress, reflecting the strong support of the American people for Taiwan, that forced the changes in the inadequate bill which Mr. Carter proposed. Clearly, the Congress was unwilling to buy the Carter plan, which it believed would have jeopardized Taiwan's security.

This Act, designed by the Congress to provide adequate safeguards for Taiwan's security and well being, also provides the official basis for our relations with our long-time friend and ally. It declares our official policy to be one of maintaining peace and promoting extensive, close, and friendly relations between the United States and the seventeen million people on Taiwan as well as the one billion people on the China mainland. It specifies that our official policy considers any effort to determine the future of Taiwan by other than peaceful means a threat to peace and of "grave concern" to the United States.

And, most important, it spells out our policy of providing defensive weapons to Taiwan and mandates the United States to maintain the means to "resist any resort to force or other forms or coercion" which threaten the security or the social or economic system of Taiwan. This Act further spells out, in great detail, how the President of the United States, our highest elected official, shall conduct relations with Taiwan, leaving to his discretion the specific methods of achieving policy objectives.

The Act further details how our official personnel (including diplomats) are to administer United States relations with Taiwan through the American Institute in Taiwan. It specified that for that purpose they are to resign for the term of their duty in Taiwan and then be reinstated to their former agencies of the U.S. government with no loss of status, seniority or pension rights.

The intent of the Congress is crystal clear. Our official relations with Taiwan will be funded by Congress with public monies, the expenditure of which will be audited by the Comptroller General of the United States; and Congressional oversight will be performed by two standing Committees of the Congress.

You might ask what I would do differently. I would not pretend, as Carter does, that the relationship we now have with Taiwan, enacted by our Congress, is not official.

I am satisfied that this Act provides an official and adequate basis for safeguarding our relationship with Taiwan, and I pledge to enforce it. But I will eliminate petty practices of the Carter Administration which are inappropriate and demeaning to our Chinese friends on Taiwan. For example, it is absurd and not required by the Act that our representatives are not permitted to meet with Taiwanese officials in their offices and ours. I will treat all Chinese officials with fairness and dignity.

I would not impose restrictions which are not required by the Taiwan Relations Act and which contravene its spirit and purpose. Here are other examples of how Carter has gone out of his way to humiliate our friends on Taiwan:

Taiwanese officials are ignored at senior levels of the U.S. government.

The Taiwan Relations Act specifically requires that the Taiwanese be permitted to

keep the same number of offices in this country that they had before. Previously, Taiwan had 14 such offices. Today there are but nine.

Taiwanese military officers are no longer permitted to train in the United States or to attend service academies.

Recently the Carter Administration attempted to ban all imports from Taiwan labeled "Made in the Republic of China," but was forced to rescind the order after opposition began to mount in the Congress.

The Carter Administration unilaterally imposed a one-year moratorium on arms supplies even though the Act specifies that Taiwan shall be provided with arms of a defensive character.

The Carter Administration abrogated the Civil Aviation Agreement with Taiwan, which had been in effect since 1947, in response to demands from the People's Republic of China.

I recognize that the People's Republic of China is not pleased with the Taiwan Relations Act which the United States Congress insisted on as the official basis for our relations with Taiwan. This was made abundantly clear to Mr. Bush, and, I'm told, is clear to the Carter Administration. But it is the law of our land.

Fifth, as President I will not accept the interferences of any foreign power in the process of protecting American interests and carrying out the laws of our land. To do otherwise would be a dereliction of my duty as President.

It is my conclusion that the strict observance of these five principles will be in the best interests of the United States, the People's Republic of China and the people on Taiwan.

The specific implementation of these duties will have to await the results of the election in November, but in deciding what to do I will take into account the views of the People's Republic of China as well as Taiwan. It will be my firm intention to preserve the interests of the United States, and as President I will choose the methods by which this shall best be accomplished.●

#### ANNIVERSARY OF THE MOLOTOV-RIBBENTROP PACT OF 1939

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DODD. Mr. Speaker, in America, freedom is the basis of our democracy and the essential principle of our Constitution. But freedom is only a distant memory and a future hope for the people of Lithuania.

August 23, 1980, marked the 41st anniversary of the Molotov-Ribbentrop Pact which meant the end of 20 years of independence for Estonia, Latvia, and Lithuania. In 1919, V. I. Lenin recognized the separation between Estonia, Latvia, and Lithuania and the Soviet Empire. And in 1923 this independence was written into law through peace treaties between Russia and these Baltic States. However, World War II soon changed this situation.

On August 23, 1939, the German Reich and the Soviet Union concluded

a secret peace pact that divided Eastern Europe into separate spheres of influence. The essence of the pact was that the countries of Finland, Estonia, and Latvia were to come under the guidance of the Soviet Union, while the nation of Lithuania was to be controlled by the German Reich. In September of 1939, a formal treaty was announced that placed Lithuania under Soviet control as well. The treaty was known as the Molotov-Ribbentrop Pact.

On August 14, 1941, President Franklin Delano Roosevelt worked with Prime Minister Winston Churchill to produce the Atlantic Charter. Point 2 of this charter declared that both the United States and Great Britain would "not consent to any territorial changes which are not in agreement with the freely expressed wishes of the nations involved." Point 3 stated that the signatory nations would "respect the right of all nations to choose for themselves that form of government under which they want to live \* \* \* and strive to reestablish the sovereign rights and self-rule of those nations which were deprived of these by means of force." The U.S.S.R. signed the charter on September 24, 1941, despite the fact that the Soviets had already annexed several Baltic nations as part of the Molotov-Ribbentrop Pact.

Soviet occupation in Lithuania has served to stifle the cultural, political, and religious heritage of a once free nation. The Lithuanian people may speak their own language, but they are still Soviet citizens. The Lithuanian people may have their own 1,000-year history, but they are still governed by the laws of Moscow. The Lithuanian people may have their own official interests abroad, but these interests are still handled by Soviet Embassies and Soviet consulates. The Lithuanian people have not been free for over 40 years.

But despite Lithuania's loss of independence, the Lithuanian people have never lost their national identity. Josephine Dauszvardis is a grandmother. On the wall behind her desk hangs the traditional emblem of the nation of Lithuania. Mrs. Dauszvardis is the Consul General for the Lithuanian Republic. For her and for so many other Lithuanian Americans, the struggle for freedom continues. In her own words: "We live in hope. We work in hope. One day Lithuania might be free again."

August 23 marked the anniversary of a pact which must be condemned by all nations which believe that justice, liberty, freedom, and equality are rights that should be shared by all people. The world must never forget the continuing struggle for independence by all oppressed nations.●

SHORTCOMINGS OF THE PRESIDENT'S NEW ECONOMIC PROGRAM

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. HAWKINS. Mr. Speaker, the President's new economic program deserves credit for recognizing that his existing policies and programs are not working. But the new policies are of peripheral significance in magnitude and nature, compared with the failed policies now in existence, and in addition are substantially misdirected, based upon experience and current analysis.

The President's new program, in essence, would attempt nothing by way of legislation until the next Congress. This is based upon the fashionable new idea that it is too late to do much about the current recession, but that we should not start long-range preparation for a qualitatively improved recovery that will stick. True, what the administration has done this far has been too shortsighted. But a long-range proposal to maintain good health cannot attempt to avoid and jump over the current illness. The President remains unfortunately committed to policies which in his own words will result in 8 percent or more unemployment by 1981, and this is consistent only with use of plant capacity not much better than 70 percent and an annual deficiency in total national production between \$200 and \$300 billion. This degree of neglect of human misery and economic forfeitures today cannot be assuaged by promises of how healthy we are going to be much later on. These promises are no more convincing than when the President asked the American people to overlook the mistakes in policies to date and what they are doing to us and instead to gaze ahead to the bright future which he claims for his policies in the sweet by-and-by.

There is nothing in the President's new program which swerves 1 inch from the continued commitment, both through budget policy and monetary policy, to defer economic recovery and prolong recession in the name of fighting inflation. This so-called tradeoff policy has been a disastrous failure whenever tried during the past quarter century, and especially in more recent years. For more than 1 year now, this has been recognized in almost unanimous reports of the Joint Economic Committee, and even to the extent not recognized, the facts are there. The reduction of consumer price inflation during recent months from 13 to 10 percent is at best an ambiguous undulation, and in any event 10-percent inflation in recent months is worse than 13-percent inflation earlier, because one is piled on top of the other and comes to more than 23 percent compounded. The President's

still-maintained claim that it will take until 1988 to get inflation down to 3 percent is a sad admission that genuine programs to reduce inflation have not been undertaken, and that policies which have chronically augmented inflation are still the name of the game plan. That this is true is evidenced by administration approval or at least acquiescence in the renewed rise in the prime rate and in home mortgage interest rates.

Coming to the content of the President's new program itself, as already indicated it is a mere bagatelle compared with the need to correct existing policies whose misdirection is at the heart of the matter. But the new program is also misdirected in the economic reason which fundamentally underlies it. Considering what the Nation needs most and most immediately, it is not so much tax reduction and concessions as investment or spending for job creation, the latter being by common consent much more economical and efficient per dollar spent. And the nature of the proposed tax reduction, providing enormously more help to investors than to consumers, is discredited by a great deal of recent experience. This imbalance is aggravated greatly, because an even equal number of spendable dollars provided for investors and consumers would help investors six times as much on a percentage increment basis, because consumer spending is about six times as large in dollars as nonresidential fixed investment.

Moreover, investment by big companies is not held back by absence of funds, which they can obtain more easily than others, but by their conclusion that market demand on the part of consumers and Government is insufficient to justify more investment. Technically, productivity is still advancing rapidly, and the serious slowdown in actual productivity growth is the result of high plant disuse and underutilization of employed workers. The remedy for this is more business volume through sales, not excessive tax bonanzas to the wrong people. Coining a newfangled term like "supply management" solves nothing. We need to create a proper balance between supply and demand, and when there are 8 million unemployed representing a very slack economy the first approach is massively to reduce unemployment.

Recent experience confirms the view that the excessive emphasis upon the wrong method of stimulating investment in the President's program is not new, but tried and failed. Repeatedly it has been tried, and never has it worked. To take but one example which is typical, the 1971 tax cuts allocated almost three times as many dollars to investment as to consumption, and by the time this took much effect we were well on the way to the most severe recession to date. Tax concessions to investors are indeed necessary, but they should be selectively pin-

pointed, as when they were successful in the past, to help important shortage areas where the industries involved really need more working funds, and should be accompanied by meaningful quid pro quos that the concessions will be used for more investment. The President's proposals for the stimulation of investment are substantially helter-skelter, designed for where they will have dramatic appeal, and hardly related at all to a comprehensive and consistent program for real and sustained economic recovery toward a full economy. Chrysler may or may not have needed help from the Government, but it is dangerous to apply that principle, on a random basis, to more and more situations.

Observing the Humphrey-Hawkins Act, which is still being flagrantly ignored, would do more good within a year than the President's new program could do within a decade, and without the minuses as well as the pluses in the President's new program. ●

HAPPY BIRTHDAY, U.S.A.

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MAVROULES. Mr. Speaker, ringing the bells to extol the pride of the American people and the American tradition is an appropriate tribute on the Fourth of July and every other day of the year. Accept with qualified apologies, therefore, my late submission of this expression of patriotism from a constituent of mine, Maurice Goldsmith, of Swampscott, Mass.

HAPPY BIRTHDAY U.S.A. ON JULY 4TH

On July 4th, 1980, America will celebrate 204 years of independence. A simultaneous ringing of the bells on July 4th will herald America's march into the third century.

July 4th affords each one of us precious time to think about our nation's beginning, and the meaning of our American traditions, the historic importance of Massachusetts and its historic towns and cities.

On July 4th, 1776, liberty was proclaimed by the tolling of the Liberty Bell in Philadelphia's Independence Hall. On July 4th, 1980, Americans will pause and listen to the message from the bells all over the U.S.A. The bells will peal out a reminder of our freedoms, how hard they were won, and how easily they can be lost.

The July 4th story starts with those memorable words, "When in the course of human events . . . We hold these truths to be self evident, that all men are created . . . and endowed by their Creator . . . that governments are formed by the will of the governed."

On this July 4th we should rediscover and reread the rest of this great American historical document.

We might find greater inspiration and something more meaningful about Independence Day and our American heritage and tradition. July 4th is a sacred day in world history and the most important day in the U.S.A. In 1776 a determined group of citi-

zens affixed their names to a document that eventually changed the shape of the world.

On this July 4th let each one of us rededicate and rekindle a devotion to the principles and ideals upon which our great nation was founded. To love America is our right and privilege. To make America better is the responsibility of us all. God Bless America. Happy Birthday U.S.A.●

#### SPEECH TO DEMOCRATIC STATE CONVENTION

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. FORD of Michigan. Mr. Speaker, on August 23 and 24, I had the unique honor of chairing the 1980 Michigan Democratic State Convention, at Cobo Hall in Detroit.

One of the highlights of the convention was a stirring and hard-hitting speech by Michigan's senior Senator, Hon. DONALD W. RIEGLE, JR.

The message in Senator RIEGLE'S speech, and his summary of our Nation's challenges, were so incisive, and so meaningful, I thought they deserved a wider audience.

For that reason Mr. Speaker, I insert in the RECORD at this point the text of Senator RIEGLE'S truly outstanding speech before the Michigan Democratic State Convention:

#### SPEECH TO DEMOCRATIC STATE CONVENTION, DETROIT, MICH.

Let me ask you to remain seated and join me in a moment of silent prayer.

Dear God we ask you today to be with us and give us strength and wisdom as we reason and work together. We ask you to inspire our judgment and give us the courage to do the things we believe are right.

We ask also, Lord, that you guide and strengthen our brothers and sisters in Poland as they struggle for freedom and their rights as workers and individuals. Their courage is an inspiration to all the world.

Lord, we ask you to be with and strengthen our brothers and sisters in all the captive nations. Let our deliberations here always be aimed at bringing the freedoms we enjoy to all the people of the world. Amen.

We gather here at a moment of great pain and difficulty for our people.

With our party platform—our candidates—and our personal commitment of effort to serve the people—we are here for the purpose of responding to the needs of the people with a vision of the future. A vision of the possibilities of change for the better.

A vision of a better life for all our citizens. It is a vision of justice, decency and a driving commitment to the fullest possible development of every man, woman, and child in America.

It is a vision that means to reach into the most remote corner of the Jeffries Housing Project to the most frail and troubled youngster there—and to say that that child is our child—is America's child—and is and will always be the child of this Democratic party.

And that vision reaches equally to the black child, the white child, the Hispanic child, the Indian Child—and all others across our land.

That human family bond of love and concern and commitment is the history of the

Democratic party stretching from Jefferson to Jackson, and continuing forward through Roosevelt, Truman, Kennedy, Johnson and is found today in the stewardship of Jimmy Carter and Fritz Mondale.

It is a mighty wave of human energy and effort stretching across two centuries that has rebuilt both the foundation and the face of our nation.

In every critical fight—Civil Rights, Workers Rights, Senior Citizens Rights, Educational Rights, Health Rights, Womens Rights.

It has been this Democratic Party—our party—that has fought to remove the barriers and inequities and bring the promise of freedom, dignity and opportunity to all our people.

That is the lifting dream of our party—and we meet here today to re-affirm it—and apply it to the challenges that now, in 1980 are our responsibility to deal with.

A few weeks ago, the Republican Party held its national convention in this great city.

They wrote a platform—and selected a Presidential candidate that does not understand the needs of our people—and would cause Abraham Lincoln to hang his head with dismay and a heavy heart.

The Republican alternative in 1980 is not relevant to this nation's urgent problems and opportunities.

The Republican alternative in 1980 is perhaps best summed up by its cruel and misguided decision to walk away from the fight for equal rights for women—and it should hang its head in shame.

Sending a reactionary retired movie actor from Hollywood into our Nation's highest office would be a travesty of common sense—and bring new dangers to our country.

Just within this last week we have heard Ronald Reagan tell us that the Vietnam War was good for America. Any misguided person who believes that must never be given the power to send our nation into another Vietnam.

We need instead a Presidency that is wise enough and strong enough to both protect our strategic interests and avoid a foreign war.

And we have one.

We need, instead, a Presidency that will turn to the urgent task of confronting the economic war now occurring in this city—and in every community across our entire state.

And we have one that must do more—and will do more—and we have a role to play in making that happen—

We need jobs—and industrial revitalization. We need action to reduce the invasion of Japanese cars and trucks—we need expanded Trade Adjustment Assistance—and new efforts to retrain displaced workers. We need emergency help for our people.

Only one party in America understands this need—and is committed to action—and it is our Democratic Party.

Tomorrow, in Washington, Senator Kennedy and President Carter will meet together in The White House to begin work on an economic recovery program for America. This is what we have been fighting for—this is what we need.

The hard truth is that enough has not yet been done—and we must continue to press the fight for greater action within our party and our elected leadership.

But we must never confuse that valid fight for greater efforts and new priorities within our party—with the deadly dangers posed to all we believe in by the possibility of a Ronald Reagan presidency.

Whatever reservations any of us may have—we must understand the Reagan

danger for what it is—and join together in the greatest election effort we have ever made. Everything we believe in is at stake—and I am here to ask you to respond accordingly.

I hope that no person within the reach of these words would allow the proper debates within our party to divert us from the immediate task that now faces us.

We must begin the hard work of electing our entire Democratic ticket—and that must begin with an all-out personal commitment to re-elect President Jimmy Carter—and Vice President Fritz Mondale—and we must start here and now.

It is their jobs and ours to keep Ronald Reagan and his reactionary camp-followers out of The White House.

We must re-elect all our Democratic incumbents in Congress: John Dingell, Bill Ford, Jim Blanchard, Dave Bonier, Dave Kildee, John Conyers, Bill Brodhead, Bob Traxler, Don Albosta, Bob Carr, Howard Wolpe. And we have other vital races to win.

We need George Crockett and Dennis Hertel sent to Congress.

We must give our Congressional challengers—Dan Dorrity, Kathleen O'Rielly, Dale Spick, Wayne Daniels, and Jerry Furst, the support they need to win.

We must work hard to elect our Democratic State Legislative candidates—who will draw the new political boundary lines for the next decade.

We must elect all the State Board and Supreme Court candidates we nominate today.

We must support and elect our local Democratic candidates at the city, county and township level.

We need a united effort for all Democrats—I am pledged to that effort—and I am asking for your pledge today.

In 1968—our party went through a great struggle before we nominated Hubert Humphrey for President.

Because our party did not unite to elect that great man—we have had instead long years of difficulty and national damage.

We could have spared ourselves Watergate—if we had elected Hubert Humphrey when we had the chance.

The President we elect on November 4th—will soon be naming 3 or 4 people to lifetime appointments to the Supreme Court of our land.

Those Supreme Court justices—will likely serve until the year 2000 and beyond.

Can you imagine what would happen if Ronald Reagan were to be President and make those appointments?

Can you imagine what would happen on the great civil rights questions?

What would be the outcome of the struggles of women and minority persons to receive equity and equal justice under the law?

What would happen on the labor issues—and to the working men and women across our land?

Every person in this room today has the power to affect those decisions.

With the Nazi party and the Klu Klux Klan on the march again—here within our own state.

We must understand our duty and we must do it.

Our Democratic Party is not perfect—nor are those of us who make it up. Our great party is the sum total of our dreams and ideals—and yearnings for our country—and for the future. We are the party of the people—of all the people.

And my friends, there is no other. So our task is clear. We must leave here—united as one—to fight with all our strength to carry Michigan for the Carter ticket and every other Democrat on the Ballot.

With God's help—and our best effort—we shall achieve that goal. Thank you.●

## RIGHTS OF LANGUAGE MINORITY CHILDREN THREATENED

## HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mrs. CHISHOLM. Mr. Speaker, in adopting an amendment to the Labor-HEW appropriations bill yesterday which will effectively prohibit the Department of Education from requiring bilingual education, the House did a great disservice to the language minority children of this Nation. In the Lau versus Nichols decision, the U.S. Supreme Court mandated that language minority children had a right to an equitable education. Lau found that non-English-speaking students were being denied equal educational opportunities when educated in English-only classrooms. The major debate which surrounds bilingual education is whether children should be taught in their native language. The proposed guidelines by the Department of Education specify that bilingual education must be provided to children who have limited proficiency in English and greater proficiency in their native language. If a child is found to be more proficient in his native language, the new rules would mandate that he be offered bilingual education in required subjects as well as instruction to improve his English. The Department of Education has not overstepped its bounds and created a new Federal interventionist policy rather the Department is only continuing a policy which has existed for 10 years. Since 1970 the Federal Government has interpreted discrimination on the basis of national origin to include students with limited English proficiency. The House action yesterday ignores both the litigative and administrative history of the Lau regulations and violates the intent of title VI of the Civil Rights Act of 1964 which prohibits discrimination in federally funded programs on the basis of race, color, or national origin.

The House amendment, in effect, throws into complete disarray the hundreds of agreements entered into during the past 5 years between the Federal Government and school districts. The Department's efforts to provide clear guidance for protecting the rights of language minority children have been stymied before any public comment could be offered on the proposed rules. The Congress cannot continue to disallow regulations promulgated by Federal agencies before the public has an opportunity to give their views on these regulations. It should not be our job to determine the characteristics of a regulation, otherwise there would be no need for a public comment period.

I would hope that our companion body, the Senate, will act to remove

this obstacle to educational equality for all our children. Let the public comment period determine the final rules for bilingual education.●

## INTELLIGENCE COMMITTEE REPORT ON THE BILLY CARTER CASE

## HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BOLAND. Mr. Speaker, in the interests of providing the House with the report of the Permanent Select Committee on Intelligence dealing with the Billy Carter case, I ask permission that the report be printed at this point in the RECORD:

## REPORT IN THE MATTER OF BILLY CARTER

(In relation to the matter requested in H. Res. 745)

The Permanent Select Committee on Intelligence has examined classified material touching on the relationship between the Government of Libya and Billy Carter and his affairs. The Committee received material of this nature from the White House, the Department of State, the Department of Justice, the Federal Bureau of Investigation and the entire intelligence community. The materials examined by the Committee date from February, 1978, until early August, 1980.

The Committee conducted a thorough review of all the classified material provided to it. The Committee decided to issue an unclassified report which responds to the questions raised by H. Res. 745, as reported by the Committees on the Judiciary and Foreign Affairs.

The Committee wishes to note at the outset that its report reflects examination of only the classified material dealing with Billy Carter and his affairs. Further, the body of the Committee's report does not draw conclusions or make judgments. It simply describes the substance of the classified material provided to the Committee in a way that protects sensitive intelligence sources and methods and ongoing government investigations.

This report does not represent an investigation of Billy Carter or his affairs. The Committee's endeavors were directed at securing and reviewing the classified material in the possession of the government concerning Billy Carter and his affairs. However, the Committee examination of the classified material provided to it raises a number of unresolved issues in the Billy Carter case. The committee is concerned that these matters receive attention and will communicate its concern by secure channels to appropriate investigatory bodies in the executive and legislative branches.

## REPORT

(Numeric indicators refer to the questions in H. Res. 745.)

No classified material provided to the Committee responds to questions (1), (5), (9), (10), (11) or (13).

(2) Classified material provided to the Committee indicates that a White House staff member was kept routinely apprised by the State Department of developments relating to Billy Carter and that, after having been apprised of the paucity of information of a negative nature, this staff member advised an official of the State Department to follow routine procedures in re-

sponding to the Justice Department's request for all documents relating to Billy Carter's activities in Libya and U.S. aircraft sales to that country.

(3) and (6) Classified material provided to the Committee indicates that the White House made clear to the State Department, prior to Billy Carter's second (September, 1979) visit to Libya, that the visit was to be viewed as entirely private and that assistance was to be provided to Billy Carter only as appropriate for a private visitor, so as to maintain a low profile for the trip.

(4) Classified material available to the Committee indicates that Dr. Brzezinski learned in March, 1980 of Billy Carter's effort to secure an increased oil allocation for Charter Oil from Libya. This is the same information which Dr. Brzezinski has publicly stated that he summarized to the President.

(7) Classified material provided to the Committee indicates that throughout 1979 the White House and foreign policy officials were very aware of the unfavorable publicity from Billy Carter's first trip to Libya. Further, State Department officials were aware that the White House, in March, 1979, objected to senior level diplomats visiting Libya because of fears that such visits might be attributed by the press to Billy Carter's influence and that Libya might interpret any change in U.S.-Libyan relations to Billy Carter rather than the Libyans' own actions and conduct.

The classified material also reflects the belief of State Department officials that in March and April, 1979, the White House was concerned that the sale of Boeing 747s to Libya would be misinterpreted as the product of Billy Carter's influence; and the belief of Commerce Department officials that officials in the State Department believed that the White House might force cancellation of the sale for this reason.

Finally, the classified material reflects White House concern in July, 1979, when it was learned that Billy Carter would travel again to Libya.

(8) Classified material provided to the Committee from the Justice Department's file on Billy Carter's activities confirms contacts between Billy Carter and his representative, Randy Coleman, and the Libyan Government concerning oil allocations for the Charter Oil Company.

Classified material also indicates Billy Carter's receipt of sums of money from the Libyan Government but there are conflicts on the amounts involved. This classified material also suggests that some of Billy Carter's activities may have been undertaken on behalf of the Government of Libya.

(12) Classified material provided to the Committee indicates that meetings occurred involving the President and Dr. Brzezinski with a representative of the Libyan Government after Billy Carter helped arrange a meeting between the President and the head of the Libyan diplomatic mission in connection with the hostages in Iran, but this material makes no mention of Billy Carter.

## CONCLUSION

The Permanent Select Committee on Intelligence believes that the Executive Branch's provision of classified material to the Committee has complied substantially with the requests of H. Res. 745 in this regard. Inasmuch as the material has been provided in several successive increments, however, the Committee recognizes the possibility that additional classified material may develop which may require the careful examination of the Committee.

The Committee also recognizes that the Department of Justice is continuing some

elements of its investigation of certain activities of Billy Carter, including an internal inquiry into how the matter was handled within the Department. In addition, the Committee notes that a special subcommittee of the Senate is inquiring into the matter of Billy Carter. As the Committee has identified a number of unresolved issues in this case, it encourages their resolution within the parameters of these ongoing investigations.●

### AN AMERICAN HERO

#### HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. FUQUA. Mr. Speaker, a legitimate American hero died August 19 in Tallahassee and I would like to commend his life and accomplishments to my colleagues today as exemplary of the courage and love for his fellow man that marked so much of the leadership of the civil rights movement in the South in the 1950's and 1960's.

The Reverend C. K. Steele, pastor of the Bethel Baptist Church of Tallahassee, was a peaceful man thrust by fate into the crucible of conflicting social passions as his black friends, neighbors, and parishioners justly sought the rights of citizenship guaranteed by the Constitution to all Americans.

As a southerner who lived through that period, I am intimately familiar with the inflammatory temper of the times.

Any individual willing to assume leadership in the face of the organized hostility of those who would deny others those rights by virtually any means—lawful or unlawful—deserves the description of hero even more than soldiers who face an armed and dangerous enemy across a bloody battlefield.

For weapons, all that C. K. Steele had at his command were laws often ignored by the white majority, compassion for his fellow human beings, reason, good will toward others, and the righteousness of a just cause.

That he persevered and succeeded in bringing social justice to his city is a tribute not only to him but to the cause for which he so valiantly fought.

The measure of his success can be judged by the significance with which his community—black and white—viewed his passing.

His death was noted in the lead article on the front page of the Tallahassee Democrat, his hometown newspaper, the city council of Tallahassee declared an official memorial day for Reverend Steele, and the Governor of Florida ordered flags flown at half mast in tribute.

The Tallahassee Democrat article I am offering for reprint in this RECORD, captures some of the feeling of the times in which Reverend Steele lived, as well as noting some of the changes his life has brought:

#### CANCER CLAIMS STEELE

(By LaNedra Carroll)

The Rev. Charles Kenzie "C. K." Steele, the man who since the 1950s led Tallahassee's march toward civil rights, is dead.

Cited at a recent testimonial as "a man who fought for the good, for the poor, for the powerless and the forgotten," the pastor of Bethel Baptist Church died at his home at 7:15 Tuesday morning after a long illness. He was 66.

"There is no need to add laurels to make him larger in death than he was in life," said the Rev. Herbert Alexander, a close friend and neighbor. "He was a great man. As long as he lived, he gave himself up to a greater vindication of humanity."

City officials have set Sunday aside as a memorial day for Steele. The flags in front of the Capitol will fly at half-mast Monday in Steele's honor, Gov. Bob Graham said.

Steele's life was a mixture of preaching for justice and fighting for changes.

Born Feb. 17, 1914, in Bluefield, W. Va., Steele was the son of a railroad worker-turned-miner. By the time he was 15 he was preaching.

In 1938 he went to the big city—Atlanta—to attend Morehouse College. It was his first trip far from home.

In the following years he preached in Toccoa and Augusta, Ga., and Montgomery, Ala.

Then, at age 38, he came to Tallahassee. He began preaching at Bethel Baptist Church, and for several years life in Florida's capital was relatively calm for the minister.

That calm was not to last.

It began with a bus boycott in 1956, at a time when black passengers were supposed to ride in the back of the bus.

Two black students refused to give up their seats to a white woman. They were arrested.

Steele and his followers boycotted the bus system, bringing it to a halt. Former Gov. LeRoy Collins said he had to order the temporary halt, to forestall violence at some bus stops.

"He was strong in his convictions as steel . . ." Collins said of Steele. "(The boycott) hurt black people more than that it did white people, in the sense that they needed that service more than white people did. But it showed the people of this community that they were very determined to right this wrong."

Steele was harassed by the Ku Klux Klan, snubbed by civic leaders and arrested several times. Later, he would refer to the bus boycott as the single most important event in shaping civil-rights activities in Tallahassee.

It was just the beginning. Steele was involved in other non-violent sit-ins, marches and boycotts as he and other civil-rights activists labored to achieve integration in the city's restaurants, theaters, airport and schools.

His focus was not just local. He marched side-by-side with such national luminaries as the late Dr. Martin Luther King Jr. and Ralph Abernathy in Montgomery, Selma and St. Augustine. In 1957 Steele helped King and others found the Southern Christian Leadership Conference, of which he was a vice president.

He carried the fight for equality through the '60s and '70s. The methods were different but the message was the same. In later years, he turned his attention to economic discrimination against blacks and other people.

"They have developed a more subtle way of depriving black people of their rights," he said in an interview with The Democrat

two years ago, "but there will be a new group of leaders that will be able to cope with that, a group of leaders as sophisticated and subtle, yet as courageous in conflict, as in times past."

In that earlier interview, he acknowledged the progress that had been made in the struggle for civil rights. He also acknowledged, with a touch of regret, that the "surge for freedom" had its ups and downs.

"I know I have done a little something for Tallahassee over the years," Steele said then. "I've really tried to do my best to bring the Kingdom of God to the citizens of this community—both black and white—but it's not been an easy task."

It was three years ago that doctors discovered he had cancer of the bone marrow. They gave him only 22 hours to live.

Steele defied their predictions. "Death didn't interest him that much," said one of his sons, C. K. Steele Jr. "He was not afraid of dying."

Steele remained optimistic. In the earlier interview, he looked ahead.

"Ten, 15 or 20 years from now," he said, "we'll be better able to cope with the situation than ever before. We won't have reached Utopia, but we'll be further along than we were."

"I'd like to see a day when we can bring black people and poor people together in a strong organization determined to obtain for all people an equal share of justice and equality."

Survivors include the Rev. Steele's wife, Lois Brock Steele; five sons, C. K. Steele, Jr. of New York City; the Rev. Henry Marion Steele of Orlando; and Clifford, Darryl and Derek Steele of Tallahassee; a daughter, Rochelle Steele Davis of Tallahassee; and his mother, Lydia Steele of Maybeury, W. Va.●

#### FEDERAL FIREARMS REFORM ACT

#### HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. LUKEN. Mr. Speaker, I would like to express my strong support for H.R. 5225, the Federal Firearms Reform Act, and urge the Judiciary Committee's Subcommittee on Crime to act swiftly so that the House can have an opportunity to pass this much needed reform.

This legislation, introduced back in September 1979, would change the focus of Federal firearms law enforcement by providing for the development of a law enforcement strategy to replace the existing extensive bureaucratic regulation. It will remove from present gun control statutes provisions which have proven to be practically useless in combating crime or which have resulted in harassment of law-abiding gun owners. Nothing in this bill will aid criminals; nothing in this bill will impede law enforcement.

It is time that Congress put an end to the continued attacks by the Bureau of Alcohol, Tobacco, and Firearms upon peaceful citizens exercising their right to bear arms. This legislation will state explicitly Congress intent that the constitutional rights of law-abiding citizens to keep and bear

arms shall not be violated by a Federal agency overstepping its authority in the name of law enforcement. We must put an end to BATF attempts at overregulation and fight crime by enforcing existing criminal codes and improving our often inefficient judicial system, not by badgering law-abiding citizens. ●

#### FIVE-POINT PRODUCTIVITY PLAN

HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BEREUTER. Mr. Speaker, for many months now, American economists have issued reports which chronicle the decline of the American economy. After such a seemingly endless stream of bad reports, we have almost become dulled to the critical nature of the sickness which pervades this Nation's economic system. We must not allow ourselves to be lulled into acceptance of this monster of inflation. We should be shocked by the intractable nature of such high inflation rates.

Furthermore, we should be appalled by the accompanying high unemployment that curses the American work force. Over 8 million people were out of work in June. That is more than the combined populations of Nebraska, Kansas, Iowa, South Dakota, and North Dakota. Experts predict that unemployment will climb even higher by the end of this year.

Such high unemployment represents a disgusting waste of precious human resources. Individual industriousness and productivity have been the backbone of this Nation. To allow so many people to become demoralized by unemployment is a disgrace and a national shame.

As recently as 1972, the U.S. standard of living was the highest in the world. Now it has slipped fifth. No one knows how much further it may fall.

No other information should be needed to prove the gravity of our Nation's economic decline. No other information should be needed to convince anyone that strong, effective policies must be adopted immediately in order to wrest this country from the grip of inflation, recession, and economic decline.

#### NATIONAL PRODUCTIVITY PROGRAM

For too long, our Nation's economic policies have resembled a patchwork quilt. First come actions to cure inflation, which bring on a recession and higher unemployment. Then, the Government acts to alleviate unemployment; those actions typically reactivate inflation. The endless cycle continues. To break it, the United States must adopt a bold, new strategy, designed to attack the core of our economic problems rather than address merely the symptoms.

In the past, there has been no cohesive, forward-looking, long-term eco-

nomics policy—only short term, ad hoc, expedient actions that did not work. The problems are too great—their root too deep—to respond now to quick fix solutions.

Now is the time to set forth on an economic recovery plan, the heart of which is a national productivity program.

#### NEED FOR ENHANCED PRODUCTIVITY

Productivity is defined as the amount of output per unit of input. Reversal of the current decline in the growth of productivity is crucial to the economic recovery effort because of the inextricable relationship between productivity and the price level.

The relationship works in this manner. For example, labor productivity—that is the amount of output per unit of labor input—affects labor costs. These labor costs weigh heavily in the determination of total production costs and, therefore, in establishment of the final selling price. If increases in employee compensation outstrip the growth in labor productivity, inflation occurs. As a result, declining productivity helps breed inflation.

Due to this relationship, increased productivity growth represents one of the most potent remedies for fighting inflation and unemployment. Recent studies indicate that a 1-percent increase in productivity growth will produce more than a 1-percent reduction in the inflation rate. In contrast, experts estimate that 1 million people must be unemployed for at least 2 years in order to obtain a 1-percent reduction in the inflation rate. Furthermore, other studies demonstrate that industries with the highest growth in productivity also possess the highest growth in employment. Obviously, enhanced productivity will be the key to economic recovery.

An effective national productivity program must consist of five basic components. The program must:

One, promote investment in capital equipment and human resources and encourage savings;

Two, decrease the tax burden upon workers and businesses;

Three, encourage exportation of American goods and services;

Four, eliminate unnecessary or counterproductive regulations imposed upon the business community; and

Five, promote research in, and development of, new technological advances.

#### STEP 1. PROMOTE INVESTMENT AND SAVING

The key element of the national productivity effort will be the promotion of capital investment for the purpose of rebuilding and expanding America's industrial base.

In recent years, the U.S. capital investment record has been dismal. During 1947-73, business investment grew at an annual rate of 3.9 percent. Over the subsequent 6-year period, that rate dropped to 1.4 percent annually. Currently, only 10 percent of our gross national product is devoted to investment purposes. By comparison,

the booming economies of West Germany and Japan boast investment rates of 15 and 20 percent of GNP respectively.

To reverse the investment decline, Federal policies must be adopted which will remove impediments to investment or which will establish investment incentives, particularly incentives for investment in capital investment; therefore, this must be a focal point for Government policies.

Federal policies, however, must concentrate upon assisting the small business sector of the economy because the greatest potential for growth and employment still rests in that sector. Businesses with 20 or less employees created 66 percent of all new jobs during a recent 7-year period, 1969-76; those with less than 500 employees accounted for 87 percent of all new jobs added during the same period. Clearly, the best hope for producing a positive, immediate impact upon the economy comes through an early concentration of Federal actions upon the small business sector.

Capital investment: The existing, complex system of depreciation for plants and equipment retards investment because inflation undermines the ability of companies to recapture their investment dollars. An effective incentive to capital investment, therefore, would be enactment of a simplified, accelerated depreciation system. Small businesses, in particular, would benefit from simplified, accelerated depreciation because, unlike large corporations, they typically finance plant expansion and equipment purchases with their own profits—not through the sale of bonds or the issuance of stock.

Corporate income tax: Delegates to the White House Conference on Small Business recently designated as their top legislative priority the further graduation of the corporate income tax, particularly at the lowest income levels. Inflation now reduces the real value of profits; yet, the tax rates remain the same. As a result, businesses retain less money to finance investment activities. This adverse development must be corrected; therefore, the corporate income tax rates must be revised in order to increase the retained earnings available for reinvestment by the small business sector.

Tax credits for job creation: Not only must America strengthen its investment in capital equipment and buildings, it must enlarge its investment in human capital. Millions of Americans now stand unemployed and idle, their talents and energies wasted by the nationwide unemployment problem. This distressing situation must be corrected.

By 1990, the labor force in America will reach 120 million people. That represents a 28-percent growth between 1975 and 1990, a labor force growth which will lead the industrial world. Productive jobs must be found

for these individuals as they enter the labor market.

An expanded program of tax credits for job creation must be developed and implemented in order to encourage businesses in all parts of the country to draw these individuals into the productive stream of society.

**Job training:** Finally, a new program of education and vocational training must be adopted in order to assist individuals thrown out of work by economic factors beyond their control.

To people out of work, their solace is an unemployment check and a sometimes faint hope that this period in unemployment limbo will end before their unemployment compensation terminates. America must take positive steps to remove workers from this state of dependency and anxiety.

Countercyclical job training programs, such as those used successfully in Europe, attempt to retrain unemployed workers for new positions. Experiments with these programs must be tried here as well, in order to counter the growing problem of long-term unemployment which undermines our Nation's economic health and to counter the hopelessness and despair which attacks the jobless.

Fundamental changes in America's educational system and vocational training programs must be devised as well for the long-term benefit of our economy.

Illiterate or untrained individuals encounter almost insurmountable obstacles in attempting to penetrate the job market. To allow thousands of individuals annually to leave school even though they cannot read beyond a third-grade level, if at all, has been one of this Nation's gravest mistakes. Our educational system fails us unless it provides each individual with sufficient basic skills to enable that individual to function effectively in American society. America's sophisticated economy cannot flourish without the educated, trained workers necessary to operate its machines and perform its agricultural, commercial, industrial, and service activities.

**Savings:** Massive amounts of money will be needed to finance this investment and rebuilding effort. The best way to finance this buildup will be through savings. Other forms of financing, such as the issuance of bonds or the sale of stock, serve only to fuel the fires of inflation. Furthermore, if more money is available to finance industrial expansion through savings, the cost of funds will be lower, thereby reducing ultimate production costs and sales prices.

The level of personal savings within this Nation recently plunged to a dangerous level of 3.4 percent of disposal income. Japan's citizens, however, save 20 percent of their comparable income. West Germans save approximately 14 percent of disposable income.

To encourage individuals to save, Congress must reduce the marginal

tax rate upon individual savings. Greater exemptions must be allowed for income earned on savings activities. The recently enacted \$200 exclusion from taxation for interest income—\$400 in the case of a joint return—is a step in the right direction. Much more needs to be done.

#### STEP 2. REDUCE THE TAX BURDEN UPON BUSINESSES AND INDIVIDUALS

In the 12-month period between October 1, 1980, and October 1, 1981, the Federal Government will increase the tax burden upon Americans by \$85 billion. This increase will be attributable either to new taxes—for example, the new windfall profits tax on crude oil sales will account for \$18 billion of the increase—or to higher tax rates—for example, the scheduled social security tax increases will cause \$10 billion of the total increase. In addition, the failure of the tax system to adjust for artificially higher incomes—which result when individuals try to keep pace with inflation—will cause \$13 billion of this unwarranted tax increase.

**Federal spending restraint:** In the 2-year period between October 1, 1979, and October 1, 1981, Federal Government expenditures will have grown by at least \$120 billion. This intolerable trend must be halted. The Federal Government must control its destructive spending urges. Congress must stop routinely authorizing deficit spending. No longer can the American taxpayers be expected to shoulder the burden of spending levels which rise by the tens of billions of dollars annually. As long as the individual wage earner or businessowner takes home less real income for each additional hour worked, incentives to improve productivity will be worthless.

One promising ingredient in the battle against rising Federal spending would be passage of House Joint Resolution 395. This resolution would limit the annual growth of Government spending to an amount equal to the growth of the Nation's economy.

**Indexation of income tax rates:** Furthermore, income tax rates must be adjusted annually to reflect the impact of inflation upon the value of a worker's dollar.

#### STEP 3. INCREASE EXPORTS

Efforts to intensify America's exporting efforts will be another significant element of the national economic recovery program. The exorbitant cost of foreign oil—over \$80 billion during the current year—has been a principal cause of the inflation gripping our Nation. An improved exporting performance will help balance this trade problem. Moreover, it will assist in the fight against domestic unemployment. Experts estimate that each \$1 billion of exports means 40,000 domestic jobs; therefore, export programs must be intensified.

In 1960, America accounted for 18 percent of the world's exports. In 1970, that share dropped to 15.4 percent. Since 1970, the United States has lost its place as the No. 1 exporter of

manufactured goods: West Germany has now displaced us. Japan's surge in foreign sales threatens to push the United States further down into third place. Only 7.5 percent of our gross national product is exported; this compares unfavorably with rates in other countries. For example, the Netherlands exports 38.3 percent of its gross national product. Our export percentage is now the lowest of all industrial nations. Obviously, America's international position has eroded. Unless immediate actions are taken, this slide may be irreversible. One of America's top economic priorities must be to establish the cooperative effort between Government and the private sector which will be necessary to make our Nation once again the world's foremost exporter.

Current export activity is now dangerously concentrated in a few companies. Just 2,000 companies provide more than 80 percent of all U.S. exports. More than 50 percent of the products exported are produced by approximately 100 companies. Only 25,000 of approximately 250,000 U.S. manufacturers export, although the Department of Commerce estimates that almost double that number could profitably engage in foreign sales ventures.

The expense of initially penetrating foreign markets, the lack of information about foreign sales potential, and some U.S. laws have acted to hamper export efforts. To improve our export potential, the Federal Government must take several steps.

**Export trading companies:** First, Congress must pass pending legislation which would allow the establishment of export trading companies. Lack of expertise in foreign marketing and insufficient financing to support export efforts now hinder many potential exporters, particularly small companies. The establishment of export trading companies, used successfully in Japan and Europe, would enable a number of sellers to pool their resources in order to obtain the marketing, transportation, and other services necessary to enter foreign markets. Passage of this legislation would also remove current antitrust barriers to the formation of these companies.

**Corrupt Practices Act:** Second, Congress must pass legislation designed to clarify the vagueness of the Foreign Corrupt Practices Act. America's attempt to inject morality into international business activities may be laudable, but the vagueness of current legislation curtails or unduly delays trading activities, thereby discouraging export efforts unnecessarily.

**Funding of export promotion activities:** Our Nation's leaders must make export promotion a national priority. The funds necessary to finance key Federal export promotion activities—for example the loan programs of the Export-Import Bank and the trade assistance programs of the Small Busi-

ness Administration and the Department of Commerce—must be forthcoming.

The U.S. Department of Commerce received only \$30.5 million during the current fiscal year to finance its export development programs. Only 150 domestic officers assist in export promotion. Japan, by contrast, appropriates \$48 million annually and employs almost 600 people in its export related programs, even though their export trade volume is slightly more than half of the U.S. volume.

Money should also be appropriated to fund fully the Worldwide Information and Trade System, a computer information system designed to supply export related information to American businesses.

Establishment of priorities for Government assistance: Federal resources should be concentrated upon those products that possess the greatest possible export potential, not upon a haphazard group of products unlikely to be attractive to foreign purchasers.

Agricultural products, machinery, and high technology products are our chief exports—one-third of America's agricultural acreage produces products which are exported, a fact which demonstrates the importance of this segment of the economy to our export situation. Alternative energy sources, coal, machine tools, and food possess great potential in foreign markets. Efforts to target assistance to those products must be commenced immediately.

Removing foreign trade barriers: Finally, the Federal Government must be relentless in assuring American exporters that foreign doors to American products will be open. In particular, nontariff barriers now in place in Japan and France must be removed.

#### STEP 4. STREAMLINING THE GOVERNMENT'S REGULATORY PROCESSES

The decade of the 1970's saw an unprecedented rise in Government regulation of all segments of society, as America sought to achieve a number of desirable goals, including the goals of clean air, clean water, and a safe workplace.

Few people disagreed with the desirability of these goals. Yet, the Government's efforts to achieve these goals through regulation have been plagued by confusion, duplication, excessive delay, uncertainty, rigidity in application, and expense far beyond the expectations of any individual.

Cost-benefit tests: Congress must take positive steps to coordinate, streamline, and simplify the current regulatory system. Most importantly, cost efficiency must become a primary consideration in the development process. Regulations now impose tremendous costs upon individuals and businesses, yet, no one knows whether these costs are justified by the resulting benefits.

Remedial legislation must include special consideration for the impact of regulations upon small businesses.

Compliance costs for small businesses are 7 to 10 times greater than those of larger enterprises.

Flexibility in achieving regulatory goals: Government agencies must no longer be allowed to mandate the methods by which businesses must comply with certain objectives. Performance standards, rather than rigid and overly specific regulations, must be adopted whenever possible. Businesses may then be able to select the most cost-effective way to meet the goals set by the agency.

#### STEP 5. RESEARCH AND DEVELOPMENT

America's preeminence as the world's leading industrial power can be attributed in large part to the inventiveness of her citizenry. Technological innovations accounted for 45 percent of the U.S. economic growth between 1929 and 1969. These advances generate improvements in productivity and enable us to maintain a high standard of living despite shortages in natural and human resources.

The recent downward slide in this segment of economic activity is apparent as well. Industrial research activities grew only 8 percent over the last 11 years. Overall expenditures for research and development once—1964—accounted for 2.1 percent of the gross national product. In 1978, that percentage fell to 1.6 percent.

Current economic conditions within this country, in particular inflation, have undermined industry's ability to devote the necessary financial and capital resources to research. Modifications of Federal tax policy, as well as a reduction in the rate of inflation and in the resources required to meet regulatory demands, could help counteract the disincentives and obstacles to research now imbedded within our economy.

Tax free innovation funds: Congress should enact legislation to allow companies to establish research and development funds similar in operation to an independent retirement account. Contributions to the fund and the earnings on it would be untaxed as long as the money remained within the fund. This system would help companies accumulate the amounts of money typically needed to finance research activities.

Targeting of assistance to small businesses: Special emphasis should be placed upon assisting small businesses in their research efforts. Businesses employing less than 1,000 employees accounted for one-half of the technological innovations developed in this country during the 1953-73 period. Efforts to direct a greater share of Federal research dollars to the small business sector, therefore, should be intensified.

#### PRIVATE ACTION NEEDED AS WELL

The Nation's productivity problems, however, will not be solved by Government action alone. Each and every worker and business within this Nation must undertake a productivity improvement program as well.

Japanese companies, unaided by the Government, have improved their productivity tremendously through individual effort. One key component of that individual effort has been the establishment of productivity circles, employee-employer discussion groups which meet regularly to identify and implement ways to improve efficiency and productivity. America's Lockheed Corp. estimates that it saved \$3 million during a recent 4-year period by establishing a similar program. Businesses throughout the Nation should explore the value of adopting their own productivity circle program.

#### SUMMARY

Only a national effort—joining Government, business, and labor in a cooperative effort—can help cure our Nation's economic ills. Each and every citizen must do his or her part to promote the economic recovery which is essential to the future of this Nation. Hope—realistic hope—for a better future must be restored in the minds and hearts of every American. Jobs must be made available for each able-bodied person who wants to work.

A national economic recovery program will require short-term sacrifices. The benefits from this effort—reduced inflation, increased employment, economic stability, a higher standard of living, and improved public morale—will truly make the short-term sacrifices worthwhile.●

#### PRESIDENT'S REINVESTMENT STRATEGY WELCOME ON LABOR DAY

HON. ADAM BENJAMIN, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BENJAMIN. Mr. Speaker, I commend and congratulate the President on his thoughtful and innovative program and strategy announced today, which will certainly serve as a first step in the long process of reindustrializing America and the reinvigorating of our economy.

The conceptual aspects of the program allow further input and refinement by all Americans and their Congress. The program is not inflationary—not a quick fix—not an economic stimulus—not an election lure—but a bona fide blueprint for the improvement of America in the 1980's.

While there might be some who criticize for political gain—I am most hopeful that most Americans will join to offer constructive comments to improve our economic climate, social system, and lifestyle—the door has been opened for the intellectual and pragmatic support and shaping by all of us.

During a preview of the strategy, the executive committee of the Steel Caucus was promised that a steel sector policy would be developed and annexed within a month to the Presi-

dent's proposed "Investment Strategy for the 1980's."

Assistant Domestic Adviser Bert Carp told steel area legislators that they would be consulted and counseled in the development of a steel policy, some of which may be considered as a part of the general business and industrial investment strategy announced by the President today while other parts will be developed specifically for the steel industry and its workers.

While the investment strategy, calculated to employ a million more Americans by 1982, offers business and industry 56 percent of the proposed tax relief for 1981 and 60 percent for 1982, its initial centerpiece is the formation of an industrial revitalization board composed of labor, business and public representatives (not government) who will advise the Nation on productivity, targeted developments and consider the formation of an industrial revitalization authority to make direct investments in promising enterprises but not to prop up failing businesses. The specific policies for auto and steel may be referred to the board authority for implementation.

The business and industry tax features include a constant rate depreciation schedule which is expected to increase cash flow for modernization. The President favored a modification of the Benson proposal (constant rate depreciation) over the Jones-Conable plan (10-5-3) because of its focused advantages to important industrial sectors of the economy over general real estate investment and its not slicing into government revenue heavily.

It also includes a 30 percent refundable aspect of the 10 percent investment tax credit as well as an additional 10 percent investment tax credit for distressed areas which would be certified by the Commerce Department and limited to \$1 billion. The depressed area credit will probably be applicable to most steel manufacturing areas.

On the spending side, the President proposed adding \$5 billion of loan guarantees to the economic development programs. The program agency may be the Economic Development Agency which has an added \$1.5 billion in the coming year, but whose authorizing legislation is still pending in conference, or the new revitalization authority.

The President also proposed an additional \$300 million for job training, \$1 billion for weatherization programs and \$600 million for research and development.

The President's program supported Members of Congress working to cut off State level general revenue which will be replaced with countercyclical assistance to distressed State and local governments. This proposal is one of two to become effective immediately.

For individuals, the President included an 8-percent credit to offset scheduled 1981 social security tax in-

creases which would be refundable to State and local governments as well as a liberalization of the earned income tax credit for low-paid wage earners.

Individual tax cuts also include mitigation of the marriage tax penalty which discriminates against families in which the husband and wife are wage earners.

The other program proposed for immediate enactment is a 13-week Federal extension of unemployment insurance triggered by local and State unemployment rates. This would extend benefits to 52 weeks in some instances.

The Carter tax program is expected to cost \$27 billion in calendar year 1981 and \$37 billion in calendar year 1982. However, most of the program (except for the countercyclical assistance and unemployment insurance extension) offered in the President's white paper (allowing for further input and refinement) is not scheduled until 1981 and will dent the fiscal year budget by \$7 billion compared to the \$40 billion and growing cost of tax measures being considered by the Senate Finance Committee and \$25-\$35 billion cost of the Reagan-Kemp-Roth tax proposal.

In essence, the strategy announced by the President today provides a framework within which the Steel Caucus may team with the administration to form and implement a long term steel sector policy which will assure the continuation of our U.S. steel manufacturing centers, guarantee the employment of steelworkers and assure the Nation that its defense will be maintained by a viable steel industry.

I am most hopeful that the Congress will work to adopt the program, specifically the tax proposals, this year for operation in 1981. While there certainly is the possibility of damage by politically motivated opposition, it is necessary that we advise business and industry of the rules as early as possible. Consequently, I urge that the program be moved and adopted before the conclusion of the 96th Congress—probably during the postelection session.

In conclusion, the President's program brightens this Labor Day period, offers new direction to the country and invokes a well-balanced approach to the future development of our economy. I urge support for the President's program and hail him for his foresight, courage, and commitment—to America and its economic strength.●

A TESTIMONIAL TO REV. AUSTIN R. COOPER, SR.

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. STOKES. Mr. Speaker, it is with a great sense of pride and admi-

ration that I take this opportunity to note the 10th anniversary Celebration and Appreciation Day service for one of my good friends in Cleveland, Ohio—Rev. Austin Rellins Cooper, Sr. On Sunday, September 14, 1980, the Saint Andrew's Episcopal Church of which Father Cooper is the rector and the entire Cleveland community will honor him for 10 years of unfaltering service. I join them in this testimonial to a dynamic human being.

Mr. Speaker, Reverend Cooper has had a profound impact on the lives of the churchgoers in Cleveland as well as the nonchurchgoers; the rich as well as the poor; and whites as well as blacks. Through his active involvement with many diverse groups, he has emerged as a shepherd of some of the most important social, civil rights, and religious gains of the people in the great city of Cleveland.

Mr. Speaker, Rev. Cooper's philosophy about the responsibilities of the community to the less fortunate is deeply rooted in his background. Born in Miami, Fla., to parents native of the Bahama Islands, Reverend Cooper was reared in what he often terms as a "separate and unequal" educational system in Coconut Grove, Fla. Many of us are familiar with this area as a result of the recent Miami riots. But, the racism he experienced in Florida has only made him cling to his principles and in turn made him a beacon of hope for the hopeless in Cleveland.

Father Cooper completed public school in Florida and went on to matriculate at St. Augustine's College. He received his master of divinity degree from the Seabury-Western Theological Seminary in Illinois. Reverend Cooper was ordained on May 13, 1961, as an Episcopal priest in Coconut Grove, Fla.

His work experiences with the Episcopal Church include positions throughout the country. He brought to St. Andrew's Episcopal Church in Cleveland 10 years of service and has in turn served that particular church for 10 years.

Additionally, Reverend Cooper has been an ardent worker in the community and has been duly recognized by many groups for his service. Included in these citations are the "Man of the Year" award from the Alpha Phi Alpha Fraternity and a citation by the Greater Cleveland Interchurch Council and the Call and Post Newspaper from community service. Additionally, he was listed in the 1976-77 edition of "Notable Americans" and was the Episcopal delegate to the National Council of Churches Conference on Racism in Cleveland in 1980.

As one of Cleveland's most distinguished residents, Reverend Cooper is a living sermon to many people. Through his daily activities he continues to teach that violence and the abuse of power are not the keys to exemplary living but rather respect and

commitment to just principles are more important.

Mr. Speaker, I have observed how well the message of Reverend Cooper has been delivered to his congregation and to the people in the community. But perhaps nowhere is it more pronounced than in the words of his son, Austin Cooper II, who worked in my office this summer. I would like to quote Austin at this time:

So often I have heard him say that I have an obligation to carry on the work of those who went before us. My father has taught me always to be least concerned about people liking me and to be more concerned about people respecting me.

Mr. Speaker, Reverend Cooper has indeed carried on the work of those who went before him. He, in turn, has received the respect of the entire community and probably most important the respect of his son.

Therefore, I would like my colleagues to pause and salute Rev. Austin Cooper, Sr., and not only on his anniversary celebration but also on the work he is doing in the community. ●

**JIM MATTOX STATEMENT ON  
ALIEN EDUCATION IMPACT AID  
ACT OF 1980**

**HON. JIM MATTOX**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MATTOX. Mr. Speaker, I have today introduced a bill, the Alien Education Impact Aid Act of 1980, that would provide financial relief to school districts that are ordered by Federal courts to admit undocumented alien children as students.

On July 21, 1980, the U.S. District Court for the Southern District of Texas issued a decision requiring Texas school districts to admit undocumented alien children. The court's order has been stayed by the Fifth Circuit Court of Appeals.

Under our Constitution, States have no power to influence the flow of people across international borders. Immigration is a national responsibility. But the Federal Government has, in effect, failed to enforce its own immigration laws. This Federal inaction has resulted in the presence of large numbers of undocumented aliens in our country.

If we are realistic, we must admit that the children of undocumented aliens are likely to be here for a long time. It is only prudent that they be provided with an education. To ignore their educational needs would be to invite social problems in the future. But since these children are here as a result of national policy decisions—or, perhaps more precisely, as a result of the Federal Government's inability or unwillingness to enforce its own immigration policy—it seems only fair that

the entire Nation, and not just specific school districts, share in the costs of educating these children.

Any program designed to assist school districts in educating undocumented alien children must recognize two facets of the problem. First, the undocumented alien population is likely to be unevenly distributed across the country and within a State. This means that some school districts are going to have major demands placed on their resources, while other school districts are going to have little or no pressure placed on their resources. Second, undocumented alien children are likely to have special educational needs, such as a need for special English language instruction. My bill takes into account these two aspects of the problem.

One title would provide aid to districts based on the number of undocumented alien children enrolled in a district's elementary and secondary schools. This title would authorize \$450 per eligible child.

A second title is designed to assist those districts that experience a particularly heavy increase in their student population due to the court ordered admission of undocumented alien children. Any district in which the number of undocumented alien children equals 500 or 5 percent of the student enrollment, whichever is less, would be eligible for aid under this title. Funds provided under this title would be used to provide supplementary educational services. This title provides greater amounts for the first and second years of an eligible child's attendance than for the third year of his attendance. It authorizes \$750 per eligible child for the first year of attendance, \$500 per eligible child for the second year and \$350 per eligible child for the third year.

This legislation addresses a problem that arose because of Federal inaction. Federal assistance in remedying that problem is surely warranted. ●

**GEORGE WILL'S ARTICLE**

**HON. THOMAS B. EVANS, JR.**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. EVANS of Delaware. Mr. Speaker, George Will's article deserves the attention of Members of this body and the American people:

NO HITS, NO RUNS—BUT ERRORS?

(By George F. Will)

The George Brett Trophy, for terrific batting by a presidential candidate in August, will not be awarded.

Ronald Reagan, who knows that Jimmy Carter's campaign consists almost entirely of charges that he is bellicose, antiquated and flip, managed in one week to praise American involvement in the Vietnam War, voice skepticism about the theory of evolution and use China to dramatize a ticklish problem of diplomatic recognition: would

he—could he—should he—establish normalized relations with his running mate?

Reagan said, correctly, that our cause in Vietnam was noble. But that subject, like the subject of evolution, is large enough to deserve more than brief, off-the-cuff ventilation.

Our cause was the defense of a small ally from aggression: it was an attempt to prevent the horrors that have, in fact, followed our failure. Reagan understands that large events cast their shadows forward, and that reassertion of American strength depends, in part, on Americans' rejecting the shame they have been told to feel about Vietnam, an undertaking that actually was, in the words of Eugene Rostow, "legally, morally and strategically . . . identical with the Korean War."

Regarding Taiwan, Reagan's explication was careless, but his instinct is sound, which is more than can be said for the president. Reagan understands that Carter has acted as though Peking was doing us a favor by accepting normalized relations, a favor for which we should pay much and ask nothing. Such relations are at least as important to Peking as they are to us, so Peking can jolly well pay the price of tolerating decent relations between the United States and an old ally. Instead, Carter allowed Peking to dictate terms that made the United States party to a range of niggling humiliations of Taiwan.

Regarding Vietnam and Taiwan, Reagan has a better case to make than he has taken care to make. Regarding both, he has at least been more concerned with honor than politics. The reverse is true of Carter's campaign.

Many Americans, schooled in cynicism by Carter's manipulation and exploitation of the Iran tragedy and other foreign and defense matters for political gain, expect "October surprises"—foreign policy adventures timed to influence the election. Certainly Carter's August surprises were remarkably reckless.

His revised nuclear targeting strategy surprised Republicans: it plagiarizes page 55 of the Republican platform and concedes Reagan's point about the vulnerability of our land-based deterrent. It surprised the secretary of state, who would have liked an opportunity to shove his oar into the policy-making process. It surprised the Russians, who know Carter is not taking the procurement and other measures necessary to make this new "policy" more than a campaign maneuver.

Carter surprised the American Legion (and anyone else who knows the record he is struggling to obscure) when he said that "instead" of building the B1 bomber, he decided to "accelerate" development of air-launched cruise missiles. The truth is that after he killed the B1, he continued to retard the air-launched cruise missile program, and has delayed it at least two years.

Now the administration has leaked and wildly misrepresented information about some of the most closely kept defense secrets since the Manhattan Project. (For security reasons, some civilians working on the "invisible" aircraft technologies have had to agree to allow the government to tap their phones.) Actually, these new programs, some of which may enable aircraft to "absorb" or otherwise defeat radar detection, are not new. Carter did not start them, and their fruits are not imminent. But considerations of truth and national security must bow to the demands of the Carter campaign.

The useful life of any weapon is a function of the enemy's speed in devising countermeasures. In its desperation to blur its

record by advertising hypothetical weapons, the administration may have shortened the useful life of any weapons utilizing the so-called "Stealth" technologies.

Had Carter not killed the B1, there would now be operational squadrons of B1s. Because he killed it, the United States can have nothing comparable until the 1990s. The administration may have contrived to give the impression that it has plans to utilize "Stealth" technologies for an aircraft that will fill the gap of vulnerability created by its B1 decision. It does not.

Still, Harold Brown, the compliant secretary of defense, says, preposterously, that "Stealth" technologies (for hypothetical aircraft that do not exist, cannot exist in this decade and probably will never exist if Carter is reelected) "alters"—Brown uses the present tense, for Pete's sake—"alters the military balance." It is exquisitely right that the Carter administration, which has killed or delayed every strategic program it inherited, and has initiated none, now brags about invisible aircraft. ●

### U.S. LEADERSHIP IN THE WORLD TODAY

#### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DORNAN. Mr. Speaker, I have run across this excellent composition written by a young constituent of mine, Kenneth Petersen, 17, of Santa Monica, Calif. Ken won first prize for this work in the local Kiwanis Club essay contest in April of this year. The theme: "What Kind of Leadership Role Should the United States Play in the Turmoil of the World Today?" I urge all of my colleagues to take time to read this well-written essay:

#### WHAT KIND OF LEADERSHIP ROLE SHOULD THE UNITED STATES PLAY IN THE TURMOIL OF THE WORLD TODAY?

During the past decade, the military might of the United States has been hampered by a wide variety of events and public apathy concerning the maintenance of our national defenses. Congressional budget cuts along with the dishonor that accompanied the outcome of the Vietnam conflict have helped to create a weakened United States along with a pervasive foreign attitude that as a nation, we have once again reverted to the "Paper Tiger" state. Recent militaristic and political moves by foreign nations have only served to strengthen the premise that the United States of today is more bluster than brawn. The leadership role that the United States must assume in the current unstable climate must be a combination of military strength, economic stability, and diplomatic integrity.

The United States military forces must be equal to or stronger than those of any other nation if we are to achieve credibility as a world power. The weaponry in our arsenal has become extremely sophisticated and promises to become even more so in the future. This advanced equipment requires capable, intelligent, and well-trained personnel to operate it. At the present time, however, the Armed Forces are sorely lacking in trained personnel. Unfortunately, the quality of today's all volunteer services does not meet this challenge. Either the paid benefits of today's forces must be improved dramatically, or we must turn to a universal

military service to rectify the personnel crisis that exists. If this level of man and machine can be obtained, our Armed Forces will provide us not only with the necessary military strength to meet any situation but also serve as a deterrent toward any aggressive actions on the part of foreign powers.

America must also hold a position of economic leadership in the world. To do this, the United States must develop a consistent economic policy toward other nations. For example, we must pioneer the search for alternate forms of energy, thus alleviating the dilemma of being dependent on foreign oil. We must also share our advanced technology with those in the world who agree politically with our positions and not with those who could be viewed as formidable opponents in future conflicts. Stabilizing our currency at home and abroad would also contribute to our overall economic power. This process, however, must be started at home. Until our economic problems have been solved at home, the world as a whole, can never look to us for leadership.

Another aspect of the leadership role that the United States must play is in the area of international diplomacy. It is obvious that at the present time, our Nation lacks a definitive foreign policy. We must develop such a policy and adhere to it in order to gain respect and confidence in the eyes of the world. Such events as the recognition of Red China over Taiwan and our support of the various dictatorships around the world cause the world to wonder if we are really in favor of democracy. Other foreign nations are looking to us for some measure of consistency in our foreign policy.

The United States position in dealing with the problems plaguing the world today must be a blend of strength, integrity, and dependability. We must recognize that as a leading super power, we must be looked upon as a nation that can and will back up its words, treaties, and policies. We must help to maintain peace while at the same time remain powerful. The first step in achieving these goals, however, must come through the development of strong leadership at home. ●

### SAY SOMETHING GOOD ABOUT AMERICA

#### HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. HUGHES. Mr. Speaker, the word "patriotism," too long out of vogue, is enjoying a much needed renaissance in our country.

Recently, one of my constituents, Dr. Andrea Lippi of Somers Point, N.J., gave me a copy of his poem, "Say Something Good About America."

The thoughts expressed in Dr. Lippi's verse are good advice for all of us. Now is the time to reflect upon the good things in our country that we all take for granted.

The text of Dr. Lippi's poem follows:

SAY SOMETHING GOOD ABOUT AMERICA

Say something good about America,

Praise her every day.

Say something good about America,

For 'tis here we work and pray.

Say something good about America,

The land we love so true.

Say something good about America.

America I love you. ●

### IMPROVEMENTS IN MILITARY PAY AND BENEFITS

#### HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. FISHER. Mr. Speaker, I would like to express my strong support for provisions in two conference reports approved by the House which make much-needed improvements in pay and benefits for military personnel. The Defense Department authorization for 1981 includes an 11.7-percent pay increase for active duty personnel, higher reenlistment bonuses, increases in per diem travel allowances, and new procedures for retired pay computation and adjustment. The military personnel and compensation amendments increases flight pay by 25 percent; advances the implementation date of new sea pay rates and raises them by 15 percent; removes the limit on the travel allowances for personnel being transferred to a new duty station, and authorizes a variable allowance to provide the difference between the average cost of off-base housing in high cost areas and 115 percent of the basic allowance for quarters. Both bills contain other provisions but these are the major improvements in pay and benefits.

I believe that the reduction in the share of the Federal budget going to defense spending in the years since the end of the Vietnam war has gone far enough and now needs to be reversed. The first priority that I would assign to increased defense spending should go to pay and benefits for military personnel. These increases are necessary to retain trained people already in the military and to attract qualified people in the future. No matter how sophisticated the weapons systems and other hardware the military is provided with, the defense of this country cannot be carried out without thousands of dedicated, hard-working, well-trained men and women to operate them. When I know that many enlisted personnel are working for pay that is below the minimum wage and that many military families are eligible for food stamps, then I know that the pay system is shamefully inadequate. The provisions in the bills which Congress has now approved will demonstrate a commitment to improving the compensation system for military personnel. These provisions give an across-the-board increase to all personnel immediately and special increases to those performing certain specialized functions. In a very important step, the legislation takes note of the high housing costs faced by personnel in areas like the Washington metropolitan region by providing a variable housing allowance. Together these steps should ease the financial burden for Armed Forces personnel in these inflationary times.

I was pleased to support and vote for these bills. ●

LABOR, HHS, AND EDUCATION  
APPROPRIATIONS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. VENTO. Mr. Speaker, the following two Washington Post editorials were published on August 27, 1980. In light of this body's action yesterday during the consideration of the Labor, HHS, and Education appropriation, these editorials are especially relevant.

Mr. Cooper accurately describes how the Supreme Court's recent benzene decision takes away from workers an important political victory and places unintended obstacles to OSHA's enforcement of occupational safety laws. Mr. Wolfe's editorial shows that some companies have withheld or failed to gather data that proves a need for stronger worker safety standards; yet these same companies oppose the stronger standards on the grounds that no evidence exists to prove a stronger standard is needed.

Yesterday's vote to "pull the reins in on OSHA" is a part of an attempt to cripple one of the most important functions this Government can provide. It is a sad day for the American worker when his and her elected representatives refuse to provide needed enforcement powers and funds to an agency chartered to insure job safety.

[From the Washington Post, Aug. 27, 1980]

WHAT THE COURT DECIDED

(By Richard M. Cooper)

Only the Supreme Court could have done it so stylishly.

In its most important toxic substances decision to date, the court recently overturned a new standard developed by OSHA to reduce workers' exposure to benzene, a human carcinogen. The case offers a fascinating view of the interactions of the Supreme Court, Congress and a regulatory agency. And it presents in sharp focus a conflict between the court's duty to carry out the express intent of Congress and its duty to decide in favor of sensible public policy.

The decision did what the four dissenters said it did: it took away from the labor movement a political victory it had won when the Occupational Safety and Health Act was enacted in 1970. The statute directed OSHA, when regulating a toxic substance in the work place, to set an exposure standard that would ensure, to the extent feasible, "that no employee will suffer material impairment of health" even if he is exposed to the substance during his entire working life. Strong language. OSHA was trying to carry it out.

But four justices held that OSHA erred by failing to make a specific finding that exposure to benzene under the previous standard presented a "significant risk." The term "significant risk" did not appear in the statute. In a magisterial feat of magic, the plurality found the requirement in a definitional provision.

There is something undeniably odd about that definitional section, however. It defines

the term "occupational safety and health standard" as one that is "reasonably necessary or appropriate to provide safe . . . places of employment." The new benzene standard can't be reasonably necessary, the plurality reasoned, unless the current level of benzene permitted is unsafe, and it can't be unsafe unless it presents a significant risk. Ergo, before changing the standards, OSHA must find that benzene at current permitted levels presents a significant risk. OSHA, of course, did not make such a finding because nothing in the statute appeared to require it. Definitions don't ordinarily contain guidelines that modify the substantive provisions of a statute. There is no reason to think Congress intended to set up two different substantive standards (one of feasibility and one of significant risk) in two different provisions of the law.

The plurality noted that "the validity of an agency's determination must be judged on the basis of the agency's stated reasons for making that determination," and it expressly refrained from holding that the record in the benzene case would not support the new standard. Rather, the plurality overturned the new standard because it rejected OSHA's rationale for it, which was based on what the plurality held was an erroneous interpretation of the statute.

OSHA's position was extreme indeed, even though it had support in the words of the statute. OSHA argued that it had a statutory duty to eliminate the cancer risk presented by benzene in the work place, subject to only one constraint; that it not put the regulated industries out of business. That was the position the plurality rejected.

If you disregard the language of the statute, there is much to be said for the plurality's position, and it should not set back the cause of health protection in the work place. Under OSHA's view, an industry had to be forced to the brink of disaster, if necessary, to reduce the perhaps negligible risk from a single toxic substance; the industry would then have few or no resources left to reduce the risks from other toxic substances. Even if OSHA's reading of the statute were correct, it couldn't work overtime. Eventually OSHA would have had to alter its course.

The plurality's requirement of a funding of "significant risk" should not present serious problems—even where data are sketchy. The plurality did not dispute the principle used by all the health regulatory agencies that any exposure to a carcinogen presents some risk. It merely held that under the Occupational Safety and Health Act only significant risks are to be regulated by standards. Even in the heartland of cancer protection—world of the Delaney Clause—the U.S. Circuit Court of Appeals, in an opinion by the late Judge Harold Leventhal, recently reached an analogous conclusion about an important class of food additives.

The plurality made it clear that OSHA should decide in the first instance what is a "significant" risk and that the criteria for that judgment do not have to be quantitative and do not have to be based on scientific certainty. OSHA can rely on scientifically reputable opinion and conservative assumptions, and need not await evidence of actual human disease. Even the new benzene standard may be sustainable if the record supports a finding of "significant risk" under the plurality's broad view of that concept, an issue the court left open. The court also left for another day the question of whether OSHA must weigh the health benefits from a standard against the costs of complying with it.

Sometimes a loss is liberating. There is a limit to the amount of resources even our society will devote to protection of health

and safety. OSHA has been freed from a policy that over time might have driven it to require vast misallocations of those limited resources. The result may well be more effective health regulations in the work place.

Whether it was appropriate for the court to have distorted the statute as it did is a question that will attract jurisprudential controversy for years to come. It was a bold step even for a Supreme Court.

WHAT THE COURT DIDN'T KNOW

(By Sidney M. Wolfe)

Last month 35,000 workers exposed to benzene—a chemical known to cause leukemia at higher doses—were told by the Supreme Court that the government (OSHA) had not provided enough evidence of significant risks to their health to justify reducing their exposure to benzene from the current standard of 10 parts per million down to 1 ppm. The Supreme Court decision was the result of a petrochemical industry lawsuit against OSHA to block the standard.

What OSHA and the Supreme Court did not know—because the industry had withheld important new evidence from the government—was that workers at Dow Chemical Co. exposed to less than 10 parts per million had been found by the company's own scientists to have a significant increase in damaged chromosomes.

The results of the study on workers in Freeport, Tex., by Dow genetic toxicologist Dr. Dante Picciano had been written up by June 1977 and sent to three outside Dow consultants who generally agreed with the findings. One consultant, Dr. Marvin Legator, director of environmental toxicology and epidemiology at the University of Texas Medical School at Galveston, has said that "because of the serious implications for worker health, there is no question that the study should have been immediately sent to the government." By July, Picciano's supervisor, Dr. D. J. Killian, had sent the study to Dow's biomedical research director, Dr. Benjamin Holder, in Midland, Mich., with a memo that stated that the study "identifies an unsuspected occupational health hazard" and recommended forwarding the results to the government.

But in August 1977, when Dow testified at OSHA's benzene standard-setting hearings, the witnesses, including Dow Texas medical director, Dr. John Venable, who had reviewed the study in June, failed to mention anything about chromosomal damage at exposures below 10 ppm and concluded that the old standard "will continue to protect our employees against any ill effects from benzene exposure."

Not until March 1, 1978, after OSHA had published the final benzene standard and it was too late for inclusion of new data in the administrative record or the subsequent court reviews, did Dr. Holder finally send the study to the Environmental Protection Agency, stating that Dow had found a "statistically significant increase in [chromosomal] aberrations" in 52 workers whose average benzene exposure the company said was between 2 and 10 parts per million. Twenty-three percent of these workers had chromosomal abnormalities in comparison with only 2.3 percent in comparable Dow workers not exposed to benzene. In other words, chromosomal abnormalities occurred 10 times more commonly in those workers exposed to less than 10 parts per million of benzene, the current "safe" standard that Dow had said would "protect against any ill effects."

Dow has told the government the reason it "delayed" sending in the study was because it did not know what amount of benzene the affected workers had been exposed

to, but the average levels it later reported to EPA in March 1978 were the same as those listed in Picciano's report of June 1977.

It is admittedly unclear how many workers with damaged chromosomes will get cancer or will have children with birth defects or mutations. But no worker, given an informed choice, would opt for damaged chromosomes instead of healthy ones, especially with the mounting evidence of increased rates of cancer in people with certain kinds of chromosomal abnormalities.

Given that critical evidence was withheld from OSHA, it is difficult to blame the agency for not doing a better job of quantifying risks under 10 ppm. But now that OSHA has the industry data it should have had much earlier, its director, Dr. Eula Bingham, has said the government will reinstate the process of lowering the standard to one part per million in order to protect 35,000 workers from being harmed by benzene.

The example of benzene shows the conflicting roles industry plays in occupational regulation. Chemical companies have failed to gather or have withheld from OSHA evidence that would strengthen the case for a lower work place standard. Yet when the standard is finalized, industry usually has sued OSHA to block its implementation, arguing that there is inadequate evidence of risk. Ironically, while all this is occurring, industry continues to attack OSHA for not adequately protecting workers. Industry thus has both the ability to cripple the collection and prompt dissemination of important health data and the seemingly unlimited tax-deductible financial resources to sue OSHA to stop every standard.

As long as this death grip continues, industry will be able to make its allegation that OSHA is not adequately protecting workers a self-fulfilling prophecy.●

#### TUMOR RESEARCH

#### HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. McKAY. Mr. Speaker, I rise to suggest to the committee that they support at a higher rate the large animal tumor research. It has been reduced from somewhere in the neighborhood of \$300,000 to \$150,000 in this present budget. That is damaging to a very vital research need for the following reasons.

Research in this field has reached its most critical phase. There are some who feel the only research you should have is with rats and mice when in fact we are getting much greater results in many cases from the large animal research than we are in that other respect. It has been demonstrated that immunotherapy increases cancer cures in large animals whose biochemistry in this regard most resembles that of human beings. We do not yet know why this reaction occurs.

The answer to that question will provide the breakthrough we need to apply the therapy to humans and to apply it to a variety of tumor types.

Therapy is presently being used in limited instances with human beings. The success rate is fair and looks very favorable even in so-called hopeless

cases, which are the only kind in which the therapy is presently applied. If this is allowed to phase out, it will be years before the level of understanding can lead to the point of breakthrough with the success that is being experienced at the present time in this program.

This program must be funded at least at the \$150,000 level this year and that will only maintain part of what is needed. It is my understanding that because of the language in the report it is the total intent of the committee to send a message to the National Institute that they should continue the program and not close it out.

I have discussed this with the chairman of the committee, Mr. NATCHER, for sometime and he has assured me that it is his and the committee's intent that that be so.

I thank the chairman for his support in this most vital research fight against cancer.●

#### A FRESH LOOK AT ENERGY STUDIES

#### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. WYDLER. Mr. Speaker, last fall several major energy studies were released, and there was considerable attention given to all three by the Congress and other interested parties in Washington. At that time, I wrote an entry in the RECORD critiquing the study on energy future and, I wrote a dear colleague letter on the study "Energy in America's Future—The Choices Before Us". At that time, I lamented the fact that the energy future study became the subject of faddish praise rather than solid evaluation. This spring, Paul L. Joskow of Harvard University and MIT reviewed the two studies I mentioned and "Energy: the Next Twenty Years", a Ford Foundation study. Professor Joskow's reviews were published in the spring 1980 edition of "The Bell Journal of Economics" and he deserves considerable praise for a solid analysis of all three studies. I thought it would be useful for my colleagues to read summaries of Professor Joskow's critiques in the context of my own perspective on two of these studies which appeared in the RECORD last fall.

On September 12, 1979, I noted in the RECORD:

There has been much attention given in the past few weeks to a recent publication of the Harvard Business School entitled, "Energy Future" edited by Robert Stobaugh and Daniel Yergin. I think it is important to highlight the shortcomings of the book since it has become extremely faddish to praise it at the other end of Pennsylvania Avenue. I believe that it should be recognized that the authors have clearly taken a position of strong advocacy for soft technology. Their energy approach is focused on conservation, particularly institu-

tional aspects in the near term, and distributed solar systems in the long term.

The position is taken that "external costs" of coal, i.e., the environmental penalties, and of nuclear (societal costs) in terms of health and safety concerns are much too great to encourage these options in the near-term to lessen our dependency on foreign oil. This position is not taken on firm ground by measuring the comparative risks of these technologies but rather from a visceral "feel" on the part of the authors that such costs tangible and intangible are simply too great. It seems to me that the thrust of the National Energy Policy and its implementation can hardly be based on such tenuous grounds as is the case for this study.●●●

It seems to me that a much more quantitative study of energy technologies addressing all aspects of concern about various options e.g., from mining to disposal, would have been much more constructive. Also, a more objective approach without such demonstrated a priori bias would enhance the probability of acceptance by different camps leading to a genuine consensus on a reasonable energy strategy. I believe that Resources for the Future has completed such a study called "Energy in America's Future—The Choices Before Us" and I intend to comment on this document in the near future.

On October 11, 1979, I wrote the following dear colleague letter to all Members of the House, on the study entitled "Energy in America's Future—The Choices Before Us":

Last month, Resources for the Future produced "Energy in America's Future—The Choices Before Us," an objective perspective on energy issues firmly grounded on a factual basis for deciding energy policy. I found it particularly useful to have a document which strives to be a consensus paper rather than engaging in polemics toward the hard or soft technology advocates.

The following points struck me as particularly useful:

—A balanced effort is required to achieve U.S. energy self-sufficiency.

—Significant conservation can be achieved but we must increase energy supply unless we are to accept a considerably lower standard of living.

—A broad set of alternatives to our dependence on imports is necessary.

—Nuclear power can make major contributions to electricity supply provided we can assure the public of its safety. (I believe this is chiefly a problem of perception.)

Development of synthetic fuels will require environmental compromises but we can avoid serious environmental degradation.

I believe that there are certain conclusions of the study which I cannot support but, all in all, it is a realistic and constructive perspective on energy issues and policy and I strongly recommend it to all my colleagues.

The Joskow evaluation of the Harvard energy study, "Energy Futures" follows:

The book suffers generally from the lack of a clear and consistent analytical framework for effectively evaluating the ways in which all of the components of the energy supply and demand system can most effectively and efficiently play a role in adapting the U.S. economy to increasingly expensive and insecure foreign oil. The analysis that is presented is too often based on selective citations from secondary sources or, even

worse, no analysis at all, quotations taken out of context, the burning of straw men, and the general tendency to be very pessimistic about the things the authors do not like (coal, nuclear, the free market, etc.), while being very optimistic about the things they do like (conservation and solar). In some cases political and institutional difficulties are taken as reasons for not counting on particular energy sources, while in other cases political and institutional barriers are viewed as being targets to be eliminated. Economic analysis and consideration of the tradeoffs among alternatives is at best casual.

The critical chapters on conservation and solar energy, which play such an important role in yielding the ultimate conclusions of the book, are especially disappointing in these dimensions. For example, in the chapter on conservation we find the following statement: "A number of analyses suggest substantial energy—over 20 percent of total industry use—could be saved in the United States through cogeneration investments that are economically sound." The problem is that most studies of cogeneration in industry apply to industrial uses of process steam only, and industrial process steam accounts for only about 35 percent of total industrial energy use. Even very optimistic assumptions about cogeneration penetration yield a reduction in total industrial energy utilization of less than 10 percent; and considerably less if we rely on some of the less optimistic studies. (For a more thoughtful analysis of cogeneration opportunities see *Energy in America's Future*, Chapter 6.)

Along with the quotation on page 182 cited above about overall conservation opportunities, perhaps the most widely cited statement in the entire book is made in the concluding section of the conservation chapter: "... in 1973, the same U.S. living standard could theoretically have been delivered with 40 percent less energy. These savings, in BTU's are almost as much as all the oil—not just imported oil—used that year" (p. 177). But what is this statement based on? One single study by Ross and Williams is cited as support for this conclusion. This study says nothing about living standards, nothing about timing, and nothing about costs. Rather, it is based on a hypothetical assessment of the maximum theoretical energy savings that could conceivably be achieved by doing such things as implementing cogeneration for half of direct heat applications in industry, reducing heat losses from buildings by 50 percent through better insulation, improved windows and reduced infiltration, using organic waste in urban refuse for fuel, installing heat pumps, and improving automobile efficiency by 150 percent over 1973 levels. *Energy Future* adopts these numbers uncritically and without independent analysis.

This kind of casual analysis represents the basic problem with the conservation chapter. The potential for improved energy efficiency is real, and energy efficiency is already improving. There may be good reasons to encourage additional conservation by correcting economic and institutional imperfections. But the qualitative opportunities for conservation are not really at issue here: the issue is what quantitative contribution conservation can economically make. This chapter draws very strong quantitative conclusions from selective citations of the most optimistic studies, misuse of existing studies, or no analysis. The general quantitative conclusion this chapter leads to is simply not sustained by any new analysis produced by the authors.

The chapter on solar energy has similar problems. We are led to believe that perhaps 20 percent of the nation's energy can

be economically supplied by solar energy by the year 2000 if various economic and institutional barriers are overcome. As with most discussions of solar energy, solar energy is viewed as including everything from direct thermal applications to hydroelectric power and wood. There is essentially nothing new in this chapter. It is basically an uncritical discussion of the most optimistic assessments for the potential for the various sources of solar power. The chapter concludes that it is technically and economically feasible to produce 10 million barrels per day oil equivalent by the year 2000 (including 3 million barrels per day of wood and forest waste). Simultaneously, the chapter argues that substantial government subsidies and institutional changes involving the utility industry and the "system" for producing the various solar supplies will be required to stimulate this level of production. The source of the 10 million barrel per day figure is not documented and the costs of the proposed subsidy program are not presented. No effort is made to evaluate critically the various studies cited, and where costs do seem to be very high, the author of this chapter is happy to assume that there are very good prospects that they will be reduced substantially.

It is interesting to compare the solar energy chapter with the chapters on coal and nuclear power. The chapter on coal recognizes that coal is abundant and in many cases quite economical to utilize. It emphasizes the barriers to rapid expansion of coal utilization associated with transportation, labor problems, management problems, environmental controversies, utility financing problems, etc., but never considers the possibility that these are barriers to which public policy might direct its attention and try to resolve. These barriers are taken as given, and it is pessimistically assumed that they cannot be rapidly overcome. The authors will accept all the coal that the system will provide, but they believe that the rate of growth will be modest in the medium term and they implicitly assume that nothing can be or should be done to speed it up. Similarly, proponents of nuclear energy are roundly criticized for making a heavy commitment to an untried technology with unknown costs and for ignoring the full "system" (read waste disposal) associated with nuclear energy. Failure to consider the entire coal "system" also forms an important part of the critique of those "experts" who have been bullish on coal.

Whereas, on "Energy in the Next Twenty Years" Professor Joskow noted:

Unlike *Energy Future*, the Ford study does not try to argue that there are simple, costless solutions to our energy problems that can be achieved without any adverse effects on the environment. It does not try to give the impression that the problems associated with oil and natural gas price decontrol, nuclear energy, coal, etc., can be completely avoided by relying on conservation and solar energy. Rather, it gives a sober and detailed assessment of all important aspects of energy supply and demand (including conservation and solar energy) and argues that with appropriate public policies, the U.S. economy can adapt to higher energy costs and dependence on insecure foreign supplies of petroleum far more quickly and efficiently than would be the case if prevailing public policies were continued. The "balanced program" that cloaks *Energy Future's* brief for conservation and solar energy is a reality in the Ford study.

And finally, his comments on "Energy in America's Future" are very much in concert with my own.

"Energy in America's Future" is a thoughtful, comprehensive assessment of U.S. energy supply opportunities and consumption scenarios. It covers much the same ground as the Harvard and Ford studies do; however, the mode of analysis and the general policy conclusions are more similar to those of the Ford study. Although there is considerable overlap between the Ford study and the RFF study, the RFF study has a number of strengths that make it, at the very least, an essential complement to the other. As a general matter, I found the theoretical and conceptual analysis in the Ford study to be superior in terms of presentation and originality. However, the empirical analysis in the RFF study is more comprehensive and much better documented than in either of the other two studies. It is a useful and even an essential "source" document. In what follows, I shall direct my attention to the special strengths of the RFF study and to the differences between it and the two other books discussed above.

The RFF study places primary emphasis on the economic characteristics of alternative supply opportunities and the consumption decisions that residential, commercial, and industrial consumers can make and tries to identify barriers that lead to undesirable (primarily uneconomic) supply and demand decisions. When important barriers are identified, an effort is made to suggest alternative public policies for overcoming them. The RFF study uses sound analytical and empirical techniques to identify problems and to propose solutions. As with the Ford study, it does not offer the hope that we can solve our energy problems costlessly and without political controversy by turning almost entirely to conservation and solar energy. The general perspective is that there are various economical supply opportunities that must all be drawn on to contribute to future energy requirements as well as many opportunities to use energy economically and more efficiently. The key is to get the whole system working properly.●

#### THE 1980 CAPTIVE NATIONS WEEK

HON. EDWARD J. DERWINSKI  
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DERWINSKI. Mr. Speaker, the 1980 Captive Nations Week has passed, but the purpose of Public Law 86-90, continues to be realized as Americans raise their voices against Soviet imperialism and its long record of conquest of nations. As in previous observances, the recent one emphasized not only the past record of Moscow's exploitation of nations, but also the strategic importance of the captive nations for the future of our national security and that of the free world.

As examples of the support in the United States for those over 1 billion peoples held captive of communism, I insert several news accounts which report on the importance of Captive Nations Week. The first is an article in the *Manchester, N.H., Union-Leader*, which is followed by an article by Bui Anh Tuan of the *New York News-*

World. The Cincinnati, Ohio Enquirer reported on the formation of the Joint Committee of Soviet Occupied Nations in the city of Cincinnati.

The articles follow:

[From the Manchester, N.H., Union-Leader, July 19, 1980]

#### CAPTIVE NATIONS WEEK

(By Jim Finnegan)

Inasmuch as Ronald Reagan speaks with great sincerity when he expresses his desire to spread freedom throughout the world, whereas others might be accused of indulging in inflated campaign oratory, it is to be hoped that one of the former California governor's first acts, if he attains the presidency, will be to reinstitute the fine tradition initiated by another Republican President, Dwight David Eisenhower, and—in pursuance of Public Law 86-90 enacted by Congress and signed into law in 1959—issue a meaningful proclamation of Captive Nations Week, the third week in July.

On the other hand, if the proclamation is to be of the weasel-worded variety, out of fear of offending the Communist imperialists, it would be better if the Captive Nations Week commemoration in 1981 not be signaled from the Reagan White House at all.

Although the original proclamation requested future presidents of the United States "to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world," President Carter's proclamation in 1978, for example, didn't even refer to the captive nations other than in the designation of the occasion, let alone to those responsible for their captivity!

In our view, the original proclamation issued by President Eisenhower, with appropriate changes designed to modernize it without diminishing its impact on all freedom-loving people in the world, would be difficult to improve upon. We publish that original Captive Nations Week proclamation below.

#### PUBLIC LAW 86-90

##### ESTABLISHING CAPTIVE NATIONS WEEK

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependence of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led through direct and

indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania Idel-Ural, Tibet, Cossackia, Turkistan, North Vietnam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such people through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

[From News-World, New York, N.Y., July 13, 1980]

#### CAPTIVE NATIONS WEEK: TIME FOR RECOMMITMENT

(By Bui Anh Tuan)

Once again, Captive Nations Week (CNW)—July 13-19—is upon us.

Twenty-one years ago, by unanimous vote, Congress established the third week of July as CNW in an effort to focus world attention on the real imperialistic nature of the Soviet Union, and to emphasize continued, unwavering U.S. commitment to the principle of universal freedom and unalienable human rights. Since then and through 10 Congresses, not only presidents but governors, mayors and state legislatures have issued CNW proclamations.

The annual ritual has not changed. Because of election year pressures and the Soviet invasion of Afghanistan, there is less equivocality and even more resolve. It appears, however, that this strong display of vocal support is not able to dispel lingering doubts and concern. Instead of hope—the glimmering hope kindled by President Dwight Eisenhower's 1959 CNW proclamation, pointing a finger at the Kremlin as "the tyrant"—CNW is being observed with mixed feelings throughout the land.

Proclamations have been issued for the simple reason that this was required by law. Public Law 86-90 clearly states that the president is "requested" to issue a CNW proclamation each year "until such time as

freedom and independence shall have been achieved for all the captive nations of the world."

Thus, it is not difficult to understand why for three years in a row President Carter's CNW proclamations included no reference to communist imperialism or to the Soviet Union as the only remaining colonial power which enslaves hundreds of millions of people. In 1977, adding insult to injury, Carter almost failed to issue a proclamation.

#### CARTER NOT ALONE

Nevertheless, it is not fair to shift all the blame on Carter. Declarations by President Johnson and Nixon were nothing more than administrative formality. President Ford once went as far as to recognize Soviet rule over Eastern Europe as an irreversible fact of history. As secretary of state, Henry Kissinger had equated the Captive Nations law with "cold war relic."

All these aberrations have turned CNW into one of the most celebrated anachronisms in modern times: On the one hand, our luminaries have complied with the law, but on the other, they have tried their best to stray as far as possible from its lofty spirit. The need to do what the other party has not done or to make a hit with an influential constituency has given rise to such abnormalities as detente, the East-West bridge building concept and the attempt to ridicule our "inconsiderate fear of communism."

Furthermore, the CNW law was conceived at a time when the plight of Eastern and Central European countries especially non-Russian peoples within the U.S.S.R., was still the dominant element. Ethnic prevalence has inevitably led to a geographical tendency—which fortunately, has shown signs of receding—to lump Czarist Russian imperialism together with present-day Soviet communist expansionism. This selectiveness, although justified, is not compatible with world realities, and more importantly, with the advent of the Russian-inspired human rights movement behind the Iron Curtain with such prestigious mentors as Andrei Sakharov.

Communist imperialism is no longer exclusively Caucasian, let alone Russian. It is also yellow. And black. Jesus Christ did not hail from the Vatican, capital of world Catholicism. In India, the home of Buddha, Buddhism has become a minority religion. Thus, the best way to commemorate CNW is to make a distinction between Soviet imperialism and Russia.

More significant than geographical coloration is the saddening fact that proclamations and celebrations alone could not turn the tide in the battle against communism. In 1959, there were 22 captive nations. Now, there are 30 of them. It is irrelevant, even cynical, to proclaim support for captive peoples and at the same time to sell them and their still-free friends down the river. Because of budget curbs, Radio-Free Europe, Radio Liberty and VOA have cut down programs intended for captive listeners in the Soviet Union and Asia. But the same budget curbs have not prevented communist dictators from Moscow to Managua from receiving U.S. taxpayer money.

#### WHO'S NEXT?

In 1960, after Cuba many asked, who's next? The same question was raised in 1975. Now, we have Afghanistan, Taraki, Amin and Karmal are a strong reminder that communism will stop at nothing in its effort to enslave the world.

Alarmed, Americans have resigned to believing that a militarily vigorous America may work miracles. Yet, Soviet troops were not in Havana when Castro took power. Cas-

tro's master was in Moscow, but his real allies and friends were in the United States.

Thus, the best way to commemorate CNW this week is to zero in on those Americans who continue to weaken our security and intelligence; who help communism with U.S. money and technology; and who use "human rights" as a pretext to throw our allies to the wolves.

[From the Enquirer, Cincinnati, Ohio, July 22, 1980]

#### CAPTIVE NATIONS DON'T WANT TO BE CALLED RUSSIAN

(By Ben L. Kaufman)

Don't call Andrew Zaplatynsky, Ignas Dudrys or Lew Melnyk "Russian."

Their homelands are unwilling republics in the USSR and they are not Russians and never will be.

They are the survivors of Russian occupation and the descendants of survivors.

They are Ukrainians and Lithuanians, and their cause with Estonians and Latvians is national and cultural survival under Soviet oppression and American insensitivity.

"We have an identity problem," Andrew Zaplatynsky, secretary of the new Joint Committee of Soviet Occupied Nations, said Monday. "People lump us all together as 'Russian.'"

Organized this year, the joint committee includes the Estonian Association of Cincinnati, the Latvian Group of Cincinnati, the Greater Cincinnati Lithuanian Council and the Ukrainian Society of Greater Cincinnati.

"Anyone who identifies himself or herself as a member of a national group is welcome," Zaplatynsky said.

Their "captive nations" cause and cultures are being celebrated this week in a display at the downtown public library.

The goal is public education about resistance to Russian "cultural genocide" and repression of Baltic and Ukrainian nationalism.

That they often are considered Russians is a victory for Soviet propaganda which strives to equate every national group within the USSR with Russia, although most are not, Zaplatynsky said.

As a result, "We have the same problem that the Jews face, survival as a cultural, national group. They are faced with possible extinction; we are faced with possible extinction."

But anytime Westerners distinguish between Russians and others under Soviet control, "the Soviets frown on it and we're very happy with it . . ."

Eight nations, including the Ukraine, came under Soviet domination in 1920; the Baltic States went under in 1940 and the problem is as fresh as Afghanistan.

But nationalism survives despite the carrot-and-stick of Soviet promises and repression.

This is clear from continued unrest behind the Iron Curtain and underground literature and stories of dissidents in the library display.

Ignas Dudrys, chairman of the joint committee, said the display seeks to acquaint Cincinnatians with what the Russians are doing "You have to do something about it if you acknowledge a problem."

Nationalists still hope for freedom from Russian rule, and today they concentrate on keeping "heat and pressure" on the Russians for abridgments of the Soviet Constitution, United Nation's Charter and Helsinki human rights agreements.

"We have no illusions that there will be a popular uprising next year," Zaplatynsky said.

And while trying to avoid the image of Cold War, right-wing crazies, he said, the nationalists want Western democracies to be more "vigilant about the aims and goals of the Soviet Union."

The Allies are in "grave peril," Zaplatynsky said, citing recent Soviet moves and President Carter's admission that "misunderstandings" led him to underestimate Russian aggressiveness.

There is a "direct connection" between occupying the Ukraine in 1920 and modern moves into Afghanistan, Zaplatynsky said. That it took 60 years is no proof that Russian policies have changed.

On the positive side, Zaplatynsky said the new Cincinnati joint committee is "novel" because most captive-nation groups elsewhere pursue their goals without close cooperation.

"We have really enjoyed working together," he said. "We find that we learn a lot from each other. We have already achieved so much more in a few months than I could ever have imagined."

The committee distinguishes between such nations as Poland and Hungary, where national identity survives under Communist rule, and the three Baltic States and the Ukraine where Kremlin leaders are in direct control and pursuing "cultural genocide" or "Russification."

Nations absorbed into the USSR by the Russians "have to fight for the right to national identity," Melnyk, head of the Ukrainian Society, explained.

Zaplatynsky said the joint committee's approach probably will not be "protest marches and flag-waving . . . By temperament, we're not inclined to sensationalism."

Another restraint is fear.

Threatened retribution against family members in the USSR often forces them to repress their "seething resentment" against the Russians, he said.

And in nationalist groups larger than Cincinnati's, Zaplatynsky said, there always is the fear of informers. "Something I am suspicious of is the super-super patriot." He said there may be 400 members of the four groups in the new joint committee.

#### A DEADLY GAME OF POLITICS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MICHEL. Mr. Speaker, the Carter administration has apparently decided to throw caution to the wind and engage in one of the most deadly games ever played in election year politics. It is a desperate attempt to win the political prize at the risk of giving away the national security in the process.

President Carter has forced into his lineup of surrogate speakers, to defend his indefensible record, a group of individuals who have no business on the campaign trail.

Among them, Secretary of State Muskie, Ambassador to the People's Republic of China Woodstock, Secretary of Defense Brown, and National Security Adviser Brzezinski.

Apparently, President Carter does not distinguish between partisan poli-

tics and the functions of Government. To him they are one and the same, even when our national security and our foreign alliances are on the line. To him government exists to serve his political ends, when for centuries we have always insisted that politics should serve the ends of government.

This is not a matter of Cabinet officers defending the record of their administration. This is a matter of Cabinet officers going full tilt into the fray, citing rumor as fact, distorting figures and using the respectability of Government, or what's left of it, as an expendable tool of the reelection campaign, however, and whenever it serves political purposes.

A vivid example of this gross abuse of power was provided recently in a newspaper article written by someone who knows what he is talking about, former Defense Secretary Melvin Laird.

Former Secretary Laird understood the sensitivity of his office and knew better than to play fast and loose with defense matters, for the sake of political gain. His comments appeared in the August 17 issue of the Washington Post and I insert the article "Defense Secretaries Shouldn't Play Politics," at this point in the RECORD:

#### DEFENSE SECRETARIES SHOULDN'T PLAY POLITICS

Four years ago, as a candidate, Jimmy Carter lambasted Republican defense planning and urged massive cuts in expenditures for the armed forces. He said multi-billion-dollar cuts were desirable, particularly in the personnel area. He was wrong then, and there's much wrong and misleading about current Democratic proclamation on defense issues.

With November approaching, the Carter administration has become increasingly strident in its criticism of the defense programs of the Nixon and Ford administrations. To hear the president, Zbigniew Brzezinski and Secretary of Defense Harold Brown tell it, their Republican predecessors let the defense budget fall sharply between 1969 and 1976, while the Carter administration, it is argued, has increased it substantially.

These partisan remarks allege that the Republicans were responsible for the present sorry state of our defenses, and were it not for Jimmy Carter and his national security team, things would be even worse. As Secretary Brown told it on the "Today" show in early July, defense spending fell by more than 35 percent during those years of Republican stewardship, while during the first four years of the Carter administration it rose 10 percent and will increase by more than 25 percent during a second Carter administration.

Brown's politically oriented assessment is distorted and cannot be substantiated by the facts. Moreover, by insisting that the secretary of defense become involved in campaign rhetoric, the administration risks politicizing an office that throughout its 35 years of existence has essentially remained above the political fray.

When I served at the Pentagon, I took the position that the secretary of defense should stay out of partisan politics, but always had the public responsibility of setting the record straight on defense issues.

As a private citizen, I still believe that is the correct procedure. Here, then, are the facts:

From FY71 through FY78, the Republicans submitted budgets to the Democratically-controlled Congress that increased defense budget authority from \$71 billion to \$115 billion, an increase of 62 percent. Measured in today's inflated dollars, however, that represents a decline from \$140.5 billion in FY71 to \$131.8 billion in FY78, a drop of 6 percent, not the 35 percent claimed by Brown. He ignores the fact that when Republicans took over the executive responsibilities of government in 1969, 37 percent of the defense budget was consumed by expenditures for an unpopular war in Southeast Asia. In today's dollars, that war was costing almost \$70 billion a decade ago. The real decline in what is called the baseline budget is substantially less because \$14.7 billion of the FY71 budget, or 20 percent, was spent on the war in Vietnam and bringing about the termination of U.S. involvement.

In today's dollars, the FY71 baseline budget was actually \$118.6 billion; this is \$20.6 billion or 17 percent less in real terms than President Ford's last proposal to Congress. During the FY71 to FY78 period, it must be noted, Congress cut more than \$40 billion from the defense requests of Republican administrations, primarily in the investment area. For example, Nixon and Ford requested authority to build 171 ships, but Congress voted funds for only 130. Were it not for those Democratic reductions, eight years of Republican leadership in the White House would have led to real growth of almost 2 percent per year.

On the other side of the defense coin, Brown's claims about real increases in this administration are inflated. If one compares Carter's request for FY81 with the amount he requested three years ago, when he set out to slash defense spending, the real growth is about \$5 billion, or 3 percent, not 10 percent. In contrast to its previous behavior, Congress has been urging the president to spend more for defense to correct deficiencies that have occurred during the past three years, notably with regard to attracting and retaining outstanding young men and women for military service.

If it has not been for Carter's veto of the FY79 authorization bill and his lobbying efforts against proposed increases in the defense budget, the real growth might have been closer to the 10 percent that Secretary Brown proclaims. Finally, of course, the international situation that has existed since Carter took office is much less favorable than that which existed during the Republican years. Those years saw more restraint by the Soviets.

In my view, the really unfortunate aspect of this unseemly episode in Department of Defense history is that Secretary Brown has chosen to become or has been pressured into becoming involved on the political battlefield. It is one thing for a president running for reelection to play games with defense numbers. It is quite another thing for a secretary of defense, who knows better, to lend the essential non-partisan quality of his office to political distortions.

If defense continues to be an issue in the 1980 campaign, as I believe it will, the secretary of defense, I hope, will heed the advice of Winston Churchill, which the secretary quoted in his most recent report to Congress: "You cannot ask us to take sides against arithmetic. You cannot ask us to take sides against the obvious facts of the situation." ●

TRIBUTE TO DR. WAYNE  
MCCALL

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. CHAPPELL. Mr. Speaker, I rise today in tribute to a dear friend, Dr. Wayne McCall, of Ocala, Fla. Wayne was a dedicated and intensely patriotic American, a strong supporter of youth athletics, and a devoted and energetic public servant. His recent death was a shock to his family and friends and all who knew him.

As the State representative of district 32 in Florida, Wayne McCall was a fiscal conservative and a man who truly cared about his constituents and their needs. Dedicated and responsive, Wayne always urged his constituents who had a problem to pick up the phone and call him rather than send letters. A quiet-spoken man, Wayne truly listened when people spoke and in his careful and kind way gave assistance.

On the political side, he was a strong supporter of the two-party system and would annually sponsor a fundraiser at his lake camp in the Ocala National Forest to benefit local Democratic candidates.

A family man and community booster, Wayne had seven sons who all participated in high school sports programs. He, himself, presided over the local booster club to raise funds for youth athletics.

A dentist, Wayne was a member of the dental society. He also served as a director on the National Governor's Board of College and Universities and served long and with distinction as a member of the board of regents.

All of us who knew Wayne—those of us who worked with him over the years, and the people of the 32d district who were recipients of his calm and responsive service—will sorely miss him. We have lost a great friend and the community of Ocala has lost an outstanding public servant. On behalf of the Fourth Congressional District, and all who knew him, I offer our expression of deep sorrow and sympathy to Dr. McCall's family.

He was my dear friend. I shall sorely miss his wise and devoted counsel. In remembrance, I have caused to be flown over the Capitol a flag in his honor. ●

THE CARTER ADMINISTRATION  
RESORTS TO THE POLITICS OF  
HYSTERIA, AND THE FACTS  
BEHIND GOVERNOR REAGAN'S  
APPEAL TO LABOR

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. KEMP. Mr. Speaker, in this, the week before Labor Day, the Carter

administration has launched a vitriolic campaign against his Republican challenger, Gov. Ronald Reagan; that is, deliberately distorting the Governor's labor positions in an attempt to frighten voters away from the Republican ticket. The President's pollsters have apparently decided that President Carter's dismal labor record cannot stand on its own, so any administration campaign rhetoric must be concentrated on smearing the Republican candidate with lies and emotional diatribes.

Mr. Speaker, the American people are too smart for that. This election year, they are not looking for the best muckraking candidate. They are looking for a leader with the issues to bring them out of this deepening recession with hope and opportunity for the future.

The administration's strategy was brought to my attention by a speech that Vice President Walter Mondale gave before the New York State AFL-CIO. In that speech, according to the Buffalo Evening News, the Vice President stated that "Reagan favors busting up the American trade-union movement." In the same speech, the Vice President accused Governor Reagan of wanting to trash the social security system, "union security," and the Occupational Safety and Health Act. Mr. Mondale continued to accuse the Republican Party of hating the working men and women of America, and offered as a Carter defense the contention that "his administration has put more persons to work in 4 years than any administration in history."

Let us examine the facts.

In the first place, Ronald Reagan was elected president of his union, the Screen Actors Guild, six times, where he led its first strike. As far as I know, Ronald Reagan is the first union president ever to be a candidate for President of the United States. As one who knows what it is like to bargain from labor's side of the negotiating table, Governor Reagan strongly supports the collective bargaining system free from Government intervention. Claims to the contrary by would-be detractors are obviously attempts to distort the facts.

And let us look at the employment picture that Vice President Mondale so virtuously described. When President Carter took office in January 1977, the unemployment rate stood at 7.3 percent. There were 6,958,000 Americans unemployed at that time. Now, as of July 1980, the latest figures available, the unemployment rate stands at 7.8 percent, with 8,207,000 Americans unemployed—almost 1 1/2 million more unemployed working men and women in the work force than when he took office.

And where did most of this unemployment come from? From layoffs in the most heavily unionized industries in the country—the auto, steel, rubber,

and maritime industries. Hundreds of thousands of workers have been laid off here—workers who have little hope that their factories will reopen in the near future. Surely Carter cannot claim that this has made him a friend of labor.

Or take the President's Council on Wage and Price Stability. This is an agency created by President Carter that believes labor's wages should be frozen at 7 to 8½ percent while the Democrat-led Government devalues their paychecks by 13 to 15 percent. The administration that supports these policies cannot believe in rendering a fair wage for an honest day's work. That administration is no friend of labor.

Let us take a look at some of Vice President Mondale's other claims.

The so called radical statement of Governor Reagan regarding social security on January 31 of this year was:

The Social Security System must be reformed to guarantee that those depending on Social Security, and those looking forward to its protection in the years ahead, will continue to receive their payments, and that their payments will keep pace with the cost of living \* \* \* such reform cannot come from increasing the already exorbitant taxes paid by workers to finance the system \* \* \* the final answer, however, must be fiscally sound on a long-range basis.

Do you hear a attack on the social security system here? Not at all; Ronald Reagan's strategy for economic growth will save social security.

As to OSHA, Governor Reagan clearly is not calling for the dismantling of the Agency. He strongly feels that the way OSHA has been run has resulted in harassment and nitpicking to the detriment of real workplace safety. That this is true is obvious when one reads statistics verifying the increase in industrial accidents in this country since OSHA was enacted. As President, Governor Reagan would refocus on the real objectives of the OSHA Act rather than permit a perpetuation of the badgering and abuses which have been so counterproductive to its intent in recent years.

The bottom line is Governor Reagan's concern for the working men and women of America. The Democrats are now divided as to whether they want to stand for low unemployment and high inflation—Ted Kennedy—or low inflation with high unemployment—President Carter. Governor Reagan recognizes that surely the experience of the past decade is that such choices are unnecessary.

The combination of inflation and progressive tax rates has continuously widened the gap between what an employer pays and what a worker takes home. Inflation and the outdated tax code automatically raise the tax on profits, and at the same time this combination pushes the worker into higher tax brackets. Across-the-board tax rate reduction, such as Governor Reagan has proposed for both individuals and businesses, can increase the

aftertax incentives for both workers and businessmen by narrowing the Government's wedge between them.

Governor Reagan plans to bring labor and capital together with a sound monetary policy. President Carter's whole inflation program has been based on the premise that inflation is caused by workers and businessmen, by consumers and producers. The wage guidelines explicitly blame inflation on workers' wage demands, just as 2 years ago, the administration blamed inflation on business profits. But Governor Reagan believes that inflation can only be caused by the Government.

Inflation is a decline in the value of the currency produced by Government. It is caused by a combination of too much money and too little production. The answer, therefore, is not to blame workers and businesses for inflation, or to slap on wage and price controls as a solution. The answer to inflation is to print less money and to restore incentives for higher employment and production.

The administration cannot match this vision for the 1980's, because President Carter says he will not change his basic economic policies. This time, it is President Carter who has triggered a recession, and Governor Reagan who offers a plan for prosperity.

It is time for American labor and the American people to recognize that they share a growing consensus of values with Governor Reagan about family, community, and country. It was because of Ronald Reagan that the Republican Party adopted a platform which states:

We reaffirm our commitment to the fundamental principle of fairness in labor relations, including the legal right of unions to organize workers and to represent them through collective bargaining consistent with state laws and free from unnecessary government involvement.

It was because of Ronald Reagan's leadership that the 1980 Republican platform's section on "Fairness to the Worker" begins:

The Republican Party is committed to full employment without inflation. We will seek to provide more jobs, increase the standard of living, and ensure equitable treatment on the job for all American workers by stimulating economic growth.

This year the working men and women of America will have a real choice—a choice between a President who has brought this Nation to its knees and abandoned his commitment to labor, and a candidate who knows what it is like to run a union, and to fight for the rights of workers. Governor Reagan offers a clear opportunity for the working people of America to choose jobs over unemployment, prosperity over recession, and hope over despair.

It is a choice over America's future. And the facts bear out that in this election, the true friend of labor is Gov. Ronald Reagan.●

THE ECONOMIC LIBERALS: IRONIES OF MANDATORY CONTROLS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. PORTER. Mr. Speaker, many of the economic liberals have proposed mandatory wage and price controls as the solution for our inflationary woes.

There are many ironies in their taking this stance.

First, these economic liberals are those who pride themselves in the protection of individual liberties—the rights of the individual vis-a-vis the State—as I do. But here they are, saying that the individual choices of working men and women to seek higher wages and of individual business people to ask higher prices—in each case made necessary as a response to the inflationary flames fanned by the failure for so long a time for Congress to act with even a small measure of fiscal responsibility—ought to be denied. This anomaly of commitment to some individual rights and not to others by those who call themselves liberal is nothing new, but it is always fascinating.

Second, there is great irony in the fact that these economic liberals, who have consistently put themselves forward as deep thinkers on economic questions, have chosen to champion the ham-handed approach of mandatory controls. It evidences not economic intellectualism, but a total surrender of policy—a bankruptcy of innovative thinking—that most liberals normally would not admit to. Perhaps we have reached that point. Perhaps nothing else is, in fact, left to do. But it is interesting that the economic liberals are the first to give up and admit that their cupboard of ideas is absolutely bare.

Third, many of these economic liberals have prided themselves on being students of history. Yet few Americans would dispute that the history of the mandatory controls that the liberals propose is one of failure—that they don't work but merely create black markets and excessive and costly bureaucracies and when they are lifted, as after World War II and in the Nixon administration—the most recent examples—prices shoot up even higher than they would have without the controls. It is ironic that these students of history ignore history.

The final irony, however, is the most profound. It is the irony that the real culprit in the raging inflation that we are now experiencing is not the wage earner trying to keep up with rising costs by asking higher pay, nor is it the businessman adjusting his prices to reflect higher costs, both of whom mandatory controls are aimed to restrain. Rather, the culprit is the actions of these same economic liberals in the Congress, voting more and more

Federal spending year after year, spending far beyond available revenues, until after almost 26 years of this fiscal recklessness the average American family faces a double-digit inflationary tax on top of all the other taxes they pay. Those who have caused the problem—though they don't even seem to recognize their own complicity—now say they have the solution—mandatory wage and price controls—a bankrupt, end-of-the-line policy from those who pride themselves on their intellectual approaches, a policy that denies individual liberties from those who pride themselves on protecting them, a policy that history shows has always been a failure from those who call themselves historians. And those who promote it are the very ones who created the problem it seeks to solve in the first place through their unending spending and fiscal irresponsibility. What ironies.●

#### QUESTIONNAIRE

**HON. JAMES T. BROYHILL**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BROYHILL. Mr. Speaker, each year, I actively solicit the views of my constituents by sending out a questionnaire to every household in the 10th Congressional District of North Carolina. The response this year has been good: Approximately 13,500 persons have shared their opinions with me, and the responses are still trickling in.

The answers to the specific questions have been helpful to me, but even more enlightening have been the comments which many have taken the time to write on the bottom of the form or in separate letters. Of particular interest to me were the respondents who wanted to know my position on each of the questions.

The most one-sided response came on the question of whether or not social security benefits should be taxed. Ninety-five percent oppose this unwise proposal. This is consistent with my belief, and as many of my colleagues are aware, I have cosponsored legislation to keep the proposal to tax social security benefits from being enacted. Hopefully, the issue is dead for this session.

Two changes in our Constitution were opposed by a majority of my constituents. The idea of limiting the Presidency to one 6-year term instead of two 4-year terms was opposed by 60 percent, with 38 percent in favor of the change and 2 percent undecided. With respect to the number of terms for a Member of Congress, 46 percent wanted to limit the service of congressional officeholders and 51 percent opposed this change in the Constitution. Frankly, I feel that we need more discussion of this issue. I am concerned that we are getting away from the tra-

ditional concept of citizen representation and moving toward full-time, professional representation. I am sure this is the proper direction and perhaps a change in the Constitution would be the only way to correct this.

On two environmental issues, my constituents overwhelmingly endorsed the further development of nuclear powerplants and the easing of Government regulations so that we could insure a greater use of coal to meet our energy needs. The use of nuclear power received a 68-percent approval, while a wider use of coal garnered an overwhelming 77-percent support. Personally, I favor continued use of nuclear power with a concurrent strong emphasis on safety. I agree with my constituents and support the greater use of coal to meet both current and future energy need.

The creation of a national health insurance program to help pay the costs associated with catastrophic illnesses only was opposed by 58 percent and supported by 39 percent of my constituents. I oppose and will continue to oppose the administration's comprehensive, mandatory national health insurance proposal because of its extremely high price tag and resultant burden to the taxpayers. However, I am a cosponsor of the Medical Expense Protection Act (MEPA), an alternative proposal to provide help for families severely affected by the costs associated with catastrophic illness; I term MEPA an alternative because, contrary to previous national health insurance proposals, MEPA makes maximum reliance upon utilizing the private sector for insurance protection, with a minimum of burden upon the Federal Treasury.

The subject of Saturday mail delivery has been of increasing concern to the Congress and the American people. Fifty-four percent of my constituents supported termination of 6-day mail service, while 43 percent were in favor of continuing present service. This was somewhat of a surprise to me, as most of the mail I have received has been in opposition to ending Saturday mail service.

While many respondents shared thought-provoking comments about the economy with me, only 38 percent favor strict Federal controls on wages and prices. I agree with the 59 percent who feel this approach would be ineffective. Past experience with Government wage and price controls has more than pointed out this fact.

The President's proposal to implement a costly gasoline rationing plan in the event of shortage received the strong opposition of 81 percent of my constituents. I voted in this body to disapprove the President's plan. As we all know, it has been adopted despite my objections and I am hopeful it will never be necessary to implement the plan.

Probably the response which was the most interesting to me, and the re-

sponse which indicated no consensus opinion, was to the question of military service. Nearly half of those who answered my poll favor keeping the All-Voluntary Army, but improving benefits and conditions—20 percent—or requiring 1 or 2 years of public service as an alternative, 23 percent. Twenty-five percent feel the draft should now be restored, and 18 percent of that number support the draft of men only. It is interesting to note that 15 percent agree with the current system of registering males, while another 12 percent feel women should be included. The remaining 5 percent indicated they see no reason to change the current All-Voluntary Military.

These opinions will be of great assistance to me as I continue my work as a legislator, and I commend the results to my colleagues for their consideration:

#### QUESTIONS

1. Should Congress set up a national health insurance program to help pay for catastrophic illnesses only? The President is advocating a comprehensive national health insurance program to be paid for by government and business. Supporters of the catastrophic approach say this is the only additional area of health care in which government should become involved because of the tremendous hardships which hit a small number of American families. Opponents say we cannot afford even this modest proposal, and that it is just a step toward a national plan to cover everyone for all medical expenses.

2. Should there be a limit placed on the number of terms a Member of Congress can serve? Supporters of this constitutional amendment say it would result in a more responsive, more honest Congress composed of people willing to take unpopular, but necessary actions. Opponents say the present system has worked well, an increasing number are retiring voluntarily every two years, and voters should be able to re-elect their Congressman as long as they desire to do so.

3. Should the United States continue to move forward with the development of nuclear power plants? Proponents say we have no alternative now because of the time it will take to develop alternative sources of energy and that the dangers have been greatly exaggerated. Opponents feel the possible dangers of nuclear power outweigh the energy needs, and that its continued use will slow the drive to develop alternatives.

4. Should the U.S. ease environmental restrictions so that coal could assume a larger role in meeting our energy needs? Supporters cite the large reserves of coal we have in this country and indicate it is the only alternative source which is readily available now. Opponents cite the damage to the landscape and the resulting air pollution. They also see any easing of restrictions as a step backward in the drive to clean up the environment.

5. Should Saturday mail be ended? Proponents of a balanced federal budget advocate reducing or eliminating the federal subsidy going to the Postal System, with the system deciding how to implement the reduction. Those who support ending Saturday mail say it is no longer necessary in modern day society and would save approximately \$588 million dollars during the first full year. Some opponents feel it could be ended for businesses, but not for homes, while still others feel it would not really save money

because the same amount of mail would need to be processed.

6. Should strict Federal controls be placed on wages and prices? Inflation under President Carter has passed the 18 percent rate, nearly four times as high as the last year of President Ford's administration. Proponents say wage and price controls is the only way to halt inflation. Opponents argue the new bureaucracy to enforce the controls will be ineffective, exemptions will be granted, and controls have not worked in the past.

7. Should the President be limited to one six-year term instead of two four-year terms? Proponents say the change would enable the President to make difficult decisions without being concerned about re-election and that it would bring new ideas, new people, and new solutions to problems every six years. Opponents claim the present system has worked well and the people have the right to reward a good President with a second term in office.

8. Should the President put into effect a gasoline rationing system? Supporters argue this is the fairest way to distribute gasoline to the masses of people and that it is more equitable than having the price continue upward. Opponents claim such a system would require an expensive new bureaucracy, would be unfair to those who must use cars in their work, and would create a black market.

9. Should social security benefits for those who have retired or those who are on disability be taxed? Supporters see this as a way of raising more money for the social security system, and they argue that the benefits are the same as income and should be taxed as such. Those opposed to such a drastic change in policy cite such reasons as the relatively small amount of money which the people are receiving, along with the taxes which have already been paid by the recipients during their working years.

10. Should our military structure be changed? A growing number of people are expressing concern about the United States' ability to defend itself, should the occasion ever arise. Which of the following is your position?

- A. Keep the all-volunteer military, essentially as it is now.
- B. Keep the all-volunteer military, but improve the pay, fringe benefits, and conditions in an effort to attract and retain better personnel.
- C. Standby registration, but not drafting, of all 18-year-old males and females.
- D. Standby registration, but not drafting, of all 18-year-old males only.
- E. Drafting of all 18-year-old males and females.
- F. Drafting of all 18-year-old males only.
- G. Require all 18-year-old males and females to give one or two years of public service, either in the military or non-military sector.

RESPONSES

	Yes	Percent	No	Percent	No response	Percent
No. 1.....	5,215	39	7,713	58	467	3
No. 2.....	6,112	46	6,888	51	267	3
No. 3.....	9,339	68	3,763	28	467	4
No. 4.....	10,160	77	2,701	21	396	2
No. 5.....	7,399	54	6,033	43	311	3
No. 6.....	5,580	38	8,458	59	475	3
No. 7.....	4,967	38	7,975	60	350	2
No. 8.....	2,232	17	10,733	81	394	2
No. 9.....	553	4	12,337	95	155	1
No. 10.....						
A.....	848	5				
B.....	3,103	20				
C.....	1,928	12				
D.....	2,217	15				
E.....	1,154	7				
F.....	2,709	18				
G.....	3,563	23				

A SALUTE TO FATHER VICTOR R. YANITELLI, S.J., AN URBAN LEADER, AN EDUCATOR, AND A MAN OF GOD

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GUARINI. Mr. Speaker, the city of Jersey City and, indeed, the entire State of New Jersey has lost the vital services of a great servant of God and man, the Reverend Victor R. Yanitelli, S.J.

Father Yanitelli served for 17 years in Jersey City, leaving a legacy of outstanding accomplishments. I wish to share a litany of his great work, which has been gathered with the assistance of Ray Martignoni, a mutual friend, who has served St. Peter's College for many years.

Father Vic, as he is affectionately known, understands the instrument of good that a Jesuit college can be in an old urban community and the force and energy that our young people could contribute in rebuilding a proud city. His venture beyond the college campus gave a new vitality, a new hope, and a new beginning to the many yearning for leadership.

With his departure, an era has ended in New Jersey.

The Reverend Victor R. Yanitelli, S.J., priest, educator, and community leader, left Jersey City 2 weeks ago to become pastor of St. Ignatius Loyola Church in Manhattan after 16 years as a dynamic force for good in New Jersey.

In 1963, Father Yanitelli came to St. Peter's as director of student personnel services and 2 years later became president of the Jesuit school.

He served as president for 12 years, stepping down in 1978 to become chancellor and engage in fund raising.

Father Yanitelli led St. Peter's through its period of greatest transition and growth. It was a time that saw St. Peter's double its student enrollment, complete a \$13 million expansion of its physical plant, and develop an active involvement in the community which nearly resulted in Father Yanitelli's resigning as the school's president in 1971 to run for mayor of Jersey City.

When Father Yanitelli arrived in Jersey City, St. Peter's board of trustees had just rejected a proposal to relocate the college in suburban Monmouth County and were looking for a suitable new president who could direct the course of the school's reaffirmed urban commitment.

In 1965 they turned the job over to Father Yanitelli, and time has proven it was a match made in heaven.

In rather short order, the Jesuit priest showed he was indeed the logical choice to make St. Peter's really part of the city.

● Through his encouragement, St. Peter's soon became one of the first

colleges in the Nation to offer a major in urban studies, a program that aims the intellectual resources of the college's students and faculty at finding solutions to the unique problems of the cities.

Father Yanitelli also played a large hand in the formation of the institution's project 25, an academic outreach to inner-city students who show great promise, but otherwise would be denied admission to college because of academic deficiencies.

Under Father Yanitelli's leadership, St. Peter's also took an active part in the formation of the Hudson County Community College, a college without walls. The college offers postsecondary education to Hudson residents at a considerable savings to the county and its students by utilizing facilities of St. Peter's, Jersey City State College and Stevens Institute of Technology.

A look at St. Peter's urban commitment reveals that it is an extension of Father Yanitelli's own personal involvement in the community.

He has served 1½ terms as a commissioner of the New York-New Jersey Port Authority; was chairman of the Governor's Advisory Council on Project Upward Bound; and was a board member of the New Jersey State Scholarship Commission, the Youth Consultation Services of Jersey City, Christ Hospital, the Jersey City Boy's Club, the National Advisory Board for Veterans Affairs, and the Garden State National Bank.

Previously the priest had made significant contributions to the community as president of the Jersey City Board of Education, as chairman of the Hudson County narcotics rehabilitation program, the Jersey City chapter of the American Red Cross and as a member of the Hudson County Planning Board, the National Advisory Council on Economic Opportunity, the Jersey City Medical Center, the Jersey City Chamber of Commerce, the New Jersey Symphony Orchestra, and the National Conference of Christians and Jews.

Besides leading the college's external thrust in the community, Father Yanitelli also has exerted strong internal leadership at St. Peter's during his years as president.

As St. Peter's student body expanded in the 1960's, he realized the school would need to expand its physical facilities to meet the needs of its undergraduates.

With St. Peter's entering its second century, the priest helped launch a multi-million-dollar development campaign that enabled the college to build a new library-student center, academic building, and to renovate its science facilities.

A final jewel was added to his crown 4 years ago when the college completed construction of its recreational life center, which was named in Father Yanitelli's honor.

At the same time Father Yanitelli was helping to expand the college's facilities, he saw to it that St. Peter's improved its curriculum, added new academic departments, and increased student services.

And St. Peter's took another major step in education during his presidency several years ago by opening up a new campus in Englewood Cliffs, where nontraditional students are returning to the classroom after years away from formal education.

However, serving as president has not always been a bed of roses during Father Yanitelli's dozen years in that post.

In 1969, as student unrest swept the Nation's campuses, St. Peter's was rocked by a student strike which resulted in the arrest of some 41 student sit-ins and divided St. Peter's students, faculty, and alumni into political factions.

Among the more enduring memories of St. Peter's strike is a news photo taken of Father Yanitelli while he was trying to talk out differences with a strike leader marching on a picket line.

The photo, which appeared in newspapers throughout the country, symbolized the unique qualities that enabled Father Yanitelli to lead St. Peter's through the storm and reunite the college.

Those qualities include his remarkable humaneness and accessibility to others, which have helped Father Yanitelli to shatter all of the stereotypes of college presidents as distant and unapproachable.

His openness has been a trademark of his leadership in the community.

The Jesuit has retained the sensitivity to students that he developed as director of student personnel services. He has employed an open door policy with students who have continually arrived at his doorstep seeking advice and support.

Father Yanitelli, who is personally offended at the thought of a capable student being forced to drop out of college for financial reasons, has been known to award scholarships to scores of students over the years. And at times his generosity has caused the school's financial officers concern that one day he might give the college away.

Those human qualities are sure to remain a part of "Father Vic" as he enters a new phase of his vocation.

Father Yanitelli will be missed by the community at large and by the thousands of individuals whose lives he has touched.

The Jersey Journal, in an editorial that appeared shortly after the announcement that Father Yanitelli would be leaving Jersey City, capsulizes what he is and what he has meant to his college and his city.

It reads:

The Rev. Victor J. Yanitelli, S.J., is leaving Jersey City after 17 years and he will be missed.

He leaves more than a recreation center bearing his name. His contribution to St. Peter's College and to Jersey City will continue to benefit both in the years to come.

He came within a couple of heartbeats of being mayor of Jersey City and who knows what he might have accomplished in that office with his warmth, sincerity, considerable intelligence and his invaluable gift of inspiring the confidence and cooperation of others?

Honesty rubs off from Father Vic. When you think and talk about him you find yourself being more honest with him—and yourself—than you normally are. That makes it easier to say Father Vic had a lot of friends and there also are many who are not exactly friendly toward him.

Many, for example, considered him "a black vote" on the Jersey City Board of Education. Others say he has not been outspoken enough as a Port Authority commissioner. Think about it and you realize the first criticism means he helped minorities and the second, that he is a diplomat.

Nobody, however, has successfully questioned his motives or his conduct in public and community activity.

Losing Father Vic is like losing one of our natural resources.

He will be a difficult man to replace.

I am certain that my colleagues will agree that Father Yanitelli was a "doer" as well as a dreamer. His vision indeed has provided the opportunity for young and old and black and white and the rich and the poor he has touched to help to make a better life for all.

May God bless Father Vic and keep him for many years to come.

I urge him to:

#### HOLD FAST YOUR DREAMS

Hold fast your dreams!  
Within your heart  
Keep one still, secret spot  
Where dreams may go,  
And, sheltered so,  
May thrive and grow  
Where doubt and fear are not.  
O keep a place apart,  
Within your heart,  
For little dreams to go! ●

#### DESIRE TO BEAT THE SHARPLY RISING CAPITAL COST OF NEW MACHINERY

#### HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. NOWAK. Mr. Speaker, as chairman of the Small Business Subcommittee on Access to Equity Capital and Business Opportunities, I have made several recommendations to the 96th Congress on easing the capital formation burdens on small business. One of these recommendations is passage of H.R. 6171, the Used Machinery Investment Credit Adjustment Act of 1979.

The bill increases the amount of used equipment eligible for the investment tax credit from \$100,000 to \$200,000. The Congressional Research Service has indicated that the revenue loss for this proposal is \$100 million in 1980, and nominally increases to \$146 million by 1984. Currently, there are 81 cosponsors of H.R. 6171.

In substantiation of how used machinery can be both productive and cost effective for a business, and because of its importance to the American people, I am inserting in the RECORD an article entitled: "The Big Boom in Rebuilding" from the June 1980 issue of Dun's Review.

The article follows:

#### THE BIG BOOM IN REBUILDING

(By Lynn Adkins)

Ohio University Professor Charles Overby calls it "the invisible industry." Herbert Jamic, vice president of ARA Services, Inc., says it is a good potential money-maker for his company, and Daniel Baudouin, who heads the diaper service division of New Jersey-based Blessings Corp., says it is a terrific cost-saver.

What these people have in mind is the considerable saving in money, energy, raw materials, and, in some instances, time by rebuilding and remanufacturing old equipment and vehicles rather than buying new ones.

Of course, the rebuilding of locomotives and airplanes has been commonplace for years, but the phenomenon is spreading to other industries as well. Although there are no figures to indicate the extent of the practice, more and more companies, pressed by inflation and high interest rates, are joining the trend. And with the recession now squeezing profits still further, industry will be doing even more rebuilding over the next couple of years.

Jamic, whose company rebuilds its own vending machines as well as the step vans that deliver the coffee, candies and soda to those machines, cites the benefits to ARA.

"We have about 3,000 step vans, so it has become very economical for us to bring them in and rebuild them. Last year, we saved \$1 million by rebuilding," Jamic notes that a new step van costs about \$11,000 and that the old vans can be rebuilt for about \$6,000. "That is a saving of \$5,000 on each of the some 200 vans rebuilt last year. It reduced our capital investment and that saving either falls to the bottom line or gives us an opportunity to invest in something else."

In fact, ARA's van rebuilding, which began in 1978, has proved so successful that the company is now redoing step vans for other firms and is considering rebuilding truck cabs in the future. And Baudouin, who embarked on a program a little over a year ago to have Blessings' laundry equipment rebuilt, explains that "previously we could replace that equipment with new stuff, but we just can't afford to do that today."

#### NOT JUST MAINTENANCE

Rebuilding, it must be emphasized, is not just a stepped-up program of sophisticated maintenance or repairing. In rebuilding any machine or vehicle, it is completely stripped down so that all the parts can be examined and replaced if necessary. And a rebuilt piece of equipment can last as long—or longer—than a new one. Says Jamic: "The life-cycle of a rebuilt vending machine is as long as the original. And that's the whole purpose of the program." Concurs President Earl Ramsey of All State Manufacturing Co.: "When we rebuild a vending machine, it should last eight years, about the same as a new one."

The rebuilding idea is taking hold at such a pace that it is likely to continue even after the recession is over, according to many experts. Comments Robert Nesbit Jr., general parts and service manager at L. B. Smith Co., a distributor and rebuilder of heavy construction equipment: "This trend will

continue ad infinitum because the cost of equipment has just gotten out of hand." At 30%-to-40% of the cost of a new piece of equipment, Nesbit says, a rebuilt crane or loader "is a real bargain."

Still another example is that of a milling machine—a common piece of equipment in almost any manufacturing facility—that can be rebuilt for about 50% of the price of a new machine. With new millers now running over \$100,000, the savings can be considerable, because it is not uncommon to find a dozen such machines in a medium-sized plant.

There are, however, advantages to rebuilding beyond cost. Boudouin says his company will have about 25 washing and drying machines rebuilt this year at about 50% of the cost of new machines which would run between \$45,000 and \$50,000 each. And those rebuilt machines will sport a new warranty. Moreover, says Boudouin, "The tax laws allow us to recapitalize remanufactured equipment. We can depreciate it according to our schedule, which on machinery is ten years."

Some companies are buying rebuilt equipment not so much for the cost saving, but because it is more readily available than new machines. Faced with a huge backlog, the machine tool companies are averaging two years or more on delivery of new equipment. A rebuilt machine tool, on the other hand, can be delivered in half that time. Kent Mathias, vice president of Cincinnati Milacron, Inc., one of the largest machine tool manufacturers in the country, says his company's rebuilding business is doing very well. "When a manufacturer gets a contract to produce parts, he has to start making those parts quickly. He wants to get the quickest delivery [on a machine tool] he can." Mathias attributes his company's brisk rebuilding business to the delivery problem rather than the lower cost.

#### SKILLED LABOR SHORTAGE

Vice President Robert Trecker of machine tool manufacturer Cross and Trecker Co. notes: "If I had more skilled people [to rebuild machine tools], I could do a lot more work. Our biggest restraint is the amount of skilled labor we can come by."

Professor Overby, who studied the ins and outs of rebuilding while at the Congressional Office of Technology Assessment, points out that beyond the considerable time and money saving to an individual company, advantages accrue to society in general through rebuilding. "If a product is remanufactured and reused . . . less materials and energy may be needed, less waste will need to be disposed of, less pollution will be created and the life-cycle of product ownership and use may well be reduced for the consumer," he maintains.

With the average American consuming 115 pounds of raw materials every day, excluding food, re-using just a small portion of those materials could prove a positive step toward solving some of the nation's pollution problems, points out Overby. "If all automobile passenger tires in the U.S.A. in 1973 had been recapped once, solid waste in terms of tire discards would have been halved," Overby contends.

If a company is considering rebuilding, it is important to buy high-quality equipment in the first place, Jamic points out; that's why he buys top quality aluminum-body vans from Grumman. They cost about \$1,000 more than the steel body vans, but, says Jamic, "the steel vans were so corroded, we had to scrap the entire vehicle."

#### PROFIT POTENTIAL

Other companies rebuild equipment as profit-making operations, although the

number of firms that do so is not large. Some original equipment manufacturers such as International Harvester Co. and Cincinnati Milacron offer rebuild services to their customers. But much of the rebuilding of heavy equipment is done by dealers, not manufacturers. As a heavy equipment distributor, L. B. Smith will rebuild cranes, loaders and the like for its customers. In fact, Smith is currently rebuilding for about \$75,000 a mammoth industrial crane that would sell for between \$250,000 and \$300,000 new. "Rebuilding is a very valuable business for us," says Nesbit. "It is large dollar service work and we jump at the chance to do that kind of job."

One of the oldest industries involved in rebuilding is the truck and automobile aftermarket. Bruce Plaxton, Editor of *Renews Magazine*, which covers the after-market, believes "the automotive rebuilt engine market is just going to explode over the next few years." Plaxton explains that although Americans are switching from the big 8-cylinder engines to 4-cylinders, "the consumer is maintaining his car as if he were still driving a vehicle with a bigger engine, and those smaller engines are blowing up right and left as a result."

The fleets of trucks that retail, service and delivery companies must maintain are also big users of expensive rebuilt replacement parts such as engines and transmissions. Plaxton notes: "As recently as six years ago, most of the large commercial fleets were holding on to their vehicles somewhere in the neighborhood of three-to-four years, but a good number of those fleets now are five, six, sometimes seven years old." That's because the cost of buying new trucks has gone up exorbitantly in the past few years. "Fleet owners have to cut corners somewhere, so they are very heavily into rebuilding," he points out. "Every indication is that they are going to do more in the future."

Another aspect of the rebuilding boom are those companies that rebuild their own products and then sell—or more often lease—them out again to new customers. International Business Machines, Xerox and Minnesota Mining and Manufacturing have extensive facilities for rebuilding some of their products. Xerox started a rebuilding program in 1976 and today has five Centralized Refurbishing Centers scattered around the country to handle the company's copiers and one in Rochester, N.Y., that re-does telecopiers. "A customer doesn't know whether a piece of equipment on lease is brand new off the production line or whether it has been out at six different locations," says one Xerox executive. If Xerox sells a rebuilt machine, it of course informs the customer that it is not a brand new item.

Minnesota Mining and Manufacturing Co. also rebuilds leased office equipment such as copiers, telecopiers and microfilm machines. The ten-year-old program "has been quite a success and we have had a real savings in materials and parts," maintains Vice President Carl A. Kuhrmeyer. Most of the candidates for remanufacturing are sent to one of the company's three refurbishing centers, although some products do go back to the factory that made them. Kuhrmeyer notes that a plaque is placed on reconditioned products so the customer knows just what he is getting, because "we think that's important."

IBM has had a reconditioning program for more than twenty years. Most of the refurbished products had been leased, but the company will redo an owner's product on request. Unlike Xerox, which has separate refurbishing facilities, IBM sends its products to the plant that originally manufactured

them. Highly sophisticated computer systems, which are comprised of components from a couple of plants, will spend refurbishing time in each of those plants.

With all of rebuilding's advantages, it is surprising that more companies are not engaged in it. A major reason is that Americans—consumers and businessmen alike—are enamored with styling and want the latest technology on most machines they use, according to Overby. But All State's Earl Ramsey contends that this should be no problem: "Not only do we rebuild, but we add new features to old vending machines. An old coffee machine that uses the fresh brew method for making coffee will come to us and we will remanufacture that machine to utilize freeze dried coffee. The machine gets a new front and it looks brand new."

#### ANOTHER DRAWBACK

A second drawback to rebuilding a machine is that often a company cannot afford to operate with reduced capacity while the machine is being rebuilt. But Blessings' Boudouin has found a way around the problem. "We have entered into a program with the Talley Laundry Machinery Co. whereby we will take some equipment out of one plant, and ship it to them for remanufacture. We then send that piece into another plant, which sends Talley a piece to be rebuilt. We just keep that cycle going." Boudouin had to buy a couple of rebuilt pieces of equipment to get his program started, but he says that the small added expense has already been recouped.

But perhaps the greatest resistance to rebuilding is that many manufacturers do not wish to have the cheaper rebuilt equipment compete with their newer, more expensive items. "Rebuilding may be a more efficient use of resources and energy," says Overby. "But it flies in the face of the glue that has held our society together. The driving engine of this society has been growth, and anytime you start looking at ideas that suggest less growth in the rate of consumption, it has ripple effects all over."

That may be true. But the businessmen who have opted for rebuilding surely agree with Blessings' Boudouin: "It just makes a lot of sense if you can save some money and have the equipment perform as if it were new." ●

#### COMMUNITY SERVICES ADMINISTRATION TAXPAYER RIP-OFF

##### HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. FORSYTHE. Mr. Speaker, I would like to draw the attention of my colleagues to an abortion of a class action suit involving the Community Services Administration, which was revealed in an August 20, 1980, Wall Street Journal article. The article exposes a new wrinkle in how Federal Government agencies often deliberately misuse funds and circumvent the authority of the Congress to establish programs.

The continuation of this type of activity by CSA, or any other Government agency, diverts funds from useful programs and perpetuates unproductive ones, as well as placing an added burden on the already overburdened taxpayer. It's no wonder that

our citizens are mistrustful and skeptical of their Government.

The article follows:

#### A SWEETHEART OF A LAWSUIT?

(By Heather Stuart Richardson)

Elsie Simer is one of nine plaintiffs who recently won an \$18 million settlement by suing the federal government's Community Services Administration. The 73-year-old resident of Melrose Park, Ill., received her \$250 check in late July.

So did Hilda Beller, 61, who with her 81-year-old mother survives on an income of less than \$200 a month in Breinigsville, Pa. The \$250 checks also went to Arlene Whitehouse, a blind octogenarian who lives alone in Maine; Arthur Boucher, 70, another home-bound Maine resident; Hilda Spinney, 58; Rose and Robert Henderson of Lancaster, Pa., who struggle to support their family of five on about \$600 a month; Debra Jones of Manheim, Pa., and the Gray Panthers, a private advocacy group for the elderly.

The nine plaintiffs whose names appear on the class-action complaint in *Simer v. Olivarez* collected a total of about \$2,000. They are not likely to ask what happened to the rest of the \$18 million, however. Of the six reached for comment, three professed no knowledge of the lawsuit and only one said he had been consulted in advance about the settlement.

In any case, the big winners in the settlement weren't the class of complainants who supposedly were doing the suing. Much of the rest of the \$17,998,000 appears to have been divvied up among: government agencies (even the agency being sued was able to add four more bureaucrats to its rolls as a result); quasi-public community action groups with a good deal of political clout, and the so-called public interest lawyers of the type who launched the suit in the first place.

Indeed, a close look at *Simer v. Olivarez* suggests that it was one sweetheart of a lawsuit for nearly everybody except the complainants—and the taxpayer.

#### FILING A COMPLAINT

Various public interest law firms filed the complaint in federal district court in Chicago in September 1979 against the Community Services Administration, the successor agency to the Office of Economic Opportunity, which, you may remember, was the cornerstone of Lyndon Johnson's War on Poverty. The complaint alleged that the nine plaintiffs "and all others similarly situated" had been deprived of CSA energy crisis assistance payments because of arbitrary requirements. In particular, the suit said, \$18 million of the \$200 million appropriated for fiscal 1979 to help poor people cope with soaring energy prices had gone unspent. A provision that such unspent funds would have to be returned to the Treasury violated the Administrative Procedure Act and due process laws, the suit contended.

It was no accident, however, that a termination date for spending the \$200 million had been inserted in the legislation for the program. The Office of Management and Budget insisted on the inclusion to make certain that the program would confine itself to winter emergencies. Also, CSA hadn't had much luck with two previous "energy crisis" programs. An investigative report by a congressional subcommittee considered it as having "achieved questionable results, beset by inadequate management practices, and leaving a sense of expectancy and dependency among the poor. . . ."

A specific appropriations bill for further energy crisis payments might not have sur-

vived this skeptical climate. Instead, the \$200 million was wrapped in with the broad continuing resolution Congress passed in order to keep the CSA from folding. The subcommittee condemned this act as "presumptuous" because Congress had passed both previous programs with considerable reservation and specifically as one-shot affairs. Furthermore, in bypassing the normal route, CSA had "eliminated Congress' discretionary decision-making authority."

The OMB, in approving the CSA request, had stipulated that the \$200 million couldn't be spent after June 30. When that date rolled around, \$18 million remained unobligated and apparently doomed to be returned to the Treasury. Yet a previous lawsuit in a similar case against CSA had prevented that from occurring; a group of public interest law firms figured the trick could be repeated.

Of the claimants named in the suit who could be reached for comment, those who were aware of the suit at all insisted that they had been steered into the lawsuit by public interest law firms. The firms all receive grants of between \$285,000 and \$850,000 from the Legal Services Corp., an independent agency established by Congress, plus additional support from what used to be the Health, Education and Welfare Department.

Preliminary hearings led to a pre-trial settlement between CSA and the plaintiffs. The plaintiffs would each receive an amount equal to the maximum allowable under the energy crisis payment program, or \$250, yet no attempt was made to identify "all others similarly situated"—the poor on whose behalf the class action was instituted.

CSA rationalizes this deliberate oversight by insisting that reopening the program for such a trifling amount would have caused no end of administrative headaches. In addition, since Congress had already allocated vast amounts for a similar 1980 program, CSA sought a settlement which would "have impact," according to Richard Saul, Chief of Energy Programs at the CSA.

In other words, CSA sought a settlement which would allow it to use the funds to finance pet projects which otherwise might have been terminated because of opposition or a lack of interest in Congress.

How will the \$18 million (less \$2,000) be spent? As outlined in the legal settlement, \$4 million will go to a hypothermia program run by former CSA grantees to alert people to the dangers of freezing to death; over \$2 million will be spent to subsidize solar power programs; and roughly \$8 million will go to public advocacy and legal services. The remaining \$4 million, originally intended for emergency energy conservation kits, will probably end up in the advocacy kits as well.

Here are some of the particulars of the distribution:

\$150,000 will keep the Small Farm Energy Project, a CSA grantee, alive for an additional two years, despite a report by Rural Development Inc., an independent research and consulting firm, that was partly laudatory but also conceded that "the level of major energy innovation is less than what would be necessary to have a significant impact on energy use and income level on cooperating farms."

\$1 million will be awarded to consulting firms and 15 Community Action Agencies, essentially to produce reports to inform us that energy is expensive.

\$4 million will go to 23 of the CSA's Associations of Community Action Agencies that were due to be terminated. About \$2 million of that sum will flow through to the exist-

ing legal service network for various contracts. The associations, such as Energy Alliance, act as consumer advocates, working for such things as utility rates, customer service regulation and challenges to utility projections of capacity needs.

The National Consumer Law Center will receive \$1.8 million directly plus another \$500,000 to distribute to Community Action Agencies, legal service organizations and consumer utility advocacy groups. The \$700,000 grant the National Consumer Law Center received in 1979 from CSA was to have been its last; CSA didn't anticipate adequate appropriations to keep the NCLC going. Now it has \$900,000 a year for the next two years.

\$200,000 for the Associations of Community Action Agencies and Community Action Projects for "training and technical assistance in organizing and coalition building" under the auspices of the Citizens Labor Energy Coalition. These civic-minded experts concocted Big Oil Day last October and more recently participated in Big Business Day.

Finally, to administer the settlement, CSA created four new positions in its own offices, positions which Congress most probably would never have authorized.

#### MOOT INTENTIONS?

Thus CSA and the public advocacy and legal services groups may have hit upon a marvelous recipe to render Congress's intentions moot and feather their own nests: Leave money unspent, be sued and settle as thou and they can best profit.

"I can prove everything but intention," say Peter Metzger, who runs an internal think tank for the Public Service Co. of Colorado. "You have this friendly lawsuit where all these publicly funded legal services groups rush to court and distribute funds among the litigants."

Assuming CSA could have won the case, fiscal responsibility would seem to demand that it do so and return the \$18 million to a government already under attack for excessive spending. And if, as CSA's lawyers assert, the judge gave them reason to believe they would lose the case, then shouldn't the funds have at least been used for the purpose for which they were intended—to alleviate the burden of rising fuel prices on the poor—instead of propping up pet priorities of a floundering agency? ●

#### THE FEC, THE LAW, AND THE FACTS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. DORNAN. Mr. Speaker, the following three discrepancies in the Peck/Peck/Dennis/Stewart scandal further illustrate the gap that exists between the Federal Election Commission's duty to investigate possible violations of the law as clearly revealed by their own records and the manner in which the FEC deals with such possible wrongdoing.

The questions raised by the facts below are questions that I have brought before Federal officials without receiving satisfactory answers. I am inserting these discrepancies into the RECORD in the hope that some light may be shed where certain Gov-

ernment officials have refused investigation.

The following material is presented for your consideration.

CAREY PECK DOES NOT REPORT SOURCE OF HIS BANK LOAN USED TO REPAY DENNIS, WHICH VIOLATES FEC LAW

Carey Peck claims he took out a bank loan to repay Dennis the \$13,000. When he learned of Dennis' legal problems, Peck said he took a personal bank loan and returned the money—see Daily Breeze, Torrance, Calif., January 29, 1980, article by Rich Connell. Peck said he had immediately obtained a personal loan of \$9,000(?) in order to pay back the funds—see Evening Outlook, Santa Monica, Calif., January 10, 1980, article by Will Thorne. On his father's advice, Carey Peck borrowed \$13,000 from a local bank and returned the money Dennis had given him—see June 21, 1980, Jack Anderson column.

Carey Peck, who does not appear to be working, finds \$4,000 from somewhere and claims to add this to a \$9,000 loan from a bank. Or, Carey borrowed \$13,000 if the Jack Anderson article is correct. On Daddy's advice instead of his own mature judgment.

Yet, on his FEC schedule C form for the period April 1, 1979, through June 30, 1979, Peck lists himself as the sole source of a \$13,000 loan to the Carey Peck for Congress Committee for "advance for campaign expenditures from personal funds."

FEC regulations then in force did allow a candidate to make a loan made in accordance with applicable banking laws and regulations, and in the ordinary course of business—11 CFR 100.4(b)(13) provided that each endorser or guarantor is reported—11 CFR 104.

However, FEC regulation 11 CFR 104.2(b)(5)(i)(B)(ii)(A) requires that any loan to a candidate or a committee during the reporting period made for over \$100 must be fully reported as to its source. Carey Peck has misrepresented to the FEC his loan regarding repaying Dennis the illegal money. Senator DONALD STEWART, until April of this year, 1980, also failed to list the real source of the \$22,000 he gave to his campaign in order to cover the \$22,000 check he claims he gave to James Dennis.

Furthermore, Carey Peck may have violated 11 CFR 110.0(a)(1) which prohibits any person from contributing or loaning a candidate more than \$1,000 per election—primary, general. Carey Peck made his loan at the City National Bank of Beverly Hills, according to Bram Goldsmith who manages 25 branches of the City National Bank, and who had a personal conversation with Congressman DORNAN on May 16, 1980.

In part, the conversation went approximately as follows:

DORNAN. You mean that you would loan an unemployed congressional candidate \$13,000 on his own signature without any collateral or cosigners?

GOLDSMITH. Well, Congressman, Gregory Peck didn't cosign the loans (plural).

DORNAN. So you gave a 28-yr.-old lad, unemployed for over a year and a half, loans without any collateral? Is that intelligent or proper banking practice?

GOLDSMITH. Congressman, I said \* \* \* Gregory Peck \* \* \* didn't cosign the loans. (Given in a tone which implied that somebody had).

DORNAN. I'm sorry, I'm a little slow today. I see, you mean the Gervertz's (Carey Peck's in-laws) or someone else co-signed. Thanks, Bram.

GOLDSMITH. You're welcome, Bob.

FEC law—title 2, United States Code section 434(b)(3)(E), states that all loans must be reported with the identity of any endorser or guarantor of such loan, the date, and the amount of the value of such loan.

PECK CLAIMS A RETURN OF THE ILLEGAL \$13,000 TO DENNIS, YET FEC DOES NOT ASK FOR ANY EVIDENCE OF THIS RETURN TO THIS VERY DAY, IN SPITE OF NATIONAL PRESS STORIES OF FELONY "U-TURNING" OF ILLEGAL FUNDS; FELON WHO CLEARED PECK AND STEWART "UNCLEAR" THEM BEFORE FEDERAL GRAND JURY

Fred Eiland, spokesman for the FEC in Washington, said that Peck's campaign apparently received the money not knowing it was donated illegally. They took the money in good faith and once they found out it was bad, they returned it—see Daily Breeze, January 29, 1980, by Rich Connell. How the hell would he know?

As to why Mr. Eiland should become a major apologist for Mr. Peck is still very unclear. For instance, there is no evidence in the FEC files—MUR 970—of the front and/or back of a canceled check from Peck to Dennis. And, Commissioner Thomas Harris of the FEC told Congressman DORNAN and Bob Marshall, a staff aide, in a personal meeting at the FEC that he was surprised to learn that no check was in the file, as it was normal FEC practice to obtain such evidence for the files. "We always have this," he exclaimed to Congressman DORNAN. Peck has never sent the FEC a copy of that check, cashed in Los Angeles, nor has the FEC asked for a copy. The only evidence of a return of the funds is a letter—in August—from Dennis' attorney, Steve Salter, claiming that Peck had returned the money and the unsubstantiated claim by Peck on his FEC form.

Also, Fred Eiland told Congressman DORNAN in a phone conversation on February 7, 1979, that the FEC called Peck to alert him about the illegal money. Commissioner Tiernan denied this by phone shortly thereafter on the same day. Then, later that same day, Eiland said, "Congressman, I mis-spoke."

FEC CLAIMS MUR 970 CANNOT BE REOPENED, YET FEC LAW STATES "UNLESS CONCILIATION AGREEMENT IS VIOLATED"

On June 6, 1980, Charles Steele said in a meeting with Congressman DORNAN and a Dornan aide that the MUR 970 was closed and would not be reopened—he said this with a deeply pained look on his face. At several

points in the long meeting, Mr. Steele was literally speechless.

However, title 2, United States Code, section 437(g)(a)(4)(A)(i) states:

A conciliation agreement, unless violated, is a complete bar to any further action by the Commission, including the bringing of a civil proceeding under Paragraph (6)(a).

James Dennis has not yet paid the fine—not a penny—levied by the FEC and the FEC has filed civil suit to collect the money, in May of 1980 after heavy Dornan criticism. This would seem to indicate that the conciliation agreement has in fact been violated, and therefore MUR 970 need not be closed, unless, of course, someone wants to continue a probable coverup of violations and omissions by the FEC and others, including Federal officials in Alabama. ●

#### RECOGNITION OF HON. MORRIS K. UDALL AS OUTSTANDING LEGISLATOR

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. SANTINI. Mr. Speaker, our distinguished colleague, the Honorable MORRIS K. UDALL of Arizona, has just been recognized by a bipartisan group of Government professionals as the outstanding legislator of the 96th Congress, 2d session. Mo UDALL received this Outstanding Legislator Award at ceremonies held last night in Washington, D.C., from the Congressional Fellowship Association, an organization of professional men and women who have served Congress in varied staff capacities, under auspices of the congressional fellowship program of the American Political Science Association.

Mr. Speaker, I want to share with my House colleagues the accolades for Mo UDALL that were publicly given last night. Mr. Len Parkinson, speaking for the Congressional Fellowship Association, said:

Congressman UDALL is that rare public person who has earned the respect and admiration of his peers on both sides of the aisle, on both sides of Capitol Hill. His leadership is an unusual blend of compassion and kindness and principle that commands attention even from his most ardent critics. Mr. UDALL has become a leading spokesman in the Congress on matters concerning energy and the environment. But we do not honor him so much for his outstanding work in both of those fields as we do for his selflessness in working to see that whatever is done in Congress is done in the best interests of his Nation. He is a patriot in the very best sense of the word.

Mr. Speaker, those sentiments are well deserved and well earned by Mo UDALL. And they are widely shared. Members privileged as I have been to serve with Mo UDALL on the Committee on Interior and Insular Affairs, of which Mo is chairman, can all attest to his even-handed manner in conducting legislative deliberations, and to his

quick wit and warm sense of humor in defusing the tension that can rise during spirited debate over legislative differences among committee members. MO UDALL proves the adage that laughter is the best medicine.

I am glad to endorse the Congressional Fellowship Association's selection of MO UDALL as outstanding legislator. The congressional fellowship program, whose alumni constitute the association, has a distinguished 27-year record of service to the Congress, through its selection of promising political scientists, journalists, civil servants, and other professionals, for hands on education into the legislative process by working as congressional aides for 9-month terms. Following their staff assignments, congressional fellows typically return to their careers with Federal agencies, universities, and the media. Some join permanent professional staffs of Senators and Members of the House of Representatives, and of House and Senate committee staffs. A few continue in political life, and become officeholders in their own right. It is noteworthy that two former congressional fellows are currently serving in Congress: the Honorable RICHARD B. CHENEY of Wyoming, and the Honorable ARLEN ERDAHL of Minnesota.

Mr. Speaker, being named the year's outstanding legislator by such a diverse cross section of past and present congressional fellows is a fitting honor for our distinguished colleague MORRIS K. UDALL. ●

#### HOOSIERS AID CARIBBEAN HURRICANE VICTIMS

#### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BRADEMAS. Mr. Speaker, the devastation left by natural disaster makes news, briefly commands our interest, and is soon forgotten. The challenge of rebuilding the homes and the livelihoods of disaster victims lasts much longer, though, and is often left to a few. That is why I call attention today, with pride, to the dedication of a group of people from northern Indiana who have given their time to help the hurricane victims on the Caribbean island nation of Dominica.

A year ago, after a hurricane had destroyed much of the island, the United Methodist Committee on Relief sent work teams to help Dominicans rebuild their country. The group of volunteers from northern Indiana answered the call for help under the leadership of Dr. Harold Neel, the former pastor of the United Methodist Church of Mishawaka, Ind., and his wife, Betty. Commitment like this often goes unnoticed. Yet all those who joined the team to work in Dominica have shown us the true meaning of brotherhood among nations. Their

endeavor deserves our highest commendation.

At this point, Mr. Speaker, I insert in the RECORD a recent article from the South Bend Tribune by Lewis Mundell, who worked with the Dominican hurricane victims, describing the mission of these dedicated people from Indiana.

#### HOOSIER WORK TEAM HELPS HURRICANE- DEVASTATED ISLAND OF DOMINICA MICHIANA POINT OF VIEW

The Island of Dominica, an autonomous country in the Leeward Islands, Eastern Caribbean, of the West Indies, was devastated by Hurricane David at the end of August, 1979. Out of a population of about 72,000, more than 80 percent of the population lost most of their livelihood. Roseau, the capital city, was 85 percent damaged by the 50 mile-an-hour winds which blew steadily for six hours and left a great number of homes without a roof.

UMCOR, United Methodist Committee on Relief, made an appeal for a series of "work teams" to come to the island to help families put their houses back into liveable condition (some are still living in tents). About three-fourths are without electricity, have little running water and practically no internal telephone and telegraph service. The water was contaminated and had to be boiled before it was fit for drinking purposes and for brushing our teeth. Extreme caution was exercised to guard against illness and injury while working on roofs. Help is also needed to repair and restore the Methodist and other churches badly damaged by the storm. The Anglican church was completely destroyed. Building materials (such as lumber, corrugated steel roofing and nails of all sizes, etc.) are in very short supply.

The medical situation is equally disastrous. Dr. Michael Watson, our medical consultant, was told by the chief medical officer, Dr. McIntyre, that there are only eight doctors in the country and seven of them live in Roseau. The hospital was badly damaged, and one wing needed for psychiatric service is still without a roof. Food is no problem. Large quantities of food have been given by United States, Canada and Venezuela also helped with food and materials.

Sponsored by the Elkhart District, Northern Indiana Conference, the work team program is open to persons who are not afraid to "rough it," while being involved in helping other persons in need. The teams at the same time learn to know the wonderful people of another culture.

Dr. Harold and Betty Neel of Elkhart (the former pastor of the First United Methodist Church of Mishawaka) were the leaders of the work group that left Elkhart March 14, 1980. Other members of the group were Lew Mundell (retired pharmacist) of South Bend-Mishawaka; Mrs. Sarah Spreuer, Shipshewana; Mr. and Mrs. David Munson, Munster, Ind.; Mr. and Mrs. Thomas Harris, Corydon, Ind.; Mrs. Ester Bailly, Goshen, Ind.; Raymond Rose, Wawaka, Ind.; Joe Evans, formerly of Mishawaka, now of Indianapolis; Mrs. Irene Fox, Elkhart; and Rev. Earl Sharp, Elkhart. Each of these participants in the work group has experienced a most enriching encounter with those in need.

I am most grateful for the opportunity of being a part of this work group, where one could serve those in need and demonstrate our caring by Christian love and labor.

This is not just a story about a man and his church, but an appeal to understand the need for individuals to become involved in

missions, physically, financially and spiritually. Love and labor support one another, combining means and ends and blending aspects of our being and our doing. This is a time in which we as persons and as a nation can demonstrate to the world that we do care and are ready to help, without political and military implications.

The prime minister of Dominica, Oliver Seraphinn, said in speaking about hardcore poverty and the economic relations between the United States and the Caribbean. "The deep deprivation being experienced by our people in respect of the most basic necessities of life—food, clothing, housing, education and medical care—heightened by our proximity and constant exposure to North American living standards, forced us to place a major attack on Caribbean poverty." The Caribbean is a natural disaster-prone region. Hurricanes, volcanoes, cyclones, floods, landslides, earthquakes—you name it, they get it.

This work group of which I was a part did much in securing materials for other groups to follow. They also were able to set up a necessary tool and material center in order that their groups could more effectively proceed with rehabilitation. I am sure that other churches and groups are also involved in mission work, which we should recognize and encourage through the media. It is necessary that these efforts be co-ordinated through a central committee available to all churches and benevolent organizations to carry out more effectively work missions where they are needed most. The people of Dominica are warm, friendly and most grateful for the work we accomplished and will work with other groups. They need leadership, hope, understanding and material.

I am reminded of those young people in church youth groups and their adult chaperones who sacrifice a part of their summer vacations to serve in the Appalachian region. Their lives have been enriched by serving the needy through their compassionate work. Many of us can follow their example by giving of our time and love. When we give for the benefit of income tax deduction, we have lost the real purpose of our giving. We have become too materialistic.

I am relating my story to encourage those who can and should support amply the missions of their churches to reach more in their hour of need. Contributions to church missionary programs reach directly the areas in need and are not wasted in administrative costs. ●

#### UNITED NATIONS IN ACTION TO PREVENT NEW AGRICULTURAL DISASTER

#### HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BONKER. Mr. Speaker, during this period of growing congressional concern about the effectiveness of the United Nations and its affiliated organizations, it is refreshing to read the article I wish to submit for the RECORD regarding the coordinated efforts of several U.N. agencies to combat a potentially devastating locust problem in Africa. As Thomas Land points out in today's New York Times editorial, "In Africa, Locusts Again," the U.N. Food

and Agriculture Organization and the U.N. development program have already taken steps to help drought-ridden countries in central and west Africa avert a major agricultural disaster.

This is but one example, Mr. Speaker, of the positive work performed by these international organizations, and I commend the article to my colleagues.

**IN AFRICA, LOCUSTS AGAIN**  
(By Thomas Land)

A new locust emergency is looming in West Africa, at a time when food shortages are spreading across the continent.

The United Nations' global information and early-warning system on food and agriculture records the presence of yet unspecified numbers of swarms, presenting a grave threat to agricultural areas in northeastern Nigeria, northern Cameroon, northwestern Chad and possibly Niger, the Central African Republic and the Sudan. In the United Nations' view: "Provided that national and regional campaigns are carried out immediately and successfully, there should be a very substantial reduction in the African migratory locust populations and in the threat of serious crop damage in the area. Such action would in turn reduce the threat of a major plague."

During the last plague of the migratory locust, between 1928 and 1941, most African countries south of the Sahara were invaded by swarms. The insect feeds predominantly on grasses, wild and cultivated. Specialists of the United Nations Food and Agriculture Organization reckon that in the present emergency "major control efforts will be required to prevent the eruption of a major plague."

Aircraft, pesticides, communications and spraying equipment and trained staff are urgently being dispatched from many parts of the world to the affected areas, where the control operations are coordinated by the International African Migratory Locust Organization. More than \$600,000 has been released already by the F.A.O. and the United Nations Development Program to meet the immediate expenses of the program, and a lot more may well be required before the emergency is over.

At stake is the harvest on a continent already suffering the effects of severe drought as well as war. Edouard Saouma, the F.A.O. Director General, has said: "We are on the verge of simultaneous human disaster in many countries of an unprecedented character, with all the terrible implications of the consequences of inaction."

The first signs of the locust emergency were apparent as early as 1979 when swarms of the migratory locust breeding in the Lake Chad basin moved southwest and reached eastern Nigeria and the Adamawa Massif in Cameroon. By last April, some swarms reached Benue and the Cross River States in Nigeria, about 625 miles away from the outbreak area. Being so far south, they encountered favorable breeding conditions and went through two generations in rapid succession.

Because of difficulties of ground access and restrictions of helicopter surveys, specialists failed to assess the total extent of the infestation area. Control operations were limited and hopelessly inadequate in terms of the developing emergency. By June, a new generation of adult insects appeared and started to breed, eventually moving further afield. Breeding has also commenced in the Baga area of northeastern Borno State in the Lake Chad basin.

Specialists at the world's foremost scientific-research institutions concerned with locusts have now been asked by F.A.O. to stand by ready to be called into the crisis area at a short notice. Nigeria, Cameroon and Chad are about to mount national control campaigns under a hastily organized regional plan of action supported by several international organizations. But such an operation is easier to run than to organize.

"Since other agricultural problems loom larger when recessions of the locust plague occur, it is easy for even the best-constituted control system to go rusty or to break down, especially in poor countries with small resources," explains the United Nations journal *World Health*. "Experienced operatives are recalled to attend to other tasks, vehicles and planes equipped for spraying deteriorate and are not replaced, stocks of expensive pesticide like dieldrin and malathion (the most effective locust killers) run down and, most important, the need for perpetual vigilance is sometimes forgotten."

Until recently, most of the specialist world's attention was focused on the desert locust, which less than two years ago threatened an immense area comprising 50 countries from the West Coast of Africa to the Himalayas. But the current emergency is potentially as serious as the last; and the populations of many countries that may be affected are totally unprepared for a new agricultural disaster.

Mr. Saouma of the F.A.O. says: "In addition to the famine in Uganda, prolonged drought continues in several Sahelian countries, Djibouti and southern Ethiopia. In southern Africa, Angola, Botswana, Malawi, Mozambique, Zambia and Zimbabwe have also suffered severe drought. Kenya and Tanzania, which were self-sufficient in recent years, now face shortages. Somalia faces the double crippling burden of delayed and erratic rains and the largest concentration of refugees in the world." ●

**ISRAEL'S NOBLE RECORD ON  
JERUSALEM**

**HON. RICHARD L. OTTINGER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. OTTINGER. Mr. Speaker, I am distressed about the U.S. abstention on the U.N. Security Council vote to censure Israel for its designation of Jerusalem as the united capital of Israel. The U.N. has been effectively manipulated by the Arab bloc, and it is time for the administration to stop appeasing the Arabs by acceding to their tactics in the U.N.

Not only most Arab nations, but virtually the entire international community has used the U.N. as a stage for its attack on Israel's Jerusalem resolution. Throughout the barrage of hostile statements and belligerent actions, few have thought to look at the record.

The facts are that only Israel has kept Jerusalem open to all worshipers. Only Israel has protected holy shrines of all religions. Similarly, only Israel has made true efforts to improve the economic lot of the Palestinian people, including absorbing them into the labor force and insuring their passage

from the West Bank to the Gaza Strip. This is an impressive record which deserves attention.

The United States should be speaking out strongly to focus the world's attention on Israel's fine record in Jerusalem. We should not be silent about this record. President Carter ran on a platform committing the United States to recognize Jerusalem's historic position as capital of Israel and calling upon the United States to move its Embassy to Jerusalem. He should keep that commitment.

I believe that Rabbi Stanley Rabinowitz eloquently described the historic position of Jerusalem in his letter to the *New York Times* of August 24. I commend this letter to my colleagues' attention:

**PEACE IN JERUSALEM DISTURBS THE U.N.**

To the Editor:

The rehearsal of the history of Jerusalem (news story Aug. 1) suffers from the defect of its virtues: while concise and balanced, it ignores the important element of population data.

Ever since 1844, Jerusalem has been the one city in the Holy Land which has consistently had a Jewish majority in the population except for the heavy-handed Jordanian rule (1948-67). According to the 1844 *Encyclopedia Britannica*, of the 15,000 people living in Jerusalem, 3,390 were Christians, 5,530 were Moslems and 7,120 were Jews.

Jerusalem has yielded to many conquerors each of whom restructured both the architecture and the infrastructure of the city in its own image. Each conqueror exiled the vanquished and denied them rights of entrance to the walled city. Thus did Jordan treat the native Jewish inhabitants in 1947 when Jews were in the majority.

For the first time since the Roman period, Jerusalem is now open to all cultures, all faiths and all peoples, something that was not even true when the British were in charge.

During the 19 years of Jordan's control of Jerusalem, the Jews were promised certain visitation rights under the armistice agreement. These rights were denied them and the world was silent. If Jerusalem were returned to Arab or Moslem control, and if the access of the Jew to the Western Wall were to be denied, I doubt very much whether any government would lift a finger to secure or protect those rights.

There is peace in Jerusalem today embracing all its citizens regardless of faith. Apparently, peace disturbs the tranquility of the United Nations.

(Rabbi) STANLEY RABINOWITZ.

WASHINGTON, August 8, 1980. ●

**APPROPRIATION FOR INTERNATIONAL  
EDUCATION PROGRAMS**

**HON. LEON PANETTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. PANETTA. Mr. Speaker, I rise to strike the requisite number of words.

Mr. Speaker, as a former member of the President's Commission on Foreign Language and International Studies, I want to take this opportunity to commend the distinguished chairman

of the Labor-HEW Subcommittee for his leadership in preparing an appropriation for international education programs which truly is a vast improvement over the previous year. The report of the President's Commission delineated an alarming national deficiency in international studies and foreign language capability precisely at a time when our demands in these fields have increased. It is very important that the Congress provides sufficient support for international education programs which are vital to the Nation's future well-being.

Since the Commission filed its report in November of 1979, I have been working closely with Representatives SIMON and FENWICK, who were also members of the Commission, in trying to heighten the awareness of the Congress and the American people in the area of foreign languages and international studies. Together we have formed an international education group of House Members who are interested in cooperating to make improvements in Federal programs in this field. The international education group now has 35 Members, with a number of Senate offices keeping in close contact with our efforts.

The bill before the House today contains \$21.8 million for foreign language training and area studies programs. It also contains \$6.2 million for the Mutual Educational and Cultural Exchange Act programs—Fulbright-Hays. This level of funding is an improvement and a good step forward. I am particularly pleased that the committee's report highlights the need to extend assistance to undergraduate and precollegiate international programs. This reflects a high degree of support for the concept of providing assistance to contribute to the international awareness, cultural understanding, and foreign language capabilities of Americans—not only to produce experts in these fields. The thousands of students who have benefited from these programs have been able to contribute a broadened international understanding in their capacities as teachers, community and business leaders, local officials, lawyers, and responsible citizens. The committee report makes this point explicitly, and I want to emphasize that the United States has a severe need for experts in these fields, but that it also has an interest in supporting international education programs that can help Americans of diverse backgrounds and professions better understand the world in which we live.

Again, my sincere appreciation to the Appropriations Committee for supporting these programs and for emphasizing the undergraduate language and area centers and the undergraduate international studies programs. I look forward to working together with the committee in future years in support of these needed programs.●

## TRIBUTE TO JEROME CHAPMAN

### HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GONZALEZ. Mr. Speaker, as commissioner of the Texas Department of Human Resources, Mr. Chapman has been responsible for all facets of the department; maintaining the department's relation with significant external agencies and groups which have influence and interest regarding the department's activities; administering a department of 12,500 employees; managing a department budget of \$1.6 billion for fiscal year 1981; and organize extensive coordination with agencies on welfare programs, since 60 percent of the departments finances are federally funded.

Mr. Chapman who is nationally recognized for his knowledge of welfare programs became commissioner of the Texas Department of Human Resources in 1977, upon the retirement of Mr. Raymond W. Vowell.

He lead the first title XIX—medicaid—task force which designed the program of medical assistance in Texas. It is now considered one of the best administered medicaid programs in the Nation, and its provisions have been used as models for other States. Mr. Chapman also helped implement title XX—social services—program in Texas, benefiting the elderly, disabled, families and children.

His major accomplishment in 1976 was the leadership in compiling an entire new set of minimum standards as mandated by the Child Care Licensing Act of 1975. As a result, standards were developed protecting the safety and well being of children in the care of other than their parents or guardians.

Over the years, Chapman has been up through the ranks of the department of public welfare, serving in many capacities. In the process he gained the vast amount of program knowledge that has caused him to be sought out by the Department of Health, Education, and Welfare, for service on many advisory and policy committees at the national level.

Jerome Chapman has been with the Texas Department of Human Resources since 1950, and after 30 years of dedicated service, will retire this year. He has had assignments in every part of the State with varying responsibilities including those of caseworker, supervisor, regional director, adoption consultant, director of licensing, and assistant director of child welfare division.

He is a past president of the Texas Public Employees Association, has twice been a board member and presently is an officer of the American Public Welfare Association. He has been active in the Child Welfare League of America, Texas United

Community Services, and various other professional organizations. He was appointed chairman of the council on early childhood development for Texas which generated the establishment of the council of early childhood development in the office of the Governor.

As a result of his extensive knowledge of State and national public assistance plans, Chapman in his executive capacity, has devoted much of his time to review of the department programs that combined reach the lives of one of every six Texans annually. Many of the programs were substantially shaped by his recommendations.

Although born in Kansas, Chapman calls Beeville, Tex., his hometown.●

### MARY J. HEAD—NATIONAL BUSINESS AND CIVIC LEADER

#### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. PICKLE. Mr. Speaker, the city of Austin, Tex., is blessed with many capable leaders. In recent years, the number of elected women officials has gained national attention. But several other women are quite involved in other business and civic pursuits.

One of these outstanding leaders is Mary J. Head, who serves on the boards of several corporations. She began her career when President Nixon appointed her to the Board of Amtrak in 1974.

Sun magazine, published by the Sun Corp., on whose board Mrs. Head also serves, recently did a profile on this hard-working woman. Mrs. Head embodies the very spirit of equal economic and social opportunities for women in all facets of life. Her example can be useful for other women with dreams and ambitions, so I am glad to submit this article on Mary Head:

#### MARY J. HEAD—ONE OF THE BEST DIRECTORS I'VE EVER SEEN

(By Bob Finucane)

Ben Head looked at Mary and grinned. "You'll be okay," he teased. "After all, Austin does have an airport."

This moment in the lives of Mr. and Mrs. Ben T. Head, then of Newport News, Va., ticked away about two years ago, on the heels of Ben's announcement he'd been offered a bank presidency in Austin, Texas.

Ben's velvet needle was not without its point: Airports are Mary Head's support system. Without them, she's a Wyeth without canvas, a muzzled Streisand.

Today, Mary is flying in and out of Austin more frequently than Lyndon B. Johnson did when he was shuttling between the White House and his ranch, 60 miles west of the Texas capital.

Mrs. Head waits for baggage and taxis in dozens of cities but she waits more often in Chicago, Washington, Kansas City and Philadelphia, headquarters towns for six corporations she serves as a director—and only woman director.

"She's one of the best directors I've ever seen," says Ralph S. Saul, chairman and

president of INA Corporation. Mr. Saul is a director of Sun Company, Inc., to whose board Mrs. Head was elected early this year.

"Forget man . . . woman . . . that sort of thing," Ralph Saul suggests firmly. "She is one of the best directors I've ever seen, period."

Mrs. Head assumed her first directorship in 1974 when she was named by President Nixon to the board of Amtrak (National Railroad Passenger Corp.) and for four years served as its vice chairman. She is a director, also, of Household Finance Corporation, Butler Manufacturing Company, CertainTeed Corporation and the American Hospital Supply Corporation.

"Her business judgment is uncanny," says Mr. Saul of the 50-year-old mother of three who possesses neither corporate experience nor college diploma.

"I haven't entirely abandoned the idea of going back for my degree," she confesses.

If she takes that step, and enrolls at Mary Baldwin College in Staunton, Va., she'd be the first trustee/student in that institution's history. (She serves also on the board of visitors of the University of Pittsburgh Graduate School of Business.)

Mrs. Head spent one year at Wellesley College and one at the University of Oklahoma before becoming, at 19, the June bride of Ben Head, 29, a practicing attorney in Oklahoma City.

"I knew on our first date I would marry him. I told him his blue eyes did it, but wasn't it nice that he turned out to be trustworthy, loyal, kind, obedient, thrifty, brave and all those Boy Scout things?"

Mrs. Head spent the better part of the next two decades raising her family (one daughter, two sons) and allowing herself to be happily caught up in the social, cultural, religious and civic swirl of Oklahoma City.

There was hardly a charitable cause in the state capital that didn't catch her attention. Proof that her interest was not of the hit-and-run variety is provided by the record: Titles such as president, chairman, administrator, etc., are all there.

Her reputation as a motivator and achiever gradually spread statewide, then beyond, so none of her friends were surprised, in 1968, when she was named to the Citizens Advisory Committee on Transportation Quality, in Washington, D.C.

"It was a body representing the consumer viewpoint on transportation," Mrs. Head explains. The savvy she exhibited with this group resulted in her later appointment to the quasi-official Urban Transportation Advisory Council to the Secretary of Transportation.

Exposure to transportation problems and people, and her empathy for them, was responsible for her surprise appointment as a director, in 1974, to the board of Amtrak, on which she has served for six years.

If pressed to name the honors which have most pleased her, Mrs. Head would probably list her induction into the Oklahoma Hall of Fame, on which occasion she was presented by old friend U.S. Supreme Court Justice Byron R. White; her inclusion by Business Week several years ago among the "100 Top Corporate Women" in the U.S.; her address before the annual judicial conference of the Tenth Circuit Court, at Estes Park, Colo., the first woman ever invited to speak before that group, and a similar breakthrough before the Oklahoma City Economic Club.

Does this uncommon woman find herself tentative in dealing with male board members?

"That's not my nature," Mrs. Head says. "And, as a matter of fact, they're most gracious, helpful and not patronizing in any manner. I'm deeply indebted to them."

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Mary Head rates 19 lines in Who's Who in America (Oscar-winning costume designer Edith Head gets only 12).

"My husband is my biggest supporter, my unofficial public relations man," Mary claims. "Sometimes I'm asked by young women, 'How do you do what you do?' and my stock answer is, 'Have a husband like mine.'"

Mr. Head is a retired colonel who served in the India-Burma Theatre during World War II. He switched from law to banking "because it looked like more fun" and was president of an Oklahoma City bank before taking a similar position in Newport News.

The Head family works out of, and in, an eight-room contemporary house whose glass walls make the swimming pool area a ninth. Son Eric, 20, is a freshman at the University of Texas, 10 minutes away. Daughter Marcy, 28, is probation training administrator at the Federal Judicial Center in Washington, D.C. Son Paul, 26, is married and in the banking business back in Oklahoma City.

In contrast to her community whirl as a young wife and mother, Mrs. Head projects a low profile in Austin, "I'm out of town so much I couldn't make a meaningful contribution," she explains.

When the local Rotary Club asked her to speak on any Tuesday of her choosing, she discovered her first open Tuesday was six months away.

For a woman who moves easily and often through executives suites, Mrs. Head keeps herself remarkably free of corporate gingerbread. She has no office and no secretary, handles her own correspondence, writes her own speeches and schedules her business trips from a corner of a spare bedroom.

When Eric's at school, there's just Mary and Ben—the way it all started 30 years ago. And they're this kind of folks:

The year after they were married, Ben was named "Oklahoma City's Outstanding Young Man." Mary knows he won the honor for his civic contributions; Ben figures he won it for winning her.●

#### FEDERAL COAL LEASING

#### HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. RAHALL. Mr. Speaker, I have just received a copy of the General Accounting Office's report entitled: "A Shortfall in Leasing Coal From Federal Lands: What Effect on National Energy Goals?"

What this report states, in short, is that the Interior Department's attempt to implement the new Federal coal leasing program is a sham, loaded with insufficient data, bad planning, and downright incompetence.

Our efforts for energy independence have been likened to a "war" by many, and I agree with such an assessment. But if it is indeed a war, the Department of the Interior seems to be fighting it with popguns and peashooters.

GAO stated that the problems involve, "Not leasing enough coal, not selecting the best coal areas of lease, and not having the needed coal data."

The report goes on to point out, "Unless these problems are corrected

early, Federal lands may not contribute significantly—as they could—to meet the Nation's need for more coal in years to come."

GAO recommends that assumptions be reviewed in establishing leasing targets, that more realistic time frames be followed,

That a margin of error for geological surveys be included, better planning, and the development of long-range plans.

In response, the Interior raised more questions, and the Energy Department, and I quote the report, "provided no substantial comments."

Mr. Speaker, our energy future is in the hands of agencies that are not carrying out the public will. I suggest that it may be time to oversee, not only the Federal leasing program, but the agencies in charge of the program as well.●

THE GIBBONS WORK AND SAVINGS INCENTIVE PLAN FOR 1981, H.R. 7870, 7871, 7872, AND 7935

#### HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. GIBBONS. Mr. Speaker, in July of this year I announced my \$35 billion tax cut plan for 1981 that is designed to strengthen our economy while providing needed and deserved tax relief for all individuals and businesses.

Provisions of the Gibbons plan include:

Increasing individual retirement savings incentives by substantially increasing the amount which can be contributed to individual retirement plans, by making these available to all workers, whether or not they are in a pension plan, and by permitting non-working or low-earner spouses to have their own IRA's of an equal amount.

New incentives to encourage more low income workers to set up retirement accounts and to increase the availability of retirement savings at these lower income levels.

Elimination of the "marriage penalty" by allowing married workers the option of filing as if each were single.

Liberalization of the tax relief provisions directed at low-income families and an increase in the Earned Income Credit to offset the scheduled 1981 increase in social security payroll taxes for these families. Currently low-earner families receiving some public assistance benefits find themselves hit with marginal rates of 50 percent or more as soon as they begin paid employment. "The high marginal rates now imposed on such workers encourages welfare, not work."

Relief for Americans working overseas who can now be faced with tax bills from two nations, as well as extraordinary complexity in determining their potential U.S. tax liability.

Modification of business depreciation rules to allow a quicker write-off of capital assets and to reduce business taxes by up to \$10 billion.

Mr. Speaker, today I am making available more detailed explanations

of the four bills I have introduced to implement this plan. Most importantly, H.R. 7870 would expand the incentives for individual retirement savings by providing a 50-percent tax credit for all workers and their spouses on contributions to IRA's of up to \$3,000. This proposal is the centerpiece of my plan for stimulating greater long-term savings by Americans which in turn will increase the capital available to U.S. businesses and industries, laying the foundation for a strong economic recovery. The bill will be amended further in the near future to also allow the credit for voluntary employee contributions to their employers' plans, thereby strengthening private pension plans as well.

As for the other elements of my plan, H.R. 7871 would liberalize the earned income tax credit; H.R. 7872 would reduce taxes on Americans working abroad; and H.R. 7935 would eliminate the marriage penalty by allowing optional separate filing. These measures are necessary in terms of the tax relief they will provide and overdue on the basis of tax equity.

I urge your support of the Gibbons plan, in whole or in part.

#### SECTION-BY-SECTION ANALYSIS OF H.R. 7870 RELATING TO EXPANDED INCENTIVES FOR INDIVIDUAL RETIREMENT SAVINGS

Section 1.—Short Title: "IRA Work and Savings Incentive Act of 1980."

Section 2.—Allowance of Credit: This section provides a tax credit to replace the present law IRA deductions, which are based on a contribution limit of the lesser of \$1,500 or 15 percent of compensation.

Subsections (a) and (b) of the new Section 44F allow any individual to contribute up to \$3,000 of compensation to an IRA and receive a 50 percent nonrefundable tax credit on such contribution, for a maximum credit of \$1,500.

Other rules added by Section 2 of the bill to Section 44F are as follows:

No credit is allowed for contributions to an IRA for any taxable year ending after an individual has attained age 59½. (Persons who have attained 59½ are still permitted to make tax deductible contributions to an IRA, up to the new \$3,000 limit.) Section 44F(b)(3).

In the case of a simplified employee pension, the employee is allowed the credit for employer contributions to the SEP, but only to the extent of the employee's contribution limit as reduced by all other contributions made by or on behalf of the employee to an individual retirement plan. Section 44F(b)(4).

No credit is permitted for any rollover contribution to an IRA. Section 44F(b)(5).

The current spousal IRA rules are repealed and instead, each spouse may contribute up to \$3,000 to a separate, independent IRA. The 50 percent credit is then allowed separately for each individual for contributions made to an IRA. Nonworking or low-earner individuals are permitted to make such IRA contributions based on the greater of their own or their spouse's compensation. Section 44F(c)(3).

Present law rules are retained which permit an individual to establish and make contributions to an IRA for a year up to the time for filing the individual's tax return for the year, including extensions. Section 44F(c)(4).

Present rules concerning excess contributions are retained; however, the phrasing of

these rules is changed to reflect the new 50 percent nonrefundable credit available for certain IRA contributions. Section 44F(c)(5).

In order to maintain the present level of penalties for premature IRA distributions while reflecting the change in the level of tax subsidy to be provided IRA contributions, Section 2(b) of the bill also modifies the current rules on the taxability of premature distributions. If any portion of a distribution made prior to age 59½ is attributable to contributions for which the 50 percent credit was received, then such portion is not includible in gross income but is taxed at a special 50 percent rate to recapture the credit received. The portion of a distribution attributable to deductible contributions is includible in gross income, as per present law. In addition, the present 10 percent penalty tax is retained for all premature distributions, whether of creditable or deductible contributions.

Section 3.—Increase in Deduction for Plans for Self-Employed: This section increases the maximum deduction allowed for employer contributions to a qualified plan on behalf of self-employed individuals, i.e., for contributions to "Keogh" or "H.R. 10" plans. The maximum deductible amount is increased from \$7,500 to \$10,000. This section also provides an identical increase in the amount that may be excluded from gross income by a shareholder-employee in the case of a contribution by a Subchapter S corporation to a qualified plan on behalf of such shareholder-employee.

Section 4.—Revision of Section 219: This section increases from \$1,500 to \$3,000 the maximum annual deduction for contributions to an IRA. The IRA deduction is retained for those individuals who do not qualify for the 50 percent credit, namely, IRA owners who have attained age 59½ before the close of the taxable year. As under present law, contributions to an IRA are no longer deductible by the IRA owner starting with the taxable year in which age 70½ is attained.

This section also repeals the eligibility restrictions under present law. Thus, active participants in qualified plans, government plans and Section 403(b) tax-sheltered annuities are permitted to contribute to an IRA, up to the increased contribution limit of \$3,000.

In the case of a simplified employee pension, this section increases the maximum deduction for employer contributions to \$10,000. In addition the employee is allowed to contribute an additional \$3,000 to the same or a different IRA and obtain the 50 percent credit with respect to the contribution if the employee is under age 59½, or a deduction if age 59½ or over. If the employee does not himself contribute the full \$3,000, employer contributions in an amount equal to the unused balance are eligible for the 50 percent tax credit in the case of an employee under age 59½.

Section 5.—Technical and Conforming Amendments: This section makes a series of technical and conforming amendments necessary to accomplish the described purposes of the preceding sections.

Section 6.—Effective dates are established for taxable years beginning after December 31, 1980.

#### SUBSECTION-BY-SUBSECTION ANALYSIS OF H.R. 7871 TO LIBERALIZE THE EARNED INCOME CREDIT

Section 1(a) would increase the credit rate of the Earned Income Credit (EIC) from the present level of 10 percent of the first \$5,000 of earned income to 11 percent. The maximum credit would be thus increased from \$500 to \$550.

Section 1(b) would delay the phaseout of the credit until either AGI or earned income exceeds \$8,000, instead of the \$6,000 level provided under present law. In addition, this sub-section would provide for a slower rate of phaseout of the EIC—7.86 percent instead of the present 12.5 percent rate of phaseout. As a result, the EIC would not be entirely phased out until AGI or earned income reached \$15,000, rather than \$10,000 as provided by present law.

Section 1(c) would provide that in determining eligibility and benefits under federal assistance programs such as AFDC, SSI and foodstamps, the earned income credit received by a potential beneficiary is to be disregarded. This change would reinstate the rule in effect prior to the Revenue Act of 1978.

Section 1(d) sets forth several technical and conforming changes necessary to effectuate the purposes of the preceding subsections, e.g., the advance payment of the EIC provided by present law would be calculated based upon the new EIC rates.

Section 1(e) provides that the changes made by H.R. 7871 in the computation of the EIC would be effective for taxable years beginning after December 31, 1980; the reinstatement of the disregard and the change in the advance payment would be effective for EIC payments or compensation paid after December 31, 1980.

#### SUBSECTION-BY-SUBSECTION ANALYSIS OF H.R. 7872 RELATING TO THE TAXATION OF AMERICANS WORKING ABROAD

Section 1(a) would amend Section 911(a) of the Internal Revenue Code so as to return to the law in effect prior to the passage of the Foreign Earned Income Act of 1978. Thus, this subsection reinstates both the "bona fide resident" test and the "17 out of 18 months" test to determine eligibility for the earned income exclusion as computed under Section 911(c).

Section 1(b) would amend Section 911(c) to provide that if either of the tests set forth in Section 911(a) is satisfied, the amount eligible for exclusion is computed on a daily basis at the annual rate of \$75,000.

Section 1(c) would amend Section 911(c) to add the requirement that in order to be eligible for any exclusion, the earned income may not be received in foreign countries outside the foreign country or countries where the income was earned, if one of the purposes of the receipt in another country or countries is the avoidance of any tax imposed by the foreign country in which the income is earned.

Section 1(d) would repeal Section 913 (deductions for certain living expenses of living abroad).

Section 1(e) sets forth several technical amendments to the Internal Revenue Code the most significant of which amends Section 1034(k) (rollover of gains on the sale of a principal residence) to provide that the time periods would be suspended if the taxpayer has a tax home abroad after the sale of the old residence. However, the suspension is not permanent and would end after four years after the date of sale.

Section 1(f) sets forth several clerical amendments to the Internal Revenue Code.

Section 1(g) sets forth the effective date of H.R. 7872 as taxable years beginning after December 31, 1980.

#### SECTION-BY-SECTION ANALYSIS OF H.R. 7935 RELATING TO ELIMINATION OF THE MARRIAGE PENALTY

Section 1.—Short Title: "Marriage Penalty Relief Act of 1980."

Section 2.—Combined Return: Adds a new section to the I.R.C., Section 6013A, which provides married individuals with the additional option of filing a combined return where each spouse determines his/her own individual taxable income to which the unmarried tax rates apply. A married couple, filing under the provisions of the Act, would file one combined tax return. (Of course present Code provisions allowing married individuals to elect to file a joint return under Section 6013 and the tax rates imposed by Section 1 for married couples filing a joint return and for married individuals filing a separate return are retained.)

Treatment of Income: The new section 6013A(b) defines how income is to be attributed to each spouse for purposes of determining each one's gross income:

(1) personal service income, such as wage, salary, self-employment, pension, or annuity income, is allocated to the spouse actually rendering the personal service.

(2) income from property, such as rents, interest, dividends, and so forth, is allocated between the spouses according to their respective ownership interests in the underlying asset.

Treatment of Deductions: The new Section 6013A(c) describes the allocation of deductions between spouses for purposes of determining the taxable income of each, as follows:

Section 62 deductions, which are "above-the-line" subtractions to arrive at adjusted gross income, are generally allocated to the spouse having the income to which the deductions relate. Such deductions include trade and business deductions, certain employee expenses, the deduction for long term capital gains, and property-related deductions. Exceptions are provided for: Retirement savings where the deduction is allowed to the spouse for whose benefit the savings are maintained, and alimony where the deduction is allowed to the spouse who is liable for the alimony payments.

Personal exemption deductions, including additional exemptions for having reached the age of 65 or for being blind, are allowed to each spouse as applicable on a separate return.

All other deductions, including exemptions for dependents and itemized deductions, are to be calculated as under present law, aggregated, and then allocated to each spouse in the same proportion as that spouse's adjusted gross income bears to the couple's combined adjusted gross income.

This subsection also provides that each spouse shall apply the unmarried zero bracket amount of \$2,300 to his/her share of itemized deductions for purposes of calculating excess itemized deductions and taxable income. Such an approach allows one spouse with more than \$2,300 in itemized deductions to get the benefit of itemizing, at the same time that the other spouse with less than \$2,300 in itemized deductions can get the benefit of the zero bracket amount.

Treatment of Credits: Section 6013A(d) provides that eligibility for and calculation of credit amounts shall be determined as under present law for married couples and applied against the couple's combined tax liability.

Other Provisions: Section 6013A(e) provides that present law rules applicable to married couples filing joint returns under Section 6013 apply to this Act, unless otherwise stated. Important rules of 6013 include rules on the eligibility for filing such returns and joint and several liability with respect to the taxes imposed. Section 6013A(f) provides that the Secretary shall prescribe regulations necessary for proper implementation of this Act.

Section 3.—Conforming amendments are specified.

Section 4.—Effective Date: Taxable years beginning after December 31, 1980.●

## TRAGEDY IN BOULDER CITY

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. SANTINI. Mr. Speaker, recently, a constituent of mine sent me a series of articles by Paul Fisher which were printed in the Boulder City News, Boulder City, Nev. I was especially touched by this particular article. I can only hope that we, as Congressmen, can learn the important message included here, without experiencing the great tragedy that Mr. Fisher has had to go through.

My beautiful little twenty-six-year-old daughter, Caroleen, is legally dead. Doctor Hammargren told me last night that the Angiogram showed no blood circulation to the brain. She is still on the respirator and life support systems and will remain on them until they can salvage those vital organs that may help sustain the life of some other man or woman.

Her mind is gone from her body but I like to think that she will live on in the hearts and minds of those of us who knew and loved her. She has seemed very close to me since that accident, helping me write these important words. Words that I've known I should have been writing for a long time.

Life is for the living and true to my promise to her I shall try not to be sad but instead rededicate my efforts to help make this a better and happier world.

Our poor country is facing tremendous problems of inflation, unemployment and defense while our Government is bogged down in confusion with internal conflicts and a lack of any consistent plausible program for solving those problems.

It is election time but few of us believe that the election offers much hope for any great improvement.

Is the task of governing ourselves beyond our ability? Have we no alternative but a continued deterioration of the strength, the security and the happiness of our People?

My answer is: We can solve our problems. There is always a simple, best answer to any problem even the most difficult. First, we need Faith in God. Faith in Nature, and then faith in ourselves along with a dedication to seek honestly and accurately the best answers possible based on our past experiences. This is the scientific technique. The technique that has brought us such tremendous progress in the physical sciences. Progress and knowledge that is growing so fast that it is estimated that over fifty percent of all of our knowledge in physics, chemistry, and electronics has been discovered within the last fifty years even though Mankind has been seeking knowledge in these fields for tens of thousands of years.

This astounding progress is due to one thing: the Scientific Technique. It proves the ability of the human mind to solve problems.

Some thirty years ago, it occurred to me that if we understood the scientific technique well enough; we could apply it to any problem including our social problems: The problems of inflation, unemployment, de-

fense, government, ethics, philosophy, religion, and Survival.

When we discover how to do this, we will usher in a new Renaissance, a new scientific age, a better and happier tomorrow that will help guarantee the future survival of that which is best and happiest.

And so in the weeks ahead I will explore with you the mysteries of the scientific technique and I will show you how you may apply it to almost any problem that troubles you. I will also show you how together we can apply it to the confusing problems confronting our Government and our People.

We will build a plan to restore our Country. We will build it carefully, piece by piece on a foundation of facts acquired by accurate observation of what our experiences teach us. It will be constructed like a mathematical equation and together we will find some answers upon which we can agree to end the baffling confusions which trouble us now.

So stay with me. We are on a grand and glorious adventure.

Next week, I shall tell you what the scientific technique really is, how it works, and how we can apply it to any and all problems.

See you next week. Same time—same place.

PAUL FISHER.●

## REGULATORY REFORM MUST BE REVIVED

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. MAZZOLI. Mr. Speaker, in his state of the Union address to the 96th Congress, and in many public statements since, President Carter has strongly endorsed the passage of legislation to provide a major overhaul of the Federal regulatory process.

However, the actions of the administration raise questions in my mind about how fervent, indeed, is its commitment to regulatory reform.

The House Judiciary Subcommittee on Administrative Law spent many long hours in hearings and markups on all the pending versions of regulatory reform bills—including the administration's. All viewpoints were given careful and thoughtful attention before a bill was reported to the full House Judiciary Committee.

The full committee has already held several markup sessions on this important bill. While the product of all this labor is not perfect, it is, on balance, an excellent piece of legislation. It does not deserve the fate it seems to have been consigned: To be allowed to slip under the murky waters of the 96th Congress without a ripple.

Daily, I hear complaints from residents and business people of the Third Congressional District that they are driven to distraction by the floor of bureaucratic rules and redtape. They are pleading for relief.

Mr. Speaker, passage of legislation to increase congressional oversight of—and public participation in—the regulatory process should no longer be delayed.●

## RIGHT ON RED

## HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 28, 1980

● Mr. BEARD of Tennessee. Mr. Speaker, last week I introduced H.R. 8000, which would require States to allow right turn on red (RTOR) after stopping at at least 70 per centum of stoplights in the State.

I would like to call the following article which appeared in the American Transportation Builder, to the attention of my colleagues. This article points out that RTOR will result in substantial fuel savings. Also, it refutes the argument that RTOR will result in more accidents; studies have proved that this is simply not true. There is no significant increase in the number of accidents after RTOR measures are implemented.

I commend this informative article to my colleagues' attention; and, I urge these legislators to demonstrate their support for RTOR by cosponsoring H.R. 8000.

The article follows:

## RIGHT TURN ON RED—AFTER STOP

Since the 1974 Energy crunch, the demand for energy efficient policies have increased throughout the country. One such saving idea is Right Turn on Red (RTOR). Practiced in California since 1937, the eastern half of the United States was slow in passing this ruling. The majority of states have legislated the permissive rule which allows Right Turn On Red at intersections where the movement is not prohibited by signing, and all 50 states have adopted some form of RTOR. The District of Columbia finally granted RTOR in December 1979, but not without its limitations. Over 80% of all of the intersections in DC have signs posted that do not allow RTOR. The city cites the opposition based on its rank as 5th in the Nation for pedestrian fatalities.

Those doubters in DC and elsewhere against RTOR claim that it jeopardizes safety for the few pennies of fuel saved. But statistics are not in their favor! Based on a study done by the Highway and Transportation Research Council of the Commonwealth of Virginia, entitled "The Impact of General Permissive Right and Left Turn on Red Legislation in Virginia" by Martin Parker, Jr. Research Engineer, states "RTOR has had a significant impact on improving traffic flow at intersections and in saving motorists time and fuel. Accidents and pedestrian problems with RTOR appears to be minor, with the benefits of the legislation far outweighing any disadvantages. Because there are few signalized intersections of one-way streets in Virginia, LTOR has not had the statewide impact of RTOR. However, in the cities of Newport News and Richmond, which contain 85% of the LTOR approaches, LTOR appears to be working as well as RTOR.

"With the new legislation, RTOR maneuvers are permitted at 84% of the signalized intersection approaches. While there was a trend for localities to remove some prohibitive NO TURN ON RED signs during 1977, there still is considerable variation and inconsistencies in the manner in which RTOR is implemented.

"Since the general permissive rule has been in effect, there has been a significant increase in the number of motorists failing to come to a full stop before turning on red. The public should be reminded that stopping before turning on red is a safety measure and is required by law.

"The study data clearly indicate that the vast majority of Virginians, including the state's law enforcement officials and traffic engineers, strongly favor the new general permissive turn on red legislation."

In another study done by Hugh McGee, (now with Wagner-McGee Associates, Inc.) for the FHWA, U.S. Department of Transportation, he explains the types of accidents that could occur due to RTOR.

"Several distinct types of accidents appear to be associated with RTOR. Illustrated in Figure 1 are four prominent types of RTOR conflicts: rear end, opposing left turn, cross street, and pedestrian.

"The most common RTOR accident type occurs when an RTOR vehicle collides with a vehicle moving on green on the cross street. Sixty-five percent of the reported RTOR accidents in the studies could be categorized under this type, which usually occurs when a RTOR motorist either fails to see the approaching vehicle or perceives a wider gap than is required to make a safe maneuver. These accidents are usually caused by driver error, although limited sight distance can be a contributing factor.

"Another frequent type of RTOR accident involves an RTOR vehicle colliding with a vehicle making a left turn from the opposite approach on a left-turn phase. Of all RTOR accidents, 18 percent were of this type. In this situation, an RTOR-motorist looking to his or her left for oncoming cross-street traffic may not be aware of a conflict with left-turning vehicles moving on a separate phase. This conflict can be more serious if there is only one lane to turn into. Where there are multiple departure lanes, the turning vehicles can avoid collision. The accident forms, however, indicated that these types of accidents occurred with multiple lanes as well as with single departure lanes. Prohibiting RTOR at all locations with a left-turn phase should preclude these accident types from occurring. However, because of the randomness and infrequency of these accidents, it would not be practical to prohibit the movement at all such locations.

"The third type of RTOR accident is the rear end. These occur when a vehicle in the process of making an RTOR stops abruptly and is hit in the rear by the following vehicle. This type of accident accounted for 5 percent of all identified RTOR accidents. Because these typically result from driver error, there does not appear to be any way to eliminate them.

"The fourth major type of accident is an RTOR vehicle hitting a pedestrian crossing the intersection. As shown in Table 1, the percentage varied widely from 0 to 33 percent. In most cases, the pedestrian was hit while crossing on green in the crosswalk immediately in front of the turning vehicle. However, in a few instances a pedestrian was hit while crossing on a red signal (which is illegal in most states) in the crosswalk on the lane the vehicle is turning into.

"In addition to these four major types of RTOR accidents, there were two others that were very infrequent.

"1. Two RTOR vehicles sideswipe. Sometimes two vehicles collided while making an RTOR simultaneously when there were double right turn lanes, or when one of the vehicles used the shoulder.

"2. The RTOR vehicle induces an accident. In two cases the RTOR vehicle, although not involved in the accident, created a situation that resulted in an accident. Once the cross-street vehicle collided with another cross-street vehicle to avoid hitting the RTOR vehicle. In another case (which happened in Ohio and was brought to our attention), the RTOR vehicle apparently induced a following vehicle to cross the intersection on red resulting in an accident with a cross-street vehicle coming from the opposite direction. This latter accident resulted in a fatality, the only one during the whole course of study.

"From the results of our accident analysis and those reported by others, it appears that RTOR accidents are very infrequent. Shown in Table 1 are the overall RTOR accident statistics for 13 different locations using data developed in this study and reported by other researchers. The percentage of RTOR accidents (all types) to all accidents occurring at the specified number of signalized intersections for the generally permissive rule range from a low of 0.4 in San Francisco to a high of 3.0 for the 78 intersections in Chicago."

As demonstrated from these results, the record of accidents caused because of RTOR is insignificant, but what about the energy savings?

In the 1979 Annual Report by the Department of Energy, the planned 1980 State energy savings for RTOR measures 4.07 trillion BTUs. The reported 1979 State energy savings estimates for RTOR measures 4.66 trillion BTUs. Obviously, the fuel savings is surpassing the target amount!

It appears from the reports studied, RTOR is fuel efficient and is not a threat to safety. Areas like the District of Columbia will hopefully change their attitude about RTOR, as the need for fuel, and the statistical evidence proves RTOR is accomplishing its task!

TABLE 1—RTOR ACCIDENTS AT SEVERAL LOCATIONS

RTOR rule and location	Study year	Signalized intersection	Intersection accidents	RTOR accidents		Pedestrian accidents	RTOR pedestrian accidents		
				Number	Percentage		Number	Percentage of pedestrian accidents	Percentage of RTOR accidents
Generally permissive:									
Los Angeles.....	1973-74	3,235	41,316	287	0.70	1,487	54	3.6	18.8
Denver.....	1974	1,059	7,431	50	0.70	125	0	0	0
Dallas.....	1973-74	1,000	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )	18	0	0	0
Chicago.....	1974	78	694	21	3.0	24	6	25.0	28.6
San Francisco.....	1953-55	75	3,328	12	0.4	14	4	29.0	33.0
Portland.....	( <sup>1</sup> )	( <sup>1</sup> )	52,577	253	0.5	( <sup>1</sup> )	20	( <sup>1</sup> )	7.3
Jacksonville.....	( <sup>1</sup> )	405	1,756	13	0.7	( <sup>1</sup> )	2	( <sup>1</sup> )	15.4
Dade County.....	( <sup>1</sup> )	29	700	9	1.3	( <sup>1</sup> )	0	0	0
Omaha.....	1971-72	26	497	11	2.2	( <sup>1</sup> )	0	0	0
Salt Lake City.....	( <sup>1</sup> )	24	600	8	1.3	( <sup>1</sup> )	0	0	0
Sign permissive:									
Chicago.....	1973	95	936	27	2.9	57	5	8.8	18.5
Columbus.....	1973	12	415	11	2.7	( <sup>1</sup> )	0	0	0
Virginia.....	1973	29	478	16	3.3	1	0	0	0

<sup>1</sup> Unknown.