SENATE—*Monday, February 18, 1980*

(Legislative day of Thursday, January 3, 1980)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by Hon. DAVID PRYOR, a Senator from the State of Arkansas.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let us pray.

God of our fathers and our God, we thank Thee this day for the life and work of the first President of the Republic. We thank Thee for his piety and his patriotism, for his chivalry and his idealism, for the quality of his manhood, and for his life of sacrificial service. May the mantle of his idealism and his vision fall upon us in our age that we may be strong as he was strong, wise as he was wise. Keep us ever vigilant to dangers without and infidelities within. Guided by the qualities which made him great and good and strong show us the way into a future of peace and justice and brotherhood for all people and all nations.

In Thy holy name we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. MAGNUSON).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 18, 1980.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAVID H. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

WARREN G. MAGNUSON,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Under the order of the Senate of January 24, 1901, as modified on February 8, 1980, the Senator from Alabama (Mr. STEWART), having been appointed by the Vice President, will now read Washington's Farewell Address.

Mr. STEWART. Mr. President, I want, prior to beginning the delivery of the address, to express my deep appreciation to the distinguished Senator from West Virginia, the majority leader of the U.S. Senate, for assisting in asking me to make this address. It is a unique honor and I deeply appreciate that and want to thank him.

I think it is appropriate that in these times in which we find ourselves in this country of ours, we look back on the lives of those men who founded this country and who served it in its early years and reflect on their thoughts and ideas. It is with pleasure that I do that.

Mr. STEWART, at the rostrum, read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgement of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your

● This "bullet" symbol identifies statements or inserti ons which are not spoken by the Member on the floor.

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frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite movement, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With s''ght shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our

political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reigns of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly over-thrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarm; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disburse-

ments, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; or either seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order, the majority leader is now recognized.

ORDER FOR MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of the two leaders or their designees today, there be a brief period for transaction of routine morning business not to extend beyond 30 minutes and that Senators may speak therein for 5 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JACK GERMOND

Mr. ROBERT C. BYRD. Mr. President, the Wall Street Journal recently wrote an article about Jack Germond, the distinguished columnist for the Washington Star, referring to him as a leading and influential journalist.

I agree with this characterization of Mr. Germond's status in the realm of journalism. His legendary work-pace and perceptive articles have earned him the most important of all accolades—the admiration of his peers. This is evidenced in the Wall Street Journal article by Robert W. Merry.

On occasion, I have been interviewed by Mr. Germond, and his colleague Jules Witcover. I have found their reporting to be accurate and to the point, representing a unique insight into future political probabilities.

It is not surprising that their column appears in about 120 newspapers throughout the United States.

Mr. President, I ask unanimous consent that the article about Mr. Germond in the Wall Street Journal be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW GERMOND COVERS, AND MAYBE INFLUENCES, THE PRESIDENTIAL RACE

(By Robert W. Merry)

CONCORD, N.H.—The ladies and gentlemen of the press who cover the quadrennial circus that is our method of choosing Presidents know it's no job for people with low tolerance for rhetorical hot air or long evenings in saloons. And you needn't apply if you don't like all kinds of people, a sprinkling of cynicism on all things, airplane rides, or long and frantic working days endlessly strung together.

It also helps if you can operate at peak performance on four or five hours of sleep.

Which brings us to the Washington Star's Jack W. Germond, a round figure of a man who quite possibly is the country's most zestful pursuer of presidential candidates and noteworthy restaurant meals. He also is known to be partial to people (especially political people and the journalists who hover around them), hard work, late-night libations on the altar of friendship and all the other aspects of life on the campaign trail.

He isn't known to be partial to sleep.

What the 51-year-old Mr. Germond (pronounced jer-MOND) gets out of all those frenetic days chasing the country's most ambitious politicians is more fun than he can imagine finding in any other calling. "There's only one reason to get into this business—because it's fun," says Mr. Germond, whose column—written with Jules Witcover, another scribe of legendary work habits—appears in about 120 U.S. newspapers.

But, as the warm-ups begin for the 1980 presidential run, it's clear that Mr. Germond's pursuits also produce an important byproduct—influence. Not long ago, he was called over to the White House for afternoon cocktails with the President, and he has been known to enjoy an intimate dinner there. The key to all this is that Mr. Germond is a leading member—some say the leading member—of a small circle of political writers whose work, more and more observers believe, may go beyond merely reflecting political events to actually influencing them.

This perceived influence stems from a series of developments that have bestowed on the news media an increasingly significant role in presidential politics, especially in the preconvention wrangling. These developments include opening to public scrutiny of the delegate-selection process, once the domain at political pros sitting in back rooms, and the advent of more and more presidential primaries.

STACKING UP TO SENATORS?

"The reporting of 40 or 50 senior political correspondents can determine the outcome of an American presidential election," says Theodore H. White, longtime political observer and author of the book called "The Making of the President." "They've become as important as the 100 Senators of the U.S. Senate."

If so, Mr. Germond may be the equivalent of the Senate majority leader. His fellow columnist, Mr. Witcover, undoubtedly swings a lot of weight, too. But by dint of his vast experience, encyclopedic list of sources and force of personality, many observers say Mr. Germond has an almost unique influence on many of his colleagues.

"His influence among reporters seems considerable," says Mark Shields, a former Washington political consultant who has recently entered journalism himself. "You often hear people saying, 'Well, Jack Germond says. . . .'"

Adds the Baltimore Sun's Fred Barnes, who worked for Mr. Germond at the Washington Star for several years: "We used to call him the guru. At dinner and in the bars, he was always the center of attention." Mr. Barnes says his own reporting has been influenced by Mr. Germond's style, and he probably will "emulate Jack's way of reporting in the coming campaign.

PREDICTIVE JOURNALISM

Mr. Germond's way of reporting concentrates largely on who's ahead and who's going to win. And some observers—including many here in New Hampshire, where the premier 1980 primary takes place in February—suspect that the political process isn't always well served by such reporting. They think that predictive journalism often creates political yardsticks against which candidates' performances are later judged and that those subsequent judgments affect the candidates' later political fortunes.

"The press has too much power," declares New Hampshire's former Republican Gov. Hugh Gregg, a George Bush partisan in the GOP primary battle here. "If a consensus develops in the national press about what percentage of the vote this or that candidate must get, it makes no difference what all the political pros think. And a consensus will develop, you wait and see. The process is going on right now."

Indeed, Mr. Germond has been here sizing up the unfolding dynamics of the 1980 New Hampshire primary approximately eight times (it's hard to keep an exact count, he says), amassing volumes of political minutiae that may not be very exciting right now to Kansas City housewives or other normal Americans but are the coin of the realm for political addicts.

There are plenty of that breed in this state, and Mr. Germond's effort to check in with all of them leads to some marathon work schedules. The other day he was up in time to catch the early-morning news shows, after which he dashed off a column on the latest Carter-Kennedy sparring match and strung together a long series of telephone and face-to-face interviews, culminating with a cocktail-hour session with two gubernatorial aides. At 8:15 p.m. the day's interviews were over.

But not the day. Now it's over to Osgood's, the "in" place for statehouse politicians, for a meal of veal Oscar and a typically rambling conversation on politics, journalists, wine and the good old days of political reporting. Then down to the bar for the requisite brandy and back to the Ramada at 2 a.m. to catch a little sleep before an 8 a.m. breakfast interview and the start of a new—and almost identical—day.

Mr. Germond's ability to maintain such a pace, even to accelerate it, is legendary among his friends. Most of them have had at least one experience similar to the time Mark Shields was out "raising hell" with Mr. Germond at Lake Tahoe, Nev. "I staggered down the next morning on four hours of sleep gasping for a cup of coffee to bring me back from the walking wounded," Mr. Shields recalls, "and there was Germond walking briskly through the lobby. The guy was coming back from playing tennis, and he looked fresh, alert and alive."

That famous Germond pace has contributed mightily to his reputation as a leading expert on who's who and what's what in the politics of just about every state. But other attributes contribute as well. William Ringle of Gannett newspapers, who worked with Mr. Germond for many years before his move to the Star in 1974, cites Mr. Germond's "sense of country. He's not shackled by any regional outlook or parochialism." Others note his freedom from dogma and ideology, his genuine feeling for the craft of politics and its practitioners, his ability to be skeptical without descending too deeply into cynicism.

"Jack really takes political writing seriously; in fact, newspaper writing generally is a real calling for him," says Mr. Germond's partner, Jules Witcover, who worked at the Los Angeles Times and Washington Post, and wrote five books before teaming up with Mr. Germond in early 1977.

MOSTLY TACTICAL

Nevertheless, some Germond readers wonder what his ceaseless collecting of political data really adds up to. Although Mr. Germond's reporting normally is accompanied by political analysis, the analysis seldom gets beyond campaign tactics to penetrate broad questions about what's really happening in the country.

One prominent Washington journalist likens the column to "a Washington political newsletter," and a top political organizer adds: "On covering campaign tactics, he's the best; but it often is essentially 'insider' reporting, and a reporter who's looking only at tactics can easily miss other important things."

A related, and perhaps more serious, criticism concerns Mr. Germond's addiction, frequently shared by Mr. Witcover, to political handicapping—the effort, often called "horse-race reporting," to divine who's up, who's down and who's going to win. The criticism takes on added importance in light of those new perceptions about the news media's growing role in the political process.

SELF-FULFILLING PROPHECIES

"Since in the early stages of the game there are no real measures of a candidate's true strength besides wildly erratic polls," says James Fallows, former presidential speechwriter and now Atlantic Monthly's Washington editor, "the predictions of people like Germond can be a powerful political factor." Such predictions, he adds, "can have a self-fulfilling effect."

The specter of the self-fulfilling prophecy hovers over Mr. Germond more than over other reporters because he not only writes more predictive pieces but also is more frequently correct.

But not always—it's a risky game. In early September, he wrote a column saying John Connally was "showing enough strength" in Florida's Republican caucuses to represent "at least a mild threat" to former California Gov. Ronald Reagan. Within two weeks, Mr. Germond was backtracking with a report that Mr. Reagan has run "roughshod" over Mr. Connally in the crucial Broward County caucuses and was "within range" of a Florida victory. (He was right the second time; Mr. Reagan did win the straw vote by a 10 percent margin.)

Meanwhile, Mr. Germond's Florida dispatches used the word "also-ran" to describe George Bush, whose surprising third-place finish has given his campaign a significant boost. In fact, on the day Mr. Bush announced his candidacy earlier this year, Mr. Germond predicted that his campaign had "peaked." The prediction was roundly criticized at the time, and events since have battered it considerably.

Mr. Germond's reporting on Mr. Bush reminded some political observers of his writings four years ago, when he all but dismissed Gerald Ford's chances of winning the Republican primary in New Hampshire and practically conceded that primary, and the nomination, to challenger Ronald Reagan. Then, after Mr. Ford squeezed out a narrow win, Mr. Germond concluded that Mr. Reagan's 49 percent showing—against a sitting President—was a serious defeat, a psychological blow because he had failed to live up to his advance billing.

That prediction and the later interpretation of the result (echoed in other journalistic reports), still rankle from New Hampshire Gov. Gregg, who ran Mr. Reagan's New Hampshire effort in 1976. "It's a great example of how the national media make or break a candidate," he says.

Thus, as many see it, Mr. Germond plays a prominent role in the political process. And the role of the press is likely to grow along with the rise of "media events," such as the state conventions last month in Florida that haven't any bearing on selecting delegates to next year's national party conventions, or the spate of recent "cattle shows" at which candidates parade before the party faithful.

And so the new politics raises questions that are troubling many in and out of journalism: Do the voters really care about these early-bird maneuverings." If they don't is it possible to assess accurately any candidate's chances, beyond reporting what the "political community" (to use a favorite Germond phrase) *thinks* the voters will think once they start caring? And is it possible that by then this "political community," which inevitably includes the press, will have already established the criteria for voter judgments?

For his part, Mr. Germond is simply too busy collecting political data to dwell on such questions. "I don't apologize for the horse-race school of journalism; I'm an advocate of it," he says. "It's what we have to do because it's what people want to know first."

He concedes that there are "a lot of blue smoke and mirrors" in the process, that "it's not always logical or fair," and that "the whole job is people trying to con you." But, he insists, there is "a reality" that's discernible. "Somehow, sitting around the saloons late at night, there will be some kind of rough way of arriving at the politicians' expectations."

And, he adds, that's exactly what he and other reporters did in New Hampshire four years ago: They accurately assessed the politicians' expectations of Ronald Reagan's chances for victory, which happened to be wrong. As for the George Bush prediction (which he frequently repeated, adding that "when you hold him up to the light, he doesn't cast a shadow"), Mr. Germond makes clear he has no regrets—because he knows his prediction was based on "solid reporting."

Adds Mr. Witcover: "To say we make or break Presidents is preposterous . . . It's our job to report what candidates and people say, and in 1976 they were saying that Reagan's 49 percent was a defeat, which it was."

Does Mr. Germond ever feel uncomfortable with his role in the political process? The question gives Mr. Germond pause—for a millisecond. Then he laughs sheepishly and shrugs: "No, that's what the job is. The only time I feel guilty is when I haven't done the job that day, when I skipped that last phone call or didn't get that last interview."

REALITY AND PROPAGANDA

Mr. ROBERT C. BYRD. The Washington Post recently reprinted, in the form of an advertisement paid for by the Soviet Novosti Press Agency, a lengthy editorial commentary from the January 29 issue of Pravda.

There is much in the Pravda article with which I would disagree, and it contains a number of distortions. Normally, I would not even respond to such a commentary. However, in this case, the Pravda article makes specific reference to the Senate and the SALT II treaty.

False and distorted statements often gain credence if they are repeated and not refuted. In this case I think it is important to set the record straight. Otherwise, a Soviet propaganda campaign might succeed in rewriting history. This could have a significant impact in Western Europe, where there is an effort to divide our European allies from us.

A section of the Pravda article stated:

West Europeans were being persuaded that the stationing of U.S. Pershing-2 and cruise missiles in their territories allegedly carried no serious danger with it, since the SALT II

Treaty had been signed and was to be put in operation. However, as soon as NATO decided on medium-range weapons, it was decided to adjourn the discussion of this treaty is the U.S. Senate for an indefinite period of time. The deception is evident even to those West European leaders who believed in the compatibility of the negotiations on medium-range missiles with the new round of the arms race in Western Europe, whose major ingredient was the adoption of the decision to station new U.S. nuclear weapons there.

First, as anyone who has closely followed events would know, the decision to postpone debate on the SALT II treaty in the Senate did not immediately follow the NATO decision to proceed with theater nuclear force (TNF) modernization. That decision was taken at the Brussels meeting of NATO foreign and defense ministers on December 12.

At that time, it was my intention to begin Senate debate on the SALT II treaty as the first major order of business when the Senate reconvened in January. That did not change until after the Soviet move into Afghanistan in late December.

On December 31, I discussed this matter with President Carter and some of my colleagues, and I advised the President that it would be unwise to call up the treaty at that particular time in the atmosphere and climate that had been created by the invasion of Afghanistan by the Soviets. There was agreement that the SALT II should be deferred. The Soviet action in Afghanistan would have made a debate on the merits of the treaty itself virtually impossible.

On January 3, President Carter sent me a letter asking me to delay consideration of the treaty. The letter noted that, in the President's view, the treaty was still in the national interest, but that in light of the present crisis it was inappropriate to debate the treaty.

In agreeing with the President's request, I stated that it would not be conducive to the SALT process to attempt to bring the treaty up as scheduled. But, I noted, the treaty could be brought up at a future date, depending on events.

I pointed out that I continue to believe that the SALT II treaty should be ratified because it is in the security interests of the United States, in my judgment. We would not be ratifying SALT II as a favor to the Soviet Union in any case. We would not be ratifying SALT II out of trust in the Soviet Union; we would depend on our own means of verification to determine Soviet compliance with the treaty.

So clearly, the treaty debate was not postponed in conjunction with the NATO decision on TNF modernization. Instead it was postponed as a direct result of the Soviet intervention in Afghanistan and other events which served to cloud the atmosphere for deliberation.

I believe it is also important to set the record straight in regard to the NATO decision on TNF modernization. Some recent comments in the press, in addition to the Pravda article, have implied that the NATO action was taken in a vacuum. It is important to recall—and this point should be emphasized—that the NATO decision was a response to actions already taken by the Soviet Union.

There have been suggestions that the NATO decision somehow contributed to a worsening of international relations and might have been a factor which precipitated the Afghanistan intervention. Also, some have attempted to leave the impression that the United States somehow coerced our allies into the TNF decision.

The fact is that the TNF modernization approval by NATO had been anticipated for months, and this was well known to the Soviets. It had been under consideration for more than 2 years. Further, there was strong support among European leaders for the modernization program. In discussions and communications with European officials in the months preceding the decision, I found widespread backing for TNF modernization.

As NATO Secretary General Joseph Luns pointed out at the time of the decision, it was made only after careful assessment of the growing theater nuclear weapons capability of the Soviet Union.

Let me quote Secretary General Luns:

In particular, the Soviets have deployed th SS-20 missile, which offers significant improvements over previous systems in providing greater accuracy, more mobility, and greater range, as well as having multiple warheads; and the Backfire bomber which has a much better performance than other Soviet aircraft deployed hitherto in a theater role.

These trends have prompted serious concern within the alliance, because if they were to continue, Soviet superiority in theater nuclear systems could undermine the stability achieved in intercontinental systems and cast doubt on the credibility of the alliance's deterrent strategy by highlighting the gap in the spectrum of NATO's available nuclear response to aggression.

The NATO action was not, I would stress, an isolated or unexpected move. It was a studied response, meant to counterbalance the buildup of Soviet theater nuclear capability. In recent years 120 Soviet SS-20 mobile missiles, with a range of 2,500—3,500 miles, have been deployed—plus scores of new Soviet Backfire bombers.

As an integral part of the TNF decision, it was agreed that 1,000 U.S. nuclear warheads would be withdrawn from Europe as soon as possible, thus reducing the overall nuclear stockpile in Europe.

I would also point out that the NATO decision on TNF modernization was accompanied by a call for arms control negotiations with the Soviet Union to reduce medium-range nuclear weapons as a follow-on to SALT.

I continue to be a firm believer in the importance of arms limitations agreements. I am convinced that the SALT II treaty is in the interests of the United States, the Soviet Union, and, indeed, all of the world's peoples. The SALT process should be preserved. But the prospects for reviving SALT and moving toward the possibility of meaningful nuclear arms limitations are undercut by misleading claims and distortions about what has occurred in recent months.

Mr. President, do I have any time remaining?

The ACTING PRESIDENT pro tempore. The Senator has just over 2½ minutes.

Mr. ROBERT C. BYRD. Mr. President, I yield the remainder of my time to the distinguished Senator from Wisconsin (Mr. PROXMIRE).

Mr. PROXMIRE. I thank my good friend very much.

IN SEARCH OF AN ANTI-INFLATIONARY POLICY WE CAN BUY

Mr. PROXMIRE. Mr. President, January's shocking producer price rise should jolt all of us into action in fighting inflation. That was a phenomenal increase, because food prices actually dropped and food, as we know, is an erratic, unpredictable element in the cost of living.

If you leave food aside, the figure for the increase in the Producer Price Index was at an annual rate of 30 percent. Thirty percent.

Wage-price controls are an option that has increasing support among economists. Reliable polls indicate that most Americans think we should adopt them right now. There is increasing support for them in Congress.

The present policy of steady, if reduced, Federal deficits and a mildly restraining monetary policy is not working. Wage-price guidelines of 7.5 to 9.5 percent are, as Dr. Okun has said, worse than nothing. Presidential jawboning against wage and price increases—especially price increases—has vanished, in spite of, as I say, a 30 percent increase in the Producer Price Index in January.

Now, it used to be that Presidents in in the past called attention to shocking increases. There was not one word uttered by the President of the United States on any increase last month. And that was a month of 30 percent annual rate inflation.

Some are predicting wage and price controls by the end of the summer. Those of us who view wage and price controls as an unmitigated disaster have little time to act, and very perverse circumstances—an election year—for action.

But act we must or the nightmare of controls will be upon us.

What do we do? We don't just talk about cutting Federal spending, we actually cut it.

Mr. President, I have a proposal here to reduce the Carter recommended budget by $19.5 billion in specific terms. And that is only a gauge, because there are other areas which I am sure we could cut by about another $16 billion and come up with a $35 billion reduction. A reduction of that magnitude would bring or permit two things: No. 1, a balanced budget; No. 2, a moderate but limited reduction in taxes that would encourage productivity and investment and savings.

The spending reductions I propose include:

Revenue sharing of $6.7 billion;

The military budget by $6 billion, including a specific list of where exactly I would cut;

Foreign aid by $2 billion;

HUD by $1 billion;

The Space Shuttle by $1.8 billion;

The Law Enforcement Assistance Administration by $670 million; and

Interest on the debt, $1.6 billion. This is the savings which would result if the government did not have to float an extra $16 billion in bonds to finance the

deficit. The specific cuts I would make in the military include cutting the civilian workforce at the Pentagon by 100,000 people which would save $1.5 billion; a $500 million cut in I.R. & D.; $1.5 by stopping the MX; $200 million by deleting new attack helicopters; another $500 million through cutting Patriot SAM D; a $1.6 billion savings in the F–18 program; and $200 million by cutting the C–5A rewinging program.

That is only part of what I propose. The other part is in monetary policy. Here we have a whole series of Government guarantees and borrowing that has exactly the same effect on the economy, as far as inflation is concerned, as spending does.

The Export-Import Bank is expected to borrow several billion dollars more; the SBA, $4.7 billion. Under the Brooke-Cranston proposal, borrowing may be increased by as much as $10 billion. Additional proposals include $2 billion for energy security guarantees; rural housing, $3.7 billion more and $275 million in direct loans.

In the Commerce Department, an added $1.6 billion in guarantees is proposed for the economic development administration; other Commerce loans come to $1.5 billion.

In the FHA, altogether there are about $2 billion in guarantees and loans; and about $3 billion in student loans.

I am not saying we should kill all those programs by any means, but I am saying that we should be aware when we authorize those programs, even if they are guarantees, that they have the same effect on prices as if we spent the money. That money is being spent to bid up prices, and when it is borrowed it crowds out of the private market, the capital that the private market urgently needs.

WE CANNOT CONTINUE TO IGNORE THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, for over 31 years various objections have stymied Senate approval of the Genocide Convention. These short-sighted constitutional and legal arguments bear no substantive merit.

Yet, they continue to divert attention from the crux of the issue. Advocacy of the Genocide Convention demands only that the United States recognizes genocide as an intolerable and punishable offense against mankind. The convention proposes merely that we curb the risk of any premeditated, destructive assault upon any national, ethnic, racial, or religious group. In short, it summons this Nation, this Senate, to outlaw genocide. Toward that end, 83 nations have already declared their abhorrence by approving the treaty. These nations realize that treaties are the proper means for entering into mutual commitments for a common purpose.

If, as we must all agree, the safeguarding of lives is an appropriate concern of the international community, then we too are obliged to endorse the convention as the legitimate and necessary vehicle toward that end. Some maintain that the genocide issue is not the proper concern of a treaty. Such an assertion is ludicrous. It not only overlooks the history of treatymaking, but it also misunderstands the crucial implications of genocide. Any mass action against a segment of humanity is of international concern.

The language of the convention acknowledges this and effectively focuses upon the potential sources of danger. Neither nations nor individuals would escape accountability for the commission of or complicity in genocide. Individual nations are charged with the affirmative obligation of preventing acts of genocide within their state, whether or not they occur with official state sanction. Under the treaty, a state's acquiescence by inaction would not be tolerated.

Nor should the years of indecisive action by this Senate be tolerated any longer. The aim of the convention is clear; to deter the risk of genocide. We must avoid the complacency of regarding acts of genocide as relics of the past and immediately ratify this convention.

GRAPPLING WITH A RECURRING PROBLEM

Mr. PROXMIRE. Mr. President, the Washington Star printed an editorial on February 11, 1980, entitled "'Janesville'—Loud and Clear." This editorial concerns the results of a recent Government study conducted in Janesville, a city of 55,000 in southern Wisconsin. I would like to draw attention to this study and the Washington Star editorial because they both carry a message that Congress and other public officials must continue to grapple with a serious, recurring problem—an excess of Government regulation.

The White House Regulatory Council sponsored the Janesville study to determine how citizens view the effects of Federal and State regulations. The draft report is now circulating within the administration, and the final report may be released in a few weeks.

This kind of study definitely warrants congressional attention since it supplements elections, referenda, and other channels by which voters express their views and public officials can identify problems. Above all, the Janesville study is important for letting public officials see that criticisms of Federal and State regulation are both widespread and deep rooted. By showing examples of rigid, nonsensical applications of rules and regulations, this study also can guide public officials in making improvements and reforms.

Congress, not just the Federal bureaucracy and State governments, must share much of the blame and fashion many of the remedies for the problems identified in the Janesville study. Trimming budgets, eliminating waste, scrapping unnecessary rules, simplifying regulations, and addressing other voter concerns—these are among the ways that I believe Congress should respond to the message of Janesville and other American communities. I ask unanimous consent that the Washington Star editorial be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Feb. 11, 1980]

"JANESVILLE"—LOUD AND CLEAR

Pastoral though the name sounds, "Janesville" would make a chilling and effective battlecry for a presidential candidate.

Janesville is a small city in southern Wisconsin. It is the focus of a report for the White House Regulatory Council on how federal and state regulations are viewed by those upon whom they land. Unkindly, in a word, according to a draft of the report now being circulated within the administration for comment.

"With a median family income of almost $20,000 a year, a population [55,000] shift of only 1 percent per year, and more than 65 different manufacturing concerns, the reaction against regulation seems surprisingly strong," writes Paul Danaceau, the consultant who did the report, "especially since regulation does not seem to have caused any overwhelming hardships on the city as a whole or on any individual business."

What regulation has done, the report deduces, is to corrode a cherished national notion: ". . . The image of America as a government of laws may be giving way to an image of America as a government of regulations." Edicts, mandates, compliance requirements, rules and orders and directives flutter and drift over the landscape, often as not obscuring reality and perspective, a good many Janesvillians seem to think.

The result, according to the study: First, people in business, labor and city government often see little connection between the activities regulation has imposed on them and the goals regulation is supposed to achieve. Second, lawyers, accountants and regulators are judged to be the primary beneficiaries of government regulation. Third, there is a growing sense that regulation has saddled smaller communities with the burden of responding to problems that are occurring elsewhere. Fourth, criticism of regulation frequently is directed at state government and not just at the federal government. Fifth, regulatory agency employees are accused of transforming the regulatory process into an adversary proceeding.

The report cites disconcerting chapter and exasperating verse of inflexible and even nonsensical application of federal and state decrees. The author has come away from his study of Janesville with something less than a song in his heart.

"For a growing number of people, regulation has become either their first or most frequent direct contact with government. If they feel the regulatory process ignores them; if they believe they have no voice or influence in decisions regarding regulations; and if they are convinced that those empowered to correct this situation have chosen not to do so, the result may be far more serious than turning people away from regulation. It could also turn them away from representative democracy."

A far-fetched conclusion, the zealous statists no doubt will respond—the cranky reaction of those too short-sighted or perverse to understand that the sociological policies of much of modern government are good for what ails them. These advocates of government by bureaucracy are not singing loudly in today's climate, but by their works they are known. The pervasiveness of regulation and the skepticism about it may be, as the Janesville study suggests, leading to a dangerous cynicism that is not far from becoming a clear and present danger. Increasingly, regulatory enforcement is regarded more as authoritarian than authoritative.

The final Janesville report is expected to be released in a few weeks. It will be interesting to see if the apprehensive conclusions are softened during the draft's passage through the executive branch. It will be more interesting to see if one or more of the bustling presidential candidates embraces it as a theme. If that happens, as we hope, the report could be a significant document.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER (Mr. NELSON). Under the previous order, the acting minority leader is recognized.

FTC ONLY-TALK SHOW

Mr. TOWER. Mr. President, there has been a lot of talk in this body about the need to curb excess regulation but, to date, it has been little more than talk. Unfortunately, when we had the opportunity in considering the FTC authorizations to curb the most excessive regulators of all, the nonelected bureaucrats at the Federal Trade Commission, the majority in this body emasculated the efforts to bring the FTC under control by rejecting the legislative veto and passing a cosmetic fixup.

The FTC authorizations now go to a House-Senate conference. It is my hope that the House conferees will stand firm in their determination to restore to the people's elected Representatives in Congress the control of the regulators by including in the conference report the one-House legislative veto.

Mr. President, this subject is succinctly dealt with in an editorial appearing in the February 14 issue of the Wall Street Journal which I ask unanimous consent to be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FTC ONLY-TALK SHOW

There has been a lot of talk about the need to curb excesses of government regulation, and widespread agreement that the most excessive regulator of all has been the Federal Trade Commission. The U.S. Senate has just finished emasculating the efforts to bring the FTC under control.

Complaints grew as the FTC attacked trademarks, children's TV advertising and funeral parlors. States were upset that the FTC was getting into their regulatory acts, leaping in even where HEW and the Justice Department feared to tread. Business worried about the need to tighten standards governing the disclosure of confidential information the FTC required them to supply. The FTC's new habit of issuing blanket subpoenas demanding reams of documents prior to issuing a complaint was likened to a policeman coming to your door determined to arrest you and demanding your life story in hopes of discovering an offense.

Soon the Congress, pummeled by the kind of broad, small town constituencies who get attention, was roaring, and the FTC was on the carpet. The House was tough, voting a one-house veto of FTC regulations and overriding the FTC's challenge to trademarks and investigations of agricultural cooperatives and funeral parlors. But then Senator Wendell Ford (D., Ky.) took charge and the Senate edited the bill down to a cosmetic fixup.

The legislative veto is retained in name, for example but in practice it requires both houses and signature by the President. In other words, Congress can police the FTC by passing a bill.

The Senate went through the motions of tightening disclosure without dealing with the objection that the FTC is giving state enforcement agencies evidence they cannot legally obtain on their own. The effort to prevent the FTC from taking over state-regulated professions also failed. And the FTC can resume its fishing expeditions if it first issues a complaint.

The FTC will have to award legal fees to successful defendants against its actions, except in cases where the FTC itself rules it was justified in bringing the action. The FTC must prepare a regulatory analysis before promulgating a major regulation, but the merits of it are not subject to review by the courts.

Perhaps the most questionable aspect of the FTC's activities in recent years has been its habit of paying Washington lobbyists to stir up opportunities for FTC investigations and regulations. A spate of private bureaucracies like Americans for Democratic Action, Sierra Club, and Ralph Nader's Center for Automobile Safety now earn a living by representing "the public interest" in FTC proceedings. Senator Alan Simpson (R., Wyo.) tried to do something about the use of the taxpayers' money to fund private interest groups, but succeeded only in limiting them to $50,000 each per rulemaking.

The Ford bill now goes to conference with the House, and perhaps something can be salvaged. But if anything like the phony Senate bill emerges, the FTC will have demonstrated that all the noise about reducing government regulation is only talk.

Mr. TOWER. Mr. President, I yield 6 minutes to the distinguished Senator from Minnesota (Mr. BOSCHWITZ).

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

DRIVING UNDER THE INFLUENCE

Mr. BOSCHWITZ. Mr. President, over the past weekend, a good friend of mine, Betty Thomson, and her family were involved in a traffic accident in northern Wisconsin. Involved in that accident, driving another vehicle was someone under the influence of liquor. It made me collect my thoughts on that whole subject and say to myself that I wanted to look into it to see whether or not adequate penalties are now imposed for driving under the influence and whether or not there is something we can do in the Senate, or I as a Senator can do, to bring this really terrible reflection on our Nation under control.

So many people are killed during the course of a year because of others who drive under the influence of liquor. There have been four incidents in my recent years when people close to me have been injured or killed by someone driving under the influence of liquor.

The first, Mr. President, was a young woman with a great future, with a bright instinct into what life was about. A young woman by the name of Gloria Schell, who was my son Dan's violin teacher. She interested my son in the violin as she did many other students in the school my son attended. One of the most beautiful sights, Mr. President, was to behold the very young children fiddling away on small Suzuki violins under the direction of Gloria Schell. One day she was no more. She was hit by a drunken driver as she proceeded to her work.

Then, Mr. President, not too many months after that, an employee of my company, John Loker, and his wife, Ruth, were returning from an evening out together, from dinner together. They were struck from behind by a driver who was so inebriated that there was a total lack of control over the vehicle. The result was that they, too, were killed. They were the parents of eight children ranging in age from 6 months to 17 years.

Mr. President, I know that many of my colleagues are lawyers and have been involved in these kinds of cases, perhaps defending or perhaps pursuing a defendant in a matter of drunk driving. But, nothing could be more touching than to watch the eight children of John and Ruth Loker go through the church behind the caskets of their parents as they were dispatched to the great beyond.

Sent there by somebody who had been inebriated leaving this family without parents.

Then not too long after that, tragedy again struck one of my employees, Dennis Schroeder. He had been with my company for some time, and his mother worked for my company as well. He and his wife, parents of nine children, were on their way home together with some of their children. Both lost their lives to another driver who was driving under the influence of alcohol.

Now, over the past weekend, as I related, Mr. President, my friend, Betty Thomson, was badly injured in an accident. She will hopefully and probably be restored to full health. Once again with a driver driving under the influence of liquor.

I am not sure what the solution is, Mr. President. I am not sure whether or not we in the Senate have any jurisdiction. I am not sure whether or not we in the Senate should take any jurisdiction; or whether this is a matter that is best held for the States to solve. But I am very much aware, Mr. President, that 50,000 people a year are killed on our highways. Not all of them are injured by drivers who are driving under the influence of liquor, but many of them are the victims of liquor, and of people who are driving while drunk. I would like to look into it.

I am very much aware, Mr. President, that from State to State the punishment for driving under the influence varies. I am also very aware that some other countries, for instance Sweden, have very harsh penalties, and, as a result, the number of deaths has been very much lowered.

I am also aware from a young man who lived with me, who came from Zambia, in Africa, that in Zambia they take away not only the license but the car of the person caught driving under the influence of liquor.

Something has to be done, Mr. President. I just want to announce that I am going to take a very active interest in this subject, that I am going to take a look at others who have examined it. Perhaps it has already been exhaustively examined, and perhaps there is nothing further to do. But I feel that we in the Senate should take note of this, that something should be done. I will look into it and report back to the Senate. Perhaps I will introduce legislation. Perhaps I will talk to the Governor of my State and ask for stronger penalties. The killings on the roads, Mr. President, simply cannot go on.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. STEWART). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MATHIAS. Mr. President, I ask

unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The time of the acting minority leader has expired.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order there will now be a period for the transaction of routine morning business, not to extend beyond 30 minutes, with statements limited to 5 minutes.

HAPPY BIRTHDAY, LEAGUE OF WOMEN VOTERS

Mr. MATHIAS. Mr. President, for over half a century, the League of Women Voters has served as a powerful reminder of the essential role that volunteer organizations play in keeping our democracy alive and working. On Thursday, February 14, while the Senate was out of session, the league celebrated its 60th anniversary, and it is a pleasure now to honor its members for their many years of fine service. Through community forums and other programs to clarify public issues, and by its vigorous, nonpartisan efforts to increase voter registration, the league has consistently led the way in educating citizens to be responsible decisionmakers in the public arena. As one of our Founding Fathers, James Madison, observed in 1822:

> A popular government, without public information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives.

The League of Women Voters is an effective instrument for expanding public knowledge.

In honor of the anniversary, an exhibit entitled "League of Women Voters: Born in Suffrage" opened Thursday at the Woodrow Wilson House in Washington, D.C., and will run through June 14. The exhibit spotlights the league at its birth as it evolved from the women's suffrage movement, and then depicts, through photographs and pamphlets, some of its early activities in the 1920's. The exhibit follows the league into the war years, and finally to its involvement in crucial issues of today, such as environmental protection and the equal rights amendment. The exhibit expresses the league's continuing commitment to peace and cooperation abroad, and to an understanding of public issues and the democratic process at home. A sense of history pervades the exhibit, which includes a blue sequined jacket once worn by the league's first national president, Maud Wood Park, and tickets to the 1976 Presidential debates—historic events in themselves because they marked the first time an incumbent President ever took part in such debates. Two puppets from a league-sponsored puppet show that teaches children about energy conservation are also on view. Youngsters both laugh and learn when the show comes to their school and they can watch "Insulator Man" try to outmuscle the "Energy Monster."

The Woodrow Wilson House is located at 2340 S Street NW. The hours are 10 to 2 Tuesday through Friday, and 12 to 4 on weekends. Admission is $1.50 for adults and 50 cents for students and senior citizens.

The exhibit is a well-deserved tribute to an organization whose volunteers have made its name synonymous with healthy interaction between citizens and their government. Alexis de Tocqueville, the sensitive observer of the American scene in the 1830's, wrote:

> I have often admired the extreme skill with which the inhabitants of the United States succeed in proposing a common object to the exertion of many men, and in getting them to voluntarily pursue it.

The genius of the American people for organizing volunteer efforts, which de Tocqueville recognized, has reached perhaps its highest expression in the League of Women Voters.

I wish this remarkable organization a very happy 60th birthday and many happy returns of the day.

Mr. President, the League of Women Voters coordinates many of its activities at the local level at community branches around the country, and I am especially proud of the Montgomery County chapter, which also celebrated its 60th birthday last Thursday. I ask for unanimous consent that an article from the Montgomery Council Sentinel, which concerns the county chapter's anniversary, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE LEAGUE OF WOMEN VOTERS—AFTER 60 YEARS, STILL GOING STRONG

(By John R. Cranford)

In a county where half the elected and appointed officials are women, where clearly as many women as men are active in partisan politics, it might seem quite unnecessary for there to be a League of Women Voters.

But, despite its origins in the women's suffrage movement, the Montgomery County League does not justify its existence by solely promoting women's issues. In fact, this organization, founded on a strong tradition of non-partisanship and detailed, independent study, long ago established a reputation that to nearly every observer is reason for its continued survival.

Both the local and national Leagues are celebrating their 60th year of political activism this week. For the Montgomery County League, particularly, the number and range of issues fought for and won, provide the best indications of the group's clout and staying power.

The National League, was founded in February 1920 at a celebration party for the 19th Amendment, which gave women the right to vote.

The party was actually held six months before the amendment was ratified, but the National American Woman Suffrage Association already saw their next task as educating a host of newly enfranchised voters.

The county League was founded the same year by leaders of the Suffrage movement. Lavinia M. Engle, one of the founders had been field secretary of the Woman Suffrage Association and was first executive secretary of the State League. She was later the first woman elected delegate to the General Assembly from this county in 1930, but was defeated for reelection in 1934 by six votes. Her mother, Lavinia Hauke Engle was first president of the county League.

Although issues of women's rights and child care were important in the early years, as now, from the first the group focused on concerns not readily identified solely with women. The National League, in 1924, first endorsed voting rights for the District of Columbia, a cause it has supported ever since.

By comparison, in 1938 the county League took on the complete revision of county government, first studying the issue, then drafting a new charter, it was rejected; in 1948 it was adopted.

Beyond the charter revision, the county League counts among its trophies the county library system, the merit system for county employes, Montgomery Community College, the elected school board, and especially the Moderate Priced Dwelling Unit (MPDU) program.

NO SINGLE ISSUE

Current county League President Barbara Heyman understated the obvious: "We're not a single issue organization; we're broadbased."

As is the case nationwide, the League here has been a way for women to learn the ropes of public organizing, lobbying, and the legislative process, as well as to boost themselves into public office. Former League officers have served on the County Council, in the General Assembly, on the Planning Board. But, although the League was founded to get women involved in politics, Heyman noted, working with the League is certainly not a prerequisite.

According to Heyman, although the League is possibly best known for its regular voter guides, published just prior to elections, the most important League work centers on its concentrated study of important issues, and the lobbying the League does once having taken a position.

"Some people may think we study things too much," Heyman said, but she added the democratically run organization rarely changes its consensus positions. Members don't actually vote, they arrive at a consensus in small groups.

Heyman also emphasized the League's long and successful fight to incorporate study of local and state government into the ninth grade public school curriculum, a course that relies heavily on a League-written book.

The county League is the third largest nationwide, probably because of its proximity to the nation's capital. But Heyman lamented the slow decline in membership that is happening here and everywhere else. Membership peaked in the county League at about 1,300 in the mid-1970s, she said. Last year, it was about 800; today it's down about 750.

Ironically, Heyman blamed the decline on the increased number of working women who simply haven't the time to devote to twice-monthly meetings, committees and the added work of League officers. The organization has tried to spread meeting times around to accommodate women who hold full-time jobs, she said, and there are some members who work.

Efforts to increase the membership by allowing men to become members in 1974 have not been very successful. Only 15 men belong to the county League.

The League is having a champagne dessert next Thursday, Feb. 14, to celebrate its 60th anniversary. Judge Rita Davidson, first women appointed to the Maryland Court of Appeals, will be the guest speaker. The party will be at St. Francis Episcopal Church, 10033 River Road, Potomac, at 8:30 p.m. Cost is $5.50 per person. For information or reservations call the League office, 424-4393, weekdays between 9 a.m. and 3 p.m.

JAMES E. GEARHART

Mr. MATHIAS. Mr. President, I am proud today to rise in recognition of a fellow Marylander, James E. Gearhart of Edgewater, who has been chosen the

National Ocean Survey's "Outstanding Employee of the Year."

Mr. Gearhart's nearly 30-year career with the National Oceanic and Atmospheric Administration has been distinguished by numerous accomplishments in the field of nautical charting. In awarding this most recent honor to Mr. Gearhart, Rear Adm. Herbert Lippold, Director of the NOS, praised his accomplishments in the preparation and publication of a definitive 10-year nautical charting plan which will serve as the planning document for directing NOS charting efforts over the next 10 years.

Mr. Gearhart is widely known as an expert in nautical cartography, and his personal dedication and initiative have led to several improvements in the quality of nautical charts that make the Nation's waters safer for all who sail them.

It is my pleasure to extend hearty congratulations to James E. Gearhart, and to express thanks on behalf of the thousands of Americans whose traverse of our waters, both in commerce and for pleasure, will be easier and safer because of his outstanding work.

WILL CONGRESS OBEY THE LAW?

Mr. HARRY F. BYRD, JR. Mr. President, this is the 11th day on which I have risen to comment on the budget proposals which President Carter submitted to the Congress on Monday, January 28.

Once again, I invite the attention of the Senate to the potential violation of the law inherent in the President's 1981 budget.

The budget for 1981 calls for a deficit of $16 billion. If this budget is put into effect, it will violate Public Law 95–435, signed into law October 10, 1978, by President Carter himself.

Section 7 of that statute reads as follows:

> Beginning with fiscal year 1981, the total budget outlays of the Federal Government shall not exceed its receipts.

I believe that is clear enough. Any deficit in the coming year will be illegal.

The responsibility lies in the Congress. To comply with the law, the Congress must reject the President's budget and enact one which is in balance. The American people certainly have the right to expect the Congress to obey the law which it enacted.

TRIBUTES TO FORMER SENATOR MONRONEY

Mr. HARRY F. BYRD, JR. Mr. President, it was nearly 12 years ago that Mike Monroney, then senior Senator from Oklahoma, left the Senate.

But those of us who served with him remember him well. We remember Mike Monroney as a warm-hearted, able, hard-working, dedicated public official. We remember him as a Senator who did much for his Nation—and as one who was immensely popular with his colleagues, both Democrats and Republicans.

Mike Monroney died last week—and a simple but lovely service was held Saturday at the Bethlehem Chapel in the National Cathedral. Today, his beloved State of Oklahoma honors his memory in ceremonies there.

Mike Monroney served his State and Nation for 30 years, first in the House of Representatives then the Senate. His tenure in the Congress was longer than that of any other Oklahoman.

At his side throughout his long political life was his charming and devoted wife, Mary Ellen Mellon Monroney. She shared fully his responsibilities and, appropriately, his honors.

At the Cathedral ceremony Saturday, Senator Monroney's son, Michael, and a close family friend, W. Devier Pierson, painted such vivid and lifelike word portraits of our late colleague that I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

MICHAEL MONRONEY'S HOMILY TO SENATOR A. S. MIKE MONRONEY

Your presence here this morning—each and every one of you—has touched my mother and me and all of our family deeply. It helps for you to share these moments with us.

Your presence would also touch deeply—and perhaps embarrass a bit—that humble man for whom we are gathered to pay tribute and to pray . . . a man whose life has, in turn, touched so many of us in so many ways—directly, indirectly—but always with a warm gentleness which marked him as a man who cared . . . about each person and about all people. This gentleness and caring was apparent above all else until the very end.

But it is time to remember the good things about Mike Monroney. Significantly to me and to the many of you here who loved and respected him—there are no bad memories to forget.

This is one reason we should all be happy today, rejoice, and give thanks . . . for we have shared a brief moment in time with a remarkable human being. Our family and the many friends with whom we shared him have been especially blessed.

He was a public man . . . and he was a very private man . . . but there really wasn't a great deal of difference between the two. There was just never two Mike Monroneys.

He was much the same in the rural towns of Oklahoma—from Garvin County which he particularly loved . . . to Guymon in the Panhandle . . . from Hollis on the plains to Antlers at the foothills of the Kiamichi Mountains . . . and up to Marble City in the Cookson Hills. He was the same there as in the halls of Congress. And he was much the same at home as he was at work. Consistently considerate and tolerant of others . . . and always ready to enjoy the life he loved with the people for whom he cared.

But his roots have always been in the prairies of Oklahoma and with the people there. That land and those people gave him his great strength . . . first, a strength of character, then later the strength of public office which he treasured only as a tool for working public good.

That public good he worked can perhaps be found . . . at least in the footnotes of history. But that story should be told by others less partial than someone honored by his name.

Most important to him, Mike Monroney had a deep and abiding faith in the Almighty God. He was devoted to this cathedral upon whose Chapter he served for 25 years.

He was a kind and courtly man. On Wednesday evening I received a call at home from a man who had served as a page in the House of Representatives forty years ago. He told me that in 1941 the House pages had conducted a secret poll . . . who was the meanest man in the House . . . and who was the kindest. He said, "I just thought you'd like to know that your father was voted the kindest."

Mike Monroney was an intensely loyal man . . . to his family, to his friends, and to his political party, but—regardless of partisan labels—his loyalty and friendship was reserved for those who—by the friendship they gave him or by their adherence to his ideals—deserved it. It was given in large measures and to many deserving people. Twelve years ago, the morning after his first political defeat in thirty years, the first message of regret he received was from Republican Senator George Aiken. The Granite of Vermont reached out to the prairie land to salute their common grounds—a love of America and a passion for integrity.

Mike Monroney was a man of great good humor. He laughed a great deal, and he made others laugh with a gentle humor, often directed at himself and accompanied by the crooked grin we shall always remember. He was so often fun to be with, but, when there was no laughter, there was learning . . . he never wasted a minute of life. His non-religious beliefs, very simply stated, revolved around a faith in our system, faith in the decency of Man, and a code of conduct which he never broke. And that, more than anything, is what we learned from him.

At home, Mike Monroney had some special qualities. He was, above all else, a gentleman in marriage. While he shared a continuing love and respect with his wife over a period spanning half a century, this union was marked by a courtliness and tenderness which was apparent to all who ever saw him with my mother or heard him speak of her. That courtliness and tenderness never faltered in the privacy of our home.

Mike Monroney was all of these things and more to each of us . . . he was also a father to me. My first memories of him are of a tall, tall man whose head reached up to the sky. I grew up . . . but he seemed to get taller . . . in every way. I always tried to catch up to him . . . and no human being ever profits so much from that kind of exercise.

I hope that I can give my children—for him—the same warmth and love, understanding and encouragement, and sense of decency which he has given in such great abundance to me. If I can—but, more importantly, if all of us can pass on to others some small portion of those qualities which have endeared us all to Mike Monroney—we will have created indeed a truly meaningful living tribute to his memory. And we will move just a few precious inches further toward that civilization of peace and goodwill among all humans which God in his wisdom has left us to perfect.

EULOGY TO SENATOR A. S. MIKE MONRONEY

(By W. DeVier Pierson)

When I was granted this privilege to say a few words about Mike Monroney—a privilege that I shall always cherish—there was only one admonition. It was that this service be a joyous tribute to life rather than a sad event. And it really could not be otherwise. Mike was an eternal optimist. His life was so full of zest and joy that he would be offended if we were to talk about him in sorrow. This is, therefore, a time of celebration as we gather to honor the sweet memories we hold of this great and dear man.

When a life comes to an end, there is always a legacy. Often—particularly here in Washington—a public man leaves a legacy of impressive success and achievement. Sometimes there is also a legacy of material wealth. But these are lesser gifts. There are those rare moments when a life has been lived with such beauty and grace that it leaves not only the memories of personal recognition and success—but also the enduring legacy of the influence of that life on those around him.

This is that rare moment. Mike Monroney

led that kind of life. All of us here share that special legacy.

It is a fitting part of this commemoration that we record Mike's remarkable achievements in public life. They were exceptionable. He represented his state in the House of Representatives and the Senate for over 30 years—longer than any Oklahoman has ever served in Congress. He was "Mr. Aviation"—the author of the Federal Aviation Act and the father of the federal government's role in modern civil aviation. Twice in this century, he was the architect of legislation which established the organizational structure of the Congress itself. He was the far-sighted sponsor of financial assistance to developing nations. He was a man whose wisdom and judgment was valued by five Presidents. History will record that Mike Monroney was a statesman of the first rank who made a lasting contribution to the development of our government institutions and the effectiveness with which they functioned.

Even so, this is not the way I remember Mike best. When I think of Mike, I think of that kind and gentle man of charm and courtesy who was never afflicted with any feeling of his own self-importance. I think of his deep love for Mary Ellen—one of the greatest ladies of our time—of his pride in his son, and of the affection he showed so freely on his grandchildren. I think of his unfailing thoughtfulness to those who worked with him and for him. In the most personal terms, I think of what he has meant to the circle of Oklahomans he brought to Washington and whose lives he shaped largely in his own image.

Mike was the founder, dean and one-man faculty of an institution many of us Oklahomans affectionately refer to as the Monroney School of Public Administration. Its student body has been a group of young people who migrated to Washington at Mike's urging and whose lives have been indelibly marked by his influence. He was our patron, our mentor, our teacher. There are times—but not many—when each of us forgets what Mike has meant to us and the precious gifts of spirit and character he leaves with us.

But when we look back, it is always clear that whatever successes we have enjoyed in life have been largely due to Mike.

He was an inspiration in so many ways.

Mike taught us by example that public service is a high calling and that success in it does not require ethical compromise.

Mike knew that it was possible to have political antagonists without having personal enemies.

Mike was able to be magnanimous in victory and cheerful in defeat.

Mike showed us that dignity and civility are not signs of weakness but of strength.

Mike knew that it was not necessary to act important to be important.

Mike taught us that those who give their love deeply to family and friends will receive it as well.

I suspect there is no one here today who did not experience Mike's warmth and care in some manner. Is there any colleague of his in the House or Senate who did not sense that integrity and decency? Has any friend not shared in that kindness and compassion? We have all felt it and it has become a part of our lives.

Mike was a close friend and admirer of Adlai Stevenson. I recently read a chapter written by Mike in the book "As We Knew Adlai" and was struck by the unintended self-portrait. Mike said:

"Humility is a rare quality among politicians. So rare, in fact, that when we encounter it, we are apt to call it by another name, either guile or indecisiveness. The politician who is humble without lacking self-confidence is rarer still . . ."

In referring to Governor Stevenson's reluctance to become a Presidential candidate in 1960, Mike said:

"He understood better than we that ambition finds excuses that conscience cannot keep."

Mike was really describing his own virtues. He did possess a humility rare among public men. It was born out of a selflessness rather than any lack of self-confidence. Mike's ambition—and it was abundant for the causes he cared about—never outstripped his conscience. He was a self-confident man of principle who would not bend those principles to achieve his goals.

Thinking of Mike in the Senate also evokes a certain nostalgia. Here was a vigorous man of action, a fertile mind with contemporary views, a wide range of policy interests—and yet an old-school dignity, rectitude and devotion to duty. He was an articulate spokesman, but was far more interested in results than publicity. As one columnist observed in 1968, it was Mike's conviction that a Senator of the United States still owed a high obligation to the national welfare—whether or not it was politically popular.

Despite all this, I have sometimes wondered why Mike decided on a life of public service. He was absolutely without ego in a calling where men of ego are not an endangered species. While he loved people, he always had difficulty remembering names. He hated political fund-raising and found the existence of any continuing political organization unseemly. Even so, through some wonderful alchemy of his own personality and the confidence he instilled in his fellow Oklahomans, he somehow found it possible to gain their support in nine elections over three decades.

With this mandate, Mike gave his love and devotion freely and fully. He was an unabashed patriot who loved his country and was not embarrassed to express that fervor. He loved his native state of Oklahoma and its people—and the great pride of his life was that his fellow Oklahomans permitted him to serve them for so long. If Mike was liberal—and it was occasionally rumored in Oklahoma that he was—it was because he genuinely cared for people and his heart did go out to those who were in need or who had by origin received something less than the full fruits of our society. He loved this church and gave it unstinting support. No one could have been a more loving husband and father or a more caring friend. Finally, he loved life itself and viewed each day as a new opportunity and challenge.

It has been said that some part of a person very close to you always rubs off—that you are able to capture a small fragment of that personality and make it your own. If that is true, it is Mike's legacy to us. Those virtues of his life—pride in accomplishment, honor, kindness and love—now become part of our own existence as his precious gift.

And, since Mike loved aviation, let us bid him farewell with the words of a young pilot who wrote this poem shortly before his death:

"Oh, I have slipped the surly bonds of earth,
And danced the skies on laughter's silvered wings.
Sunward I've climbed and joined the tumbling mirth
Of sunsplit clouds and done a hundred things you've not dreamed of . . .
And while with silent, lifting mind I've trod,
The high untrespassed sanctity of space,
Put out my hand and touched the face of God."

AN INTERESTING PARALLEL

Mr. HARRY F. BYRD, JR. Mr. President, Chalmers Roberts, a former Washington Post diplomatic correspondent and national bureau chief, drew an interesting parallel between the Czechoslovakia of 1948 and Afghanistan of today.

Mr. Roberts' piece was published in yesterday's Washington Post. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 17, 1980]

PRAGUE '48 AND KABUL TODAY: A PARALLEL IN EAST-WEST CONFLICT

(By Chalmers M. Roberts)

On March 11, 1948, banner headlines dominated page 1 of The Washington Post:

"Jan Masarky Dies in Prague Plunge; U.N. Shelves Call for Coup Probe; 'Situation Very Serious'—Marshall".

And one week later the headlines declared:

"Truman Asks Temporary Draft, UMT and Aid For Europe to Check Aggression by Russia; House Group Votes for Full $5.3 Billion ERP".

The crisis that spring over Czechoslovakia was one of three in this century centered on that middle European nation created at the end of World War I. In 1938 Britain and France at Munich had allowed Hitler to begin the dismemberment of the Czechoslovak republic which had flourished between the two world wars under the leadership of its founder, Thomas Masaryk. And in 1968 the West would do nothing when the Kremlin sent the Red Army into Czechoslovakia to crush Alexander Dubcek's experiment in "communism with a human face."

The 1948 crisis, the middle one of the three, was spawned by a Communist coup in Prague which extinguished the last flicker of that nation's life as a democracy and turned it into the Kremlin satellite it is today.

In 1938 the Western democracies had retreated, only to go to war with Hitler over Poland the following year. By 1968 Czechoslovakia had been so accepted in the West as in the Soviet sphere that the United States and its allies would do no more than huff and puff. But 1948 was different, because that spring crisis played a major role in altering Western perceptions about the Soviet Union and in bringing about the alliances and the military preparedness which, ever since, have meant a balance of power between East and West in Europe.

If there is any precedent in our history for the situation today, following the Soviet invasion of Afghanistan, it is to be found in the story of Czechoslovakia 1948.

History never repeats itself absolutely and obviously the circumstances are not the same. But there is an essential similarity in the challenge to the United States: Will it take meaningful steps to halt an expansionist Soviet Union or will it only sputter words of disapproval? At the moment this country and its government, both executive and legislative, are somewhere in between those extremes.

A look at the record is instructive. There has been a basic, underlying antagonism between the United States and the U.S.S.R. ever since Lenin's Bolsheviks seized control of Russia during World War I. We did not even recognize the Kremlin regime diplomatically until 1933. But Hitler's Germany proved such a common enemy that Washington and Moscow became World War II allies—often wary, suspicious, fractious, but nonetheless in practice allies.

As Hitler's Reich was collapsing the alliance was falling apart. Churchill and then Roosevelt bridled at what they took to be Stalin's post-war goals of expansionism. When the British confessed they could no longer sustain Greece and Turkey, the new American president, Harry Truman, produced the 1947 Truman Doctrine. It was a sweeping presidential proclamation to a joint session of Congress that "it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." This doctrine carried us all the way into Vietnam and the term "free" came

to mean any nation, whatever its goverance, that was not Communist.

The Truman Doctrine was followed by the imaginative Marshall Plan of economic aid to prostrate Western Europe as well as help for Greece and Turkey.

By the spring of 1948, then, hopes for postwar continuation of the wartime working relationship with the Soviet Union had been severely deflated but not altogether abandoned. Churchill's "Iron Curtain" speech in February 1947 had produced a storm of criticism from those who still believed there must be a way to get on with Russia.

Churchill's speech had put behind that Soviet line "all the capitals of the ancient states of Central and Eastern Europe," including both Vienna and Prague. Vienna, then occupied by both Russian and Western troops, was to escape the Kremlin's grasp. In Prague, the government was a coalition of Communists and democrats under the leadership of President Eduard Benes and Foreign Minister Jan Masaryk, son of the country's revered founding father. In a 1946 election the Communists had won 37 percent of the votes and they now held a number of important cabinet posts.

In retrospect it is evident that the Kremlin at some point decided (as it did in the case of Afghanistan) to take over Czechoslovakia. Some historians describe the 1948 coup as simply a completion of the conquest of Eastern Europe; others see it as Stalin's reaction to the Marshall Plan. At the end of 1947 diplomat George Kennan had written Secretary of State George Marshall that if the American aid to Western Europe proved successful it would end the Communist advance. But, in that case, he added, it would no longer be to Russian advantage to allow the Czechs the outward appearances of freedom. The West would have to expect a "sweeping away of democratic institutions and a consolidation of Communist rule."

(Today parallel arguments can be, and are, made to explain the Soviet moves in Afghanistan. But in each case the results were to produce a Kremlin satellite nation.)

A week of crisis in February 1948 led an exhausted Benes to name the Communist leader, Klement Gottwald, to form a government with only Masaryk remaining of the democrats. The day before the crisis began Soviet Deputy Foreign Minister V. A. Zorin had arrived in Prague. Arrests and purges began. No Red Army troops had to be employed, however; the threat of that possibility was sufficient.

Then, on March 10, Washington learned that Masaryk had died by jumping out a window. Murder was immediately suspected. It was the news that produced the first set of Post headlines quoted at the start of this article.

Masaryk was well known and respected in Washington and the personification of the fall of Czechoslovakia to Kremlin rule had a powerful effect. The Alsop brothers' column described "a pre-war atmosphere" in the capital; a White House aide wrote in his diary that there were "rumors and portents of war" in the newspapers. The Senate voted, 69 to 17, for 4½-year Marshall Plan costing $5.3 billion in the first year.

Truman went before a joint session of Congress on March 17, producing the second set of cited headlines. He asked not only for revival of the wartime draft (which Congress voted) but also for universal military training—UMT (which never became law). A House committee voted for the Senate figure of Marshall Plan aid, formally known as the European Recovery Program (ERP). And the same day five Western European nations signed a mutual defense treaty that would form a basis for the North Atlantic Treaty and the creation of NATO, in which the United States for the first time joined in a military alliance in peacetime.

The sum of the fallout from the Czech crisis was the beginning of American and allied rebuilding of military power, so greatly demobilized at the end of World War II. It took the outbreak of the Korean War in 1950, however, to bring about major rearmament, so strong was the old isolationist impulse and so weary the public of war. In short, the 1948 Communist coup in Czechoslovakia was a hinge event that ended most of the remaining illusions of carrying the wartime alliance with Moscow over into peacetime. In the same way, the Soviet invasion of Afghanistan has ended the period of détente that marked much of the decade of the 1970s. Afghanistan, like Czechoslovakia, by itself is little more than a symbol of much larger events.

But more than arms and men are involved. When a nation makes a major turn in direction there should be an underlying purpose, well thought out and articulated.

In the 1948 case the new American policy had been clearly worked out in two important documents. In early 1946, Kennan, then number two in the American embassy in Moscow, had laid out the theory of "containment" by the West of Soviet power which he described as activated by "a political force committed fanatically to the belief that with the U.S. there can be no permanent modus vivendi," or way of living together. This reasoning in Kennan's so-called "long telegram" was disclosed in the July 1947 issue of Foreign Affairs when he wrote, under the pseudonym of "X," about "The Sources of Soviet Conduct."

In between these two Kennan pronouncements had been a lengthy secret memorandum on Soviet-American relations prepared for Truman by a young White House aide, Clark Clifford. After a wide canvass of opinion, Clifford called for reorienting policy toward Moscow: "Our best chances of influencing Soviet leaders consist in making it unmistakably clear that action contrary to our conception of a decent world order will redound to the disadvantage of the Soviet regime whereas friendly and cooperative action will pay dividends." Clifford hoped that Kremlin leaders "will change their minds and work out with us a fair and equitable settlement when they realize that we are too strong to be beaten and too determined to be frightened."

Similar carrot-and-stick ideas have frequently reoccurred since then and today are heard in the Carter administration. A premise has been that such a strong stand would, at least in time, make Moscow amenable to diplomatic dialogue and compromise.

The Czechoslovakian crisis of 1948 did not create the Cold War but it assured the dominance of military preparedness over diplomatic negotiation. The Afghan crisis of 1980 appears to be doing the same thing, although Carter seems to be trying to keep open the door to dialogue, at least once the military balance is again perceived to be equitable. But Carter has not yet spelled this out, as Henry Kissinger puts it, in "a conceptual way." Nor is there a Carter framework of policy, as far as one can see, of how to deal with a Kremlin "peace offensive" which Kissinger and others expect once Communist rule in Afghanistan is consolidated.

There are striking differences between the Washington-Moscow relationships of 1948 and 1980. But in each case the action-reaction phenomenon is present, or as Soviet Premier Alexei Kosygin once remarked: "The United States must realize that in both physics and politics each action causes a corresponding reaction." Today it is Moscow's turn to realize that truth. If both sides accept it, and neither pushes too hard or too far, there is no reason for war.

ANOTHER WARNING FROM SOLZHENITSYN

Mr. HARRY F. BYRD, JR. Mr. President, yesterday's Washington Star carried in its editorial section a warning to the free world by Alexander Solzhenitsyn.

The Russian philosopher, a Nobel Prize-winning novelist now living in this country, composed this essay for Time magazine in response to the crisis in East-West relations created by the Soviet conquest of Afghanistan.

I ask unanimous consent that this warning by one who has lived under the Russian system be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Feb. 17, 1980]

ANOTHER WARNING FOR THE WEST FROM SOLZHENITSYN

The West began its perilous miscalculation of communism in 1918: from the very beginning the Western powers failed to see the deadly threat that it represented. In Russia at that time, all previously warring factions—from the government forces to the Constitutional Democrats and the right-wing Socialists—united against Communism. Though the peasants and workers were not formally allied with these groups, and were not coordinated, thousands of peasant revolts and dozens of worker uprisings reflected the masses' opposition to communism. A Red Army was mobilized by executing tens of thousands of men who tried to evade Bolshevik conscription. But this Russian national resistance to communism received scant support from the Western powers.

The most fantastically rosy notions about the communist regime circulated in the West, and so-called progressive public opinion greeted it with joy, in spite of the fact that by 1921, 30 Russian provinces were undergoing a Cambodia-like genocide. (In Lenin's lifetime no fewer innocent civilians perished than under Hitler, and yet today American school children who invariably regard Hitler as the greatest villain in history look upon Lenin as Russia's benefactor.) The Western powers vied with one another to give economic and diplomatic support to the Soviet regime, which could not have survived without this aid. Europe took no notice of the fact that some six million people in the Ukraine and the Kuban River basin had died of hunger.

In 1941 the worth of this much-touted regime became apparent to the world: from the Baltic to the Black Sea the Red Army retreated as if swept away by the wind in spite of its numerical superiority and its excellent artillery. There was no precedent for such a rout in a thousand years of Russian history and, indeed, in all military history. In the first few months of the war some three million soldiers had fallen into enemy hands! Here was a clear statement of our people's desire to be rid of communism. The West could not have failed to understand if only it had wanted to see. But in its nearsightedness, the West held that the sole threat to the world resided in Hitler and that his overthrow would end all danger. The West did what it could to help Stalin forcibly harness Russian nationalism for the Communist cause. And so in World War II the West defended not freedom in general but merely freedom for itself.

In order to buy Stalin's friendship at the end of the war, the West turned over 1.5 million people who were then in Allied hands and who did not wish to return to Stalin's tyranny. Among them were entire Russian divisions, Tartar and Caucasion battalions, as well as P.O.W.s and forced laborers numbering in the hundreds of thousands, including old men, women and children.

Stalin manipulated Roosevelt with ease, effortlessly assuring himself of control over

Eastern Europe: Yalta marked the beginning of a 35-year streak of American defeats, only briefly interrupted in Berlin and Korea. (When there was the will to resist, victory followed.) As I have written on earlier occasions [in 1975 in an article entitled "The Big Losers in the Third World War" and in the book *Warning to the West*], the entire period from 1945 to 1975 can be viewed as another world war that was lost by the West without a battle and in which some two dozen countries were abandoned to communism.

There are two reasons for this string of capitulations: First is the spiritual importance that comes from living a life of ease; people are unwilling to risk their comforts. Second, and just as important, is the prevailing, total incomprehension of the malevolent and unyielding nature of communism, which is equally dangerous to every country.

The West often seeks an explanation for the phenomenon of 20th-century communism in some supposed defects of the Russian nation. This is ultimately a racist view. (How then can China be explained? Vietnam? Cuba? Ethiopia? Or the likes of Georges Marchais?)

Flaws are sought everywhere but in communism itself. Its agressiveness is explained by, for example, Averell Harriman, in terms of a national dread of aggression; this is said to account for the building of a vast arsenal and the seizing of new countries.

Western diplomats depend on unsound hypotheses that involve supposed "left" and "right" factions of the Politburo when, in reality, all of its members are united in seeking world conquest and are undiscriminating in the means they use. Insofar as struggles do occur within the Politburo, they are purely personal: they cannot be used for diplomatic leverage. The average Soviet citizen, deprived though he is of information about the world and of the benefits of Western Kremlinology, understands this perfectly well. Illiterate Afghan herdsmen are equally on target when they burn portraits of Marx and Lenin instead of accepting the tale that their country was occupied simply because Leonid Brezhnev happened to be ailing.

Communism can implement its "ideals" only by destroying the core and foundation of a nation's life. He who understands this will not for a minute believe that Chinese communism is more peace-loving than the Soviet variety (it is simply that its teeth have not yet grown), or that Marshal Tito's brand is kindly by nature. The latter was also leavened with blood, and it, too, consolidated its power by mass killings, but the weak-hearted West preferred not to take any notice in 1943–45.

Communism needs the whole charade of detente for only one purpose: to gain additional strength with the help of Western financing (those loans will not be repaid) and Western technology before it launches its next large-scale offensive. Communism is stronger and more durable than Nazism, it is far more sophisticated in its propaganda and excels at such charades.

Communism is unregenerate; it will always present a mortal danger to mankind. It is like an infection in the world's organism: it may lie dormant, but it will inevitably attack with a crippling disease. There is no help to be found in the illusion that certain countries possess an immunity to communism: any country that is free today can be reduced to prostration and complete submission.

In expectation of World War III the West again seeks cover, and finds Communist China as an ally! There is another betrayal, not only of Taiwan, but of the entire oppressed Chinese people. Moreover, it is a mad, suicidal policy: having supplied, billion-strong China with American arms, the West will defeat the U.S.S.R., but thereafter no force on earth will restrain communist China from world conquest.

Communism stops only when it encounters a wall, even if it is only a wall of resolve. The West cannot now avoid such a wall in what is already its hour of extremity.

Meanwhile, however, 220 possible allies have fallen to communism, since World War II. Meanwhile, Western technology has helped develop the terrifying military power of the communist world. The wall will have to be erected with what strength remains. The present generation of Westerners will have to make a stand on the road upon which its predecessors have so thoughtlessly retreated for 60 years.

But there is hope. All oppressed peoples are on the side of the West: the Russians, the various nationalities of the U.S.S.R., the Chinese and the Cubans. Only by relying on this alliance can the West's strategy succeed. Only together with the oppressed will the West constitute the decisive force on earth. This is also a matter of principle, if the West is to uphold freedom everywhere and not merely for itself.

This strategy will obviously entail radical conceptual changes and the rethinking of tactics on the part of Western politicians, diplomats and military men. Five years ago, all my warnings were ignored by official America. Your leaders are free to ignore my present predictions as well. But they, too, will come true.

IN COMMENDATION OF SENATOR STEWART

Mr. HELMS. Mr. President, I congratulate the distinguished occupant of the chair, who, earlier today, delivered Washington's Farewell Address in a fashion that would have aroused the envy of President Washington himself. I commend the distinguished Senator from Alabama for his eloquent presentation.

WAGE AND PRICE CONTROLS: BAD MEMORIES, FRESH CONCERN

Mr. HELMS. Mr. President, the American people are outraged by a return of double-digit inflation. This widespread disgruntlement, the recent collapse of the bond market in New York, and the approach of the 1980 elections have combined to trigger a new push for the return of wage and price controls.

Mr. President, I listened with interest a few moments ago as the distinguished Senator from Wisconsin (Mr. PROXMIRE) described such proposals as an unmitigated disaster. Senator PROXMIRE is absolutely correct. I agree with him wholeheartedly.

Nevertheless, Mr. President, hearings have been scheduled in the House of Representatives on a renewal of Federal wage and price controls, and some of the same economists who advised President Carter to apply Keynesian economic stimulus in the early part of his administration, are now calling for massive and unworkable Federal controls in a vain effort to contain the unfortunate result of those unwise policies.

But, Mr. President, before we rush headlong down the path to wage and price controls, we ought to remind ourselves of the disastrous consequences of the most recent experience with such Federal controls—when the elaborate economic theories came face to face with the real world. We should also give some thought to the soundest alternative policy for coping with inflation—namely: A middle course that can be steered between the drastic belt tightening which President Ford employed to wring the inflation out of the American economy in 1976, and the controls and rationing which are advocated by some of today's liberal economists. The Nation urgently needs a gradual program of monetary and fiscal restraint extending over a period of several years. We need to set a course, and stick to it.

Wage and price controls on the other hand, are certain to produce the same kind of economic distortions—only worse—that America experienced in 1972 and 1973. The list is a fairly dreary litany: Bartering began on a large scale to evade controls and to secure needed supplies. Certain customers were favored over others as supplies became tight. Production ended on items made unprofitable by controls. Overseas buyers invaded the American market to snatch up items which controls had turned into bargains. American buyers had to go abroad to purchase items which had been discontinued in the United States because of controlled prices—and paid scalper's rates in some instances. A gray market developed. Vast growth in control bureaucracy took place in Washington, composed mainly of young people with little knowledge of the industry they were supposed to regulate. Political pressures on some pricing decisions were reported—particularly in the pre-election period. Different political pressures were reportedly applied to some wage decisions in the same period. Big labor and big business found ways to avoid some of the most stringent applications of wage and price controls—but unorganized workers and smaller or less sophisticated businesses which lacked the clout and skill to win this kind of game were socked with the letter of the law and regulation. The list goes on and on. Do we really want to relieve this economic nightmare?

Mr. President, when this scenario ended in 1973, and controls expired, the Nation suffered a stunning economic hangover as the real statistics were again allowed to show the true level of inflation. Imagine what the next hangover would be like after controls come off, revealing an even higher underlying rate of inflation.

Indeed, given the higher inflationary pressures in the American economy today—somewhere between 10 and 13 percent, depending on which economist you want to believe—it will be far more difficult to keep this inflation under controls than even in 1972 and 1973. If a lid is put on this kind of inflation, the whole economic pressure cooker could come flying apart in one huge explosion, inflicting hideous damage to the financial system of the United States. While this last extreme scenario may not be likely, it is a distinct possibility that we ignore at our peril.

More certain is this: If we adopt new wage and price controls, it means that

any serious attempt to deal with inflation by an application of classical fiscal and monetary restraint and tax rate reduction will have to wait until the 1980 election is over and new inflationary pressures have built up in the American economy. It also increases the likelihood of yet another round of stop and go economic policy in Washington.

Mr. President, it seems to me that, from the Nation's point of view, wage and price controls as a cure for inflation are a self defeating policy. The controls themselves reduce the immediate political pressures to hold down spending and monetary expansion; and restricting prices reduces the incentive to increase production of goods and services.

Some of the economists at the Brookings Institution reportedly favor wage and price controls because they believe that "gradualism" has failed to curb inflation. But can anyone who examines the statistics documenting this administration's fiscal and monetary policy believe that "gradualism" was ever seriously tried? The only "gradualism" demonstrated by these statistics—except for the briefest periods—is a gradual inflationary bias reflected by an expansionary monetary policy, and very significant budgetary increases.

Other liberal economists believe that, in theory, controls and economic restraint working together could cause a permanent reduction in inflation. But, as a practical matter, it strains credulity to believe that an administration which followed an inflationary economic policy without controls will exhibit more economic restraint and discipline when an election is at stake, and the negative consequences of any new spending could be hidden until just after the American people have cast their ballots.

To believe this requires greater faith in human nature than I have. I believe that sobering monthly reports on inflation's real progress is an inhibiting factor upon the spending impulses of government. It forces everyone, both the people and the politicians, to face realistically the full consequences of the Nation's economic policies.

However attractive controls may be in the theoretical world of some economists, it is far better to base our policies on the actual experience which this and other nations have had with wage and price controls. These experiences have been almost uniformly bad.

In 1971, President Nixon imposed wage and price controls. Under the pressure of controls, it proved possible for the Administration to apply massive economic stimulus, including large increases in the Nation's money supply in the months just prior to the election. Thus, during the 1972 campaign, the administration was able to present the American electorate with both low inflation and low unemployment. Combined with GEORGE MCGOVERN'S inept campaign, this encouraging outlook produced an overwhelming victory for President Nixon.

Following the election, however, the pent-up excess demand burst through the controls after companies halted production of items made unprofitable by unrealistically low controlled prices, and the market devised a host of techniques for circumventing some of the price restrictions.

Eventually, of course, the whole house of cards collapsed, and inflation soared to double digit levels. This, in turn, required a massive dose of anti-inflation medicine in the form of fiscal and monetary belt tightening, which produced the greatest slump since the 1930's. The traditional anti-inflation program did, however, reduce inflation from double-digit levels, to under 5 percent.

To his everlasting credit, President Ford rejected the advice of his political advisers to restimulate the economy just prior to his election campaign. For this reason, the short term sacrifices made by the American people to achieve long-term health for American economy appeared to have been justified.

Tragically, however, his immediate successor, President Carter, began a program of excessive and unsustainable economic stimulus shortly after assuming office in 1977. The Federal budget soared from under $400 billion in President Ford's last year in office to over $600 billion this year. Part of this increased spending was made possible through the cooperation of the Federal Reserve Board, which expanded the money supply at a rate which was both unhealthy and inflationary. Between President Carter's fiscal policies and the Federal Reserve's monetary policies—and with some thanks to OPEC—all of the previous sacrifices of the American people under President Ford proved to be in vain. Double digit inflation returned with a vengeance.

With another Presidential campaign now in progress, the cycle threatens to make yet another full revolution. Once again, the trial balloons are being floated for a renewed application of wage and price controls.

Unfortunately, this time there are new international ramifications which will have to be taken into account, in addition to the familiar domestic liabilities of controls. The dollar itself will undoubtedly come under fresh attack if the old election recipe of controls and stimulus is once again applied.

It is obvious to everyone, both here and abroad, that inflation is rotting away the financial underpinnings of the American economy, causing major distortions in investment and savings patterns, and devastating the bond market.

But without price controls, the extent of the rot remains visible to all, month by month, serving as a constant reminder of the consequences of spending of the White House and Congress, and the decisions of the Open Market Committee of the Federal Reserve.

But if controls are applied, the real rate of inflation will be masked for a number of months, encouraging the easy money, big spenders throughout the Federal Government. This could easily undercut the efforts of Chairman Volcker to get control of the money supply, heat up the economy across the board, and place new stress upon already tight supplies of goods and services.

Remembering what happened during the last round of wage and price controls, and observing the results of controls where they have been applied in other countries, those who hold dollars here and abroad may start a new flight away from dollars into tangibles and gold.

Within the past several years, there have been two rather dramatic runs on the dollar when people began to lose faith in the economic policies of the administration. But at least without controls, people can perceive what is happening to the long-term purchasing power of their dollars. If new controls are imposed, people may begin to fear the worst, and touch off yet another dollar panic. Of course, with capital controls and massive central bank intervention, another run on the dollar could probably be halted short of utter disaster. But this kind of intervention is itself very inflationary, either to ourselves or to our allies, and capital controls have their own massive liabilities. Do we really want to expose ourselves to this?

Mr. President, if wage and price controls are to be stopped, the campaign to reimpose them must be nipped in the bud.

The simplistic appeal of controls is so great—particularly upon a large number of people who desperately want to try anything that offers the promise of a painless remedy for inflation—that the campaign to reestablish wage and price controls may be unstoppable if it is allowed to develop unchecked.

The unions will support it, knowing that in the real world of politics, they are in a far better short-term position to increase wages than individual companies are to increase prices. Also, union membership drives may be helped, since organized workers will doubtless have greater clout in Washington on wage decisions than unorganized workers.

The White House will also be strongly tempted to quietly support the campaign for controls since controls will create for a few months the illusion of a return to inflationless prosperity—and thus improve the election prospects of President Carter.

Those holding or selling bonds in the financial world will also lend their influential support to controls, since their assets have plummeted in value with the realization that a new long-term round of inflation may be at hand.

The housing industry may also benefit in the short run by temporarily reduced mortgage rates that controls could bring.

Those ideologically in favor of bigger Government also stand to gain. And there will be plenty of high-paying jobs for the Nation's economists in Washington's new control bureaucracies.

These groups form a powerful coalition. Many of them stand to gain substantially in the short run at the expense of the rest of the Nation and the long-term economic health of the United States.

Stop-and-go economic policies, timed with the up cycles arriving during election campaigns, and the down cycles on the off years, are a recipe for stagflation. We as a nation must decide on our prior-

ities. Do we really want the "reindustrialization" of the United States? If so, we need to create the incentives for sustained investment and production. Do we really need a stronger military? If so, we must realistically trim our domestic programs to make this possible.

Our resources are limited. We cannot do all desirable things at once. There is no point in adopting short-term measures to overcome the immediate problem if they impair the long-term health and viability of the Nation's economy. Because, in the end, the piper must be paid.

QUORUM CALL

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 2:00 P.M.

Mr. ROBERT C. BYRD. Mr. President, Mr. JACKSON is expected to be here on the floor and ready to proceed at 2 p.m. today with the Channel Islands National Park bill. Until that time, seeing no Senator who seeks recognition, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, the Senate, at 1:17 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. CHILES).

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations will be stated.

DEPARTMENT OF STATE

The second assistant legislative clerk read the nomination of James W. Spain, of California, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The second assistant legislative clerk read the nomination of Philip Mayer Kaiser, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Austria.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The second assistant legislative clerk read the nomination of Matthew Nimetz, of New York, to be Under Secretary of State for Coordinating Security Assistance programs.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The second assistant legislative clerk read the nomination of Charles Conway Flowerree, of Virginia, to be Ambassador.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominess.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

CHANNEL ISLANDS NATIONAL PARK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consider H.R. 3757, which the clerk will state by title.

The second assistant legislative clerk read as follows:

A bill (H.R. 3757) to amend the National Parks and Recreation Act of 1978, to establish the Channel Islands National Park, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert the following:

TITLE I

SEC. 101. The National Parks and Recreation Act of 1978, approved November 10, 1978 (92 Stat. 3467), is amended as follows:

(a) Section 318, re: Point Reyes National Seashore is amended by:

(1) in subsection (a), change the period following "May 1978" to a comma and insert "plus those areas depicted on the map entitled 'Point Reyes and GGNRA Amendments, dated October 25, 1979'.".

(2) in subsection (b), changing the word "The" at the beginning of section 5(a) to "Except for property which the Secretary specifically determines is needed for interpretive or resources management purposes of the seashore, the";

(3) in subsection (c), after "May 1, 1978", inserting "or, in the case of areas added by action of the Ninety-sixth Congress, May 1, 1979", and at the end of the subsection, following the word "property", inserting "that were in existence or under construction as of May 1, 1978";

(4) in subsection (d), changing the phrase "subsection (c)" to read "subsection (c), (d), and (e)" and adding the following at the end thereof:

"(d) The Secretary is authorized to accept and manage in accordance with this Act, any lands and improvements within or adjacent to the seashore which are donated by the State of California or its political subdivisions. He is directed to accept any such lands offered for donation which comprise the Tomales Bay State Park, or lie between said park and Fish Hatchery Creek. The boundaries of the seashore shall be changed to include any such donated lands.

"(e) Notwithstanding any other provision of law, no fee or admission charge may be levied for admission of the general public to the seashore.";

(5) adding a new subsection (f) as follows:

"(f) Section 9 of such Act is amended by adding at the end thereof: 'In addition to the sums heretofore authorized by this section, there is further authorized to be appropriated $5,000,000 for the acquisition of lands or interests therein.'.".

(b) Section 551, re: the National Trails System Act is amended by:

(1) in paragraph (9), add the following at the end thereof:

"(8) The North Country National Scenic Trail, a trail of approximately thirty-two hundred miles, extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, following the approximate route depicted on the map identified as 'Proposed North County Trail-Vicinity Map' in the Department of the Interior 'North Country Trail Report', dated June 1975. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.".

(2) in paragraph (15), subsection (e), delete the "." after Continental Divide National Scenic Trail, and insert "and the North Country National Scenic Trail,".

(3) in paragraph (15), subsection (f), after the phrase "Continental Divide National Scenic Trail", insert "or the North Country National Scenic Trail".

(4) in paragraph (23), revise subsection (c) to read as follows:

"(c) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a) (3), (4), (5), (6), (7), and (8): *Provided*, That no such funds are authorized to be appropriated prior to October 1, 1978: *And provided further*, That notwithstanding any other provisions of this Act or any other

provisions of law, no funds may be expended by Federal agencies for the acquisition of lands or interests in lands outside the exterior boundaries of existing Federal areas for the Continental Divide National Scenic Trail, the North Country National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail, and the Iditarod National Historic Trail.".

(c) Section 320, re: Chesapeake and Ohio Canal National Historical Park, is amended by changing the colon following the word "acres" to a period, and by deleting the proviso in its entirety.

SEC. 102. The Wild and Scenic Rivers Act of 1968 (82 Stat. 906), as amended (16 U.S.C. 1271), is further amended—

(a) in section 5(a) by adding the following new clause at the end thereof:

"(76) Birch, West Virginia: The main stem from the Cora Brown Bridge in Nicholas County to the confluence of the river with the Elk River in Braxton County.".

(b) in section 5(b) by deleting "(75)" and inserting "(76)".

SEC. 103. The Act of October 27, 1972. (86 Stat. 1299), as amended (16 U.S.C. 459), is further amended as follows:

(a) In subsection 2(a), change the period following "October 1978" to a comma and insert "plus those areas depicted on the map entitled 'Point Reyes and GGNRA Amendments and dated October 25, 1979.' ".

(b) In section 6, after "$61,610,000" insert "plus $15,500,000", after "herein", insert "said total development ceiling to be reduced by $10,000,000".

SEC. 104. The Act of August 18, 1970 (84 Stat. 825), as amended, is further amended as follows:

(a) In section 8 near the end thereof, delete the sentence "Each report and annual listing shall be printed as a House document.", and insert in lieu the following: "Each report and annual listing shall be printed as a House document: *Provided*, That should adequate supplies of previously printed identical reports remain available, newly submitted identical reports shall be omitted from printing upon the receipt by the Speaker of the United States House of Representatives of a joint letter from the chairman of the Committee on Interior and Insular Affairs of the United States House of Representatives and the chairman of the Committee on Energy and Natural Resources of the United States Senate indicating such to be the case."; and

(b) Insert "(a)" after "SEC. 8." and add a new subsection (b) as follows:

"(b) Within six months of the date of enactment of this subsection, the Secretary shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive, 'National Park System Plan,' which document shall constitute a professional guide for the identification of natural and historic themes of the United States, and from which 'candidate areas can be identified and selected to constitute units of the National Park System. Such plan shall be revised and updated annually.".

SEC. 105. (a) The Secretary of the Interior is authorized to revise the boundaries of the following units of the National Park System:

(1) Carl Sandburg Home National Historic Site, North Carolina: to add approximately seventeen acres.

(2) Chickamauga and Chattanooga National Military Park, Georgia and Tennessee: to add approximately one acre.

(3) Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Virginia: to add approximately twenty acres.

(b) Sections 302, 303, and 304 of the National Parks and Recreation Act of 1978 (92 Stat. 3467) shall be applicable to the boundary revisions authorized in subsection (a) of this section, except that for the purposes of this section, the date of enactment referred to in section 302 of such Act shall be deemed to be the date of enactment of this section.

(c) For the purposes of acquiring the lands and interests in lands added to the units referred to in subsection (a), there are authorized to be appropriated from the Land and Water Conservation Fund such sums as may be necessary, but not to exceed $304,000 for Chickamauga and Chattanooga National Military Park and not to exceed $234,000 for Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park.

SEC. 106. The Secretary of the Interior is authorized and directed to take such measures as may be necessary to provide for the continued protection of the historic Palmer's Chapel in the Cataloochee Valley of the Great Smoky Mountains National Park. The importance of the chapel in memorializing the early settlement of the valley and in providing an opportunity for interpreting the cultural traditions of the former residents of the valley is hereby recognized, and the Secretary is authorized to make suitable arrangements for the history of the chapel to be communicated to park visitors and for the chapel to continue to be used for memorial purposes by former residents and their descendants.

SEC. 107. Section 304(a) of the Act of October 21, 1976 (90 Stat. 2732), is amended by inserting after "to the jurisdiction of the" the following: "Secretary of the Army, the land under the jurisdiction of the".

SEC. 108. The Act of June 30, 1944 (58 Stat. 645), as amended (16 U.S.C. 450bb), is further amended (1) by changing "Boundary Map, Harpers Ferry National Historical Park", numbered 385–40,000D and dated April 1974 to "Boundary Map, Harpers Ferry National Historical Park", numbered 385–80,021A and dated April 1979 and changing "two thousand acres" to "two thousand four hundred and seventy-five acres" in the first section; and (2) by changing "$1,300,000" to "$1,600,000" in section 4.

SEC. 109. Subsection 5(b) of the Act of October 13, 1964 (78 Stat. 1087), an Act "To authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes", as amended (16 U.S.C. 469h), is further amended by changing "$425,000" to "$2,500,000".

SEC. 110. Section 320 of the Act of October 21, 1976 (90 Stat. 2732), is amended in subsection (j) by changing "$13,000,000" to "$23,700,000".

SEC. 111. Paragraph (13) of section 101 of the Act entitled "An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes", approved October 21, 1976 (90 Stat. 2732, 2733), is amended by changing the period to a semicolon and inserting the following thereafter: "the Secretary of the Interior is authorized to revise the boundary of the seashore to add approximately two hundred and seventy-four acres and to delete approximately two thousand acres, and sections 302 and 303 of the Act of April 11, 1972 (86 Stat. 120, 121), shall apply to the boundary revision authorized herein.".

SEC. 112. (a) In order to commemorate the first European settlement in Louisiana, Fort Saint Jean Baptiste de Natchitoches (hereinafter called the "fort"), the Secretary is authorized to render the State of Louisiana such assistance, in the form of technical advice, grants of funds for land acquisition and development, and other help necessary to reconstruct the fort: *Provided*, That no funds shall be expended for reconstruction unless the Secretary determines that such reconstruction can be based on historical documentation.

(b) The Secretary is authorized to enter into a cooperative agreement with the State of Louisiana and affected local governmental authorities which agreement shall include but not limited to—

(1) assurances that the State of Louisiana shall operate and maintain the fort as a public area;

(2) assurances that the State of Louisiana shall incur all operation and maintenance costs;

(3) assurances by the State of Louisiana that they will manage the fort consistent with its historic character; and

(4) authority for the Secretary to obtain reimbursement from or offset against the State of Louisiana of all Federal funds, previously granted under this section, including subsequent violation of paragraph (3) of this subsection.

(c) There is hereby authorized to be appropriated not to exceed $2,813,000 for the purposes of this section: *Provided*, That the Secretary may expend not to exceed 75 per centum of the total cost incurred in the reconstruction of the fort

SEC. 113. (a) The United States Navy Memorial Foundation is authorized to erect a memorial on public grounds in the District of Columbia in honor and in commemoration of the men and women of the United States Navy who have served their country in war and peace.

(b)(1) The Secretary is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds of the United States, in the District of Columbia or on such grounds principally serving as a site for national monuments along the Potomac River in Northern Virginia, upon which may be erected the memorial authorized in subsection (a).

(2) The design and plans for such memorial shall be subject to the approval of the Secretary, the National Commission of Fine Arts, and the National Capital Planning Commission.

(3) Other than as to the land authorized for the erection of the memorial in paragraph (1) of this subsection, neither the United States nor the District of Columbia shall be put to any expense in the erection of this memorial.

(c) The authority conferred pursuant to this section shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this section, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary to insure completion of the memorial.

(d) The maintenance and care of the memorial erected under the provisions of this section shall be the responsibility of the Secretary.

SEC. 114. Section 206 of the Act of October 15, 1966 (80 Stat. 915), is amended by deleting all of subsection 6(c) and inserting in lieu thereof the following:

"(c) For the purposes of this section there is authorized to be appropriated an amount equal to the assessment for United States membership in the Centre for fiscal years 1979, 1980, 1981, and 1982: *Provided*, That no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization. Authorization for payment of such assessments shall begin in fiscal year 1981, but shall include earlier costs.".

SEC. 115. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1980. Notwithstanding any

other provisions of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

TITLE II

SEC. 201. In order to protect the nationally significant natural, scenic, wildlife, marine, ecological, archaeological, cultural, and scientific values of the Channel Islands in the State of California, including, but not limited to, the following:

(1) the brown pelican nesting area;

(2) the undisturbed tide pools providing species diversity unique to the eastern Pacific coast;

(3) the pinnipeds which breed and pup almost exclusively on the Channel Islands, including the only breeding colony for northern fur seals south of Alaska;

(4) the Eolian landforms and caliche;

(5) the presumed burial place of Juan Rodriquez Cabrillo; and

(6) the archaeological evidence of substantial populations of Native Americans;

there is hereby established the Channel Islands National Park, the boundaries of which shall include San Miguel and Prince Islands, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara Islands, including the rocks, islets, submerged lands, and waters within one nautical mile of each island, as depicted on the map entitled, "Proposed Channel Islands National Park" numbered 159-20,008 and dated April 1979, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Channel Islands National Monument is hereby abolished as such, and the lands, waters, and interests therein withdrawn or reserved for the monument are hereby incorporated within and made a part of the new Channel Islands National Park.

SEC. 202. (a) Within the boundaries of the park as established in section 201, the Secretary of the Interior (herein after referred to as the "Secretary") is authorized to acquire lands, waters, or interests therein (including but not limited to scenic easements) by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of any right retained by the owner. Any lands, waters, or interests therein owned by the State of California or any political subdivision thereof shall not be acquired. Notwithstanding any other provision of law, Federal property located within the boundaries of the park shall with the concurrence of the head of the agency having custody thereof, be transferred to the Administrative jurisdiction of the Secretary for the purpose of the park: *Provided*, That the Secretary shall permit the use of federally owned park lands and waters which (i) have been transferred from another Federal agency pursuant to this section or which (ii) were the subject of a lease or permit issued by a Federal agency as of the date of enactment of this title, for essential national security missions and for navigational aids, subject to such terms and conditions as the Secretary deems necessary to protect park resources.

(b) Notwithstanding the acquisition authority contained in subsection 202(a), any lands, waters or interests therein, which are owned wholly or in part, by or which hereafter may be owned by, or under option to, the National Park Foundation, the Nature Conservancy (including any lands, waters, or interests therein which are designated as "Nature Conservancy Lands" on the map referred to in section 201 of this title) or any similar national, nonprofit conservation organization, or an affiliate or subsidiary thereof shall be acquired only with the consent of the owner thereof: *Provided*, That the Secretary may acquire such property in accordance with the provisions of this Act if he determines that the property is undergoing or is about to undergo a change in use which is inconsistent with the purposes of this title.

(c) With respect to the privately owned lands on Santa Rosa Island, the Secretary shall acquire such lands as expeditiously as possible after the date of enactment of this title. The acquisition of these lands shall take priority over the acquisition of other privately owned lands within the park.

(d)(1) The owner of any private property may, on the date of its acquisition and as a condition of such acquisition, retain for himself a right of use and occupancy of all or such portion of such property as the owner may elect for a definite term of not more than twenty-five years, or ending at the death of the owner, or his spouse, whichever is later. The owner shall elect the term to be reserved. Any such right retained pursuant to this subsection with respect to any property shall be subject to termination by the Secretary upon his determination that such property is being used for any purpose which is incompatible with the administration of the park or with the preservation of the resources therein, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right, of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(2) In the case of any property acquired by the Secretary pursuant to this title with respect to which a right of use and occupancy was not reserved by the former owner pursuant to this subsection, at the request of the former owner, the Secretary may enter into a lease agreement with the former owner under which the former owner may continue any existing use of such property which is compatible with the administration of the park and with the preservation of the resources therein.

(3) Any right retained pursuant to this subsection, and any lease entered into under paragraph (2), shall be subject to such access and other provisions as may be required by the Secretary for visitor use and resources management.

SEC. 203. (a) The Secretary is directed to develop, in cooperation and consultation with the Secretary of Commerce, the State of California, and various knowledgeable Federal and private entities, a natural resources study report of the park, including, but not limited to, the following:

(1) an inventory of all terrestrial and marine species, indicating their population dynamics, and probable trends as to future numbers and welfare;

(2) recommendations as to what actions should be considered for adoption to better protect the natural resources of the park.

Such report shall be submitted within two complete fiscal years from the date of enactment of this title to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and updated revisions of such report shall be similarly submitted at subsequent two year intervals to cover a period of ten years after the date of enactment of this title.

(b) The Secretary is authorized and directed to enter into and continue cooperative agreements with the Secretary of Commerce and the State of California for the enforcement of Federal and State laws and regulations on those lands and waters within and adjacent to the park which are owned by the State of California. No provision of this title shall be deemed to affect the rights and jurisdiction of the State of California within the park, including, but not limited to, authority over submerged lands and waters within the park boundaries, and the marine resources therein.

SEC. 204. (a) Subject to the provisions of section 201 of this title, the Secretary shall administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.). In the administration of the park, the Secretary may utilize such statutory authority available for the conservation and management of wildlife and natural and cultural resources as he deems appropriate to carry out the purposes of this title. The park shall be administered on a low-intensity, limited-entry basis.

(b) In recognition of the special fragility and sensitivity of the park's resources, it is the intent of Congress that the visitor use within the park be limited to assure negligible adverse impact on the park resources. The Secretary shall establish appropriate visitor carrying capacities for the park.

(c)(1) Within three complete fiscal years from the date of enactment of this title, the Secretary, in consultation with The Nature Conservancy and the State of California, shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the Committee on Energy and Natural Resources of the United States Senate, a comprehensive general management plan for the park, pursuant to criteria stated in the provisions of section 12(b) of the Act of August 18, 1970 (84 Stat. 825), as amended (16 U.S.C. 1a-1 et seq.). Such plan shall include alternative considerations for the design and operation of a public transportation system connecting the park with the mainland, with such considerations to be developed in cooperation with the State of California and the Secretary of Transportation. The Secretary shall seek the advice of the scientific community in the preparation of said plan, and conduct hearings for public comment in Ventura and Santa Barbara Counties.

(2) Those aspects of such a plan which relate to marine mammals shall be prepared by the Secretary of Commerce, in consultation with the Secretary and the State of California.

SEC. 205. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking with respect to the lands and waters within or adjacent or related to the park, and the head of any Federal agency having authority to license or permit any undertaking with respect to such lands and waters, shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to the effect of such undertaking on the purposes for which the park is established.

SEC. 206. Within three complete fiscal years from the date of enactment of this title, the Secretary shall review the area within the park and shall report to the President, in accordance with subsections 3 (c) and (d) of the Wilderness Act (78 Stat. 890), his recommendations as to the suitability or nonsuitability of any area within the park for designation as wilderness. Any designation of any such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 207. Notwithstanding any other provision of law, no fees shall be charged for entrance or admission to the park.

SEC. 208. The Secretary is authorized to expend Federal funds for the cooperative management of The Nature Conservancy and

other private property for research, resources management, and visitor protection and use. All funds authorized to be appropriated for the purposes of the Channel Islands National Monument are hereby transferred to the Channel Islands National Park. Effective October 1, 1980, there are hereby authorized to be appropriated such further sums as may be necessary to carry out the purposes of this title, but not to exceed $500,000 for development. From the Land and Water Conservation Fund there is authorized to be appropriated $30,100,000 for the purposes of land acquisition. For the authorizations made in this section, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

The PRESIDING OFFICER. Who yields time?

RECESS FOR 15 MINUTES

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, without the time being charged to either side, that the Senate stand in recess for 15 minutes.

There being no objection, the Senate, at 2:03 p.m., recessed until 2:18 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. CHILES).

ORDER TO HOLD H.R. 5913, HOUSE JOINT RESOLUTION 477, H.R. 6374, AND HOUSE JOINT RESOLUTION 469 AT THE DESK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that H.R. 5913, House Joint Resolution 477, H.R. 6374, and House Joint Resolution 469 be held at the desk pending further disposition.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANNEL ISLANDS NATIONAL PARK

The Senate continued with the consideration of the bill H.R. 3757.

Mr. HATFIELD. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. ROBERT C. BYRD. I yield.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the following staff members from the Committee on Energy and Natural Resources be granted the privileges of the floor during the consideration of the pending bill: Steve Hickok, Tony Bevinetto, Steve Crow, Trudy Transtrum, Carol Garnett, Cindy Calfee, and Jim Hemphill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I would like to make an inquiry of one of the managers of the bill.

Mr. HATFIELD. I yield.

Mr. JAVITS. Mr. President, will the Senators say when they will be ready to receive amendments?

Mr. HATFIELD. Mr. President, I believe Senator JACKSON and I would like to make a brief opening statement and then we will be ready to proceed.

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. JACKSON. Mr. President, I yield myself such time as I may require.

Mr. President, as reported from the Committee on Energy and Natural Resources, H.R. 3757 consists of two separate and distinct titles. Title I contains a series of relatively minor park-related provisions including various technical and conforming amendments to existing park statutes as well as several new items. These miscellaneous items are noncontroversial and have the support of the administration and the members of the Energy and Natural Resources Committee. Additionally, with only a few exceptions, each of the items has been included in some form in one of several House-passed measures. Mr. President, I ask unanimous consent that a summary of these various provisions be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF MISCELLANEOUS PARK PROVISIONS, H.R. 3757, AS ORDERED REPORTED

Point Reyes.—(Sec. 101(a)).—The Committee amendment adds some 2,133 acres of private, public, and quasi-public land to the existing Point Reyes National Seashore. The additions include certain private lands in the Fish Hatchery Creek area as well as certain state lands. The addition would also include lands owned by the North Marin Water District and the Nature Conservancy. The Committee amendment also includes language not in the House version regarding the prohibition of entrance fees at Point Reyes and the authorization of $5 million for land acquisition. The Committee amendment also slightly modifies the House language relative to the acceptance of land donated by the State of California.

North Country Trail (Sec. 101(b)).—Both the House-passed and Committee reported versions add the North Country Scenic Trail to the National Trail system. The Committee language makes it clear that the Secretary's land acquisition authority with regard to this new trail is limited to lands within Federal areas such as units of the National Forest and Park systems.

C. & O. Canal National Historical Park (Sec. 101(c)).—The committee amendment includes language identical to the House passed measure regarding the C.&O. Canal. The provision deletes a proviso in the National Parks and Recreation Act of 1978 which prohibits the acquisition of lands between 31st Street and Jefferson Street adjacent to the canal in the District of Columbia. Thus, H.R. 3757, as ordered reported, would have the effect of authorizing acquisition of these lands. The lands involved amount to approximately ⅓ acre, and are unimproved. The acquisition of these lands as open space adjacent to the canal would be beneficial to the integrity of the area. The acquisition of the lands can be accomplished within the current appropriation ceiling.

Birch River (Sec. 102).—Both versions contain identical language designating a segment of the Birch River for study to determine its suitability for inclusion in the Wild and Scenic Rivers system. The Birch River segment so designated appears to have high scenic and recreation values.

Farallon Wilderness.—The House version of H.R. 3727 included a provision designating the Farallon National Wildlife Refuge as wilderness and affording the new Farallon Wilderness all the protections provided for the wilderness lands within the Point Reyes National Seashore. The effect of this second provision would be to prohibit Federal Outer Continental Shelf oil and gas leasing within 15 miles of the Farallon Refuge unless the State allows such activity on adjacent state submerged lands. The Committee amendment deletes these provisions regarding the Faralloon Islands.

Golden Gate National Recreation Area (See 103).—Like the House-passed bill, the Committee amendment revises the boundary of Golden Gate National Recreation Area (GGNRA) to include 2,576 acres of State lands comprising the existing Samuel Taylor State Park, which is adjacent to the recreation area. The Committee amendment also includes certain additional state and private lands within the GGNRA boundary. Like the additions at Point Reyes National Seashore, these additional lands have been included to help protect the largely undeveloped coast line of Tomales Bay which separates the two park units. The Committee amendment increases the land acquisiton ceiling for GGNRA by $15.5 million. The development ceiling at the Recreation Area is reduced by $10 million.

Whaling Artifacts.—The House-passed version of H.R. 3757 authorizes and directs the Secretary to acquire a suitable collection of whaling artifacts and associated items for preservation and display at the National Maritime Museum located at the Golden Gate National Recreation Area. The section authorizes the appropriation of such sums as may be necessary, but not to exceed $3 million for the purchase of the collection.

The Committee reported version does not include this provision.

Land and Water Conservation Fund Amendments.—The House version of H.R. 3757 included a series of amendments to the Land and Water Conservation Fund Act of 1965. These amendments are not contained in the version of H.R. 3757 as reported by the Energy and Natural Resources Committee.

Potential Parks and National Park System Plan (Sec. 104).—Section 8 of the Act of August 19, 1970 (84 Stat. 825), provides general administrative authority for the National Park System. That Act requires annual reports on potential units of the system to be printed as a House document. H.R. 3757, as ordered reported, provides that duplicate reports need not be printed as a House document if the Chairmen of the two authorizing Committees agree and so advise the Speaker. The amendment also requires the Secretary to submit to the two Committees within 6 months a comprehensive National Park System Plan, and it requires the Plan to be revised and updated annually. These provisions are identical to the House-passed bill.

Miscellaneous Park Additions (Sec. 105).—Both versions contain provisions making minor boundary changes at three units of the National Park system. These units are: (1) the Carl Sandburg Home National Historic Site—an addition of 17 acres; (2) the Chickamauga and Chattanooga National Military Park—an addition of 1 acre; and (3) the Fredericksburg and Spotsylvania County Battlefield National Military Park—an addition of approximately 20 acres.

Each of these additions will incorporate important lands into these existing areas.

Palmer's Chapel (Sec. 106).—The Committee amendment and the House-passed measure both contain identical language regarding the protection of the historic Palmer's Chapel in the Great Smoky Mountains National Park. Palmer's Chapel was acquired in connection with the acquisition of other lands for the park in the 1930's. Under a special use permit, former residents of the area are allowed to use the Chapel for memorial services. Maintenance of the Chapel is now done by the National Park Service, at an estimated annual cost of about $2,000. Since the Chapel is an historic resource, the

measure ensures that the National Park Service will continue its upkeep and maintenance. In addition, the Chapel will be available to religious groups, if they wish to use the facility, and will also be available for other public activities, such as meetings and public gatherings.

Montgomery County, Maryland, Land Exchange (Sec. 107).—Section 304(a) of the Act of October 21, 1976 (90 Stat. 2732, 2734), authorizes the Secretary of the Interior to transfer certain lands that were used by the Department of the Army Corps of Engineers to the Director of the National Park Service. In exchange, the Act authorizes the Secretary of the Army to transfer certain other lands to the Secretary of the Interior. A line was dropped in the printing of the 1978 Act. The result is authorization for the Secretary of the Interior to transfer the lands that were used by the Corps to the Secretary of the Army. Both versions of H.R. 3757 would insert the omitted language.

Harpers Ferry National Historical Park (Sec. 108).—The Committee reported version of H.R. 3757 contains a provision regarding the Harpers Ferry National Historical Park not included in the House-passed bill. The bill, as reported by the Committee, would add some 475 acres to the existing park and authorize $300,000 for the acquisition of these lands. The scenic values of the view from Jefferson's Rock through the Harpers Ferry Watergap are significant to the historic integrity of the Park. The Nature Conservancy holds an option to acquire 475 acres in Virginia on Short Hill Mountain, which is directly across the Shenandoah River from Jefferson's Rock, and the Conservancy has indicated it will hold these lands for sale to the National Park Service. Due to the high scenic value of this area, the Committee included language authorizing the acquisition of these lands.

Ice Age National Scientific Reserve (Sec. 109).—The Committee amendment increases from $425,000 to $2,500,000 the amount which the Federal Government may contribute to the development of the Reserve. Under existing law applicable to this area, land acquisition, development, and operations costs are shared by the Federal Government and the State of Wisconsin. The State actually holds title to the lands and manages the area. Under existing law the Federal contribution for development is limited to 25 percent of the cost, but not more than $425,000. Based on plans prepared jointly by the State and the National Park Service, the remaining development work at Ice Age is estimated to cost $8,013,000. If the Federal contribution remains 25 percent, $2,004,000 will be necessary to complete the development. This provision was not included in the House version of H.R. 3757.

Olympic National Park (Sec. 110).—The Committee reported bill increases the amount authorized for land acquisition for this park from $13 million to $23.7 million, an increase of $10.7 million.

Public Law 94–578, approved October 21, 1976, revised the boundary of the Park and authorized the appropriation of $13 million to acquire the lands within the revised boundary. Since 1976 all but 2,516 acres have been acquired. The estimated value of these remaining lands is $26,227,385, most of which represents privately owned timber lands. Unfortunately, some timber prices have risen at a rate of 30 percent per year. In addition, one company with large timber holdings has elected not to exchange its land. There is a remaining unobligated balance of $2,478,720 together with Federal lands valued at $13,051,352, which can be used for exchanges already agreed upon. This leaves a balance of $10,697,313 which will be needed to complete the acquisition of the lands added to the park in 1976. This provision, would provide the funds for this acquisition.

Padre Island (Sec. 111).—The Committee amendment would correct an error contained in Public Law 94–578 which authorized appropriations for the addition of 274 acres, but did not include the necessary boundary change language. This section, not included in the House version of H.R. 3757, would provide the Secretary with this authority.

Fort St. Jean Baptiste de Natchitoches (Sec. 112).—The Committee adopted a provision authorizing the Secretary of the Interior to provide to the State of Louisiana, technical advice, grants for land acquisition and development, and any other help necessary to reconstruct Fort St. Jean Baptiste de Natchitoches.

Fort St. Jean Baptiste was founded in 1716 near the town of Natchitoches, Louisiana, to prevent the Spaniards in Mexico from advancing further into French Louisiana. The Fort continued to serve this vital function until the entire French territory was ceded to Spain in 1762 following France's defeat by England in the French and Indian War. It then served the Spaniards as a link in their lines of communication through their vast colonial empire, and was finally abandoned when the United States built Fort Claiborne nearby soon after the Louisiana Purchase in 1803.

The section authorizes the appropriation of not more than $2,813,000 and provides that the Secretary may expend not to exceed 75 percent of the total cost of the reconstruction.

Section 112 contains a number of provisions to safeguard the interests of the United States, including a provision stating that no Federal funds may be expended for the reconstruction unless the Secretary of the Interior determines it can be based on historical documentations. Thus, the Secretary must find that the reconstruction proposal contains sufficient archaeological and historical data to satisfy the Secretary that the Federal Government is in fact assisting in the reconstruction of what originally existed. The Secretary would be authorized to expend funds to make the archaeological and historical documentation prior to any reconstruction taking place.

The Secretary would also be authorized to enter into a cooperative agreement with the State and local governmental authorities. In order to safeguard the interests of the United States, this agreement would include, among other things:

(1) assurances that the State would operate and maintain the fort as a public area and bear all costs thereof;

(2) assurances that the State would manage the fort consistent with its historic character; and,

(3) aunthority for the Secretary to obtain reimbursement from the State for all Federal funds granted under this section.

As part of the reconstruction effort, the Secretary may also develop and implement a plan, in consultation with state and local officials, to interpret the history of the Fort and the Fort's role in the early history of the Louisiana territory. Such interpretive activities would be limited to the reconstructed area of the Fort.

Navy Memorial (sec. 113). The Committee amendment authorizes the United States Navy Memorial Foundation to erect a memorial to honor the men and women of the U.S. Navy. The Memorial is to be constructed without cost to the Federal Government.

The site for the memorial on public grounds in the District of Columbia or northern Virginia, will be selected by the Secretary with the approval of the National Commission of Fine Arts and the National Capital Planning Commission. These entities must also approve the design and plan for the Navy Memorial. The Committee understands that the Foundation intends to construct an amphitheater or outdoor band shell which would be used for free public concerts by the various Service bands, among other uses.

The Secretary will be responsible for maintenance of the memorial after construction.

International Centre for the Study of the Preservation and Restoration of Cultural Property (Sec. 114).—The Committee agreed to extend the authorization for appropriations to pay the annual dues of the United States for membership in the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) through fiscal year 1982. ICCROM is an international organization established under the auspices of UNESCO. It is an educational institution concerned with the scientific and technical problems of the preservation and restoration of cultural property.

The Centre provides training for research workers and technicians for 65 member nations and is a major international reference and consultation source for the field of conservation. The staff of the Centre also provides technical assistance for a number of major preservation efforts. Past projects include restoration of: tomb in Egypt; the west facade of the Capitol; ancient mural paintings to Turkey; and one of the earliest paintings found in the Middle East.

Congress authorized membership of the United States in ICCROM, and provided for appropriations to pay the dues obligations of the United States arising from such membership in a 1970 amendment to the National Historic Preservation Act (16 U.S.C. § 470m). Subsection (c) of this section was amended in 1973 and 1976 to continue the funding authorization for the payment of the United States legal obligation for the annual dues for the membership. Since the membership is a continuing one, it is once again necessary to extend the authorization in Subsection (c) for payment of dues so that the United States will not fall into arrears and may continue to exercise its full rights of membership in ICCROM.

Under the ICCROM dues formula, each member state agrees to pay an amount equal to one percent of its annual contribution to UNESCO, but the amount payable by a member may not exceed 25 percent of ICCROM's total annual budget. Thus, membership assessments are affected by increases in UNESCO dues as well as by the addition of new member states to ICCROM.

These variables in the dues formula makes it impossible to determine in advance the exact amount of the United States' membership assessments. In fiscal year 1976 the authorization was $125,000 and the actual membership assessment was $114,597. The authorization for fiscal years 1977, 1978, and 1979 was $175,000 annually. The actual membership dues for 1977 and 1978 were $166,217 for each of those years, while the assessment for 1979 rose to $238,507. Thus, an additional $63,507 is needed for fiscal year 1979.

The State Department Appropriation Act for fiscal year 1980 contains $208,801 for ICCROM membership under the general category of Contributions to International Organizations. This amount is $29,460 less than the actual assessment. Based on current ICCROM membership and an estimate of the U.S. contribution to UNESCO, U.S. membership dues for fiscal years 1981 and 1982 are expected to be under $300,000 and even if additional states join ICCROM the amount should not exceed $350,000.

The Committee amendment authorizes the appropriation of the additional funds needed to pay the actual membership dues for fiscal years 1979 and 1980. These arrearages are to be paid in fiscal year 1981. The amendment also extends the funding authorization to fiscal years 1981 and 1982.

Section 114 is not intended to abrogate authorities and appropriations currently available to the Department of State.

Mr. JACKSON. Mr. President, title II of H.R. 3757, as reported, would establish the Channel Islands National Park in the State of California. Establishment of the park enjoys the support of the administration, the State of California, the local Congressman (Mr. LAGOMARSINO), and the senior Senator from California (Mr. CRANSTON).

Designation of the Channel Islands National Park will insure the protection of five nationally significant islands off the coast of southern California. The ecological, archeological, cultural, and scientific values of the channel islands were first given national recognition in 1938, when President Franklin D. Roosevelt set aside Santa Barbara and Anapaca Islands as the Channel Islands National Monument. The legislation before us today would designate these two islands plus the islands of Santa Cruz, Santa Rosa, and San Miguel as a national park.

These five islands provide outstanding examples of isolated ecosystems, and because the islands lie in an area of transition between southern and northern marine flora and fauna, their marine life is especially rich and varied. The islands and their offshore waters are used by some 20 species of whales and porpoises, many listed by the U.S. Fish and Wildlife Service as threatened and endangered. The islands and the waters surrounding them are also home to six different species of seals and sea lions. One of the channel islands, San Miguel, provides habitation for all six species of seals and sea lions—more species than are found in any other single location in the world. The channel islands are also a major breeding and resting grounds for a variety of sea birds. Additionally, a large number of plant species have evolved as a result of their isolation on these islands and many are rare, threatened, or endangered because they are unique and few in number. Finally, many of the channel islands are rich in archeological and cultural values. The islands give evidence of having been one of the most heavily utilized areas in aboriginal North America. Many archeological resources of historic and prehistoric periods located on all of the islands are clearly of national register caliber.

Mr. President, the coastlines of these islands are composed of mainly rocky shorelines with precipitate headlands that define isolated stretches of broad beaches. In comparison to the mainland coast, largely disturbed by man's influence and intensive development, these islands are virtually untouched. As such, protection of these islands affords us a unique opportunity to preserve significant natural resources less than 50 miles from Los Angeles.

On December 12, the Committee on Energy and Natural Resources, by unanimous vote, recommended that the Senate pass H.R. 3757, as amended. Earlier, the House of Representatives passed essentially the same proposal on May 7, 1979.

I urge my colleagues to join with me in voting in favor of this legislation.

Mr. President, I reserve the remainder of my time.

Mr. HATFIELD. Mr. President, I yield myself such time to make my opening remarks.

Mr. President, this bill is a mini-omnibus bill that, in title I corrects some deficiencies and errors in the maxiomnibus bill enacted in the 2d session of the 95th Congress. Title I also contains substantive legislation that the committee unanimously adopted and is free of controversy.

Title II of H.R. 3757 establishes a new national park, the Nation's 40th if enacted. Channel Islands National Park would encompass the existing Channel Islands National Monument and several other major islands in the Pacific Ocean off the coast of southern California. It is a remarkably pure addition to the National Park System. Long isolated from the mainland, the islands have become the home for rare and endangered species. They provide shelter for endemic species and a haven for exotic birds and animals. The islands are culturally important, as they were inhabited by seafaring Indians and visited by the first European explorers of our west coast.

The owners of private lands on Santa Rosa and Santa Cruz have, in their land stewardship, preserved the land forms of what must have been the mainland's ecosystem centuries ago, before the geometric development and population growth of this century.

Here is where there is remaining controversy on this issue. It is on these private lands on Santa Rosa Island that the question rises whether or not Federal ownership and acquisition are necessary and desirable. Some of my distinguished colleagues may speak to that issue.

I compliment the chairman of the Parks, Recreation, and Renewable Resources Subcommittee (Mr. BUMPERS) for his work in gathering and reviewing the diverse elements of this legislative package. I join him in praising the conservational efforts of the private landowners on the various islands in the proposed park—the Vail family and Dr. Stanton. Also, Mr. Bill Ehorn, superintendent of Channel Islands National Monument, is unmatched in his enthusiasm and dedication in bringing this new national park into being.

With the acceptance of key amendments, I urge my colleagues to consider favorably the passage of H.R. 3757 and establish our 40th national park.

● Mr. CANNON. Mr. President, the Channel Islands and their surrounding waters are a haven for many species of marine mammals, an area of great concern to the Committee on Commerce, Science, and Transportation. The waters around the islands are used by 20 species of whales and porpoises, many of which are on the Federal list of threatened and endangered species. Seals and seal lions (pinnipeds), once bred in great numbers along the California mainland coast, now breed almost exclusively on the Channel Islands. Six different species of these seals now mate, give birth or haul out on San Miguel Island, the only place in the world that all six species coexist. It has been our pleasure to work with the Parks Subcommittee on the Energy and Natural Resources Committee to see that these living marine resources of the Channel Islands are protected. The bill now provides that the part of the management plan for the park relating to marine mammals be prepared by the Secretary of Commerce in consultation with the Secretary of Interior. The bill also directs the management plan, when completed, be submitted to the Energy and Natural Resources Committee. We look forward to working with that committee in reviewing the portion of the plan that relates to marine mammal protection. The Channel Islands, with both their land and water resources, are indeed a national treasure deserving the kind of protection that this bill provides. I recommend it to my colleagues for approval.●

The PRESIDING OFFICER. Who yields time?

UP AMENDMENT 975

(Purpose: To revise the boundary of Saratoga National Historic Park)

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New York (Mr. JAVITS) for himself and Mr. MOYNIHAN, proposes an unprinted amendment numbered 975.

Mr. JAVITS. Mr. President I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, line 20 add the following new section and renumber the bill accordingly:

SEC. 116 (a) The Secretary of the Interior is authorized to revise the boundary of the Saratoga National Historic Park: to add approximately one hundred and forty-seven acres.

(b) For the purposes of acquiring land and interest in land added to the unit referred to in subsection (a) there are authorized to be appropriated from the Land and Water Conservation Fund such sums as may be necessary but not to exceed $74,000 for Saratoga National Historic Park.

Mr. JAVITS. Mr. President, I submit this amendment in behalf of Senator MOYNIHAN and myself.

The proposed amendment adds 147 acres to the existing Saratoga National Historic Park, and authorizes an expenditure not to exceed $74,000 for this purpose.

The land to be added is a single parcel which the Nature Conservancy currently owns and would like to sell to the National Park Service. The property lies within the master plan boundaries for the park and is contiguous with existing federally owned park lands. The tract has been identified by the Park Service as one of the parcels needed to complete the park.

The Nature Conservancy purchased the land in 1975 at the request of the Park Service for eventual addition to the

park. Since the Conservancy borrows money to pay for lands held for repurchase by Government agencies, its total indebtedness on this parcel is now rising by approximately $6,000 per year due to interest on the original purchase price. I hope, therefore, that if this amendment can become law, the Park Service will move expeditiously to acquire fee title to the land.

Finally, I wish to emphasize that this amendment is intended to apply specifically to the 147 tract and is not an authorization to add any additional land to the park.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement by Senator MOYNIHAN relating to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR MOYNIHAN

I strongly support the amendment by my distinguished colleague (Mr. Javits), which would expand the boundary of the Saratoga National Historic Park by 147 acres. Since 1975, the Nature Conservancy has maintained this land, bought initially at the request of the National Park Service, in the expectation that it would be purchased for inclusion in the Saratoga National Historic Park.

Purchase of this parcel for the Park would cost a mere $74,000, and yet a variety of delays has forestalled such action since 1975. As a result, the Nature Conservancy has been spending approximately $6,000 per year for the upkeep of this land.

It is only appropriate that we now authorize the National Park Service to acquire this land, and I urge my colleagues to support this amendment.

Mr. JACKSON. Mr. President, we can accept the amendment.

The PRESIDING OFFICER. Is there further discussion?

The question is on agreeing to the amendment of the Senator from New York.

The amendment (UP No. 975) was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HATFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 976

Mr. METZENBAUM. Mr. President, I send to the desk an unprinted amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. METZENBAUM) proposes an unprinted amendment numbered 976.

On page 40, after line 7, insert the following new section:

SEC. . The Secretary of the Interior shall designate the David Berger Memorial located at the Jewish Community Center in Cleveland Heights, Ohio as a National Memorial. The significance of the memorial in preserving the memory of the eleven Israeli athletes who were assassinated at the Olympic Games in Munich, Germany, in 1972 is, by this designation, recognized by the Congress.

Mr. METZENBAUM. Mr. President, the purpose of this amendment is quite obvious. Eight years ago, 11 Israeli athletes lost their lives at the Olympics through an attack by a band of PLO terrorists. They were not involved in any controversy. They were only seeking to participate in the games. They were peaceloving and they were concerned. Today, as we all have on our minds our own country's involvement or noninvolvement with respect to the Olympics to be held in Moscow, I think it is appropriate that this be a permanent reminder for all of us in Congress and for all in America, that we not forget what happened 8 years ago.

The men who participated in that Olympic contest lost their lives needlessly. As we meet here today, it is so appropriate that this memorial that has been erected in Cleveland with contributions made to it by friends of David Berger and others who are concerned about the other 10 Israeli athletes—no funds are involved, no appropriation is suggested or requested or anticipated; but it is appropriate that it be a national memorial.

David Berger was a friend of mine and my family's. He lived but a few doors from us. The only national monument erected in this country to the memory of these Israeli athletes—one American boy, David Berger, maintained his American citizenship—is the one that is maintained in Cleveland. I hope the manager of the bill on the majority side and the manager on the minority side will see fit to accept the amendment.

Mr. JACKSON. Mr. President, I commend the distinguished Senator from Ohio for offering this amendment. It is, indeed, a fitting memorial. It comes at a time when the Olympics are now underway. I must say that the unanimous vote of this body would signal our appreciation for the enormous sacrifice that was made in Munich.

I am happy and pleased to accept the amendment.

Mr. HATFIELD. Mr. President, I am very happy to join in the acceptance of this amendment for a very appropriate memorial that I think is not only meaningful to the people of Ohio but the entire Nation.

Mr. METZENBAUM. I thank the managers of the bill.

The PRESIDING OFFICER. Is there further discussion?

The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. METZENBAUM. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATFIELD. Mr. President, I suggest the absence of a quorum and I ask unanimous consent the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 977

(Purpose: To provide land for tour boat facility for access to Fort Sumter National Monument)

Mr. HOLLINGS. Mr. President, I call up my amendment on behalf of myself and Senator THURMOND and I ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS), for himself and Mr. THURMOND, proposes an unprinted amendment numbered 977.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, between lines 19 and 20, insert the following:

SEC. 116. The Secretary of the Interior is authorized to acquire by purchase with donated or appropriated funds not to exceed 2.5 acres of land and submerged lands, waters or interest therein, at Charleston, South Carolina, known generally as the Fleet Landing Site, for purposes of a mainland tour boat facility for access to Fort Sumter National Monument. Property so acquired shall be administered as a part of Fort Sumter National Monument. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purpose of this section.

Mr. HOLLINGS. Mr. President, the amendment I present today will provide a site on which the National Park Service will develop and operate a visitors center for embarkation to Fort Sumter National Monument in Charleston Harbor, S.C. Also provided will be space for tour boat concessioner's facilities.

The location of the National Park Service tour boat facility at the Concord Street site is seen as a positive move responding to and supported by a variety of recent studies. The location, at the river edge of the Market Street area, offers the tour boat facility increased exposure to the growing number of visitors to Charleston. A 1978 Tourism Impact and Management Study stresses that:

Utilization of the Cooper River Waterfront * * * for water tours and transportation connections to harbor attractions is a major development objective.

This site also acts as an extension and northern terminus for a proposed city of Charleston 6.5-acre waterfront marsh park, which would start at North Adgers Wharf and extend northward.

The Concord Street site for the tour boat facility is consistent with the mixed use nature of the area. More than $3,500,000 is being spent in the Market Street and adjacent area to improve the aesthetic setting as well as upgrade the entire utility infrastructure for existing and proposed development. A major highway safety project has been started which will further improve the vehicular flow and site accessibility along East Bay Street and Concord Street to the In-

terstate Road System and Route 17, which handle most of the visitor traffic.

Acquisition of this location has the complete support of local interests and will be a focal point for the further development of park and recreation facilities in Charleston.

Mr. THURMOND. Mr. President, I am pleased to rise in support of the amendment offered by the distinguished Senator from South Carolina, Senator HOLLINGS, and myself.

This amendment would authorize the Secretary of the Interior to acquire a site in Charleston Harbor, S.C., generally known as the Fleet Landing Site, for the purpose of establishing a tour boat facility to serve the Fort Sumter National Monument.

Mr. President, the acquisition and maintenance of this site by the National Park Service will enhance the efforts of the citizens of Charleston to improve the Market Street and adjacent areas of their city, reflective of a major development objective undertaken by a broad spectrum of local interests.

Mr. President, I would urge my colleagues in the Senate to support this amendment.

Mr. JACKSON. Mr. President, we have no objection to the amendment. We accept it.

As I understand it, the total estimated cost is somewhere between $225,000 and $250,000.

Mr. HOLLINGS. That is the estimate at this time.

Mr. JACKSON. Estimated at this time.

Mr. HOLLINGS. Right.

Mr. JACKSON. Mr. President, we accept the amendment.

Mr. HOLLINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from William J. Whalen to the Honorable Joseph P. Riley, Jr., Mayor of Charleston, S.C., dated October 27, 1978, and a letter from the same gentleman, William J. Whalen, Director, National Park Service, Department of the Interior, to Congressman MENDEL J. DAVIS, dated January 29, 1979.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL PARK SERVICE,
Washington, October 27, 1978.

Hon. JOSEPH P. RILEY, Jr.,
Mayor of Charleston,
Charleston, S.C.

DEAR JOE: It was a great pleasure visiting your city this week. In my opinion, Charleston is one of the finest cities in America, and as I mentioned to you, I do hope to return with my wife someday soon to explore your magnificant city.

I was most pleased with the briefing you gave regarding the development of the waterfront area. In particular, I was happy that you came forward with a proposal that in effect made our staff really look at the things we were proposing as far as docking was concerned. Quite frankly, I was embarrassed that we had gone as far as we did on the Broad Street project.

I look forward to working with you, the Governor, Senator Hollings and the Port Authority in coming up with an acceptable solution to this situation. I see this as an opportunity not only for Charleston, but also for the National Park Service to enter into a true partnership at the local, State and Federal level.

I look forward to seeing you on my next visit. If you are ever in Washington, please call me and we will have lunch or dinner.

Sincerely yours,

WILLIAM J. WHALEN,
Director.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., January 29, 1979.

Hon. MENDEL J. DAVIS,
House of Representatives,
Washington, D.C.

DEAR MR. DAVIS: This will respond to your letter of January 2 with reference to the location of the docking site for the concession facility at Charleston, South Carolina, which provides service for Fort Sumter National Monument.

As you know, a decision had been made to locate the facility at the foot of Broad Street. However, the Senate and House Conferees in their report on the Appropriations Bill for the Department of the Interior at page H11249 of the "Congressional Record" of September 29, 1978, made the following statement:

"The managers call upon the Park Service to postpone final determination of the site for the tour boat facility for Fort Sumter National Monument, South Carolina, until House and Senate Appropriations Committees have reviewed alternative site proposals and developed recommendations."

As a result of this action by the Conferees, I felt it was incumbent upon me to personally visit the area at the request of Mayor Reilly and look at alternative sites. On October 23, 1978, I, accompanied by staff from our Southeast Regional Office and this Office, visited Charleston to look at these sites and to be briefed by the Architect and Engineering Firm concerning the concept of the visitor facility proposed to be located at Broad Street. My immediate reaction was that the proposed facility was much too large for the acreage that the Park Service had, and that with the traffic problems which would be generated, the Broad Street site would not be the best site for the visitor facility.

Following this, I met with the concessioner, George Campsen, to advise him of the need to look at other sites, and subsequently met with Mayor Reilly, officials of the State, officials of the Port Authority, and other civic leaders to discuss this issue. I was given assurance by the Mayor that efforts were being made to develop other recreational facilities at the site owned by the Port Authority and that there was a good possibility a compromise could be reached which would be beneficial to all to relocate the Park Service facility at that site.

I further agreed that I would be pleased to return to Charleston following the inauguration of the new Governor to work with State and local officials to see if such a compromise could be reached. I stand ready to keep this commitment.

In any event, due to the restrictive language in the Conference Report, it is not possible for us to proceed with any site unless we get approval from the House and Senate Appropriations Committees.

I trust this will fully respond to your letter. If there is anything further we can provide for you, please let us know.

Sincerely,

WILLIAM J. WHALEN,
Director.

Mr. HATFIELD. Mr. President, on behalf of the minority, we are happy to accept the amendment of the Senators.

Mr. THURMOND. I thank the able Senators for accepting the amendment.

Mr. HOLLINGS. I thank both Senators, the distinguished manager of the bill and the Senator from Oregon, for their courtesy in this matter.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from South Carolina.

The amendment (UP No. 977) was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time be shared equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 978

(Purpose: To increase the membership of the Santa Monica Mountains National Recreation Area Advisory Commission)

Mr. CRANSTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California (Mr. CRANSTON) proposes an unprinted amendment numbered 978.

Mr. CRANSTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of Title I, insert the following new section:

Subsection 507(q) of the Act of November 10, 1978 (92 Stat. 3506) is amended in clause (2)(E) by changing "5" to "9".

Mr. CRANSTON. Mr. President, this amendment, which I understand is acceptable to those handling the bill—and I appreciate their helpfulness—would increase the membership of the Santa Monica Mountains National Recreation Area Advisory Commission from 9 to 13 members. The four additional appointments would be made by the Secretary of the Interior.

I believe that there should be the broadest possible public participation on the advisory commission for this new unit of the national park system.

The Interior Department has indicated that, because of the great public interest in the Santa Monica Mountains, the Advisory Commission needs to be enlarged to represent a real cross section of the community and insure that the composition of the Commission is balanced. With only five appointments, the Secretary of the Interior has found it difficult to pro-

vide for adequate representation of local communities, homeowner groups, minorities, and a range of academic disciplines.

The Interior Department supports this proposal to enlarge the Santa Monica Mountains NRA Advisory Commission. I believe that the amendment is noncontroversial, and I hope that it can be adopted.

The PRESIDING OFFICER. Is there further discussion?

Mr. JACKSON. Mr. President, I think this is a sensible suggestion. By enlarging the Commission the Park Service will be able to do a better job. While we do not have a formal report from the administration on this, I do understand that Secretary Andrus does favor the expanded membership and, therefore, I am able to accept the amendment.

Mr. HATFIELD. Mr. President, I am pleased to accept the amendment on behalf of the minority.

Mr. CRANSTON. I thank both Senators very, very much.

The PRESIDING OFFICER (Mr. JOHNSTON). Do the Senators yield back their time?

Mr. JACKSON. I yield back my time.

Mr. CRANSTON. I yield back by time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CRANSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRANSTON. I want to thank the distinguished chairman of the Energy Committee for the committee's report language which clarifies that it is the committee's intention that the State of California's jurisdiction and authority to permit, control, and regulate commercial fishing and kelp harvesting within the marine component of the Channel Islands National Park will not be affected by this legislation. Is that not the intention of the fourth sentence of the fifth full paragraph on page 19 of the committee report?

Mr. JACKSON. My distinguished colleague is correct. The sentence referred to contains a typographical error. A comma should be inserted after the word "permit" and deleted after the word "control."

UP AMENDMENT NO. 979

(Purpose: To establish the Yaquina Head Outstanding Natural Area in the State of Oregon, and for other purposes)

Mr. HATFIELD. Mr. President, I call up my amendment on the Yaquina Head.

The PRESIDING OFFICER. The clerk will report. Will the Senator send the amendment to the desk.

The assistant legislative clerk read as follows:

The Senator from Oregon (Mr. HATFIELD) proposes an unprinted amendment numbered 979.

Mr. HATFIELD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, after line 19, add a new section as follows; and renumber the succeeding sections accordingly:

SEC. 116(a) In order to protect the unique scenic, scientific, educational, and recreational values of certain lands in and around Yaquina Head, in Lincoln County, Oregon, there is hereby established; subject to valid existing rights, the Yaquina Head Outstanding Natural Area (hereinafter referred to as the "area"). The boundaries of the area are those shown on the map entitled "Yaquina Head Area", dated July 1979, which shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior, and the State Office of the Bureau of Land Management in the State of Oregon.

(b)(1) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall administer the Yaquina Head Outstanding Natural Area in accordance with the laws and regulations applicable to the public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1702), in such a manner as will best provide for

(A) the conservation and development of the scenic natural, and historic values of the area;

(B) the continued use of the area for purposes of education, scientific study, and public recreation which do not substantially impair the purposes for which the area is established; and

(C) protection of the wildlife habitat of the area.

(2) The Secretary shall develop a management plan for the area which accomplishes the purposes and is consistent with the provisions of this section. This plan shall be developed in accordance with the provisions of section 202 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1712).

(3) Notwithstanding any other provision of this section, the Secretary is authorized to issue permits or to contract for the quarrying of materials from the area in accordance with the management plan for the area on condition that the lands be reclaimed and restored to the satisfaction of the Secretary. Such authorization to quarry shall require payment of fair market value for the materials to be quarried, as established by the Secretary, and shall also include any terms and conditions which the Secretary determines necessary to protect the values of such quarry lands for purposes of this section.

(c) The reservation of lands for lighthouse purposes made by Executive order of June 8, 1866, of certain lands totalling approximately 18.1 acres, as depicted on the map referred to in subsection 116(a), is hereby revoked. The lands referred to in subsection 116(a) are hereby restored to the status of public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1702), and shall be administered in accordance with the management plan for the area developed pursuant to subsection 116(b), except that such lands are hereby withdrawn from settlement, sale, location, or entry, under the public land laws, including the mining laws (30 U.S.C., ch. 2), leasing under the mineral leasing laws (30 U.S.C. 181 et seq.), and disposals under the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, 602).

(d) The Secretary shall, as soon as possible but in no event later than twenty-four months following the date of the enactment of this section, acquire by purchase, exchange, donation, or condemnation all or any part of the lands and waters and interests in lands and waters within the area referred to in subsection 116(a) which are not in Federal ownership except that State land shall not be acquired by purchase or condemnation. Any lands or interests acquired by the Secretary pursuant to this section shall become public lands as defined in the Federal Land Policy and Management Act of 1976, as amended. Upon acquisition by the United States, such lands are automatically withdrawn under the provisions of subsection 116(c) except that lands affected by quarrying operations in the area shall be subject to disposals under the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, 602). Any lands acquired pursuant to this subsection shall be administered in accordance with the management plan for the area developed pursuant to subsection 116(b).

(e) The Secretary is authorized to conduct a study relating to the use of lands in the area for purposes of wind energy research. If the Secretary determines after such study that the conduct of wind energy research activity will not substantially impair the values of the lands in the area for purposes of this section, the Secretary is further authorized to issue permits for the use of such lands as a site for installation and field testing of an experimental wind turbine generating system. Any permit issued pursuant to this subsection shall contain such terms and conditions as the Secretary determines necessary to protect the values of such lands for purposes of this section.

(f) The Secretary shall develop and administer, in addition to any requirements imposed pursuant to paragraph 116(b)(3), a program for the reclamation and restoration of all lands affected by quarrying operations in the area acquired pursuant to subsection 116(d). All revenues received by the United States in connection with quarrying operations authorized by paragraph 116(b)(3) shall be deposited in a separate fund account which shall be established by the Secretary of the Treasury. Such revenues are hereby authorized to be appropriated to the Secretary as needed for reclamation and restoration of any lands acquired pursuant to subsection 116(d). After completion of such reclamation and restoration to the satisfaction of the Secretary, any unexpended revenues in such fund shall be returned to the general fund of the United States Treasury.

(g) There are hereby authorized to be appropriated in addition to that authorized by subsection 116(f), such sums as may be necessary to carry out the provisions of this section.

Mr. HATFIELD. Mr. President, basically this amendment is to create an outstanding natural area on a very historic head jutting into the Pacific Ocean at Newport, Oreg.

Yaquina Head with its historic lighthouse is one of the most picturesque and popular places on the Oregon coast. Its rugged beauty is one of the most outstanding features of the entire Oregon coastline. It remains, however, the only headland on the coast not in public ownership.

In stark contrast to the tip of this scenic headland, the eastern portion of land, some 60 acres, is under the control of a mining company. On this private tract, a rock quarry operation, which is grandfathered under the State reclamation laws, continues to gouge out the Earth and diminish the scenic, natural, and historic values of the entire area. The rock quarry activity has lowered the surface of the headland in some places over 200 feet. The area is laced with dirt

haul roads, and further road construction and excavation are planned. In addition, local residents and wildlife on a federally protected island refuge near the headland are jolted frequently by dynamite blasts. The extension of digging to new areas threatens further the special values of this important area. If quarrying continues, as announced, the excavation and removal of rock will totally destroy, and in effect, eliminate the existence of the headland.

Mr. President, I have been actively working to find a method of protecting Yaquina Head for the last 4 years. My efforts have included attempts to protect the area through executive branch initiatives of Federal agencies, possible State or local protection, legal action and/or acquisition by private conservation organizations. It appears that these proposed approaches to rescue Yaquina Head will not be successful in the near future. In view of this fact, and due to the insidious expansion of digging, I introduced S. 1567, a bill to establish the Yaquina Head outstanding natural area. On November 15, the Senate Subcommittee on Parks and Recreation held hearings on this bill.

The amendment, which I offer today, is identical to S. 1567, except for a few technical changes. Therefore, it is essentially the same proposal considered late last year by the Senate Committee on Energy and Natural Resources. My proposal will authorize and direct the Secretary of the Interior to manage the Yaquina Head area in conformance with its unique characteristics. There are two major elements of the bill. First, this proposal expedites and finalizes the transfer from the Coast Guard to the BLM of the approximately 18.1 acres of land withdrawn for lighthouse purposes in 1866. This transfer would not affect the lighthouse and surrounding acreage which is still being operated for navigational purposes. Second, the proposal provides for the Secretary to acquire by purchase, exchange, or condemnation all nonfederally owned lands within the picturesque headland area.

Management of the area would be outlined in a plan developed by the Secretary of the Interior. This management plan would provide for maintenance and enhancement of the area's scenic, natural, and historic values; continue the ongoing educational and scientific use of the area in cooperation with other agencies and educational institutions; protect significant wildlife habitat; provide for low intensity recreational use; authorize a program for reclamation of quarry lands in the area; and allow for the possible use of the quarry lands for wind energy research activities.

My proposal would direct the Secretary of the Interior to acquire the quarry lands within 2 years, permit him to contract for additional quarrying, then reclaim the land to a natural setting under the management plan. The purpose of permitting additional quarrying is both to achieve a more natural terrain or slope and to help pay for the reclamation of the land.

The Oregon Parks Department estimates that complete restoration of the headland to its original shape or contour would be prohibitively expensive. On the other hand, this same agency recommends that the area be reshaped without changing significantly the existing profile. This could be accomplished through continued quarrying to a preconceived contour utilizing reject quarry material to reshape previously quarried sites and through construction of topographic features to screen quarry areas from the roads and other viewpoints of the area.

In a November 27, 1979, letter to me, the Oregon Parks Department states that:

> If, in fact, a program of this nature could be conceived with a quarry operator, the cost of reshaping may be economically feasible.

This statement supports an earlier estimate by the Oregon Department of Geology and Mineral Industries that "the value of the mined material would almost equal the cost involved" for reclamation of the land. Based on these estimates from two State agencies, I believe that the cost of reclamation of the headland under the management plan would be very small or even nonexistent.

Frankly, the only area of uncertainty and potential disagreement relating to this proposal involves the cost of acquiring privately owned land at Yaquina Head. There are a number of conflicting estimates as to the fair market value of these lands. As the BLM has stated, existing data do not provide a basis for an accurate estimate of the market value of these private lands. An expensive geologic sampling and appraisal of subsurface rock resources would be required in order to give a more accurate market value of the property. Notwithstanding the lack of an expensive, but more precise valuation, a number of agencies, both State and Federal, have estimated the market value of the quarry lands.

The Bureau of Land Management estimates the value of private land on Yaquina Head at $4 to $13 million. BLM predicts, without any substantiating data, that the value is closer to the $10 to $13 million range. On the contrary, Mr. President, there seems to be better evidence that the market value is closer to $4 million. In October 1977, the Oregon Land Conservation and Development Commission, a statewide land use agency, estimated the value of private land on Yaquina Head at $2 to $4 million. This estimate of $2 to $4 million was referred to and apparently relied upon by the BLM in a letter to me from the Deputy Assistant Secretary of Interior dated October 4, 1977. Although raw land values may have increased slightly from that time, there has also been a substantial amount of additional rock removal which presumably would decrease the market value of the quarry land.

Mr. President, the most in-depth study of this resource issue is summarized in the final report of the Yaquina Head Advisory Committee. This advisory committee was created by the Governor of Oregon in 1978, pursuant to a joint congressional resolution. This committee's report discusses in detail the situation at Yaquina Head. It recommends the immediate acquisition of private lands on Yaquina Headland. Mr. President, I ask unanimous consent that the final report, which is about six pages in length, be included in the RECORD following my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FINAL REPORT OF THE YAQUINA HEAD

I. RECOMMENDATIONS OF THE COMMITTEE

The Yaquina Head Advisory Committee recommends to the Governor and the 60th Legislative Assembly that the State of Oregon act immediately to acquire identified private lands on Yaquina Head in Lincoln County (Figure No. 1, page 16). Acquisition of these lands should occur by negotiated purchase at a fair market value. If negotiated purchase is not practicable, eminent domain proceedings should be utilized in the public interest.

Acquired lands should be administered by the Parks and Recreation Branch of the Oregon Department of Transportation. A management plan which includes reclamation should be developed to retain or restore the headland consistent with public use objectives. The management plan should be fully coordinated with adjacent public and private land uses.

Appropriate state agencies should be directed to cooperate in this effort by negotiating acquisition funding, determining fair market value, assessing subsurface rock resources and developing a management plan which includes reclamation.

A combination of private, state and federal funding sources should be developed to finance the acquisition and management of Yaquina Head.

The Committee further recommends that the Legislature act immediately to declare Yaquina Head an Area of Critical State Concern.

II. BACKGROUND INFORMATION

Yaquina Head is a basalt promontory (headland) extending into the Pacific Ocean 3 miles north of the city of Newport in Lincoln County, Oregon.

The western tip of Yaquina Head (approximately 23 acres) was placed under the jurisdiction of the Coast Guard as a lighthouse reserve in 1866. The headland then remained in its natural state until 1873 when a lighthouse was constructed on the marine terrace. The remainder of Yaquina Head was used only occasionally as pastureland until the initiation of mining activity in 1925. Since 1925, Yaquina Head has been the site of nearly continuous rock resource extraction by a sequence of operators. These surface mining activities, affecting approximately 55 acres, have significantly altered the profile and visual characteristics of the headland. The maximum elevation of Yaquina Head has been reduced from a rounded peak about 356 feet high to a small knoll 274 feet high. Several mined areas presently extend well below 150 feet. Bluffs originally 50 feet high or greater along the southern shoreline have been lowered to sea level or below in some areas. Mining activity has also resulted in the deposition of boulder size spoil in some intertidal areas and has created geologically hazardous situations. Yaquina Head is the only Oregon headland with an active quarry operation.

In addition to mining activities, Yaquina Head is used for recreational, scientific and educational purposes. These activities are primarily concentrated near the publicly owned lighthouse at the western tip. Oregon State University Marine Science Center operates both research and education programs at this site. Access to this area is provided solely by a gravel road extending through the quarry. A shorebird refuge administered by the U.S. Fish and Wildlife

Service encompasses several small off-shore islands west and southwest of the headland.

Quarrying of the private land on Yaquina Head has been a controversial issue for many years. Numerous complaints by local residents and others eventually brought the issue statewide attention. In the spring of 1977, the Oregon Land Conservation and Development Commission (LCDC) held public hearings to determine whether to recommend Yaquina Head as an Area of Critical State Concern. On May 24, 1977, the LCDC submitted a report to the 59th Legislature recommending Yaquina Headland for designation as an Area of Critical State Concern. Although the Legislature subsequently failed to pass a bill out of committee before adjournment, a resolution was adopted.

The Yaquina Head Advisory Committee was created by the Governor on January 9, 1978 (Executive Order No. EO–78–01) pursuant to House Joint Resolution 79, passed by the 59th Legislative Assembly. The Committee was directed "to prepare recommendations regarding a fair and equitable method of preserving and protecting Yaquina Head." The Legislature also urged the Committee to present a written report containing a digest of facts in addition to its recommendations and alternatives for preserving the unique qualities of Yaquina Head. This written report, including recommendations, was directed to be delivered to the Governor and Sixtieth Legislative Assembly on or before December 1, 1978.

Yaquina Head Advisory Committee: Jeff Ouderkirk, Chairman; Albert Strand, Vice Chairman; Bill Burley, Secretary; John Brenneman; George Diel; Kathi Foisie; Walter Gordon; Allen Hermann; Fred Weakley.

A Technical Advisory Committee, composed of nine state agency representatives and a representative of private industry, was appointed to assist the Committee. The Department of Land Conservation and Development provided staff assistance and financial support.

III. FINDINGS OF FACT

Historical values

The lighthouse at the end of the headland is on the statewide inventory of historic sites and buildings. Built in 1873, it has been nominated to the National Register of Historic Places and is on the "eligible for inclusion" list. It is the second oldest active light tower on the Oregon Coast.

No other historical sites on Yaquina Head have been identified for inclusion on the National Register of Historic Places.

Archeological values

There are no archeological sites on Yaquina Head listed in the statewide inventory. The existence of three small Indian middens near the lighthouse has been documented, but never verified.

Climatology

Yaquina Head has a temperate, marine climate which is significantly influenced by the Pacific Ocean. Annual precipitation varies from 40–60 inches per year. Winters are generally mild and wet with prevailing winds from the southwest. Summers are also mild with considerably less precipitation and prevailing northwest winds. The average frost free growing season is about 248 days.

Constant wind prevails. Velocities of 10–20 miles per hour are common with occasional gusts reaching 75–100 miles per hour. The headland has potential for location of a wind generated power facility, although the federal government recently rejected it as a turbine location. It is estimated, however, that windmills here could generate about 2 to 3 million kilowatt hours per year. At the present time, there are no plans for installation of windmills on Yaquina Head.

Due to its location, being surrounded on three sides by the Pacific Ocean, Yaquina Head is subject to tidal action, wave patterns, ocean currents and tsunamis. Uprush of waves affects a considerable portion of the upland extent of the coastal shoreland.

The intrusion of the headland into the Pacific Ocean also results in a minor "wind shadow" effect, creating a localized microclimatic condition.

Geology

Yaquina Head is formed primarily from coarse basalt of the Miocene Epoch. The basalt consists predominately of breccia, water-laid fragmental debris and massive flows and pillow lavas. The eroded volcanic material overlies sedimentary rocks of the Astoria Formation which were deposited between 15 and 18 million years ago. These light-colored formations are exposed along the north and south shores of the headland. Erosion of these sedimentary deposits occurs at a much faster rate than the overlying volcanic material, resulting in the creation of steep sea cliffs which are prone to landsliding. The basalt surface layer is covered by 40 to 60 inches of gravelly clay loam soils which are generally well drained. A marine terrace has been formed extending from the lighthouse into the quarry area at an approximate elevation of 80–100 feet. Evidence also suggests that the lighthouse area is being gradually eroded from the rest of the headland, and will eventually become a sea stack.

The basaltic material mined at Yaquina Head yields generally good quality construction aggregate used for crushed rock, riprap and asphalt mix. It is not used for concrete. Approximately 3–4 million cubic yards of extractable construction aggregate remain at the Yaquina Head Quarry. This amount of rock could sustain the present quarry operation for at least another 20 years, assuming a 10 percent yearly growth rate on the present production average of approximately 125,000 tons per year.

Fish and wildlife

Yaquina Head is used by many people to fish, observe and photograph wildlife (gray whales, seals and sea lions, shorebirds, etc.). The intertidal area around Yaquina Head has been set aside by the Oregon Department of Fish and Wildlife for scientific and educational collection of non-food animals. For intertidal study, this is the most popular area in Oregon. More scientific and educational collecting permits are issued here than for any other collecting area on the Oregon Coast. As many as 500 persons have been observed using the area during a single tide period.

Most of the birds and terrestial wildlife observed on Yaquina Head are located on the 23 acres of the U.S. Coast Guard administered land, rather than the area of the headland affected by quarrying operations. If the quarrying were stopped and the land rehabilitated, it is likely that some birds and mammals would reestablish themselves. Surf fishing from the rocks is usually productive for bottom species.

An inventory of the mammals, fish and birds of Yaquina Head has been completed by Dale Snow of the Oregon Department of Fish and Wildlife.

No threatened or endangered animal species are known to reside or breed on Yaquina Head, but three species which are listed as endangered or threatened may be infrequent visitors (peregrine falcon, bald eagle and western snowy plover).

Botanical resources

Due in part to a variety of microhabitats, Yaquina Head has a large and diverse flora. The headland is typical of coastal bluffs with a complex mixing of herb or shrub-dominated plan communities. The south shore basks in sunlight on clear days and is hit by strong winds and salt spray on stormy days; the north shore remains in shade much of the time and is somewhat sheltered from strong southwesterly winds. Different species of plants are found in each of these areas.

Two Yaquina Head plants have been proposed for either Threatened or Endangered status by the Smithsonian Institution (1975) or by the Oregon Rare and Endangered Plant Species Task Force. Another unusual plant, Sea Cabbage (introduced from Europe), is found nowhere else on the West Coast.

Bill Burley of The Nature Conservancy has compiled an inventory of the Yaquina Head Flora.

Aesthetics

Yaquina Head is a prominent landmark visible from many scenic waysides and state parks, including a large portion of U.S. Highway 101. Its rugged beauty has been described as one of the outstanding features of the Oregon Coast. The headland and the historic lighthouse combine to make Yaquina Head one of the most popular places on the coast to visit and to photograph. The headland is described in the Oregon Coastal Conservation and Development Commission (OCCDC) report entitled *Visual Resource Analysis of the Oregon Coast* (1974) as a resource having "Potential for Exceptional Coastal Experience." Such resources are defined as containing "landscapes which are of statewide and/or national concern."

The quarry operation of Yaquina Head has substantially altered the profile and scenic qualities of the headland. If quarrying continues, it will eventually lower the profile to elevations ranging from 40–100 feet above mean sea level. The only remaining significant promontory (240 ft.) would be the easternmost portion of the Coast Guard administered property, immediately west of the quarry.

Quarry-related activities, including blasting, heavy equipment operation, truck traffic, rock crusher operation, dust and noise, influence the aesthetic quality of a visit to Yaquina Head. The only access road to the western tip of the headland passes adjacent to the rock crusher and directly through the quarry operations, exposing this area to view. This road is used by both visitors and the heavy equipment associated with quarry operations.

In recent years, the western crest of the headland has been subject to increased off-road vehicle (ORV) use. This activity has resulted in substantial damage to the fragile vegetation of the headland.

Aesthetic quality on Yaquina Head remains high, however, due to the water-dominated landscape, vivid color contrasts, lighthouse, steep and rugged landforms, unusual plants, abundant birdlife, proximity to marine mammals and accessible tidepools.

Ownership

The off-shore rocks which extend into the Pacific Ocean west and southwest of Yaquina Head are federal lands administered by the U.S. Fish and Wildlife Service as a National Wildlife Refuge.

The western tip of Yaquina Head (approximately 23 acres) was set aside as a federal lighthouse reserve by President Andrew Johnson in 1866. The Yaquina Head Lighthouse was subsequently built in 1873 and has been maintained by the U.S. Coast Guard. The U.S. Coast Guard filed notice on January 17, 1977 of its intent to relinquish control of 18.1 acres of the lighthouse reserve to the Bureau of Land Management. When completed, the Coast Guard will retain jurisdiction over 4.5 acres, including the lighthouse.

Yaquina Head Quarries, Inc. owns 7 parcels (separate tax lots) of contiguous property which make up most of the central portion of Yaquina Head. These parcels total approximately 55 acres. Yaquina Head Quarries, Inc. also owns several other parcels on Yaquina Head which are not a part of the quarry operations.

The surface mining activity of Yaquina

Head Quarries, Inc. is exempt from the requirements of the Oregon Mined Lands Reclamation Act (ORS 517.750 to 517.900) because of a "grandfather" exclusion. The combination of areas mined prior to 1972, and the areas used for storage or disposal of mining refuse include most of the lands owned by Yaquina Head Quarries. A permit of limited exemption has been granted to Yaquina Head Quarries, Inc. by the Oregon Department of Geology and Mineral Industries. However, the present owner has voluntarily developed a reclamation plan which assumes continued quarrying of the headland and restoration to about 60–100 feet above sea level. The specifics of this plan, and the owner's intent to implement it, remain unclear.

The State of Oregon (2.9 acres), U.S. Government (9.06 acres), Agate Beach Water District (.25 acres) and a private individual, Stella Wade of Overland Park, Kansas (2.8 acres) also own parcels of property at the northeastern end of the headland.

A county road runs the length of Yaquina Head along the south slope, connecting the lighthouse area with U.S. Highway 101.

Land holdings considered by the Committee for purposes of delineating Yaquina Head are identified on Figure 1 (page 16). These parcels are also listed below by ownership and tax lot number (Lincoln County Map 29 10 11 BC).

Tax lot number and ownership:

300, U.S. Coast Guard.

200, 1400, 1500, 1600 2400, 2700, 2900, Yaquina Head Quarries, Inc.

1200, Stella Wade.

2500, U.S. Government.

2600, State of Oregon.

2401, Agate Beach Water District.

ASSESSED VALUES

The total value of the lands which constitute Yaquina Head is unknown. Although 1978–79 property assessments are available for each property, these assessments do not take into account the subsurface rock resource value of each parcel. An appraisal of the subsurface rock resource value remaining on Yaquina Head has not been undertaken.

The Committee's attempt to identify a fair market value for the private lands of Yaquina Head was unsuccessful. The Committee had neither the funding nor expertise needed to conduct a meaningful subsurface appraisal of the rock resources. Without an appraisal, any estimate of the market value of these properties would be speculative.

The Oregon Department of Transportation has estimated that a general appraisal of the Yaquina Head Quarries, Inc. property could be completed for approximately $10,000. Such an appraisal would not, however, be adequate for acquisition or condemnation proceedings. An acquisition process would require at least two independent opinions of value. This would raise the cost to about $20,000.

The 1978–79 value listed by the Lincoln County Assessor for the seven identified contiguous parcels owned by Yaquina Head Quarries, Inc. is $306,150, including improvements. In addition, the quarry owner (Robert Weinert) estimates that a total of approximately 2 million dollars of equipment is employed on the properties. An active market exists for heavy equipment sales, as evidenced by recent government and Alyeska heavy equipment clearance sales in the Pacific Northwest.

The 1978–79 assessed value of the 2.8 acres owned by Stella Wade is $5,150.

LAND USE PLANNING

The Yaquina Bay Land Use Plan (1969) designates Yaquina Head as a Natural Resource and Open Space area. This plan will remain in effect until the completion of a new Lincoln County Comprehensive Plan in 1980.

Current county zoning designations of the headland are as follows:

1. R–1 (Residential—Single Family) at Lighthouse Reserve at western tip; and
2. M–I (Marine—Industrial) at Yaquina Head Quarries, Inc. property.

The existing zone designations will also be revised consistent with the new comprehensive plan.

Any new mining operations in Lincoln County are subject to a reclamation plan, including bonding responsibility. By virtue of its established "grandfather" use, Yaquina Head Quarries, Inc. is exempt from these county regulations.

The Oregon Statewide Coastal Planning Goals were adopted by the Land Conservation and Development Commission (LCDC) and became effective on January 1, 1977. The Oregon Legislature directed that the LCDC, in developing goals, shall give "priority consideration" to "coastal headlands and related areas" among other areas and resources (ORS 197.230(2)(9)). This direction was reflected in Statewide Goal No. 17 for Coastal Shorelands, which states, in part:

"Major marshes, significant wildlife habitat, *Coastal Headlands*, exceptional aesthetic resources and historic and archeological sites shall be protected. Uses in these areas shall be consistent with protection of natural areas. (Comprehensive Plan Requirements—Coastal Shorelands Goal. Emphasis added.)"

The Coastal Shorelands Goal also provides that proposed uses must be ranked according to priority, with water-dependent and water-related uses being given preference over other uses. Any new use at Yaquina Head which would not provide for the protection of natural values would be difficult to initiate, according to the statewide goals.

ORS 197.405 provides that the LCDC may recommend significant resource areas to the Legislature for designation as Areas of Critical State Concern. Areas of Critical State Concern are areas defined and designated by the state because uncontrolled or incompatible development could result in serious damage to 1) the environment, life, or property; 2) the long term public interest; or 3) the potential for other uses. Basic to the concept are the critical nature of the resource or area, and the existence of a regional, state, or national concern which is greater than local significance. Subsequent to public hearings and findings, the LCDC recommended in May, 1977 that the Legislature declare Yaquina Head an Area of Critical State Concern.

LINCOLN COUNTY ROCK RESOURCES

There are presently five major producers of rock products in Lincoln County:

1. Yaquina Head Quarries.
2. Devils Lake Sand and Gravel.
3. Ocean Lake Sand and Gravel.
4. Toledo Sand and Gravel.
5. Eckman Creek Quarry.

These quarries produced about 600,000 to 650,000 tons (400,000 to 430,000 cubic yards) of rock products in 1975. Yaquina Head Quarries supplied about 25 percent of the total, for use mostly in Lincoln County.

At the present time, four additional rock sources in Lincoln County appear to have potential for future development. These sources include:

1. Iron Mountain

Located about 1½ miles north of Agate Beach, Iron Mountain is a proven rock resource extraction site, capable of producing specification rock for road base material, asphalt and riprap. The site is owned and operated by the Oregon State Highway Division which uses it primarily for state highway building and repair. The estimated reserves are about 400,000 cubic yards. Crushing costs at Iron Mountain run considerably higher than at Yaquina Head due to the hardness of the rock.

2. Cape Foulweather

Intrusive basalt dikes exist in the eastern portion of Cape Foulweather. Some small quarry operations by logging firms have occurred east of the Cape. At the present time, no quarry operations are active.

Additional exploration appears necessary in order to determine the quantity and quality of rock at Cape Foulweather. It is predicted, however, that quarry operations at Cape Foulweather would encounter public opposition similar to Yaquina Head.

3. Siletz-Logsden Area

In the past, several alluvial and terrace deposits have been utilized for rock. The quantity is estimated at 4–5 million cubic yards. The quality is borderline, but it does produce suitable road base material and asphalt rock. The material is covered by 4–10 feet of overburden.

Additional rock extraction in this area, however, might encounter high transport costs to the market place, reduced water quality and zoning difficulties.

4. Importation of Rock via Dock Facilities

Rock could be barged into the Lincoln County area from outside sources such as the Umpqua River in Douglas County. Dock unloading and storage facilities might be provided in Yaquina Bay.

The quality of Umpqua River area rock is suitable for road base rock, asphalt and concrete. Quantity is unknown at this time.

Economic factors

Lincoln County is characterized by a natural resource based economy (forest products, tourism, fishing and fish processing). Employment opportunities are limited and there is an influx of retirement age persons who make up a disproportionate share of the population. The area is likely to continue a slow, steady rate of population and economic growth. Tourism is expected to become increasingly important.

During fiscal year 1976, Yaquina Head Quarries, Inc. averaged 15 employees and a payroll of $163,000. That year, Yaquina Head Quarries, Inc. provided about 0.2 percent of the County's total payroll and 0.12 percent of its employment. It provided about 30 percent of the mining related employment for the County.

Like the rest of Oregon, Lincoln County is experiencing a dramatic upsurge in new housing starts, particularly in Waldport and Depoe Bay. An average single family dwelling is estimated to need about 180 cubic yards of gravel during construction. The average annual rate of aggregate use in Lincoln County is estimated as between 12–20 tons per person. The cumulative demand will total approximately 9,000,000 tons by 1990 and 16,000,000 tons by the year 2000. This means that known sources of high quality rock in Lincoln County have a remaining life span of about 15–20 years. After that, it is uncertain whether economical rock will be available in Lincoln County.

If Yaquina Head Quarries, Inc. were to close, the demand would probably be met by the closest quarries, Ocean Lake, Toledo and Eckman. Production of each of these quarries would have to increase by 30–50 percent to make up this loss. This would reduce further the expected life of these quarries.

If the Yaquina Head Quarries, Inc. properties were acquired by a public agency or other non-profit group and subsequently removed from the tax rolls, Lincoln County would lose approximately $4,663 per year, based upon the 1977–78 assessment rate of 15.23 per $1,000 value. This total might increase if the assessment rate is revised upward.

IV. ALTERNATIVES

After compiling and analyzing background information and other data, the Yaquina Head Advisory Committee identified and considered five alternative methods of preserving and protecting Yaquina Head. These

alternatives all involve some manner of public acquisition. Non-acquisition, or the long-term continuation of quarrying of the headland was rejected by the Committee because it would perpetuate the destruction of the headland, and was, therefore, inconsistent with the Committee's legislated directive.

Acquisition of Yaquina Head was considered for purposes of enjoining immediately, or phasing out (short-term) all mining activities. Acquisition is possible using one or a combination of the following methods:

1. Negotiated Purchase.
2. Eminent Domain (Condemnation).
3. Land Exchange.
4. Easement Purchase.
5. Gift.

All acquisition methods present the advantages of preserving and protecting the remaining headland and associated qualities. They also lend themselves to immediate implementation of a management plan, including reclamation.

Negotiated purchase of Yaquina Head presents the most equitable settlement arrangement. The quarry owner has expressed a willingness to negotiate a fair purchase price, assuming a factual appraisal of subsurface mineral worth can be completed. Failing an equitable negotiated agreement, the State could utilize eminent domain proceedings.

No alternative rock sources not already under commercial operation were identified by the Committee for possible use in case of acquisition by land exchange. Yaquina Head Quarries, Inc. is the largest rock producer in Lincoln County and no replacement site appears to exist in the county which would provide the operator with an equivalent worth. A thorough assessment of alternative rock resource sites would require more precise local information with regard to reserves. This information would then need to be compared with future market areas. The present owner of Yaquina Head Quarries, Inc. has consistently opposed any land exchange.

The purchase of a conservation easement to protect the headland is considered unlikely because the cost of obtaining such a restrictive easement would undoubtedly approach the cost of acquiring the land. The owner has also stated his opposition to this approach.

It is, also, improbable that the owners would consent to making a gift of their land to the public, although a gift of a portion or percentage of any property might present some tax benefits.

V. MANAGEMENT PLAN

In the case of public acquisition of private lands on Yaquina Head, there is a need for the development of a coordinated resource management plan in order to identify and implement activities and uses compatible with the Committee's Recommendation.

Activities and uses which preserve and protect Yaquina Head while providing for public use should be given priority. The following uses should be examined for inclusion in the plan:

1. Natural Area designation.
2. Educational and Scientific uses.
3. Open Space.
4. Wind Power generation.
5. Wildlife Reserve.
6. Recreational development.
7. Reclamation.
8. Navigation aids.

Other uses and activities are considered incompatible with the Committee's Recommendation.

The management plan should also include reclamation, consisting of reclaimed contours, revegetation and public access for areas affected by quarry activity. The plan should protect existing natural contours while allowing for some surface shaping and modification as appropriate in a fashion consistent with the Committee's Recommendation.

A buffer area should be provided by the plan to protect adjacent private lands from possible incompatible uses.

Public agencies and land management objectives or plans should be coordinated to the maximum extent possible. There should be a single coordinated resource management plan for the entire headland.

The Parks and Recreation Branch of the Oregon Department of Transportation should be given the lead role, in conjunction with the Department of Geology and Mineral Industries and the Department of Land Conservation and Development, to develop and implement a management plan for Yaquina Head.

VI. CONCLUSIONS OF THE COMMITTEE

A. Yaquina Head is an important coastal headland resource, possessing significant scenic, historical, educational, scientific, recreational, geological, biological and other benefits which should be preserved and protected in the interest of future generations.

B. Surface mining of rock on Yaquina Head is the primary activity threatening the significant benefits provided by the headland, and should be immediately prohibited in all areas not previously mined (as defined under ORS 517.750–517.900) unless necessary as part of a final management plan. The need for immediate state acquisition of Yaquina Head is crucial in order to arrest further lowering or other alteration of the headland profile.

C. Existing data do not provide a basis for a meaningful estimate of the cost of acquiring the private lands at Yaquina Head. A thorough and expert geological investigation should be undertaken immediately in order to determine the quality and quantity of the remaining subsurface rock resources of the headland. Such an investigation is the only means of assessing a fair market value for acquisition of identified private lands. The 1978–79 value listed by the Lincoln County Assessor for the seven identified contiguous parcels owned by Yaquina Head Quarries, Inc. is $306,150. The parcel owned by Stella Wade has a 1978–79 assessed value of $5,150. In addition, the quarry owner estimates that a total of approximately two million dollars worth of equipment is employed on the property. An active market exists for heavy equipment sales.

D. No alternative rock sources have been identified in the Lincoln County area which would be acceptable to the present quarry owner in the case of a land exchange (trade). The owner of Yaquina Head Quarries, Inc. is opposed to any land exchange for purposes of a continuation of quarry operations.

E. The U.S. Coast Guard owned and administered land (23 acres) at the western tip of Yaquina Head should remain in federal ownership. The State of Oregon (2.9 acres), U.S. Government (9.06 acres) and Agate Beach Water District (.25 acres) properties at the eastern end of the headland should also be retained under present ownership.

F. A management plan which provides for the future land use, reclamation, coordination and administration of the entire headland should be developed and implemented. A resource management plan developed for the headland should be coordinated with affected agencies to the maximum extent possible. Due to the regional, state and national importance of Yaquina Head, it is appropriate for the State to develop and apply any necessary regulatory control. Public use and retention or reestablishment of headland qualities shall be given preference in any management plan.

G. Yaquina Head possesses qualities sufficient for designation as an Area of Critical State Concern.

Mr. HATFIELD. Mr. President, I have discussed this matter with the majority leader and I am ready to yield back the remaining part of my time.

Mr. JACKSON. Mr. President, as I understand the situation involving this project, there is a lighthouse at one end of the point which has been turned over to the BLM. The Coast Guard is no longer utilizing it. Then some short distance from there is this large quarry, which is rather unsightly, which detracts from what otherwise is a beautiful coastline area. Virtually all of the other key areas along the Oregon coast are owned by the Federal Government; is that not correct?

Mr. HATFIELD. The Senator is correct. The lighthouse is an operating lighthouse. It is maintained by the Coast Guard, but the general land title is vested now in the Bureau of Land Management having been transferred for that purpose due to the fact that the Bureau of Land Management is a large administrative agency which has large holdings along the coastal area, primarily in timber, so this would, under the act proposed, transfer the 60 acres of the head to the Bureau of Land Management, and then the materials that are actually mined from the head would be sold because of the high value cost of those materials, and replaced with lesser value materials so that, in effect, the rehabilitation of this unique geological formation would be borne primarily by this kind of revolving fund, sale, and rehabilitation.

Mr. JACKSON. The proceeds from the sale of the rock material would be used eventually to reclaim the land?

Mr. HATFIELD. That is correct.

Mr. JACKSON. The Secretary would fill it in and bring it back into a reasonable natural state, so that from an esthetic point of view the current appearance could be vastly improved.

Mr. HATFIELD. Exactly. The Senator has described it accurately.

The land is very difficult to describe unless one has seen it or been there or seen photographs, because there are such unique characteristics to this head.

As I say, it juts out farthest into the Pacific Ocean of any head in the entire Pacific area.

Consequently, it does have this very unique geological characteristic and it is classified by experts as worthy of preservation. Certainly, as one looks at what is happening now, you see that the whole profile of this head is being eroded away, being destroyed, and eventually could ultimately become even an island rather than a head.

Mr. JACKSON. Mr. President, I accept the amendment.

Mr. HATFIELD. Mr. President, I yield back the remainder of my time.

Mr. JACKSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Oregon.

The amendment (UP No. 979) was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HATFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 980

(Purpose: To provide for a system to commemorate each former President of the United States by establishing a suitable memorial as a unit of the National Park System)

Mr. HATFIELD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Oregon (Mr. HATFIELD) proposes an unprinted amendment numbered 980.

Mr. HATFIELD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, after line 19, insert a new section and renumber the succeeding section number accordingly.

SEC. 116. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to conduct a survey of sites which he deems exhibit qualities most appropriate for the commemoration of each former President of the United States. The survey may include sites associated with the deeds, leadership, or lifework of a former President, and it may identify sites or structures historically unrelated to a former President but which may be suitable as a memorial to honor such President.

(b) The Secretary shall, from time to time, prepare and transmit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate reports on individual sites and structures identified in the survey referred to in subsection (a), together with his recommendation as to whether such site or structure is suitable for establishment as a national historic site or national memorial to commemorate a former President. Each such report shall include pertinent information with respect to the need for acquisition of lands and interests therein, the development of facilities, and the operation and maintenance of the site or structure and the estimated cost thereof. If during the six-month period following the transmittal of a report pursuant to this subsection neither Committee has by vote of a majority of its members disapproved a recommendation of the Secretary that a site or structure is suitable for establishment as a national historic site, the Secretary may thereafter by appropriate order establish the same as a national historic site, including the lands and interests therein identified in the report accompanying his recommendation. The Secretary may acquire the lands and interests therein by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, and he shall administer the site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

(c) Nothing in this section shall be construed as diminishing the authority of the Secretary under the Act of August 21, 1935 (49 Stat. 666), as amended, or as authorizing the Secretary to establish any national memorial, creation of which is hereby expressly reserved to the Congress.

(d) There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Mr. HATFIELD. Mr. President, this amendment would authorize the Secretary of the Interior to establish a national historic site in commemoration of each former President of the United States, and for other purposes.

Mr. President, This Nation commemorates its Presidents by scores of sites, ranging from the humble to the palatial: birthplaces, residences, other buildings, inaugural places, monuments, and tombs. Visitors to these sites can enhance their understanding of the distinguished group of men who have led the Nation. Our people can learn of the former Presidents ways of life; family backgrounds; locales and regions in which the Presidents were born or resided; eras in which they lived, and the social, economic and intellectual influences that molded them. These sites fall primarily in two categories. Some of these historic places are units of the national park system and most of the remainder are national historic landmarks. The landmarks are owned and administered by U.S. Government agencies, States, cities, nongovernmental institutions, and private individuals.

Mr. President, two factors seem to rank most prominently in the selection of Presidential properties for preservation and commemoration: the significance of the property in the President's career or personal life, and its relative degree of historic integrity. This latter factor might be broadened to include the feasibility and cost of returning or restoring the property to a facsimile of its original state.

A perfect state of equity is impossible to achieve. Already certain Presidents have several sites each in the national park system, while others have only a single national historic landmark. Length of tenure, duration of total career, longevity, and accidents of preservation have determined what is left. Fires have damaged or destroyed a number of residences, for example. The very subjective factors of historians' assessments and rankings of the Presidents and popular opinion have also played a role in spurring the preservation of certain sites and causing the neglect of others. Some Presidents have simply been more venerated than others.

Beginning with Herbert Hoover and Franklin Roosevelt, the American people have been given a remarkable series of Presidential properties: Homes, libraries, and even personal furnishings and effects. Thus, for the modern Presidents, the Nation possesses an extraordinarily well preserved and authentic collection of properties.

On the other hand, even the modern Presidents, in accord with their own judgment, have enhanced the relative significance of certain properties by selecting them for preservation. Thus Eisenhower chose the Gettysburg farm as the most fitting symbol of himself, rather than his birthplace in Denison, Tex., or his boyhood home in Abilene, Kans., although he is buried in proximity to the latter. Truman initially opposed any commemoration of himself while he was living, but later consented to the creation of the Truman Historic District, in Kansas City, Mo. Nixon selected his birthplace for landmark status from a number of options presented to him.

While historians might quibble with these selections, it would seem that, to some extent at least, the wishes of Presidents and their close relatives must be respected. This is especially the case for living Presidents and for those deceased Chief Executives whose immediate family members survive.

As part of its program to survey all nationally significant properties in the United States, the National Park Service gathered a vast amount of material on non-Federal properties; The Heritage Conservation and Recreation Service has now inherited that role.

During their deliberations in the late 1960's and early 1970's, the consulting committee for the National Survey of Historic Sites and Buildings and its overview committee, the advisory board on National Parks, Historic Sites, Buildings, and Monuments, reviewed staff studies on many themes of history. Ultimately the boards came to regard the Presidents, by definition, as nationally significant figures. Thus the usual 50-year rule for achievement of this significance was suspended.

The boards became concerned that, for certain 19th-century Presidents, neither a national park nor a national historic landmark existed. Special studies were performed for those Presidents. The result is that now, all Presidents, except Ford and Carter, have at least one national park or national historic landmark.

Mr. President, the problem is that if a site is designated as a national historic landmark, historic recognition is the only thing bestowed. A national historic landmark may or may not be protected, developed, interpreted, staffed or maintained. If a site that is a national historic landmark changes ownership and use which impairs the historic value, the only recourse is to remove the designation.

Just last month, two Presidential birthplaces were sold in Virginia to owners who could alter, remove or tear down these sites.

The amendment I propose would authorize the Secretary of Interior to survey appropriate sites to commemorate each former President. Then the Secretary would recommend his choice to the appropriate congressional committees. If the committees do not disapprove the recommendations the site would become a unit of the National Park System with the protection, development, interpretation, maintenance functions that follow such designation.

Congress would still have the prerogative of establishing areas under the Historic Sites, Building and the Antiquities Act of 1935 and the establishment of national memorials would reside with Congress as before.

Mr. President, this amendment, in effect, is setting up a procedure by which the Secretary of Interior would be authorized to make a survey of sites, structural sites, that would be appropriate in preserving as it relates to various Presidents of the United States.

I want to make clear in the legislative record at this point that the Secretary is not expected to duplicate any existing structure; that is to say, if a President has been so commemorated, he has been so commemorated. We are not looking to add to such commemoration but, rather, to look at those which have not been commemorated thus far and if there are significant historical places related to such Presidents, then it would be within the Secretary's responsibility to provide the Congress with a survey of such structures.

Let me illustrate by way of an example. Down in Fredericksburg, Va., there is a law office of President James Monroe. That law office has been set up and preserved by the Historical Society of the State of Virginia. The law library of James Monroe is there. Many of the papers dealing particularly with the Monroe Doctrine have been established there. His desk and all of the furniture that he used in his law practice happen to be in this particular structure.

This would be a significant historic place that could be determined as the official preservation or commemoration of President James Monroe. There are no other such structures that have been so designated. There has been his one home that he lived in, but this is the only significant structure and one that would be most appropriate.

Once this survey has been completed by the Secretary of Interior, he will submit it to Congress for our information and for our review. Then, from time to time, the Secretary may submit to the Congress specific proposals to take specific action. At that time, Congress would have the opportunity to review that and could recommend their approval or disapproval of the proposals made by the Secretary.

This proposal has passed the House of Representatives on two previous occasions. I urge its adoption. I am ready to yield back the remainder of my time on this amendment.

Mr. JACKSON. Mr. President, while I have some reservations about the procedure here, in that it is a veto by either committee, I am willing to see how this works.

I must say that the precedent bothers me more than anything else. I think it is clear that when they send up the results of their initial survey, while we cannot veto that, I am hopeful, and I want the record to show, that we intend that the Department of Interior will give serious consideration to the action that the committee might take in expressing its dissent or suggested modifications of that initial inventory.

Clearly, Mr. President, if this procedure is to work, it will require the full cooperation of the House and Senate committees. I hope that the Department will understand that simply to go off willy-nilly on their own and then send up a whole series of designated sites to commemorate a given President, will not be acceptable. We would reserve the right to veto the whole package. So, if the Department is to be successful, I would urge that they do the kind of preliminary work that will make certain that their program is sound and, of course, in accordance with what we have done in the past in honoring our Presidents.

I observe that we have had some problem on certain projects which have required amendments and changes in the proposals that have been submitted. I am willing, however, Mr. President, to go along at this time to see if it works. If it works, so much the better. It will save a lot of time. I think the senior Senator from Oregon would agree that it is going to take a lot of careful work on the part of the Department of the Interior with the respective committees of the House and Senate.

Mr. HATFIELD. Mr. President, I thank the Senator from Washington. I associate myself with his remarks of concern and of admonition to the Secretary of Interior.

Mr. President, actually, in the long run, this plan will make a more comprehensive and perhaps a more orderly approach to this program of commemoration than we have had in the past.

I cannot help but look at the list here of how we have handled these commemorations in the past purely on an ad hoc basis, unrelated to any kind of overall plan. As a consequence, we have the Theodore Roosevelt Birthplace National Historic Site, we have the Theodore Roosevelt National Park, we have the Sagamore Hill National Historic Site, which is Theodore Roosevelt's home, and we have the Theodore Roosevelt Inaugural National Historic Site. We have four sites just dealing with Theodore Roosevelt, obviously ad hoc approval at different times.

Then we have the home of Franklin D. Roosevelt as a national historic site, we have the Roosevelt Campobello International Park in Canada, and we passed the Valkill home for Eleanor Roosevelt.

I happen to be on the Roosevelt Memorial Commission that is developing a memorial here. So, obviously, we have little correlation of activity in this memorializing program.

I think, frankly, that this will bring a little more orderly approach and tighter control because, once a President has been commemorated, it seems to me that is sufficient to carry his name into posterity.

Also, I think that we must recognize that some memorials are in private ownership and perhaps that is well, too, to maintain, although I think we ought to be willing to consolidate these memorials even between the State and local governments and private groups, as well as with the Federal Government.

Mr. President, I ask unanimous consent that a letter from the Acting Deputy Director of the Department of the Interior, National Park Service, and a list of Presidential sites in the National Park System be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., July 30, 1979.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: Thank you for your letter of June 14 concerning sites associated with the Presidents of the United States.

The enclosed compilation lists the 20 presidential sites in or directly associated with the National Park System. All except General Grant National Memorial (Grant's Tomb) and Ford's Theatre, which includes the House Where Lincoln Died, were homes or dwellings of the Presidents. Roosevelt-Campobello, as indicated, is international and in Canada but receives support from the United States channeled through the National Park Service. Theodore Roosevelt Inaugural National Historic Site in New York is owned by the United States but is funded and operated by a foundation.

The classification of these areas is indicated in their titles. Theodore Roosevelt National Park until recently was Theodore Roosevelt National Memorial and includes Roosevelt's Elkhorn Ranch. The type of acquisition employed at each site and the acreage associated with it is indicated. The acreage given is the amount of land in Federal ownership only rather than gross acreage. The costs shown are operating and maintenance costs for Fiscal Year 1979.

We do not have definitive information on Presidential sites not administered by the Service. Because such sites are probably on the National Register of Historic Places, we have discussed your request with Mr. William Lebovich of the National Register and sent a copy of your letter to him. The National Register is now located within the Heritage Conservation and Recreation Service. You may expect to hear from that agency soon.

It is our understanding that your interest is confined to homes, offices and similar sites associated with the Presidents rather than memorials erected to them. The latter, of course, would include Mount Rushmore National Memorial, the Lincoln Memorial and numerous other edifices and memorial sites in Washington and elsewhere within and outside the National Park System.

Sincerely yours,
DANIEL J. TOBIN, Jr.,
Acting Deputy Director.

PRESIDENTIAL SITES IN THE NATIONAL PARK SYSTEM

GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, VIRGINIA

Established: January 23, 1930.

Acquired by: Purchase—273.66 acres. Donation—182.32 acres.

Agreements: Wakefield Memorial Association. Operation of gift shop. Profits are spent for park uses.

Costs FY 1979: $450,700.

ADAMS NATIONAL HISTORIC SITE, MASSACHUSETTS

Established: December 9, 1946.

Acquired by: Purchase—4.77 acres. Donation—4.40 acres.

Agreements: None.

Costs FY 1979: $311,600.

NOTE: This park recently acquired the John Adams Birthplace and the John Quincy Adams Birthplace. $100,000 was provided for their operation for the remainder of the fiscal year.

MARTIN VAN BUREN NATIONAL HISTORIC SITE, NEW YORK

Authorized: October 26, 1974.

Acquired by: Purchase—12.84 acres.

Agreements: None.
Costs FY 1979: $353,300.

ABRAHAM LINCOLN BIRTHPLACE NATIONAL HISTORIC SITE, KENTUCKY

Established: July 17, 1916.
Acquired by: Purchase—6.0 acres. Donation—110.5 acres.
Agreements: Lincoln Farm Association provides a $50,000 endowment fund. Proceeds to be used to protect and maintain memorial.
Costs FY 1979: $212,100.

LINCOLN BOYHOOD NATIONAL MEMORIAL, INDIANA

Authorized: February 19, 1962.
Acquired by: Purchase—149.31 acres. Donation—14.00 acres.
Agreements: Informal agreement for fire protection.
Costs FY 1979: $249,800.

LINCOLN HOME NATIONAL HISTORIC SITE, ILLINOIS

Authorized: August 18, 1971.
Acquired by: Purchase—11.73 acres.
Agreements: None.
Costs fiscal year 1979: $589,200.

FORD'S THEATRE NATIONAL HISTORIC SITE, DISTRICT OF COLUMBIA

Transferred to National Park Service: August 10, 1933.
Acquired by: Transfer—0.29 acres.
Agreements: Ford's Theatre Society to promote the active use of the theatre.
Costs fiscal year 1979: $581,900.

ANDREW JOHNSON NATIONAL HISTORIC SITE, TENNESSEE

Authorized: August 29, 1935.
Acquired by: Purchase—2.30 acres. Donation—0.13 acres. Transfer—14.25 acres.
Agreements: None.
Costs fiscal year 1979: $160,000.

GENERAL GRANT NATIONAL MEMORIAL, NEW YORK

Dedicated: April 27, 1897.
Acquired by: Donation—0.76 acres.
Agreements: None.
Costs fiscal year 1979: $86,300.

THEODORE ROOSEVELT BIRTHPLACE NATIONAL HISTORIC SITE, NEW YORK

Authorized: July 25, 1962.
Acquired by: Donation—0.11 acres.
Agreements: Theodore Roosevelt Association provided a $500,000 endowment for the site. Park and Association make joint recommendations for use of proceeds.
Costs fiscal year 1979: $70,700.

THEODORE ROOSEVELT NATIONAL PARK, NORTH DAKOTA

Established: April 25, 1947.
Acquired by: Purchase—615.75 acres. Donation—119.86 acres. Transfer—59,178.01 acres. Exchange—9,762.26 acres.
Agreements: Medora, N.D.—Structural fire protection. U.S. Forest Service and North Dakota Fish and Game Department and Wildlife studies. Protective oil and gas lease with Bureau of Land Management and Amerada Hess Corporation to slant drill under the park.
Costs fiscal year 1979: $672,400.

SAGAMORE HILL NATIONAL HISTORIC SITE, NEW YORK

Authorized: July 25, 1962.
Acquired by: Donation—85.0 acres.
Agreements: Theodore Roosevelt Association. Maintain an office in the basement of the house. Boone and Crockett Club. Maintain an exhibit in the house.
Costs fiscal year 1979: $323,600.

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE, NEW YORK

Authorized: November 2, 1966.
Acquired by: Purchase—1.03 acres.
Agreements: Theodore Roosevelt Inaugural Site Foundation operates park in accordance with a cooperative agreement at no expense to the United States.
Costs FY 1979: None.

WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE, OHIO

Authorized: December 2, 1962.
Acquired by: Donation—0.83 acres.
Agreements: William Howard Taft Memorial Association concerning storage and care of Taft furnishings.
Costs FY 1979: $108,500.

HERBERT HOOVER NATIONAL HISTORIC SITE, IOWA

Authorized: August 12, 1965.
Acquired by: Purchase—145.23 acres. Donation—7.88 acres. Transfer—28.00 acres.
Agreement: General Services Administration concerning joint library and park development and security matters. West Branch "Iowa" on Streets. Herbert Hoover Presidential Library Association on management of the park.
Costs FY 1979: $345,600.

HOME OF FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE, NEW YORK

Designated: January 15, 1944.
Acquired by: Purchase—170.20 acres. Donation—93.69 acres.
Agreements: General Services Administration concerning maintenance and fee collection costs associated with Franklin D. Roosevelt Library.
Costs FY 1979: $535,500.

ROOSEVELT CAMPOBELLO INTERNATIONAL PARK, CANADA (AFFILIATED AREA)

Established: July 7, 1964.
Acquired by: Donation—2,721.50 acres (non-Federal).
Agreement: Operated by a joint Canada-United States Commission.
Costs FY 1979: $298,000—(U.S. share).

EISENHOWER NATIONAL HISTORIC SITE, PENNSYLVANIA

Designated: November 12, 1967.
Authorized: December 2, 1969.
Acquired by: Donation—492.54 acres.
Agreements: Mrs. Eisenhower utilizes the house and 14 acres of land in accordance with a special use permit.
Costs FY 1979: $186,800.

JOHN FITZGERALD KENNEDY NATIONAL HISTORIC SITE, MASSACHUSETTS

Authorized: May 26, 1967.
Acquired by: Donation—0.09 acres.
Agreements: None.
Costs FY 1979: $79,400.

LYNDON B. JOHNSON NATIONAL HISTORIC SITE, TEXAS

Authorized: December 2, 1969.
Acquired by: Donation—242.34.
Agreements: With President and Mrs. Johnson concerning donations of portions of the site, lifetime use by the Johnsons, employment of the Johnson staff, maintenance, tours through the site etc.
Costs FY 1979: $926,500.

Mr. HATFIELD. Mr. President, I yield back the remainder of my time.

Mr. JACKSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 981

(Purpose: To provide for the Federal acquisition of lands along the Georgetown Waterfront in the District of Columbia for preservation, protection and recreation purposes)

Mr. HATFIELD. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Oregon (Mr. HATFIELD) proposes an unprinted amendment numbered 981.

Mr. HATFIELD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, after line 19, insert a new section and renumber the succeeding section number accordingly.

SEC. 116 (a) Effective on the date of the enactment of this section, there is hereby vested in the United States all right, title, and interest in, and the right to immediate possession of, all of the following described lands and improvements comprising that area within the District of Columbia which is generally bounded on the north by K Street, on the East by Rock Creek, on the south by the Potomac River, and on the west by a line four hundred feet west of Key Bridge.

(b) Such area shall be administered by the Secretary of the Interior in a manner so as to assure the preservation and protection of the Potomac River shoreline and for recreational and other compatible purposes. The Secretary shall promulgate such regulations as may be necessary to carry out the provisions of this section.

(c) Any action against the United States for the recovery of just compensation for the lands and improvements herein taken by the United States shall be brought in the United States district court for the district where the land is located without regard to the amount claimed. Just compensation shall be determined as of July 12, 1979. The United States may initiate proceedings at any time seeking a determination of just compensation in the district court in the manner provided by sections 1358 and 1403 of title 28, United States Code, and may deposit in the registry of the court the estimated just compensation, or a part thereof, in accordance with the procedure generally described by section 258a of title 40, United States Code. Interest shall not be allowed on such amounts as shall have been paid into the court. In the event that the Secretary determines that the fee simple title to any property (real or personal) taken under this section is not necessary for the purposes of this section, he may revest title to such property subject to such reservations, terms, and conditions, if any, as he deems appropriate to carry out the purposes of this section, and may compensate the former owner for no more than the fair market value of the rights so reserved, except that the Secretary may not revest title to any property for which just compensation has been paid.

(d) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Mr. HATFIELD. Mr. President, this amendment is an attempt to declare the

remaining part of the Potomac River front shoreline as a national park to complete that waterfront shoreline which has become one of the most beautiful parks of our whole national city.

There are some 20 acres-plus that are included now in a private ownership. That ownership has made it clear that the developers are about ready to move in. When you begin to look at the density of population of the Georgetown waterfront, Mr. President, we are appalled at the lack of open space. The present construction going on in the Georgetown area will add 10,000 people either as transients, living in hotel rooms, or as workers in offices, or as people living in apartments. Those construction projects when completed will bring 10,000 more people into the Georgetown area.

As I say, we have, along that Potomac River from the Key Bridge on up the canal direction, a clearly Federal and public interest by the openness of that area and the park character of it, and then beginning at the Kennedy Center on the Kennedy Center side of the Georgetown area involved here we again have park, which makes for the kind of open space that we should complete with this present gap that is in private ownership.

As I indicated before, I do serve on the Roosevelt Memorial Commission, and this could well become an alternative site to the Roosevelt Memorial, once it is agreed upon. It would be across the river from the Theodore Roosevelt Island and, therefore, would have an important relationship. Besides, it may well be a better engineering site than the present Roosevelt Memorial site on the Tidal Basin, which is land filled.

Mr. President, the amendment that I am proposing will enable the Senate to resolve a longstanding issue in the National Capital region and fill in a gap in the protected shoreline along the Potomac River. The waterfront land south of Georgetown on the Potomac is the only piece of shoreland between Cumberland, Md., and the city of Washington that has not been made into parkland for the use and enjoyment of the public.

Senators may be familiar with the unfortunate conglomeration of parking facilities, smoke stacks, and garbage trucks that presently line the river between the Key Bridge and Rock Creek.

The creation of a park at this 20-acre waterfront site has been blocked because the 6 privately-owned acres present developers with an attractive investment opportunity should the small plot be filled with a mix of commercial and high-income residential development.

Economic realities being what they are, national interests in protecting this plot of land are in danger of being overwhelmed by the profit motive. My amendment, very simply, would authorize the Secretary of the Interior to accept the donation of the 6 privately-owned acres, or purchase the land at its market value.

Officials from the city, the Interior Department, the National Capital Planning Commission, and the development company, not having the authority to approve such an action as is contemplated by my amendment, agreed upon a compromise plan which would permit a development surrounded by a park on the area. That park, however, is little more than landscaping for the building development. The development, moreover, is completely unsatisfactory, having been disapproved by both the Fine Arts Commission and the Old Georgetown Board. One of its major drawbacks is the fact that the waterfront floods regularly. In fact, the area has been submerged by high water 17 times since 1924.

The waterfront, as an ecological environment, and as part of the National Capital is only suitable for a green park.

I trust my colleagues will have the vision and foresight to protect this land by supporting my amendment.

I have talked to the chairman of the committee, my colleague from the State of Washington. We have not had a hearing on this proposal. There is a great deal of public interest. The mayor of the city is deeply interested. There is a citizens group which has been formed, which is also deeply interested. Delegate WALTER FAUNTROY and I have discussed the matter. He is personally concerned as well.

So there are people and many groups which are very interested in this project.

Because we have not had a hearing, I felt constrained to raise this issue at this time.

I will now yield to the chairman of the committee and ask for his response.

Mr. JACKSON. Mr. President, I am most sympathetic and supportive of what the Senator from Oregon has discussed in connection with the Georgetown project. The area to be covered in his amendment is an eyesore, to put it bluntly. I would say, as he has mentioned, that it is one area that is not covered by appropriate protection which runs generally from the Kennedy Center area to the commencement of the C. & O. Canal.

I believe the best procedure here would be for our committee to hold a hearing to get into all the ramifications, including cost and other details. I will assure the Senator from Oregon that the committee will undertake those hearings. I would hope that he would, therefore, defer action on the amendment at this time.

Mr. HATFIELD. Mr. President, I am very gratified by the assurance on the part of our chairman, his interest concerning this project and his assurance for the hearing that we will have in our committee. If I might ask the chairman, I would assume that hearing could be arranged or scheduled in the very near future.

Mr. JACKSON. We will move expeditiously. I understand that time is of the essence here.

Mr. HATFIELD. Time is of the essence. If we could get the assurance of a hearing very shortly to resolve this question, then I would at this time, Mr. President, withdraw my amendment.

Mr. JACKSON. As the Senator knows, I would want to discuss it with the chairman of the subcommittee (Mr. BUMPERS). I know he will be supportive also.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

UP AMENDMENT NO. 982

(Purpose: To delete Santa Rosa Island from the proposed Channel Islands National Park)

Mr. HAYAKAWA. Mr. President, I send an amendment to the desk on behalf of myself, Mr. MCCLURE, Mr. WALLOP, and Mr. STEVENS, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from California (Mr. HAYAKAWA) for himself, Mr. MCCLURE, Mr. WALLOP, and Mr. STEVENS, proposes an unprinted amendment numbered 982.

Mr. HAYAKAWA. I ask unanimous consent, Mr. President, that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 32, line 14, after "Prince Islands" delete "Santa Rosa,".

On page 32, line 18 and after "numbered" delete "159–20,008" and insert, "159–20,009".

On line 19, delete "April 1979" and insert "February 1980".

On page 34, delete lines 17 through 21 and renumber succeeding sections accordingly.

On page 40, line 3 after "appropriated" delete "$30,100,000" and insert "$5,100,000".

Mr. HAYAKAWA. Mr. President, this amendment would delete Santa Rosa Island from the proposed Channel Islands National Park. The reason I am offering this amendment is that there is absolutely no reason that this island should be acquired by the Federal Government at this time. The land is very expensive, and the taxpayers should not be burdened with such a costly purchase. This is especially true in light of the fact that we would be putting a very productive cattle ranch out of operation.

Santa Rosa Island has been held in joint ownership by the Vail and Vickers families since 1902. Throughout this period the ranch has been a highly successful and productive sustained-yield cattle operation. The island is located about 25 miles off the coast of southern California between Point Conception and Santa Barbara, and its consists of approximately 52,000 acres. The terrain is predominantly oak-grass land, with well distributed water courses for stock watering.

In an average year the ranch supports between 6,000 and 7,000 head of cattle. These cattle are shipped to the island in the fall, and they are grazed on the range over the winter months and then sold in the spring after they have been fattened. The cattle are transported to and from the mainland on a cattle boat called *Vaquero*. This same boat is used to transport personnel and supplies.

In addition to managing the cattle business, the owners of Santa Rosa Island also manage several species of wildlife including feral pigs, Kaibab mule deer, and Roosevelt elk. They are really conservationists.

The Vails and the Vickers have been most generous over the years in allowing the public access to their island

without any charge. The owners have a permit system which they have established in order to be able to identify members of the public who wish to visit the island. These permits are made available, but the access is limited in order to protect the public safety, and to protect the resources, especially in preventing fires on the island. The owners have been generous in cooperating with both individuals and with institutions in allowing archeological, botanical, and other academic research to be conducted on Santa Rosa Island.

There is no restriction existing at the present time for teams of university scientists and so on from going in and studying the flora or studying the archeological remains that may be found there.

Furthermore, from a fiscal point of view, this island is part of Santa Barbara County and the owners pay county taxes. Since it is a pretty rich and productive ranch, it pays very generous taxes. This is a productive business, and there is no reason to close down this cattle ranch.

The family has been commended for the very good care they have taken of the land over the years. Yet they are being punished for their very excellent stewardship of the land by having the Government take over their property.

It is an extraordinary situation, Mr. President. Over and over again, we find that amateur, self-taught, self-educated conservationists are being punished by professional conversationists with offices in Washington, even when they are doing a better job than the bureaucracies that are set in Washington would do for the protection of those areas.

The family wishes to continue their cattle ranching operation, and I support them. There is absolutely no need to acquire Santa Rosa Island.

Mr. President, each year millions of acres of prime agricultural land are taken out of production. The problem is more serious in the State of California than in any other State in the country. Many of my colleagues have been supportive of legislation to spend $50 million of Federal money for matching grants to the State and local governments in order to study the reasons why this problem of the loss of farmland is so grave.

The Vail family, who owns the island, is not alone in wanting to protect this cattle ranching operation. The National Cattlemen's Association and the California Cattlemen's Association have been in touch with my office. Both groups have expressed their very grave concern about this productive cattle ranch being forced out of business. Such an action on the part of the Federal Government is especially ironic when you consider that, under National Park Service management, the land will not be as accessible to the public as it is now in private ownership.

If we are to spend $25 million or more to acquire a very successful cattle ranch and turn it into a national park, it would only make sense that the public should have this land accessible to them. Yet, recreational opportunities will not be increased by such an acquisition, they will be decreased, because there is a system already in operation where people can go there for recreational purposes.

These islands are remote and difficult to reach. They are also expensive to reach—one must travel by boat or plane to arrive at any of these islands. It is most likely that the Channel Islands National Park will be used only by an elite group of backpackers and nature enthusiasts who are well off and can afford to get there.

Santa Rosa Island is not a wilderness. It is a productive cattle ranch, and it generates revenue from taxes and, therefore, contributes to our standard of living. The island is well protected under the current ownership. The current owners are extremely fond of the island and it is in their own best interest to maintain the integrity of the land as they have done for 78 years. We are not only destroying a cattle ranch, we are destroying a lifestyle that these families have maintained for more than three-quarters of a century. This lifestyle allows not only for the kind of life they want to lead, but it also allows for productive use of the land year after year, for an indefinite period of time ahead.

Mr. President, there is no urgency in the Federal Government moving to acquire this land. There is no activity taking place on the land that will threaten the environment.

Mr. President, I am offering this amendment to exclude Santa Rosa Island from this park bill on behalf of the owners of that island. These owners have impeccably protected and preserved this land for over 75 years, three quarters of a century. Its inclusion in the park is unjustified on conservation grounds.

The wildlife is being protected, the ecology is being protected, the birds are being protected, the native plants are being protected, as I know from consultation with my wife, who is an editor of a journal on the subject of native plants of California.

Should this island be left out of the park, Mr. President, the land will continue to be carefully protected under private ownership.

There is no planned development or any planned activity that would degrade the environment. There is no point in buying 52,000 acres for $25 million only to put a successful and well-managed cattle ranch out of business.

For these reasons I urge my colleagues to join me in deleting Santa Rosa Island from the boundaries of the Channel Islands National Park.

It is an unnecessary expense, a costly expense. It is not only costly to pay for immediately, it is costly in terms of taxes due to Santa Barbara County and to the State and the Nation that this highly successful farm can generate for an indefinite period of time ahead.

Mr. President, I ask unanimous consent that a statement in support of my position by the distinguished Senator from Wyoming (Mr. WALLOP) be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY MR. WALLOP

I rise in support of the amendment offered by the distinguished junior senator from California to delete Santa Rosa Island from the boundaries of Channel Islands National Park.

Santa Rosa Island is a 52,000 acre cattle ranch which has been held in joint ownership by the Vail and Vickers families since 1902. Throughout this period the ranch has been highly successful and productive. About 6500 head of cattle graze and fatten there in an average year. The cattle are shipped to and from the island on a cattleboat, which also transports people and supplies. In addition, the Vails also manage several imported wildlife populations, including feral pigs, Kaibab mule deer, and Roosevelt elk.

The public is allowed ashore at ranch headquarters without charge, with visitation managed through issuance of permits out of the company office at Santa Barbara. Access has been limited to protect both the public safety and the island from fire, and I understand the public has cooperated well. It also has been the owners' policy to allow archaeological, botanical, and other academic research by qualified independent individuals and institutions. This is a profitable business which pays taxes and produces tons of meat yearly, and receives no county services.

It is widely recognized that the owners of Santa Rosa Island have done an excellent job of preserving and protecting this outstanding resource. At hearings in the Senate Energy Committee on this issue everyone commended the landowners for their environmentally sound stewardship over the years. The Department of Interior testified: "(The ranch) is run as a 19th century California ranch, and is itself historically significant. The Vail family and the other owners are to be commended for their fine stewardship and sensitivity to the resources found on Santa Rosa Island."

The landowners of Santa Rosa Island testified in hearings that they desire and intend to continue their ranching operations, and expressed concerns over being included within the boundaries of Channel Islands National Park. The committee staff worked with the landowners on language which would have protected the rights to continue their operations with the park, but unfortunately everyone was unable to agree on language. Therefore, on November 7, 1979, I and other members of the Senate Energy Committee received a letter from the landowners asking that the committee exclude Santa Rosa Island from the Channel Islands National Park and from regulation by the National Park Service entirely, so that the owners can continue the operation of their cattle ranch without any government control. Failing exclusion, the owners asked that Santa Rosa be included in the park, condemned, and the owners paid fair market value for it at once. I submit the letter from Mr. Al Vail making this request, together with his reasons for making it, for the RECORD, to follow my remarks.

Mr. President, there are a host of reasons why the Senate should not include Santa Rosa Island in H.R. 3757.

First, as everyone has repeatedly pointed out, the landowners there have done a superb job of protecting and preserving the island in private ownership, and federal acquisition at great cost to the taxpaying public is unnecessary and an unjustified use of federal power. I know of no other case where a piece of property this size has been included within a national park over the strong objections of its owners. The owners have indicated they intend to continue managing Santa Rosa Island as a working ranch, and in view of their excellent record of stewardship, this Congress and the federal government has no need to override private property owner

rights in the manner dictated in this legislation.

Second, Santa Rosa Island is already protected from adverse development by state and local laws. The island falls under the jurisdiction of the California State Coastal Commission and is zoned for agriculture. The owners would have to apply and receive permission from the Coastal Commission in order to change from present use. The island is also protected under Ventura County zoning ordinances. It is my understanding that the landowners did recently apply to the local zoning board for permission to subdivide. They did this not with the intent of subdividing, but in order to fix the value of their property at its highest and best use allowed under law. As my colleagues know, the federal government must under the requirements of the Uniform Relocation Assistance and Real Property Acquisition Law compensate for the highest and best use value under local law of acquired private property. This is also consistent with the Uniform Appraisal Standards for Federal Land Acquisition.

Third, Congress and the federal government cannot continue to spend huge amounts of money to acquire fee title to private lands which 1. do not require federal protection, or 2. which can be protected in less expensive, more innovative means. I have contended time and time again that the federal government does not need to and cannot afford to buy all of the areas which deserve protection in this nation. A December GAO report has now confirmed that the Forest Service, Fish and Wildlife Service, and National Park Service have misspent millions of dollars on poorly planned or needless land purchases. The GAO findings, which have received wide media coverage in the last few weeks, said the following:

"The three agencies generally followed the practice of acquiring as much land as possible without regard to need and alternatives to purchase unless specially spelled out in legislation. Consequently, lands have been purchased not essential to achieving project objectives, and before planning how the land was to be used and managed. Because of this practice, Federal agencies overlooked viable alternative land protection strategies such as easements, zoning, and other Federal regulatory controls. . . ."

The report recommends that the Departments of Interior and Agriculture should establish a policy for federal protection and acquisition of land, and should evaluate the need to purchase additional lands in existing projects vis a vis alternative ways to protect lands. GAO recommends the agencies should weigh the need for the land against the costs and impacts on private landowners, and state and local governments which lose land for agriculture, housing, other development, and local property taxes. Mr. President, I will submit the digest to the GAO Report entitled "The Federal Drive to Acquire Private Lands Should Be Reassessed" for printing in the Congressional Record at the conclusion of my remarks.

These findings dovetail with recommendations made by the President's Council on Environmental Quality in a report released last year. CEQ recommended that federal land management agencies adopt a new land planning strategy along the lines of the British greenlining system, which relies on private land stewardship. Furthermore OMB has also expressed concern over federal land acquisition of so much private land, and whether it is indeed necessary for the federal government to keep acquiring extensive private holdings.

Fourth, the costs of acquiring this property will be huge to the local economy and the federal treasury. Approximately 70 people are employed by or derive their livelihood from the Vail and Vickers Cattle Company. The owners of the island pay some $52,000 in annual property taxes to the local county. Most significantly, the federal government is obliging itself to pay at the very least $25 million and probably no less than $50 million to acquire this island. The Park Service last summer, in an appraisal which it has admitted is inadequate, appraised the property at $19 million, and now estimates it will have to pay around $25 million. However, NPS appraisals are generally below the actual fair market value of private lands. The Justice Department has furnished figures which indicate that on a nationwide basis courts have traditionally awarded some 30 percent above the highest and best NPS offer, and in some instances they have awarded considerably more. The Vails have said they will contest the NPS-offered purchase price in court. Finally, these figures do not take into account the cost to the federal government of payment of in-lieu taxes for the new park lands.

Fifth, if this bill passes and Santa Rosa Island is incorporated within Channel Islands National Park, there is simply no certainty that this Congress or any future Congress will indeed appropriate $30 million or $50 million to acquire this land. The Senate Interior Appropriations Subcommittee, like the Senate Energy and Natural Resources Committee, is considering holding hearings on the entire issue of federal land acquisition policy and the recent GAO report. I am worried that if Congress creates this park, and includes Santa Rosa Island, but then does not appropriate sufficient funds to buy out the Vail property next year, the landowners will be left trying to run a cattle operation under the stringent inholding management policy of the National Park Service. That policy prohibits most of the kinds of normal, day to day activities which go into running a cattle ranch.

I do not know what the Park Service will do when the landowners propose to build a fence, or put up a new barn, or undertake any activity which is not permitted in inholdings. The Park Service could condemn the property, but condemnation of 53,000 acres is unlikely. It seems more likely that the Park Service would seek a restraining order to stop activities defined as incompatible. This will have the effect of constraining ranch operations to a point where operation of the ranch could become economically not viable.

The Vails have been outstanding stewards of Santa Rosa Island for generations. They want to continue ranching their land in the same way in the future. The next generation in the family is now coming of age, and I understand that they are studying ranch management in college and want to continue ranching. If the Vail and Vickers Cattle Company is included in the park, the landowners will for all practical purposes be unable to ranch. If they continue normal operations, they will violate National Park Service regulations and could be condemned. They do not want to live under government regulations, and there is no need for them to have to do so. I hope that my colleagues will join me in supporting this amendment, and I thank the chair.

The material follows:

VAIL & VICKERS,
Santa Barbara, Calif., November 7, 1979.

Re S. 1104—Channel Islands National Park—Santa Rosa Island.

Hon. MALCOLM WALLOP,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: We are the owners of Santa Rosa Island in California. S. 1104 will include this property in the Channel Islands National Park. We have been deeply concerned with S. 1104 for over ten months. We have been working with members of the Senate Subcommittee on Parks, Recreation and Renewable Resources, with their staffs, and with members of Congress, seeking amendments to the bill which would protect our property interests and at the same time benefit the public. We have come to the conclusion that such a compromise is not forthcoming.

Therefore, we respectfully solicit your help in accomplishing one of the following ends with respect to S. 1104 and its effect on Santa Rosa Island.

1. Exclude Santa Rosa Island from the Channel Islands National Park, and from regulation by the National Park Service entirely. Let us continue the operation of our cattle ranch there without government control.

2. Failing exclusion, put Santa Rosa in the Park, condemn the property, and pay us the fair market value of it at once.

Attached to this letter is a resume of our reasons for urging the exclusion of Santa Rosa Island from the park. We hope you will consider our argument and do whatever you can to amend the bill to accomplish either of our aims set out above.

Thank you for your assistance and consideration.

Very truly yours,

AL VAIL.

NOVEMBER 7, 1979.

Re: S. 1104—Channel Islands National Park—Santa Rosa Island.

The owners of Santa Rosa Island urge that this island be excluded from the Channel Islands National Park created by S. 1104.

Santa Rosa is a 53,000-acre island off the coast of Santa Barbara, California. The entire island is one cattle ranch which we have operated since 1902, ranging about 6,500 head of cattle yearly. S. 1104 provides that this property, along with the neighboring islands owned by the federal government, a conservation foundation, or by willing owners, be made the Channel Islands National Park. The bill also provides that Santa Rosa, though included in the Park, remain nominally and temporarily in private ownership, subject to National Park Service regulations.

We object to Santa Rosa's inclusion in the Channel Islands National Park for the following reasons:

1. Santa Rosa Island has been impeccably protected and preserved during our more than seventy-seven years of ownership. Its inclusion within the park is unjustified on conservation grounds.

The quality of this conservation effort is evidenced in testimony before the Senate Subcommittee on Parks, Recreation and Renewable Resources, and in the language of the committee's staff in its recommendations for amendment of the bill.

2. The inclusion of Santa Rosa Island within the park boundaries is unnecessary.

The National Park Service does not need this island. Other land included in the park constitutes over 70,000 acres. This large area is adequate for many years to come. This is especially true because the Park Service intends that use of the park will always be limited because of the very delicate environment; in short, the public will be largely excluded from the islands.

Further, it has become evident that the National Park Service will not use this property for their programs until well into the future. In other words, the Park Service would like the island to be put under their jurisdiction—"in the bank" at this time, leaving the owners to operate as caretakers under National Park Service regulations.

3. S. 1104 is a prime example of the omnipresent problems of government over-regulation of small businesses.

Operating a cattle ranch of this size under National Park Service regulations, which are onerous, arbitrary, and capricious, is impossible. With agricultural land going out of production at an alarming rate, it is econom-

ically unsound to over-regulate that which is left and thus decrease its production. With a "sage-brush rebellion" simmering, it is inappropriate for the federal government to indulge in empire building in the form of a further land grab. The federal government already owns nearly half the land in California; why does it need more?

4. Santa Rosa Island is an ongoing business, not unoccupied territory; it produces food, taxes, and employment.

Realistically, these functions have more social value than the untrue and self-serving National Park Service claims for the need for conservation.

5. The Interior Department is exceeding its intended function in acquiring a property of this type.

We are unable to find another example of a piece of property of this size and value being included in a national park over the strong objections of its owners.

6. The owners of Santa Rosa Island are being deprived of valuable property without compensation.

The value of the island after inclusion in the park will obviously be less than its value now. The decrease in value will result from the use of the land being severely restricted under National Park Service regulations and from its use being limited to that existing at the present only, instead of its highest and best use.

No consideration has been given to compensating the owners for this loss. We shall be forced to file a lawsuit for damages for this loss and to pursue it vigorously. At that time we shall also litigate other serious constitutional questions which the bill presents.

7. Finally, cost of inclusion of Santa Rosa Island in the park, whether it is acquired outright or merely controlled by regulation, will be very great.

This island is over 53,000 acres in area. Its inclusion in the park would involve a major expense.

COMPTROLLER GENERAL'S REPORT TO THE CHAIRMAN, SUBCOMMITTEE ON NATIONAL PARKS AND INSULAR AFFAIRS

DIGEST

Federal agencies need to acquire private lands essential to achieving the objectives of parks, forests, wild and scenic rivers, preserves, recreation areas established by the Congress. The Chairman, Subcommittee on National Parks and Insular Affairs, asked GAO to examine the Federal Government's policies and practices for purchasing title to land versus using less expensive protective methods. This report focuses on the activities of three Federal agencies with major land management and acquisition programs—the Forest Service, Department of Agriculture, and the Fish and Wildlife Service and the National Park Service, Department of the Interior.

The three agencies generally followed the practice of acquiring as much land as possible without regard to need and alternatives to purchase unless specially spelled out in legislation. Consequently, lands have been purchased not essential to achieving project objectives, and before planning how the land was to be used and managed. Because of this practice, Federal agencies overlook viable alternative land protection strategies such as easements, zoning, and other Federal regulatory controls including the dredge and fill permit program for protecting wetlands administered by the Corps of Engineers, Department of the Army. (See p. 9.)

MAGNITUDE OF FEDERAL LAND OWNERSHIP AND PURCHASES

Over one-third of all the land in the United States is owned by the Federal Government with local and State governments holding a small but growing share (6 percent). Additional land is held in trust for Indians, bringing total public ownership to 42 percent. Most of this was in the public domain and never owned by private individuals (700 million of the 760 million federally owned acres). Thus, some 60 million acres have been acquired. (See p. 1)

During fiscal years 1973–77, the National Park, Forest, and Fish and Wildlife Services acquired full or partial title to 2.2 million acres for $606 million. The predominant acquisition method used was purchase of full title, accounting for 88 percent of the acreage and 95 percent of the costs. Current legislation authorizes up to $10 billion through the Land and Water Conservation Fund—$4 billion for Federal acquisition and $6 billion for grants to States and local governments—for land acquisition and development over the next 11 years and assures that Federal agencies as well as State and local governments, will continue to increase their inventories of land. (See p. 5.)

COSTS AND IMPACTS SHOULD BE CONSIDERED IN LAND PURCHASES

Government acquisition of private lands for protection, preservation, and recreation is costly and usually prevents the land from being used for resource development, agriculture, and family dwellings. It also removes the land from local property tax rolls, although payments are made to local governments in lieu of taxes. (See p. 10.)

Agencies have regularly exceeded original cost estimates for purchasing land. The cost of many projects has doubled, tripled, even quadrupled from original estimates and authorizations. Also, agencies have bought land without adequate consideration of the impact on communities and private owners by viewing acquisition of full title as the only way to protect lands within project boundaries.

For example, for three wild and scenic rivers GAO reviewed, the original congressional ceilings had increased from $11 million to $34 million, an increase of 210 percent. This is in a program where land acquisition was intended to be minimal. Yet, agencies are buying as much land as possible, leading to increased costs and local opposition. (See p. 17.)

NEW LAND PROTECTION STRATEGIES AND OVERALL POLICIES NEEDED

The Federal Government has no overall policy on how much land it should protect, own, and acquire.

When the objectives of a project concern preservation, conservation, or aesthetic values, the Government need not necessarily own all of the land but could control the use of lands by alternative means such as easements and zoning. Alternatives are feasible and have been used successfully. For example, the Forest Service at the 754,000-acre Sawtooth National Recreation Area in Idaho, successfully worked with private landowners, conservation groups, State and local governments, and other Federal agencies to develop a comprehensive master plan for the area effectively combining land use controls, easements, and selected private land acquisition for this project. (See p. 22.)

Although the National Park, Forest, and Fish and Wildlife Services now have policies requiring consideration of less than full-fee acquisition, many agency officials argued that partial interests are costly, ineffective, and administratively burdensome. These feelings could hamper effective implementation of the agencies' policies. Further, their arguments seem to be perceived rather than demonstrated because there has been successful use of acquiring partial interests in land. For example, the Fish and Wildlife Service administers wetland easements on 1.1 million acres in the upper Midwest. While there have been relatively few violations among the 18,000 easements (340 in fiscal year 1976) officials stated that the use of easements provided protection of four times as much land as could have been acquired through full-title purchase.

Alternatives could offer other benefits. Resistance to Federal acquisition should be reduced, since the land will remain on the tax rolls. Residents will retain their homes, obviating relocation costs. Certain agricultural lands could remain in productive use, with the scenic values protected. Finally, the Federal Government would be saved the cost of administering the area although there could be costs associated with enforcement and maintenance. (See p. 23.)

Opportunities also exist to work with State and local governments. For example, when a 52-mile section of the Lower St. Croix River was made a component of the Wild and Scenic River System, local zoning ordinances were changed to provide protection. The Park Service, however, viewed this as only a temporary measure until it could purchase titles and restrictive easements to all the lands in the Park Service's 27-mile section. Costs have increased from the initial legislated ceiling of $7.3 million to the current ceiling of $19 million.

This attitude toward zoning has antagonized local communities and landowners. On the contrary, the States of Minnesota and Wisconsin, which have responsibility for 25 miles, feel easements and zoning can adequately protect the river. Thus, neither plans any major fee-title purchases. In this and several other projects it reviewed, GAO believes the Federal agency could have relied on the local initiatives taken to protect the land until it was evident that the protective provisions would change. At that time, Federal agencies could either protect the change or, if necessary, proceed to purchase lands through negotiation or condemnation. (See p. 30.)

In summary, alternatives to full-title acquisition, such as easements, zoning, and other Federal regulatory controls, are feasible and could be used by Federal agencies where appropriate. GAO recognizes that some lands must be purchased if they are essential to achieving project objectives. (See p. 34.)

RECOMMENDATIONS

GAO recommends that the Secretaries of the Departments of Agriculture and the Interior jointly establish a policy for Federal protection and acquisition of land. The Secretaries should explore the various alternatives to land acquisition and provide policy guidance to land-managing agencies on when lands should be purchased or when alternatives should be used to preserve, protect, and manage national parks, forests, wildlife refuges, wild and scenic rivers, recreation areas, and others.

GAO further recommends that the Secretaries evaluate the need to purchase additional lands in existing projects. This evaluation should include a detailed review of alternative ways to preserve and protect lands needed to achieve project objectives.

GAO further recommends that at every new project, before private lands are acquired, project plans be prepared which—

Identify specifically the land needed to meet project purposes and objectives;

Consider alternative land protection strategies;

Weigh the need for the land against the costs and impacts on private landowners and State and local governments;

Show close coordination with State and local governments and maximum reliance on their existing land use controls; and

Determine minor boundary changes which could save costs, facilitate management, or minimize bad effects.

RECOMMENDATION TO THE CONGRESS

GAO is recommending that the Congress during its authorization, oversight, and appropriation deliberations require the Secretaries of Agriculture and the Interior to re-

port on the progress made in implementing GAO's recommendations. This should include a determination on the extent project plans for new and existing projects have been prepared which, as a minimum—evaluate the need to purchase lands essential to achieving project objectives,

Detail alternative ways to preserve and protect lands, and

Identify the impact on private landowners and others.

Congressional oversight in implementation of GAO's recommendations is needed because of the—

Large sums of money available from the Land and Water Conservation Fund for acquisition of private lands;

Practice followed by Federal agencies of acquiring as much private land as possible resulting in unnecessary land purchases and adverse impacts on private landowners;

Successful use of alternatives to full-title acquisition to achieve project objectives; and

Reluctance on the part of many agency officials to use less than full-title acquisition to achieve project objectives.

APPRAISAL OF AGENCY COMMENTS

Four of the five agencies responding—Forest Service, Department of Agriculture; Fish and Wildlife Service, National Park Service, and Heritage Conservation and Recreation Service, Department of the Interior—generally agreed with GAO's recommendations or said they were in compliance. The agencies sharply disagreed with some of GAO's conclusions and defended their practices as being consistent with Congressional intent. (See pp. 37 to 49.)

The Heritage Conservation and Recreation Service stated that what is needed is a thorough research, analysis, and training program to encourage project managers to use alternative land protection strategies. GAO agrees this is needed and should be considered during the development of a new Federal land protection and acquisition policy. (See p. 48.)

Interior's Office of the Solicitor disagreed with the conclusions and recommendations. Its major point was that the recommendations should be addressed to the Congress.

GAO believes the Secretaries of Agriculture and the Interior have the authority to implement GAO's recommendations. Further, it should be noted that the National Park, Forest, and Fish and Wildlife Services have adpoted separate policies requiring consideration of less than full-fee acquisition. (See p. 48.)

GAO believes the case examples included in the report and appendix I adequately support the conclusions reached. Further, GAO believes that where it is feasible to protect areas and to provide recreational opportunities to the American public by using alternatives to full-title acquisition, then the alternatives should be used. In no way is GAO against Federal full-title acquisition of and when it has been determined that acquiring such land is essential to achieving project objectives. This is the essence of the report.

Mr. JACKSON. Mr. President, I yield such time as he may desire to the senior Senator from California.

Mr. CRANSTON. I thank the distinguished chairman of the committee.

Mr. President, I oppose the exclusion of Santa Rosa Island from the Channel Islands National Park. Santa Rosa Island represents one of the best opportunities to preserve and interpret historical ranching operations, which is a very important aspect of the present use of that island. But adoption of the bill without this amendment would not mean that ranching automatically would have to stop on that island. There is a specific provision in the bill that would permit operation by the present owners to be carried on.

Whether is would be possible, even without any action here, for the family to carry on a ranching operation there indefinitely is rather unclear because of the effect of inheritance tax laws, which so often require the selling off of property at the time of a change of ownership through the decease of the original owners. Future owners, regardless of that fact, might very well want to proceed in any case with development or subdivision, which would destroy the natural beauty and resources of the island. There is no assurance that that would not occur.

Although their motives were not precisely clear when they did this, the present owners have, in fact, gone to the Santa Barbara County Board of Supervisors for a zoning change which would permit subdivision of the land.

The five Channel Islands given national park status under this bill are one ecological unit. In order to preserve their integrity, they need to be managed as a single unit.

To exclude Santa Rosa Island would basically gut the effort to preserve for all time, in almost a natural state, some islands that are the gem of the Pacific, especially because of their closeness to the shores of the continent.

Each of the Channel Islands is unique in its own right, and has features which make it worthy of national park designation itself.

Santa Rosa Island supports a number of plants and animals which are unique. For example, Santa Rosa is one of only two locations in the world where the Torrey Pine is known to occur naturally. The Channel Island Fox, which is listed by the State of California as a rare species, occurs only on the Channel Islands, and over time a seperate subspecies has developed which is unique to Santa Rosa Island. Santa Rosa Island also supports a highly significant marine biological community. It is a major breeding center for the California harbor seal.

The island contains extensive archeological and palentological resources that are of a highly significant value. This includes remnants of early man and dwarf fossil mammoth bones.

For all these reasons, Mr. President, I oppose the amendment. I hope my colleagues will join me in opposing it.

Mr. HAYAKAWA. Mr. President, if the senior Senator from California would yield, I should like to ask him a question or two.

It seems to me that the application for a zoning change was not made for the sake of putting housing there but for the sake of raising the value they can get in case they are forced to sell, that is, raising the price they can get. So if it is zoned for housing, even if they do not intend to put housing there, if they sell and get out, they can ask a very much higher price for it.

Is this not the case? Has there been any indication that they actually intend to put housing in there?

Mr. CRANSTON. As I stated in my earlier remarks, Mr. President, I do not know what their motives were. All I know is they applied for a zoning change which would permit subdivision of the land. Rather plainly, the land, if it were subdivided, would not be left as a ranch. It is presently a ranch. Their purpose may have been as the Senator suggests, to obtain a higher value if it were to be subdivided. The fact that they could seek authority for that would certainly indicate that a subdivision might occur there sometime in the future.

Mr. HAYAKAWA. The authority to subdivide was denied, and also they assured me they had no intention of developing, anyway.

Everything the Senator says about the natural wonders of the place is well known to me. It is even better known to the Vails and to the various naturalists and archeologists at the University of California.

Everybody consulted in this matter of protection over the last 75 years recognizes that such activity has been absolutely admirable. I do not know why we continue to punish those who have success in protecting the environment on an amateur basis without the backing of a Government agency, by taking that land away from them.

No outsider can know the islands as well as the present residents. No one knows how to protect all the wild creatures than the people presently there.

As I said, there are many unique features having to do with the marine biology of that island. Access for research into that has been freely granted to the University of California and other responsible bodies throughout history, in the scientific interest of those islands. So everything that needs to be protected is protected.

This is why I say that this is a fantastically absurd expenditure of money. In respectfully disagreeing with my senior Senator, I want to point out that the costs for buying something that is totally unnecessary is something we are both committed to fight against, are we not, at a time when the public wants us to balance the budget and the public wants us to reduce expenditures?

Here is one place the Senator and I can agree in a perfectly sensible way to save $25 million.

Mr. CRANSTON. Mr. President, the turning down of the application for a subdivision was undoubtedly influenced by the fact that this bill was pending in the Senate, that this bill had already passed the House, that the prospects were reasonably good that the bill would pass with a taking of the island along with the others preserved in the legislation. I would suspect that fact had some relevance to the action in turning down the application for a subdivision.

If the bill contained the proposed amendment and was enacted in that form and another application was made, that reason for turning down the application would no longer prevail and subdivision might well be approved.

I totally share the desire of my colleague from California to avoid unnecessary spending, I have repeatedly voted against spending that I have considered unnecessary and excessive.

However, in this case, I think we have

a project that is worthy of support. I suspect that because of inheritance tax laws, inflation, and the difficulty of passing on an estate from one generation to another, that at some time in the future if we did not act now, owners of Santa Rosa Island would be forced, even against their own wishes, to proceed to subdivide or sell it off.

At that time, there might be an emergency effort by the Federal Government to preserve this beautiful island, and it would then cost a great deal more money to the taxpayers of our State and our Nation.

For those reasons, I strongly oppose the present amendment. I also oppose it basically for more positive reasons, because I think we are taking a very important step in preserving close to its natural state one of the most beautiful parts of the United States.

Mr. JACKSON. Mr. President, I ask unanimous consent that two letters from the National Park Service to Senator BUMPERS regarding the Channel Islands proposal be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL PARK SERVICE,
Washington, D.C., February 15, 1980.

Hon. DALE BUMPERS,
Chairman, Subcommittee on Parks, Recreation and Renewable Resources, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR SENATOR BUMPERS: In response to a request by Mr. Tom Williams of your staff, we are pleased to provide the following information concerning the proposed Channel Islands National Park.

Prior to addressing your specific questions, it should be noted that the National Park Service views the Channel Islands as one ecological unit. It is the interrelationship of temporal, climatic, geophysical and marine forces that have shaped the Channel Islands into unique biological and cultural resource. In short, the terrestrial and marine environments flow together to form one interdependent ecosystem that should be considered a unit from a scientific research and resource management viewpoint—and is, in fact, considered as such by those scientists and resource managers involved in the study and management of the Channel Islands. Protection and maintenance of the ecological integrity of the islands requires they be managed as a single unit.

WHY SANTA ROSA ISLAND IS CRITICAL TO THE CHANNEL ISLANDS NATIONAL PARK

While protection and maintenance of the ecological integrity of the islands requires they be managed as a single unit, each island is unique in its own right. Those factors that make Santa Rosa Island unique and worthy of national park status are listed below:

1. The Torrey Pine is known to occur naturally in only two locations in the world. One forest is currently preserved in Torrey Pines State Park near Del Mar, California. The other naturally occurring forest is found on Santa Rosa Island.

2. The Channel Island Fox, which is listed by the State of California as a rare species, occurs only on the Channel Islands. Over time a separate sub-species has evolved which is unique to Santa Rosa Island. This unique sub-species is currently threatened by feral cats which are physically larger and prey upon the foxes.

3. The Santa Rosa-Cortez Ridge, extending from Santa Rosa Island southward has been identified as a major feeding ground for pinnipeds, sea birds and cetaceans (including a significant variety of endangered or threatened whales, such as blues, humpbacks and fin). In addition this ridge supports an extraordinary number of marine invertebrates and vertebrates. The Santa Rosa-Cortez Ridge is the only place where a monoplacopharon known as NEMA has been sighted. This group of animals, considered to be ancestral to 60 percent of all modern mollusks was sought to be extinct for 300 million years. This fact alone requires special protection of this under-sea ridge.

4. According to the Santa Barbara Museum of Natural History, Santa Rosa Island contains extensive archeological and paleontological resources that are of a highly significant value. These resources, which in part consist of remnants of early man and dwarf fossil mammoth bones, deserve a greater degree of protection from vandalism and theft.

5. While several examples of rare species have been specifically addressed above, it is important to note Santa Rosa Island supports other plants and animals which are unique to Santa Rosa Island and represent prime examples of sub-speciation.

6. Santa Rosa represents one of the best opportunities to preserve and interpret historical ranching operations.

7. In addition to the Santa Rosa-Cortez Ridge, which has been addressed above, it is important to note that Santa Rosa Island also supports a highly significant marine biological community. The extensive kelp beds and rocky coastline provide a superlative habitat for marine mammals and waterfowl. These marine resources, including what many experts consider to be the major breeding center for the California harbor seal, are of national significance.

EFFECT OF CHANNEL ISLANDS NATIONAL PARK ON OIL AND GAS RESOURCES

For the following reasons, it is the view of the National Park Service that the establishment of Channel Islands National Park will not result in lost oil and gas resources:

1. No oil and gas on the islands themselves. Test drilling on the islands in the past has proved unsuccessful. Most of the exploration data indicate the major oil and gas reserves are located in the Santa Barbara Channel.

2. Existing Restrictions are already in place. The boundary of one nautical mile as proposed by the Administration is well within the existing three-mile moratorium imposed by the State of California.

3. Secretary Andrus deleted 24 tracts from OCS sale No. 48. These parcels, many of which were critical to the protection of the Channel Islands, were deleted to protect the Islands and the proposed Marine Sanctuary, and because the potential benefits from areas of marginal oil and gas production would not outweigh the environmental consequences.

4. Existing technology will permit extraction if necessary. The Environmental Impact Statement issued by the Office of Coastal Zone Management has recommended that slant drilling be conducted within the preferred alternative No. 2 (a six-mile zone around the Islands).

5. The current state of the art, as it relates to oil and gas extraction, i.e., slant drilling, use of OST's and other technology currently used by oil companies on other off-shore areas, will allow for the extraction and transportation of needed oil and gas from the Santa Barbara Channel without drilling near the proposed one-mile boundary or using the Islands for land base compressor or processing operations.

LIMITED ENTRY AND LOW-INTENSITY USE

While limited entry and low-intensity use represent different specific concepts they are both part of a larger process of resource protection that relys heavily upon the restriction of visitor activities or access to mitigate environmental damage. Limited entry represents the optimum number of visitors that would be permitted to enter or remain within a specific park area for a designated period of time without significantly or permanently disrupting the park ecosystem. This "carrying capacity" would be developed as a result of scientific evidence and implemented by experienced resource managers familiar with the ecology of the Channel Islands.

Low intensity use, as distinguished from limited entry, provides for restrictions on the locations or types of use as opposed to an overall entry quota. Low intensity use alternatives would be developed by resources managers, using research data. The results of this integration of field experience and scientific research would be a visitor management plan that would limit the types of activities permitted to non-consumptive, minimal impact activities that are dispersed throughout an area as opposed to being concentrated. Examples of this philosophy include: prohibiting camping, use of fires, providing access at various points on the Islands instead of one and limiting the number of people that can embark from any one point.

The concepts of limited entry or low-intensity use are not new, but are implicit in Section 1 of title 16 of the United States Code, which provides in pertinent part "provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired. . . ." In addition, the Service currently exercises a similar authority found at 36 C.F.R. 2.6. This section provides the means by which the Superintendent may implement appropriate public use restrictions necessary for resource protection or visitor safety.

It should be noted that the Service intends to implement the limited entry-low intensity use concept very judiciously. While these concepts are intended to be used to protect fragile and environmentally sensitive portions of the islands, other major portions of the islands can withstand substantial visitor use.

We appreciate this opportunity to provide this information.

Sincerely yours,

DANIEL J. TOBIN, Jr.,
Acting Director.

NATIONAL PARK SERVICE,
Washington, D.C., November 13, 1979.

Hon. DALE BUMPERS,
Chairman, Subcommittee on Parks, Recreation, and Renewable Resources, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR SENATOR BUMPERS: It has been several months since I testified before your Subcommittee on S. 1104, a bill to establish Channel Islands National Park. At that time, I indicated the establishment of this park was our number one legislative priority, following resoltuion of the Alaska lands issue. Since the hearings, certain interests have raised objections to the Channel Islands legislation which cause us serious concern. I am taking this opportunity to address those objections.

The Western Oil and Gas Association has raised several objections. The Association opposes the limited visitor use provisions of the bill, saying such a park will not serve 200 million Americans. The Association also wishes to assure that the islands can be developed for oil and gas transmission facilities. I would only point out, Mr. Chairman, these unique, fragile resources may not survive to serve any Americans unless their

carrying capacities are carefully analyzed and access is permitted consistent with the results of that analysis. The natural and cultural values of Santa Cruz, San Miguel, and Santa Rosa are national treasures. They deserve the best protection and interpretation this Nation can give them. Alternative methods for the transportation of oil and gas from Outer Continental Shelf production sites to the mainland are available. We need not sacrifice Santa Rosa Island for an oil pipeline compressor or onshore processing facility.

The Association fears the Department will recommend Class I air quality designation for the expanded park or propose a 15 mile setback from the islands, such as was enacted at Point Reyes National Seashore in 1978. Each of these actions would require specific legislation by the Congress, or, in the case of the air quality redesignation, by the State of California. Neither is included in legislation before your Committee. When, or if, the Department makes such proposals, the Congress would have the opportunity to weigh the effects of such proposals on both the environment and on the Nation's energy needs.

Among the principal resources of this marine environment are the kelp beds that in some places extend more than 1-mile beyond the island shores. Pursuant to a permit from the State, Kelco, a private company, harvests kelp within the proposed 1-nautical-mile boundary. The company has proposed an amendment to S. 1104 which would prohibit the Secretary of the Interior, should control of the marine component of the park pass to the Federal Government, from restricting continued kelp harvest without determining in public hearings that substantial evidence exists that such harvesting should be restricted to protect park resources. General NPS regulations prohibit the removal of trees and plants from parklands and waters. In view of the special significance of kelp to this island environment, the burden of proof should be on the private operator, who seeks to harvest public resources for profit, to show that his operation will have no adverse effect on the park. If he can demonstrate that kelp harvesting is consistent with resources protection, then we would consider special permits to continue harvesting. As such, the NPS believes the amendment is not necessary.

The Vail and Vickers Land and Cattle Company, the present owners of Santa Rosa, now apparently object to the inclusion of the island in the national park after testifying in favor of the legislation at the hearing before the Subcommittee. S. 1104 offers the Vail family maximum protection of its interests. The National Park Service may acquire the land only on a willing seller basis unless the property is undergoing or about to undergo a change which is inconsistent with the purposes for which the park was established. If the family agrees to sell, moreover, members may retain a right of use and occupancy for 25 years or life, whichever they choose. Grazing operations are specifically cited in the bill as a compatible use.

I hope, Mr. Chairman, that markup on S. 1104 can begin now that committee work on the Alaska lands bill is complete. The establishment of Channel Islands National Park will be an important milestone in the Nation's conservation effort.

Sincerely yours,

BUR W. LOW,
Director.

Mr. JACKSON. Mr. President, I must oppose the deletion of Santa Rosa Island from the park. I must oppose this deletion on several grounds.

1. SIZE

At 53,000 acres, Santa Rosa is the second largest of the Channel Islands—only Santa Cruz is larger at 60,500. To delete this island would reduce by over 40 percent the amount of fast land acreage proposed for the park. Although only one island, its deletion from the park would definitely be significant from an acreage standpoint.

2. RESOURCE VALUES

Like the other Channel Islands, both within the present National Monument and proposed for inclusion in the new park, Santa Rosa Island is rich in scenic, biological, and cultural resources.

The Torrey Pine is known to occur naturally in only two locations in the world. One forest is currently preserved in Torrey Pines State Park near Del Mar, Calif. The other naturally occurring forest is found on Santa Rosa Island.

The Channel Island Fox, which is listed by the State of California as a rare species, occurs only on the Channel Islands. Over time a separate subspecies has evolved which is unique to Santa Rosa Island. This unique subspecies is currently threatened by feral cats which are physically larger and prey upon the foxes.

The Santa Rosa-Cortez Ridge, extending from Santa Rosa Island southward has been identified as a major feeding ground for pinnipeds, sea birds and cetaceans—including a significant variety of endangered or threatened whales, including blues, humpbacks and fin.

According to the Santa Barbara Museum of Natural History, Santa Rosa Island contains extensive archeological and paleontological resources that are of a highly significant value. These resources, which in part consist of remnants of early man and dwarf fossil mammoth bones deserve a greater degree of protection from vandalism and theft.

While several examples of rare species have been specifically addressed above, it is important to note that Santa Rosa Island supports other plants and animals that are unique only to Santa Rosa Island and represent prime examples of subspeciation.

In addition to the Santa Rosa-Cortez Ridge which has been addressed above, it is important to note that Santa Rosa Island also supports a highly significant marine biological community. The extensive kelp beds and rocky coastline provide a superlative habitat for marine mammals and waterfowl. These marine resources, including what many experts consider to be the major breeding center for the California harbor seal, are of national significance.

In sum, it is the interrelationship of time, climatic, geophysical and marine forces that have shaped the Channel Island into a unique biological and cultural resource. The terrestrial and marine environments flow together to form one interdependent ecosystem that should be considered a unit from a scientific research and resource management viewpoint—and is, in fact, considered as such by those scientists and resource managers involved in the study and management of the Channel Islands. While protection and maintenance of the ecological integrity of the islands requires they be managed as a single unit, each island is unique in its own right. Those factors cited above certainly make Santa Rosa Island unique and worthy of national park status.

3. UNDEVELOPED STATE

The vast majority of Santa Rosa Island's 53,000 acres are undeveloped. The island has been used primarily for cattle ranching in the recent past and the island has been left, for the most part, in its natural state. Under the stewardship of the Vail & Vickers Cattle Co., the island has been well protected and managed. The tremendous potential recreational, scenic, and scientific value of this large and essentially undeveloped island—located in close proximity to one of the largest population centers in the country—must not be underestimated.

Finally, support for including the island is widespread.

Inclusion of Santa Rosa Island within the boundaries of the proposed park is supported by the State of California, the local Congressman, and the distinguished senior Senator from California (Mr. CRANSTON). The island was included in the version of the Channel Islands proposal which passed the House overwhelming last May. Finally, an attempt to delete the island from the Senate Energy Committee bill was rejected when the bill was reported last December.

I urge my colleagues to join with me in rejecting any attempt to delete Santa Rosa Island from the proposed Channel Islands Park.

Mr. President, I think we are ready to vote.

The PRESIDING OFFICER. Is all time yielded back?

Mr. JACKSON. Mr. President, I am prepared to yield back the remainder of my time.

Mr. HAYAKAWA. I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from California.

The amendment (UP No. 982) was rejected.

Mr. CRANSTON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. HAYAKAWA addressed the Chair.

Mr. JACKSON. Mr. President, I will yield such time as I may have to the Senator from California.

Mr. HAYAKAWA. I thank the Senator from Washington.

Mr. President, I want to make certain that the creation of the Channel Islands National Park does not adversely affect any activities on the Outer Continental Shelf. I want to simply state for the record the intent of the legislation. There were many leases granted under the Outer Continental Shelf Lands Act prior to the creation of the park. Any activities related to these OCS leases will be thoroughly regulated by the Outer Continental Shelf Lands Act Amendments of

1978. There is nothing in this legislation which restricts the exploration, development, or production of domestic oil and gas from these leases. These leases were sold prior to the Senate and House consideration of the Channel Islands National Park legislation. It would be very unfair to impose retroactive conditions and restrictions on offshore oil and gas exploration and production. We must also protect our national interest in increasing domestic energy supplies.

At this time we face steadily rising oil prices from foreign energy sources. In addition, the Federal Government has already made clear its policy of encouraging energy development in the Santa Barbara Channel and in areas south of the Channel Islands by selling leases in these areas for mineral development. I would simply like to clarify the congressional intent of this legislation, that it will not jeopardize oil and gas production in the Santa Barbara Channel. I would like to be assured that this goal is not precluded by the establishment of a Channel Islands National Park.

Production from already discovered reserves in the Santa Barbara Channel will shortly approach 200,000 barrels of oil a day. Current activity and the vigorous bidding for additional tracts in the Santa Barbara Channel last June suggest that billions of barrels of oil and trillions of cubic feet of natural gas remain to be discovered and developed in the channel area.

Such domestic energy sources are vitally important, since the political situation in the Middle East is more unstable than ever. At a time when the Nation is facing this volatile Middle East political situation, we cannot afford to close off any domestic supplies of oil and gas. This is most critical in situations such as the Santa Barbara Channel where we have known substantial deposits of oil and gas.

I want to discuss this matter simply to give assurances to the oil and gas companies who are involved in production in the channel, and to their stockholders and to the public, that the Congress has absolutely no intention of jeopardizing any ongoing or future oil and gas production in the Santa Barbara Channel. There is nothing in this bill that would inhibit these drilling and production activities. I want to make this absolutely clear for the record.

I would like the Senator from Washington, if he will, to comment on this matter. I know he is interested in the Outer Continental Shelf.

Mr. JACKSON. Mr. President, the Senator from California poses a proper question. I shall try to respond.

Mr. President, the Federal Government has leased a number of OCS tracts in the Santa Barbara Channel north of the Channel Islands. The channel is currently producing some 42,000 barrels of oil a day and that figure is expected to rise significantly in the next few years. Given the interest generated by the most recent OCS lease sale in June 1979 (Lease Sale No. 48) this area has the potential of making a major positive impact on our Nation's domestic energy supply.

Designation of the Channel Islands Park will not prevent the safe and timely development of this important source of oil and gas. It is not the purpose of the park to block such development and I am convinced that it will not. I think that it is important to make this statement on the floor of the Senate today so that my colleagues in this body and the American people know that this legislation is not designed to thwart development of an important domestic source of oil and gas.

One of the arguments used against designation of the Channel Islands Park is the potential negative impact on oil and gas production from the Santa Barbara Channel. This argument is based on a number of "what ifs" and not on the facts.

1. NO DIRECT IMPACT

While there is considerable oil and gas activity in the Santa Barbara Channel itself, this activity has not taken place on or adjacent to the Channel Islands. Indeed, the 1 mile administrative park boundary proposed in this legislation is well within the 3-mile zone under State jurisdiction around the islands where no oil and gas activity is permitted. Park designation will have no direct effect on present or future OCS leases within the channel.

2. FUTURE IMPACTS

Most of the arguments about the park's effect on oil and gas potential are prospective. The two main prospective arguments are future boundary extension and the Clean Air Act.

BOUNDARY EXPANSION

Some argue that this park and its 1-mile boundary are the "first step" toward blocking all oil and gas activity in the channel. An expanded park, the argument goes, with a 6, 10, or 15-mile seaward boundary could have a serious negative impact on oil and gas production from the Santa Barbara Channel. As we all know, a future Congress could always enlarge the park boundary in such a way to affect oil and gas production. But that is not the decision we are making at this time and is one we are unlikely to make in the future given the domestic and worldwide oil situation. The very purpose of a park boundary is to include those resources for which protection is sought and to exclude other lands and resources. That is the test for every park—to establish a boundary that strikes a balance between park protection and the need for wise development of adjacent lands. That is what the boundary in this legislation before the Senate today accomplishes and that is the only boundary at issue.

CLEAN AIR ACT

Another argument used against park designation at Channel Islands is the requirements of the Clean Air Act.

Some believe that a new national park is automatically designated as a class I clean air area under the 1977 Clean Air Act Amendments. This is not true. New parks and wilderness areas are class II areas under the Clean Air Act and may be redesignated as class I areas only by the affected State, a future act of Congress, or, in some cases an Indian tribe. Of course the ability of a State, the Congress, or an Indian tribe to redesignate areas from class II to class I applies to all lands; not just parks. In other words, the State of California, after following certain procedures, could redesignate the Channel Islands as a class I area with or without park designation. To say that a national park at the Channel Islands will automatically result in class I designation is just not the case.

Should an area be redesignated as class I, it is important to remember that the prevention of significant deterioration provisions in the Clean Air Act apply only to 28 major emitting facilities and sources with the potential to emit more than 100 tons per year of any pollutant. Small industrial facilities, residential or commercial developments would not be affected. Existing sources are not affected either if a State redesignates an area to class I. And with regard to those major industrial facilities whose siting would be affected by class I designation, their siting seems to be highly sensitive to technological (pollution control equipment) and meteorological factors. In this regard, a recent technical report prepared by the NPS shows that even these major polluting facilities could be sited relatively near class I areas depending upon these factors. So, even if this area is redesignated as a class I area, there is no reason to suspect that existing or future oil and gas development will necessarily be affected.

Under the Clean Air Act amendments, the Secretary of the Interior was required to review all—national monuments—and to recommend areas for redesignation where class I air quality values are important attributes. It is true that the Secretary has recommended that the existing monument be classified as class I. It is also true that this recommendation is not final as the public comment is still being evaluated. Should this recommendation become final, it is little more than that—a recommendation; a finding by the Secretary that the area has important air quality attributes. The economic, social, and developmental factors associated with redesignation were not considered by the Secretary as that is not his responsibility under the act. The State, in accordance with very specific procedures in the Clean Air Act, examines these and other factors when deciding whether or not to redesignate an area. The decision rests with the State, not the Secretary.

I think it is clear from the foregoing discussion that designation of this park will not have an adverse impact on oil and gas production. This is a specious argument and should be rejected.

I trust that that is fully responsive to the Senator's fine statement and the questions he has posed.

Mr. HAYAKAWA. I am very grateful to the Senator from Washington for his reassurance in this matter.

Mr. JACKSON. I thank my colleague.

Mr. HAYAKAWA. Mr. President, the purpose of this statement is to reassure those who have oil and gas interests in the Santa Barbara Channel that this bill, to create the Channel Islands National Park, is not intended to put them out of business, and is not intended to jeopardize their business in any way,

as the distinguished Senator from Washington has made clear.

This legislation contains a provision that requires a wilderness study to be conducted by the Secretary of the Interior (p. 39, title II, section 206). This has really alarmed some of the people in the State who have energy interests and who are developing the rich oil and gas deposits in the Santa Barbara Channel. I want to make it clear for the record that the wilderness study contained in this bill is not in any way intended to apply to anything other than the lands contained within the actual park boundaries.

I ask the Senator from Washington, the chairman of the Senate Committee on Energy and Natural Resources, if he agrees with my understanding of this wilderness study.

Mr. JACKSON. The Senator is correct. It is confined to the boundaries designated in the bill.

Mr. HAYAKAWA. I thank the Senator.

Mr. President, the reason I raise this point is that there are extensive oil and gas deposits in the Santa Barbara Channel, and these have been recognized and identified by the U.S. Geological Survey. The Department of the Interior has overseen the numerous lease sales in the Santa Barbara Channel. I simply want the record to show that this wilderness study is to be limited to the actual boundaries of the Channel Islands National Park. Nothing in this act would permit or suggest that any wilderness study apply to the waters outside the national park boundary. I want to be assured that the oil and gas activities in the Santa Barbara Channel will be fully protected, and that the language pertaining to this wilderness study will not in any way hamper present or future drilling and production of oil and gas resources in the Santa Barbara Channel.

Mr. JACKSON. Let me respond to one other point on the subject of wilderness. The Senator probably knows this, but I want the record to be clear on it that is that wilderness can be designated only by Congress.

Mr. HAYAKAWA. I am grateful for the Senator's clarification. I thank the distinguished Senator from Washington.

Mr. JACKSON. Mr. President, I know of no further amendments.

Mr. HATFIELD. I know of no further amendments on this side.

Mr. JACKSON. I ask for third reading.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bills to be read a third time.

The bill was read the third time.

Mr. CRANSTON. Mr. President, I am very pleased to support H.R. 3757, which amends the National Parks and Recreation Act of 1978 and establishes the Channel Islands National Park in California.

The Channel Islands are a remarkable natural resource. Lying 10 to 60 miles off the coast of Ventura and Santa Barbara Counties, these islands have been little affected over the centuries by the activities of man and are a reflection of coastal California 1,000 years ago. The islands are significant ecological, cultural, and scientific reserves.

The new park will include five of the islands—Santa Barbara and Anacapa, which now comprise the Channel Islands National Monument; San Miguel Island, which is owned by the Department of the Navy and administered by the Park Service under a cooperative agreement; and Santa Cruz and Santa Rosa, both privately owned and devoted to ranching. The Nature Conservancy recently acquired the Stanton property on Santa Cruz Island and intends to manage it in a way I believe will be wholly compatible with the national park designation. The legislation insures this continued use. The owners of Santa Rosa Island would like their land acquired by the Federal Government as expeditiously as possible if it is included in the park. The bill so provides.

The National Park Service has recommended park status for the Channel Islands since 1963, and this year the islands were identified as the Park Service's top priority for addition to the national park system. Conservative groups likewise have sought national park status for the Channel Islands for more than two decades to protect their natural values in perpetuity through limited and controlled public use. Since coming to the Senate in 1969, I have looked for a way to protect the resources of the Channel Islands. So I am especially pleased with this portion of the bill.

Mr. President, H.R. 3757 also adds about 2,000 acres of land to the Point Reyes National Seashore in California. This includes Fish Hatchery Creek, Tomales Bay State Park, lands owned by the California Department of Parks and Recreation, the Nature Conservancy property, the Audubon Canyon Ranch, and the Inverness Water Co. land. With respect to Fish Hatchery Creek, the additions include 1 acre owned by Pauline Bradley and the Adams lands under option for a bargain sale to the Trust for Public Lands. Some acreage owned by David Weerts is excluded. In addition, the legislation increases the authorization for land acquisition at Point Reyes by $5 million.

Finally, the bill adds lands to the Golden Gate National Recreation Area in California. These additions include Samuel Taylor State Park, the Gallagher Ranch, Giacomini Ranch, Ottinger Estate, and undeveloped lands between Highway 1 and Tomales Bay. The bill increases the authorization for GGNRA by $15.5 million.

Mr. President, this is a fine bill—and I am delighted to support it. I am deeply appreciative to the chairman of the Energy Committee for his efforts in connection with this important legislation. I also thank the chairman of the Parks Subcommittee—who could not be here—for all the careful attention he has given these California issues. His help and that of the committee staff—Tom Williams and Tony Bevinetto—have been invaluable.

Mr. JACKSON. Mr. President, I ask unanimous consent to have printed in the RECORD a colloquy between Senator MOYNIHAN and me concerning the North Country Trail.

The PRESIDING OFFICER. Without objection, it is so ordered.

The colloquy follows:

Mr. MOYNIHAN. One of the provisions in H.R. 3757, the bill we have before us today, would create a North Country Scenic Trail, extending from New York to North Dakota. Mr. President, I believe that the concept of this trail is an excellent one, and I commend my distinguished colleague Senator Cohen for proposing it, and the Energy Committee for including it.

I am concerned however, that one aspect of this proposal be clarified. As my colleagues may know, a portion of the North Country Scenic Trail traverses the New York Adirondack Park and State Forest Preserve, an area of some six million acres of public and private lands in my state. I might note that this area includes much of the officially designated wilderness east of the Mississippi River. This area is protected through the New York State Constitution; Article XIV of the State Constitution ensures that the State Forest Preserve lands, which comprise 40 percent of the Park, will remain "forever wild" by prohibiting cutting of any substantial number of trees on these lands or any other activity which would materially affect their wild forest character. This protection clause was enacted in 1894 and is unequalled in strength by any other state wilderness plan.

In part, H.R. 3757 seeks to establish a cooperative relationship between New York and the Federal government to work toward the creation of this Trail within the Adirondack Park. The statutory ten mile wide trial corridor created in the Act may itself present conflicts with state-designated wilderness areas and state regulation regarding land use within the Park.

For the cooperative relationship to develop, it is essential that the Department of the Interior fully respect the provisions of the New York State Constitution, statutes and regulations protecting the Adirondack Park and State Forest Preserve, as administered by the NYS Department of Environmental Conservation and the Adirondack Park Agency.

It is my understanding that this is the intent of this legislation and that H.R. 3757 can be implemented without diminishing or eroding the New York statutory and constitutional protections afforded the Adirondack Park.

Mr. President, I ask my distinguished colleague Senator Jackson with the Energy Committee whether this is his undertanding of the matter as well.

Mr. JACKSON. I share your interpretation of this matter, and it is my understanding that you have raised this issue with Senator Bumpers, and he too agrees that this provision entails a requirement for indepth discussion and consultation, and full cooperation between the Department of the Interior and the appropriate New York State authorities. I do not see this as presenting a problem.

Mr. MOYNIHAN. I am pleased to note that the interpretation of this provision is so clear. With this understanding, then, I can fully support the North Country Scenic Trail provision of this bill.

● Mr. COHEN. Mr. President, today the Senate considers, at long last, legislation to amend the National Parks and Recreation Act of 1978. Among the many

important additions to this act is the proposal to add the North Country Scenic Trail to the National Trails System. As the author of legislation earlier this year to give the North Country Trail this important recognition, I fully support this legislation. There are many reasons why the North Country Trail should be finally given this status as part of the National Trails System.

At this time, there is no long distance trail for mid-America. To hike or backpack for any distance, Midwesterners must now travel over 2,000 miles to the Appalachian Trail or the Pacific Crest Trail.

The North Country Trail would provide easy access to trail paths running through eight national forests, national lakeshores, national grasslands, several designated national and State wild and scenic rivers, numerous State forests, State parks, State game and wildlife areas, and national historic sites. In this time of energy shortages, the need is more pronounced than ever.

Within a 2-hour drive of 50 million people and within a half day's drive of nearly half of the Nation's population, it would be easily accessible to the ever-growing number of outdoor enthusiasts in America. The number of people involved in hiking, backpacking, cross country skiing, snowshoeing, and similar activities has grown from about 5 million in 1960 to over 50 million today.

The proposed trail itself is unique. Its path is not designed on the basis of historical or physiographical criteria. Rather, it is based on the location of points of interest, outstanding scenery, and good terrain for a trail within a 10-mile corridor.

The area the trail would traverse is of unusual interest because of its varied scenic, natural, and historical resources. Among them are a large area of the United States shaped by continental glaciation; the scenery of an unusually beautiful system of lakes, streams, and forests; and historical association with various Indian cultures, fur traders, the era of exploration of mid-America, and the early mining and lumber industries which contributed to the Nation's westward expansion.

These qualities make development of the trail especially important, and they make it a high priority for those of us committed to preserving the Nation's environmental resources.

Progress toward the trail's approval has been steady, but slow, since the Department of the Interior first sought ideas from the public in 1965 on what recreational resources Americans want. Passage of the National Trails System Act of 1968 was an impetus, but real movement came with organization of a Federal-State task force in 1971 to initiate a study of the proposed trail. The study was completed and submitted to Congress in 1975. It strongly recommended that the North Country Trail become a national scenic trail. President Carter and the Interior Department endorsed the recommendation in 1977.

Legislative efforts of the past few years have been strongly aided by the work of the International Backpackers Association (IBA) and other individuals and organizations committed to preserving and maintaining our natural historical resources. If the trail becomes a reality in the near future, much of the credit must go to them. Since 1976, IBA has been directly involved in seeking support, both from Congress and the American public. Among its efforts has been the North Country Trail Expedition of 1978, which mapped and reconnoitered the entire route, something which had not been done previously.

Most recently, the North Country Trail Association has been formed by volunteers to promote development of the trail. NCTA's goal is the legislation's passage and the trail's completion.

When Congress passed the National Trails System Act, its goal was to provide hiking access across the expanse of our Nation. Passage of the North Country Trail legislation is essential to development of that trails system. I am hopeful it will be approved this session, so that we can insure that this unique recreational resource will be preserved for future generations of American hikers and backpackers.●

Mr. STONE. Will the distinguished floor manager of the bill yield for a question?

Mr. JACKSON. Yes.

Mr. STONE. With regard to the protection of marine mammals within the Channel Islands National Park, is it the committee's intention that the Park Service work closely with the Department of Commerce in developing any regulations or issuing any permits regarding marine mammals?

Mr. JACKSON. Yes; the Park Service is directed to enter into and continue cooperative agreements with the Secretary of Commerce in these matters. The protection of marine mammals is traditionally under the authority of the Department of Commerce and the Park Service would be expected to rely on their expertise in this area.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. HATFIELD. I yield back the remainder of my time.

Mr. JACKSON. I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Oklahoma (Mr. BOREN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Nevada (Mr. CANNON), the Senator from Idaho (Mr. CHURCH), the Senator from Missouri (Mr. EAGLETON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from New York (Mr. MOYNIHAN), the Senator from Georgia (Mr. NUNN), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Maryland (Mr. SARBANES), the Senator from Mississippi (Mr. STENNIS), the Senator from Georgia (Mr. TALMADGE), and the Senator from Massachusetts (Mr. TSONGAS) are necessarily absent.

I also announce that the Senator from Alaska (Mr. GRAVEL) is absent on official business.

I further announce that, if present and voting, the Senator from Arkansas (Mr. BUMPERS), the Senator from Rhode Island (Mr. PELL), and the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

Mr. STEVENS. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Mississippi (Mr. COCHRAN), the Senator from Kansas (Mr. DOLE), the Senator from New Hampshire (Mr. HUMPHREY), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from South Dakota (Mr. PRESSLER), and the Senator from Wyoming (Mr. WALLOP) are necessarily absent.

The PRESIDING OFFICER (Mr. BRADLEY). Are there other Senators in the Chamber desiring to vote who have not done so?

The result was announced—yeas 67, nays 6, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—67

Baucus	Hart	Nelson
Bayh	Hatfield	Packwood
Boschwitz	Havakawa	Percy
Bradley	Heflin	Proxmire
Burdick	Heinz	Pryor
Byrd, Harry F., Jr.	Hollings	Randolph
Byrd, Robert C.	Huddleston	Riegle
Chafee	Inouye	Roth
Chiles	Jackson	Sasser
Cohen	Javits	Schmitt
Cranston	Jepsen	Schweiker
Culver	Johnston	Simpson
Danforth	Lavalt	Stafford
DeConcini	Leahy	Stevenson
Domenici	Levin	Stewart
Durenberger	Lugar	Stone
Durkin	Mathias	Thurmond
Exon	Matsunaga	Warner
Ford	McGovern	Weicker
Garn	Melcher	Williams
Glenn	Metzenbaum	Young
Goldwater	Morgan	Zorinsky
	Muskie	

NAYS—6

Armstrong	Helms	Stevens
Hatch	McClure	Tower

NOT VOTING—27

Baker	Dole	Nunn
Bellmon	Eagleton	Pell
Bentsen	Gravel	Pressler
Biden	Humphrey	Ribicoff
Boren	Kassebaum	Sarbanes
Bumpers	Kennedy	Stennis
Cannon	Long	Talmadge
Church	Magnuson	Tsongas
Cochran	Moynihan	Wallop

So the bill (H.R. 3757), as amended, was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended so as to read:

An Act to establish the Channel Islands National Park, and for other purposes.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now

be a period for the transaction of routine morning business not to extend beyond 30 minutes, and that Senators may speak therein up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, there will be no more rollcall votes today.

THE UNITED NATIONS MOON TREATY

Mr. THURMOND. Mr. President, on February 14, 1980, the United Technologies Corp. published an article in the Washington Post entitled "Stranglehold on the Moon." This article concisely outlines the concerns our Nation must have in considering this agreement which governs the activities of states on the Moon and other celestial bodies. On November 29, 1979, I wrote the Secretary of State regarding article XI of the Moon Treaty. In my opinion, article XI needs considerable rework by our United Nations personnel before the Senate could consider ratification of this treaty.

Mr. President, I ask unanimous consent that this Washington Post article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STRANGLEHOLD ON THE MOON

Mining metals on the moon. Manufacturing alloys in a spaceship floating between planets. Establishing energy plants in outer space to transmit power back to earth. Such feats aren't so far-fetched as they may seem. They could well come to pass some day.

If they do, America would be shackled in leading the way under terms of an obscure, scarcely noticed international agreement that's quietly taking shape in the United Nations. It's nicknamed the Moon Treaty. Officially, it's known as the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.

In its draft form, the treaty is inimical to America's interests. It would frustrate the access of our nation and its people to space for purposes of industrialization. If the U.S. becomes party to the agreement, there's scant prospect of private enterprise's ever being able to develop the resources of the moon and outer space to improve life here on earth.

Through the Moon Treaty, Third World Nations supported by the Soviet Union are seeking to exploit the U.N. to create a new order in which free enterprises of the industrialized West would be subordinated to the wishes of so-called non-aligned nations, guided by the Eastern Bloc. The basic goal is redistribution of the world's wealth.

The thrust of the Moon Treaty, as it now stands, reflects the precedent set in the U.N. Law of the Sea Treaty. With the sea agreement, some 120 developing nations are trying to get control of strategic minerals lying on the seabed deep beneath the ocean.

U.S. negotiators in the Law of the Sea Conference have made a string of concessions detrimental to America. What they've given away can lead to Third World control of seabed resources and mandatory transfer of seabed mining technology. This largess the U.S. has bestowed in the name of a concept called "the common heritage of mankind." Lofty and noble though it may sound, the concept it intended to place seabed mining technology and resources under the control of countries seeking to bring western nations to heel.

The common-heritage precept has now found its way into the Moon Treaty.

The draft agreement would have the effect of imposing an indefinite delay on commercial development of space at a time when the U.S. is a world leader in space technology.

To control and regulate space development, it would create an international organization controlled by Third World countries. This body would be empowered to establish an OPEC-like monopoly, require mandatory transfer of technology, and impose high international taxes on profits as a way of shifting wealth from the developed to the less developed countries. If the draft treaty stands up in Congress, American inventiveness and enterprise would be shut off from the industrialization of space. The pace and scope of space development would be dictated by the political will of other countries.

Some members of Congress are awakening to the dangers posed by the Moon Treaty. They are aroused by the giveaway being perpetrated by our own negotiators. Sentiment is growing to head off this Third World drive to frustrate America's hard-won technological supremacy and to undercut private enterprise's ability to develop space resources.

There are sound ways to help bring the benefits of space to all people. Socializing the moon isn't one of them.

Mr. THURMOND. Mr. President, as one who has not agreed with much of the foreign policy of the Carter administration, I would like to praise a recent policy shift as represented by sales of military equipment to Morocco.

Morocco is a friendly country in an important area. In recent years the Soviet Union has been active in causing trouble for the government of King Hassan.

This shift in policy of giving military aid to our friends which are threatened by the Soviet Union or their agents is long overdue. Not long ago, we rejected similar arms aid to Pakistan, but I hope that in view of recent events that policy will also be reversed.

Morocco is the key to the western Sahara, its shorelines touch the Mediterranean and the Atlantic. Further, it lies along the important Gibraltar Straits.

Our Nation must assist its friends, or we will soon find we have no friends. I commend the Carter administration for initiating a policy change by providing military aid to Morocco.

Mr. President, I ask unanimous consent that an article on this subject entitled "U.S. Arms Sales to Morocco Justified" by Marine Brig. Gen. Donald Hittle (retired) which appeared in the December 17, 1979 issue of the Navy Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. ARMS SALES TO MOROCCO JUSTIFIED

(By Brig. Gen. J. D. Hittle, USMC (ret.))

President Carter's recent decision to sell much-needed arms to Morocco is justified for many reasons.

Not the least is that the survival of King Hassan's regime is strategically important to the United States.

A quick look at the map of the Mediterranean and North Africa shows why.

Morocco occupies the northwest shoulder of Africa. Thus, Morocco's shoreline includes major African coastal areas on both the Atlantic and the Mediterranean Sea. It also includes most of the African, or southern, shore of Gibraltar.

This adds up to some strategic fundamentals: There is much more to Morocco's war against the Algerian-Cuban-Soviet-backed Polisario guerillas than control of a piece of African desert.

It's the location of the fought-over desert area, the Western Sahara, that counts so much. If Morocco loses control of the Western Sahara, she will be faced with hostile forces along her entire land border. Today, Algeria borders Morocco on all but the south. If the Polisario get the Western Sahara, Algeria will have that border flank by proxy.

In such a position, Morocco would be caught in a vise-like squeeze in which all borders but her sea flank are held by Moscow-backed forces. Her strategic standing in the long-time confrontation with Algeria would be seriously weakened.

The consequences of the loss of a pro-U.S. Morocco would be a shuddering solarplexis blow to European NATO countries and the United States.

With Morocco taken, or King Hassan's pro-U.S. regime toppled, it would mean that Russian-bloc powers would control the Mediterranean shores from Egypt westward to Gibraltar and then on to about an additional 1,000 miles of Africa's Atlantic shoreline stretching southward.

This would mean that Russia, at least by proxy, would be on the southern side of the Straits of Gibraltar and its African approaches. No longer would free-world ships be assured secure passage of those narrow waters.

It is a strategic fact of life, and death, that NATO control of the Mediterranean and the protection of NATO's southern flank requires control of the Straits of Gibraltar. The days of such a comfortable situation would be over when Russia, or a proxy, is the keeper of the southern side of that sea gate between the Atlantic and the Mediterrean.

Tie this in with Russia's use of Aden, the former British base in South Yemen, controlling the narrow water entrance to the Red Sea-Suez corridor to the Eastern Mediterranean. In this connection, the Soviet-backed pressure on Morocco takes on the characteristics of the western spearhead of a vast double envelopment of the Mediterranean.

From Moscow's standpoint, this would fit into an even larger strategic concept. Since the end of World War II, Russian global strategy has included a drive for control of the narrow waters. These are the choke points through which the world's shipping must funnel.

Gibraltar is one of the most important of these choke points. There should be no mystery why the Kremlin and its client countries are arming the Polisarios against Morocco. Nor should there be any mystery why we shouldn't give full, not half-hearted, support in providing arms to King Hassan's Moroccan forces.

Finally, there is another reason, aside from the strategy. It's a moral reason: King Hassan has been a friend of the United States. He has supported the U.S. Mid-East peace efforts and has been a moderating influence in the Arab world. After our run-out from Indochina, our dumping of Taiwan and our fast-disappearing support of the Shah, our support of the Moroccan King Hassan would be a welcomed change of pace.

It would be an encouraging signal to free-world countries who understandably suspect we will cut-and-run when they, too, are in trouble.

HONORING WALT DISNEY

Mr. CRANSTON. Mr. President, I ask unanimous consent that the following

Senators be added to Senate Joint Resolution 142, a resolution introduced by me and my colleague from California (Mr. HAYAKAWA) to honor Walt Disney for his many contributions to our Nation: The Senator from Florida (Mr STONE), the Senator from Hawaii (Mr. INOUYE), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Arizona (Mr. DECONCINI), the Senator from Missouri (Mr. EAGLETON), the Senator from New Mexico (Mr. SCHMITT), the Senator from Oregon (Mr. HATFIELD), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Tennessee (Mr. BAKER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Florida (Mr. CHILES), the Senator from Missouri (Mr. DANFORTH), and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER (Mr. EXON). Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 477, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 477) to authorize and request the President to issue a proclamation honoring the memory of Walt Disney on the twenty-fifth anniversary of his contribution to the American dream.

The PRESIDING OFFICER. Without objection, the joint resolution will be considered as having been read twice by its title.

Mr. CRANSTON. Mr. President, this resolution now before the Senate honors Walt Disney for his contributions to American culture through his realizations in cartoons, films, and amusement parks of our childhood stories, fairy tales, and fantasy adventures, which abound in the imaginations of our childhood and remain in the happy memories of all who are young at heart.

I urge the Senate to adopt the resolution.

The joint resolution (H.J. Res. 477) was ordered to a third reading, read the third time, and passed.

Mr. CRANSTON. Mr. President, I move to reconsider the vote by which the resolution was passed. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONTINUING SOVIET REPRESSION OF ANDREI SAKHAROV AND ANATOLY SHCHARANSKY

Mr. BRADLEY. Mr. President, on January 22, 1980, the Soviet Union banished to exile the noted physicist and Noble Peace Prize winner Andrei Sakharov of all the honors he had been awarded as the father of the Soviet hydrogen bomb, including three Orders of the Hero of Socialist Labor, the USSR's highest civilian decoration. Known to many as "the conscience of Russia," Sakharov was exiled to the city of Gorky, 260 miles east of Moscow, instead of being put on trial. This move to "silence" Sakharov, appears to be the latest in a domestic drive by the Soviets to uproot the government's "internal tormentors" prior to the Summer Olympic games in Moscow. Moreover, this move seems aimed at showcasing the supposed unanimity that exists in the Soviet Union in the light of the Soviet invasion of Afghanistan and the ever-present issue of human rights suppression in the U.S.S.R. According to a report by Amnesty International, more than 40 Soviet dissidents have been arrested or tried in the past 3 months.

International attention was given to Sakharov's focus on human rights in July of 1968 when his privately circulated essay, "Progress Coexistence, and Intellectual Freedoms" appeared in the New York Times. The man who has been called "a philosopher and social architect on a world scale" dealt with the pressing universal problems of peace, racial discrimination, overpopulation, and pollution, of the environment. More importantly, Sakharov was courageous enough to examine basic human rights issues in his own country: anti-Semitism, national repression, and the threat to intellectual freedom.

Most recently, Sakharov's criticism of the Soviet invasion of Afghanistan, his appeal to the United Nations to arrange for the withdrawal of Soviet troops from Afghanistan, and his call for nations of the world to boycott Olympic games in Moscow appeared intolerable to the Soviet Government.

Ironically, Sakharov's exile came 2 days after the birthday of Soviet Jewish Prisoner of Conscience, Anatoly Shcharansky, who has been in a Soviet prison since July 1978. After having been arrested for treason and accused of working for the CIA, Shcharansky was sentenced to 13 years in the Christobal prison east of Moscow. The timing of the trial—while Secretary of State Vance was meeting in Geneva with Soviet Foreign Minister Gromyko to discuss SALT II—was then interpreted as a rebuke to President Carter's human rights policies.

Shcharansky dedicated himself to monitoring Soviet compliance with the Helsinki accords signed in 1975 by the Soviet Union, the United States, and many other nations. His sole intent was to assure the rights of his countrymen to emigrate from the Soviet Union. In part, his meetings with Western parties concerned about Soviet barriers to the emigration of Jews and other groups made Shcharansky a victim of the abuses he tried to correct.

Both Sakharov and Shcharansky possessed three outstanding qualities in their quest to eliminate human rights suppression in the Soviet Union: outspoken courage, dedication to a righteous cause, and forceful perservance. As long as the Soviet system remains "closed" in nature, the world will scrutinize closely human rights suppression in the Soviet Union and the works of both Andrei Sakharov and Anatoly Shcharansky will not be forgotten.

Mr. President, I ask unanimous consent that a message from the National Conference on Soviet Jewry commemorating the 32d birthday of Anatoly Shcharansky be printed in the RECORD.

There being no objection, the message was ordered printed in the RECORD, as follows:

NATIONAL CONFERENCE ON SOVIET JEWRY

The National Conference on Soviet Jewry and its thirty nine member organizations, representing four million people, commemorate Soviet Jewish Prisoner of Conscience Anatoly Shcharansky's 32nd birthday, January 20.

Sentenced to thirteen years of incarceration for "crimes" which President Carter publicly said he did not commit, Shcharansky became a target of Soviet officials because of his desire to emigrate to Israel and his role as spokesman for human rights activists.

Shcharansky's birthday was not a happy one for him. Not only is he sitting in the Soviet Gulag, away from his beloved wife Avital in Jerusalem, but his father, Boris passed away not having see his son for several years.

The National Conference on Soviet Jewry applauds the efforts of all men of goodwill who have been and continue to be active on behalf of Anatoly Shcharansky.

Mr. BRADLEY. Also, I ask unanimous consent that a council statement honoring during this week, which is Brotherhood Week, three Soviet Prisoners of Conscience who remain the last victims of the 1970 Leningrad Trial be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NATIONAL CONFERENCE ON SOVIET JEWRY

BROTHERHOOD WEEK, FEBRUARY 17–24

The National Conference on Soviet Jewry (NCSJ), on behalf of its 39 constituent organizations, asks that three Soviet Prisoners of Conscience (POCs) be honored during Brotherhood Week, February 17–24. Burton S. Levinson, Chairman of the NCSJ, and David Hyatt, President of the National Conference of Christians and Jews (NCCJ), have suggested that activities during this week be focused upon the three remaining POCs from the infamous 1970 Leningrad Trial.

Programs during Brotherhood Week traditionally are dedicated to furthering mutual respect and understanding among people of different backgrounds, races, and religions. The right of every American to practice his or her own religion openly and without fear of persecution is one that is not accorded in certain countries.

Cases in point are those of Yuri Federov, Iosif Mendelevich, and Aleksei Murzhenko. They are the last of 12 Prisoners of Conscience who were convicted of planning to escape from the Soviet Union in 1970. Ten members of the original group were Jews who had been denied permission to emigrate to Israel, a right guaranteed under international law. Joining in the freedom dash were Federov and Murzhenko, two non-Jewish dissidents. While nine have either completed their sentences or have been released ahead of time, these three, Federov, Mendelevich, and Murzhenko remain incarcerated. They have been subjected to harsh treatment and persistent religious oppression. Mendelevich is an observant Orthodox Jew who follows traditional Jewish teachings even with regard to Jewish dietary laws. Federov has become a practicing Orthodox Christian and was harassed for wearing a cross. By continuing the imprisonment of Federov and Murzhenko, the Soviets are warning other non-Jews not to align themselves with the Jewish emigration movement.

Natasha Federova, wife of Yuri Federov, is currently on tour in the United States to gain support for her husband and the other two Leningrad POCs. The tour, which is sponsored by the NCSJ, will bring her to Washington, D.C. during Brotherhood Week.

LITHUANIAN INDEPENDENCE DAY

Mr. BRADLEY. Sixty-two years ago, on February 16, 1918, Lithuania was founded as an independent, democratic republic. This week Americans of Lithuanian origin will cemmemorate that glorious anniversary. However, 1980 will not be a joyous year for most Lithuanians, for they must continue to fight for self-determination against Soviet tyranny. Lithuania had enjoyed its independence for only 22 years when in June 1940, pursuant to its understanding with Nazi Germany, the Soviet Union ruthlessly invaded the defenseless nation together with Latvia and Estonia, quickly incorporating them into the Soviet Union. The brave Lithuanian people did not accept their fate without a struggle. Partisan warfare continued until 1953 and passive resistance continues today.

Lithuanians have lost their independence, but they have demonstrated repeatedly that they will not surrender their nationalist sentiments or their aspirations to govern their own lives and futures. Lithuanians together with their Baltic neighbors, the Latvians and Estonians, have maintained their linguistic and cultural identities against heavy odds. Despite official Soviet policies designed to discourage the practice of the Catholic faith and the preservation of the Baltic languages, the spirit of Lithuanian independence has survived and continues to grow.

Lithuanian demonstrations against Soviet oppression have taken dramatic forms. In 1972 young Roman Kalanta set himself afire to protest Soviet religious persecution. That same year 17,000 Lithuanian Catholics signed a protest note to Secretary General Kurt Waldheim of the United Nations calling on him to intervene with the Soviet authorities against the religious persecution they suffer. The Soviet Union has tried to destroy freedom of press, speech, and religion. But religion is alive in Lithuania through resistance and an underground press. Despite the deprivation of the most basic human rights, Lithuanians continue to cling to their cultural heritage.

The tragedy of Lithuania and her sister republics on the Baltic must not be forgotten.

This week when America honors the birthday of one of its own Founding Fathers, George Washington, the anniversary of the valiant Lithuanian people must also be remembered.

S. 2289—WASHINGTON'S BIRTHDAY

Mr. RANDOLPH. Mr. President, earlier today our able colleague, the Senator from Alabama (Mr. STEWART), read Washington's Farewell Address, which was given to the people of the United States by the first President of our Republic. That address was never spoken formally by Washington, but was a written document.

I read this farewell address from time to time, especially at that season of the year which marks the anniversary of the birth of this noble leader who was our first President and Commander in Chief. Washington was actually Commander in Chief in the field with his troops fighting against the continuance of British rule through colonies in America, before he became President.

George Washington said something in this address that is very important these days, as men and women of all countries live closer together because time and space is actually no more. He said these words: "Citizens by birth, or choice, of a common country, that country has the right to concentrate your affections."

In using that word "affections," he was thinking, I believe, in terms of a commitment to this country. That country then, as now—and I am not attempting to wave the flag—calls for a commitment of all of us in our varying roles as individuals and in our capacities as those who serve in the Congress of the United States, in governmental positions either elective or appointive, or in the judicial branch of our triresponsibility system of government.

What I have said now is a prelude to legislation I have offered this afternoon, S. 2289, for the consideration of the Members of the Senate. That measure would seek to return the observance and the celebration of George Washington's birthday, the anniversary of his birth, to February 22. That was the day and the month when he was born.

I do not want to appear as one who thinks it is advisable on all occasions to straitjacket our observance of an event which has been paramont or highly important in the history of this country. I suggest, however, to my colleagues that we do what we have already done in connection with Veterans Day. This day was changed, to fall on a weekend so that there might be 3 days which could be given over to a holiday from regular duties, and could, in a sense, give the opportunity for travel, visitation, and change of that which is the daily toil. Veterans Day was later returned to the actual World War I Armistice date of November 11. I believe that if the date of George Washington's birthday is important, as I think it is, we should not attempt, by convenience, to set a date other than the date on which he was born.

Really, I think the American people, if they will think about this subject as I hope they will to a greater degree than in the past, do not desire the Congress of the United States resetting the observance period of George Washington's birthday to a weekend—to a 3-day program—which as I have indicated does have appeal. I believe, Mr. President, to have this observance on the day when the Father of Our Country was born will have greater appeal to the people of our Nation.

We say, "Well, we have changed these days in the past." But when we have changed them we have also changed back at certain times, at least in one instance as I have indicated. In that case the veterans of the United States believed that November 11 was an important day and should be returned to November 11.

The veterans themselves led the effort to convince the membership of the Congress that that should be done. I supported that effort, and often talked about the advisability of the change back to the actual date of November 11. I counseled with the men and women of West Virginia on many occasions on this subject.

Pending in the Senate is another legislative proposal which I have introduced, S. 517. It would call for Memorial Day to be observed, to be celebrated, and prayers can and should be given, on May 30, as it once was before it was altered.

Mr. President, in conclusion I wish to add certain facts about those dark days when Washington and his troops were near Trenton, N.J. They had very little clothing in the low temperatures of winter, with their feet wrapped with burlap because they had no shoes. They were a small group of men who had held themselves together at a crucial time in the beginning hours of this Republic's history.

These men had signed for a certain enlistment and they were to leave for home. A very significant editorial is in the Washington Star of today. Mr. President, I ask unanimous consent that this meaningful essay be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"MY BRAVE FELLOWS . . ."

The Battle of Trenton, in December 1776, had revived the battered spirits of George Washington's troops, and the general decided a "fair opportunity is offered" of driving the British from New Jersey. A non-commissioned officer, identified to posterity only as Sergeant R——," recalled the prelude to that assault. The excerpt is from The Fate of a Nation—The American Revolution through contemporary eyes, by William P. Cumming and Hugh Rankin:

At this time our troops were in a destitute and deplorable condition. The horses attached to our cannon were without shoes, and when passing over the ice they would slide in every direction, and could advance only with the assistance of the soldiers. Our men, too, were without shoes or other comfortable clothing; and as traces of our march towards Princeton, the ground was literally marked with the blood of the soldiers' feet. Though my own feet did not bleed, they were so sore that their condition was little better.

While we were at Trenton on the last of December, 1776, the time for which I and most of my regiment had enlisted expired. At this trying time General Washington, having now but a little handful of men and many of them new recruits in which he could place but little confidence, ordered our regiments to be paraded, and personally addressed us, urging that we should stay a month longer. He alluded to our recent victory at Trenton; told us that our services were greatly needed, and that we could now do more for our country than we ever could at any future period; and in the most affectionate manner entreated us to stay. The drums beat for volunteers, but not a man turned out . . .

The general wheeled his horse about, rode in front of the regiment, and addressing us again said, "My brave fellows, you have done all I asked you to do, and more than could be reasonably expected; but your country is at stake, your wives, your houses, and all that you hold dear. You have worn yourselves out with fatigues and hardships, but we know not how to spare you. If you will consent to stay only one month longer, you will render that service to the cause of liberty, and to your country which you probably never can do under any other circumstances. The present is emphatically the crisis, which is to decide our destiny." The drums beat a second time. The soldiers felt the force of the appeal. One said to another, "I will remain if you will." Others remarked, "We cannot go home under such circumstances." A few stepped forth, and their example was immediately followed by nearly all who were fit for duty in the regiment, amounting to about two hundred volunteers. An officer enquired of the general if these men should be enrolled. He replied, "No! men who will volunteer in such a case as this, need no enrolment to keep them to their duty."

Mr. RANDOLPH. Mr. President, you will read of the appeal that Washington made to some 200 ill-equipped patriots standing with him, when he appealed for volunteers who would remain beyond the period for which they had enlisted.

For a moment, no one volunteered to stay longer. Washington had asked them to stay for 1 month longer, as the editorial points out.

When nothing happened, he rode again around the circle of men and explained to them how important he thought it was for them and their families, and especially their children, if they could remain for that particular time in the struggle which seemed to be going against our country.

One by one they volunteered, and then all of them, except for a few who were too ill to respond, answered in the affirmative to the urging of George Washington.

I have been not so much an expert in American history as I have been a student of the subject matter. I would say, in these final words, that Washington near Trenton, had felt that all was lost, frankly, although he never gave his men even the slightest indication that he thought that defeat instead of victory would come to them. He asked his officers to check what the situation was, what the assets were in equipment that they might have. General Mercer, the close confidant of George Washington, was to check to see what could be done for those men who would be injured in battle, those that would fall in the field, often losing their lives. I have read the words of General Mercer. He said—in essence:

In our so-called staff hospital, we have no food, we have no medicine, we have two frayed blankets, we have not a single bandage fit to be used, but, General Washington, we still have our faith.

We know what happened: The so-called expected defeat turned into an unexpected victory and in the course of the fight, a country that would govern itself rather than be governed from abroad, came into existence.

I stand at my desk and talk rather slowly about some of these matters that concern us in a different time, but in a time fraught with critical, crucial problems for us all who live in this country—living in a world where, as I said at the beginning, time and space are no more. We rub shoulders through communication and transportation with other peoples in a matter of minutes and hours. It is a changed world physically. But there is one word, I think, on which we rely when the cause is right. That is the word which symbolizes that right, hopefully, can prevail; that word is "faith."

COAL CONVERSION SAVES OIL AND MONEY

Mr. HEINZ. Mr. President, throughout his administration, President Carter has stressed the need to reduce our Nation's dependence on foreign oil by utilizing more domestic energy resources. Among our domestic energy resources, the President has correctly looked to coal to make the geatest contribution to our drive for energy independence. In fact, in his State of the Union message, President Carter announced a $12 billion program to assist utilities convert coal-capable facilities that are burning oil or natural gas back to coal.

Late last year, the New England Power Co. went ahead on its own with a coal conversion program at its 1,150 megawatt Brayton Point plant and the results to date have shown that the conversion will reduce the Nation's need to import oil as well as save NEPCO's consumers money because coal costs less than oil. The coal for this plant is being provided by mines in Pennsylvania, West Virginia, and Virginia; thereby insuring that more mining jobs will be available for Americans.

A recent article in the Coal Industry News describes the Brayton Point conversions and the savings that are being realized through conversion to coal. Each shipment of coal will displace 3.5 million barrels of imported oil and will save consumers $3 million per month.

Mr. President, I ask unanimous consent that the article be printed in the RECORD. I hope all my colleagues will take note of this significant contribution that coal is making to solving our Nation's energy problems. I urge my colleagues to call on President Carter to fulfill his state of the Union commitment to coal conversion and to support the legislation to authorize a strong coal conversion program, which could save 550,000 barrels of oil per day in 1985, this year.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COAL SAVES NEPCO CUSTOMERS $3 MILLION MONTHLY IN BILLS

(By Robert B. Bedingfield)

SOMMERSET, MASS.—The New England Power Company, which late last year was granted permission by the Environmental Protection Agency to burn coal permanently at its big Brayton Point power station here, has exhausted a 125,000-ton coal reserve, which was imported coal left over from a 1975 emergency coal burn that followed the Arab oil embargo of 1974–75, and has begun burning coal produced from mines in West Virginia, Virginia and Pennsylvania.

The first of 30 shipments of domestic coal totaling 850,000 tons, was delivered here at the end of January by the 525-foot barge, Caribbean, out of Norfolk, Virginia.

The balance of the shipments are scheduled for delivery over the next five months. Like the first shipment, which was arranged through Island Creek Coal, the coal will be delivered here by barge out of the ports of Norfolk and Baltimore. It will displace some 3½ million barrels of imported oil.

The Brayton Point plant has three units, with a capacity of 1,150 megawatts, and is the first major electric power station in the nation to have begun the permanent conversion of its energy-producing operations to coal burning.

"It will mean a saving of about $3 million a month," according to John F. Kaslow, president of NEPCO, "for one million customers of our retail companies—Massachusetts Electric in Rhode Island and Granite State Electric in New Hampshire.

"The switch to coal at Brayton Point is a significant step toward moving our company, the region and the nation closer to energy independence," Kaslow maintains.

NEPCO has converted two of its three units at Brayton Point to coal burning and expects to have the third unit, with a capacity of 650 megawatts, converted to coal burning on a permanent basis during 1981.

The complete conversion program, including specially designed equipment to meet all demands of Federal and state environmental regulatory agencies, will cost NEPCO an estimated $150 million and is one of the major parts of its 15-year energy plan, called NEESPLAN.

The Massachusetts Industrial Finance Agency during 1979 agreed to give NEPCO authority to borrow up to $96 million through the sale of tax exempt industrial revenue bonds to finance the purchase and installation of pollution control equipment and ash-handling facilities mandated of coal-burning power systems.

According to NEPCO staffers, the company currently is negotiating with major underwriting houses for the sale of a bond issue possibly this spring.

In addition to the permanent conversion of its Brayton Point power station about 60 miles south of Boston, NEPCO in cooperation with the Federal government is conducting a coal-oil burning demonstration project at its Salem Harbor, Mass. power station, about 10 miles north of Boston.

THE 100TH ANNIVERSARY OF THE POLISH NATIONAL ALLIANCE

Mr. HEINZ. Mr. President, February 15 marked the 100th anniversary of the Polish National Alliance of the United States of North America.

In a quiet way, this fraternal order for Americans of Polish heritage has grown to become the largest ethnic fraternal organization in this country. Over 300,000 Americans in 1,400 lodges from coast to coast contribute toward, and benefit from, the activities of the PNA. I am proud to say that the Commonwealth of Pennsylvania leads the Nation in the number of lodges—293—within its boundaries.

Now headquartered in Chicago, the Polish National Alliance was founded in Philadelphia on February 15, 1880, by a group of 10 public-spirited Polish-Americans under the leadership of the industrialist Julius Andrzejkowicz. These men

had the foresight to realize that the interests of the increasing numbers of Polish-Americans could be better served if the various self-help and cultural societies of Polish immigrants that were then in existence banded together to form a unified national organization. The response was immediately successful; 12 societies entered the new Alliance, and by 1913, membership passed the 100,000 mark.

Two objectives have guided the PNA's course since its founding. One has been to facilitate the entry of Polish immigrants and their progeny into the mainstreams of American life. At the time of the PNA's founding, there were already at least 200,000 Poles in the United States, with the largest wave of immigration then in progress. The number of Polish-Americans passed 3 million at the turn of the century and has grown to over 10 million today. These Polish immigrants were initially sought for their skills in construction trades; later they came to America to escape political and ideological repression at home. New arrivals required aid, shelter, and protection; soon after, they would require help in entering the commercial and political life of their new country; yet all the while, immigrants from Poland looked for a means by which to preserve the language, traditions, and culture of their ancestral home. The Polish National Alliance has for 1 century now taken the lead in meeting these needs of Polish-Americans.

The second objective of the PNA has been to help Poland in its struggle for freedom, independence, and economic betterment. I need not stress that this objective is today as meaningful and urgent as ever.

The founders of the PNA recognized that the satisfaction of their objectives would require close attention to the education of Polish-American youth. To that end, an educational department was established as early as 1899 to provide scholarships for promising students. Citizenship classes for immigrants were conducted by individual lodges. And in 1912, Alliance College—a fully accredited coeducational liberal arts college—was founded at Cambridge Springs, Pa. The educational work of the PNA is aided by two well-known publications. Zgoda, a bimonthly, is the largest-circulation Polish publication outside of Poland. And the Polish Daily Zgoda serves large numbers of Polish-Americans, primarily in the Midwest.

Beyond these activities, the PNA provides insurance for its members, amounting to a business of surprisingly large proportions—and one in which Polish-Americans deservedly take pride.

It is important, I think, to note that the PNA has from its inception worked for all persons of Polish heritage in this country without discrimination. In 1900, full rights and privileges were granted to wives and daughters of members, making the PNA the first major American organization to grant equal rights to women.

Today, the Polish National Alliance is the leading force in American Polonia's purposes and pursuits. I ask my colleagues to join me in celebrating the anniversary of one century of solid accomplishment.

MESSAGES FROM THE PRESIDENT RECEIVED DURING THE RECESS

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 11, 13, 14, and 15, 1980, received messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received on February 11, 13, 14 and 15, 1980, are printed at the end of the Senate proceedings.)

REPORT ON STUDY OF ADMINISTRATION OF ERISA—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 165

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 11, 1980, received the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Governmental Affairs:

To the Congress of the United States:

In accordance with Section 107 of Reorganization Plan No. 4 of 1978, I am transmitting an evaluation of the extent to which this Reorganization Plan has alleviated the problems associated with the present administrative structure under the Employee Retirement Income Security Act of 1974 (ERISA). The evaluation also includes recommendations for a long-term administrative structure under ERISA.

The study concludes that the Reorganization Plan has significantly alleviated the problems in ERISA administration to which it was addressed: the processing of applications for exemptions from prohibited transaction provisions and the issuing of regulations. In addition, there have been substantial further reductions in the paperwork burden associated with the Act, and the Department of Labor and the Department of the Treasury have begun cooperative agreements to improve the coordination of their field enforcement activities. Continued improvement is expected.

I am pleased with the success of the Reorganization Plan in simplifying and improving the unnecessarily complex administrative requirements of ERISA. I believe that the establishment of an Interagency Employee Benefit Council, as recommended by the evaluation, will address the problems of the long-term administration of the program. My staff is carefully considering the steps necessary to establish the Council, as a part of my Administration's continuing commitment to making government more effective and less intrusive in the lives of our people.

JIMMY CARTER.

THE WHITE HOUSE, *February 11, 1980.*

PRESIDENTIAL RECOMMENDATIONS FOR SELECTIVE SERVICE REFORM—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 166

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 12, 1980, received the following message from the President of the United States, together with accompanying papers, which was referred to the Committee on Armed Services:

To the Congress of the United States:

Pursuant to Section 811 of P.L. 96–107, I am hereby transmitting Presidential Recommendations for Selective Service Reform and proposed legislation.

JIMMY CARTER.

THE WHITE HOUSE, *February 12, 1980.*

1976 ANNUAL REPORT ON THE FEDERAL OCEAN PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 167

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 14, 1980, received the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

Pursuant to P.L. 89–454, I am herewith transmitting to you the 1976 Annual Report on the Federal Ocean Program. This report highlights: the continuing effort to resolve law of the sea and other international issues; growing Federal support for economic, legal, and social studies bearing on the development and conservation of marine resources and the coastal environment; pollution abatement; and engineering investigations for undersea operations.

JIMMY CARTER.

THE WHITE HOUSE, *February 14, 1980.*

FEDERAL TERRITORIAL POLICY TOWARD GUAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 168

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 14, 1980, received the following message from the President of the United States, which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

I am announcing today the framework for a comprehensive Federal territorial policy towards Guam, the United States Virgin Islands, American Samoa and the Northern Mariana Islands. It strengthens our Nation's fundamental commitment to encourage the self-determined political, economic and social development of our territories.

The legislative proposals and execu-

tive actions that make up the basic elements of this policy were developed through an intensive Domestic Policy Review of current policy conducted by my Administration in consultation with territorial leaders and Members of Congress.

A number of developments precipitated this review:

—Congressional leaders and Administration officials have joined territorial residents in concern about inadequate economic development in the territories;

—Growing deficits have brought both Guam and the Virgin Islands close to insolvency, despite considerable Federal assistance;

—Territorial income tax revenues, as a percentage of gross territorial product, have dropped substantially;

—Some territories are having increasing difficulty in providing essential public services. This failure impairs the quality of life of their populations, inhibits economic expansion, and leads to requests for extraordinary Federal support;

—The territories have been confronted with new social problems which have reached near-crisis proportions in some instances;

—Federal policies toward the territories are often inconsistent, inappropriate, or confusing, exacerbating problems and frustrating well-intentioned programs; and

—The government and the administration of the territories have changed considerably over the last decade, creating the need for a reconsideration of organizational arrangements within the Executive Branch and possibly status.

Over the past several years, the Federal government has attempted to rectify many of the pressing problems facing the territories. In many cases, however, the piecemeal solutions devised have failed to clear up the underlying causes of those problems. While some Federal actions have contributed to the development of the territories, others have not promoted the greater self-sufficiency to which they justly aspire.

Our new policy is significant not only because of the scope of the individual initiatives it proposes; it is also significant because it is comprehensive. The interrelated elements of this policy seek to improve the full range of the Federal-territorial relationship.

Because the Congress is mandated plenary power for the territories by the Constitution, I ask that you join my Administration in adopting and implementing this comprehensive policy. Through legislation and the exercise of oversight responsibility, the Congress can ensure that the policy goals I outline here are realized. They include:

—detailing a procedure for the orderly political development of the territories;

—providing opportunity for and a stimulus to their economic growth;

—rationalizing the existing Federal-territorial financial relationship and improving local financial management;

—enhancing territorial treatment under Federal programs; and

—elevating the Federal organization for dealing with territorial matters.

I especially want to request the involvement of those Members of both Houses and of both parties who have shown consistent leadership and sensitivity on territorial issues: Senators Jackson, Johnston, Matsunaga, McClure, Stevens and Hatfield; Representatives Phillip Burton, Yates, Murphy, Clausen, Lagomarsino, Duncan; and Delegate Won Pat. Their views have been essential to the development of this policy and their help is essential for its implementation.

They know that we in Washington have an obligation to protect and nurture the unique cultures and fragile economies of these islands, which are so distinct from the rest of the Nation in terms of history, geography, economic potential, tradition and ethnic composition. Our goal should be to recognize these distinctions as assets rather than to expect the territories to conform to practices and policies designed for the States and often inapplicable to insular areas.

That is why this policy was not simply adopted in Washington for the territories; it was formulated in conjunction with the elected officials of the territories whose input was obtained at every stage and played a major role in shaping this policy.

EXECUTIVE BRANCH REORGANIZATION

To implement the initiatives I announce today, I will continue to rely upon the Department of the Interior, which for some time has had principal responsibility within the Executive Branch for territorial matters. To help it perform this function, I propose the following reorganization steps:

—the Secretary of the Interior will be given clear responsibility for all matters related to the territories and will be accorded increased support from other agencies and the White House staff;

—the office charged with territorial liaison and assistance responsibility will be enhanced organizationally to help it deliver the services expected of it and will be headed by a new Assistant Secretary of the Interior for Territorial and International Affairs; and

—to further ensure a coordinated Federal effort, territorial matters will be among the major responsibilities of a senior assistant on my Domestic Policy Staff.

These measures will improve the attention given the territories. They will make explicit Interior's responsibilities for the Northern Mariana Islands but will not change the Department's responsibilities for the Trust Territory of the Pacific Islands prior to the termination of the Trusteeship.

The organizational arrangements for handling United States relations with the freely associated States of Micronesia after termination of the Trusteeship, however, will not be determined until the final character of our responsibilities with regard to those island States is fully defined through the agreements now being negotiated.

The present policy of assigning no one department specific responsibility for liaison and assistance to Puerto Rico will continue until the government of that island requests such an assignment.

Under this reorganization, the Federal Comptrollers will continue to provide the territories with technical assistance and to perform their traditional and essential auditing function.

POLITICAL DEVELOPMENT

In keeping with our fundamental policy of self-determination, all options for political development should be open to the people of the insular territories so long as their choices are implemented when economically feasible and in a manner that does not compromise the national security of the United States.

If the people of any of the territories wish to modify their current political status, they should express their aspirations to the Secretary of the Interior through their elected leaders, as is the case now. The Secretary, along with representatives of the appropriate Federal agencies will, in turn, consult with territorial leaders on the issues raised. Following such discussions, a full report will be submitted to the Congress, along with the Secretary's proposals and recommendations.

This procedure will permit an orderly development of the Federal-territorial relationship. To maximize local self-determination, however, I want to encourage the people of Guam and the Virgin Islands to continue in the constitution-drafting process. By doing so, they will in due course replace the Federal laws under which their local governments now function with instruments of their own design.

The Secretary of the Interior will also make recommendations to me on the other proposals for political development considered during the Administration's Domestic Policy Review, including: Federal court reform in Guam and the Virgin Islands, Congressional representation for the Northern Mariana Islands, and other changes in current law.

ECONOMIC DEVELOPMENT

Attainment of the political aspirations of the people of the territories, as well as the quality of their lives, is vitally dependent on the economic viability of these insular areas. Therefore, this policy framework places special emphasis on furthering the economic development of each of these areas. As with other aspects of this policy, the Department of the Interior will be given new responsibilities to accomplish this end. Chief among these will be coordination of the work of the Federal government's economic development agencies with respect to the territories.

So that we may make sense out of the somewhat confused pattern of Federal laws that now apply or fail to apply to the territories, I will propose legislation to establish a Presidential Commission to examine the application of Federal

statutes on a case by case basis to Guam, the Virgin Islands and American Samoa. On this Commission, representatives of each of the territories would join Federal legislative and executive representatives in recommending legislation to the President for his submission to Congress.

The Commission would not examine the applicability of Federal laws to the Northern Mariana Islands because our Covenant with that Commonwealth stipulates the appointment of a separate commission for that purpose. I will shortly appoint members to that Commission.

I will also direct the Department of the Interior, with the assistance of Federal economic development agencies, to undertake an analysis of Federal constraints on territorial economic expansion. This study will provide information and policy guidelines for the Commissions on Federal laws and will propose concrete action to remove administratively-imposed constraints.

I have, further, directed the Secretary of the Interior to devise methods of encouraging private sector development in the territories by providing technical training and public and private financing assistance. Again, in this effort the Secretary of the Interior will coordinate the involvement of all relevant agencies, particularly the Economic Development Administration of the Department of Commerce, which I expect to play a major role in fostering the growth of the private sector in the territories.

CAPITAL DEVELOPMENT

Federal constraints, the need for technical assistance and training, and the lack of local venture capital are not the only factors inhibiting private sector growth in the territories. There is also a serious need to develop and maintain the basic capital infrastructure to meet business and human requirements. In many of the islands, meaningful economic growth—as well as a decent standard of living—will be an unattainable dream unless elementary facilities are constructed.

My 1981 Budget recognizes this fact. In it I have proposed substantial Federal support for several essential capital improvement projects. The funding level proposed would have the Federal government finance 90 percent of the cost of these projects. This method of cost-sharing of capital improvement projects in the territories is a major element of the territorial assistance proposals I announce today. I urge that it be standardized until the territories become sound enough financially to assume a greater portion of the cost of needed projects.

JOINT FEDERAL-TERRITORIAL PLANNING

To plan and set priorities for territorial capital development, my Administration will propose a program for joint Federal-territorial, comprehensive, multi-year planning, financed by Federal grants. This planning will serve other purposes as well. It will help to improve the effectiveness of Federal grant programs in the territories and it will assist the territories to better manage their finances.

FEDERAL GRANT PROGRAMS

Several other initiatives will be undertaken by my Administration to enhance the effectiveness and usefulness of Federal grant programs, including:

—encouragement to territorial governors to strengthen their grant coordinating units and to participate in joint planning efforts,

—a directive to all Federal agencies to keep the Department of the Interior informed of all grant applications and decisions affecting the territories and to provide it with data related to the applications and the programs to which they apply,

—a waiver of matching requirements for programs or projects the Federal government wants to encourage in the territories, and

—development of a test proposal to provide the territories with block grants replacing the categorical grants-in-aid which the territories find increasingly difficult to administer effectively.

FINANCIAL ASSISTANCE

The initiatives I propose to ameliorate territorial financial difficulties are part of a major revision of the financial relationship between Washington and the territories. This change is designed to promote greater self-reliance in the territories. It recognizes that somewhat greater levels of assistance are required in the short run to enable the territories to be more self-sufficient in the long run. It focuses on capital improvements, economic development, and gradually increasing territorial contributions to the funding of local programs and projects.

Thus, while my Administration will continue to oppose measures that provide a disincentive to prudent budget practices—such as the financing of deficit spending—I will submit legislation designed to enable Guam and the Virgin Islands to alleviate immediate and near-term budgetary pressures while improving their financial management practices.

This proposal is expected to provide an additional $25 million in financial aid to the two territories in Fiscal Year 1981, as well as to provide an incentive toward greater local tax effort. It will be accompanied by assistance designed to improve budget-making and planning in the territories. It will make continued additional Federal support contingent on sound budgeting and accounting practices, including a plan to eliminate accumulated deficits.

My 1981 Budget proposes a continuance of significant Federal support for American Samoa and budgetary support for the Northern Mariana Islands as required by the Covenant. Both will also be able to participate in our program of budget planning assistance. As an incentive to self-reliance in American Samoa, I propose that in the future our operational assistance to that territory be limited to the previous year's base plus a five percent inflation adjustment.

To increase territorial revenues, I propose that we fully extend the Internal Revenue Code, now limited to the States and the District of Columbia, to the territories. I will submit legislation similar to S. 2017, sponsored by Senator JOHNSTON, that will replace the so-called "mirror" systems of income taxation imposed by Federal law and eliminate restrictions on the local imposition of a local income tax.

This measure would provide the territories with many advantages in addition to according them State-like Federal income tax treatment. Collections by the Internal Revenue Service would be covered over to territorial treasuries for an anticipated significant net gain. Anomalies in current tax laws would be eliminated, encouraging business activity and increasing collections. Employees of territorial tax agencies would be given preference in hiring for Internal Revenue Service positions in their territories. And the legislation would create new incentives for business investment.

As I noted at the outset, the legislative proposals and administrative actions that make up this policy framework seek to reaffirm our fundamental commitment to self-determination. They recognize as well our unique relationships with the territories and our special obligations to their peoples.

This comprehensive territorial policy will enhance the political, economic and social development of those territories to which we owe so much and which need our assistance. Territorial Americans can rest assured that we will pursue this new policy with diligence and perseverance.

JIMMY CARTER.

THE WHITE HOUSE, *February 14, 1980.*

STUDY OF THE JOHN DAY RIVER IN OREGON—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 169

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 15, 1980, received the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

Pursuant to Section 4(a) of the Wild and Scenic Rivers Act (P.L. 90–542), I am transmitting the Wild and Scenic River Study of the John Day River in Oregon. The study was prepared by the Department of the Interior.

The study finds that the entire 147 mile study segment of the river qualifies for addition to the National Wild and Scenic Rivers System as a scenic river. The State of Oregon has already acted to protect this river under its Scenic Waterways System. For this reason, the study recommends that the river be added to the national system as a State-administered component. The Secretary of the Interior has indicated his willingness to add the river to the national system as soon as the Governor of Oregon requests that it be added, pursuant to Section 2(a)(ii) of the Wild and Scenic Rivers Act.

I support the recommendations of the study.

JIMMY CARTER.

The WHITE HOUSE, *February 15, 1980.*

COMPREHENSIVE RADIOACTIVE WASTE MANAGEMENT PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING THE RECESS—PM 170

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 12, 1980, received the following message from the President of the United States, which was referred to the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Governmental Affairs, jointly, by unanimous consent:

To the Congress of the United States:

Today I am establishing this Nation's first comprehensive radioactive waste management program. My paramount objective in managing nuclear wastes is to protect the health and safety of all Americans, both now and in the future. I share this responsibility with elected officials at all levels of our government. Our citizens have a deep concern that the beneficial uses of nuclear technology, including the generation of electricity, not be allowed to imperil public health or safety now or in the future.

For more than 30 years, radioactive wastes have been generated by programs for national defense, by the commercial nuclear power program, and by a variety of medical, industrial and research activities. Yet past governmental efforts to manage radioactive wastes have not been technically adequate. Moreover, they have failed to involve successfully the States, local governments, and the pubic in policy or program decisions. My actions today lay the foundation for both a technically superior program and a full cooperative Federal-State partnership to ensure public confidence in a waste management program.

My program is consistent with the broad consensus that has evolved from the efforts of the Interagency Review Group on Radioactive Waste Management (IRG) which I established. The IRG findings and analysis were comprehensive, thorough and widely reviewed by public, industry and citizen groups, State and local governments, and members of the Congress. Evaluations of the scientific and technical analyses were obtained through a broad and rigorous peer review by the scientific community. The final recommendations benefited from and reflect this input.

My objective is to establish a comprehensive program for the management of *all* types of radioactive wastes. My policies and programs establish mechanisms to ensure that elected officials and the public fully participate in waste decisions, and direct Federal departments and agencies to implement a waste management strategy which is safe, technically sound, conservative, and open to continuous public review. This approach will help ensure that we will reach our objective—the safe storage and disposal of all forms of nuclear waste.

Our primary objective is to isolate existing and future radioactive waste from military and civilian activities from the biosphere and pose no significant threat to public health and safety. The responsibility for resolving military and civilian waste management problems shall not be deferred to future generations. The technical program must meet all relevant radiological protection criteria as well as all other applicable regulatory requirements. This effort must proceed regardless of future developments within the nuclear industry—its future size, and resolution of specific fuel cycle and reactor design issues. The specific steps outlined below are each aimed at accomplishing this overall objective.

First, my Administration is committed to providing an effective role for State and local governments in the development and implementation of our nuclear waste management program. I am therefore taking the following actions:

—By Executive Order, I am establishing a State Planning Council which will strengthen our intergovernmental relationships and help fulfill our joint responsibility to protect public health and safety in radioactive waste matters. I have asked Governor Riley of South Carolina to serve as Chairman of the Council. The Council will have a total of 19 members: 15 who are Governors or other elected officials, and 4 from the Executive departments and agencies. It will advise the Executive Branch and work with the Congress to address radioactive waste management issues, such as planning and siting, construction, and operation of facilities. I will submit legislation during this session to make the Council permanent.

—In the past, States have not played an adequate part in the waste management planning process—for example, in the evaluation and location of potential waste disposal sites. The States need better access to information and expanded opportunity to guide waste management planning. Our relationship with the States will be based on the principle of consultation and concurrence in the siting of high level waste repositories. Under the framework of consultation and concurrence, a host State will have a continuing role in Federal decisionmaking on the siting, design and construction of a high level waste repository. State consultation and concurrence, however, will lead to an acceptable solution to our waste disposal problem only if all the States participate as partners in the program I am putting forth. The safe disposal of radioactive waste, defense and commercial, is a national, not just a Federal, responsibility.

—I am directing the Secretary of Energy to provide financial and technical assistance to States and other jurisdictions to facilitate the full participation of State and local government in review and licensing proceedings.

Second, for disposal of high level radioactive waste, I am adopting an interim planning strategy focused on the use of mined geologic repositories capable of accepting both waste from reprocessing and unreprocessed commercial spent fuel. An interim strategy is needed since final decisions on many steps which need to be taken should be preceded by a full environmental review under the National Environmental Policy Act. In its search for suitable sites for high level waste repositories, the Department of Energy has mounted an expanded and diversified program of geologic investigations that recognizes the importance of the interaction among geologic setting, repository host rock, waste form and other engineered barriers on a site-specific basis. Immediate attention will focus on research and development, and on locating and characterizing a number of potential repository sites in a variety of different geologic environments with diverse rock types. When four to five sites have been evaluated and found potentially suitable, one or more will be selected for further development as a licensed full-scale repository.

It is important to stress the following two points: First, because the suitability of a geologic disposal site can be verified only through detailed and time-consuming site specific evaluations, actual sites and their geologic environments *must* be carefully examined. Second, the development of a repository will proceed in a careful step-by-step manner. Experience and information gained at each phase will be reviewed and evaluated to determine if there is sufficient knowledge to proceed with the next stage of development. We should be ready to select the site for the first full-scale repository by about 1985 and have it operational by the mid-1990's. For reasons of economy, the first and subsequent repositories should accept both defense and commercial wastes.

Consistent with my decision to expand and diversify the Department of Energy's program of geologic investigation before selecting a specific site for repository development, I have decided that the Waste Isolation Pilot Plant project should be cancelled. This project is currently authorized for the unlicensed disposal of transuranic waste from our National defense program, and for research and development using high level defense waste. This project is inconsistent with my policy that all repositories for highly radioactive waste be licensed, and that they accept both defense and commercial wastes.

The site near Carlsbad, New Mexico, which was being considered for this project, will continue to be evaluated along with other sites in other parts of the country. If qualified, it will be reserved as one of several candidate sites for possible use as a licensed repository for defense and commercial high level wastes. My fiscal year 1981 budget contains funds in the commercial nuclear waste program for protection and continued investigation of the Carlsbad site. Finally, it is important that we take the time

to compare the New Mexico site with other sites now under evaluation for the first waste repository.

Over the next five years, the Department of Energy will carry out an aggressive program of scientific and technical investigations to support waste solidification, packaging and repository design and construction including several experimental, retrievable emplacements in test facilities. This supporting research and development program will call upon the knowledge and experience of the Nation's very best people in science, engineering and other fields of learning and will include participation of universities, industry, and the government departments, agencies, and national laboratories.

Third, during the interim period before a disposal facility is available, waste must and will continue to be cared for safely. Management of defense waste is a Federal responsibility; the Department of Energy will ensure close and meticulous control over defense waste facilities which are vital to our national security. I am committed to maintain safe interim storage of these wastes as long as necessary and to making adequate funding available for that purpose. We will also proceed with research and development at the various defense sites that will lead the processing, packaging, and ultimate transfer to a permanent repository of the high level and transuranic wastes from defense programs.

In contrast, storage of commercial spent fuel is primarily a responsibility of the utilities. I want to stress that interim spent fuel storage capacity is *not* an alternative to permanent disposal. However, adequate storage is necessary until repositories are available. I urge the utility industry to continue to take all actions necessary to store spent fuel in a manner that will protect the public and ensure efficient and safe operation of power reactors. However, a limited amount of government storage capacity would provide flexibility to our national waste disposal program and an alternative for those utilities which are unable to expand their storage capabilities.

I reiterate the need for early enactment of my proposed spent nuclear fuel legislation. This proposal would authorize the Department of Energy to: (1) design, acquire or construct, and operate one or more away-from-reactor storage facilities, and (2) accept for storage, until permanent disposal facilities are available, domestic spent fuel, and a limited amount of foreign spent fuel in cases when such action would further our non-proliferation policy objectives. All costs of storage, including the cost of locating, constructing and operating permanent geologic repositories, will be recovered through fees paid by utilities and other users of the services and will ultimately be borne by those who benefit from the activities generating the wastes.

Fourth, I have directed the Department of Energy to work jointly with states, other government agencies, industry and other organizations, and the public, in developing national plans to establish regional disposal sites for commercial low level waste. We must work together to resolve the serious near-term problem of low level waste disposal. While this task is not inherently difficult from the standpoint of safety, it requires better planning and coordination. I endorse the actions being taken by the Nation's governors to tackle this problem and direct the Secretary of Energy to work with them in support of their effort.

Fifth, the Federal programs for regulating radioactive waste storage, transportation and disposal are a crucial component of our efforts to ensure the health and safety of Americans. Although the existing authorities and structures are basically sound, improvements must be made in several areas. The current authority of the Nuclear Regulatory Commission to license the disposal of high level waste and low level waste in commercial facilities should be extended to include spent fuel storage, and disposal of transuranic waste and non-defense low level waste in any new government facilities. I am directing the Environmental Protection Agency to consult with the Nuclear Regulatory Commission to resolve issues of overlapping jurisdiction and phasing of regulatory actions. They should also seek ways to speed up the promulgation of their safety regulations. I am also directing the Department of Transportation and the Environmental Protection Agency to improve both the efficiency of their regulatory activities and their relationships with other Federal agencies and state and local governments.

Sixth, it is essential that all aspects of the waste management program be conducted with the fullest possible disclosure to and participation by the public and the technical community. I am directing the departments and agencies to develop and improve mechanisms to ensure such participation and public involvement consistent with the need to protect national security information. The waste management program will be carried out in full compliance with the National Environmental Policy Act.

Seventh, because nuclear waste management is a problem shared by many other countries and decisions on waste management alternatives have nuclear proliferation implications, I will continue to encourage and support bilateral and multilateral efforts which advance both our technical capabilities and our understanding of spent fuel and waste management options, which are consistent with our non-proliferation policy.

In its role as lead agency for the management and disposal of radioactive wastes and with cooperation of the other relevant Federal agencies, the Department of Energy is preparing a detailed National Plan for Nuclear Waste Management to implement these policy guidelines and the other recommendations of the IRG. This Plan will provide a clear road map for all parties and will give the public an opportunity to review the entirety of our program. It will include specific program goals and milestones for all aspects of nuclear waste management. A draft of the comprehensive National Plan will be distributed by the Secretary of Energy later this year for public and Congressional review. The State Planning Council will be directly involved in the development of this plan.

The Nuclear Regulatory Commission now has underway an important proceeding to provide the Nation with its judgment on whether or not it has confidence that radioactive wastes produced by nuclear power reactors can and will be disposed of safely. I urge that the Nuclear Regulatory Commission do so in a thorough and timely manner and that it provide a full opportunity for public, technical and government agency participation.

Over the past two years as I have reviewed various aspects of the radioactive waste problem, the complexities and difficulties of the issues have become evident—both from a technical and, more importantly, from an institutional and political perspective. However, based on the technical conclusions reached by the IRG, I am persuaded that the capability now exists to characterize and evaluate a number of geologic environments for use as repositories built with conventional mining technology. We have already made substantial progress and changes in our programs. With this comprehensive policy and its implementation through the FY 1981 budget and other actions, we will complete the task of reorienting our efforts in the right direction. Many citizens know and all must understand that this problem will be with us for many years. We must proceed steadily and with determination to resolve the remaining technical issues while ensuring full public participation and maintaining the full cooperation of all levels of government. We will act surely and without delay, but we will not compromise our technical or scientific standards out of haste. I look forward to working with the Congress and the states to implement this policy and build public confidence in the ability of the government to do what is required in this area to protect the health and safety of our citizens.

JIMMY CARTER.

THE WHITE HOUSE, *February 12, 1980.*

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the message from the President of the United States, relative to radioactive waste management, be jointly referred to the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Governmental Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE RECEIVED DURING THE RECESS

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 11, 1980, received a message from the House of Representatives which reported that the House has passed the following bill, with amendments in which it requests the concurrence of the Senate:

S. 496. An act to increase the appropriations ceiling for title I of the Colorado River Basin Salinity Control Act (the Act of June 24, 1974; 88 Stat. 266), to increase the appropriations authorization for the Small Reclamation Projects Act of 1956 (70 Stat. 1044), and for other purposes.

The message also reported that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3275. An act to amend the Small Reclamation Projects Act of 1956, as amended.

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 12, 1980, received a message from the House of Representatives which reported that the House has passed the following bill, without amendment:

S. 1452. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance.

The message also reported that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3748. An act to provide for a uniform national three-year statute of limitations in actions to recover damages for personal injury or death, arising out of a maritime tort, and for other purposes; and

H.R. 6080. An act to amend the Geothermal Steam Act of 1970 to accelerate the priority development of geothermal energy in the United States.

ENROLLED BILL SIGNED

The message further reported that the Speaker has signed the following enrolled bill:

S. 1452. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance.

The enrolled bill was signed by the Acting President pro tempore (Mr. FORD) on February 14, 1980.

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 13, 1980, received a message from the House of Representatives which reported that the House has passed the following bill, with amendments in which it requests the concurrence of the Senate:

S. 1144. An act to authorize appropriations for the Quiet Communities Act for the fiscal years 1980 and 1981.

The message also reported that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 75. Concurrent resolution providing for certain corrections to be made in the enrollment of Senate Joint Resolution 108 to validate the effectiveness of certain plans for the use or distribution of funds appropriated to pay judgments awarded to Indian tribes or groups.

The message further reported that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4774. An act to amend the National Labor Relations Act to provide that any employee who is a member of a religion or sect historically holding conscientious objection to joining or financially supporting a labor organization shall not be required to do so;

H.R. 5913. An act to amend section 502(a) of the Merchant Marine Act, 1936; and

H.R. 6374. An act to authorize the President of the United States to present on behalf of the Congress a specially struck gold medal to Ambassador Kenneth Taylor.

ENROLLED JOINT RESOLUTION SIGNED

The message also reported that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 108. Joint resolution to validate the effectiveness of certain plans for the use or distribution of funds appropriated to pay judgments awarded to Indian tribes or groups.

The enrolled joint resolution was signed by the Acting President pro tempore (Mr. FORD) on February 14, 1980.

Under the authority of the order of the Senate of February 8, 1980, the Secretary of the Senate, on February 14, 1980, received a message from the House of Representatives which reported that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 469. Joint resolution designating February 19, 1980, as "Iwo Jima Commemoration Day"; and

H.J. Res. 477. Joint resolution to authorize and request the President to issue a proclamation honoring the memory of Walt Disney on the 25th anniversary of his contribution to the American dream.

HOUSE BILLS REFERRED

The following bills were read twice by their titles and referred as indicated:

H.R. 3275. An act to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Energy and Natural Resources.

H.R. 3748. An act to provide for a uniform national three-year statute of limitations in actions to recover damages for personal injury or death, arising out of a maritime tort, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4774. An act to amend the National Labor Relations Act to provide that any employee who is a member of a religion or sect historically holding conscientious objection to joining or financially supporting a labor organization shall not be required to do so; to the Committee on Labor and Human Resources.

H.R. 6080. An act to amend the Geothermal Steam Act of 1970 to accelerate the priority development of geothermal energy in the United States; to the Committee on Energy and Natural Resources.

HOUSE BILLS AND JOINT RESOLUTION ORDERED HELD AT DESK

The following bills and joint resolution were ordered held at the desk, by unanimous consent:

H.R. 5913. An act to amend section 502(a) of the Merchant Marine Act, 1936;

H.R. 6374. An act to authorize the President of the United States to present on behalf of the Congress a specially struck medal to Ambassador Kenneth Taylor; and

H.J. Res. 469. Joint resolution designating February 19, 1980, as "Iwo Jima Commemoration Day."

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on February 14, 1980, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 1452. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance; and

S.J. Res. 108. Joint resolution to validate the effectiveness of certain plans for the use or distribution of funds appropriated to pay judgments awarded to Indian tribes or groups.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2970. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of the efforts of the Department to reduce the paperwork required of State and local educational agencies; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2971. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report on the Nation's agricultural research, extension, and teaching activities; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2972. A communication from the Director, Office of Management and Budget, Executive Office of the President, reporting, pursuant to law, that, in order to maintain in the fourth quarter of fiscal year 1979 the budgeted level of operation for Radio Free Europe/Radio Liberty, Inc., $2,114,612 is needed because of the downward fluctuations in foreign currency exchange rates; to the Committee on Appropriations.

EC-2973. A communication from the Chairman, U.S. Railway Association, transmitting, pursuant to law: First, justification for a 1980 supplemental appropriation of $4.6 million for administrative expenses of the U.S. Railway Association (USRA), and two, justification for a 1981 appropriation of $29.5 million for administrative expenses of the Association; to the Committee on Appropriations.

EC-2974. A communication from the Acting Director, Defense Security Assistance Agency, reporting, pursuant to law, concerning the Department of the Army's proposed letter of offer to Saudi Arabia for defense articles estimated to cost in excess of $25 million; to the Committee on Armed Services.

EC-2975. A communication from the General Counsel of the Department of Defense, reporting, pursuant to law, that an additional general provision is required relating to proposed legislation to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

EC-2976. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "F/A-18 Naval Strike Fighter: Its Effectiveness Is Uncertain," February 14, 1980; to the Committee on Armed Services.

EC-2977. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "The Navy's Pilot Shortage: A Selective Bonus and Other Actions Could Improve Retention," February 15, 1980; to the Committee on Armed Services.

EC-2978. A communication from the Deputy Secretary of Defense, reporting, pursuant to law, on officers and employees of a Federal Contract Research Center whose compensation paid out of Federal funds during the preceding calendar year exceeded the annual rate of basic pay authorized (without regard to any limitation on the payment of such pay) for level II of the executive

schedule on the last day of the year; to the Committee on Armed Services.

EC–2979. A communication from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report of the design and construction supervision inspection and overhead fees charges by the construction agents for the military construction projects of the military departments and the Defense agencies; to the Committee on Armed Services.

EC–2980. A communication from the Director, Defense Security Assistance Agency, reporting, pursuant to law, concerning the Department of the Navy's proposed Letter of Offer to France for Defense articles estimated to cost in excess of $25 million; to the Committee on Armed Services.

EC–2981. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "A Decision by the Secretary of Defense is Needed on the AV–8B Aircraft Program," February 8, 1980; to the Committee on Armed Services.

EC–2982. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report of the Reserve Force Policy Board (RFPB); to the Committee on Armed Services.

EC–2983. A communication from the Director, Legislative Liaison, Office of the Secretary, Department of the Air Force, reporting, pursuant to law, that a study on the feasibility of relocating the Electromagnetic Compatibility Analysis Center (ECAC), from Annapolis, Md., to Duluth International Airport (IAP), Minn., is to be made by the Air Force; to the Committee on Armed Services.

EC–2984. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Federal Supervision of Bank Holding Companies Needs Better, More Formalized Coordination," February 12, 1980; to the Committee on Banking, Housing, and Urban Affairs.

EC–2985. A communication from the Secretary, Interstate Commerce Commission, reporting, pursuant to law, that the Commission is unable to render a final decision in docket No. 37063 (Sub. No. 5), increased rates on coal, L&N RR: May 2979, within the initially specified 7-month period, as previously extended by 30 days; to the Committee on Commerce, Science, and Transportation.

EC–2986. A communication from the Secretary, Interstate Commerce Commission, reporting, pursuant to law, that the Commission is unlikely to be able to render a final decision in No. 37246, increased rates on coal, Midwestern Railroads, August 1979 and six related sub-proceedings within the specified 7-month period; to the Committee on Commerce, Science, and Transportation.

EC–2987. A communication from the General Counsel, Department of Energy, transmitting, pursuant to law, notices of meetings related to the international energy program; to the Committee on Energy and Natural Resources.

EC–2988. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Magnetohydrodynamics: A Promising Technology for Efficiently Generating Electricity From Coal," February 11, 1980; to the Committee on Energy and Natural Resources.

EC–2989. A communication from the Secretary of the Interior, reporting, pursuant to law, the withdrawal of certain lands in Alaska as indicated in certain attached documents; to the Committee on Energy and Natural Resources.

EC–2990. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, the 1978 status report of the GSA covering public building projects authorized for construction, alteration and lease in accordance with the Public Buildings Act of 1959; to the Committee on Environment and Public Works.

EC–2991. A communication from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to authorize disclosure to guarantee agencies of address information of students who have defaulted on guaranteed student loans; to the Committee on Finance.

EC–2992. A communication from the Acting U.S. Coordinator for Refugee Affairs, reporting, pursuant to law, with regard to the Cambodian relief effort; to the Committee on Foreign Relations.

EC–2993. A communication from the Under Secretary of State for Management, transmitting a draft of proposed legislation to promote the foreign policy of the United States by strengthening and improving the Foreign Service of the United States, and for other purposes; to the Committee on Foreign Relations.

EC–2994. A communication from the Assistant Administrator for Legislative Affairs, Agency for International Development, U.S. International Development Cooperation Agency, reporting, pursuant to law, that AID is in the process of taking steps to formally establish the Minority Resource Center and will provide Congress with a full discussion of the activities and accomplishments of the center in the next report; to the Committee on Foreign Relations.

EC–2995. A communication from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to provide additional authorization for fiscal year 1981, to authorize appropriations for fiscal year 1982, and for other purposes; to the Committee on Foreign Relations.

EC–2996. A communication from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Department of State Authorization Act, fiscal years 1980 and 1981, to provide additional authorization for fiscal year 1980, and for other purposes; to the Committee on Foreign Relations.

EC–2997. A communication from the President of the United States, reporting, pursuant to law, on new criteria for nuclear exports; to the Committee on Foreign Relations.

EC–2998. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Improving the Productivity of Federal Payment Centers Could Save Millions," February 12, 1980; to the Committee on Governmental Affairs.

EC–2999. A communication from the Deputy Assistant Secretary of Defense (Administration), reporting, pursuant to law, an altered system of records; to the Committee on Governmental Affairs.

EC–3000. A communication from the Deputy Assistant Secretary of Defense (Administration), reporting, pursuant to law, on a new system of records; to the Committee on Governmental Affairs.

EC–3001. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report of the Board of Actuaries; to the Committee on Governmental Affairs.

EC–3002. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Financial Status of Major Federal Acquisitions September 30, 1979," February 12, 1980; to the Committee on Governmental Affairs.

EC–3003. A communication from the Mayor, District of Columbia, transmitting, pursuant to law, the annual report of the Office of Emergency Preparedness for fiscal year 1979; to the Committee on Governmental Affairs.

EC–3004. A communication from the Deputy Assistant Secretary of Defense, transmitting, pursuant to law, a report on disposal of foreign excess personal property located in areas outside of the United States, Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands; to the Committee on Governmental Affairs.

EC–3005. A communication from the Assistant Administrator for Legislative Affairs, Agency for International Development, transmitting, pursuant to law, a report on disposal of foreign excess property for fiscal year 1979; to the Committee on Governmental Affairs.

EC–3006. A communication from the Deputy Assistant Secretary of Defense (Administration), reporting, pursuant to law, on a new system of records; to the Committee on Governmental Affairs.

EC–3007. A communication from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, a report on supergrade positions allocated by statute to the Administrative Office of the U.S. Courts; to the Committee on Governmental Affairs.

EC–3008. A communication from the Director of Central Intelligence, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1981 for intelligence and intelligence-related activities of the U.S. Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Select Committee on Intelligence.

EC–3009. A communication from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, 635 reports concerning visa petitions which the Service has approved according the beneficiaries of such petitions third and sixth preference classification under the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

EC–3010. A communication from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report of conditional entry activities for the period July 1, 1979, through December 31, 1979; to the Committee on the Judiciary.

EC–3011. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals, February 1, 1980; to the Committee on Appropriations, the Committee on the Budget, the Committee on Labor and Human Resources, the Committee on Energy and Natural Resources, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Relations, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Governmental Affairs, the Committee on Environment and Public Works, and the Select Committee on Indian Affairs, jointly, pursuant to order of January 30, 1975.

EC–3012. A communication from the Administrator, U.S. Environmental Protection Agency, transmitting, pursuant to law, the Agency's 5-year plan for research and development and demonstration; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–548. A concurrent resolution adopted by the Legislature of the State of South Carolina; to the Committee on Agriculture, Nutrition, and Forestry:

"CONCURRENT RESOLUTION

"Whereas, the following Emergency Farm Bureau Policy for 1980 was adopted at the sixty-first annual convention of the Farm Bureau in Phoenix, Arizona, on January 9, 1980:

"EMERGENCY FARM BUREAU POLICY FOR 1980

"A threat to our national security exists as a result of the Soviet Union's invasion of Afghanistan. All segments of our nation must share in carrying the brunt of the sacrifices necessary to deal with the current crisis. We urge the President to take the necessary steps to end all cultural and economic contacts with the USSR. These would include business contracts, exchange programs, participation in the 1980 Summer Olympic Games and all other contacts other than diplomatic ties necessary to resolve the current situation.

"Our government should solicit allies throughout the world to take similar action.

"Because of the immediacy of the President's actions, some segments of our nation's economy will suffer severe economic hardship through no fault of their own, and therefore, steps must be taken by the government to provide equitable compensation for these losses. Agricultural trade should not be sacrificed unless the national security demands a total suspension of all non-diplomatic relations with the USSR.

"We encourage the administration and the Congress to immediately implement the following:

"(1) Immediately increase the CCC export credit budget from $800 million to $2.0 billion for fiscal year 1980 and fiscal year 1981;

"(2) Offer the wheat and feed grains loan and target price programs to all producers whether they participated in 1979 programs or not;

"(3) Place the 17 million metric tons of embargoed grains and oilseeds in isolation with staggered release beginning at a point 10 percent above the call levels through the 1980–81 marketing season;

"(4) Announce revised 1980 farm program release and call levels by February 1, 1980;

"(5) Establish acreage diversion programs for feed grains and wheat for 1980 to reduce the 1980 cropsize by 17 million metric tons;

"(6) Legislate requirements for gradual addition of alcohol to fuels and provide long-term incentives to build needed processing facilities; and

"(7) Provide low interest loans to holders of agricultural commodities not sold due to the embargo with repayment when the products are sold and provide purchases where low interest loans are impractical due to perishability. Now, therefore,

"Be it resolved by the Senate, the House of Representatives concurring:

"That the President and the Congress of the United States are memorialized to implement the seven steps set out above so as to put into effect the Emergency Farm Bureau Policy for 1980 adopted at the sixty-first annual convention of the Farm Bureau in Phoenix, Arizona, on January 9, 1980.

"Be it further resolved that a copy of this resolution be forwarded to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives of the United States and each member of Congress representing South Carolina."

POM–549. A resolution adopted by the Senate of the State of Kansas; to the Committee on Commerce, Science, and Transportation:

"SENATE RESOLUTION No. 1845

"Whereas, the economy of the state of Kansas and the entire Great Plains region is dependent on the farmer's ability to market agricultural products throughout this country and the world; and

"Whereas, the people of this country and of the world rely on the availability and accessibility of those life-sustaining products; and

"Whereas, operations on the Rock Island Railroad move agricultural products to market and feed food into the hungry mouths of this nation and the world; and

"Whereas, interruption of those operations may irreparably damage, and even destroy, the transportation system which is both this state's lifeline to the world economy and the world's lifeline to food; and

"Whereas, stoppage of services on the Rock Island will be devastating to the economy of this state and this region and catastrophic to cities, towns, businesses and industries; and

"Whereas, alternative means for moving agricultural products from the producer to the consumer are not available in many parts of this state and development of those means will be extremely expensive: Now, therefore,

"Be it resolved by the Senate of the State of Kansas: That the Interstate Commerce Commission is strongly urged to block any attempted embargoes on any segment of the Rock Island Railroad and to extend Directed Service Order No. 1398 an additional ninety days beyond March 3, 1980; and

"Be it further resolved: That the Interstate Commerce Commission is further urged, during the extended term of Directed Service Order No. 1398, to reach a decision concerning the sale of parts or all of the Rock Island lines to those parties interested in purchasing and operating the Rock Island properties; and

"Be it further resolved: That the Secretary of the Senate is directed to send an enrolled copy of this resolution to the President and Vice-President of the United States, each member of the United States Congress from the state of Kansas, the chairperson of the Interstate Commerce Commission, the United States Secretary of Agriculture and the United States Secretary of Transportation."

POM–550. A concurrent resolution adopted by the Legislature of the State of South Carolina; to the Committee on Finance:

"CONCURRENT RESOLUTION

"Whereas, it is in the national interest to promote the development of alternative motor fuels due to the diminishing supply of oil and the political unrest in the major oil supplying countries of the Middle East; and

"Whereas, many states have recognized the need to promote the sale and use of gasohol, the only presently available alternative motor vehicle fuel, and many states have reduced their excise tax on gasohol in order to promote its use; and

"Whereas, these actions have resulted in reducing the revenue from motor fuel sales available for highway construction and maintenance; and

"Whereas, the State of South Carolina stands to lose five million dollars in highway use taxes and has lost fifty thousand dollars to date due to its exemption of excise tax on gasohol which has only been in effect since October of 1979 and has lost five million two hundred thousand dollars during the first six months of the fiscal year because of reduced consumption of gasoline because of conservation measures; and

"Whereas, the cost of highway construction has increased twenty-six percent according to the construction cost index during the last year, highway maintenance costs have increased 13.17 percent during such period and the Department of Highways and Public Transportation has just been notified of an increase of 33½ percent in the cost of liquid asphalt, which is the base for materials in highway construction and maintenance. Now, therefore,

"Be it resolved by the Senate, the House of Representatives concurring:

"That the General Assembly memorializes the President and Congress of the United States to use a portion of the revenue collected under the windfall profits bill (H.R. 3919) to reimburse the states for the revenues which they have lost and may continue to lose due to their reduction of excise taxes on gasohol, thereby making it possible for the states to continue the much needed tax exemption or reduction on gasohol.

"Be it further resolved that a copy of this resolution be forwarded to the President, Vice President and Speaker of the House of Representatives of the United States and to each member of the United States Congress representing the State of South Carolina."

POM–551. A concurrent resolution adopted by the House of Representatives of the State of South Carolina; to the Committee on Finance:

"H. 3390

"Whereas, persons who become eligible for disability Social Security benefits are not eligible for Medicare until two years after they become eligible for Social Security; and

"Whereas, persons eligible for welfare benefits (SSI) immediately become eligible for Medicaid assistance; and

"Whereas, it is unfair that working people struck down by a disability do not receive the same treatment as those who are not working and sometimes never have been employed. Now, therefore,

"Be it resolved by the House of Representatives, the Senate concurring:

"That the General Assembly by this resolution hereby memorializes the Congress of the United States and the United States Department of Health and Welfare to correct the serious inequity which rewards welfare recipients with immediate medical assistance under the Medicaid program but requires disabled recipients of Social Security, most of whom were formerly employed, to wait two years before becoming eligible for Medicare assistance.

"Be it further resolved that copies of this resolution be forwarded to the Vice President, the Speaker of the House of Representatives, the members of the South Carolina Congressional delegation and the Secretary of the United States Department of Health and Welfare in Washington, D.C."

POM–552. A concurrent resolution adopted by the House of Representatives of the State of West Virginia; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION No. 9

"Whereas, Millions of abortions have been performed in this country since the Supreme Court of the United States rendered its landmark opinion concerning abortion laws on January 22, 1973; and

"Whereas, Since such decision there has been in the United States an unending controversy over the issue of an unborn person's right to life; and

"Whereas, It is the firm belief of the Legislature of West Virginia that there should be a uniform and consistent law among all the states concerning an unborn person's right to life; therefore, be it

"Resolved by the Legislature of West Virginia:

"That the Legislature of the State of West Virginia hereby urges the Congress of the United States to propose a constitutional amendment that will protect the life of all human beings including unborn children at every stage of their biological development; and, be it

"Further Resolved, That certified copies of this resolution be presented to the President and Secretary of the Senate of the United

States, the Speaker and Clerk of the House of Representatives of the United States, and to each member of the Congress from this State attesting the adoption of this resolution by the Legislature of the State of West Virginia."

POM-553. A concurrent resolution adopted by the House of Representatives of the State of West Virginia; to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION No. 19

"Whereas, Participation in the International Olympic Games is symbolic of the community of interests, friendship and respect between the nations and peoples of the world and their dedication to fundamental doctrines of fairness, a striving for the best, and the reward of honest achievement; and

"Whereas, Attendance and participation in the International Olympic Games within the borders of a particular host nation constitutes an act of recognition by other participating nations that such host nation is a member of the world community believing in and capable of meeting such standards; and

"Whereas, The Soviet Union has undertaken, as an action of open national policy, to invade and intervene in the sovereign affairs of its neighbor, the nation of Afghanistan, and has thus posed itself as a direct threat to world peace, to the vital interests of the United States and of all nations in the Middle East area, and has thus divorced itself from the community of nations; therefore, be it

"Resolved by the Legislature of West Virginia:

"That the proposal of President Carter for the athletes, Olympic Committee and people of the United States and other nations to boycott and not participate in the International Olympic Games scheduled to be held in the summer of 1980 in the Soviet Union be fully supported, with such boycott to constitute a clear act of denunciation of the dastardly invasion and intervention by the Soviet Union in the sovereign affairs of the nation of Afghanistan; and with such boycott to continue unless the Soviet Union withdraws its troops and presence from Afghanistan by February 20, 1980, or unless the site for the holding of such games is changed to a location not within the Soviet Union or such games are canceled; and, be it

"Further Resolved, That certified copies of this resolution be presented to the President of the United States, the United States Olympic Committee, the President and Secretary of the Senate of the United States, the Speaker and Clerk of the House of Representatives of the United States, and to each member of the Congress from this State attesting the adoption of this resolution by the Legislature of the State of West Virginia."

REPORTS OF COMMITTEES SUBMITTED DURING THE RECESS

Under the authority of the order of the Senate of February 8, 1980, the following reports of committees were submitted on February 14, 1980:

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

S. Res. 368. An original resolution authorizing additional expenditures by the Committee on Armed Services for inquiries and investigations. Referred to the Committee on Rules and Administration.

By Mr. NUNN, from the committee of conference, submitted a report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5235) to amend chapter 5 of title 37, United States Code, to revise the special pay provisions for certain health professionals in the uniformed service (Rept. No. 96-571).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PROXMIRE, from the Committee on Banking, Housing, and Urban Affairs.

Horace Dicken Cherry, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

John H. Dalton, of Virginia, to be a member of the Federal Home Loan Bank Board.

(The above nominations from the Committee on Banking, Housing, and Urban Affairs were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. WILLIAMS. Mr. President, as in executive session, from the Committee on Labor and Human Resources, I report favorably sundry nominations in the Public Health Services which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of reprinting them, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, the nominations will lie on the Secretary's desk.

(The nominations ordered to lie on the Secretary's desk appeared in the RECORD on January 22, 1980, at the end of the Senate proceedings.)

ORDER FOR STAR PRINT—REPORT NO. 96-570

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a star printing be made of Senate Report No. 96-570, due to a section inadvertently being left out.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. RANDOLPH (for himself and Mr. HELMS):

S. 2289. A bill to redesignate February 22 each year as Washington's Birthday and to make such day a legal public holiday; to the Committee on the Judiciary.

By Mr. PROXMIRE (by request):

S. 2290. A bill to extend and amend the Home Mortgage Disclosure Act of 1975, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PROXMIRE:

S. 2291. A bill to renew and amend the Home Mortgage Disclosure Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PERCY (for himself, Mr. NUNN, Mr. SASSER, and Mr. DECONCINI):

S. 2292. A bill to amend title 18 of the United States Code with respect to arson-for-profit; to the Committee on the Judiciary.

By Mr. ROTH:

S. 2293. A bill to amend the Revenue Act of 1978 to provide that the inclusion in gross income of certain amounts of unemployment compensation shall not apply to unemployment compensation which is payable by reason of a work stoppage in 1973 but which was not paid until 1979; to the Committee on Finance.

By Mr. JACKSON (for Mr. STENNIS (for himself and Mr. TOWER)) (by request):

S. 2294. A bill to authorize appropriations for fiscal year 1981, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons and for research, development, test, and evaluation for the Armed Forces, to prescribe the authorized personnel strength for each active duty component and the Selected Reserve of each Reserve component of the Armed Forces and for civilian personnel of the Department of Defense, to authorize the military training student loads, and for other purposes; to the Committee on Armed Services.

By Mr. HATCH:

S. 2295. A bill to establish a periodic review of Federal regulatory agencies, and to reduce the size and scope of Federal regulatory policies and procedures; to the Committee on Governmental Affairs.

By Mr. WILLIAMS:

S. 2296. A bill to amend the Urban Mass Transportation Act of 1964 to provide authorizations for appropriations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH:

S. 2297. A bill to restrict the authority of the Secretary of Health, Education, and Welfare with respect to the regulation of vitamin and mineral products for over-the-counter use; to the Committee on Labor and Human Resources.

By Mr. DECONCINI:

S. 2298. A bill to amend part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend death benefits to public safety officers who die as a result of conditions arising out of or exacerbated by official duty; to the Committee on the Judiciary.

By Mr. HEINZ:

S. 2299. A bill to add 682.4 acres to Valley Forge National Historical Park, Pa.; to the Committee on Energy and Natural Resources.

S. 2300. A bill to provide for the establishment of the Legionville National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

By Mr. DOLE:

S.J. Res. 145. Joint resolution designating February 19, 1980, as "Iwo Jima Commemoration Day"; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. WEICKER, Mr. NUNN, Mr. HUDDLESTON, Mr. BUMPERS, Mr. SASSER, Mr. BAUCUS, Mr. LEVIN, Mr. PACKWOOD, Mr. HAYAKAWA, Mr. SCHMITT, Mr. BOSCHWITZ, and Mr. PRESSLER):

S.J. Res. 146. Joint resolution entitled "National Small Business Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RANDOLPH (for himself and Mr. HELMS):

S. 2289. A bill to redesignate February 22 of each year as Washington's Birthday and to make such day a legal public holiday; to the Committee on the Judiciary.

(The remarks of Mr. RANDOLPH when he introduced the bill appear elsewhere in today's proceedings.)

By Mr. PROXMIRE (by request):

S. 2290. A bill to extend and amend the Home Mortgage Disclosure Act of 1975, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PROXMIRE:

S. 2291. A bill to renew and amend the Home Mortgage Disclosure Act; to the Committee on Banking, Housing, and Urban Affairs.

Mr. PROXMIRE. Mr. President, today I am introducing, by request, the administration's bill to extend and amend the Home Mortgage Disclosure Act. I am also introducing today my own bill on this subject, which in many respects is similar to the administration's bill, but contains two important distinctions which I shall discuss shortly.

The Home Mortgage Disclosure Act, which was enacted in 1975, requires certain depository institutions to annually disclose, by neighborhood, the number and dollar amount of mortgage and home improvement loans made and purchased. The law contained a sunset provision, with expiration set for June 1980. Thus, legislation must be enacted in order to keep this statute in effect.

In his written state of the Union message, President Carter stated that he—

> • • • will strongly support renewal of the Home Mortgage Disclosure Act in order to encourage neighborhood reinvestment.

The President further stated that the Home Mortgage Disclosure Act—

> has been an important factor in aiding the availability of mortgage credit in inner city areas.

I very much welcome President Carter's statement and the administration's bill.

Mr. President, the Home Mortgage Disclosure Act is an essential tool for promoting and facilitating reinvestment efforts. It has been widely used at the local level. Types of organizations at the local level which have used the data include community and public interest groups, local and State government agencies, research organizations, academicians, and lenders. A very large number of studies have been conducted using the data. In addition there is reason to believe that the use of the data is growing and will continue to grow. New uses of the data at the local level, such as use in connection with a city's community development block grant programs, are beginning to be seen.

At the Federal level, Home Mortgage Disclosure Act data is a critical tool for the Federal financial supervisory agencies in meeting their obligations in implementing the Community Reinvestment Act. The Community Reinvestment Act requires these agencies, in examining regulated financial institutions, to assess the financial institution's record of meeting the credit needs of its entire community, including low and moderate income neighborhoods. Home mortgage disclosure data provide a foundation which can be used to help focus this inquiry. Home mortgage disclosure data also can be very useful in directing lines of inquiry by the regulatory agencies for investigating possible violations of nondiscrimination laws and regulations. For these reasons, a recently released major study contracted for jointly by the Federal Home Loan Bank Board and the FDIC concluded that home mortgage disclosure data are both useful and essential to the regulatory agencies in fulfilling their statutory responsibilities.

This same study also provided significant information on the cost to financial institutions of complying with the Home Mortgage Disclosure Act. Based on data supplied by a sample of 44 institutions in 3 SMSA's, the average cost per loan was estimated to be $1.42. Compared to the benefits of the data, this cost is quite low. Moreover these cost estimates were based on costs of complying with the act for 1977 data, the first full year of census tract reporting under the Act, when many depository institutions were still early in the process of learning how to efficiently collect and compile the data. Even so, many of the institutions in the sample achieved cost levels substantially below $1 per loan. Thus there is reason to believe that as financial institutions develop greater experience and efficiency in complying with the data requirements of the act, the relative costs may decrease further. Hopefully these cost savings are already being achieved.

The main provisions of the administration's bill are as follows:

First, the bill would extend the Home Mortgage Disclosure Act until September 30, 1985.

Second, the bill would establish a common reporting period, specifically a calendar year basis, for the disclosure statements. This would facilitate aggregate compilations and comparisons among institutions. Most depository institutions are already reporting on a calendar year basis. Some, however, are reporting for other time periods such as on the basis of a July 1 to June 30 fiscal year. Switching to a calendar year basis should not cause any significant problem for these institutions.

Third, the bill would implement a recommendation of the joint Bank Board-FDIC study by providing that disclosures for calendar year 1980 and thereafter shall be compiled on a standardized form prescribed by the Board of Governors of the Federal Reserve System. This will facilitate increased efficiency in using the data.

Fourth, the bill would require the Federal financial regulatory agencies to develop and jointly implement means for increasing accessibility by the public to the information required to be disclosed under the act. The means developed and implemented would include, but not be limited to, centralized collection and maintenance of such information by the financial regulatory agencies, other Federal agencies, local governments, or Government depository libraries. This provision is intended to correct a problem with the existing statute which has created an undue and unnecessary burden for users of the data. Under the existing law, if a local community group or local government agency wants to conduct a study of the lending patterns of, say, 20 banks and savings and loans in its community, it must collect disclosure statements for each institution individually. Clearly this has not stopped the disclosure data from being used, since, as I have indicated, the use has been widespread. But it can pose a significant burden on users and undoubtedly has discouraged full use of the data in a number of cases.

An interesting side effect of the existing statutory scheme appears to have been that once one group in a community has obtained disclosure data from a number of lenders for a particular year, that group may in effect become the depository for other groups in the community wishing to use the data. Thus a lender may have had only one request for its data, whereas in fact many groups in the city are actually using the data.

Finally, the administration bill would explicitly authorize the Secretary of Housing and Urban Development to disclose information which the Secretary may possess with respect to mortgages under title I and II of the National Housing Act which are made by institutions, such as mortgage bankers, which are not otherwise subject to the requirements of the Home Mortgage Disclosure Act. Secretary Landrieu states that the Department intends administratively to make this information available in order to provide users of Home Mortgage Disclosure Act data with a more comprehensive picture of local credit patterns. The Secretary states that this legislative provision is "designed to remove any potential conflict with other statutes, such as the Trade Secrets Act, which might arise in connection with the disclosure by the Department of certain information on FHA transactions." He points out that this disclosure "would require no new data collection efforts by HUD-approved mortgages nor any additional work by them to provide the data to HUD."

Mr. President, my own bill to renew and amend the Home Mortgage Disclosure Act contains three provisions which are very similar to provisions in the administration bill. These include provisions for reporting on a calendar year basis, a requirement that the Board of Governors of the Federal Reserve System prescribe a standard format for Home Mortgage Disclosure Act statements, and a requirement that the financial regulatory agencies make arrangements for a central depository of data in each SMSA. In order to insure maximum flexibility to the agencies, the provision for a central depository of data in my bill would not specify in the statute a list of possible locations for these depositories. However, the entities specified in the administration bill appear to be likely possibilities. At the same time, the provision in my bill is drafted to make clear that there shall be a central depository of data in each SMSA, and that disclosure statements for State-chartered depository institutions which have been exempted because of a substantially similar State law shall be maintained at each central depository of data. The provision for a central de-

pository in each SMSA will prevent undue burdens for users of the data and will facilitate even fuller use of the data in the future.

Mr. President, there are two significant provisions in my bill which are not included in the administration bill.

First, my bill would make the Home Mortgage Disclosure Act a permanent statute. Providing another sunset period for the act, as the administration's bill would do, flies in the face of the argument being made by the administration of the need for the act.

I think it is very significant that the Federal Home Loan Bank board, the FDIC and the Office of the Comptroller of the Currency are all urging that the act be made permanent. The Home Mortgage Disclosure Act is an integral part of a permanent statutory framework. As I have noted, the recently released study jointly conducted by the Bank Board and the FDIC concluded that home mortgage disclosure data are "essential to the regulatory agencies in fulfilling their statutory responsibilities." These statutory responsibilities are part of permanent law. For example I am not aware of any serious proposal to impose a sunset provision on the Fair Housing Act. I see no valid basis for singling out the Home Mortgage Disclosure Act for such a sunset provision.

The Home Mortgage Disclosure Act has proven itself to be highly useful at both the local and Federal level. It imposes only very modest costs on depository institutions. Its use has been growing rapidly and can be expected to continue to grow. The act has passed its test.

The utility and need for data such as is collected under the Home Mortgage Disclosure Act will not be ended after 5 years, or 10 years, or any period in the foreseeable future. It is conceivable that, at some point, more effective and efficient ways of collecting and disclosing the data may be developed. But, if necessary, this could be accomplished by amending an existing statute. Given the importance attached to the act by community and public interest groups all across the country, the approaching scheduled expiration date of the act has been a source of considerable tension between community and public interest groups and some segments of the lending community.

If a need to further amend the statute at some point in the future becomes apparent, I believe it is more likely to be constructively accomplished in the context of amendments to an ongoing permanent statute, where community and public interest groups could work constructively with lenders in order to improve the act, than it would be in the context of a possible further legislative battle over renewal of the act. I believe that making the statute permanent will remove this possible source of tension and mistrust, and promote constructive cooperation between community groups and the lending community in working towards successful reinvestment programs.

My bill includes one other provision that is not found in the administration bill. Under this provision, the Federal Financial Institution Examination Council would compile, each year, aggregate data by census tract for each SMSA. Tables would be produced indicating for each SMSA, and for the United States as a whole, aggregate lending patterns for various categories of census tracts grouped according to location, age of housing stock, income level and racial characteristics. Compilation of aggregate data would provide a broad picture of lending patterns in each SMSA. It would provide an overall context to assist in understanding and evaluating the lending patterns of individual institutions, and it would provide a capacity for measuring changes and progress over time. Further it could provide an important source of information to local, State and Federal officials to assist in developing constructive policies and programs for a variety of housing and community development initiatives.

The recently released study conducted by the Bank Board and the FDIC compiled aggregate data for three SMSA's. The data revealed a pattern of widespread disparities in lending on the basis of income level, age of housing stock, and racial characteristics of neighborhoods. Minority neighborhoods received considerably fewer loans even after taking into account the age of housing stock and income level of the neighborhood. Hopefully, lending patterns have been improving since the 1977 time period for which the study was based. Compilation of aggregate data, as is provided in the bill, would enable us to ascertain whether such improvements are occurring, and to measure progress in the future.

The State of California has been compiling aggregate data for some years for State licensed savings and loan associations. The data has proven very useful in indicating the impact of fair lending regulations and guidelines which were adopted by the State in 1976. Prior to the development of these regulations, 9 percent of all of the loans made by State licensed associations were being made in census tracts characterized as being "mortgage deficient." Within just a year after the regulations took effect, the percentage of loans which were made in these census tracts had doubled, and the relative share of lending going to these census tracts has continued to improve since that time.

In 1978, the Federal Home Loan Bank Board issued regulations and guidelines similar to those that had been issued by California. Also in 1978, regulations implementing the Community Reinvestment Act took effect. Compilation of aggregate data would enormously assist in evaluating how these initiatives are working out.

The joint Bank Board-FDIC study estimated that if a standardized format is adopted for home mortgage disclosure statements, and if certain technical changes are made in the implementing regulations, the cost to the regulatory agencies of compiling aggregate data by census tract for all SMSA's in the country would be $838,000. Even allowing a margin for error, and allowing for some additional cost to produce tables according to groupings of census tracts, this is a small cost compared to the considerable benefits of compiling such data.

Mr. President, the enactment of the Home Mortgage Disclosure Act in 1975 was a landmark in efforts to promote neighborhood reinvestment. Since that time I believe that considerable progress has been made through the Community Reinvestment Act, improving enforcement of fair lending laws and regulations, and numerous voluntary efforts by lending institutions. Making the Home Mortgage Disclosure Act a permanent statute, and amending it to further facilitate the efficient and effective use of the data, would keep this trend on track and promote continued progress.

Mr. President, I ask unanimous consent that Secretary Landrieu's letter of transmittal for the administration bill, a section-by-section explanation and justification of the administration bill, and the text of both the administration bill and my own bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Home Mortgage Disclosure Amendments of 1980."

SEC. 2. (a) Section 304 of the Home Mortgage Disclosure Act of 1975 is amended by—

(1) striking out in subsection (a)(1) "Office of Management and Budget" and inserting in lieu thereof "Department of Commerce";

(2) striking out in subsection (a)(1) "fiscal year (beginning with the last full fiscal year of that institution which immediately preceded the effective date of this title)" and inserting in lieu thereof "calendar year";

(3) striking out in subsection (a)(2)(A) the words "where readily available at a reasonable cost, as determined by the Board, otherwise by ZIP code,";

(4) adding at the end of subsection (c) the following new sentence: "Any information required to be compiled under this section with respect to calendar year 1980 and thereafter shall be compiled on a standardized form prescribed by the Board, in consultation with the Federal financial regulatory agencies designated under section 305(b)."; and

(5) adding at the end thereof the following new subsection:

"(d) The Federal financial regulatory agencies designated under section 305(b), in consultation with the Department of Housing and Urban Development and such other public or private entities as such agencies deem appropriate, shall jointly develop and implement means for increasing accessibility by the public to the information required to be made available under section 304 of this title. Such means shall include, but are not limited to, the centralized collection and maintenance of such information by the financial regulatory agencies, other Federal agencies, local governments or government depository libraries. Proposed regulations with respect to the centralized collection and maintenance of information under this section shall be published within 180 days of the enactment of the Home Mortgage Disclosure Amendments of 1980.".

(b) Section 310 of such Act is amended by striking out "four years after its effective date" and inserting in lieu thereof "on September 30, 1985".

SEC. 3. The Home Mortgage Disclosure Act of 1975 is amended by adding the following new section at the end thereof:

"DISCLOSURE BY SECRETARY

"SEC. 311. In order to effectuate better the purposes of this title, the Secretary is authorized to make available such information with respect to mortgage loans as is required to be disclosed by depository institutions under section 304 as the Secretary may possess with respect to those mortgagees approved by the Secretary for mortgage insurance under titles I and II of the National Housing Act which are not otherwise subject to the requirements of this title.".

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., February 15, 1978.

Subject: Proposed "Home Mortgage Disclosure Amendments of 1980"

Hon. WALTER F. MONDALE,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are the proposed "Home Mortgage Disclosure Amendments of 1980". The proposal would amend the Home Mortgage Disclosure Act of 1975 in several respects, including extending the Act's authorities until September 30, 1985. Attached for your convenience is an explanation and justification of the proposal.

The Act is disclosure legislation, requiring depository institutions to make available to the public information on the amounts, types and locations of their residential mortgage loan activities. Specifically, it requires each depository institution which has a home or branch office in a standard metropolitan statistical area (SMSA) and assets over $10 million to compile and make public the number and total dollar amount of mortgage loans which were originated or purchased during each institution's fiscal year by the offices of that institution which are located within the SMSA. These data have to be broken down according to whether the property securing the mortgage loan is located within or without the SMSA and, in the case of mortgages covering property within the SMSA, have to be itemized by borrowers' census tracts (where readily available at a reasonable cost), otherwise by ZIP codes. In addition, all mortgage loan information has to indicate the number and amount of home improvement loans, as well as mortgage loans covering federally insured or guaranteed properties and properties in which the mortgagor did not intend to reside at the time of the execution of the mortgage. These data have to be maintained for a period of six years at the institution's home office and at least one branch office within any SMSA in which the institution has offices. Where a depository institution has branches in more than one SMSA, the branch or branches maintaining these data within each SMSA need only do so with respect to mortgage loan activity of the institution within that SMSA.

The Act is designed to provide citizens and public officials with sufficient information to enable them to determine whether depository institutions are filling their obligations to serve the housing needs of the communities and neighborhoods in which they are located, and to assist public officials in their determination of the distribution of public sector investments in a manner designed to improve the private investment environment.

Section 2(a)(1) of the bill would change the entity responsible for establishing and defining SMSAs from the Office of Management and Budget to the Department of Commerce. This is a technical change to reflect the transfer of statistical analysis functions from the Office of Management and Budget to the Department of Commerce pursuant to Executive Order 12013.

Section 2(a)(2) of the bill would revise the reporting period for production of the data, from allowing depository institutions to gather data on a fiscal year basis, as determined by individual institutions, to requiring it to be gathered on a standardized calendar year basis. Unstandardized reporting periods have hindered local governments and neighborhood organizations from analyzing data on comparable periods—thus affecting subsequent conclusions. Since lenders now have developed systems for gathering the data, standardization can be achieved with only minor revisions. This proposal would not necessitate any revision by commercial banks, and would affect only approximately one-fourth of all regulated savings and loan associations.

Section 2(a)(3) would require all information required to be disclosed for SMSAs under the Act to be broken down by borrowers' census tracts. Existing law requires the breakdown to be by census tract, where readily available at a reasonable cost, as determined by the Federal Reserve Board, otherwise by ZIP code. Analysis of disclosure statements indicates that allowing institutions latitude in determining whether to report on a census tract or zip code basis has resulted in frequent selection of zip codes as the geographic identifier. Zip code data do not provide sufficiently detailed information on lending patterns because of the size of zip code areas. Experience indicates that disaggregating mortgage loan activity by census tract is not excessively costly, and provides significantly more useful information on the geographic patterns of lending activity.

Section 2(a)(4) would require that information compiled under the Act with respect to calendar year 1980 and thereafter be compiled on a standardized form prescribed by the Federal Reserve Board, in consultation with the Federal financial regulatory agencies designated under section 305(b) (i.e., the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board and the National Credit Union Administration). The use of standardized forms would enhance the ability of local governments and neighborhood organizations to aggregate and analyze data obtained under the Act. Since lenders have now developed systems for producing the data, a requirement for a standard form should not create a burden on these institutions.

Section 2(a)(5) would amend section 304 of the Act to require the Federal financial regulatory agencies designated to enforce the existing Home Mortgage Disclosure Act under section 305(b) to develop and implement jointly, in consultation with the Department of Housing and Urban Development and other public and private entities they deem appropriate, means for increasing accessibility by the public to the itemized information required to be made available under the Act. The means developed and implemented would include, but not be limited to, centralized collection and maintenance of information by financial regulatory agencies, other Federal agencies, local governments or government depository libraries. Proposed regulations would have to be promulgated with respect to the centralized information systems required by this amendment within 180 days of enactment of this proposal.

This provision is designed to resolve a serious problem with the Act—the necessity for users of the data to gather them from the offices of numerous depository institutions within an SMSA in order to learn about the credit patterns of these institutions in their local communities. The provision would resolve this problem by requiring the Federal financial regulatory agencies to develop centralized local collection points for the data. This proposal would not change the basic focus of the Act, because it would still leave the responsibilities for collection and analysis to public users of the data. This proposal also would accord the regulatory agencies the latitude to develop the most effective collection points for local situations, without mandating the specific location of these points. A deadline of 180 days for publication of proposed regulations to implement this requirement is based on the provision in the Act which required the Federal Reserve Board to implement the Act fully within 180 days of its original enactment.

Section 2(b) would extend the Act for five years—through September 30, 1985. Under existing law, the Act will expire in June 1980. This amendment is necessary to assure the continued provision of information on the residential mortgage loan activities of depository institutions to local governments, neighborhood organizations and the Federal financial regulatory agencies. This information has proved to be an important tool in designing and implementing reinvestment strategies and in leveraging the financial and technical participation of lending institutions essential to the development of these strategies. It is also of assistance in assuring the effective implementation and monitoring of both the letter and spirit of the Community Reinvestment Act of 1977. The proposed five-year extension of the Act is in accord with the Administration's policy of periodic reexamination of all legislative authorities.

Section 3 would authorize specifically the Secretary of Housing and Urban Development, in order better to effectuate the purposes of the Home Mortgage Disclosure Act, to make available such information with respect to mortgage loans, as is required to be disclosed under the Act by depository institutions, as the Secretary may possess with respect to those mortgagees approved by the Secretary for mortgage insurance under titles I and II of the National Housing Act which are not otherwise subject to the requirements of the Act.

This provision is designed to remove any potential conflict with other statutes, such as the Trade Secrets Act, which might arise in connection with the disclosure by the Department of certain information on FHA transactions. The Department intends administratively to make this information available in order to provide users of Home Mortgage Disclosure Act data with a more comprehensive picture of local credit patterns. This disclosure would require no new data collection efforts by HUD-approved mortgagees nor any additional work by them to provide the data to HUD. These data are already contained in forms completed by these mortgagees and can be obtained from existing HUD data systems.

Timely enactment of this legislation would ensure that this valuable authority continues without interruption. The Department requests that the measure be referred to the appropriate committee and urges its early enactment.

The Department has been advised by the Office of Management and Budget that the enactment of this legislation would be in accord with the program of the President.

Sincerely yours,

MOON LANDRIEU.

EXPLANATION AND JUSTIFICATION

Section 1 of the legislation would provide that upon enactment it may be cited as the "Home Mortgage Disclosure Amendments of 1980".

Sections 2 and 3 of the bill would make a number of changes in the Home Mortgage Disclosure Act of 1975. The Act is disclosure legislation, requiring depository institutions to make available to the public information on the amounts, types and locations of their residential mortgage loan activities. Specifically, it requires each depository institution which has a home or branch office in a standard metropolitan statistical area (SMSA) and assets over $10 million to compile and make public the number and total dollar amount of mortgage loans which were originated or purchased during each institution's fiscal year by the offices of that institution which are located within the SMSA. These data have

to be broken down according to whether the property securing the mortgage loan is located within or without the SMSA and, in the case of mortgages covering property within the SMSA, have to be itemized by borrowers' census tracts (where readily available at a reasonable cost), otherwise by ZIP codes. In addition, all mortgage loan information has to indicate the number and amount of home improvement loans, as well as mortgage loans covering federally insured or guaranteed properties and properties in which the mortgagor did not intend to reside at the time of the execution of the mortgage. These data have to be maintained for a period of six years at the institution's home office and at least one branch office within any SMSA in which the institution has offices. Where a depository institution has branches in more than one SMSA, the branch or branches maintaining these data within each SMSA need only do so with respect to mortgage loan activity of the institution within that SMSA.

The Act is designed to provide citizens and public officials with sufficient information to enable them to determine whether depository institutions are filling their obligations to serve the housing needs of the communities and neighborhoods in which they are located, and to assist public officials in their determination of the distribution of public sector investments in a manner designed to improve the private investment environment.

Section 2(a)(1) of the bill would change the entity responsible for establishing and defining SMSAs from the Office of Management and Budget to the Department of Commerce. This is a technical change to reflect the transfer of statistical analysis functions from the Office of Management and Budget to the Department of Commerce pursuant to Executive Order 12013.

Section 2(a)(2) of the bill would revise the reporting period for production of the data from allowing depository institutions to gather data on a fiscal year basis, as determined by individual institutions, to requiring them to gather it on a standardized calendar year basis. Unstandardized reporting periods have hindered local governments and neighborhood organizations from analyzing data on comparable periods—thus affecting subsequent conclusions. Since lenders now have developed systems for gathering the data, standardization can be achieved with only minor revisions. This proposal would not necessitate any revision by commercial banks, and would affect only approximately one-fourth of all regulated savings and loan associations.

Section 2(a)(3) would require all information required to be disclosed for SMSAs under the Act to be broken down by borrowers' census tracts. Existing law requires the breakdown to be by census tract, where readily available at a reasonable cost, as determined by the Federal Reserve Board, otherwise by ZIP code. Analysis of disclosure statements indicates that allowing institutions latitude in determining whether to report on a census tract or zip code basis has resulted in frequent selection of zip codes as the geographic identifier. Zip code data do not provide sufficiently detailed information on lending patterns because of the size of zip code areas. Experience indicates that disaggregating mortgage loan activity by census tract is not excessively costly, and provides significantly more useful information on the geographic patterns of lending activity.

Section 2(a)(4) would require that information compiled under the Act with respect to calendar year 1980 and thereafter be compiled on a standardized form prescribed by the Federal Reserve Board, in consultation with the Federal financial regulatory agencies designated under section 305(b) (i.e., the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board and the National Credit Union Administration). The use of standardized forms would enhance the ability of local governments and neighborhood organizations to aggregate and analyze data obtained under the Act. Since lenders have now developed systems for producing the data, a requirement for a standard form should not create a burden on these institutions.

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This provision is designed to resolve a serious problem with the Act—the necessity for users of the data to gather them from the offices of numerous depository institutions within an SMSA in order to learn about the credit patterns of these institutions in their local communities. The provision would resolve this problem by requiring the Federal financial regulatory agencies to develop centralized local collection points for the data. This proposal would not change the basic focus of the Act, because it would still leave the responsibilities for collection and analysis to public users of the data. This proposal also would accord the regulatory agencies the latitude to develop the most effective collection points for local situations, without mandating the specific location of these points. A deadline of 180 days for publication of proposed regulations to implement this requirement is based on the provision in the Act which required the Federal Reserve Board to implement the Act fully within 180 days of its original enactment.

Section 2(b) would extend the Act for five years—through September 30, 1985. Under existing law, the Act will expire in June 1980. This amendment is necessary to assure the continued provision of information on the residential mortgage loan activities of depository institutions to local governments, neighborhood organizations and the Federal financial regulatory agencies. This information has proved to be an important tool in designing and implementing reinvestment strategies and in leveraging the financial and technical participation of lending institutions essential to the development of these strategies. It is also of assistance in assuring the effective implementation and monitoring of both the letter and spirit of the Community Reinvestment Act of 1977. The proposed five-year extension of the Act is in accord with the Administration's policy of periodic reexamination of all legislative authorities.

Section 3 would authorize specifically the Secretary of Housing and Urban Development, in order better to effectuate the purposes of the Home Mortgage Disclosure Act, to make available such information with respect to mortgage loans, as is required to be disclosed under the Act by depository institutions, as the Secretary may possess with respect to those mortgagees approved by the Secretary for mortgage insurance under titles I and II of the National Housing Act which are not otherwise subject to the requirements of the Act.

This section is designed to remove any potential conflict with other statutes, such as the Trade Secrets Act, which might arise in connection with the disclosure by the Department of certain information on FHA transactions. The Department intends administratively to make this information available in order to provide users of Home Mortgage Disclosure Act data wih a more comprehensive picture of local credit patterns. This disclosure would require no new data collection efforts by HUD-approved mortgagees nor any additional work by them to provide the data to HUD. These data are already contained in forms completed by these mortgagees and can be obtained from existing HUD data systems.

S. 2291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Home Mortgage Disclosure Renewal and Amendments Act of 1980".

SEC. 2. Section 304 of the Home Mortgage Disclosure Act of 1975 is amended by adding new subsections (d), (e), and (f) as follows:

"(d) Notwithstanding the provisions of subsection (a)(1), data required to be disclosed under this section for 1980 and thereafter shall be disclosed for each calendar year. Any depository institution which is required to make disclosures under this section but which has been making disclosures on some basis other than a calendar year basis shall make available a separate disclosure statement containing data for any period prior to calendar year 1980 which is not covered by the last full year report prior to the 1980 calendar year report.

"(e) The Board shall prescribe a standard format for the disclosures required under this section.

"(f) The Board, the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration Board, in consultation with the Secretary of Housing and Urban Development, shall implement a system to facilitate access to data required to be disclosed under this section. Such system shall include arrangements for a central depository of data in each standard metropolitan statistical area. Disclosure statements shall be made available to the public for inspection and copying at such central depository of data for all depository institutions which are required to disclose information under this section (or which are exempted pursuant to section 306(b)) and which have a home office or branch office within such standard metropolitan statistical area.".

SEC. 3. Section 310 of the Home Mortgage Disclosure Act of 1975 is repealed.

SEC. 4. The Home Mortgage Disclosure Act of 1975 is amended by adding a new section 310 to read as follows:

"COMPILATION OF AGGREGATE DATA

"SEC. 310. (a) Beginning with data for calendar year 1980, the Federal Financial Institutions Examination Council shall compile each year, for each standard metropolitan statistical area, aggregate data by census tract (or zip code where applicable) for all depository institutions which are required to disclose data under Section 304 or are exempted pursuant to Section 306(b). The Council shall also produce tables indicating, for each standard metropolitan statistical area, and for the United States as a whole, aggregate lending patterns for various categories of census tracts grouped according to location, age of housing stock, income level and racial characteristics.

"(b) The Board shall provide staff and data processing resources to the Council to enable it to carry out the provisions of subsection (a).

"(c) The data and tables required pur-

suant to subsection (a) shall be made available to the public by no later than December 31 of the year following the calendar year on which the data is based."

By Mr. PERCY (for himself, Mr. NUNN, Mr. SASSER, and Mr. DECONCINI):

S. 2292. A bill to amend title 18 of the United States Code with respect to arson-for-profit; to the Committee on the Judiciary.

ARSON-FOR-PROFIT ACT OF 1980

Mr. PERCY. Mr. President, I am today introducing legislation, entitled the "Arson-for-Profit Act of 1980," which is designed to encourage more vigorous and effective Federal pursuit and prosecution of professional arsonists and the white-collar criminals who contract for the destruction of their properties for the purpose of filing fraudulent insurance claims.

Joining me in this effort is Senator SAM NUNN, the distinguished chairman of the Permanent Subcommittee on Investigations, of which I am ranking minority member. We are also glad to have one other member of our subcommittee, Senator SASSER, join in cosponsoring this legislation. Senator SASSER, both in the hearings before our subcommittee, and in legislative hearings on S. 252 before the Subcommittee on Intergovernmental Relations, of which he is the able chairman, has shown a vital interest in solving this problem.

The need for this legislation was well-documented in the subcommittee's December 1979 report, "Arson in America." The report summarized the subcomittee's 2-year investigation into arson, which included 4 days of public hearings in 1978 concerning the extent of arson-for-profit in the United States. At these hearings, expert law enforcement witnesses as well as professional arsonists themselves testified to the growth of arson-for-profit. We found that arson-for-profit is the fastest spreading crime in America today—estimated by some authorities to be growing at a rate of 25 percent per year. Over 250,000 arson fires were set in buildings in 1977, approximately 100 percent more than in 1970, and which resulted in a total property loss of over $2 billion.

Property losses sustained, however, are only a fraction of the total cost that arson imposes on our society. Arsons-for-profit erode local property tax bases as professional arsonists destroy thousands of valuable properties. Vacant, burned-out buildings bring down neighboring property values and sap the vitality of commercial areas. Law enforcement and judicial costs related to arson are in the millions. As property tax revenues fall and judicial expenditures climb, local governments require increasing financial assistance from the Federal Government. Ultimately, the American taxpayers will bear all of these costs.

Yet, the social toll exacted by arson cannot be measured in dollars alone. About 1,000 people die in arson fires every year and 10,000 more are injured. The survivors are left not only with physical injury in some cases, but long-lasting emotional scars as well.

On February 7, the ABC-TV show, "20-20," broadcast a dramatic and troubling exposé of arson for profit in Chicago. An incredible 20 percent of the buildings in the uptown section have been consumed by fire, and the evidence uncovered strongly suggests that sophisticated rings of arson profiteers are at work. All of the problems that our subcommittee heard about in testimony and then detailed in last December's report were graphically revealed. In one suspicious fire alone, seven people died.

We must put a stop to the crime of arson for profit. But to do so, we must recognize the enormity of the problem, and its nationwide scope. As our subcommittee report noted, it is virtually out of control.

The responsibility for detection, investigation and prosecution of arsonists has historically rested with State and local law enforcement agencies. Yet it was repeatedly demonstrated at our hearings that State and local agencies lack the resources to stem the growing tide of arson for profit. Many local district attorneys relegate arson to a low priority, and devote only a bare minimum of resources to the prosecution of arsonists and arson-for-profit rings. The chief arson investigator for Houston testified at the subcommittee's hearings that even though his arson squad could keep two prosecutors busy full time, Houston does not assign a single full-time prosecutor to arson cases.

Unraveling the complex financial manipulations that underlie arson-for-profit schemes requires sophisticated accounting and financial investigations. Many local law enforcement agencies lack this expertise. Additionally, because arson-for-profit rings frequently extend across State lines, many are beyond the reach of individual local prosecutors.

Lack of local antiarson resources is only a part of the problem. Jurisdictional disputes between police and fire agencies impede timely and vigorous arson investigation, as arson frequently falls between the cracks of fire and police department expertise. Arsons detected by fire department experts are often not followed up by good police work which is needed to link the fire to the person responsible for it.

Even if arson is detected and investigated, local crime laboratories are often ill equipped to analyze fire scene evidence. A trained investigator's painstaking effort to gather solid physical evidence may be wasted by human or technical error in the laboratory. Many local crime laboratories have tremendous backlogs, so it can take as much as a year and a half to get a scientific analysis of fire scene debris to prove that a fire was, in fact, an arson. Long delays have at times resulted in court dismissal of arson cases, as the prosecutors did not have in hand the required scientific analyses.

The number of reported arsons is misleadingly low, as local law enforcement frequently is unable promptly to identify fires as arsons. And if arson cannot be detected in the first instance, there are no grounds for further investigation. For example, in San Antonio the fire department reported 69 arson fires in 1970. In 1971, a new fire chief recognized that arson was a serious problem and assigned trained investigators to determine fire causes more accurately. By 1977, San Antonio's reported arson total had jumped to 662, a 1,000-percent increase in 7 years. While this rise was surely due in part to an actual increase in the arson rate, a high percentage was most likely due simply to more accurate reporting.

Until recently, the responsibilities of the Federal Government was woefully inadequate. The Department of Justice stated publicly that arson was a low priority crime. The FBI and Bureau of Alcohol, Tobacco and Firearms (BATF) simply were not interested in investigating these cases. LEAA refused to fund State and local antiarson projects. The Federal agency responsible for overseeing State Fair access to insurance requirements plans, designed to insure that inner city property owners could obtain insurance at reasonable rates, virtually ignored the program's shortcomings that practically encouraged arson-for-profit.

After years of neglect, however, arson is finally beginning to get the attention it desperately needs. BATF has set up antiarson task forces in 26 cities. After the subcommittee's initial findings had been made public, FBI Director Webster issued a directive to each of the 59 local offices of the FBI directing them to increase their efforts against arson-for-profit involving organized crime. Recently, in response to the subcommittee's investigation, which for the first time brought to light the rapid growth of, and wide-ranging destruction caused by arson in the United States, the Carter administration announced in mid-December the inception of a new anti-arson offensive to be coordinated among the Federal, State and local governments. As a part of that strategy, the LEAA has committed $9 million to an "arson control assistance program" aimed at improving local agencies' ability to deal with arson.

The LEAA's grant program is an important first step. But $9 million cannot wipe out a $1.6 billion business. We must find a way to help those communities beseiged by this horrible crime, and virtually powerless to do anything about it.

Federal investigation and prosecution of sophisticated and complex arson rings is an important and vital backup to the States' and local communities' primary responsibility for combating arson. Yet, Federal prosecutors and law enforcement agents are hampered in their anti-arson efforts by present law.

At present, arson itself is not a Federal crime except in certain special situations, such as the burning of Federal property. Furthermore, the BATF can investigate arson only if it can be shown that the destruction was begun by an explosive device. Since much of the evidence relating to the cause of a fire is often burned up in the fire, BATF's involvement in arson cases is frequently curtailed in spite of the legitimate need for their assistance and the substantial contribution they could make to the investigation. The FBI can investigate

arson only if the arsonist has a "pattern of racketeering activity," or if the arson is closely related to the commission of a crime that does fall under Federal jurisdiction, such as mail fraud. Obviously, the only beneficiaries of these limitations on Federal participation in arson investigation are the arson-for-profit rings which are today flourishing in every part of the country.

The bill that Senator NUNN and I are today introducing would remove these impediments to Federal assistance in arson investigations. Our bill, however, is not designed to bring all arsons under Federal jurisdiction. Prosecution of some arsons, such as those committed by the psychologically disturbed or reckless juveniles, would not be aided by Federal intervention. Neither is it our intention to cover the extremely small-scale arson-related insurance frauds such as those committed in single unit, owner-occupied residences. Those cases are and should remain under local jurisdiction.

Virtually every criminal law enacted expands Federal jurisdiction in some way. Congress has often relied on the discretion of the U.S. attorneys to decide which cases would better be handled by State and local jurisdictions. The fact of the matter is, however, that most State and local law enforcement agencies will welcome Federal assistance in arson-for-profit investigations.

Our bill is intended to give Federal investigators and prosecutors the tool they need to target their resources against the arsonists most pernicious to our society—those torches and white-collar criminals who routinely burn down valuable properties for their insurance value. The proposed legislation would impose jail sentences of up to 10 years and fines of up to $100,000 for anyone convicted of participation in an arson for profit. Persons convicted of an arson for profit would face life in prison should anyone die in the fire. Under the bill, both FBI and BATF would be able to investigate arsons for profit.

This legislation is, by no means, a panacea. But, I am confident that, if enacted, this legislation will play a significant part in stemming the arson tide that today threatens to engulf many of our Nation's inner cities.

I want to thank the people on our subcommittee staff, Chief Minority Counsel Jerry Block, Investigator Richard Shapiro, and Susan Morgan who helped in preparing this legislation. The chief counsel, Marty Steinberg, deserves a special note of thanks for the work he has put into this measure. His past experience as a Federal prosecutor who tried arson cases in court was extremely valuable in fashioning this bill. Finally I pay tribute to Jonathan Cottin, formerly investigator on the minority staff, who led the subcommittee's investigation into arson for profit.

Mr. President, I ask unanimous consent that an explanatory summary of this bill be printed in the RECORD, together with the text of the legislation.

There being no objection, the bill and summary were ordered to be printed in the RECORD, as follows:

S. 2292

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Arson-for-Profit Act of 1980".

FINDINGS AND PURPOSES

SEC. 2. (a). The Congress finds that—

(1) arson-for-profit results in the loss of hundreds of lives and more than $2 billion in destruction of property annually and is virtually out of control across the country;

(2) many local and state fire service agencies lack the personnel and technical capacity to effectively investigate and prosecute arson-for-profit;

(3) the response of the federal government to the steadily rising incidence of arson-for-profit has been inadequate;

(4) insurance fraud is a growing and lucrative practice that results in higher fire insurance rates for all property owners, as insurance companies must raise their premiums to cover arson-for-profit losses;

(5) urban and rural property tax bases are eroded as valuable properties are destroyed by hired arsonists, placing greater demands on the federal government for financial assistance to cities and states through revenue sharing, loans, loan guarantees and grants;

(6) thousands of Americans have been forced from their homes by profit-motivated arsons and public welfare agencies expend considerable public funds to relocate burned-out families and provide them with the resources to begin anew;

(7) all of the factors above with respect to insurance, federal funding, property tax bases and public welfare have a direct impact on interstate and intrastate commerce.

(b) It is the purpose of this Act to—

(1) involve the federal government directly in investigating and prosecuting arson-for-profit;

(2) discourage arson and arson-related insurance fraud by establishing substantial penalties of fines and imprisonment and restitution for damages caused;

(3) protect the commercial viability of the nation's cities and thereby reduce the expenditure of federal funds to rehabilitate lives and properties needlessly destroyed by hired arsonists.

SEC. 3. (a) Chapter V of title 18, United States Code, is amended by adding at the end thereof the following section:

§ 82. Arson within the general jurisdiction

"(a) Whoever maliciously and intentionally damages or destroys or attempts to damage or destroy by means of fire any commercial property and receives or intends to receive anything of value in exchange therefor, shall be imprisoned for not more than 10 years and/or be fined not more than $100,000; and if death results, shall be subject to imprisonment for any term of years, or to life imprisonment.

"(b) Whoever arranges or procures the malicious and intentional destruction or the attempt to damage or destroy any commercial property by means of fire, by paying or delivering or arranging for the payment or delivery of anything of value, shall be imprisoned for not more than 10 years and/or be fined not more than $100,000; and if death results, shall be subject to imprisonment for any term of years, or to life imprisonment.

"(c) As used in this section the term 'commercial property' means any building, structure or facility other than a single-unit owner-occupied residence.

"(d) The court, in imposing a sentence on any defendant found guilty of any of the offenses described in subsection '(a)' and '(b)' above, may, in addition to the penalty provided therefor, order the defendant to make restitution to any appropriate party in an amount and manner to be determined by the court.

"(e) The Attorney General, together with the Secretary of the Treasury, shall have the authority to conduct investigations with respect to any violation of this section."

(b) The table of sections for chapter 5 of such title is amended by adding at the end thereof the following new item:

"82. Arson within the general jurisdiction.".

SUMMARY OF THE ARSON-FOR-PROFIT ACT OF 1980

The bill would add one section to title 18 of the United States Code. In summary, the bill contains the following provisions:

SEC. 82. (a) Prohibits committing an arson in exchange for anything of value;

(b) Prohibits arranging for an arson by paying anything of value;

(c) Defines type of properties covered;

(d) Permits judgments for restitutions;

(e) Outlines investigative jurisdiction.

Mr. NUNN. Mr. President, I am pleased to join with my distinguished colleague from Illinois (Mr. PERCY) in introducing the Arson-for-Profit Act of 1980.

This legislation is the outgrowth of a lengthy inquiry by the Permanent Subcommittee on Investigations into the problem of arson in America—and especially arson that is committed for profit. The distinguished Senator from Illinois, who is the ranking minority member of the subcommittee, played a key role in that investigation, and he is to be commended for his outstanding leadership and initiative.

During our investigation, the subcommittee learned that arson has been growing by 25 percent a year. In terms of insurance costs alone, arson is a crime that approaches $2 billion a year. It kills some 1,000 persons and injures another 10,000 each year. It brings terror, dislocation, and financial ruin to thousands of innocent victims.

Many of these victims live in the decaying centers of our largest cities—areas that are ripe for the professional arsonist. These are areas of declining property values, areas in which landlords turn to the arsonist when he cannot sell a property at anything other than a loss. The landlord simply over-insures the property, hires a professional "torch" to burn it down, and then collects the insurance proceeds. While the landlord and arsonist make a profit, the inhabitants of the property—often low-income tenants—at best are left homeless; at worst, they die in the flames.

We heard testimony about a realtor who bought an inner-city house for $50 from a poor, blind woman who was delinquent in her mortgage payments. He insured the building for $38,000, burned it down, and collected $27,000 from the insurance company.

"A professional arsonist today is in a seller's market," a convicted arsonist testified at our hearings. "Many businessmen and speculators who know their way around can call an arsonist to provide instant liquidity of their property the way the average person telephones a reservation to a restaurant. It is just that easy."

Why is it "just that easy?" Why has arson become so easy that one known organized criminal has referred to it as a "legitimate business?"

For one thing, over-insuring a building is relatively easy. Our investigation revealed that in order to insure your own life for $10,000, usually you must take a complete physical examination—yet you can insure a building for a hundred times that amount without anyone even looking at it.

There are other reasons. For example, there is no national clearinghouse of arson information through which insurance companies or law enforcement authorities can find out such information as whether a claimant has a history of filing fire loss claims or whether a suspected arsonist has a criminal record.

Another example: Local law enforcement agencies, for the most part, are ill-equipped and trained to detect arson, much less put together enough evidence for a conviction. As a result, the work of an arsonist is never even suspected, much less investigated or prosecuted.

Fortunately, as a result of our hearings, the Federal Bureau of Investigation, the Alcohol, Tobacco and Firearms Bureau, and the Law Enforcement Assistance Administration have all agreed to target arson as a major law enforcement priority. Nevertheless, the involvement of Federal agencies in this area is limited because the Federal Government's jurisdiction over arson cases is now available only through mail fraud, explosives, and racketeering statutes. These statutes have jurisdictional elements which make them difficult to apply. Unless it is committed on Federal property, arson itself is not a Federal crime.

The legislation which the distinguished Senator from Illinois and I introduce today would make arson-for-profit a Federal crime. Our purpose is to bring Federal law enforcement resources to bear on arson-for-profit cases.

I emphasize that only arson-for-profit—not arson generally—would be brought under the Federal umbrella by our bill. We do not want to saddle the FBI, ATF, and Justice Department with responsibility for all arson cases, nor do we want the Federal Government to usurp the responsibilities of States and local law enforcement agencies. We merely want to make it possible for the Federal agencies to lend their resources to help fight serious, well-organized, sophisticated arson rings and other organized criminals who are engaged in arson-for-profit.

Our subcommittee heard testimony that organized criminals can make more than $1 million a year through arson-for-profit. Mr. President, I submit that it is time to put the resources of the Federal Government to work to help State and local officials stamp out this crime.

By Mr. ROTH:

S. 2293. A bill to amend the Revenue Act of 1978 to provide that the inclusion in gross income of certain amounts of unemployment compensation shall not apply to unemployment compensation which is payable by reason of a work stoppage in 1973 but which was not paid until 1979; to the Committee on Finance.

● Mr. ROTH. Mr. President, I am today introducing legislation to correct an inequity which will impose a substantial and unfair tax burden on approximately 1,700 union members employed by the Sun Oil Co. in Marcus Hook, Pa.

In 1973, these 1,700 employees were involved in a labor dispute with Sun Oil Co. The labor dispute resulted in a work stoppage for 4 months. The Bureau of Employment Security and the Unemployment Compensation Review Board ruled that the work stoppage constituted a "lock-out," meaning that the 1,700 employees were entitled to unemployment benefits in 1973.

Despite the Board's ruling, Sun Oil Co. fought paying the workers' unemployment benefits. For 6 years, from 1973 to 1979, Sun Oil battled in courts to avoid paying the benefits due its employees.

Finally, last year the U.S. Supreme Court ordered the company to pay its employees the benefits they were entitled to receive in 1973.

However, in the Revenue Act of 1978, Congress made certain unemployment compensation benefits subject to Federal income taxes, beginning in 1979. And despite the fact that the Sun Oil workers were entitled to receive the unemployment benefits in 1973, they are now being told they must pay taxes on the benefits they finally received in 1979.

I do not believe this is fair. The unemployment compensation benefits became due in 1973, when the benefits were not subject to taxation. Applying the 1978 change in the tax code on a retroactive basis would be extremely inequitable.

Therefore, the legislation I am introducing today would exempt the Sun Oil workers from paying taxes on the unemployment benefits they should have been paid in 1973.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 112 of the Revenue Act of 1978 (relating to taxation of unemployment benefits at certain income levels) is amended to read as follows:

"(d) EFFECTIVE DATE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to payments of unemployment compensation made after December 31, 1978, in taxable years ending after such date.

"(2) CERTAIN DELAYED PAYMENTS NOT TAKEN INTO ACCOUNT.—The amendments made by this section shall not apply to payments of unemployment compensation—

"(A) which are made by reason of a work stoppage which began on March 19, 1973, and

"(B) which are made in 1979 after the employer's appeal to the Supreme Court of the United States was dismissed on April 2, 1979, and its petition for rehearing denied on May 21, 1979."●

By Mr. JACKSON (for Mr. STENNIS (for himself and Mr. TOWER)) (by request):

S. 2294. A bill to authorize appropriations for fiscal year 1981, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons and for research, development, test, and evaluation for the Armed Forces, to prescribe the authorized personnel strength for each active duty component and the Selected Reserve of each Reserve component of the Armed Forces and for civilian personnel of the Department of Defense, to authorize the military training student loads, and for other purposes; to the Committee on Armed Services.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1981

Mr. JACKSON. Mr. President, by request, and for Mr. STENNIS, for himself and the senior Senator from Texas (Mr. TOWER), I introduce, for appropriate reference, a bill to authorize appropriations for fiscal year 1981, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons and for research, development, test and evaluation for the Armed Forces, to prescribe the authorized personnel strength component of the Armed Forces and for civilian personnel of the Department of Defense, to authorize the military training student loads, and for other purposes.

I ask unanimous consent that a letter of transmittal requesting consideration of the legislation and explaining its purpose be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C., January 30, 1980.

Hon. WALTER F. MONDALE,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith legislation, "To authorize appropriations for fiscal year 1981, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons and for research, development, test, and evaluation for the Armed Forces, to prescribe the authorized personnel strength for each active duty component and the Selected Reserve of each Reserve component of the Armed Forces and for civilian personnel of the Department of Defense, to authorize the military training student loads, and for other purposes".

In accordance with the Congressional Budget Act of 1974, we are also submitting herewith, as separate legislation, a similar request for authorization of appropriations for fiscal year 1982.

These proposals are part of the Department of Defense legislative program or the 96th Congress and the Office of Management and Budget has advised that enactment of the proposals would be in accordance with the program of the Administration. These proposals are being sent to the Speaker of the House of Representatives.

Title I provides procurement authorization for the military departments and the Defense agencies and for the United States share of the cost of the acquisition of the Airborne Early Warning and Control System by the North Atlantic Treaty Organization in amounts equal to the budget authority included in the President's budget for fiscal year 1981. It also contains a provision that amends section 104 of the Department of Defense Authorization Act, 1980, to make permanent the authority contained in that provision relating to waiver of certain costs and assumption of certain liability in connection with the NATO AWACS programs.

Title II provides for the authorization of

each of the research, development, test, and evaluation appropriations for the military departments and the Defense agencies in amounts equal to the budget authority included in the President's budget for fiscal year 1981. The authorization contains a provision that authorizes the appropriation of funds that are necessary to cover increased pay costs and other employee benefits to preclude the necessity of submitting a request for a supplemental authorization for such non-discretionary personnel costs.

Title III prescribes the end strengths for active duty personnel in the components of the Armed Forces of the Department of Defense as required by section 138(c)(1) of title 10, United States Code, in the numbers provided for by the budget authority and appropriations requested for these components in the President's Budget for fiscal year 1981.

Title IV provides for average strengths of the Selected Reserve of each Reserve component of the Armed Forces as required by section 138(b) of title 10, United States Code, in the numbers provided for by the budget authority in appropriations requested for the Department of Defense in the President's Budget for fiscal year 1981. Within the average strengths of the Selected Reserve, Title IV also prescribes the end strengths for Reserve component members on full-time active duty for the purpose of administering the Reserve forces.

Title V provides for civilian personnel end strengths for each component of the Department of Defense as required by section 138(c)(2) of title 10, United States Code, in the numbers provided for by the budget authority in appropriations requested for the Department of Defense in the President's Budget for fiscal year 1981. In section 501(c) language pertaining to personnel employed under the part-time career employment program established by section 3402 of title 5, United States Code, is added to ensure that such personnel are counted as prescribed by section 3404 of that title.

Title VI provides for the average military training student loads as required by section 138(d)(1) of title 10, United States Code, in the numbers provided for this purpose in the President's Budget for fiscal year 1981.

Title VII contains one general provision that would increase the dollar amounts contained in section 203 of Public Law 91-441, which authorized appropriations for fiscal year 1971. This section pertains to dollar ceilings affecting independent research and development or bid and proposal costs. The dollar limits are increased to reflect inflation. The general provision also amends section 203 so that the dollar ceilings may be increased administratively by the Secretary of Defense beginning with fiscal year 1984 and every three years thereafter so that future amendments that may be needed because of inflation will not have to be made to that section.

Sincerely,

L. NIEDERLEHNER,
Acting General Counsel.

By Mr. WILLIAMS:

S. 2296. A bill to amend the Urban Mass Transportation Act of 1964 to provide authorizations for appropriations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

FEDERAL PUBLIC TRANSPORTATION ACT OF 1980

● Mr. WILLIAMS. Mr. President, I am introducing today legislation to extend the programs administered by the Urban Mass Transportation Administration through fiscal year 1985. The bill, entitled the Federal Public Transportation Act of 1980, would build upon the foundations laid by the Congress in 1978 when it approved the Surface Transportation Assistance Act of 1978. This legislation would add $21.8 billion in new authorizations to the current authorizations for fiscal years 1980 through 1985, an amount which is entirely justifiable in view of the increased reliance the country and thousands of individual communities will have to place on the program.

Mr. President, the evidence is everywhere that the public transportation program has achieved, even exceeded, the expectations of its proponents since the early 1960's. When I first proposed this program nearly two decades ago, no one could have envisioned the dismal international facts of life that now confront us. These facts were not apparent even during the early 1970's when the oil exporting nations first signaled to the rest of the world their intention to use energy as a political and diplomatic weapon.

Since then, however, the UMTA program has become a permanent and growing part of our national transportation policy. The record of its success is everywhere, as the tangible benefits of public transportation are being enjoyed by an increasing number of communities and individuals.

Rather than dwell on the successes of the program to date, we must now prepare for the future—the future of public transportation in this country. With the arrival of 1980, we entered more than a new decade—we entered a new era. For the foreseeable future, the shortage of energy and the need to develop alternative supplies will be an overriding national and international concern. Ever-increasing energy prices have produced a new strain of inflation that seems resistant to the traditional remedies. But inflation must be conquered to stabilize our economy at home. And abroad, we face a new international configuration—an unstable and volatile global picture—that poses serious problems for the family of nations, and especially for the United States.

In this kind of environment, encouraging people to ride public transportation is more than sound environmental policy. And it is much more than unclogging our urban centers and beautifying our center cities. Perhaps, more importantly for this country throughout the 1980's, public transportation means rational and prudent energy conservation.

Where reason and persuasion have failed in the past, high prices and long gas lines have succeeded in convincing individuals that there is a linkage between energy conservation, public transportation, and the national well-being. This relationship is hardly a revelation, but its importance has not been adequately understood or appreciated in Washington and elsewhere. Its recent recognition by an administration that has been publicly skeptical about public transportation as a top national priority certainly marks a turning point for the program.

As we enter the 1980's, the focus of the existing program must be altered in several ways. Two decades ago, the original predicate for the program was the prevention of further decline and collapse in most large transit systems in the country. But these founding principles and the present program are no longer relevant to the circumstances of the 1980's. As a result, the program must be redirected to permit the large scale improvements necessary to create a public transportation system that can accommodate ridership 50 percent above current levels, or a total of 15 million additional passengers a day. President Carter set this as a national ridership goal.

This is an ambitious target that will require herculean efforts in order to be achieved because equipment is often run down, subway stations are outmoded in many areas, and service is substandard. In many other cities, the lack of equipment and facilities has seriously undermined the growth and acceptance of transit systems as an alternative to the automobile.

In my judgment, there are several basic areas that demand further congressional action to enable UMTA to respond well to the problems at hand and those on the immediate horizon.

First, new rail systems that can truly benefit certain areas must be built. And older, existing rail systems must be rehabilitated and modernized. Newer and more reliable, attractive, and energy-efficient equipment must be put into service.

Second, the financial resources available to the program must be increased, and increased substantially, above current levels and from all possible sources, Federal, State and local—from the farebox, from user taxes, from general revenues, or from dedicated sources, such as trust funds. I am less concerned about the technique than I am about the results. And the money must not be promised with great hoopla by the Congress and the President one year, only to be withheld quietly the next in the name of balancing the budget or some other reason, no matter how valid. In the war on inflation, which is caused in no small part by our voracious and profligate consumption of energy, public transportation can be part of the antidote. It can no longer be treated as a stepchild at budget time every year.

Third, the discretionary nature of the program must be diminished both to avoid further reoccurrences of past problems and to assure that the priorities set by the Congress are not reordered or rewritten by the administration and the Office of Management and Budget. This latter development has occurred with too much frequency and should be corrected. Recent allegations that the UMTA program may have become too intimately involved in Presidential politics in this election year are indicative of the more general point that extraneous influences should not interfere with the basic mission of the program. It has in the past too often.

Fourth, the levels of operating assistance provided by the Federal Government must increase. Unexpected ridership surges due to long gasoline lines and higher prices have boosted ridership suddenly. While more service is being provided and more revenues are coming

from the farebox, the pace of inflation and the price of fuel has served to enlarge the deficits in most communities. Thus unless service is to be scaled back or fares are to be increased to the point that ridership is discouraged in contradiction of our national energy goals, it is necessary to raise the levels of the Federal contribution toward offsetting the deficits. This would not be as serious a problem if the administration had asked for the full funding of the section 5 formula grant program in past years. But it has not, and most of the budget shortfalls have come from those elements of the multitiered formula that the older, most heavily used public transportation systems in our country rely upon.

Mr. President, last September in New York City, President Carter addressed the American Public Transportation Association. This significant address followed by several months Vice President MONDALE's announcement in Hoboken, N.J., of the President's windfall profit transportation energy initiative. Together, these two events lifted the hopes of the proponents of public transportation and helped to remove some lingering doubts about this administration's commitment. In the President's address, he called public transportation "one of the keys to the future of the United States of America." The President then outlined his vision for a new era of public transportation. In the President's own words:

> Our goal . . . is to add 15 million passengers per day to the buses, the streetcars, and the trolleys and subways of our cities and our communities.
>
> We will double the production of buses, the only form of mass transit in 97 percent of America's cities. We will step up the modernization and the refurbishment of existing rapid transit systems.
>
> We'll build subways and elevated trains, trolleys people-movers, commuter trains. We'll repair track beds, modernize stations, improve signaling and control stations, replace aging railcars, expand the size of fleets, extend lines into new areas and encourage new technologies. In shore, we will reclaim and we will revitalize America's transit systems.

Mr. President, these are the goals we must strive to achieve to preserve our urban centers, to end our undue dependence on foreign energy sources, to protect our environment and to help in the fight against inflation by reducing our national bill for imported, and increasingly expensive, oil.

Mr. President, the bill I am introducing will not address all of the objectives articulated by the President. Some are addressed in his fiscal year 1981 budget, others are contained in the transportation energy initiative now pending before the Congress and still others will be addressed in the new authorizing legislation which the administration was supposed to have submitted earlier this year. At the hearings scheduled for early March, all of these measures will be considered and analyzed, as well as the legislation I am introducing today.

Mr. President, let me briefly explain the purposes and provisions of this bill and what it is intended to accomplish.

First, the bill is designed to remove much of the mystery and anxiety from the grant delivery procedures, for the benefit of the operators, the equipment manufacturers, and the Congress. They must be simplified and expedited.

Although Congress provided some certainty in the grant program in 1978 by expanding the formula grant program to include buses and commuter rail activities, and also by creating several subcategories in section 3, the changes have fallen short of the task. In the Federal Public Transportation Act of 1980, several changes will be made to the program. The bill proposes a formula for rail modernization.

During the consideration of the 1978 act, the Banking Committee recommended that "an annual program level of at least $600 to $800 million is necessary to make reasonable progress against the continuing deterioration of our existing rail facilities." Modernizing our existing fixed rail transit systems must be a high priority of our transit assistance program. Also in 1978, UMTA estimated rail modernization needs $16.5 billion. These needs must be compared to UMTA's actual budget requests for rail modernization projects in recent years—an average of about $400 million. This simply does not measure up to UMTA's own observations, my standards, or the expectations of the 7 million daily users of equipment that is sometimes older than Methuselah.

The rail equipment industry, whose ranks have been depleted steadily as a result of this inadvertent or outright neglect, has properly challenged the Federal Government to deal with the problems of our older cities.

For these reasons, I plan to elevate rail modernization and all of its components, including new rolling stock purchases, to a preferred position within the UMTA program.

Fortunately, I am able to work in lockstep with BIRCH BAYH, my colleague on the Transportation Appropriations Subcommittee. He has already instructed DOT to prepare a new 10-year cost estimate of replacing overage rolling stock and rehabilitating existing rail systems to a level that is consistent with safety standards and reliable performance.

To assure the allocation of funds, the bill would apportion rail modernization grants through a formula allocation. This will deliberately restrict the Department's ability to neglect this category of program activity.

As an aside, it is also reasonable to expect new rail systems to be constructed during the 1980's. The present administration has been decidedly antirail and has resisted the reality that there are areas around the country where different types of rail systems—heavy or light—are entirely appropriate and essential. No new rail system has been approved by this administration, nor have they been encouraged. In fact, of the $13 billion contained in the President's windfall profit transportation initiative, not one penny would be earmarked or even permitted for a new start. But rail systems will be built during this decade, and they will be built with Federal financial assistance.

To allow for these activities in the program, the bill would increase the section 3 authorization, by adding $13 billion in new authorizations for fiscal years 1980–1985. In combination with the existing authorization the formula grant program will amount to over $19 billion in authorizations.

Also the bill would tighten up the "letter of intent" procedure designed by the Congress in 1978 to reduce the potential for abuse of the discretionary grant program. The change in these procedures would require a 30-day advance notification to the authorizing committees in both Houses of Congress. This is an addition to the existing requirement for prior notification to the Appropriations Committees. This should also help to provide certainty and remove mystery from grant delivery systems.

Finally, major problems have occurred for operators, and their planning and budgeting, because of the way funds under the UMTA program are apportioned annually. While the 1978 act allowed for advance appropriations in the section 3 program, it did not provide advance appropriations for the section 5 program. This is unduly troublesome for section 5 grant recipients who may not receive sufficient amounts of money under one year's grants to actually employ the money. Under advance appropriations, apportionments will provide them with enough certainty to employ the money in combination with other financing arrangements. It should also help to avoid practical problems that occur annually since appropriations and apportionments are not usually made until the very end of the fiscal year. It is difficult to plan ahead when one year's annual apportionment is not known until the end of that year and the following year's plans are prepared almost simultaneously. Again, this should instill more certainty into the program and insure better utilization of UMTA funds.

Another major feature of this bill is a provision designed to address a longstanding problem in the domestic transit vehicle manufacturing industry which has seen the withdrawal of AM General, General Electric, Pullman Standard, Boeing, and others from this line of business to the benefit of foreign competitors. The reasons for this dismal state of affairs are well known. Rather than opine about them, I believe it would be far more productive to develop a course of concerted action that would reverse this trend and rebuild a strong and competitive industry in terms of both bus and railcars. This means more local taxes to shore up the dwindling revenue base of many communities. As a nation, we could become more independent from foreign governments that share in neither our notions of fair trade, or our strong national interest in preserving world peace through the integrity of international law and diplomacy.

The Congress laid some of the groundwork in the Surface Transportation Act of 1978.

This bill contains additional provisions to implement Secretary Goldschmidt's suggestion to both improve the

procurement process and rapidly increase the size of our bus fleet. Also it is a way that bus and rail car orders can be paced and sequenced so that we can avoid the "feast or famine" cycle. This will allow for better planning by the builders and hopefully lower costs for the buyer. It could provide a strong inducement for companies to reenter the market and invite new entrants. Briefly, the idea would be to empower UMTA to purchase rolling stock directly from manufacturers. The advantage of a direct purchase is to eliminate many problems which arise from either paperwork or inexperience on the part of the transit operators. This authority can also be justified as a direct response to energy induced transit capacity shortages.

Finally, Mr. President, this legislation would increase the authorizations for the section 5 formula grant program. It continues on the theme sounded by the Banking Committee in 1978 when it stated in its report on S. 2441 that "(t)he committee believes funds presently authorized for operating assistance are insufficient to permit a responsible level of Federal participation in meeting the reasonable operating assistance needs of our transit systems." I should point out that no changes are suggested to the formula itself since none are warranted in light of our limited experience to date.

The one exception is the requirement that the Congress legislate again regarding the factor used in the bus component of the multitiered formula. It was the deliberate determination of the Congress to require UMTA to study the various criterion as a prerequisite to further decisionmaking in this area. This study is expected in the near future. In the absence of that study, this bill would use revenue bus miles as the apportionment factor, subject to further analysis and study. The bill would also modify the definition of "fixed guideway" to correct an inadvertently narrow definition used in the third tier of the formula.

Mr. President, this year the Congress is duty-bound to consider and approve forward-looking legislation that will equip the Federal public transportation program for this decade and its challenges. The legislation I am introducing today, when it is approved by the Congress, would make an excellent beginning. It would build upon the significant progress we have achieved to date and sustain our current momentum and I urge my colleagues to support the Federal Public Transportation Act of 1980.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Public Transportation Act of 1980".

AMENDMENTS TO DISCRETIONARY GRANT PROGRAM

SEC. 2. Section 3(a) of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new paragraphs:

"(5)(A) Prior to July 1, 1980, the Secretary shall submit to the appropriate authorizing committees of the Senate and the House of Representatives an interim allocation plan for the modernization or rehabilitation of rail mass transportation facilities and equipment. The interim allocation plan shall be based on existing studies of the cost of such modernization or rehabilitation for rail mass transportation systems other than intercity rail passenger service as defined in section 102 of the Rail Passenger Service Act. The interim allocation plan shall contain for each urbanized area a calculation of the ratio that the estimated cost of such area's modernization or rehabilitation program bears to the total of the estimated costs of the rail modernization or rehabilitation programs for all urbanized areas.

"(B) Prior to January 1, 1982, the Secretary shall submit a proposed final allocation plan to the appropriate authorizing committees in the Senate and the House of Representatives. Such plan shall become final unless disapproved by a majority vote of both authorizing committees within 20 days of continuous session of the Congress after submission. The final allocation plan shall be based on a thorough survey of the necessary costs of modernizing, rehabilitating, or replacing rolling stock and fixed facilities to improve the reliability, safety, and attractiveness of such rail mass transportation systems. The final allocation plan shall contain for each urbanized area a calculation of the ratio that the cost of such area's modernization or rehabilitation program bears to the total of the costs of the programs for all urbanized areas as estimated by the survey.

"(C) Annual appropriations Acts shall establish the annual level of funding to be granted under the interim allocation plan for fiscal years 1981 and 1982 and under the final allocation plan for subsequent years. Such appropriations Acts shall also establish the amount for the modernization and rehabilitation of rail facilities and equipment which will not be subject to the allocation plans.

"(D) The Secretary shall apportion annually amounts identified as subject to the allocation plan in accordance with that allocation plan.

"(E) For the purpose of subparagraph (B)—

"(i) continuity of session is broken only by an adjournment of Congress sine die; and

"(ii) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

"(5)(A) The Secretary is authorized to purchase equipment for use in public transportation service with funds authorized to be appropriated under this section. These purchases may be undertaken directly or through the use of a Federal purchasing authority.

"(B) The Secretary shall transfer ownership of such equipment to States or local public bodies and such transfers must comply with statutory requirements which are applicable to grants under section 3, except as otherwise provided under this paragraph. The United States shall not be liable for any loss, cause of action, or suit arising out of the use of equipment purchased with funds provided under this Act.

"(C) Any State or local public body which applies to the Secretary for transfer of such equipment under this paragraph must provide at least 20 per centum of the net project cost in cash or inkind contributions. Cash shall be returned to the Urban Mass Transportation Fund and remain available until obligated.".

DISCRETIONARY GRANT OR LOAN AUTHORIZATIONS

SEC. 3. The first sentence of section 4(c)(3)(A) of the Urban Mass Transportation Act of 1964 is amended by striking out "$1,410,000,000" and all that follows through "1983" before the period at the end thereof and inserting in lieu thereof the following: "$2,510,000,000 for the fiscal year ending September 30, 1980; $2,750,000,000 for the fiscal year ending September 30, 1981; $3,025,000,000 for the fiscal year ending September 30, 1982; $3,325,000,000 for the fiscal year ending September 30, 1983; $3,625,000,000 for the fiscal year ending September 30, 1984; and $3,985,000,000 for the fiscal year ending September 30, 1985".

LETTER OF INTENT

SEC. 4. Section 3(a)(4) of the Urban Mass Transportation Act of 1964 is amended by inserting immediately after the first sentence thereof the following: "At least 30 days prior to the issuance of a letter of intent under this paragraph, the Secretary shall notify, in writing, the Committee on Public Works and Transportation of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate of the proposed issuance of such letter of intent.".

FORMULA GRANT AUTHORIZATIONS

SEC. 5. (a) Section 5(a)(1)(B) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(B) There are authorized to be appropriated for the purpose of this paragraph $900,000,000 for the fiscal year ending September 20, 1981; $900,000,000 for the fiscal year ending September 30, 1982; $900,000,000 for the fiscal year ending September 30, 1983; $900,000,000 for the fiscal year ending September 30, 1984; and $950,000,000 for the fiscal year ending September 30, 1985.".

(b) Section 5(a)(2)(B) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(B) There are authorized to be appropriated for the purposes of this paragraph $250,000,000 for the fiscal year ending September 30, 1979; $250,000,000 for the fiscal year ending September 30, 1980; $250,000,000 for the fiscal year ending September 30, 1981; $325,000,000 for the fiscal year ending September 30, 1982; $475,000,000 for the fiscal year ending September 30, 1983; $575,000,000 for the fiscal year ending September 30, 1984; $625,000,000 for the fiscal year ending September 30, 1985.".

(c) Section 4(d) of the Urban Mass Transportation Act of 1964 is amended by striking out "and September 30, 1982" and inserting in lieu thereof "September 30, 1982, September 30, 1983, September 30, 1984, and September 30, 1985".

(d) The first sentence of section 4(e) of the Urban Mass Transportation Act of 1964 is amended by striking out "and $120,000,000 for the year ending September 30, 1982" and inserting in lieu thereof the following: "$120,000,000 for the fiscal year ending September 30, 1982: $140,000,000 for the fiscal year ending September 30, 1983: $160,000,000 for the fiscal year ending September 30, 1984: and $185,000,000 for the fiscal year ending September 30, 1985".

(e) The first sentence of section 4(f) of the Urban Mass Transportation Act of 1964 is amended to read as follows: "There are authorized to be appropriated to carry out the functions of this Act, other than sections 3, 5, 8, 11(b), 16(b), 18, 21, and 22, not to exceed $90,000,000 for the fiscal year ending September 30, 1979; $95,000,000 for the fiscal year ending September 30, 1980; $100,000,000 for the fiscal year ending September 30, 1981; $155,000,000 for the fiscal

year ending September 30, 1982: $180,000,000 for the fiscal year ending September 30, 1983; $205,000,000 for the fiscal year ending September 30, 1984; and $230,000,000 for the fiscal year ending September 3, 1985.".

(f) Section 5(a)(3)(B) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(B) There are authorized to be appropriated for the purposes of this paragraph, $115,000,000 for the fiscal year ending September 30, 1979; $130,000,000 for the fiscal year ending September 30, 1980; $145,000,000 for the fiscal year ending September 30, 1981; $205,000,000 for the fiscal year ending September 30, 1982; $315,000,000 for the fiscal year ending September 30, 1983; $405,000,000 for the fiscal year ending September 30, 1984; and $500,000,000 for the fiscal year ending September 30, 1985.".

(g) Section 5(a)(4)(B) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(B) There are authorized to be appropriated for the purposes of this paragraph $300,000,000 for the fiscal year ending September 30, 1979; $300,000,000 for the fiscal year ending September 30, 1980; $370,000,000 for the fiscal year ending September 30, 1981; $455,000,000 for the fiscal year ending September 30, 1982; $500,000,000 for the fiscal year ending September 30, 1983; $550,000,000 for the fiscal year ending September 30, 1984; and $600,000,000 for the fiscal year ending September 30, 1985.".

AVAILABILITY OF APPROPRIATIONS

SEC. 6. Section 5(c)(3) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(3) Appropriations pursuant to the authority of this section may be in an appropriations Act for a fiscal year preceding the fiscal year in which the appropriation is to be available for obligation and shall be available until expended.".

AMENDMENTS TO FORMULA GRANT PROGRAM

SEC. 7. Section 5(a)(4)(A) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(A) To make grants under this section for the purchase of buses and related equipment, or the construction of bus related facilities, the Secretary shall apportion in each fiscal year the sums appropriated pursuant to subparagraph (B) of this paragraph. Sums shall be apportioned on the basis of the ratio that the number of bus revenue vehicle miles traveled serving each urbanized area bears to the total number of bus revenue vehicle miles traveled serving all urbanized areas. Sums apportioned under this paragraph shall be available only for projects for the purchase of buses and related equipment, and the construction of bus related facilities, except that projects assisted pursuant to section 3(h) of this Act may utilize funds apportioned under this section for any eligible construction project.".

DEFINITION OF FIXED GUIDEWAY

SEC. 8. Section 12(c)(2) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(2) the term 'fixed guideway' means any public transportation facility which utilizes and occupies a separate right-of-way or rails for the exclusive use of public transportation service including, but not limited to, fixed rail, automated guideway transit, and exclusive facilities for buses and other high occupancy vehicles;".

SAFETY INVESTIGATIONS

SEC. 9. Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following:

"(h)(1) The Secretary shall investigate unsafe conditions in any facility, equipment, or manner of operation of any transit system under this Act which creates a serious hazard of death or injury for the purpose of determining the nature and extent of such hazard and the means which might best be employed to eliminate or correct such hazard. If the Secretary determines that such facility, equipment, or manner of operation is unsafe, he shall require the State or local public body or agency to submit to the Secretary a plan for correcting the unsafe facility, equipment, or manner of operation, and the Secretary may withhold further financial assistance under this Act to the applicant until such plan is approved or implemented.

"(2) Notwithstanding the provisions of subsection (d), the Secretary is authorized to establish safety criteria and standards for use during the investigation of unsafe conditions in any facility, equipment, or manner of operation of any transit system financed under this Act.".

COMMUTER RAIL PUBLIC TRANSPORTATION

SEC. 10. (a) Section 403(d)(2) of the Rail Passenger Service Act is amended to read as follows:

"(2) Any commuter rail passenger service which is operated by the Corporation on January 1, 1980, shall, until September 30, 1985, continue to be operated by the Corporation and funded in accordance with the method of funding in effect for that service on January 1, 1980.".

(b) Section 403(d)(3) of the Rail Passenger Service Act is amended by striking out "April 1, 1981" and inserting in lieu thereof "September 30, 1985".

(c) Section 601(b)(1) of the Rail Passenger Service Act is amended—

(1) by striking out "and" at the end of clause (D);

(2) by striking out the period at the end of clause (E) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following:

"(F) for the payment of the operating and capital expenses of commuter rail passenger service provided pursuant to section 403(d)(2) of this Act not to exceed $3,500,000 for the period April 1, 1981, through September 30, 1981, not to exceed $8,000,000 for the fiscal year ending September 30, 1982, not to exceed $8,600,000 for the fiscal year ending September 30, 1983, not to exceed $9,500,000 for the fiscal year ending September 30, 1984, and not to exceed $10,400,000 for the fiscal year ending September 30, 1985.".●

By Mr. HATCH:

S. 2297. A bill to restrict the authority of the Secretary of Health, Education, and Welfare with respect to the regulation of vitamin and mineral products for over-the-counter use; to the Committee on Labor and Human Resources.

VOLUNTARY MEDICINES ACT OF 1980

● Mr. HATCH. Mr. President, the FDA is in the process of trying to regulate vitamins and minerals as over-the-counter drugs. If labeled or promoted as preventing a vitamin or mineral deficiency, as for example is the case with "One-a-Day" brand vitamins or the other rival vitamin tablets we are able to buy in supermarkets or drugstores, the Federal Food and Drug Administration would now presumably require a doctor's prescription or some other form of market interference before we could purchase our bottles of Geritol or boxes of Total cereal. How ironic it is that at a time when States are making it easier to buy marihuana or alcohol, the FDA wants to lead a national Hellelujah Trail against our freedom to buy vitamins and minerals.

The most recent sighting of the FDA war against vitamins was on March 16 of last year, the date when the Federal Register published FDA's proposal to regulate vitamins and minerals as I have described it. It is not dissimilar from an FDA proposal issued in June 1962, intended to limit the sale of vitamins and minerals as Rx or prescription only drugs, and to outlaw the sale of vitamins altogether if sold in potencies or combinations FDA has arbitrarily set as too high.

In 1976, the U.S. Congress unanimously voted for the bill which has since been enacted into law as the Wilson-Proxmire Vitamin Act, signed into law by then President Ford on April 22, 1976. This statute spared us the imposition of FDA's requirement that we purchase vitamins as Rx drugs. Now FDA wants to circumvent this law by its new regulations to require the purchasing of vitamins as OTC drugs.

Like all of my colleagues, Mr. President, I do not smoke marihuana or shoot up with drugs. However, I do confess to taking a few vitamin pills now and then. I will even go further and admit that I am like millions of other American consumers who for various health reasons choose to supplement our diets with a wide variety of vitamins, minerals, and other so-called health foods.

Those of us who think about the FDA at all, appreciate and support its mission to preserve the safety and efficacy of drugs. But we also recognize that with excessive proposals such as the FDA plan to make it as difficult to get a bottle of vitamins as it is to buy a bottle of penicillin, the agency is shooting itself in the foot. It is fortifying its self-image among some as a harasser and belittler of American consumers. It is succeeding in making itself reviled as the OSHA of the culinary arts.

The FDA plan to tighten up restrictions on the sale and purchasing of vitamins and minerals is excessive. The nature of the marketplace requires some Government guarantees of the safety of products we buy, but in this case the Food and Drug Administration has gone over the brink.

This is why I am today introducing legislation which I have titled, the Voluntary Medicines Act of 1980. My legislation leaves no doubt that the Congress intends and recognizes that vitamins, minerals, herbs, and enzymes will be advertised, labeled, promoted, and sold as foods for special dietary use rather than as Rx or OTC drugs when sold to consumers by the food supplement and health foods industry to prevent vitamin and mineral deficiency diseases or conditions.

The time for Congress to take action is now. I commend this legislation to my colleagues, urging you to join with me in making clear the legislative intent to prevent the FDA from overstepping its boundaries in the way I have described.

Mr. President, I ask unanimous con-

sent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(s)) be amended so that (1) to section 201(s) shall be added a 6th exemption: "(6) the food itself, a combination of foods, or foods for special dietary use, or the ingredients thereof, unless being used as preservatives or flavors for a food"; and (2) to section 201(g) shall be added the words, "Foods for special dietary use, when offered or employed for purposes as defined in section 411(c)(3) of this act or for preservation or treatment of dietary deficiency conditions shall not be classified as drugs."●

By Mr. DECONCINI:

S. 2298. A bill to amend part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend death benefits to public safety officers who die as a result of conditions arising out of or exacerbated by official duty; to the Committee on the Judiciary.

● Mr. DECONCINI. Mr. President, today I am introducing a bill to amend the Omnibus Crime Control Act of 1968. Although the Public Safety Officers Benefits Act of 1976 did provide a $50,000 death benefit for firefighters killed in the line of duty, Law Enforcement Assistance Administration regulations implementing the act excluded firefighter deaths caused by job-related diseases, such as heart attack, from coverage.

To be covered by the act, a firefighter's death must be the "direct and proximate result of a personal injury sustained in the line of duty." While the terms "direct and proximate result" and "personal injury" were not defined in the act, the House Judiciary Committee reports did define "personal injury" as "all injuries to the body which are inflicted by an outside force, whether or not it is accompanied by physical impact, as well as diseases which are caused by or result from injuries, but not diseases which arise merely out of the performance of duty. In other words, deaths from occupational diseases alone are not within the purview of this legislation."

The Law Enforcement Assistance Administration interpreted this definition of "personal injury" as limiting coverage to deaths caused by traumatic injuries only. The regulations, accordingly, define "traumatic injury" to mean "a wound or other condition of the body caused by external force, including injuries inflicted by bullets, explosives, sharp instruments, blunt objects or other physical blows, chemicals, electricity, climatic conditions, infectious diseases, radiation, and bacteria, but excluding stress and strain." Deaths caused by traumatic injuries do not, therefore, include deaths directly attributable to exertion or stress encountered in the performance of duty, unless that stress resulted in or was caused by a traumatic injury that was a substantial factor in the firefighter's death.

As a result of the LEAA regulations, firefighters who die of heart attack are often ineligible for the $50,000 death benefit, even if that attack occurs on the scene of, or is traceable to, a fire or firefighting activity. Where, for instance, LEAA determines the cause of death to be myocardial infarction resulting from a coronary thrombosis, no benefit will be paid unless the claimant can demonstrate a substantial causal connection between a traumatic injury and the thrombosis.

S. 2298 seeks to remedy this situation by including deaths which may be the result of preexisting conditions, but which were triggered or aggravated by firefighting activities, under coverage by the provisions of the Public Safety Officers Benefits Act as they relate to the $50,000 death benefit.●

By Mr. HEINZ:

S. 2299. A bill to add 682.4 acres to Valley Forge National Historical Park, Pennsylvania; to the Committee on Energy and Natural Resources.

ADDITIONS TO VALLEY FORGE NATIONAL HISTORIC PARK

Mr. HEINZ. Mr. President, as you know, today marks the official celebration of the birthday of the "Father of our Country." I rise on this occasion to introduce legislation commemorating the deeds of this great man, George Washington: A bill to add 682.4 acres to the Valley Forge National Historic Park in Pennsylvania. This legislation is designed to preserve the scenic and historic integrity of the park before additional, irreversible development crowds in on a priceless shrine of the American Revolution.

Valley Forge was the site of the encampment of General George Washington's Continental Army during the bitter winter of 1777–78. While the temporarily victorious British Army was comfortably billeted in Philadelphia, General Washington and his 11,000 battle-weary men set up camp 20 miles to the west. Against overwhelming odds, the Continentals not only survived but emerged as a disciplined, efficient military force. It was an inspired patriotic chapter of American history. The site of the heroic winter encampment by Washington's army is now hemmed in by a hodgepodge of highways, highrise office and apartment buildings, motels, shopping centers, and housing developments.

When the park was established in celebration of the Bicentennial in 1976, Congress recognized the need for further study of the boundaries of the park, recognizing the pressure for increased development around Valley Forge. The Park Service has completed that study and is now recommending additions to the park. These additions include both fee acquisition and scenic easements. My bill would add 682.4 acres in fee acquisition to the existing 2,450-acre park. Most of the land is in Lower Providence Township, Montgomery County, with about 80 acres in Tredyffrin and Schuylkill, Townships, Chester County. Although relatively small in size, these acquisitions would preserve a beautiful section of the Schuylkill River Valley.

It is important that the Federal Government move immediately to obtain these valuable lands. All of the property to be acquired in the fee, except one parcel, is slated for purchase or development by private individuals. There is a real danger that these tracts will be lost unless the Park Service is able to act within the next few months. Unless the property, most of which is raw land, is acquired now, it will not be feasible to purchase it in the future. Higher costs are certain when compensation for development and displacement is included.

Within the proposed acquisition is Fatlands, an historic building and property north of the Schuylkill River. This property is slated for development unless arrangements for Federal acquisition are completed. Another tract includes several historic structures, vintage 1740, one of which served as commissary headquarters for General Washington and his army during the encampment.

Other acquisitions provided for by this legislation would accommodate the inceasing recreational use of the park. Valley Forge Park has become a regional recreational center as well as an historic site and is already drawing nearly 5 million visitors a year. These additional acquisitions would allow the Park Service to take advantage of a timely opportunity to expand the park by purchasing neighboring land well suited for these uses. The new acreage would also be a link with the Audubon Wildlife Sanctuary, the Evansburg State Park, and planned recreational trails. Such uses conform with township, county and regional planning, and enjoy strong local support. I ask unanimous consent that there be printed in the RECORD several recent newspaper editorials supporting the proposed acquisitions to Valley Forge.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Bulletin, July 29, 1979]

ON THE MARKET AT VALLEY FORGE

By one measure, its existing 2,420 acres, Valley Forge National Historical Park is fairly large. But by a more critical measure, the fact that Valley Forge Park is a regional recreation center as well as an historical site, and is already drawing five million visitors a year, the park could easily become overcrowded in the years ahead.

Rather than risk a clash between the historical and recreational values at Valley Forge, the U.S. National Park Service wants to take advantage of a timely opportunity to expand the park by purchasing 403 acres of neighboring land that are being put on the market for development. The Park Service also wants to acquire 50 acres at Valley Forge that are owned by the state of Pennsylvania, negotiate "first refusal" rights to 100 acres owned by the Roman Catholic Archdiocese of Philadelphia, and obtain "scenic easements" on another 120 acres from private owners.

In all, Valley Forge National Park would eventually grow by 682 acres. This would be land that would either be owned outright by the Federal Government or protected from development under zoning or deed restrictions. All the land involved is north of the Pennsylvania Turnpike, and not part of Tredyffrin Township's Chesterbrook "new town" development.

Considering Valley Forge's importance as a

landmark in the American Revolution and its appeal, on the other hand, to present-day picnickers, kite-fliers and Frisbee-throwers, the Park Service's expansion plan is both reasonable and prudent. People who visit Valley Forge to get a sense of the hardships endured by the Continental Army troops in the bitter winter of 1777–78 can be jarred by finding General Washington's campground covered by picnic blankets and baskets.

Ever since the Park Service took over Valley Forge from Pennsylvania's state government in 1976, it has realized that the park will either have to be enlarged or the recreational use restricted. Advised last year by Peter J. Camiel, Philadelphia's former Democratic Party chairman that he intends to sell his Fatland estate at the edge of the park for development, the park service put its expansion planning into high gear.

And, indeed, the situation at Valley Forge is a case of "move now, or see the land lost." Unfortunately, though, President Carter's Office of Management and Budget doesn't seem to appreciate the urgency of snapping up parkland while it's available in a fast-growing suburban area, OMB is balking at the $5 million price tag on the Valley Forge expansion.

We recognize the budgetary pressures. But we also know that less compelling federal land purchases are in the works than the ones at Valley Forge. * * *

[From the Philadelphia Inquirer, May 8, 1979]

PRESERVE VALLEY FORGE PARK

When Valley Forge State Park became Valley Forge National Park during the Bicentennial celebration of 1976, that laudable transition did not end the park's serious problems of encroachment by residential, commercial and industrial development. It is essential that effective steps be taken soon to preserve the park's scenic and historic integrity before additional, irreversible development crowds in on a priceless shrine of the American Revolution.

The site of the heroic winter encampment by Washington's army in 1777–78 already is hemmed in by a hodge-podge of highways, high-rise office and apartment buildings, motels, shopping centers and housing developments. Still rural in the early 1950s, the Valley Forge area took off in explosive growth with the eastward extension of the Pennsylvania Turnpike, including an interchange near the park, and subsequent construction of the Schuylkill Expressway with Valley Forge as its western terminus.

A long legal battle begun in 1971 failed to stop residential development, now under way, in the 900-acre Chesterbrook tract which would have made an attractive addition to Valley Forge Park. Other, smaller tracts in the area, including 155 acres owned by Philadelphia's former Democratic Committee Chairman Peter J. Camiel, are slated for early development.

The park presently covers 2,450 acres, a substantial size, and doesn't need vast additional holdings. It does, however, need to acquire selected sites, relatively small in size and totaling about 400 acres, and to be assured that certain additional tracts will not be used for high-rise or commercial construction. The staff at Valley Forge National Park, under Superintendent Gilbert Lusk, has drawn up a plan detailing these requirements. It awaits approval by the National Park Service and then will need congressional appropriations for land purchase.

Federal action, including adequate funding by Congress, should be expedited. Development of some of the acreage is scheduled to begin late this year. Owners of the tracts, including Mr. Camiel, should hold development plans in abeyance and allow reasonable time for the federal government to implement a park expansion plan.

Meanwhile, officials in Montgomery and Chester Counties should coordinate efforts to plan and regulate development in the Valley Forge area for several miles around the park perimeter. Growth up to now has been haphazard. The value of the area for development of many kinds is understandable. The need is not to halt development, except in designated areas, but to control it with practical and enforceable guidelines.

Valley Forge is a national treasure and should be treated as such. It is late, but not too late, to enlarge the park and to subject its environs to better planning and monitoring than it has received in the past.

[From the Philadelphia Inquirer, Nov. 20, 1979]

PROTECTING VALLEY FORGE

The U.S. House has approved, over the opposition of President Carter's Office of Management and the Budget, Rep. Lawrence Coughlin's bill to add 682 acres to Valley Forge National Park. Why does OMB oppose? Budgetary reasons. OMB does not want to spend the $5.4 million that is needed to add a buffer area and stop the encroachment of development around the park.

To that, two things should be said. One is that if the money is not spent soon, the price of the land, in an area burgeoning with industrial and housing development, undoubtedly will be much higher.

The other thing, though, is that if the land, which includes Fatlands, the estate owned by former Philadelphia Democratic Chairman Peter J. Camiel, is not purchased soon, it will be lost forever. That lovely area of Chesterbrook, which, with its historic buildings and perfect location, should have been assimilated into the park, is now the site of a residential-commercial development. Whether the park itself can hold out as Gen. George Washington and his ragged soldiers held out in that terrible winter of 1777 is doubtful.

To his credit, Mr. Camiel has put off his plan to subdivide his 154-acre estate in the expectation that the government would purchase it, even though he undoubtedly could profit much more from private development. The Senate should move promptly to approve the House bill and the Carter Administration should retreat from its opposition.

There is a spirit that hovers over Valley Forge, and it is not the spirit of double-entry bookkeeping.

Mr. HEINZ. Mr. President, plans also call for obtaining scenic easements on about 130 acres of developed land in Montgomery and Chester counties. These easements would insure that scattered homes, nestled in rolling hills and woodlands, continue to be used as private homes, preventing highrise and commercial development. Not only would there be no displacement for the 30 owners involved, but vista access across the Schuylkill River would be preserved without buying land out to the horizon.

For historical purposes, recreational use and vista protection, I urge prompt enactment of this legislation. It is important that we continue to protect America's valuable natural, historic, and cultural resources.

By Mr. HEINZ:

S. 2300. A bill to provide for the establishment of the Legionville National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

LEGIONVILLE NATIONAL HISTORIC SITE

Mr. HEINZ. Mr. President, I rise today to offer legislation which would create a national historic site at Legionville in Beaver County, Pa.

I introduced similar legislation during the 95th Congress, which passed but was unfortunately vetoed by the administration. Recognizing the importance of preserving this historic site for posterity, the House of Representatives once again passed legislation to preserve Legionville as a national historic site in November of last year. By introducing a companion measure today, I hope to provide the necessary impetus for Senate action.

As you may know, Legionville played a very significant role in American history. It served as the first military training camp in the United States, and was the base for Gen. Anthony Wayne's "Legion of the United States," which successfully secured western Pennsylvania from Indian attacks in the 1790's.

Furthermore, the first Legion of the United States, trained at Legionville, opened the Northwest Territory to westward American expansion and settlement. During that time a future President, Benjamin Harrison, served as a lieutenant at Legionville. Merriweather Lewis served as a major there long before he volunteered for his famous westward expedition. Mr. John Jakes, author of the well-known American Bicentennial series, has mentioned Legionville in the third volume of that series, and has described the Battle of Fallen Timbers, in which the first Legion of the United States under General Wayne was engaged.

However, despite its historical significance, Legionville remains the largest unrestored post-Revolutionary site in the United States.

The Anthony Wayne Historical Society, along with other interested historical groups, has been instrumental in having the Legionville area designated as a State historic site. The Pennsylvania State Historical Preservation Office has listed Legionville in the National Register of Historic Places.

Unfortunately, these efforts on the State level have not been enough to protect and preserve this historical location. As of now, this land where Presidents and generals walked is zoned for industrial use. Unless designated as a national historic site and taken over by the National Park Service, Legionville may well be lost for future generations of Americans to enjoy.

For this reason, I am introducing legislation which would direct the Secretary of the Interior to acquire the 22 acres in Harmony Township, Beaver County, which comprise the original Legionville area. The National Park Service would then administer the land as a national historic site, and would not only preserve this land from future misuse, but would be able to reconstruct a model of the original encampment.

It is my hope that we will be able to commemorate a vital part of our American heritage by establishing the Legionville National Historic Site.

For the benefit of my colleagues, I ask

unanimous consent that the text of my legislation, along with statements from the Anthony Wayne Historical Society and the Pennsylvania Historical and Museum Commission about the historic significance of the Legionville site, be printed in the RECORD.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

S. 2300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect the site of the first military training camp established in the United States, known as the Legionville Site, in the northernmost part of Harmony Township, adjacent to Baden Borough, Beaver County, Pennsylvania, for the benefit of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire by donation, purchase, or exchange with donated or appropriated funds the area containing approximately twenty-two acres bounded on the south by the ravine of Legionville Run, on the east by Duss Avenue, on the north by Logan Lane and on the west by Route 65, a railroad and the Ohio River in that order.

SEC. 2. Any property acquired under the first section of this Act shall be administered by the Secretary, acting through the National Park Service, in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act approved August 25, 1916 (16 U.S.C. 1 et seq.) and the Act approved August 21, 1935. The Secretary shall enter into cooperative agreements with other qualified public or private entities for the management, development and interpretation, in whole or in part, of the property so acquired.

SEC. 3. The Legionville Site shall be established as the Legionville National Historic Site only after (1) sufficient land and improvements for administrative purposes have been acquired, and (2) the cooperative agreements have been executed with qualified entities.

SEC. 4. Effective October 1, 1980, there are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 5. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1980. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

ANTHONY WAYNE HISTORICAL SOCIETY OF BEAVER COUNTY, PA.,
Baden, Pa.

LEGIONVILLE, GENERAL ANTHONY WAYNE, ESTABLISHED FIRST MILITARY TRAINING CAMP IN THE UNITED STATES: 1972

The significance of Legionville and the military training precedents established here were recognized in June, 1918, at the dedication of a state historical marker. The list of speakers and representatives at the dedication showed how highly rated they considered this Legionville camp.

Why were they there? Because America was engaged in a war that was to end all wars, World War I. Legionville was chosen as a symbol of sacrifice, discipline and training that American servicemen must endure if we were to bring the war to a successful conclusion. Speeches made that Saturday afternoon, June 22nd, 1918, stressed how the virtues and training received by General Wayne's "Legion of the United States" should serve as a prototype for all Americans and especially for the American soldier.

Why then should the Legionville site be preserved as a national park? In an age of doubt about what are the ideals of America, an age following the Vietnam War when many of our young people question the value of military service in defense of the nation; when we need symbols and ideals to light a sense of patriotism, what better symbol than a national park at Legionville. A national park not to glorify war but to honor the millions of American soldiers who learned the virtues of discipline and self-sacrifice as recruits in a training camp. Legionville is the mother of all subsequent military training installations.

The acquisition and preservation of Legionville will commemorate not only the sacrifices of the American military recruits but can also help recall the culture of the American Indian and help to act as a reminder that Indians and whites who gathered at Logstown could solve their problems amicably.

As of now, this land where Presidents and Generals walked is zoned for industrial use, and its owner has placed it on the market. Unless designated as a national historic site and taken over by the National Park Service, Legionville may well be lost to future generations of Americans. We will have lost an identity and a heritage.

ANTHONY WAYNE: MAN OF ACTION

Anthony Wayne was one of the most colorful of all the commanders-in-chief that the Army of the United States has ever had. Some have acclaimed him as the first native-born military genius, whose greatness as an organizer of troops and as a military planner is only now beginning to be recognized at its full worth. Because of his brilliant exploits during the American Revolution, he was regarded as a military hero in his own time, but his greatest achievement came after 1792. With a new American army, the Legion of the United States, which he organized and drilled, Wayne defeated hostile Indians of the Northwest Territory at Fallen Timbers in 1794, and then made peace with them at Greenville in 1795, putting an end to Indian raids and opening Ohio and northwestern Pennsylvania to settlement.

Born on January 1, 1745, in Chester County, Pennsylvania, Anthony was the only son of Isaac and Elizabeth (Iddings) Wayne and was named for his grandfather, Captain Anthony Wayne, a veteran of Marlborough's campaigns. His birthplace, the family home called Waynesborough, built by his grandfather in 1724, still stands about six miles from the borough of Wayne and about three miles from Paoli. Young Anthony's school record was far from outstanding. The most remarkable incident of his school days was a sham battle in which Wayne and his classmates re-enacted the capture of Fort Ticonderoga in 1759. He was punished for this escapade, but it showed his awareness of what was going on in the world as well as his inclination toward a military career. In school he learned enough mathematics to make him a competent surveyor and in 1765, when he was twenty years old, a land company sent him to look after the surveying of lands in Nova Scotia. During the winter he returned to Philadelphia and married Mary Penrose, the daughter of a Philadelphia merchant. The Nova Scotia land venture failed in 1766, and Wayne went back to Chester County to run the family farm and tannery in partnership with his father. His father's death in 1775 made him a man of means and position.

Despite his wealth and comfortable situation, Anthony Wayne did not hesitate when the issues leading to the American Revolution were drawn. In his county he became a leader of the people who objected to British efforts to tighten control over the colonies. He presided over committees in his county which framed resolutions of protest against the British coercive acts and enforced the agreement against the importation of British goods. In 1775 he represented Chester County in the Pennsylvania General Assembly. Finally, on January 3, 1776, he accepted a commission as colonel of the Fourth Pennsylvania Battalion and began his military career.

Anthony Wayne has been called the "trouble shooter of the Revolution" by a recent biographer, Harry Emerson Wildes. This phrase well describes his services in the Continental Army. He seemed to be everywhere at once—recruiting, drilling, disciplining, fighting, and raising supplies. Difficult assignments, insuperable tasks, dangerous feats were the stock in trade of this energetic and self-reliant soldier. The nickname "Mad Anthony," which is said to have originated in the drunken babbling of a disgruntled soldier, reflects his quick temper. Wayne was impetuous and swift to action, but he was not rash or foolhardy. As a commander he was cautious, and even his most glamorous deeds were based upon careful and painstaking plans.

In the spring of 1776 Wayne and his battalion went with the Pennsylvania brigade to reinforce the Canadian expedition, through which Congress had hoped to gain another colony for the American cause. By his personal bravery and leadership Wayne held his troops together to cover the retreat of the American army after the defeat at Three Rivers on the St. Lawrence. Congress abandoned the effort to win Canada, and Wayne was placed in command of Fort Ticonderoga. Here he had for the first time the thankless task of maintaining discipline among troops from various states who were disinclined to follow the orders of a Pennsylvania commander. Commanding Fort Ticonderoga was not as enjoyable as his childhood game of fighting for it. In February, 1777, he was made a brigadier general, and in April he left Ticonderoga to join Washington at Morristown, New Jersey, and take command of the Pennsylvania Line.

After a period of drilling and training, during which Wayne showed his customary concern for the proper equipment and uniforming of his men, the Pennsylvania Line fought in the campaign against the British occupation of Philadelphia in 1777. After the British army landed in Maryland and marched north, Wayne and his men were with the American army which attempted to stop them at Brandywine Creek on September 11. His troops held the center of the defense at Chadd's Ford. The American army, however, was outflanked by a British force which crossed the Brandywine higher up, and in the fierce fighting which followed Wayne's troops held the stream crossing until the rest of the army was out of danger. Washington retired north of the Schuylkill River and sent Wayne to circle around and harass the British in order to delay their advance on Philadelphia. This led to the greatest disaster of Waynes' military career.

In an attack before dawn on September 20, the British fell upon his force of 1,500 men encamped at Paoli, not far from his birthplace. The British had learned the position of his camp from Tory spies. Wayne himself was warned by an old farmer of the approach of the British but not soon enough to get his men completely ready. The British moved up while it was still dark and slaughtered more than two hundred men before Wayne could get his forces organized to fight a rear-guard action. Because of the number killed by the cold steel of bayonets, this affair was known as the "Paoli Massacre." Although Wayne kept his head in the midst of confusion and

gave the proper orders to get the rest of his men away safely, he was later accused of negligence. He asked for a court-martial, which acquitted him unanimously and called him "an active, brave and vigilant officer." In the career of almost every great military leader, similar disasters can be found, caused by sheer bad luck or an unforeseen combination of circumstances, but the measure of Wayne's greatness was his ability to meet disaster.

The British had occupied Philadelphia after the Battle of Brandywine. Washington planned a surprise attack on the elements of the British forces stationed at Germantown, five miles from the city. The Americans failed of success in this Battle of Germantown, October 4, 1777, because the stubborn British defense of the Chew House enabled them to get reinforcements in time. Again, Wayne and his troops were the rear guard covering the retreat of the American army. During the bitter winter at Valley Forge, Wayne kept "the esteem and confidence" of his men and led foraging expeditions to gather grain and cattle to feed the army. On one occasion in southern New Jersey, he and the Polish general, Count Casimir Pulaski with six hundred men attacked and frightened away a British force of four thousand. When word came to Valley Forge in early June, 1778, that the British were leaving Philadelphia and moving across New Jersey to New York City, Wayne and his Pennsylvanians were among the first to leave the winter encampment in pursuit of the enemy, and they had an important part in the Battle of Monmouth on June 28, the occasion when Mary Hays, the wife of a Pennsylvania soldier, gained the nickname of "Molly Pitcher."

In the spring of 1779 Wayne was placed in command of a separate corps of light infantry, which was formed of picked units from various states. With this corps on July 16, 1779, he carried out his most famous exploit, the surprise and capture of the British post at Stony Point on the Hudson River. Cannon, military stores, and more than five hundred prisoners were captured with this fort. Congress presented a medal to him for this victory. In 1780 his corps was stationed in the lower Hudson Valley, to hinder the British in New York City from gathering cattle and other supplies. When Benedict Arnold turned traitor and there was danger that West Point might fall to the British, Wayne marched his men sixteen miles at night over mountainous country in four hours and prevented the loss of this important post. The Pennsylvania troops mutinied in December, 1780, because of grievances over pay and term of service. Wayne helped to restore order and persuaded the Pennsylvania government to take care of their complaints.

In 1781 Wayne recruited new Pennsylvania troops and served under Lafayette in the Yorktown campaign against the British under Lord Cornwallis. During this service in Virginia on the lower James River, Wayne was ordered to attack what was supposedly only a detachment of the British army, but which was really Cornwallis' entire army. In a seemingly hopeless situation, outnumbered nearly ten to one, Wayne ordered a charge into the British army, a bold move which was so unexpected that his men got safely away. This battle at Green Springs, July 6, 1781, was the most startling success of his career.

After the Yorktown campaign had been successfully concluded by the surrender of the main British army, Wayne was sent to Georgia where the British, Loyalists, and hostile Indians were still virtually in control. As his forces and supplies were inadequate, his service there was a series of disappointments, but he held the field, and defeated the Creek Indians in June, 1782. On July 12 his troops marched into Savannah as the British army sailed away, and after that he helped to restore order in that war-ravaged state. In 1783 he retired from the army with the brevet rank of major-general.

Wayne's civilian life from 1783 to 1792 was less happy than his military career had been. The State of Georgia granted him an estate for his Revolutionary services; he ran into debt to improve it and lost it by foreclosure. He ventured into politics again both in Pennsylvania and Georgia without much success. In Pennsylvania he served in the General Assembly and in the Council of Censors, where his party failed in an attempt to revise the State Constitution. He was elected to Congress from Georgia, but in a few months lost his seat because of charges of irregularity in the election.

The treaty of peace with Great Britain in 1783 had left some unfinished business, the actual establishment of United States authority over the western lands. Although by the treaty the territory south of the Great Lakes was ceded to the United States, it was actually held by unfriendly Indians whom the British encouraged to resist the advance of American settlement, in the hope of creating an Indian buffer state between the United States and Canada. The United States tried to bring these Indians under control and to open the Northwest Territory to settlement, first by peaceful means through treaties, and later by military expeditions. These efforts collapsed in 1791, when an army under General Arthur St. Clair was seriously defeated.

President Washington decided both to reopen negotiations for peace with the western Indians and to build an army capable of imposing United States authority if the peace negotiations failed. To carry out these plans, Anthony Wayne was appointed as major-general in 1792 to command a new American army, called the Legion of the United States. He set up a training camp at Legionville, present-day Ambridge, Pennsylvania, and drilled and trained his soldiers to create a reliable and effective force. Cornplanter, the famous Seneca leader, tried to make peace between the United States and western Indians at some risk of his life, for Wayne worried about his "safe return" in 1792. In March, 1793, Cornplanter visited Legionville and urged Wayne to hold back his army until United States commissioners could talk with the western Indians, and Wayne agreed in accordance with Washington's plans.

The failure of these negotiations was Wayne's signal to move in the fall of 1793. Although he had been restless about delay, he advanced slowly, building roads and forts, making sure of his supplies, and sending out scouts. The next summer, he advanced into the heart of hostile territory, building more forts. About fifteen miles up the Maumee River from present Toledo, Ohio, Wayne's army finally met the main force of the Indians not far from the British post called Fort Miamis, and defeated them in the Battle of Fallen Timbers, August 20, 1794. This battle, together with the British refusals to help their allies, led to the submission of the Indians at the Treaty of Greenville in August, 1795.

Meanwhile, Jay's Treaty settled the existing disputes with the British, who agreed to withdraw from the posts on United States territory which they had been holding since the Revolution. In 1796 Wayne received orders to occupy these posts. On his return from a triumphal visit to Detroit, he landed at the new Pennsylvania fort at Presque Isle (Erie). There he fell ill and died on December 15, 1796, in the northwest blockhouse of Fort Presque Isle. He was buried at the foot of the flagpole of the fort, but in 1809 his son removed his bones to Radnor churchyard, Chester County. A replica of the original blockhouse stands on the site of his first grave on the grounds of the Pennsylvania Soldiers and Sailors Home at Erie.

Today this great and colorful soldier is remembered in numerous place names throughout the United States and especially in Pennsylvania and the states formed from the Northwest Territory. In Pennsylvania alone, a county, nine townships, and the boroughs of Wayne, Waynesboro, and Waynesburg bear his name, and fifteen other states have Wayne Counties.

By Mr. HATCH for himself, Mr. WEICKER, Mr. NUNN, Mr. HUDDLESTON, Mr. BUMPERS, Mr. SASSER, Mr. BAUCUS, Mr. LEVIN, Mr. PACKWOOD, Mr. HAYAKAWA, Mr. SCHMITT, Mr. BOSCHWITZ, and Mr. PRESSLER):

S.J. Res. 146. Joint resolution entitled "National Small Business Week"; to the Committee on the Judiciary.

NATIONAL SMALL BUSINESS WEEK

● Mr. HATCH. Mr. President, it is with great pleasure that I join with the members of the Small Business Committee to introduce a resolution honoring the best representatives of our free market: The small businessmen and businesswomen of America. Joining with me in this resolution are Senators LOWELL WEICKER, SAM NUNN, DEE HUDDLESTON, DALE BUMPERS, JIM SASSER, MAX BAUCUS, CARL LEVIN, BOB PACKWOOD, SAM HAYAKAWA, JACK SCHMITT, RUDY BOSCHWITZ, and LARRY PRESSLER.

Mr. President, I am convinced that the freedom we citizens of this land today enjoy is a direct result of the economic freedom guaranteed by our Constitution. Our freedom from compulsion in our everyday decisions leads to the necessary competition in the marketplace, which insures that we will get the best in goods and services for the lowest possible price. No amount of central planning could duplicate the millions of daily private decisions which deliver the needs of a nation with the success of the American free market system.

Mr. President, the economic hazards of potential success are very real in our system, and every year there are thousands whose lives turn on their ability to compete. We literally owe our success as a nation to these economic competitors, to those men and women of the private sector, to these valiant modern-day pioneering Americans.

ADDITIONAL COSPONSORS

S. 414

At the request of Mr. BAYH, the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 414, a bill to amend title 35 of the United States Code; to establish a uniform Federal patent procedure for small businesses and nonprofit organizations; to create a consistent policy and procedure concerning patentability of inventions made with Federal assistance; and for other related purposes.

S. 955

At the request of Mr. HELMS, the Senator from Florida (Mr. STONE) was added as a cosponsor of S. 955, a bill to provide for the safeguarding of taxpayer rights, and for other purposes.

S. 1683

At the request of Mr. HATCH, the Senator from South Carolina (Mr. THUR-

MOND) was added as a cosponsor of S. 1683, a bill to amend the Internal Revenue Code of 1954 to increase the amount of the annual gift tax exclusion from $3,000 to $6,000.

S. 1858

At the request of Mr. BAYH, the Senator from New York (Mr. JAVITS), and the Senator from Arkansas (Mr. BUMPERS) were added as cosponsors of S. 1858, a bill to amend title 28, United States Code, to provide that the Federal tort claims provisions of that title are the exclusive remedy in medical malpractice actions and proceedings resulting from federally authorized National Guard training activities; and for other purposes.

S. 2089

At the request of Mr. ROTH, the Senator from South Carolina (Mr. THURMOND), and the Senator from Iowa (Mr. JEPSEN) were added as cosponsors of S. 2089, a bill to amend the Revenue Act of 1978 to provide that, with respect to the amendments allowing the investment tax credit for single purpose agricultural or horticultural structures, credit or refund shall be allowed without regard to the statute of limitations for certain taxable years to which such amendments apply.

S. 2090

At the request of Mr. ROTH, the Senator from Illinois (Mr. PERCY) was added as a cosponsor of S. 2090, a bill to amend the Congressional Budget Act of 1974 to limit the levels of total budget outlays contained in certain concurrent resolutions on the budget.

S. 2220

At the request of Mr. NELSON, the Senator from Minnesota (Mr. BOSCHWITZ) was added as a cosponsor of S. 2220, a bill to amend the Internal Revenue Code of 1954 to provide for the exclusion from the gross estate of a decedent of a portion of the value of certain interests in a farm or trade or business if the spouse or children of the decedent materially participate in such farm or trade or business.

S. 2269

At the request of Mr. ZORINSKY, the Senator from Alabama (Mr. STEWART) was added as a cosponsor of S. 2269, a bill to extend the Emergency Agricultural Credit Adjustment Act of 1978.

SENATE JOINT RESOLUTION 82

At the request of Mr. GOLDWATER, the Senator from Utah (Mr. HATCH), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Joint Resolution 82, a joint resolution to designate the week commencing with the third Monday in February of each year as "National Patriotism Week."

SENATE JOINT RESOLUTION 91

At the request of Mr. MATHIAS, the Senator from Minnesota (Mr. BOSCHWITZ) was added as a cosponsor of Senate Joint Resolution 91, a joint resolution to authorize and request the President to issue a proclamation designating May 18, 1980, as "Law Enforcement Officers Memorial Sunday."

SENATE JOINT RESOLUTION 119

At the request of Mr. MATHIAS, the Senator from Michigan (Mr. RIEGLE), the Senator from Texas (Mr. TOWER), the Senator from Texas (Mr. BENTSEN), the Senator from New York (Mr. MOYNIHAN), the Senator from California (Mr. HAYAKAWA), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), and the Senator from Minnesota (Mr. BOSCHWITZ) were added as cosponsors of Senate Joint Resolution 119, a joint resolution to authorize the Vietnam Veterans Memorial Fund, Inc. to erect a memorial.

SENATE JOINT RESOLUTION 128

At the request of Mr. SCHWEIKER, the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from Oklahoma (Mr. BOREN), and the Senator from Utah (Mr. GARN) were added as cosponsors of Senate Joint Resoluton 128, a joint resolution to authorize and request the President to proclaim the week of October 5 through 11, 1980, as "National Diabetes Week."

SENATE JOINT RESOLUTION 135

At the request of Mr. BAYH, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Kansas (Mr. DOLE), the Senator from Montana (Mr. BAUCUS), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of Senate Joint Resolution 135, a joint resolution to provide for designation of the first Friday of March as "Teacher Day, United States of America."

SENATE JOINT RESOLUTION 140

At the request of Mr. DOLE, the Senator from North Dakota (Mr. BURDICK), the Senator from Mississippi (Mr. COCHRAN), the Senator from Kentucky (Mr. FORD), the Senator from Alabama (Mr. HEFLIN), the Senator from Pennsylvania (Mr. HEINZ), the Senator from New Hampshire (Mr. HUMPHREY), the Senator from Nevada (Mr. LAXALT), the Senator from Indiana (Mr. LUGAR), the Senator from Oregon Mr. PACKWOOD), the Senator from Tennessee (Mr. SASSER), the Senator from South Carolina (Mr. THURMOND), the Senator from Virginia (Mr. WARNER), the Senator from North Dakota (Mr. YOUNG), and the Senator from Indiana (Mr. BAYH) were added as cosponsors of Senate Joint Resolution 140, a joint resolution designating February 19, 1980 as "Iwo Jima Commemoration Day."

SENATE JOINT RESOLUTION 142

At the request of Mr. CRANSTON, the Senator from Hawaii (Mr. INOUYE), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Arizona (Mr. DECONCINI), the Senator from Missouri (Mr. EAGLETON), the Senator from Oregon (Mr. HATFIELD), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Tennessee (Mr. BAKER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Florida (Mr. CHILES), the Senator from Missouri (Mr. DANFORTH), the Senator from Virginia (Mr. WARNER), and the Senator from Florida (Mr. STONE) were added as cosponsors of Senate Joint Resolution 142, a joint resolution to authorize and request the President to issue a proclamation honoring Walt Disney on the 60th anniversary of the production of his first original animated cartoon.

SENATE CONCURRENT RESOLUTION 62

At the request of Mr. BAYH, the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of Senate Concurrent Resolution 62, a concurrent resolution urging the Soviet Union to allow Irina Astakhova McClellan to emigrate to the United States, and for other purposes.

SENATE CONCURRENT RESOLUTION 67

At the request of Mr. NELSON, the Senator from South Dakota (Mr. PRESSLER), the Senator from Vermont (Mr. STAFFORD), and the Senator from Tennessee (Mr. SASSER) were added as cosponsor's of Senate Concurrent Resolution 67, a concurrent resolution expressing the sense of the Congress with respect to taxing social security benefits.

SENATE RESOLUTION 368—ORIGINAL RESOLUTION REPORTED DURING THE RECESS AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Under the authority of the order of the Senate of February 8, 1980, Mr. STENNIS, from the Committee on Armed Services, on February 14, 1980, reported the following original resolution, which was referred to the Committee on Rules and Administration:

S. RES. 368

Resolved, That, holding hearings, reporting such hearings, and making investigations as authorized by sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 1980 through February 28, 1981, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee under this resolution shall not exceed $976,000, of which amount not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1981.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE CONCURRENT RESOLUTION 76—SUBMISSION OF A CONCURRENT RESOLUTION TO PROHIBIT EXPORT OF FERTILIZER TO THE SOVIET UNION

Mr. McCLURE submitted the following concurrent resolution, which was re-

ferred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 76

Whereas the invasion and occupation by the Soviet Union of the sovereign and nonaligned state of Afghanistan is a serious violation of international law and poses a genuine threat to world peace;

Whereas the Soviet invasion endangers independent countries neighboring Afghanistan and endangers access to major sources of the world's oil supplies, so that the security of the United States and the entire Middle East is threatened;

Whereas the United Nations General Assembly has overwhelmingly condemned the Soviet invasion of Afghanistan and urged the prompt withdrawal of the Soviet troops from Afghanistan;

Whereas the President has banned the export of agricultural commodities and certain high technology equipment to the Soviet Union; and

Whereas the United States is scheduled to export one million metric tons of super phosphoric acid (phosphate fertilizer) to the Soviet Union in 1980: Now, therefore be it

Resolved, That, Congress strongly urges the President to exercise the authorities he has to prohibit the export of phosphate fertilizer from the United States to the Soviet Union until the Soviet Union withdraws its troops from Afghanistan and until the President removes the ban imposed on the export of agricultural commodities to the Soviet Union.

Mr. McCLURE. Mr. President, I send to the desk a concurrent resolution urging the President to prohibit the export of phosphate fertilizer to the Soviet Union until the Soviet Union withdraws its troops from Afghanistan and until the President removes the ban imposed on the export of agricultural commodities to the Soviet Union.

It makes little sense to prohibit the export of wheat and corn to the Soviet Union if we do not also ban the export of low-cost phosphate fertilizer to the U.S.S.R. Why should we embargo the shipment of high technology equipment to the Soviets, prohibit Russian fishing off our shores, keep our athletes home from the Olympic games in Moscow, and prohibit agricultural commodity exports to the Soviet Union, yet not stop the flow of fertilizer which will allow the Soviet Union to thumb its nose at our grain embargo?

The President may soon move to block phosphate fertilizer exports to the U.S.S.R., but why has the move been so long in its gestation? Why should America's farmers carry the burden of foreign policy retribution so heavily on their shoulders?

One may question as well why the Foreign Relations Committee has not acted to ban phosphate exports to the Soviet Union. Many Members of the House of Representatives have voiced their support for such a resolution, yet silence is the response to the farmer's plea for equity to the Senate Foreign Relations Committee. The committee, in my view, should be actively involved—not sheepishly silent—in a full range of responses to the Soviet's blatant aggression—including a ban on all super phosphoric acid exports to the Soviet Union.

A further issue to be resolved by the administration and the Foreign Relations Committee is whether or not exports of super phosphoric acid should be terminated to Poland and Romania. If the Soviet Union were to exert pressure upon Eastern European countries to ship some of the fertilizer we send them to the Soviet, then we should seriously consider prohibiting exports to those countries or any other which would act as a conduit for fertilizers to the U.S.S.R.

The urgent need for such a resolution is obvious:

First. The American farmer should not alone have to pay so heavily to demonstrate our resolve in condemning the Soviet Union for its violation of Afghanistan's sovereignty and human rights. Our embargo of grain sales to the U.S.S.R. remains an empty gesture without banning the export of phosphate fertilizer.

Second. Nothing is more critical to future Russian food production, and particularly grain production, than an adequate supply of phosphate fertilizer. For this reason the Soviets seized the famous apatite ores of the Kola Peninsula from Finland, which now supplies approximately 75 percent of Russia's annual production. Over the next 10 years, the U.S.S.R. should only be able to increase production from these mines 25 percent, while their phosphate needs will require several times that amount. The Soviets have other phosphate deposits, but they are only one-third as rich as the phosphate rock now being mined in Florida.

Third. This year, the United States is scheduled to supply the Soviet Union with 1 million tons of super phosphoric acid, according to an agreement with Occidental Petroleum. Since this may be the equivalent of 15 percent of the Soviet's total phosphate consumption, a ban on phosphate fertilizer exports to the Soviet Union would severely affect Soviet food production goals. To replace our product, the Soviets would have to increase production from higher cost domestic ores and construct acid plants requiring large capital outlays and new equipment. The only other phosphate producer in the world capable of eventually satisfying Soviet requirements is Morocco, a Moslem Nation justifiably concerned with both Soviet aggression in Afghanistan and on their own borders by Russian-backed Algerian rebels.

Fourth. Reserve estimates indicate the United States may itself become an importer of low-cost Moroccan phosphate by the end of this century, exhausting our domestic high grade reserves over the next 30 to 40 years. A June 1974 analysis by the U.S. Bureau of Mines concluded that—

Neither the granting of credit to construct ammonia plants in the U.S.S.R. nor the barter of fixed nitrogen fertilizers and potash from the U.S.S.R. to sell in the United States for super phosphoric acid (produced from Florida phosphate rock) are designed to benefit the mineral position of the United States.

The analysis also concludes that—

(T)he export of phosphate rock or its derivatives from Florida to the U.S.S.R. will accelerate the depletion of the remaining reserves of this mineral . . .;

And that—

(b)y the end of the century and perhaps sooner if exports are permitted to continue, the principal reserves of phosphate rock in Florida will be depleted.

The 1 million tons of phosphate fertilizer targeted for export to the Soviet Union this year would boost Soviet grain production by 10 to 20 million tons. The grain embargo will cut off 17 million tons of American grain from the Soviets. Fairness and common sense dictate that the United States prohibit phosphate fertilizer exports—otherwise the Soviets may more than makeup for our grain embargo by using the fertilizer we send them.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

● Mr. WILLIAMS. Mr. President, I wish to announce a joint hearing of the Committee on Labor and Human Resources and the House Committee on Education and Labor to receive testimony from Vice President WALTER F. MONDALE, Secretary of Education Shirley Hufstedler, and Secretary of Labor Ray Marshall on the administration's proposed youth employment initiative. The hearing is scheduled for 9:30 a.m. on Friday, February 22, in room 2175 of the Rayburn House Office Building.●

COMMITTEE ON ENERGY AND NATURAL RESOURCES

● Mr. JACKSON. Mr. President, on Friday, February 29, 1980, the Committee on Energy and Natural Resources will hold a hearing on the recent report of the Committee on Nuclear and Alternative Energy Systems (CONAES) of the National Academy of Sciences entitled "Energy in Transition: 1985–2010." The hearing will begin at 10 a.m. in room 3110 of the Dirksen Senate Office Building. Questions about this hearing should be directed to Benjamin S. Cooper or James T. Bruce at 224–9894.●

SENATE SELECT COMMITTEE ON SMALL BUSINESS

● Mr. NELSON. Mr. President, I wish to announce the Select Committee on Small Business will hold a public hearing on the review of SBA's innovation center budget reprogramming request on February 25, 1980. The hearing will be held in room 424 of the Russell Senate office Building at 10 a.m. Further information can be obtained from the committee's offices at 224–5175.●

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON RULES AND ADMINISTRATION

● Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the committee on Rules and Administration be authorized to meet during the sessions of the Senate on Tuesday and Wednesday, February 19 and 20, to hold hearings on additional funding for committee inquiries and investigations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be author-

ized to meet during the session of the Senate on Thursday, February 21, beginning at 2:30 p.m., to hear administration officials on Southwest Asia.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

MARYLAND, OH, MY MARYLAND

● Mr. MATHIAS. Mr. President, my State's song has recently drawn the attention of a number of people. A State senator asked the legislature to strip it of its official status and the widely read columnist George F. Will made "Maryland, My Maryland" the subject of a recent story.

The song, originally a poem set to the German carol "O Tannenbaum," is an example of the Maryland genre of patriotic verse. It was written by James R. Randall, a secessionist, after Union troops moved through Baltimore on their way to defend Washington, D.C.

Mr. Will points out another famous example of this genre, John Greenleaf Whittier's "Barbara Frietchie," but misses the most important of these literary works. He neglects to mention one other impassioned Maryland poem, the "Star Spangled Banner."

Mr. President, I ask that George F. Will's illuminating column from the February 10 Washington Post be printed in the RECORD.

The column follows:

MARYLAND, OH, MY MARYLAND

(By George F. Will)

Eternal vigilance is the price of preserving just about everything, and a vigilant committee of the Maryland legislature has nipped in the bud a particularly wicked "reform." It killed the bill that would have stripped "Maryland! My Maryland!" of its status as the state's song.

According to one legislator, if the bill had gone before the whole legislature, there would have been a "blood bath." Good. Let there be no lukewarmness when traditions are in jeopardy.

The song is based on a poem written by an excitable secessionist after the riot that occurred when Union troops passed through Baltimore in April 1861.

Twelve rioters and four soldiers were killed. The poem, a hymn to the Confederate cause, begins briskly.

The despot's heel is on thy shore, Maryland!
His torch is at thy temple door, Maryland!
Avenge the patriotic gore that fleck the streets of Baltimore.

As a loyal son of the Great State (Illinois), I must admit that the song carries free speech too far: the "despot" referred to is Abraham Lincoln. The patriotic gore was, truth to be told, seditious gore: if the rioters had not been bent on secession, Baltimore's streets would not have been flecked with them.

The poem canters along through nine stanzas, each bristling with stuff like:

For life and death, for woe and weal,
Thy peerless chivalry reveal,
And gird thy beauteous limbs with steel,
Maryland! My Maryland!

The poem rises toward truculence ("Thy beaming sword shall never rust. . . ."), dips briefly into bathos ("Dear Mother! burst the tyrant's chain. Maryland! Virginia should not call in vain, Maryland!"), then hits an operatic high note:

But lo! There surges forth a shriek
From hill to hill, from creek to creek—
Potomac calls to Chesapeake,
Maryland! My Maryland!

After some thoughts about the "crucifixion" of the Maryland soul, the poem roars to a worthy conclusion:

She is not dead, nor deaf, nor dumb—
Huzzah! she spurns the northern scum!
She breathes! she burns! she'll come! she'll come!
Maryland! My Maryland!

My goodness. Some of my best friends are northern scum. Come to think about it, I am northern scum. The poem and the song are, of course, nonsense. But splendid nonsense.

Leaving aside tasty crabs and tangy politics, Maryland is perhaps most famous for inspiring splendid nonsense, such as John Greenleaf Whittier's poem about Barbara Frietchie of Frederick. According to Whittier, when Stonewall Jackson's troops fired at her Union flag, Ms. Frietchie, age 90, spoke:

"Shoot, if you must, this old gray head,
But spare your country's flag," she said.
A shade of sadness, a blush of shame
Over the face of the leader came.
The nobler nature within him stirred
To life at that woman's deed and word.
"Who touches a hair of yon gray head
Dies like a dog! March on!" he said.

Darn right he did. Oh, some spoilsports say Whittier embroidered the truth, but a bit of such embroidery hurts neither Stonewall nor Ms. Frietchie, nor thee nor me. Indeed, it is good for us when we encounter it a century later.

It preserves, like a butterfly in amber, the colorfulness of our shared past. It is an echo of honest passion in an age singularly short of such. Furthermore, we should find it fun and improving to reflect that we are descended from people for whom the exuberant language of "Barbara Frietchie" and "Maryland! My Maryland!" was as natural as the flattened language of news broadcasts and bureaucracies is to us.

Maryland's song has lost its power to inflame, but it remains instructive. And attempts to sanitize what the past has passed on to us are disloyalties disguised as fastidiousness, disloyalties to our parent, the past.

The attack on Maryland's song was the work of an otherwise splendid state senator, Howard Denis, a Republican who thinks it wrong for a state's song to call for the violent overthrow of the federal government. (Many Republicans constantly call for that, in their hearts.) Being the forgiving sort, I assume the senator was just temporarily deranged by the stress of serving in a legislature where Democrats hold 165 of 188 seats. Such domination by the Democratic Party gives fresh meaning to the words, "The despot's heel is on thy shore."

Any "reform" regarding the song would have placed Maryland on the slippery slope to ruin. If that "reform" had not been stopped dead in its tracks a raging flood of awful modernizing would, I do not doubt, have changed even the state's official sport. Which, by the way, is jousting.●

THE 1980 INTERNATIONAL CRISIS

● Mr. JACKSON. Mr. President, the Committee on the Present Danger is a nonprofit, nonpartisan educational organization of citizens, which has, since its founding in 1976, issued reports and studies relating to our national security. These have been of high quality and important in informing public debates on strategic and conventional military matters, arms control, and other critical national issues.

On January 23, 1980, the Committee on the Present Danger released a statement on "The 1980 Crisis and What We Should Do About It."

The committee takes the position that U.S. foreign policy over the last decade has been characterized by an unwillingness to compete with the Soviet Union and to hold its drive in check, and that international politics is sliding into anarchy.

To quote from the statement:

If the United States rallies a coalition to respond to the Soviet challenge, a system of order may be restored. If not, the non-communist world faces continuing collapse. It is still true that the NATO Allies, Japan, and other like-minded countries have more than enough actual and potential power to arrest this slide toward anarchy, if our country and the others perceive the crisis for what it is, and act quickly, firmly, calmly, and above all with persistence.

I recommend to my colleagues a careful reading of the committee's analysis of the present crisis and their program proposals.

I ask that this statement by the Committee on the Present Danger appear in the RECORD in its entirety.

The statement follows:

THE 1980 CRISIS AND WHAT WE SHOULD DO ABOUT IT

(A statement by the Committee on the Present Danger, Jan. 23, 1980)

I

The Committee on the Present Danger declared in its first Statement, on November 11, 1976:

"Our country is in a period of danger, and the danger is increasing. Unless decisive steps are taken to alert the nation, and to change the course of its policy, our economic and military capacity will become inadequate to assure peace with security.

"The principal threat to our nation, to world peace, and to the cause of human freedom is the Soviet drive for dominance based upon an unparalleled military buildup.

"The Soviet Union has not altered its long-held goal of a world dominated from a single center—Moscow. It continues, with notable persistence, to take advantage of every opportunity to expand its political and military influence throughout the world: in Europe; in the Middle East and Africa; in Asia; even in Latin America; in all the seas."

The Committee recommended increases in conventional and strategic forces, and in research and development efforts, to provide the necessary foundation for a fresh, active, and concerted diplomacy of Allied unity to deter Soviet expansion and to preserve the balance of power on which peace with security depends. The Committee concluded:

"There is still time for effective action to ensure the security and prosperity of the nation in peace, through peaceful deterrence and concerted alliance diplomacy. A conscious effort of political will is needed to restore the strength and coherence of our foreign policy; to revive the solidarity of our alliances; to build constructive relations of cooperation with other nations whose interests parallel our own—and on that sound basis to seek reliable conditions of peace with the Soviet Union, rather than an illusory detente.

"Only on such a footing can we and the other democratic industrialized nations, acting together, work with the developing nations to create a just and progressive world economy— the necessary condition of our

own prosperity and that of the developing nations and communist nations as well. In that framework, we shall be better able to promote human rights, and to help deal with the great and emerging problems of food, energy, population, and the environment."

The analysis offered by the Committee in 1976 has been fully confirmed by subsequent events. The trends in Soviet policy to which the Committee called attention have continued with accelerating momentum. The Soviet military presence and the strategic threats it represents are more obvious and more ominous than was the case three years ago, from the Persian Gulf, Africa, and the Middle East to the Caribbean, South East Asia, and the approaches to China and Japan.

As the Soviet Union has moved forward, exploiting its growing sea-power and airlift capacity, the United States has continued to retreat. In many areas where bases and support facilities were once available to the United States or its Allies they are now at the disposition of Soviet forces. As a result, the Soviet Union can dominate Western economic and military lifelines through the Persian Gulf, the Arabian Sea, and the Indian Ocean, and threaten our use of the South Atlantic, the Caribbean, and the Western Pacific. If the Soviet Union should decide to use proxy forces, or its own forces, in one or several of these areas, we should find ourselves locally outgunned, and in no position to face the risk of potential nuclear escalation, as we did in the Cuban Missile Crisis of 1962, when our local forces were clearly superior to those of the Soviet Union and our strategic nuclear capacity was beyond challenge.

Even more important, the Administration refuses to acknowledge that the United States has been becoming Number Two in military power. But the largest segment of the American people—in frustration and anger—believes that our country has already reached that unenviable posture. This country no longer has the capacity to protect its interests and American citizens abroad.

Looking back at our 1976 statement, the Committee on the Present Danger reaffirms its analysis, and repeats its call for action. The Committee emphasizes that more will be required today, than would have been required had action been taken then. During the past three years the United States has reduced its Navy, closed the production line of the Minuteman III missile, cancelled the B-1 bomber and the so-called "neutron bomb," and delayed the Trident submarine and the MX missile, weapons systems which had been planned and scheduled earlier as essential to a balanced military posture.

Following a long series of adverse political and military developments, the United States faces a world crisis—a world crisis caused by the Soviet Union's lunge for dominance, and by our country's inadequate response. During those years the United States turned away from the foreign policy pursued from Truman right up to the collapse in Vietnam. The new United States foreign policy has been characterized by an unwillingness to compete with the Soviet Union and to hold its drive in check.

If the United States rallies a coalition to respond to the Soviet challenge, a system of order may be restored. If not, the non-communist world faces continuing collapse. It is still true that the NATO Allies, Japan, and other like-minded countries have more than enough actual and potential power to arrest this slide toward anarchy, if our country and the others perceive the crisis for what it is, and act quickly, firmly, calmly, and above all with persistence.

II

The problems in the Persian Gulf area are among the most urgent confronting United States foreign policy and constitute an appropriate focus for this statement.

Today, in mid-January 1980, United States diplomatic personnel in Iran are still being held under humiliating conditions in open violation of one of the most ancient and essential rule of international law—immunity for diplomats. But the seizure of our diplomats in Iran, outrageous as it is, is only a symptom of a much larger process which will not end if they are released. The anarchy in Iran cannot now be easily reversed. The armed forces of Iran apparently are no longer capable of restoring order and government in that tortured country. The violent movements of social and religious protest of the last few years in Iran were actively promoted by the Soviet Union from the beginning.

A point has now been reached where a Soviet move to seize control of Iran is a distinct possibility. This has been made more likely by the Soviet occupation of Afghanistan, and by the strong positions the Soviet Union has achieved in Ethiopia, North and South Yemen, Iraq, Syria, Lebanon, and Libya. Control of Iran would open the way to Soviet control of Saudi Arabia and the entire Persian Gulf region. This has been one of the major goals of Soviet strategy for many years.

Given the present importance of oil and of well-located air bases and logistic facilities, Soviet control of the Persian Gulf would expose the non-communist world to the danger of strangulation.

The Persian Gulf problem does not exist in isolation. There are other serious but less dramatic difficulties pressing upon the United States in many parts of the world, from the Far East to the Caribbean. In the Caribbean, for example, the Soviet Union has been steadily improving its position. Soviet planes, submarines, and combat troops are based in Cuba, and military assistance has been given from Cuba to revolutionary movements in Nicaragua, El Salvador, and other countries in the area. A potential is being built up from which the Soviet Union can threaten our Atlantic sea lanes, our communications with Central and South America, and the territory of the United States itself.

Security problems of this order surely cannot be dealt with on the footing of business as usual.

III

The events of 1979 and early 1980 both in the Caribbean and the Persian Gulf make it clear that the Administration's policy is wrong; it must be changed unequivocally and at once.

The United States, particularly in the three years of the Carter Presidency, has, by words and acts of restraint, taken one unilateral step after another in the hope that the Soviet Union would accept such a policy of restraint for itself. The results of these efforts have been uniformly negative. The Soviet Union has continued to accelerate its program of world wide expansion and its rapid military buildup. In these activities, it has undertaken and supported flagrant violations of the Charter of the United Nations, including support of North Vietnam's attack on South Vietnam, the Vietnamese invasion of Cambodia, the Palestine Liberation Organization's attacks on Israel, the use of poison gas against the Meo tribesmen in Laos, and the Soviet direct and inspired attacks on Afghanistan, Angola, Ethiopia, Somalia and North and South Yemen. During the crisis over the capture of the American Embassy and the imprisonment of American diplomatic representatives in Iran, Soviet radio, broadcasting to Iran and to the Islamic world, applauded the lawless acts of the militants masquerading as "students"; falsely charged American involvement in the attacks on the Mosques of Mecca and Medina; and urged other countries to follow the Iranian example.

President Carter in January, 1980 announced that he had changed his opinion of what the Soviets' ultimate goals are. That change of opinion has not yet been accompanied by a matching turn in United States policy, and by the adoption of programs adequate to meet the challenges facing the nation. It is the view of our Committee that the USSR will continue its program of expansionism unless and until we are able to confront it with an array of unacceptable risks.

IV

Before presenting our Committee's program of action, it is appropriate to make clear what we consider to be the necessary and abiding principles of United States foreign and defense policy.

The foreign policy of the United States, like every other aspect of our policy, draws its substance from tap roots deep in the American earth, from the principles and ideals which make this nation what it is. America is more than a super-power. The idea of the United States is a living part of Western civilization, with a compelling and altogether special history which belongs to all who cherish human liberty. Washington, Franklin, Jefferson, and Lincoln are revered throughout the world not merely because the United States has been concerned, as every state must be concerned, with the balance of power in world politics as the ultimate assurance of its own safety and that of other nations. What the great American leaders said and did remains a force for freedom.

The ultimate mission of the foreign policy of the United States is not order alone, but justice—not simply a balance of terror, but a world in which this nation can continue to develop as a democracy, a world in which the values and principles embodied in the United Nations Charter are respected by all states and all peoples.

Between President Truman's time immediately after World War II and the revulsion against Vietnam during the last decade, this country had a generally coherent foreign policy, which was supported by a bipartisan majority of the American people. The main features are familiar:

First, there was the network of programs, starting with the Marshall Plan, through which the United States helped to restore the industrialized democracies and knit them and much of the Third World into a dynamic, worldwide, and progressive economy. Between 1947 and the early Seventies, these policies were successful, helping both the industrialized and many of the developing nations to achieve high rates of growth and social progress under reasonably stable conditions.

Second, the United States supported decolonization, and initiated programs of economic and technical assistance to the developing nations, most of them newly liberated from imperial rule. Here the record of success was uneven, but many developing nations, from Taiwan, Malaysia, and South Korea to Mexico, Brazil, and, until recently, Iran, made striking advances as integral parts of the world economy.

Third, the United States developed and supported bilateral and multilateral policies of international political cooperation to encourage social and political development, education, cultural improvement and the self-determination of peoples.

Finally, this country conducted a long, patient and thus far largely unsuccessful campaign to bring nuclear weapons and nuclear technology under effective and useful international control.

Shortly after the initiation of this policy under the Truman Administration, it became clear that the Soviet Union was marching to a different drummer—it continued to pursue its expansionist goals in Eastern Europe by moves against Iran, Greece, and Turkey, and rejected the American offers of the

Marshall Plan, the Baruch Plan, and proposals to develop the Security Council as an effective peace-keeping institution. Throughout the succeeding period, every American President sought to persuade the Soviet Union to accept the rules of genuine coexistence in this sense, and, when these efforts failed, sought to deter and if necessary repel, by the limited use of force, Soviet-backed expansion. These United States efforts were successful, in the post-war crises over Iran, Berlin, Yugoslavia, Greece and Turkey, Korea, and the Cuban Missile Crisis, in maintaining a balance of power in world politics.

The commitment of the Western nations to this approach to the problem of peace began to weaken after the frustrations of the Korean War, and weakened a great deal during and after the war in Indo-China. The new policy which emerged was based upon the illusion of moral symmetry—the illusion that the Kremlin shared with the United States the same basic principles and the same desire for a true détente.

The American people were assured that negotiation had been substituted for confrontation in our relationship with the Soviet Union; that the Cold War was over; and that a condition of "détente" with the Soviet Union had been achieved at last. But Soviet foreign policy has not mellowed, as many hoped or claimed. Indeed, its pressures are greater and more pervasive than ever, because it can be backed by far more powerful military forces and conducted in a more confident manner.

Pursuing a policy built on illusion, we have been adrift and uncertain while the Soviet Union expanded its power and empire on every continent and on all the seas.

The Committee on the Present Danger was organized in 1976 to address that condition and to encourage an active and disciplined discussion of the main problems of United States foreign and defense policy. The Committee adheres to the view that in a democracy, sound policy must have a solid foundation in public understanding and support.

Constructive changes in public opinion on foreign policy questions have occurred since 1976. In the Committee's view, the American people are ready once more, without illusion or wishful thinking, to support an effective foreign policy and the programs necessary to protect American interests.

V

The slide toward anarchy in international politics must be reversed.

This country's national interest in preserving the political independence of Western Europe, Japan, and a number of other countries is obvious. That interest can be threatened not only by direct attack but by envelopment and indirect aggression as well. The defense of the Middle East, for example, is vital to the defense of Western Europe, and that of South Korea and Taiwan to the defense of both Japan and China. Each problem must be examined in context as it arises. In a world which is becoming smaller every day, the United States cannot protect its interests by drawing an arbitrary line around certain areas, and ignoring the rest of the world. That approach was tried once. It resulted in the Korean War.

Attempts of this kind—attempts, that is, to define the national security interests of the United States in terms less comprehensive than those of the United Nations Charter—all fail for the same fundamental reason: The Soviet strategy of imperial expansion, world-wide in scope, is a dynamic process, focusing now on one area, now on another, and is constantly nourished and strengthened by the Soviet perception of its emerging military superiority. No region of the world can be excluded in advance from the agenda of our concern, for each may be used as an instrument of expanding the means of control as Soviet campaigns develop. For example, it is hard to imagine areas of the world more remote from the United States than Afghanistan and the Yemeni states. Yet the United States has rightly asserted an interest in their independence, since they can be used to support pressure on Iran, Saudi Arabia, and the Persian Gulf region generally.

The time has come, we are convinced, for the United States, its Allies, and other nations, to reach a common and concerted position on Soviet aggression. United States foreign policy should be based on the principle that this country, its Allies, and other nations should act together in solidarity as partners in the great tasks of peace and progress where our interests are parallel.

The rules of the United Nations Charter were carefully thought through and were approved by the entire international community. They are inherent in the nature of the inter-state system, and have been interpreted in the same way by United Nations studies, decisions of the International Court of Justice, and the Security Council, ever since 1945. Except in cases of individual or collective self-defense, or enforcement action by the Security Council, the Charter prohibits the international use of force against the territorial integrity or political independence of any State, and impose upon all States absolute responsibility for the international use of force from their territories by irregular forces, guerrillas, mercenaries, or armed bands. The Brezhnev Doctrine and so-called wars of national liberation violate the Charter as categorically as do all other forms of aggression.

There is still time for effective international action to protect the safety and prosperity of the United States through peaceful deterrence and well-conceived Alliance diplomacy, rather than through war itself.

VI

To make such a program of active deterrence and Allied solidarity effective, the Committee on the Present Danger proposes a series of steps to be taken by the government and people of the United States with support and reinforcement by their Allies and other friends.

President Carter's 1981 budget and program proposals should provide for a prompt and adequate increase in our military strength—strategic, theater nuclear, and conventional. Areas which merit emphasis include:

(1) Maintaining a clear and credible second strike strategic capability, by moving promptly to protect our land-based, air-based, and sea-based strategic launchers against the risk implicit in the looming counterforce Soviet nuclear arsenal. Time is now of the essence in achieving this goal. We should proceed urgently with the MX and Trident programs. To cover the period of danger before MX is available in useful numbers in 1989, Minuteman III should be redeployed in the most effective and timely way; that is, in the multiple vertical protective shelter system. We should also get on with the production of a more survivable penetrating bomber and cruise missile carrier to supplement our obsolete B–52s. It is likely that the FB–111–BC could fill the gap until a longer-range solution based on B–1 technology can be made available. The adequacy of improvements to our command, control and communications systems and of development work on cruise missile technology and ballistic missile defense should be reexamined.

(2) Initiating the long term process of restoring our all-oceans Navy, capable of protecting our interests against the Soviet fleet in the Atlantic, in the Pacific, in the Mediterranean, and in the Indian Ocean and the Persian Gulf. The budget should also provide adequate funds for our ready forces and reserves and increased funds for research and development.

(3) Modernizing U.S. theater nuclear forces. While we endorse the recent decision to deploy ground-launched cruise missiles and the Pershing II in Europe, this move in itself will not reverse the growing imbalance in theater nuclear systems. Deployment of enhanced radiation weapons remains a basic requirement for defending NATO.

(4) Urgently reviewing our military manpower requirements and policies, in view of the magnitude of the effort which will be necessary to arrest the momentum of the Soviet drive for dominance, and of the shortcomings of the volunteer recruitment program. The machinery for manpower registration should be reconstituted at once, so that a democratic and equitable Selective Service system can be instituted as changing circumstances may require.

(5) Increasing our long-term military presence in a number of key regions of the world, in order to make it possible promptly to defend, and to make it apparent that this nation is prepared to defend, its interests by military means, should such action become necessary.

In order to make it possible for the United States to sustain support for such a program of increased military strength, the United States must pursue far more effective economic programs, both nationally and internationally. It must control inflation and rebuild its position in the world monetary system on a more stable footing. In that perspective, reducing the need for oil imports, both through conservation and through increased production of domestic energy, is key.

On the solid foundation of such a United States policy, others in the world threatened by the spreading Soviet drive for military and political dominance would be given hope and encouragement to increase their own defense effort. This nation and its Allies should then be able to deal with problems in the Persian Gulf and many other parts of the world by firm and prudent diplomacy.

VII

The problems which the United States faces are in some ways similar to those confronted by the Western world before the Second World War.

In the years before 1939, people watched with disbelief as the world political system disintegrated toward anarchy, and anarchy led to war. During those years, the world order, partly restored at Versailles in 1919, fell apart under the hammer blows of Adolf Hitler. Today a similar process is taking place as the Soviet Union pursues a program of expansionism even more ambitious than that of Hitler, claiming the sanction of scientific Socialism for designs in the ancient model of conquest and predation.

In the Thirties, respected public figures understood the dangers and the risks, and called them eloquently to the attention of the Free World. But the British and American authorities were incapable of acting decisively on what they knew to be the facts. For profound reasons rooted in the educational systems and the culture of the Anglo-Saxon nations, they clung to the illusion that things were not so bad as they seemed; that those who warned of the danger of war and called for the restoration of world public order were "alarmists" and "extremists"; and that somehow a compromise would be reached and war averted.

History has judged those men harshly. They were Pollyannas whose good will and good intentions paved the road to disaster. To them, the facade of the familiar peaceful everyday world seemed permanent and immutable. In a moment, however, that facade proved to be as fragile as a stage set.

Even with the experience of 1914 vivid in their memories, the British and American people simply could not bring themselves to

imagine in the mid 1930s that world war would come again. For them, the taboo against the political use of military force was a powerful restraint. Therefore they waited until it was too late to save peace and freedom without war.

As we Americans face the problems of foreign and defense policy, we should remind ourselves of that terrible experience. Even towering Western leaders like Churchill and Franklin D. Roosevelt failed to prevent war. President Roosevelt, active as he later was in achieving Lend-Lease, the Destroyer-Bases Agreement, the convoys to Europe, and all the other important actions of the period after World War II began, did not join with Britain and France during the middle Thirties when the war might well have been prevented.

The tides are once again rushing the world toward general war. Together with its Allies, the United States still has time to protect our vital national interests by the methods of peace, but that time is growing short.

The American people are ready to answer a call for action and, where necessary, sacrifice. Will their leaders chart an adequate program—and will they do so in time? The answers to those questions will determine whether the 1980 crisis is the forerunner of catastrophe for the non-communist world or whether it marks a turning point toward restoring peace with security and freedom.●

WHERE WILL THE WEAPONS COME FROM?

● Mr. GOLDWATER. Mr. President, in one of its regular defense reports, the association of the U.S. Army asks a very important question that, frankly, the answer to which will disappoint all Americans. The question, "It's fine to offer arms aid to threatened countries, but where will the weapons come from?" I ask that this report be printed at this point in the RECORD.

The report follows:

DEFENSE REPORT

It's Fine to Offer Arms Aid to Threatened Countries, But Where Will the Weapons Come From?

The Soviet invasion of Afghanistan has triggered a number of reactions in the United States including a pledge to provide modern weapons and supplies to Afghanistan's neighbor, Pakistan. The pledge is reported to have a price tag of about a half billion dollars so it represents a sizable quantity of material. The U.S. government is also pursuing a plan to rebuild the Turkish armed forces and will continue substantial military aid to Israel.

But, while there is broad support for the program to help Pakistan prepare to defend itself and to maximize the defensive potential of the Turkish armed forces, there is a growing concern that the U.S. industrial base may not be up to the task. Administration plans to increase hardware spending for our own forces emphasize the problem. In the 1973 Yom Kippur War between Egypt and Israel the production base could not respond quickly enough to keep ammunition flowing to Israel in sufficient amounts, so U.S. Army reserve stocks in Germany and elsewhere were raided. Seven years later the reserves are just about reestablished. It is feared that, if the aid to Pakistan is to be provided on a short-term time-table, the weapons and equipment will have to be taken from U.S. units. U.S. commanders will then have to pray that the units from which the equipment is taken will not be needed to fight until the industrial base can replace them.

A sizable portion of the government-owned ammunition production base has been "laid away" and would take weeks or months to get into operation. There is insufficient foundry capacity in the United States today to provide more than the number of cast tank hulls and turrets needed to supply a peacetime rate of tank production. The specialized industries that produce the missiles and ultra-sophisticated electronics gear the armed forces use are already close to maximum production and have no means to rapidly increase their output. In short, "The Arsenal of Democracy" could not be as responsive as we would like to believe.

This predicament was not developed over night. It is the product of years of defense cost-cutting and of setting low production rates to "stretch out" the procurement of major weapons. No prudent civilian industrial manager would build a plant bigger than the one he needed to produce the specified number of tanks, aircraft or ships in the required time.

Certainly we should help the nations that stand with us against Soviet aggression. Because of their proximity to the Soviet Union, Pakistan and Turkey would be drawn into the fight first. But our own forces must also be ready or they present no deterrent at all, and deterrence is the prime reason for their existence.●

LITHUANIAN INDEPENDENCE DAY

● Mr. SCHWEIKER. Mr. President, February 16, 1980, marks the 62d anniversary of the reestablishment of Lithuanian independence and the 729th anniversary of the founding of the Lithuanian State. In publicly commemorating these events, Americans of Lithuanian descent reaffirm their commitment to the exercise of basic human rights which have so often been forcibly suppressed during Lithuania's tortured history.

In 1918, Lithuania achieved independence after 123 years of oppression by Russian czars. Forty years have passed since Lithuania was denied its right to self-determination by the Soviet Union's invasion, occupation and annexation of the Baltic States during World War II. Although the U.S. Government has never recognized the Soviet occupation of the Baltic States of Latvia, Lithuania and Estonia, the denial of human rights and the Soviet policy of forced assimilation have not generated the outspoken official protest they warrant. It is therefore imperative that this year's commemoration, cast against the backdrop of yet another ruthless Soviet attempt to eradicate all vestiges of freedom in a once-independent nation, serve to forcefully condemn such shameful oppression.

The horrors of the Stalin era have been replaced with subtler, though no less invidious, means of repression. Although the hopes of many Eastern Europeans were raised when the Soviet Union signed the Helsinki Final Act in 1975, and again when human rights were brought before a world audience at Belgrade in 1977–78, firsthand accounts by former "prisoners of conscience" and reports in the Western press indicate that the repressive practices have not abated. In Lithuania, the Soviets continue to arrest, imprison, exile, or harass increasing numbers of Lithuanian dissidents for alleged "crimes against the State."

In commemorating these Lithuanian anniversaries, the United States should rededicate itself to the tireless promotion of human rights so as to keep alive the aspirations of Lithuanians and all other persecuted peoples who desire the unfettered opportunity to exercise these rights.●

CUBA'S OBJECTIVES

● Mr. STONE. Mr. President, while violence and unrest continues to escalate in Central America, particularly in El Salvador, our response continues to be inadequate. Cuba's policies, if the front page article in this morning's edition of the Washington Star is any indication, unfortunately do not suffer from the same drift and inadequacies. I ask that this article be printed of this point in the RECORD.

The article follows:

EXPERTS SEE NEW CUBA ROLE IN HEMISPHERE REVOLUTIONS

(By Henry S. Bradsher)

Cuban training and advice on revolutionary techniques have contributed to growing political turmoil in Central America—including leftist violence in El Salvador—and pose a danger to governments in other parts of Latin America, according to U.S. specialists on the region.

The specialists say that Cuba has in the past year or so assigned a higher priority to attempts to subvert regimes in Latin America. They discern a new phase in the Cuban effort to spread communism in this hemisphere.

Cuba is credited by the specialists with playing a key organizing role in the Sandinista victory in Nicaragua last July and now in moves toward consolidating Communist power there.

Cuba is also teachig radicals from other Latin American countries how to develop popular complaints into revolutionary situations, the specialists said. The effects are already being seen in crises in Guatemala and El Salvador, and they could appear soon in other places.

Smoldering complaints based on economic and social disparities, some existing since Spanish settlers subjugated Indians are being fanned into flames by a new Cuban approach. It emphasizes broad-based revolutionary movements, replacing Cuba's unsuccessful 1960s emphasis on small guerrilla bands in Latin American countries.

The Carter administration has recognized the threat to some Latin American regimes as a result of Cuban activity. The threat is considered more real and more dangerous than the possibility of direct intervention in Latin American countries by Cuban troops.

But the twin U.S. answers to the threat are long-term responses: supplying economic aid to help reduce poverty that breeds revolution and urging social and political reforms. The U.S. responses might not be able to overcome years of social ills before the Cubans can foster the development of explosive pressures and then touch sparks to them.

The specialists, most of whom analyze Latin American developments for the U.S. government, said Cuba's new activity apparently results from seeing fresh opportunities in the region after the coup in Grenada last March and the fall of President Anastasio Somoza Debayle in Nicaragua last July.

Those events led to the creation of a special task force by the Carter administration to study instability in the region. It was headed by Philip C. Habib, a senior adviser to Secretary of State Cyrus R. Vance.

But, although it recognized the need for more economic aid, the budget recommendation that President Carter sent to Congress last month decreased the amount of economic aid sought for Latin America. Carter

had asked $326 million for the current fiscal year, but he only asked $304 million in 1981.

The existence of revolutionary new possibilities became evident to Havana, and presumably also to the leaders in Moscow who finance and influence what Havana does, after Cuban ventures in Africa had stagnated.

There are now about 36,000 Cuban troops and military advisers in Africa and the Middle East plus about 14,000 teachers, technicians and others. With a population bulge at home that creates a need for jobs, and with Moscow paying the bills, this is a role that Cuba can maintain for an indefinite time.

But since the buildup in Ethiopia in the winter of 1977–78, following the 1975 Angolan venture, there have not been any openings for playing major new roles in new African countries. Havana and Moscow apparently decided not to get involved in the Rhodesian civil war after training some local guerrillas. Both quietly support the current attempt to reach a political solution.

The Latin American opportunities are different from the African ventures. They require only seed money and small numbers of people. Some of the revolutionaries are radicals from other Latin countries who have been trained and have lived in Cuba for years as the nucleus of a Communist international brigade.

These people are now instructing the local leaders of old, sometimes moribund, movements in various countries on how to expand their political base, turn latent grievances into explosive issues, and organize revolutions. This represents a new approach for Cuba to Latin American revolution.

When Fidel Castro came to power in Cuba on New Year's Day 1959, he called for his guerrilla example to be followed in Nicaragua, the Dominican Republic, Venezuela and other countries. Guerrilla missions were quickly sent to these countries and others like Haiti and Panama. But most were what the specialists called "comic opera operations" that failed.

More careful preparations led to more serious revolutionary efforts. The theory in Havana was that a small guerrilla nucleus would spark the overthrow of dictatorial regimes. But these efforts ended with the death in Bolivia in 1967 of Castro's comrade, Che Guevara.

Cuba remained dedicated to spreading its revolution, but after 1967 it emphasized the maintenance of formal relations with Latin governments. Obtaining the benefits of trade and cultural exchanges was not considered inconsistent with plotting to subvert other governments.

The overthrow in 1973 of the world's first democratically elected Marxist president, Salvador Allende Gossens in Chile, confirmed the Cuban conviction that only an armed revolution that destroyed all opposing power could establish a Communist regime. The theory was then growing in Havana that the best way to prepare for such revolutions was by developing mass organizations.

Cuba stayed in touch with the small, mostly insignificant guerrilla movements around the region, and it continued to train revolutionaries. But, one specialist said, it seemed to lack any master plan.

The strength and intensity of the Sandinista movement in Nicaragua apparently surprised Cuba, although the Sandinistas were already receiving help from some Latin American democratic opponents of Somoza as well as some not-so democratic anti-Somoza quarters. The unsuccessful Sandinista uprising in September 1978 caused Havana to take a new look at the movement.

In early 1979, the specialists say, the Cubans reached some kind of agreement with the Sandinistas to provide advisers, weapons, communications and other forms of aid. This seems to have been the critical element that led to the Sandinista victory over Somoza in July.

The precise nature of the Cuban role is still unclear. Some U.S. officials talk of Cuban "command and control," while others say it was more advice on coordination than the actual running of Sandinista operations. Cubans tried to stay in the background, using Communists from other Latin countries that they had trained.

"They don't want any Cuban bodies being found on guerrilla battlefields abroad," was the way one specialist described Havana's caution. But Cuba sent 1,200 teachers into Nicaragua after the Sandinista victory.

After Somoza fled Nicaragua, the local committees that had run Sandinista operations assumed broad powers over food distribution, passports and other things. These powers have gradually been expanded. At the same time, unions and other mass organizations have been formed to widen controls, the media have been muzzled, and security services strengthened.

"The infrastructure for a complete Communist takeover is now being put in place" in Nicaragua, one specialist said.

He compared the situation there with the piece-by-piece tactics that Communists used in Eastern Europe to slice up opposition after World War II and the conversion of Castro's originally broad-based 1959 government into a Communist regime. Another specialist said a similar development is now occurring in Ethiopia, where the Cubans and Soviets are trying to build a solidly Communist political base underneath the military junta that they went to aid.

"But at the moment (in Nicaragua) there's still enough divergence of views to slow the process" of a takeover, the specialist added.

After Somoza fell, the Cubans began paying more attention to neighboring El Salvador and Guatemala. Both countries had old, ineffective opposition movements that could be shaped into potent new forces for revolution.

The specialists have since last summer seen some coordination among what had been separate organizations in El Salvador, a coordination they believe is the result of Cuban efforts. This had led to an upsurge in revolutionary activity that threatens the stability of the country and is causing great concern in Washington.

After forging leftist unity, the Cuban advisers are presumed now to be preparing for insurrection. "They'll probably be ready within a year or so," one specialist said.

In Guatemala, the old Guerrilla Army of the Poor has moved away from its former base among a small core of radicalized university students to appeal to the masses of poor Indians. This is a shift from the traditonal supporters of Marxist movements in Latin America to a new and potentially stronger element that can sustain a revolutionary movement.

Specialists say that Cuban tactics differ in other Latin American areas. In the eastern Caribbean they seem to be counting on large-scale unemployment and other economic problems to produce radical changes. They are also watching for possibilities in South America, one example being Paraguay's future after aging dictator Alfredo Stroessner dies.

Mr. STONE. Mr. President, increasing Cuban involvement as outlined in this article should come as no surprise. Last July 20 at a breakfast meeting with reporters, Ramon Sanchez-Parodi, head of the Cuban interest section in Washington, said that Cuba plans to increase its cooperation with the Soviets and that such ties "will continue to increase in all fields including military collaboration." When Sanchez was asked whether that will mean internationally or only within Cuba, he replied "across the board," and named El Salvador, Guatmala, and Honduras as the next countries targeted for guerrilla insurrections.

I questioned the administration about this in an August 10 letter. The reply was that—

While Mr. Sanchez-Parodi did express Cuba's support for the struggle of "popular forces" in El Salvador, Guatemala and Honduras, he did not, as some press reports suggested, go beyond this to say that Cuba would provide arms to guerrillas or export revolution in this hemisphere.

Well, according to today's Star article, the advisers, weapons, communications, and other forms of aid Cuba supplied the Sandinistas seems to have been a critical element that led to the Sandinista victory in Nicaragua last July.

It would be naive and dangerously misleading to lay at Cuba's doorstep all the blame for the violence that currently is undermining moderate forces in El Salvador and threatens to envelop Guatemala. Social, economic, and political inequities persist in these countries. Our own policies, or lack of them, have not helped. Our inconsistent policy has often confused and undercut the very moderate, reform-minded political parties we ostensibly wanted to promote.

And our foreign aid continues to be administered in ways that often seem peculiar. We continue to build schools, while the Cubans send teachers to teach in them. We send crates of blood plasma with all sorts of friendly messages written on them, only to have Cuban doctors administer them.

Our own continuing determination to ignore Cuba's objectives and deal with them accordingly, have allowed the Castro regime to take important steps in Central America in selling a repressive social, political, and economic model that can only be described as an utter failure.

If we continue to ignore the Cuban role in all its dimensions, we will see the bloodshed of El Salvador repeated throughout the region.●

PAY INCREASE FOR PILOTS

● Mr. GOLDWATER. Mr. President, the situation in the flying sector of our Armed Forces is getting more and more dangerous day by day. As Congress delays, argues, and then backs away from the type of pay increase and other recognitions that men and women in the service deserve who fly the aircraft of our country, more and more are these people forced to get out of the service to get jobs that will enable them to live. How long this situation is going to last depends entirely upon this Congress. I ask that the article appearing in the Washington Post by George C. Wilson of Sunday, February 17, be printed at this point in the RECORD with the prayer that my colleagues will take heed before it is too late. Airplanes, frankly, in war are not worth anything unless they are in the air with their weapons activated.

The article follows:

PAY LID SQUEEZING BEST PILOTS OUT OF U.S. WARPLANE COCKPITS

(By George C. Wilson)

LANGLEY AFB, VA.—The fighter jocks flying the hottest planes in the sky, the ones who would go to war first, cannot figure out how Washington can be so damn dumb.

To them, all this hollering over registration and the draft is like swatting at the flies rather than attacking the manure pile, to use a famous expression from one of their former leaders, Gen. Curtis E. LeMay.

The big problem in today's military, according to the pilots of Langley Air Force Base, is not recruiting or drafting new bodies—although they favor this—but holding onto the men and women with "the right stuff" already in uniform.

"I feel unappreciated, taken advantage of," said Capt. William R. Looney III, expressing the hurt felt by the proud men who are pilots. "I'm disappointed in my countrymen. Tomorrow I could die. The American civilian leadership doesn't appreciate I'm doing that for them."

Pentagon statistics and surveys document that thousands of young pilots such as Looney are fed up with losing money to inflation year after year as the commander-in-chief caps their pay and civilian workers get big raises.

So many pilots are quitting in protest that both the Air Force and Navy fear they will not have enough to man all their warplanes. The Air Force figures it will be 2,400 pilots short this fiscal year, 2,500 next year and 4,000 the year after—unless pay and other benefits are improved dramatically. The Navy needed to retain 58 percent of its young pilots this year but now estimates it will hold only 28 percent of them.

The Air Force says it costs $900,000 to train just one pilot in the sophisticated tactics needed to win dogfights against Russians flying modern planes. But this expensive training makes the pilot highly saleable to commercial airlines and other civilian firms willing to pay twice as much as the military.

Today's jet pilot is a different breed from the storybook one, the hard-drinking swashbuckler of Pappy Boyington fame. He has at least one college degree, often two. He talks and thinks like an engineer, or else he does not survive modern weapons. And like everyone else, he worries about buying a home and putting aside enough money for his children's education.

He is hard to replace. Neither registration nor the draft would close the pilot gap. That is why Gen. Lew Allen, Air Force chief of staff, and Adm. Thomas B. Hayward, chief of naval operations, are more worried about keeping the good people they have than finding new bodies.

The squadron commanders who would have to lead their pilots to war, like Lt. Col. Ralph Wetterhahn of the 71st Eagle squadron here, see concentrating on retention as a matter of common sense.

"It's a whole lot cheaper to keep one guy from going out the back door than to try to take in three or four others through the front door to replace him," Wetterhahn reasoned. Safer, too.

His squadron flies the hot F15 Eagle fighter under the motto: "Our mission is to fly, fight and win." The word "win" is underlined. Living or dying in today's air battles depends on decisions made in seconds high above the earth. Inexperienced pilots die quickly.

"We can draft people until we're blue in the face, bring them in for two years, and they roll out after two years," said Vice Adm. George E. R. Kinnear II, commander of the Navy's Atlantic fleet warplane squadrons. "But that doesn't do anything to build up the skilled manpower who take five or six years to train."

It is young pilots with six to 11 years service—the ones especially attractive to airlines and other civilian employers—whom the Air Force and Navy are losing at an alarming rate.

Why would these pilots trade whirling around the sky at 1,000 miles an hour in fighter planes which cost $15 million to $25 million each for the comparatively dull life of civilian jobs? A group of them gathered to explain it at the building just off the airfield here used by the 94th "Hat in the Ring" squadron. Capt. Eddie Rickenbacker made the squadron famous during World War I. The original squadron's stone "Hat in the Ring" symbol—mounted in 1918 on the 94th's operations building in Toul, France—now marks the entrance to squadron headquarters.

The pilots in the lounge wear red or blue turtleneck jerseys under their flying suits. They begin with niceties and move quickly to anger—anger focused on Washington. Why does Washington care so much about draft legislation and "real growth" in the $158 billion Pentagon budget? Why does it care so little about "real growth" in the pilots' $24,000 paychecks?

The outrage is as visible in their conversation as the contrails from their F15 Eagles against a morning sky .

"A lot of people have this money problem," continued Capt. Looney, 30, native of Norman, Okla., an Air Force Academy graduate who also has a master's degree in management from the University of Michgan.

"It's not like we're saying poor Air Force officer, poor F15 pilot," Looney explained. "But the thing is that you see your friends outside the service making more money, and you know you're just as well equipped and capable, if not more so. You see what they can provide for their families. It frustrates you.

"I get a very good feeling for what I'm doing. Some day I'm going to be happy as hell and look back with great pride on the things I've accomplished in the military. But I'm exacting a pretty high price from my wife and my children to accomplish this for myself. They're the ones who are suffering.

"I feel unappreciated, taken advantage of. They know they've got a good ——— deal in the majority of people who fly this airplane. I don't feel my general has done that to me. I feel the civilian leadership has done that to me.

"The airplane could blow up. Somebody could run into me or I could run into them or we could go to war and I could get killed. And I've got a wife and parents and a family I'm leaving behind. I've accepted this, as has everybody else in this room. The American civilian leadership doesn't appreciate I'm doing that for them. I'm disappointed."

Capt. James G. Boehm, 29, of Fairview Park, Ohio, one of the pilots who flew an F15 to Saudi Arabia early in the Iranian crisis, agreed.

"If you think you're getting bad vibes," Boehm said, "I want to tell you you're talking to guys who have the best assignment in the Air Force"—flying the F15 fighter. Many pilots flying lesser planes are even more dispirited, he said, because they feel their efforts are not appreciated. "We're in our job right now so kids in San Francisco can go out and demonstrate against the draft."

Capt. David A. Greschke, 33, of Huron, S.D., is very saleable on the civilian market. He holds an electrical engineering degree from South Dakota State University and a public administration degree from the University of North Colorado.

"I'm still motivated," said Greschke, "but I would expect, after 10½ years in the Air Force, to be at a measurable level above where I started in pay, responsibilities and so on. But really, all that has changed is the rank."

He and other pilots, some of whom pulled pay cards and other papers from flight suit pockets to document their claims, said they have been losing to inflation year after year, most recently because President Carter capped their raises at 5 and then 7 percent—far below the actual rate of inflation.

The $24,000 captains said they do not expect to be paid the $60,000 to $100,000 salaries of commercial airline pilots. But they resent risking their lives for a government that refuses to keep their pay ahead of inflation. They said that skilled enlisted people, such as the crew chiefs who keep their F15s flyable, are losing out, too.

"It's very disheartening for me to go out to my jet and have my crew chief work my airplane, and then tip that same crew chief over at the commissary for bagging groceries," complained Capt. Rowe P. Stayton, 28, of Quinlan, Tex., an Air Force Academy graduate.

"There's something wrong with that system," Stayton went on. "The guy is expected to put in a hell of a job out there during the day and has to come over here in the evening to make ends meet by taking what I consider a demeaning position. More important, he cannot do his regular, very important job well because he is staying up too late doing the second job."

Stayton's crew chief maintaining the $15 million F15 is an E-3, or senior airman. His base pay is $570 a month, or $6,840 a year. Allowances on top of that push his pay to just under $9,000.

Maj. Hal Hornburg, 34, who has a business degree from Texas A&M and a master's degree in career management from the University of Utah, is briefing Capt. Gerry Christeson, a graduate of Ohio State, on how they are going to "kill" two "enemy" planes in an instrumented rectangle of sky off Cape Hatteras.

The "enemy" planes are Navy F14s out of nearby Oceana air base. Every maneuver will be recorded electronically. Afterward, the pilots will study on a screen back at the squadron what they did right and wrong, like pro football players reviewing Sunday's game film. The pilots' mistakes would probably mean death in wartime because aerial missiles have become so lethal.

Hornburg's briefing underscores the technological nature of modern dogfighting. Life or death depends on your radar seeing the other guy before his radar sees you, and on split-second mental computations of geometric angles for missile or gunfire. No more white scarf, eyeball-to-eyeball, lengthy whirling gunfights. It is kill or be killed in seconds.

"I don't want to fight slow speed today. So think getting energy. If you can't get back into the fight a good high energy rate, then separate." That means: if you can't manage supersonic speeds, break off the engagement.

"I want to run in on these guys at a six to nine thousand foot split and try to run a bracket on them," he continued. That means boxing in the two Navy F14s with the two F15s.

"I want to bracket them in terms of horizontal offset, vertical offset and in time. If I go low, we'll have a time bracket on them. What I want to avoid at all costs is having them see both of us at the same time. . . .

"What we want to do is get a quick kill and get out. If they deny that, and we know that by aspect [the geometric angles between planes fighting each other], then we fight them single-ship. If we can't get a quick kill within 15 to 20 seconds, then we want to bug out. We don't want to stay in and fight slow. Do not engage subsonic."

Capt. Christeson, Hornburg's wing man in the upcoming two-against-two air battle, interjected: "I'd like to call the aspects of my bogie, maybe every four miles. That cues me. And it might cue you if you hear me call an

aspect is bogus because the geometry has changed. . . ."

"We don't have to come back with three or four kills apiece," Hornburg stressed as he ended his briefing. "What we don't want to do is come back with a mort." For mortuary.

Hornburg and Christeson walked out to their F15s, relishing the thought of the upcoming duel off Cape Hatteras. To his dismay, Hornburg found his F15 broken down. Christeson took on the two F14s alone and got back "alive."

The scene is a dinner at a restaurant outside Norfolk. Two F15 pilots from Langley and their wives are having a night out. Joan Johnson, mother of two and a computer specialist, is explaining why low pay is not the only reason pilots are quitting the Air Force in droves.

"If he moves again," she announced resolutely, "I'll stay." Capt. Henry B. Johnson III, 34, of Silver Spring, who had to bail out over the North Sea when both Pratt & Whitney F100 engines in his F15 conked out at once, said he would respect her decision.

The Johnsons have been in the Air Force 11 years. They have been forced to move 11 times. Joan has had it with both the "genteel poverty" and the continual moving.

"Our fifth grader has been in five different school systems. It's a constant adjustment to different curricula," she said. Meanwhile, she has had to give up one good job after another.

Mrs. Johnson expressed the frustration shared by thousands of today's military pilots: "I didn't anticipate at 23 what my personal needs would be at 33."●

DOES THE DAVIS-BACON ACT PROVIDE MINORITY EMPLOYMENT OPPORTUNITIES?

● Mr. HATCH. Mr. President, over a period of time I have attempted to make the American public aware of the unnecessary inflationary aspects of the Davis-Bacon law which is allowing construction unions to enjoy the boon of this outdated law on wages. It is a sacred cow to organized labor, as evidenced by the excessive amount of time and money it is spending, to lobby our colleagues not to tamper with any of its provisions. It has cost taxpayers billions of unnecessary tax dollars over the years in excessive wage costs, as Congress has recently been reminded again, not by business but by the GAO—its own investigative agency.

Without rephrasing all of the reasons why Davis-Dacon ought to go—of which there are many—it seems to me that with the submission of the President's plan to deal with youth unemployment it is timely to reexamine Davis-Bacon in regard to minority employment opportunities. Of concern is not only restrictive job opportunities but also an array of other negative effects perpetuated by Davis-Bacon on minorities in this country—minority contractors, minority homebuyers, and minority communities. One of the best articles I have read on this subject has been written by Mr. Bill Keyes, currently a legislative assistant for the American Conservative Union. Mr. Keyes, in an extremely incisive and analytical way, concludes that the repeal of the act would have immediate positive effects on solving some of the housing and unemployment problems among minorities which in turn would benefit our entire Nation significantly.

Mr. President, repeal of this act, which costs many to benefit only a few, is a step which will reduce inflation, no matter how slightly, and is worth taking. Any step which will reduce the frustration and despair of the teenage jobless is also worth taking. For the edification of my colleagues, I am asking that the text of Mr. Keyes illuminative article now be printed in the RECORD.

The text follows:

EFFECTS OF THE DAVIS-BACON ACT ON MINORITIES

During the Great Depression, many local construction workers were being displaced by migrant workers who were willing to work for lower-than-normal wages. So, in 1931, the Davis-Bacon Act was enacted to protect local construction workers' jobs by discouraging the employment of itinerants on federally financed or federally assisted construction projects of over $2,000.

Davis-Bacon, the nation's first federal law affecting minimum wages for private sector employees, required the Secretary of Labor to determine prevailing wages in areas where federal construction was to take place. Wages paid to workers on these federal jobs could not legally fall below prevailing wage levels determined by the Labor Department.

Because of difficulty in collecting wage data, the Labor Department's prevailing wage determinations have often been erroneous. In many cases, the Labor Department has determined prevailing wage rates for nonunion rural areas on the basis of union wages in urban areas more than one hundred miles away. The chief result of these erroneous determinations has been serious inflation in the construction industry. Instead of preventing local wages from being undercut, Davis-Bacon has actually forced wages upward. And instead of insuring that federal contracts would go to the local contractor, the Act has tended to give advantage in bidding to larger, urban, union, and usually white contractors at the expense of the small local contractor.

Of concern here is the negative effects of Davis-Bacon on minorities in this country-minority contractors, minority homebuyers, and minority communities.

MINORITY CONTRACTORS

(1) Minority contractors, who tend to be nonunion, are often discouraged from bidding for government contracts because of the Act's manpower structures.

While many minority contractors make extensive use of laborers, Davis-Bacon makes few allowances for them in its wage scheme. Laborers are usually young persons who have had little or no experience in construction work. Along with mixing mortar and pushing wheelbarrows, they have the opportunity to work with the skilled tradesmen, learning as they go, so they can later be paid the higher wages for doing the job of the skilled tradesman. These laborers are willing to accept the lower wages because they receive the benefit of moving into the construction labor market; the contractor benefits from hiring them because they do necessary unskilled labor at wages lower than the wages paid to journeymen.

Because Davis-Bacon requires that anytime anyone picks up a tool of a trade he must be paid as a journeyman in that trade, the contractor on a federally funded or federally assisted project has to pay laborers as painters one minute and carpenters the next, always higher than he would otherwise pay them. This defeats his reason for hiring unskilled laborers.

The minority contractor, therefore, is discouraged from bidding for government construction contracts because he would be forced to make one of two undesirable choices—whether to pay his inexperienced laborers at high journeyman's wages required by the Act or to fire them at the outset of the job because they cannot be as productive as their high Davis-Bacon wages would demand. Because of concern for these employees and because most of the contractor's jobs will not be governmental jobs, the minority contractor often chooses not to bid for jobs financed by the federal government.

Not only does Davis-Bacon disrupt the minority contractor's wage rates, but the Act's wide range of stipulations also disrupts his normal method of operation. While the contractor may wish to save money on manpower and supplies by spray painting, for example, Davis-Bacon permits only brush painting. Similarly, while the typical minority contractor has one crew of laborers responsible for moving all building materials around the job site, Davis-Bacon demands that ironworkers move metal and plumbers move pipe.

This disruption of normal methods of operation is another reason why the minority contractor often chooses not to bid for federally financed construction jobs.

(2) Secondly, the minority contractor is discouraged from bidding because of the decreased morale which results when his workmen move from a wage-inflated Davis-Bacon job to a private job at a lower pay rate.

Also, the contractor who has some of his employees working on a government job while others are working on a private job is certain to have serious morale problems due to the difference in rates of pay for people doing identical work.

(3) Recordkeeping requirements also present problems for the minority contractor. Under regulations issued pursuant to the Davis-Bacon Act, the contractor is required to keep detailed payroll records while construction is underway, showing wages and other benefits such as health insurance paid for each worker. A certified copy of this paperwork must be sent to the project's contracting officer weekly.

The contractor is also responsible for assuring that each subcontractor is complying with these same reporting requirements, and the contractor is responsible for certifying and forwarding each subcontractor's weekly payroll forms to the contracting agency.

Moreover, the contractor is required to keep a copy of his payroll records on file for three years after the project is completed.

The typical minority contractor is small in his operations and would therefore be forced to hire additional office personnel to handle this paperwork required by Davis-Bacon. Because contractors move back and forth from federal to private projects, with the average nonunion firm doing no more than 25 percent of its work on Davis-Bacon projects, it is impractical for the minority contractor to hire additional office personnel. The alternative to hiring office personnel is hiring an outside accountant. There again, because the minority contractor typically runs a smaller operation, he is less able to bear this cost than his larger, and usually white, counterpart. Thus, the paperwork requirements of Davis-Bacon clearly give an advantage to the larger contractor who has his own office pool sufficient to handle it. Because of this paperwork burden, the minority contractor often choses not to bid on government construction projects.

(4) Wage competition exists in areas where government construction projects are underway. Due to the skilled manpower shortage in the construction industry and due to the weak contractor-employee relationships which result in part from the relative shortness of jobs, contractors working on private construction jobs are usually forced to raise the wages of their skilled tradesmen in order to keep these employees from leaving to work on federally financed construction jobs where they could earn the inflated Davis-Bacon wages. It is difficult for the small minority contractor to pass this cost on to the con-

sumer if he wants to remain competitive in the bidding for private jobs. So, some of the cost of increased wages must be suffered by the contractor. The minority contractor is typically less able than his white counterpart to compete against Davis-Bacon contractors for skilled tradesmen by raising wages.

MINORITY HOME BUYERS

There is a serious need for new construction in minority neighborhoods. Because minorities lag behind whites in income, they are more seriously affected by construction costs which are inflated by Davis-Bacon when considering home construction and renovation.

Washington, D.C., a city with a 70 percent minority population, can be used to illustrate how potential minority home buyers are affected by Davis-Bacon.

On March 12, the city announced the undertaking of an ambitious housing renovation project which would make available 733 units by November 1980. The cost of the project is estimated at 10 million, or a little more than $13,500 for the construction of each unit.

The rehabilitated units will be for both single-family and multi-family occupancy, with 269 units for sale to low and moderate income persons under the Federal Government's Section 235 program. The prices of 229 of these units range from $28,000 to $44,000; and forty units are priced from $38,000 to $44,000. The Section 235 program provides interest subsidies to reduce mortgage costs.

If Davis-Bacon's prevailing wage requirement inflates construction costs in Washington by ten percent, as has been estimated by builders in other areas of the country, sixty-seven less families will gain the opportunity to move into better homes. That is to say, sixty-seven additional units could be renovated with the funds needed to offset the additional construction costs required by Davis-Bacon.* This will be occurring amid reports that some two and three-room apartments in Washington are being shared by as many as two or three families which have been displaced because their homes have been purchased for conversion into expensive condominiums. Displaced families often share housing because affordable units are not available.

Another illustration of the effect of Davis-Bacon on minority homebuyers can be found in Indian housing. The Select Committee on Indian Affairs of the United States Senate reported recently that the prevailing wage requirement of Davis-Bacon has seriously inflated the cost of Indian housing partially financed by the Department of Housing and Urban Development to the extent that the average cost of modest single-family units on reservations is approaching $70,000. That price is almost $5,000 higher than the nationwide cost of the average single family home.

The average income of Indian families was $5,800 as compared with $9,590 per year for the population as a whole according to the 1970 Census, and in some Indian communities the unemployment rates for young people reach as high as eighty percent. Thus, Indian families are hardly able to suffer the rapid inflation of housing costs. Furthermore, this inflation has caused a significant reduction in HUD's estimate of the number of Indian housing units which will be produced in FY1980.

It is ironic that while all fifteen voting Congressional Black Caucus members and all four voting Hispanic Caucus members are quick to speak about the problem of inadequate housing in minority communities, they all voted against waiving Davis-Bacon prevailing wage requirements for residential housing rehabilitation projects carried out by neighborhood-based non-profit organizations.

The legislation which would amend certain federal laws relating to housing, also sought to exempt Indian housing from Davis-Bacon. This amendment to the Housing and Community Development Act was rejected by a vote of 155 ayes to 244 noes.

Government housing programs implemented to aid low-income families could serve far more families if they were not subject to an almost fifty year old law which requires the payment of higher wages to construction workers while also discouraging small, and particularly minority, contractors who would probably work at somewhat lower rates from even bidding.

MINORITY COMMUNITIES

Davis-Bacon has negative effects on minority communities in two significant ways. First, the Act often inflates building construction costs beyond the amount which neighborhood-based organizations can afford to pay for the construction of various projects intended for neighborhood benefit. And second, the Act often aggravates unemployment among minority construction workers and prospective minority construction workers.

(1) The Committee on Banking, Finance and Urban Affairs of the U.S. House of Representatives reported recently that "neighborhood-based non-profit organizations have been frustrated in their efforts to rehabilitate buildings because of the requirement that prevailing wage rates be paid on such projects."

(2) In the area of unemployment, it is easy to see that the intended purpose of Davis-Bacon is not being fulfilled by the way the Act is now being administered. When the law was enacted, the chief concern was the undermining of local wage rates by outside competitors willing to work for very low wages. But the law tends to have the exact opposite effect today, with Davis-Bacon encouraging the hiring of outside union labor rather than small nonunion, and often minority, local labor.

On Indian reservations, for example, few Indians are ever hired to work on Indian Housing Administration projects because few of them have had the opportunity to develop marketable skills to the point that they could be as productive as their Davis-Bacon wages would demand.

Because of this lack of a skilled labor force, on-the-job training programs should be prevalent on reservations, "Yet", according to the U.S. Senate Select Committee on Indian Affairs' Report on Indian Housing, "the Department of Labor's Bureau of Apprenticeship and Training (BAT), which administers these programs, has not taken any initiative to adapt them to the reservation and make them work. Few . . . tribes are large enough to make such a program . . . a success. It appears that there are more than enough training resources out of which BAT could easily construct a worthwhile and appropriate program. Nonetheless, BAT has yet to take any interest in Indian apprenticeship programs although Indian community unemployment rates generally eclipse even the worst urban ghetto black teenage rates, with some reaching as high as eighty percent.

"One thing is clear: the Davis-Bacon program bars local unemployed Indians from working on their own housing projects."

Davis-Bacon demands that apprentices employed on federal construction sites must be registered in state or federal programs recognized by the Bureau of Apprenticeship and training. A case involving the Delta Electric Construction Company, Inc., of San Antonio, Texas, illustrates the problem of this apprenticeship stipulation and its effects on minority employees.

On February 13, Delta entered into a contract with the Navy Department's Naval Facilities Engineering Command to make additions to airfield lighting systems. Shortly after entering into the contract with them, Delta requested authorization of additional classifications and wage rates for junior and senior electrical helpers.

On April 13, the Navy denied Delta's classification and wage rate requests, saying electrician helpers could not be employed instead of "properly indentured apprentices."

Delta, a nonunion firm, did not have a BAT-approved apprenticeship program. Rather, they had developed their own program which included a correspondence course, class-room training and on-the-job training. Arguing against the decision of the Division of Wage Determinations of the Department of Labor, Delta said their employees were being discriminated against because they were being deprived of an opportunity to learn the electrical trades without first joining a union and a union-sponsored apprenticeship program. Delta argued further that the Labor Department's decision violated Title VII of the Civil Rights Act of 1964 because the vast majority of their electrician helpers were minorities, and minorities were not likely to be accepted into union-sponsored apprenticeship programs in as great percentages as they were employed and trained by Delta and other nonunion firms like Delta.

Because apprenticeship programs approved by BAT are almost exclusively union-sponsored, and because minorities seem to have difficulty being accepted into union-sponsored apprenticeship programs, Davis-Bacon's requirement that laborers and helpers should be registered in BAT-approved apprenticeship programs tends to restrict the entry of minorities into the construction labor force.

U.S. District Court dismissed Delta's case, ruling that the decision rested within the Secretary of Labor's jurisdiction and was not subject to judicial review. Therefore, if nonunion apprenticeship programs which would facilitate the entry of more minorities into construction work are to be accepted for federal construction projects, Davis-Bacon must be repealed or its administration must be radically revised.

It is interesting to note that there were racial considerations in the enactment of Davis-Bacon just as there are distinct racial effects of it today, almost fifty years later.

In advocating passage of the Davis-Bacon Act, Congressman Miles Allgood spoke in favor of protecting local "white labor" from "cheap colored labor" from southern states. Today, while Davis-Bacon is intended to protect local workers, relatively few blacks are afforded the opportunity to work on federal construction projects in predominately black neighborhoods, and seldom are Indians afforded the opportunity of employment on housing construction projects on their own reservation.

The National Association of Minority Contractors has recommended the repeal of Davis-Bacon, pointing out that "unemployment among blacks in cities with population over 100,000 is (high) . . . the large pool of idle labor cannot be used and/or trained because of the restrictions of the Davis-Bacon Act."

CONCLUSION

The Davis-Bacon Act has negative effects on minority contractors, minority home buyers and minority communities. Therefore, it

*We have assumed that (1) ten percent added cost equals loss of buying power, (2) that each unit equals one family, and (3) that each unit requires $13,500 for rehabilitation.

is in the best interest of minorities that Davis-Bacon should be repealed.

With repeal of this Act, minorities would be a critical step closer to solving some of the social problems they consider most serious. Housing and unemployment are prime examples. In the area of housing, if Davis-Bacon were not in effect, it would be possible to build or renovate in minority communities more housing units with the same amount of money presently spent. And in the area of unemployment, which plagues minority communities at a menacing rate, the job picture should brighten for young minority persons as contractors would be encouraged to hire them as laborers and helpers, affording them the opportunity to break into the construction labor force (the Economic Forecast and Survey Center of the U.S. Chamber of Commerce estimates that with repeal of Davis-Bacon, employment would increase by as much as 150,000 jobs nationwide). With these two positive results alone, minorities would benefit from repeal of the Act. But there would be other positive results—direct and indirect—of Davis-Bacon's repeal.

If housing, unemployment, and other social problems of great concern to minorities are to be dealt with effectively, Davis-Bacon must be repealed.●

A TRIBUTE TO TWO OUTSTANDING PHYSICIANS—THE LATE DR. LEWIS (LUDWIG) BRINGS AND HIS WIFE, DR. GUSTI BRINGS

● Mr. MATHIAS. Mr. President, the citizens of Cumberland lost a valued friend and selfless helper on July 18, 1979 when Lewis (Ludwig) Brings died leaving behind him a legacy of more than 50 years as a practicing physician. Dr. Brings was born February 18, 1902, in Vienna, Austria, one of two sons of Julius Brings, M.D. Early in life, he determined to pursue a carrer in medicine following in his father's footsteps. In 1924 he graduated from the prestigious University of Vienna School of Medicine. Following medical school, he received extensive training in obstetrics, gynecology, and surgery. During medical school, he met a fellow medical student, Gusti Elisabeth Waldstein, who became a pediatrician and whom he later married.

Following their marriage, because times were unsettled in Europe, the Brings immigrated to the United States and in 1941 moved to Cumberland, Md., where they both opened a practice of medicine.

Cumberland and its environs had few physicians then and the new doctors found they could not practice solely in their respective fields, OB/GYN, surgery and pediatrics. Their doors were open to anyone in pain. Never was a patient refused. At first, they made house calls by bicycle. Lewis Brings delivered many babies at home.

Patients and physicians alike learned that Lewis and Gusti Brings could always be relied upon to provide excellent care. They treated the rich and the poor with equal respect and dignity. They kept late hours so the working men and women were able to receive medical care without sacrificing time on the job. Many times over their 40 years of practice in Cumberland, these dedicated physicians had to set aside personal plans and goals because of the needs of the people for whom they cared.

Lewis Brings was particularly interested in education and learning. He was involved in the training of registered nurses during the time that the Sacred Heart Hospital in Cumberland had its own nursing school. In later years, he held a teaching position at the University of Maryland School of Medicine for the purpose of training nurse practitioners.

Both of the Drs. Brings were instrumental in assisting the Sisters of Charity in building a new hospital in Cumberland. Lewis Brings served as chief of staff of the Sacred Heart Hospital in 1962. Gusti Brings has been elected honorary chief of staff for 1980.

On October 27, 1979, when the Sisters of Charity opened the new wing at Sacred Heart Hospital, the outpatient area of that wing was dedicated jointly to Dr. Lewis Brings and Dr. Leo Ley, in recognition of their contributions to the hospital and the community. No tribute could be more appropriate or better deserved.

In spite of long arduous hours of clinical practice, the Brings had time for raising a family and for other activities. Their two daughters both became professionals: One a physician, the other an educator. The Brings took part in many community and charitable activities including such organizations as the American Lung Association, the American Heart Association, and the Allegany County Crippled Children's Association.

Lewis Brings was a practicing physician until shortly before his death. Gusti Brings this year celebrates the anniversary of 50 years as a practicing physician.

The world in which we live is truly a richer place because of the tireless efforts of Gusti and Lewis Brings. They have made a contribution to quality of life in Cumberland and the State of Maryland which shall not soon be forgotten. They have set an inspiring example for the rest of us.●

THE PERIL OF GROWING DEPENDENCY

● Mr. GOLDWATER. Mr. President, very seldom do we have a chance to hear or read the reactions of those among us who became U.S. citizens and learned to live under the precepts of American freedom. Recently, I received a copy of a speech delivered by a man who offered his reflections on our society after 25 years of citizenship. He had some very interesting thoughts on the perils of growing dependency in America, and I ask to have the speech which Mr. Walter Weisman delivered before the Rotary Club of Birmingham, Ala., printed in the RECORD at this point.

The speech follows:

THE PERIL OF GROWING DEPENDENCY—REFLECTIONS AFTER 25 YEARS OF U.S. CITIZENSHIP

(By Walter Wiesman, Independent Speaker and Consultant)

I appreciate the opportunity to reflect on my quarter-century of U.S. citizenship before Fellow-Rotarians. It was just a couple of blocks from here 25 years ago this week that I had the honor and privilege to become a citizen in the Federal District Court of Judge Hobart Grooms. I am delighted to see Judge Grooms in the audience as a guest of the club. By the way, this week also happens to coincide with my arrival from Germany 34 years ago.

Of course, I could simply wrap up my feelings about the good life in these United States with one of my speeches entitled "I never had it so good." Marching slowly toward 60, I am convinced that I have already had a full life, even at this young age. I agree with Satchel Paige who asked, "How old would you be if you didn't know how old you was?"

But it would be intellectually dishonest to tell you that all's well. I would rather use this unusual anniversary as an occasion for some sober analysis on an issue which may prevent millions of citizens from sharing my good feelings about life in this country.

Let me warn you that I am a rather atypical immigrant, a fact some of you have known during my nearly 30 years in Alabama. My unusual assignments in 25 years of government service, my extensive speaking trips and my volunteer involvement from the local to the national level—all combined with my inquisitive mind—have offered me insights most citizens may never be privileged to gain. I also admit freely that 34 years in Texas and Alabama have not made me into a flaming liberal!

What concerns me most about our future is the ever-growing dependency of the individual citizen. This issue has been haunting me over the years, and my feelings about it are now stronger than ever. It may well be the primary cause for the recently often-mentioned "malaise."

Having spent my early years under a dictatorial form of government, the full impact of which I have only begun to understand during the last decade, the one principle I appreciated the most as I developed an understanding for my new country was the independence of the individual.

There has been a creeping erosion of this concept. And I do not speak of an international conspiracy or some sinister Communist plot. That would be an easy way out to sooth our conscience. I see this phenomenon as a self-inflicted, gradual departure from the principles assuring our personal freedom.

Every time we have chipped away at these principles there were seemingly plausible rationales offered for the departures. It was frequently during times of economic crises. It is not a development attributable to any one political party or president. To one degree or other, we have eroded the foundation for personal incentive for more than 50 years.

As I prepared myself for citizenship in the early '50s, I boned up for the examination before an official of the Immigration and Naturalization Service. I learned that our type of republic means not only freedom and independence but also responsibility, risk-taking, discipline and judgment. In short, there is no free ride by simply benefiting from the obvious advantages.

I observe with sadness today that this lofty goal has lost much of its meaning, primarily through our never-ending efforts to "help people." That kind of help carries a price tag. Too many bargain basement offers have been the death of a good portion of our independence.

A nation can only be as independent as the grand total of the independence of thoughts and actions of its citizens. To drive it home with a sledge hammer—the peril of growing dependency of an increasing number of citizens has become the main reason for our

national dependency, hesitation and indecision—our "malaise," if you please.

One major cause for this dependency is the growing reliance on third parties, a form of creeping collectivism invading many phases of our lives. We are now offering "crutches" for all occasions, for all walks of life, all age groups, for almost any personal decision to be made or action to be taken.

Let me, as briefly as possible, identify some major contributors to the crutch factory. I do so with sincere concern, not with malice or blind dislike for the individuals and organizations involved.

The most pervasive influence has been government. Regardless of presidents, congresses and parties, the parade of making citizens more dependent has been going on and on. Occasional lone voices attempting to stop the parade, or at least to slow it down, have had little effect.

The problems multiply when officials now in policy-making positions used to be identified as avowed advocates of "social change." There appears to be a great goal to bring us all down to a common denominator; to make us as "average" as possible.

Hell, I do not care to be average! This country was conceived by uncommon people, under most uncommon circumstances, to assure that uncommon men and women could pursue uncommon goals. That, even today, is known as the "American dream."

Just think of the irony. Hundreds of thousands throughout the world would like to join us, legally and otherwise, to share a piece of this uncommon action. Yet, governmental agencies, charged with assuring the preservation and protection of our principles, have been moving time and again in the opposite direction.

Next, the influence of associations, of groups representing special interests of immense variety. They have a proper part in our political process. You and your company probably belong to several such organizations. How much of a crutch have they become for you? How much of your own thinking do you do? How far have such groups gone beyond reasonable limits?

Just one example close to one of my interests. I have been a member of several national retiree associations for 10 years and have closely followed their activites. One such group recently mailed a tabloid-size, four-page, multi-colored "Bigoil Wanted for Highway Robbery" publication and encouraged more than three million senior citizens to take political action. You can view this copy after my speech and judge whether this kind of extreme approach may not be stepping over the line.

I could not help but wonder, aside from purely factual issues, whether the anti-business minds conceiving such material had determined how many senior citizens may be among the some 14 million stockholders depending for part of their income on the petroleum industry.

Next, the influence of unions. My concern is not whether or not a company has to work with and through a union, but whether organized labor may not have gone way beyond its initial purpose. Consider this one factor. Annual salaries of union staff members in the United States have passed the 1.2 billion dollar mark—100 million dollars per month! Imagine how many citizens thus make their living this way and can hardly be blamed for coming up with all sorts of ideas and actions to assure their jobs.

Next, the influence of religion. Yes, you heard me right, religion! We have been witnessing so-called religious movements of the most extreme nature making human beings virtual slaves. Some of what has happened during the last 20 years may well be the most colossal sacrilege perpetrated in the name of God on a world allegedly more enlightened by educational efforts. In this field, too, consultants and agencies have sprung up with the most outlandish titles, themes, promises and goals, many implying that there is simply no hope without their expertise. Shades of P. T. Barnum!

Next, the influence of "instant experts," the TV "personalities" with easy answers to complex problems, witty comments, profound platitudes and convincing smiles. The more often they appear, the greater their credibility regardless of the validity of their utterings. This category of crutch includes the growing number of people offering advice via print media. An article "The Advice Givers" offered food for thought in this respect in the July 1979 issue of the magazine "Dynamic Years."

Next, the influence caused by the daily bombardment by polls, surveys, statistics offered by an endless number of sources, and interpretations provided by "think tanks," prestigious academicians and other specialists of all shades. One recent article called this process a form of "statistical oppression."

The flood of studies made, mostly paid for by our tax money and often totally un-coordinated between major government agencies, is a never-ending source of confusion to the public and only adds to the uncertain feelings about government. I ran across a study suggesting that, after a heart attack, sex may be more beneficial than walking. I didn't even realize this had ever been questioned!

The issue of the information deluge is compounded when public officials have the urge to utter on-the-spot interpretations on vital matters the moment TV cameras are directed their way.

Next, the influence of the growing number of people offering counseling services. To be sure, many of them are highly reputable and accredited professionals. But this is a field in which public licensing is not required. I am concerned about those who have been offering rational explanations for the most irrational behavior and thus lead citizens into lifestyles with consequences we are already paying for. Certain views suggest that citizens who do not care to use crutches really need help, following the old Hollywood joke, "If you are not in analysis, you must really be sick."

As one last influence I would list speakers and writers who make a comfortable living putting down what has made us great. They find more fault with us than we can collectively imagine. Some still speak of the evils of capitalism, the oppression of workers and the need for true socialism to make us free. With all such evils, which other system would offer such people the opportunity to write sensational best-sellers resulting in tax brackets which makes living in Switzerland or Lichtenstein a desirable solution!

So much for my selection of crutches. You can probably think of others, but this should suffice to make you wonder and ponder. As I mentioned earlier, I fully respect the rights of individuals and organizations engaged in such activities, provided they operate within the law.

What bothers me the most is the growing dependency of individuals in the face of our ever-increasing educational efforts which, in my simple way of thinking, were supposed to contribute to greater knowledge and enlightenment and thus growing independence. I would expect a public prepared and fortified to hear all the voices and views but not to become their victim.

Have we by any chance used our educational process to condition citizens toward the use of crutches as a permanent way of life? This question may be the most delicate issue I am raising in this speech!

The debate over our educational goals never ends. I am a fundamentalist, particularly in regard to the purpose of the first eight grades. The seeds are planted during those years, for better or worse. Only three weeks ago there was yet another wire story, this time by the Associated Press, about the probable illiteracy of up to 64 million U.S. adults. Even taking that figure with a grain of salt, if that ain't dependency, nothing is.

I am concerned about how we use our schools for purposes removed from gaining knowledge and skills. Listen to a quote from presidential assistant Mark Siegel in a speech before the Washington Press Club on April 21, 1977. "We want to use the schools as agents for political reform. If our goal is to change America by the year 2000 or 2010, I don't think we can overlook our children."

Who and what has mandated this eagerness to force fundamental changes on us? What is wrong with the principles that have made us the most successful society in the world? With all our freely discussed problems, we have done better by more people than any system mankind has ever witnessed. If we have not educated our citizens and demonstrated how to use this system to their advantage, that is one issue. But by all that is sane, let us not tamper with the fundamentals!

Do we really have to re-define our national purpose or should we instead assure that more citizens understand and appreciate the unique values of our initial goals and then do something within these values to help themselves and their country?

HEW Secretary Patricia Harris, then still Secretary of Housing and Urban Development, was quoted on June 24 in the "Sunday Parade" as having placed the responsibility for not defining our national purpose on the intellectuals of the nation. This was done during a lecture at Harvard.

I beg to differ with the very able Mrs. Harris. Almost daily we can hear or read about this subject. It all depends on our definition of intellectual. We may be restricting the term too much to citizens with purely academic credentials. Our country's leadership in all walks of life and professions includes numerous capable intellectuals.

A good example is the August 13, 1979 story in "Time" Magazine about Citicorp Chairman Walter Wriston. It was a brief report entitled "Of Freedom and Inflation." It used a number of direct quotes from Mr. Wriston, ending the article with, "To think that the bell does not toll for academic freedom or for freedom of the press if economic freedom is shackled is a dangerous illusion."

Could it be that our society feels uncomfortable with this kind of realistic, candid and brief definition of our problems and for that reason would like to see a more "intellectual" approach? There was in the basic purpose of our system a simplicity which may not suit people accustomed to hear issues explained in highly professional jargon.

There was a boldness, gutsiness and a bit of audacity uniquely American. It is this combination, even with all our problems over more than two centuries, which to this day is admired by the free and not-so-free all over the globe. Should we ever lose this uniqueness, or even water it down too much, mankind will have lost a model republic.

Our dependency began when, somewhere along the way, we started looking for a risk-free life, an illusion in any book. We started to legislate ourselves into all sorts of corners to assure against citizen ignorance and apathy. We started the crutch factory. A society with legislation covering against any and all eventualities is called a dictatorship!

It appears that we now do not even take a deep breath without congressional hearings, without high-priced consultants studying matters highly-paid government executives should be familiar with, and without any number of ranking governmental leaders uttering the most profound nothings before the media. The "malaise" again!

Thus, we find ourselves with a monumental national split personality. There is still a faint recollection of the simple principles which made us great. We idolize the late John Wayne for showing us how to face life, make decisions, find solutions. We marvel at this time of the year at the Champion Pittsburgh Steelers and their motto, "Whatever it takes!"

But when the movie and television screens darken, we turn in our comfortable chairs and reach once again for the crutches, often in the shape of the symbolic umbrella of appeasement and indecision.

I wish I could have given you a more optimistic message on the 25th anniversary of my U.S. citizenship than the words of the German philosopher Goethe that, "None are more hopelessly enslaved than those who falsely believe they are free."●

FEDERAL GOVERNMENT COST OVERRUNS

● Mr. SASSER. Mr. President, the Comptroller General of the United States, Mr. Elmer Staats, last week released a comprehensive review of Federal Government cost overruns entitled "Financial Status of Major Federal Acquisitions, September 30, 1979." Some of the information in this document is nothing less than shocking.

940 ACQUISITIONS

The Comptroller General reveals that, in 1979, Federal departments and agencies were embarked upon 940 major "acquisitions." These are federally funded construction or manufactured projects ranging from weapons systems to mass transit construction projects.

$607 BILLION COST

Mr. President, the estimated cost of completion of the 940 projects now underway is $607 billion. This enormous figure has been growing year after year. Only 4 years earlier, the GAO reported only 585 projects underway that would cost a total of $404 billion to complete—now it is 940 projects costing $607 billion.

COST OVERRUNS—$261 BILLION WORTH

Quite aside from the magnitude and the questionable necessity of all of these expenditures is the issue of cost overruns. There are those who would probably argue that many, if not most, of the 940 projects underway are justified and needed to protect the Nations's security, produce and conserve energy, develop natural resources, and so forth.

But, I do not think I could find anyone who would argue in favor of cost overruns—especially the $261 billion worth of cost overruns revealed in the Comptroller General's report.

That is correct, Mr. President. The report indicates that the current estimate of $607 billion required to complete 940 projects has increased by $261 billion, or 75 percent, over initial cost estimates or over baseline estimates when initial estimates were not available, outdated, or superseded by later authorization.

$76 BILLION IN OVERRUNS LAST YEAR

Mr. President, the overrun figure has increased by $76 billion in the last year alone. The estimated costs of the 940 major projects listed in the report have increased $76 billion over the past year to $607 billion.

INFLATIONARY CAUSES

Mr. President, one might presume to think that the major cause of these overruns is inflation, and he would be wrong. The Comptroller General's report surveyed 224 of the larger projects that accounted for $233 billion out of the $261 billion overrun. For these 224 projects, $92 billion or 39 percent of the overruns are due to inflation. The remaining 61 percent of the overruns are attributable to changes of all kinds, and inadequate original cost estimates.

100-PERCENT COST OVERRUNS

Mr. President, the 940 projects in the Comptroller General's report costing $607 billion have an aggregate cost overrun of $261 billion or 75 percent. However, the Comptroller General has singled out for special recognition some 59 military and 165 civilian projects that have accumulated cost overruns in excess of 100 percent.

GALILEO PROJECT

For the most part, the agencies cooperated fully with the Comptroller General in the development of his report. One agency, the National Aeronautics and Space Administration would not provide the Comptroller General with current information on its Galileo project, explaining that it is currently under review.

Mr. President, I plan to give this $309 million project special attention when it is justified before the Appropriations Committee later this year.

CONCLUSION

Mr. President, I am hopeful that the administration and the affected agencies will take cognizance of this simply awful record of $261 billion in cost overruns, including increases of $76 billion in the past year alone. This condition cannot be allowed to continue. If the cost of funding existing projects is allowed to increase by $76 billion a year, as it did last year, there will be insufficient resources to meet such pressing needs as rebuilding U.S. Defense Forces. It is imperative that the affected departments and agencies redouble their efforts to regain control of these runaway costs.●

THE HONORABLE SOLOMON BLATT

● Mr. HOLLINGS. Mr. President, last month in South Carolina we named a highway in honor of the Honorable Solomon Blatt, speaker emeritus of the South Carolina House of Representatives. When the history of 20th century South Carolina is written, no public servant will loom larger on the scene than Speaker Solomon Blatt of Barnwell. A member of the house from 1933 until 1978, he served as its leader and inspiration for most of those years. He believes in, and practices, sound dignified government, and he did much to create the environment in which South Carolina is now prospering.

Mr. President, on January 6, the dedicatory ceremony was held naming South Carolina Route 3 from Swansea to Grays the "Solomon Blatt Highway." The transcript of the ceremony that day gives us a glimpse of the many accomplishments of this outstanding public servant and of the kind of government he believes in. I ask that the transcript of this ceremony be printed in the RECORD.

The transcript follows:

TRANSCRIPT OF CEREMONY NAMING SOUTH CAROLINA ROUTE 3 FROM SWANSEA TO GRAYS IN JASPER COUNTY THE "SOLOMON BLATT HIGHWAY," JANUARY 6, 1980

Presiding—W. E. Brooker, Denmark, vice chairman, State Highways and Public Transportation Commission.

It's 3:30 and time to start.

The good weather came from Denmark, and all the nice facilities are furnished by Parks, Recreation and Tourism.

I'm W. E. Brooker, the district commissioner for the district that includes Barnwell County. It is my happy privilege to preside over this auspicious occasion honoring our distinguished friend, Mr. Blatt.

Many high honors have come to him, and deservedly so, but I can assure you from my conversations with him as we planned for today, this latest honor is not any less important to him than other honors.

Let me welcome you here as friends of Mr. Blatt. Mr. Blatt, the turnout today is indicative of what your friends think of you.

Now I will call on the Rev. L. G. Corder, pastor of the First Baptist Church of Williston, for the invocation. Rev. Corder.

Reverend CORDER. May we pray together.

Our Father, as we pause in Thy presence today, we're reminded of the words of the psalmist: "I will lift up mine eyes unto the hills from whence cometh my help. My help cometh from the Lord which made Heaven and earth."

We thank Thee today that Thou are the Creator of all things. Thou didst form this universe. Thou didst make this land in which we live. Thou didst form man and breath into his nostrils the breath of life, and man became a living soul. Man became the steward of all that Thou has left him with.

And, Father, we thank Thee for this responsibility and privilege which is ours to be keepers of this land which Thou didst create for us and recreate over and over again. We thank Thee for health and strength. We thank Thee for life and for the promise of eternal life through Jesus Christ. We thank Thee for human personalities who have walked the path of life and who have made their contributions and who have done so much to make life easier and better for mankind.

We thank Thee today for the one that we are honoring. We thank Thee for his life, for what he has meant to all of us, for what he has contributed to the welfare of humanity. And, Father, we ask Thy blessings upon him and his family. And upon this occasion we invoke Thy blessings asking that Thy will be done, that in all that is said and done this day that it will bring honor and glory to Thy wonderful name.

For we pray it in the name of Him Who loved us and gave Himself for us. Amen.

Mr. BROOKER. Thank you, Rev. Corder. I know that Mr. Blatt and his family are appreciative of your participation and your prayer. You have set the tone for our ceremonies today.

A gathering honoring Mr. Blatt is like a "Who's Who" of those in government, the judiciary, the legislative branch and the private sector, plus many many friends. I will not attempt any detailed introductions in the interest of time, except I want to say we are most happy that Mrs. Richard Riley has accompanied her husband here today. Also we are honored to have the Governor's parents, Mr. and Mrs. Ted Riley, and Mr. Ted Riley's sister, Mrs. Jean Lee. Will you folks please stand?

And since this is a Highway Department sponsored event, I think that it is appro-

priate that I should introduce some people from the Highway Department.

At this time I'd like to introduce the chairman of the Highway Department, and if you'll please stand we'll wait until the end to applaud. Dr. W. E. Berne of Columbia, Dr. Berne.

We have several members of the Commission that are present with us today: Allen Vaughn from Greenville, Walker Harter from Fairfax, and I believe that Bayles Mack is in the audience from Fort Mill. Bayles was a little late arriving.

I'd like to recognize some other officials with the Department: Mr. E. S. Coffey, the state highway engineer; Walker Ragin, our secretary-treasurer; and I believe Col. Bill Seaborn is in the audience. Colonel, of you'll stand please. And Jim Walker, the director of public relations, and Jim has directed and planned this ceremony and done an outstanding job. If we'll give these people a hand please.

Let me ask all Mr. Blatt's colleagues in the General Assembly, both past and present, to stand. Let's give these gentleman a big hand.

How about state government officials, would you please stand. There was a good number here, and some of them got in late.

And the judiciary, both state and federal. I believe I saw some from the judiciary. There's one on this side.

I'm pleased Senator Hollings could be with us and I'm going to call on him in just a few minutes.

Let me conclude my introduction by asking all the friends and admirers to stand. Give yourself a big hand. How about that, Mr. Blatt. They all stood up, Mr. Blatt. I don't guess you got any . . .

We are really honored to have our distinguished friend, the Junior United States Senator with us, and I'm going to ask him at this time if he'll come up and have a few words to say. Sen Hollings.

Senator HOLLINGS. Gov. Riley, Mr. Pete Brooker, distinguished friends all.

As the Speaker's Speaker Pro-Tem 30 years ago, I cannot help but think that was the time, under the distinguished leadership of our Speaker, we instituted fiscal responsibility. We hear that now in the national halls of government. We hear in national debates with senators running for the chief executive post of our entire country this idea of a balanced budget.

I think in terms of opportunity, in listening to all those and how they're going to create jobs. I guess I know better than any in this audience of the travels and travails and the work involved in the attraction of industrial expansion for our great state. And one reason for it, if you had to select one, is the General Assembly of South Carolina, and the pillar of that particular institution bringing stable government is Solomon Blatt of Barnwell. More than anything perhaps, I guess, is the stability and responsibility that he gives to us in public service. When they talk of those things, they don't have any confidence in politics or politicians any more; I'm sure they are waiting for those who'd act and behave as if they had trust in the people. There's no individual that I know of over the many, many years—including my small 30-year time—who has given respect, stability and responsibility to public service.

And, of course, most of all, Mrs. Ethel, I think your and the speaker's greatest performance was Sol Jr. Coming from Charleston, we don't accept too many people down there. They say there's two crowds, one crowd that never wore shoes before and the other group when they look at you make you feel like you've never worn shoes. Anybody that comes from Barnwell and tries to be a federal judge in that town, it'd be next to impossible, but I can tell you categorically the most popular, the most outstanding federal judge that we've ever had in the low country of South Carolina is Sol Jr.

So it is a tremendous pleasure to be with the Speaker on this occasion and I wish I had more time. I'd pre-empt this program and really make a talk.

I congratulate you.

Mr. BROOKER: Thank you, Senator. We appreciate your remarks and appreciate your being here.

I have several telegrams I'd like to read.

"I regret I will be unable to attend the dedication of the Solomon Blatt Highway today, but previous plans will prevent my traveling to Barnwell for this outstanding occasion. Please permit me to extend my heartfelt congratulations for this well-deserved honor. Your years of service to the state have greatly benefited countless South Carolinians and your selfless work will be long remembered. Best wishes to all and I know this ceremony will be enjoyed by everyone in attendance. With kindest regards, Strom Thurmond, United States Senator."

I have another one.

"I regret due to a previous commitment I am unable to join you for this happy occasion. I have known Mr. Speaker for a number of years and the official naming of S.C. Route 3 to the 'Solomon Blatt Highway' is just a small token of appreciation for the services rendered by a great South Carolinian. Please convey my well wishes to all those in attendance on this memorable occasion. Floyd D. Spence, member of Congress."

I have some other telegrams and letters from friends who are unable to be present and who wish to be remembered to Mr. Blatt on this, his day. It will be impossible to read each one; I will simply pass them along to Mr. Blatt for his enjoyment.

Our honoree insisted in our planning that we do things: schedule the program at 3:30 so that everyone would have time for Sunday dinner and maybe even a short nap before coming here, and hold down the length of the program. The first was relatively simple, the second not so easily done.

There are simply so many aspects of Mr. Blatt's lifetime of public service that the praises could go on and on. However, we have come with what we think is a program that captures the spirit of his useful life.

Our first speaker is Paul W. Cobb, chief commissioner of the South Carolina Department of Highways and Public Transportation, a public official with whom I am pleased to be associated as he renders outstanding service to South Carolina and its citizens.

Welcome, Paul Cobb.

Mr. COBB. It is indeed a pleasure for me to participate in this ceremony today on behalf of the employees of the Department of Highways and Public Transportation.

Only a newcomer in South Carolina would fail to recognize the name of Solomon Blatt, and certainly all who know him realize and appreciate his many accomplishments during a half-century of public service.

Benjamin Disraeli once said "the secret of success is constancy of purpose". I can think of no greater example of the truth of that statement than the life of Solomon Blatt. His constancy of purpose resulted in unparalleled service in the State House of Representatives for the past 47 years and also an unequalled record of 32 years as Speaker of the House. His accomplishments during this time are too many to consider in the time we have today. His contributions to the state are far-reaching, especially in industrial development, in the development of institutions of higher learnings, and in the highway program.

It is fitting, we believe, that we should name S.C. Route 3 the "Solomon Blatt Highway," for it was on this highway that Mr. Blatt has spent much of his life traveling from his home to the State House and back again. In a way, we believe, this has always been his highway, by virtue of his frequent and long use.

I trust that in the years to come the marker we are placing on this highway will serve as a reminder to all who see it that constancy of purpose does result in success, and as an encouragement to those who desire to rise above the mass of humanity and accomplish great things that most of us only dream about.

Mr. Blatt, let me again express the Department's—and my personal—appreciation for your contribution to South Carolina. We hope that you will continue to use this highway for many years to come.

Mr. BROOKER: Thank you, Mr. Cobb. We appreciate your participation today.

Let me tell you why we think our next speaker is so appropriate to represent business and industry in complimenting Mr. Blatt. Several months ago this businessman, not a native of our state but proud to be a South Carolinian by choice, wrote to Gov. Riley suggesting it would be deserved recognition of Mr. Blatt's public service to have South Carolina 3 which he has traveled thousands of times between Barnwell and Columbia named the Solomon Blatt Highway.

He declared particularly how much Mr. Blatt had been responsible for the location of the family's large plant at Blackville, and how other industrialists had been similarly impressed by him. Gov. Riley passed his letter along to the Highway Commission with an endorsement that he thought it would be a splendid way to honor Mr. Blatt. The Commission agreed, so this ceremony was the result.

May I present John Ducate, Jr.

Mr. DUCATE: Thank you, Mr. Speaker.

Mr. and Mrs. Blatt, Gov. Riley, Mr. Blatt. Jr.

I hope I am able to convey today my deep appreciation in being asked to participate in the dedication of Solomon Blatt Highway. To be amongst such distinguished South Carolinians is an honor I'll always remember.

As a member of South Carolina's industrial/business community, I have had first-hand experience with the unselfish and genuine interest Solomon Blatt has shown not only Ducane Heating Corporation, but many other industries in this state. As a matter of fact, I can tell you all today, that when we began looking to the South for our future growth as a company, we were invited to visit five sunbelt states. The other four suffered in comparison to South Carolina due to the fact that we were so impressed with such an honest statesman who asked virtually nothing for himself, only future development of his state and its residents. It is sad to think we may never again meet a statesman of Solomon Blatt's integrity. Therefore, I feel very fortunate in being able to know Solomon Blatt and have the privilege of calling him my friend and a friend of industry.

May you, Solomon Blatt, continue to travel to and from the capital of this great state of South Carolina on the Solomon Blatt Highway for many, many long and healthy years.

Mr. BROOKER: Thank you, Mr. Ducate. Both your idea and your remarks I know are meaningful to Mr. Blatt.

Now for remarks and the reading of the resolution naming South Carolina 3 in its entirety for Mr. Blatt, I will call on the Honorable Judge Rodney Peeples of the Second Judicial Circuit, a longtime associate and protege of Mr. Blatt.

Judge Peeples.

Judge PEEPLES: Thank you, Mr. Chairman.

Gov. Riley, Sen. Hollings, Justice Ness, distinguished guests and friends.

It's certainly a privilege for me to have this opportunity to participate in this pro-

gram here today. Time, of course, will not permit me to tell you how grateful I am for Mr. Blatt and his entire family for everything he has done for me through the years.

Many South Carolinians do not realize or appreciate the value of the triple bond rating which we have, the fine state parks, the schools, the hospitals, and Mr. Blatt certainly deserves considerable credit for many of those things.

Even before I was born, Mr. Blatt was leading the fight for and on behalf of the South Carolina Highway Department. Some of you may remember that when Olin Johnston called out the state militia he attempted to physically maintain control of the Highway Department. As a matter of fact, in December 1936, he called a special session of the S.C. Legislature, and Mr. Speaker was at that time Speaker Pro-Tem and was engaged in a heated battle for the seat of the Speaker of the House of Representatives. In that December 1936 session, Mr. Blatt was at that time fighting for the Highway Department so much so that I remember reading in his book that he engaged in fisticuffs with Rep. Hendrix from Spartanburg County. He has ever maintained that fight for and on behalf of the Highway Department of this state and he has played no small part in developing and maintaining the excellent highway we have which is acknowledged as the finest in these 50 states.

It is indeed appropriate that we pay tribute to him today and recognize his many years of service by this resolution from which I now quote.

"Whereas, the honorable Solomon Blatt Sr. of Barnwell has served with distinction as a member of the State House of Representatives uninterruptedly since 1933,

"And whereas, after one term (1935–36) as Speaker Pro Tempore of the House, he was elected as Speaker in 1937 and served in that capacity 1937–47 and 1951–73, this total of 32 years constituting a record that is unequalled among legislative bodies in the nation,

"And whereas, as Speaker Emeritus since 1973, he has continued to exert his considerable influence and leadership in the House,

"And whereas, it is difficult to recall a bill of major importance enacted into law during his years of service without the cooperation and support of Speaker Blatt (in particular his many contributions to the development of our institutions of higher learning and to the highway program coming to mind),

"And whereas, his influence for sound and stable government in South Carolina has helped in no little measure in the state's industrial development, and whereas it is not uncommon for an industrial prospect to make his decisions to locate in South Carolina in part because of Mr. Blatt,

"And whereas, even though in his 80's, when many a public official would slow down or abandon such an arduous schedule, he continues to make the physically demanding trip to Columbia to serve the people of South Carolina in the House of Representatives.

"Now, therefore be it resolved that the South Carolina State Highways and Public Transportation Commission by unanimous action on this 20th day of September 1979, hereby names the entire length of S.C. 3 between U.S. 278 at Grays in Jasper County and the junction of U.S. 21/U.S. 321 in Lexington County, which he has traveled many thousands of times during nearly half a century in his frequent trips to the state capital, the 'Solomon Blatt Highway' in honor of this distinguished South Carolinian and his many contributions to the people of South Carolina,

"And be it further resolved that a dedication ceremony be held and an appropriate marker erected so that future users of this highway may be reminded of Mr. Blatt's achievements and contributions to his beloved state."

Mr. Brooker, and Mr. Cobb, I commend the good judgment of the Highway Commission in taking this action. Mr. Blatt, I present this resolution to you and congratulate you.

Mr. BROOKER: Thank you, Judge Peeples. Frankly, I don't know where Mr. Blatt can put that resolution. One more such resolution or photograph'll mean he simply has to move to a bigger place, bigger office. If you haven't ever been to his office as a trip in South Carolina, you should go there, but don't get in the hot seat if you go.

How about that, Mr. Speaker?

A ceremony for Mr. Blatt, whose public service has paralleled the terms of 16 governors, would not be complete without the participation by our present Governor. So we are pleased that Gov. Riley could be present on this occasion. He is too well known to all of us to require an introduction. I will simply say that even though he was born and reared in Greenville, Barnwell County also holds very real family ties for him. His father, E. P. Riley, was born at Barnwell and his mother moved to Williston from North Carolina when she was eight years old. The Governor's grandfather, for whom he is named, served as auditor, and his great-grandfather, George Owen Riley, served as both auditor and as sheriff in this great and historic county.

It is my real pleasure to present His Excellency, Gov. Richard W. Riley.

Governor RILEY. Thank you so much, Mr. Brooker, Mr. and Mrs. Blatt, the Blatt family, Sen. Hollings, members of the House, members of the Senate, Justice Ness, members of the judiciary, the constitutional officers, Mr. Cobb and the representatives of the State Highway Department, friends of Mr. Blatt all, in Barnwell and elsewhere.

It's just a real honor for me to be here and to participate in this service today on behalf of a grand friend.

Sol, I want you to notice that I mentioned the House before the Senate in my preliminary statement and I did that out of respect for you and I hope none of the Senators get offended by it.

You know, naming this road the "Solomon Blatt Highway" is more than just a gesture of honor and appreciation for service rendered. It's also very fitting. This is a path that brought Sol Blatt, a young man who read Horatio Alger stories, to the University of South Carolina, and it brought him along to be a lifelong friend of the school and also of education. And this is a path that brought Sol Blatt, a young lawyer, to the Legislature in Columbia where he would certainly become a predominant figure in the landscape of our state and our lives.

I was interested when they were talking of Sol coming to the House in 1933, and I always enjoy reminiscing about the fact that I was born the same week that he first came to the House.

During the decades that Sol has been serving this great county of Barnwell and this great state of South Carolina he has seen eras of economic depression, recovery, world war, the cold war. The transitions have been enormous and not always have they been emotionally, socially or economically agreeable to large segments of our society. Through it all, he has been steadfast in his resolve and success in guaranteeing year after year the financial balance and integrity of this state. And I wonder if we are sufficiently appreciative and aware of this, and are appreciative of the many contributions which are directly accountable to the leadership and the consistency of Sol Blatt—achievements attained despite strenuous personal and political pressures oftentimes. But I think it's fitting now that each person traveling this roadway can be reminded and can be grateful for the stewardship of Solomon Blatt to this state and to this nation and to this country, and yes, to all people everywhere.

It's been said that my parents are both from this great county, so I knew the name Sol Blatt well before I came to Columbia. I remember when I first ran for the House, the campaign issue around in the county up in Greenville was that I was going to be the Piedmont representative of the Barnwell ring. And I had to go out in the county and try to dispel that notion. But I know that name so well when I came to Columbia. But it was only after I came to Columbia as a representative from Greenville that I really began to know the man, Solomon Blatt.

Since that time I have fought with him, side-by-side, and I fought against him nose-to-nose, and I know this: he is a loyal and powerful ally in a common cause and he is an honorable and powerful foe in battle, and that's what the legislative system is all about.

Many of you here today are privileged to claim Mr. Blatt as more than a colleague or an acquaintance but as a friend, and we are here today to bestow the name of our friend Solomon Blatt upon this highway as an expression of our respect, our admiration, our friendship, and even more than that, for this name on this road has a special symbolic meaning to me. Just as this highway began as a stretch of mileage of clay road step-by-step, mile-by-mile, it was built into the highway whose name we place upon today, so, too, the accomplishments and lifework of Solomon Blatt. Not the heroics of a man convinced he's about to change the world, but the heroism of a man willing to struggle step-by-step to make one difference after another, and the promise of more to come.

Thank you.

Mr. BROOKER: Gov. Riley, by your words and your presence you have honored your good friend.

For the principal address of the afternoon, we will hear from someone who has been very close to Mr. Blatt over the years. Our committee felt that there could not have been any more appropriate speaker for this occasion than the one our honoree has chosen. He is a man with a long and distinguished career of public service himself; not the least, I think, was his commanding an infantry company in World War II. In 1954 to 56 he served on the South Carolina Highway Commission and was its chairman in 1956. He became a member of the State Senate in 1957 and the following year was elected to continuous terms as judge of the Second Judicial Circuit. In January 1974, he was elevated to associate justice of the State Supreme Court.

It is my very happy privilege to introduce the Honorable Juluis B. Ness, associate justice of the State Supreme Court.

Judge NESS: Thank you, Pete.

Ladies and gentlemen, rather than call all of you by name or position, I'll just concur with Gov. Riley's beginning remarks.

If I appear to be nervous to you, you'll please forgive me because this is really a momentus occasion for me. Just think, a little boy from Bamberg, South Carolina, born and raised in Denmark, South Carolina, having the opportunity to make the address at his friend's . . . on his friend's day.

You know, I'm indeed a most fortunate person. All of you have, or had, a father. I have, or had, two fathers. My father, Morris Ness, passed away in 1975. I'm today blessed with the great honor of dedicating Highway 3 to my other father, Solomon Blatt.

This is an especially meaningful moment for me because it affords me the opportunity to publicly express to you, my own deep and abiding love for him who has been my mentor, my teacher, my advisor, my friend, and my father.

Centuries ago Plaetus said "nothing but heaven itself is better than a friend who is really a friend". My treasured and long-lasting relationship with speaker Blatt has

convinced me of the truth of these words. Many of you are undoubtedly familiar with Speaker Blatt's political accomplishments. He is surely the greatest statesman South Carolina has ever produced without exception.

Mr. Speaker, as I fondly call him, was born in Blackville, South Carolina, the son of Nathan and Molly Blatt. He graduated from the University of South Carolina receiving his LLB degree in 1917. He served his country with honor in World War I in the U.S. Army, 323rd Infantry Division. Following the war, he returned to Barnwell to practice law and more importantly he had the good fortune to marry the lovely Ethel Green of Sumter in 1920. Mrs. Blatt has been a wonderful wife and mother and a constant source of inspiration and guidance to her husband. His strong desire to serve the people of South Carolina was realized in 1933 when he became a member of the S.C. House of Representatives and he has served in that capacity until the present, a period of 47 years. He was elected Speaker Pro-Tem without opposition on Jan. 8, 1935, and was elected as speaker in 1937 and successfully elected through 1945. He did not offer for speaker in 1947 and 1949. However, he was re-elected in 1951 and served in that capacity until 1973, nearly all those years without opposition.

If my arithmetic is correct, he served as Speaker of the House for 34 years, although I heard Rodney read the resolution saying 32 years.

Upon his resignation as Speaker on July 31, 1973, he was unanimously elected Speaker Emeritus, a position he continues to occupy.

It's difficult for me to conceive of a more unselfish servant of the people of this state than Speaker Blatt. We all owe him in return for his sterling and generous service.

If I may, allow me to digress to a more personal level and to share with you my private experiences with Mr. Speaker.

In *Fruits of Solitude,* William Penn expressed these thoughts on the quality of a friend. He stated and I quote: "A true friend advises justly, assists readily, adventures boldly, takes all patiently, defends courageously, and continues a friend unchangedly." Speaker Blatt has exemplified all these attributes during our many, many years. I can say that, without hesitation, were it not for Mr. Blatt and his feelings for me, my life would have been far different. In all probability I would not be standing before you today in the capacity I stand were it not for him.

As a young man I wanted very much to go to law school, but my desire alone, however intense, could not provide the money I needed to pay the way. Mr. Speaker, as generous and trusting as he remains today, gave me the funds I needed to attend law school. He supplied me with not only the inspiration to become a lawyer but also with the practical means with which to fulfill that dream. For this faith and trust which he exhibited in me I have been and shall be eternally grateful. He instilled in me the wisdom of the expression "when a friend asks, there is no tomorrow."

Speaker Blatt remained a friend and adviser to me during my law school career. Upon graduation he encouraged me to return to the Bamberg area to practice law. As an eager but green young attorney, Mr. Speaker was an endless source of learned experience and sound advice. No matter how busy he was, he always found the time to listen to my questions and to assist me in finding the answer. As I look back, I realize that many of my questions were quite simplistic, the product of inexperience, yet he never criticized me for taking up his time with trivialities. He realized that my questions were very serious to me and he answered accordingly with thoughtful concern.

Mr. Speaker continued to provide inspiration and encouragement to me as I decided to enter the political arena. He instilled in me the importance of serving my constituents, and as a young senator I endeavored to represent my county and state with the same effort and zeal which Mr. Speaker exhibited. In my mind, Speaker Blatt remains the epitomy of political acumen and service, a model which other young politicians would do well to emulate.

Mr. Speaker has given me many lessons in friendship. He has impressed upon me the importance of loyalty and trust and I, unlike the Governor, I have fought with him many, many times, but never have I fought him nose-to-nose, and never shall I intend to do so.

His impression upon me of loyalty and trust imbued me with a great sense of hope and faith in my fellowman. Thomas Fuller said, "if you have one true friend you have more than your share." I am pleased and proud to count Sol Blatt not only as a father, but also as a true friend, and in that sense I am indeed a wealthy man.

The people of South Carolina have been well-blessed in enjoying the long and devoted service of Speaker Blatt. Today we seek to honor him and humbly to show our profound appreciation for one of our best loved native sons. I am certain that Highway Number 3 will be here for many years to come but I predict that the future will prove that the legend of Solomon Blatt will continue eternally.

Thank you.

Mr. BROOKER, Judge Ness, that was beautifully done as always and our honoree was as wise as the Solomon of old in inviting you to make the remarks on this occasion.

Mr. Blatt, in a moment I will call on you to make a response to what has been said here today, whatever is in your heart, but before I do that, I want to ask Mr. Blatt's family to stand and be recognized.

Sol Jr., rendering distinguished service himself as a U.S. District Judge and his wife Carolyn. Mrs. Blatt, I have intentionally saved you until last. We simply wanted you to know, just before Mr. Blatt speaks, that all of us know what you have mean to him during your nearly 60 years of married life as you stood loyally, and faithfully, and lovingly at his side and contributed as only a wife can to his success in public life. We want you to have these roses as a token of our appreciation and love for you. We know that these flowers will not last very long, but we want the memory of today to linger a long time with you.

Mr. Blatt, we'll hear from you now, please.

Mr. BLATT. Mr. Chairman, Gov. Riley, Sen. Hollings, other distinguished guests, ladies and gentleman, and friends all.

May I say to those who participated in this program how grateful I am for the kind things that you had to say about me, and I want to tell them that if the opportunity is ever mine to pay tribute to them that I shall be as reckless with the truth in paying tribute to them as they have in paying tribute to me.

Today is a very happy day for all the Blatts. As I have traveled the road of life, many good things have come to me. I can assure you that no honor I ever received is appreciated more than the honor you do me on this occasion. With honors come responsibilities. The people who are responsible for this recognition should never be forgotten and the honoree should so live his life as to bring credit to himself and never cause the people to regret the confidence expressed in one so highly honored as I am today.

I make you this promise: I shall never as I travel the treacherous road of life, and as long as I am capable mentally of distinguishing between right and wrong, commit one act to cause you to hang your head in shame or regret the honors you caused to be mine. My one regret is that my mother and father did not live long enough to see the tolerance of the people they lived amongst and to see their son honored as no one in their day was ever honored.

I'm glad I received these towers while living, and a poem written by an unknown author best expresses my feelings, and I quote from it now. "I would rather a little rose from the garden of a friend than flowers strewn around my casket when my days on earth must end. I would rather have a living smile from one I know is true than tears shed round my casket when this world I bid adieu. Bring me all the flowers today whether pink or white or red. I would rather have one blossom now than a truckload when I am dead."

I wish to express to my good friend John Ducate Jr. my gratitude for first suggesting without my knowledge that Highway 3 be given my name. John is a distinguished businessman and has contributed so much to the economy of this area and to the welfare of employees and the health and happiness of our people.

I also express my thanks to Mr. Brooker, that outstanding businessman who's a member of the Highway Commission from this circuit, for bringing this matter to the attention of the Commission and having the Commission agree to this honor that is mine today. For his friendship and his interest in my welfare I will always be grateful.

To Judge Peeples, my former law partner who is now circuit judge from this judicial circuit, I say thank you. He's making a fine record and I thank him for his kindness and commend him for a job well-done and tell him he's highly respected by bar and bench as well as the general public.

I'm proud the distinguished Governor of South Carolina is with us today. He has the intelligence to know the right and the courage to do the right. His objective is to serve well all the people of South Carolina and he is loved and respected by South Carolinians everywhere. He's a good Governor, and with our help, he will place South Carolina at the head of all the states of these United States. His people came from Barnwell County and they were highly regarded by all of our people. His wife and mother are sweet ladies and his father is one of our most distinguished lawyers. I'm grateful for the friendship of Gov. Riley and I wish him well in all the years ahead.

I thank Mr. Justice Ness for his part on this program, for the kind things he had to say about me. I knew him when he was a student at the University of South Carolina, I knew him as one of the most distinguished lawyers ever to live in this state, I knew him as one of the state's outstanding circuit judges where he served so well for so many years. I knew him as a member of the highest court in this state where his opinions are recognized for their clearness, for his understanding of the problems involved and his justice to litigants. No man is more loved in this state than Mr. Justice Ness and I hope God grants to him more years of useful service to the people of South Carolina and that all that he could wish for will be his in the coming years. I'm proud that I can call him my friend.

I thank all others who had a part on this program and for their concern about my welfare and for visiting with me on this occasion my good friend, the distinguished Junior Senator from South Carolina, Mr. Hollings.

I'm grateful, truly grateful, for the honor you've bestowed upon me today. Thomas Jefferson once said that such an occasion was the time for gratitude because he had been given the opportunity to serve the public interest. I accept your recognition by the dedication of this highway in this spirit. I accept it in the spirit of humility which is deepened by my fundamental belief that

you honor me for doing my duty, nothing more and nothing less. The best part of life is the working part, the creative part, the real spiritual, emotional, excitement and fulfillment is in doing things for the good of others.

Someone once said that "existence is a strange bargain. Life owes us little, we owe it everything." I thank you for giving me the opportunity to give something to a state, a district, a county that has given so much to me and to my family.

This highway which links Swansea and Grays in Jasper County spans many miles and the lives of three generations of South Carolinians since its construction. It has served as a major link between our part of the state and the capital city, tripling its traffic since 1950. This old road has taken goods to market, children to college, and the people to the seat of their government. It has taken to the seminaries men and women who have studied holy writ, and then took God's teaching to all areas of South Carolina. It has brought industry, jobs and educational opportunities to improve the quality of life of our people of our part of the state.

For me this road is an old familiar friend. It was South Carolina Highway 3 that first took me to Columbia on the people's business nearly 50 years ago and returned me home to my family and friends and the community I loved so much. In every sense, this highway joins the people and place of my birth with the people and place of my work and it warms my heart today to see it named in my honor.

Many fine employees of the South Carolina Highway Department have labored long and hard to construct and maintain this road. The Department has paved more roads and better roads for less money than any state in the nation. We are grateful to Mr. Cobb, the Highway Commissioners, the Highway Department and its faithful employees for their service and high performance over the years which has given us a good return on our invested money. Its employees are honest and dedicated and serve well their state for less compensation than they should receive.

The Patrol does an outstanding job and like other enforcement agencies they deserve the help and support of all of our citizens. The Highway Department, if they are to continue to make progress, will need additional financing and help so those people who have been paying taxes for years and do not live on a paved highway can get out of the mud and ruts. They should not be the forgotten taxpayer.

I want to thank each of you who honor us today with your presence, for your goodwill and friendship. My years of public service have been reported by the generous support I have received from you. The loyalty of old friends and the warmth of new friends is my proudest possession. With your help and the blessings of God, I've enjoyed a long lifetime of service to the people of South Carolina. Our struggles have been many and difficult. We've had our success and I know many more good days lay ahead.

With your continued friendship and God's help the time I spend on this highway in the years ahead will be the happiest days of my life.

I thank each of you from the bottom of my heart.

Mr. BROOKER: Mr. Blatt, the significance of your service is exceeded only by your eloquence. We realize that this day has indeed meant much to you.

Our unveiling ceremony is next. The marker recognizing Mr. Blatt has been erected on S.C. 3 near the entrance to the park. Except for the cold weather, we would have held the ceremony there, so that you could see the marker actually unveiled and read the words on it.

But Mr. Blatt himself came up with the idea of having the unveiling and permitting you to enjoy it in the comfort of this beautiful building. He said, why not make a picture of the marker and show it at the ceremony? This is what we have done. As far as we know this is the only time an unveiling has been carried out in this way.

If Mr. Creech will darken the house lights, the next thing you will see will be Mr. and Mrs. Blatt at the actual marker.

(First slide.)

Mrs. Blatt pulls the drape to unveil the marker . . .

(Second slide.)

And here you have the marker that honors Mr. Blatt.

(Third slide.)

(Read from it.)

Solomon Blatt Highway. Named in 1979 in honor of "Mr. Speaker" who has traveled this road between Barnwell and Columbia thousands of times as Member, House of Representatives, since 1933, Speaker of the House 1937–47, 1951–73, a record unequalled in U.S. His influence and leadership have contributed significantly to a South and stable State government, to industrial development, to institutions of higher learning, and to the highway program.

Mr. Blatt, a highway patrolman has just taken the wrapping off the marker beside the highway. Now, for all time, this important highway in our state highway system will be known as the Solomon Blatt Highway, and future generations who pass the marker and read its words will know of your contributions to our state.

Now, may I call upon the Rev. Isaiah Odom of Denmark, pastor of the Second Baptist Church of Barnwell for the benediction.

Reverend Odom: Lord, we thank thee for the man that we've come to honor today, Mr. Solomon Blatt.

A few years ago, his ability and talent was recognized by the citizens of Barnwell County, so he was chosen for special leadership.

In carrying out the duties of your elective office Mr. Blatt, your associates also saw your ability for leadership and placed upon you the duties as Speaker of the House of Representatives. You heartily accepted the office to which you were elected and promised to faithfully fulfill the duties pertaining thereto. By the help of God you've done so.

In memory of your service Mr. Blatt, we dedicate Highway Three.

For many hours, weeks, months, and years that you've spent helping your fellowman, sometimes forgetting and denying yourself, to thee we dedicate Highway Three.

Heroic spirits down through the centuries have been taking the torch from those who have gone on before. The early Christians, the martyrs, the great reformers and the pioneer fathers came to this country in search of religious freedom, modern preachers, teachers of God's Word and statesmen like you. All would say we caught our fire and carried it only a little ways beyond, but there are those who wait to carry it on to victory.

Mr. Speaker Emeritus, you've carried the torch in your community, your law firm, the court rooms, and in the House of Representatives. Not only did you carry it, but you held it high.

To thee we dedicate Highway Three.

Every honorable calling, vocation or profession offers opportunity for public recognition and dedication.

Lord, we thank Thee for all of Thy blessings unto us, we also thank Thee for this historical moment that Thou has granted us to give honor and recognition unto a well-known, loved and dedicated statesman, Mr. Solomon Blatt, one who has given the respect of his fellowman far and near.

Lord, as we dedicate today a section of S.C. Highway Three in honor of your servant and our friend, we pray that Thy will continue to bless and strengthen him, not only him but all of Your servants. Then Lord, when the time comes for us to view the future and reflect back over the past, may we hear well done thy good and faithful servant.

Mr. BROOKER. Thank you, Reverend Odom. Our ceremonies are now concluded. A reception will follow.●

SAMUEL F. PRYOR

● Mr. GOLDWATER. Mr. President, for many years the name of Samuel F. Pryor figured prominently in the affairs of this Nation. An early resident of St. Louis, Mo., he has served nearly every President since Herbert Hoover. In World War I, he served in the Marine Corps with former heavyweight champion, Gene Tunney. In 1940, he joined Pan American World Airways and became one of the giants of the commercial airline industry. During World War II, a grateful Government heaped honors on him for building 56 secret airfields in North Africa. These are only a few of Sam Pryor's achievements. Now, at the age of 82, Sam lives quietly in Hawaii where, every day, he visits the cemetery to pay respects at the grave of his wife and at the grave of his longtime friend, Charles A. Lindbergh.

Mr. Presdent, Sam Pryor has the time now to reflect deeply about the United States and our future in this troubled world, and he recently published a prayer entitled, "Is Not God in Every One of Us?" I ask that this prayer be printed at this point in the RECORD.

The prayer follows:

IS NOT GOD IN EVERY ONE OF US?

(By Samuel Pryor)

Do you sometimes find yourself wondering about this land of ours—these United States of America—and her future—and our future—in certain news media's troubled World. It would not be surprising if you did sometimes wonder—for if we would listen only to all the attacks made on us—our Country and particularly its leaders and institutions such as the F.B.I. and our many groups of people—we might get to thinking that nothing is right—and everything is wrong.

From without, there are those who attack our system of government—our prosperity—our good intentions toward other people.

From within, there are those who do the same undermining our own confidence in our own government. Keep in mind all great civilizations have been destroyed from within.

During these times when we as a people are faced with a challenge of world leaderships unknown in history—and our shortcomings at home and abroad are so magnified by certain news media and political oratory that it might seem there is nothing good—it might be a good idea to stop a moment to look at the other side of things something not just material but spiritual.

For the first time since the beginning of mankind now almost 2,000 years after the birth of Christ we have a "yard stick" to compare the beauty of our planet—the Earth—to the beauty of other planets.

We have seen an Earth human being walking and riding on the Moon and we have photographed Mars. On both planets we have seen nothing but rock and dust.

Here on Earth whose beauty we have taken for granted we have oceans, lakes, rivers, brooks, ponds, mountains, prairies, forests, deserts, flowers, vegetables, fruits, numerous

animals, birds, fish, insects, minerals; we have everything.

Yes, we have a beautiful World except for what we human beings are doing to it. Can you imagine our World before man touched it—can you imagine our World before man invented wars, pollution and self destruction.

On the Peacock throne is the inscription "If there is a heaven on Earth—it is here—it is here—it is here." How could any heaven be more beautiful than our Earth?

Could it not be that God has put us all here in heaven to see what each of us could do with our lives here in heaven?

Is not the great test—are you making this World better for your having the great privilege of being born here? Are you making it every day a more beautiful World? Are you making those around you happier during your life here?

Is not God here in person in every one of us? Talk to him, thank him, ask his advice, ask him forgiveness.

Is not your conscience God? Your conscience is always guiding you. It is always saying to you—Yes or No—do this—don't do that.

God is here in us and in his heaven. Let's not argue about the miraculous birth of Christ or his ascension into heaven with other World religions—we believe that God gave Jesus to us to teach us how to live in a very critical period in our World's history. He lived and died a human death to show us that sometimes it is necessary to suffer and die fighting to make this a better World.

Everyone of us regardless of age has had a dear one—a mother—a father—a grandparent—a wife or husband—a brother, a son or daughter, a dear friend pass from this body life here on Earth to eternity which is here in heaven all about us.

Close your eyes to the physical World about us and communicate with them here with us in heaven—visualize them in the happiest moments you last remembered them. It will make them very happy as it will make you happy.

They are here with us in heaven on earth but in spirit—and God is in every one of us—We are all here, we are all here, we are all here.●

THE 62D ANNIVERSARY OF LITHUANIAN INDEPENDENCE

● Mr. BAYH. Mr. President, on February 16 and 17, the Lithuanian American Council of Lake County, Ind., held its annual commemoration program to honor the occasion of the 62d anniversary of Lithuanian independence. I know that several of my colleagues here in the Senate are fortunate as I am to represent communities of Lithuanian Americans and make their support for Lithuania known today on the Senate floor.

The sad events prior to the entry of the Soviet Union into World War II, which involved collusion between Hitler's Germany and Stalin's Russia, extinguished the political independence of Lithuania through its annexation as part of the U.S.S.R. But Soviet authorities have never been able to subdue the fierce independence and enduring religious faith of the Lithuanian people. Today, I want to take this opportunity to once again express my own undiminished support for the religious, political, and cultural integrity of Lithuania. The brutal Soviet invasion of Afghanistan reminds us only too vividly of the military action taken by Stalin against Lithuania in 1940. Still, the struggle to resist the shackles of Soviet oppression is strong.

The systematic attempts of the Soviet Government to crush the Helsinki watch groups in Lithuania and elsewhere for attempting to monitor the subject of religious liberty and other freedom have succeeded only in drawing worldwide attention and condemnation. Amnesty International—the recipient of the 1977 Nobel Peace Prize—has pointed to the warped view toward freedom of religion taken by Soviet authorities. In their 1977 report, AI noted that Article 142 of the Criminal Code of the Russian Soviet Federated Socialist Republic (RSFSR) makes punishable "violation of the laws of the separation of church and school" according to which it is an offense to teach religion to children "in an organized way." Despite such general proscription on religious activity in the Lithuanian Soviet Socialist Republic, it has been reported by the Chronicle of the Catholic Church in Lithuania that "70 percent of the children in Lithuania have been taught catechism." Such a figure truly testifies to the enduring power of faith and belief in a nation that has been subjected to atheism imposed by the state for nearly 40 years.

Today we give voice to our own admiration of the spirit of independence that characterizes Lithuanians everywhere. Nor in this context can we forget the individual struggles of those such as the defection of Simas Kudirka, the Lithuanian sailor who attempted to defect to the U.S. Coast Guard in 1970 off of Martha's Vinyard. His heroism provided the American public with a moving portrayal of such spirit and a determination not to accept the Communist dogma that the rights of man flow from the generosity of the state rather than the hand of God. We dare not forget the exhaustive effort that was made by Lithuanian Americans in this country that finally secured his release and freedom for his family and the ongoing support for others who yearn to be free. We dare not since such indifference to the fate of the citizens of the captive nations would, indeed, signal a moral retreat from the principles of our own democratic heritage.●

SOCIAL SECURITY BENEFICIARIES MUST BE PROTECTED

● Mr. SASSER. Mr. President, last December the Advisory Council on Social Security forwarded its report to the Congress. Contained in that report was an ill-advised, disturbing recommendation that one-half of the social security benefits paid to beneficiaries should be subject to income tax. The proposal has done nothing but generate anxiety and concern among America's senior population.

According to the Advisory Council's formula, 10.6 million social security recipients out of a total 24.2 million would have to pay additional income tax if half their benefits were subject to tax. The increased tax burden on these 10.6 million persons would be roughly $350 a year, per person.

Let us look at this proposal closely, Mr. President. The revenue gained by taxing social security benefits—roughly $4 million—would not be returned to the social security system. Quite the contrary. The "new" money raised would be placed in the general revenue fund.

Second, most of the persons affected by the Advisory Council's proposal are people of modest means. These are Americans on low and fixed incomes. These are the Americans who are adversely affected by every increase in energy and food prices. But more importantly, these are the Americans who contributed to the social security system throughout their lives. We owe them something, Mr. President. We owe them the benefits that are legally due them.

There are several other reasons why this proposal should be resisted. When Congress established the social security system 45 years ago, a tax equivalent was already figured into the benefits. It is primarily for this reason that benefits have been nontaxable in the past. Furthermore, the Internal Revenue Service, in a 1941 ruling that became the standard by which taxation proposals such as those made by the Advisory Council are measured, ruled social security benefits not subject to income tax.

Social security benefits are earned, not charity. This program is based on the concept that hard work during early life be repaid in later years. I want the senior citizens throughout the United States to know that the U.S. Senate will not forget their contribution to the social security system and our country.

Therefore Mr. President, I am proud to add my name to those Senators cosponsoring Senate Concurrent Resolution 67. This concurrent resolution expresses the opposition of the Senate to the Advisory Council's recommendation. A similar resolution is pending in the House of Representatives.

It is important to remember who we will protect by passing this resolution. We will protect those who cannot afford to pay taxes on their postretirement benefits. We will prevent the further economic decline of a segment of our population already hit hard by inflation, by rising energy costs, small marginal increases in their postretirement benefits.

The Senate has already taken some steps to aid those most in need. Last year, we passed legislation granting heating assistance to those unable to cope with the high cost of energy. We took the first steps toward making the social security disability program more responsive to the needs of the people it serves. Let us now take this small step to protect all social security beneficiaries.

I urge the Senate's early approval of Senate Concurrent Resolution 67.●

EXTENSION OF THE EXCISE TAX FOR GASOHOL

● Mr. BAYH. Mr. President, the House-Senate conferees on H.R. 3919, the windfall profits tax bill, are currently discussing possible options with respect to incentives for gasohol included in the Senate's bill. Senator DOLE and I offered,

along with 44 cosponsors, an amendment which passed the Senate which provides for an extension to the year 2000 of the excise tax exemption for gasohol that was originally enacted in the 1978 energy tax bill.

This exemption was designed to last for 5 years, until the end of 1984. However, since the passage of this legislation, we have become aware of the fact that the limited duration of the exemption created uncertainty among private sector investors who were considering capital investments in alcohol fuel production facilities. Lending institutions were also hesitant to provide long-term financing that would outlive the duration of the Federal tax benefit. The retention of the exemption, and extension through 2000 is responsive to the need for an assured long-term Federal tax policy on gasohol and assures that this incentive will be passed along to consumers. Extension of the exemption to the year 2000 should also remove the uncertainty currently facing investors and lending institutions with respect to financing alcohol facilities and provide an added boost to alcohol production.

Over the past few years, we have made enormous progress toward the goal of extending our petroleum supplies by displacing gasoline by domestically produced alcohol. Gasohol is now being sold at thousands of outlets. There is widespread public acceptance of this new product. Jobbers and retailers have a strong interest in entering the distribution system. Several of the major oil companies—once naysayers—have begun selling gasohol in lieu of premium unleaded gasoline and the major auto companies have warranteed their cars for use with gasohol. After years of being one of the few "gasoholics" in Congress, I am enormously gratified by these developments.

The excise tax exemption has provided a major stimulus for gasohol sales this past year by making gasohol a competitive fuel at the retail level. Impetus for its extension stems from a need on the part of potential producers to convince investors and lending institutions that alcohol facilities are a safe investment. Because of the 20- or 30-year amortization period associated with financing alcohol production facilities, the expiration of the exemption in 1984 has caused indecisiveness among investors considering financing new facilities. We are at the point now where demand for alcohol as a fuel is again outstripping supply. Expansion of gasohol sales in the near term depends on hundreds of people deciding to commit capital to new facilities. Countless investors are waiting to see if Congress will extend the exemption before committing themselves to moving into production of this new energy product.

ALCOHOL PRODUCTION CREDIT

In addition to extending the excise tax exemption, our amendment would extend a 40-cent production credit to alcohol producers manufacturing alcohol for end uses which cannot benefit from the exise tax exemption. What we have in mind here, Mr. President, is a credit comparable to the 4-cent excise tax exemption for gasohol, a 90–10 motor fuel, for alcohol fuels which are not eligible for the exemption. In particular, we have in mind farmers producing alcohol for on-farm uses, or manufacturers producing methanol from wood, or municipal waste, which will not be used in motor fuels—but may be used for other end uses, such as utility peaking units or boilers, which are not affected by the excise tax exemption. Thus, while the excise tax exemption would still obtain for all those eligible for it, our amendment would make a comparable tax benefit available for alcohol fuels not covered by the excise tax exemption.

I have long felt that alcohol is a versatile fuel, which can substitute for crude oil products in a number of settings. This 40-cent credit should stimulate diverse uses of alcohol, thus increasing its potential for cutting back on petroleum consumption.

In addition, this credit would be available for alcohol that is produced to be blended into gasoline in proportions other than a 90–10 blend, the only product which is now eligible for the excise tax exemption. This would cover the situation, for example, where a refiner wanted to use alcohol primarily as an octane booster. In this situation, it is not necessary to blend in 10 percent alcohol to achieve the desired effect. Using alcohol as an octane booster not only displaces a small amount of gasoline, but also cuts down on refiners use of crude oil to boost the octane level of unleaded gasoline, an increasingly troublesome problem for refiners. By permitting the 40-cents-per-gallon credit for alcohol/gasoline blends of less than 90–10, we will be encouraging the use of alcohol as an octane booster—a procedure which makes absolutely good sense.

In sum, Mr. President, by combining the excise tax exemption with a 40-cent credit for those not eligible for the former credit, we will be stimulating the use of alcohol, instead of petroleum, for nonmotor fuel uses without endangering the progress we have made through the existence of the excise tax exemption, a tax benefit that automatically gets passed along to consumers under our gasoline pricing regulations.

Criticism of this amendment to H.R. 3919 has centered on the impact of the extension of the excise tax exemption for gasohol in the highway trust fund and the ability of that fund to sustain needed programs in the construction and rehabilitation of the Nation's highway system. Mr. President, the extension of the excise tax exemption for gasohol will have only a minimal impact on the highway trust fund.

The anticipated loss of revenue from gasohol is of far less significance to the trust fund than the effects of shrinking gas consumption and soaring highway construction and maintenance costs.

In light of overwhelming need to reduce American dependence on foreign oil, the diminimus effect of the extension of the excise tax exemption for gasohol and the mandate of the 1978 Surface Transportation Assistance Act requiring the Department of Transportation to assess the continued viability of a tax based on gallonage, I strongly suggest that we can have both an adequate highway system and aggressive development of domestic fuel alternatives such as gasohol.

Mr. President, I ask to have printed in the RECORD a letter from the Secretary of Transportation which addresses these issues and a table prepared by the Department of Transportation showing the effect of this amendment upon revenues to the highway trust fund.

The material follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., January 30, 1980.

HON. BIRCH BAYH,
Chairman, Subcommittee on Transportation, Senate Appropriations Committee, Washington, D.C.

DEAR BIRCH: On several occasions, we have discussed the growing use of gasohol and its importance as a substitute fuel to help meet supply shortages over the coming decade. I am aware of your concern for gasohol in your capacity as Chairman of the National Alcohol Fuels Commission as well as your continuing support for the highway program, and I am pleased to respond to your request for information on the relationship between gasohol and highway financing.

As you know, there are various measures of Federal assistance being made available to encourage the greater use of gasohol. Among them is the exemption of this fuel from the normal Federal taxation on gasoline, which is one of the key revenue sources for the Highway Trust Fund. Extension of this exemption is part of the current conference discussions over the energy tax bill.

Concerns have been raised over the impact the gasohol exemption may have on the Highway Trust Fund and its ability to sustain needed programs in the construction and rehabilitation of the Nation's highway network. Present estimates place the total tax revenues into the Highway Trust Fund from all sources (excluding interest on the fund balances), at $83.5 billion over the decade 1981–1990, before allowing for revenue loss due to gasohol. While precise data is not yet available, the revenue loss is now expected to fall between $2.7 and $4.0 billion, with most of the shortfall occurring in the latter years of the decade. In percentage terms, the gasohol exemption represents a revenue loss of between 3 and 5 percent.

While this is a matter of concern, it is only one of several trends affecting the future of the highway program revenue stream. A lessened rate of travel growth, more fuel efficient auto and truck fleets, potential reliance on electric vehicles, and many other factors are combining to depress trust fund revenues growth well below the levels experienced in earlier time periods.

As part of the 1978 Surface Transportation Assistance Act, the Department of Transportation was directed to undertake a number of revenue related studies, including specific review of the proper allocation of highway expenses among classes of users and the most efficient and effective ways of raising revenue. We have these studies well underway and look forward to reporting their results to the next Congress. At that time, it will be important to assess the future highway programs and the ways in which revenue can be produced for those programs, balancing transportation objectives and other national goals such as the production and use of domestic substitute fuel supplies.

I know you have been a strong supporter of progress in the highway program during your tenure as Chairman of the Senate Transportation Appropriations Subcommittee, and I am sure that you will lend support to the measures necessary to assure that such progress continues in the future. I

look forward to working with you on these concerns.

Sincerely,

NEIL GOLDSCHMIDT.

TABLE 1.—ESTIMATED EFFECT OF THE GASOHOL EXEMPTION ON THE HIGHWAY TRUST FUND AT A NOMINAL CONVERSION RATE

[In millions of dollars]

	Net estimated revenue without gasohol exemption	Estimated decrease due to gasohol exemption	Net revenue after gasohol exemption
1980	6,974	40	6,934
1981	7,158	76	7,082
1982	7,527	98	7,429
1983	7,851	140	7,711
1984	7,919	191	7,728
1985	7,888	243	7,645
1986	8,264	284	7,980
1987	8,751	341	8,410
1988	9,069	376	8,693
1989	9,396	436	8,960
1990	9,753	497	9,256
Total	90,500	2,722	87,828

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ANOTHER WARNING FOR THE WEST FROM SOLZHENITSYN

● Mr. GOLDWATER. Mr. President, it is a curious fact that one of the most eloquent spokesmen for freedom in the world is a Russian expatriate driven from his beloved homeland by the evil and unrelenting curse of communism. Unlike many commentators in the Western nations who view communism only from the shifting and devious actions of the Soviet Union, and who run hot and cold on relations with Russia, supporting détente one day and opposing it the next, Alexander Solzhenitsyn understands the nature of communism itself, whether it be Soviet, Chinese or Vietnamese.

In a recent essay for Time in response to the latest Soviet aggression in Afghanistan, Solzhenitsyn discusses the inherent nature of totalitarian communism as an evil force which presents a mortal danger to humankind wherever it exists.

For example, the author writes:

In expectation of World War III the West again seeks cover, and finds Communist China as an ally! This is another betrayal, not only of Taiwan, but of the entire oppressed Chinese people. Moreover, it is a mad, suicidal policy: having supplied billion-strong China with American arms, the West will defeat the U.S.S.R., but thereafter no force on earth will restrain Communist China from world conquest."

Mr. President, I believe the warnings of this Russian, a Nobel-prize winning novelist who is an astute observer of people and political institutions, are worthy of our attention, and I ask that the recent, brief essay by Solzhenitsyn may appear in the RECORD.

The material follows:

[From the Washington Star, Feb. 17, 1980]

ANOTHER WARNING FOR THE WEST FROM SOLZHENITSYN

The West began its perilous miscalculation of communism in 1918: from the very beginning the Western powers failed to see the deadly threat that it represented. In Russia at that time, all previously warring factions—from the government forces to the Constitutional Democrats and the right-wing Socialists—united against Communism. Though the peasants and workers were not formally allied with these groups, and were not coordinated, thousands of peasant revolts and dozens of worker uprisings reflected the masses' opposition to communism. A Red Army was mobilized by executing tens of thousands of men who tried to evade Bolshevik conscription. But this Russian national resistance to communism received scant support from the Western powers.

The most fantastically rosy notions about the communist regime circulated in the West, and so-called progressive public opinion greeted it with joy, in spite of the fact that by 1921, 30 Russian provinces were undergoing a Cambodia-like genocide. (In Lenin's lifetime no fewer innocent civilians perished than under Hitler, and yet today American school children who invariably regard Hitler as the greatest villain in history look upon Lenin as Russia's benefactor.) The Western powers vied with one another to give economic and diplomatic support to the Soviet regime, which could not have survived without this aid. Europe took no notice of the fact that some six million people in the Ukraine and the Kuban River basin had died of hunger.

In 1941 the worth of this much-touted regime became apparent to the world: from the Baltic to the Black Sea the Red Army retreated as if swept away by the wind in spite of its numerical superiority and its excellent artillery. There was no precedent for such a rout in a thousand years of Russian history and, indeed, in all military history. In the first few months of the war some three million soldiers had fallen into enemy hands! Here was a clear statement of our people's desire to be rid of communism. The West could not have failed to understand if only it had wanted to see. But in its nearsightedness, the West held that the sole threat to the world resided in Hitler and that his overthrow would end all danger. The West did what it could to help Stalin forcibly harness Russian nationalism for the Communist cause. And so in World War II the West defended not freedom in general but merely freedom for itself.

In order to buy Stalin's friendship at the end of the war, the West turned over 1.5 million people who were then in Allied hands and who did not wish to return to Stalin's tyranny. Among them were entire Russian divisions, Tartar and Caucasion battalions, as well as P.O.W.s and forced laborers numbering in the hundreds of thousands, including old men, women and children.

Stalin manipulated Roosevelt with ease, effortlessly assuring himself of control over Eastern Europe: Yalta marked the beginning of a 35-year streak of American defeats, only briefly interrupted in Berlin and Korea. (When there was the will to resist, victory followed.) As I have written on earlier occasions [in 1975 in an article entitled "The Big Losers in the Third World War" and in the book *Warning to the West*], the entire period from 1945 to 1975 can be viewed as another world war that was lost by the West without a battle and in which some two dozen countries were abandoned to communism.

There are two reasons for this string of capitulations. First is the spiritual impotence that comes from living a life of ease; people are unwilling to risk their comforts. Second, and just as important, is the prevailing, total incomprehension of the malevolent and unyelding nature of communism, which is equally dangerous to every country.

The West often seeks an explanation for the phenomenon of 20th-century communism in some supposed defects of the Russian nation. This is ultimately a racist view. (How then can China be explained? Vietnam? Cuba? Ethiopia? Or the likes of Georges Marchais?)

Flaws are sought everywhere but in communism itself. Its aggressiveness is explained by, for example, Averell Harriman, in terms of a national dread of aggression; this is said to account for the building of a vast arsenal and the seizing of new countries.

Western diplomats depend on unsound hypotheses that involve supposed "left" and "right" factions of the Politburo when, in reality, all of its members are united in seeking world conquest and are undiscriminating in the means they use. Insofar as struggles do occur within the Politburo, they are purely personal; they cannot be used for diplomatic leverage. The average Soviet citizen, deprived though he is of information about the world and of the benefits of Western Kremlinology, understands this perfectly well. Illiterate Afghan herdsmen are equally on target when they burn portraits of Marx and Lenin instead of accepting the tale that their country was occupied simply because Leonid Brezhnev happened to be ailing.

Communism can implement its "ideals" only by destroying the core and foundation of a nation's life. He who understands this will not for a minute before that Chinese communism is more peace-loving than the Soviet variety (it is simply that its teeth have not yet grown), or that Marshal Tito's brand is kindly by nature. The latter was also leavened with blood, and it, too, consolidated its power by mass killings, but the weak-hearted West preferred not to take any notice in 1943–45.

Communism needs the whole charade of detente for only one purpose: to gain additional strength with the help of Western financing (those loans will not be repaid) and Western technology before it launches its next large-scale offensive. Communism is stronger and more durable than Nazism, it is far more sophisticated in its propaganda and excels at such charades.

Communism is unregenerate; it will always present a mortal danger to mankind. It is like an infection in the world's organism: it may lie dormant, but it will inevitably attack with a crippling disease. There is no help to be found in the illusion that certain countries possess an immunity to communism: any country that is free today can be reduced to prostration and complete submission.

In expectation of World War III the West again seeks cover, and finds Communist China as an ally! This is another betrayal; not only of Taiwan, but of the entire oppressed Chinese people. Moreover, it is a mad, suicidal policy; having supplied billion-strong China with American arms, the West will defeat the U.S.S.R., but thereafter no force on earth will restrain Communist China from world conquest.

Communism stops only when it encounters a wall, even if it is only a wall of resolve. The West cannot now avoid erecting such a wall in what is already its hour of extremity.

Meanwhile, however, 220 possible allies have fallen to communism since World War II. Meanwhile, Western technology has helped develop the terrifying military power of the communist world. The wall will have to be erected with what strength remains. The present generation of Westerners will have to make a stand on the road upon which its predecessors have so thoughtlessly retreated for 60 years.

But there is hope. All oppressed peoples are on the side of the West: the Russians, the various nationalities of the U.S.S.R., the Chinese and the Cubans. Only by relying on this alliance can the West's strategy succeed. Only together with the oppressed will the West constitute the decisive force on earth. This is also a matter of principle, if the

West is to uphold freedom everywhere and not merely for itself.

This strategy will obviously entail radical conceptual changes and the rethinking of tactics on the part of Western politicians, diplomats and military men. Five years ago, all my warnings were ignored by official America. Your leaders are free to ignore my present predictions as well. But they, too, will come true.●

SOCIAL SECURITY DISABILITY AMENDMENTS

● Mr. BAYH. Mr. President, on Thursday, January 31, the Senate passed H.R. 3236, the social security disability amendments. I voted for the bill with some reservation because of the severe cuts in disability benefits which will result upon enactment of the legislation. However, I felt the positive measures in the bill dictated my support. I am pleased with the sections which will allow disabled persons greater ability to reenter the job market and another section, which I proposed, to eliminate the waiting period for those persons terminally ill.

Our Nation is comprised of industrious people who want to work—who want to be self-sufficient—who are proud of our work ethic. It is because Americans are a self-sufficient and independent people that we established our social security system. Individuals are able to contribute into an insurance program run by the Federal Government which will ultimately pay them a return on their contributions when and if needed. We do this for our retirement years and also in case of severe physical disability which prevents employment.

DISABILITY BENEFITS

Because of the recognized need to supply assistance to those physically disabled during their working years, the Congress established the disability insurance program. Workers pay into the disability fund, and benefits are paid to those who are so severely disabled that they are unable to work. These individuals are not only faced with the trauma of loss of good health, but must deal with the likelihood of permanent loss of income.

There has been concern over the last few years that the costs of this program were rising much too quickly. That is no longer happening. There were 94,289 fewer disabled in 1978 than there were in 1975. The rate of disabled workers per thousand in 1975 was 7.1 but in 1978 it was 5.2. This is a significant drop. Until there is a justifiable reason to cut benefits drastically I feel the present levels should be maintained.

The system has worked well for many years now. No one wants to become disabled, but when such a tragedy occurs, we need a system that will allow the disabled to remain independent and self-sufficient financially.

The current benefit levels enable a family to make ends meet, but are not extravagant. Under the provisions of H.R. 3236, the present levels of disability benefits would be cut an average of 10 to 15 percent. We have made a commitment to the millions of Americans paying into the system to allow them an adequate return on their mandatory payments. To lower these benefits now is to go back on our word that we would supply sufficient sums when adversity affects the life of an individual. Current benefit levels for a family of four would be affected as follows: If the wage earner became disabled and had been earning approximately $250 per week, under current law the family would be entitled to about $184. This is not a large sum of money for a family of four in these times of high fuel, housing, and food costs. Under the provisions in H.R. 3236, benefits would be cut to $161 a week. This will mean a loss of about $23 a week, or $100 a month. I feel this cut is too drastic.

During Senate consideration of this bill, Senator METZENBAUM proposed an amendment to delete the sections of the bill which mandated the cuts. I supported him in this effort. Proponents of the cuts contend that a significant number of people receive more money under the disability program than if working. This has never been clearly documented and could only occur in cases where an individual earned an average of less than $300 a month before becoming disabled. However, in order to meet this concern, the Metzenbaum amendment was modified to prohibit this from happening in the future. Unfortunately, the amendment lost on a 47 to 47 tie vote. Another amendment offered by Senator JAVITS would have restored some of the benefits cut for those who earn between $700 and $1,000 a year. This group of individuals had the most severe cutback in benefits. However, Senator JAVITS was unsuccessful in his efforts.

In a time when fiscal austerity is of prime importance, I have given my support to proposals which would eliminate wasteful expenditure or end unnecessary programs. However, to cut benefits to those persons so severely disabled that the possibility of returning to work is very slim is to shift an unacceptable burden to persons unable to help themselves. It also breaks our word given to the millions of Americans who have paid into the system with the expectation of receiving assistance should tragedy befall them. I do not feel comfortable breaking this commitment. Our disability program is not a welfare program—the individual who pays into the system for protection has a right to a decent return.

Even though I was disappointed the Metzenbaum and Javits amendments to restore benefits were not approved, I was pleased with the work incentive provisions of the bill.

WORK INCENTIVES

H.R. 3236 extends the present trial work period from 9 months to 24 months. During the second 12-month period the recipient would not receive benefits if an amount were earned over the substantial gainful activity level (SGA) but would retain eligibility for benefits if returning to disability became necessary. The benefit of the trial work period will also be allowed for disabled widows and widowers. In addition, the Social Security Commissioner is directed to develop and carry out demonstration projects designed to encourage work activity by disabled beneficiaries.

Medicare coverage is an important element of disability benefits. Many times the circumstances surrounding a particular disability make this health coverage almost as important, if not more important, than the benefits themselves. Many beneficiaries are fearful of taking the risk of returning to work and losing their medicare coverage. H.R. 3236 eliminates the requirement that workers becoming disabled again within 60 months, and disabled widows and widowers as well as adults disabled since childhood who become disabled again within 84 months, must undergo another 24-month waiting period before becoming eligible for medicare coverage.

In addition, if a disabled individual was initially on the case benefit rolls for a period of less than 24 months, then the months during which he or she received cash benefits would count toward their qualification for medicare coverage if a subsequent disability occured within those time periods. The bill also extends medicare coverage for an additional 36 months after case benefits cease for a worker who is engaging in a substantial gainful activity but has not medically recovered.

I believe these provisions will improve our present system by allowing more individuals to return to work, thereby reducing costs to the system. The pride, self-esteem and independence the individual gains upon reentry into the job market cannot be measured in financial terms.

TERMINALLY ILL

Currently social security disability benefits do not begin to accrue until 5 months after a claim is filed with the Social Security Administration. For the terminally ill, this waiting period often means they will not be able to collect those disability benefits at all, the only social security benefits they will ever be personally able to collect.

I have received heart rendering correspondence from constituents who have not been able to receive such benefits. They are usually in desperate financial situations after long and costly illnesses and are looking for some means of relief. They do not want to collect welfare. For many of them to be put on the welfare rolls at the end of their lives is the final and ultimate humiliation.

Almost 400,000 people will die of cancer this year. Millions will be afflicted. These people who want to receive these benefits are not asking for charity, not asking for welfare benefits, they are asking for social security benefits, benefits they have earned.

The high cost of dying of a terminal illness is something that many of us will unfortunately be acquainted with. One in four of us will either have cancer or have a relative who has cancer not to mention other fatal illnesses. At this time in a person's life when they are spending enormous amounts of money to prolong life for an additional month or just to relieve the pain of dying, how can we say the terminally ill are not special, not worthy of some additional con-

sideration, not worth the estimate. I for one cannot.

I am very pleased the Senate voted to accept my amendment to make disability benefits immediately available to the terminally ill. I hope it will be retained in conference with the House.

SUPPLEMENTAL MEDICARE INSURANCE

Medicare benefits do not cover every type of medical expense an individual might incur; therefore, gaps in medical coverage exist which concern elderly citizens. Unfortunately, unscrupulous insurance companies and/or salesmen take advantage of worried citizens by selling them duplicative policies. Other companies sell by mail in order to use jurisdictional limitations to avoid regulation by States in which the sales are made. Hearings in both the House and Senate have brought to the public's attention the many cases of flagrant maltreatment of the elderly. It is a shocking and deplorable practice which must be stopped. I cosponsored Senator BAUCUS' bill to establish a voluntary certification program for companies selling insurance policies intended to supplement medicare coverage and to stiffen the penalties for such unethical sales practices. I was pleased the Finance Committee included this measure in H.R. 3236 with minor modifications.

Under the provisions of the bill, the Secretary of HEW will make a finding in each State as to whether such a certification process is needed. In as many instances as possible, I would like for the State, in consultation with the insurance industry, to handle the problem without Federal Government interference. The insurance industry is currently striving to end the abuses that occur. When abuses are allowed to occur in a State, however, H.R. 3236 permits the Secretary to establish a voluntary process which will require policies to meet certain minimum standards in order to become certified if the State does not apply equivalent or higher standards. Upon implementation of the certification program, older Americans seeking to purchase a policy offering MediGap coverage will only have to look for this seal of approval. This voluntary program should help both consumers and reputable insurance companies.

The House Select Committee on Aging estimates the loss to senior citizens due to duplicative coverage to be $1 billion a year. Our senior citizens should be protected from fraudulent abuses such as this. I am confident that this particular program will become much less common under this new voluntary certification program.

H.R. 3236 is presently pending in the conference committee of both House and Senate members. I urge the conference to resolve their differences rapidly in such a manner that provides all Americans with adequate protection against tragedy.●

REPORT OF THE NATIONAL CONSUMERS LEAGUE

● Mr. WILLIAMS. Mr. President, for a number of years, the National Consumers League has been in the forefront of efforts to protect people both in the marketplace and in the workplace. The league has worked to give consumers a greater voice in Government and corporate decisionmaking. At the same time, it has recognized that all consumers have a stake in safe conditions and decent wages for the workers who produce consumer goods and services.

As Chairman of the Committee on Labor and Human Resources, I have found the National Consumers League to be an important force in rallying consumer support for worker protection and minimum wage legislation. I was greatly honored to receive the league's 1978 Trumpeter Award for my work in this area.

Sandra L. Willet, the National Consumers League executive vice president, has recently reported to members on the league's current programs and plans for the future. I would like to share this report with my colleagues, and therefore, ask that it be printed at this point in the RECORD.

The material follows:

A REPORT TO NCL MEMBERS

(By Sandra L. Willet)

The concise and upbeat history of the National Consumers League just completed by Erma Angevine, NCL's exceptional president, records our 80 years of constructive outrage and actions to upgrade the health, safety and living standards of American ctizens.

"Investigate, educate, and agitate or legislate," was the motto of NCL's founder Florence Kelley who, between 1899 and 1932, organized raids on the garment district and slaughter houses to expose dangerous working conditions and exploitive wages. A vigorous commitment to economic justice and determination that the consumer voice be included in decision-making by government agencies propelled NCL in the 30's, 40's and 50's to push for a federal minimum wage, consumer representation, drug safety and labeling, and anti-trust legislation. In the 60's and early 70's, a growing number of diverse consumer organizations assumed the visible role as national champions of the consumer's interest.

By 1976 NCL was perched either to retire or to rebuild. We chose the latter route. Despite an uncertain economy and the growing tendency of moderates as well as extremists to ignore the voices of vulnerable individuals, the National Consumers League in its 80th year has been rebuilt. Comparing 1979 to 1978, NCL increased its overall budget 23 percent, its rank and file membership 21 percent, and its education and advocacy programs by much, much more. This year's quantitative and qualitative growth, when compared to 1976 activities, shows increases of more than 400 percent.

Florence Kelley's motto and NCL's vigorous commitment to advancing the consumer and worker interest are evidenced by NCL's current research, lobbying, and training programs. These programs identify NCL as the national membership organization which:

Represents consumer interests in government and corporate decisionmaking. For example, in 1979 we met frequently with President Carter and top White House officials to recommend ways to reform federal regulations and to curb inflation in the basic areas of food, housing, health care and energy. In other instances, we have addressed a particular industry problem by testifying before Congress. To cite a specific case, NCL is in favor of better cost disclosure on different life insurance policies, while at the same time working with selected insurance companies to develop private sector solutions.

Ties the worker and consumer interest together. Attempting to assure that the general public understands the stake this nation has in same working conditions and decent wages, NCL, for eaxmple, has researched hazardous effects of exposing 10- and 11-year-old children who work as farm laborers to potent chemicals in pesticides. Our support for the minimum wage continues with even greater conviction that basic living-standard wages are a requirement for a healthy economy.

Contributes expert consumer viewpoints to technical standards set by government and private industry so that economic competition and consumer safety are maximized. In 1979, the Federal Trade Commission selected NCL to represent the consumer interest in its experimental program with a private standard setting procedures. NCL continues its eperimental program with a private standard setting organization and sits on five of its technical committees concerned with safety and energy saving standards.

Trains consumers to assert their rights with knowledge and self-confidence. Believing that individuals and collective consumer actions are necessary to help people prevent problems and encourage marketplace reform, NCL has adapted its unique "Assertive Consumer" program to local consumer education activities. This year we continue our national program to research and recommend a major overhaul of consumer education as it is currently taught in the classroom, as well as the community.

The next decade holds formidable challenges for NCL and the consumer movement. Not every consumer organization has grown. Not every consumer proposal has been given reasonable consideration by Congress, the Administration or the private sector.

On the contrary, financial resources for social reform are increasingly limited and increasingly sought by colleagues in the environmental and women's movements, specific issue (such as hand-gun control) organizations, and broad public interest coalitions. The recent surge in corporate lobbying and campaign contributions encourages the shift in Congress toward skepticism, if not outright hostility, to the consumer perspective on issues ranging from oil and food prices to social security benefits to health care costs to the FTC's authority to resolve marketplace abuses. There are absolutely no guarantees that there will be funds or a forum to tackle effectively the deceptions, health hazards and anti-competitive practices which continue to plague workers and consumers even as we head toward a new millennium.

In fact, this nation may have to watch its institutions falter and its citizens suffer even more before we regain our balance.

The scene on the House floor during the funeral rule debate may recur many times again before we can recover our common sense. That scene was not one of rational debate. It was primarily an occasion of hooting and hollering to abolish the FTC, a "circus" where frequent laughter interrupted senior Members of Congress. It was an outbreak which never would have been tolerated if it had ever occurred during an FTC hearing or any board meeting of any consumer group I know. It was an outrage.

Although reasonable responses are not forthcoming now from our institutions, the frustrations and anger continue to mount within consumer communities across the country. NCL's growing membership urges NCL to fight for inflation controls, hazardous waste disposal programs, curbs on soaring interest rates, preventive medicine, fair advertising, tax reforms, improved highway safety, and so many other actions which

would provide needed relief and basic protections, but which are still beyond NCL's limited means to address effectively at this point. The consumer's voice is crying out. The demands are there. Who is listening?

During this coming decade, I believe answers will emerge through individuals who speak out and through consumers who organize citizen power to sensitize the economic giants and translate rhetoric against big government into an understanding of when government can help. NCL has made this dual approach of individual and collective action work in the past. It is our way.

We know now from decades of experience that it is not enough to complain without suggesting some preventive action; that it is not enough to pass a law without participating in its implementation; that it is not enough simply to ask any public or private institution for sensible answers without shaping their response to meet a consumer need; that it is not enough to "go it alone" on an issue when coalitions, sometimes including corporations, stand a better chance of solving the problem together. The individual's assertive action counts. And the individual's influence when forged into collective action will be needed as much in the 1980's as it was when NCL was founded.

"Investigate, educate, and agitate or legislate" is as relevant to NCL in 1980 as it was in 1899. Such significant increases in membership, budget and programs as NCL experienced in our 80th year give us encouragement, resources and guidance to face the sobering challenges of the 1980's with thoughtful confidence. The National Consumers League has met overwhelming challenges in the past. With your involvement, we pledge our best efforts in the year to come.●

EMIGRATION OF SOVIET JEWS

● Mr. CRANSTON. Mr. President, figures released recently by the National Conference on Soviet Jewry indicate that there has been a significant drop in the number of Soviet Jews who have been granted their emigration rights. Last month, only 2,803 Soviet Jews were allowed to leave the U.S.S.R. This figure is far below the 1979 monthly average of 4,277. The January figures are the lowest monthly totals since September 1978, and represent the sharpest 1-month drop in many years. This reduction in emigration comes after a marked increase in total applications for exit visas for Soviet Jews during 1979.

There are indications that this drop in emigration is the result of decisions which were taken by Soviet authorities last fall, before the invasion of Afghanistan. Those decisions include the tightening of requirements for emigration applications and the closing of a number of Soviet OVIR (visa control) offices. The sharp reduction in emigration has been accompanied by reports of increased harassment of Jews—especially refuseniks—and human rights activists by Soviet officials. In the wake of the Soviet invasion of Afghanistan, the Soviets have continued this crackdown on dissidents and have attempted futilely to silence one of the leading champions of international human rights, Andrei Sakharov. They have also continued to hold Anatoly Shcharansky, who recently marked his 32d birthday while imprisoned for the crime of advocating respect for fundamental human rights.

Thus I view the harassment and the sharp curtailment on emigration by Soviet Jews with great concern. If it continues, it will further undermine the Soviet position in the community of nations and will further reduce the possibility that we will see any significant improvement of United States-Soviet relations in the months and years ahead.

Mr. President, I will continue to follow this situation closely in the months ahead and will remain committed to the defense of the fundamental right of emigration—a right which the Soviet Union reaffirmed in signing the Helsinki Pact but which has been respected by Soviet authorities with little consistency.●

ORDER OF BUSINESS

Mr. HEINZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEVIN). Without objection, it is so ordered.

EXPRESSIONS OF GRATITUDE TO COL. ISHMAIL KAHN AND MR. BILL HAMIDULLAH

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 610.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 343) to express the gratitude of the Senate for the efforts of Colonel Ishmail Kahn and Mr. Bill Hamidullah in protecting the International School of Islamabad.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROBERT C. BYRD. Mr. President, as the reading by the clerk has indicated, the purpose of the resolution is clear: It expresses the gratitude of the Senate for acts of courage that may well have saved the lives of American schoolchildren in Islamabad, Pakistan.

As we all remember, on November 21, 1979, a mob in Islamabad, Pakistan, attacked the U.S. Embassy. The mob was whipped-up by entirely false rumors that the United States was somehow involved in the attack on the Great Mosque in Mecca, Saudi Arabia. The mob besieged the Embassy and set fire to it, trapping many American personnel inside. The Pakistani police and army did not intervene to rescue the Americans from the blazing Embassy until several hours after the attack began. Tragically, two American marines and two Pakistani Embassay employees were killed during the mob's attack.

Elsewhere in Islamabad, other Americans were also the victims of mob action. Many American children were at the International School when a mob attacked. But unlike the situation at the Embassy, the International School was well defended. Col. Ishmail Kahn and Mr. Bill Hamidullah sprang into action. They led the school's staff in fending off the attackers at risk to their own lives. No children were harmed by the mob thanks to the heroic efforts of these two men.

I am proud to join the distinguished acting minority leader, the Senator from Alaska (Mr. STEVENS), in bringing the heroism of these two men to the attention of the Senate. Today, Americans often have the impression that we are beleaguered abroad. The courageous actions of Col. Ishmail Kahn and Mr. Bill Hamidullah and the members of the International School staff remind us that Americans abroad still have friends, individuals who recognize the bonds of amity and humanity even in the face of mob action.

This resolution extends to these fine men the thanks of the U.S. Senate for their actions and the lessons implicit in what they have done.

I ask unanimous consent that, at the next printing, the names of the following Senators be added as cosponsors of Senate Resolution 343:

Senator BAUCUS, Senator BAYH, Senator BENTSEN, Senator BOREN, Senator BRADLEY, Senator BUMPERS, Senator CANNON, Senator DECONCINI, Senator EAGLETON, Senator EXON, Senator FORD, Senator GRAVEL, Senator HOLLINGS, Senator HUDDLESTON, Senator INOUYE, Senator JOHNSTON, Senator KENNEDY, Senator LEAHY, Senator LEVIN, Senator LONG, Senator MAGNUSON, Senator MATSUNAGA, Senator MCGOVERN, Senator MELCHER, Senator METZENBAUM, Senator MORGAN, and Senator MOYNIHAN.

Senator NELSON, Senator NUNN, Senator PELL, Senator PROXMIRE, Senator PRYOR, Senator RANDOLPH, Senator RIEGLE, Senator SARBANES, Senator SASSER, Senator STEVENSON, Senator STEWART, Senator STONE, Senator TALMADGE, Senator TSONGAS, Senator WILLIAMS, Senator ZORINSKY, Senator CHAFEE, Senator COCHRAN, Senator COHEN, Senator DOLE, Senator DURENBERGER, Senator HAYAKAWA, Senator HEINZ, Senator HELMS, Senator KASSEBAUM, Senator LUGAR, Senator MCCLURE, Senator PERCY, Senator SIMPSON, and Senator YOUNG.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I appreciate the interest of so many of my colleagues in sponsoring Senate Resolution 343, a resolution expressing the gratitude of the U.S. Senate for the actions taken by Col. Ishmail Kahn and Mr. Bill Hamidullah in protecting the lives of over 40 students at the International School of Islamabad.

During the attempt to seize the American Embassy in Islamabad, a group of rioters approached the International School armed with clubs and pipes. Colonel Ishmail Kahn and Mr. Bill

Hamidullah led the staff in defending the compound. Had these two brave men and their staff not displayed such courage, the incident could have ended in tragedy. Fortunately, the damage was slight.

We are deeply grateful to these men and their staff for their assistance to the students at the school and to the United States. Their undaunted courage and valor will not be soon forgotten by the people of this country. Thucydides once wrote:

They are surely to be esteemed the bravest spirits who, having the clearest sense of both the pains and pleasures of life, do not on that account shrink from danger.

These two men did not shrink from danger; they stood forth valiantly and they prevailed. We owe them a great debt of gratitude.

Mr. President, the colonel had served in this country as a military attaché. I think that the actions of Colonel Kahn and his associate were probably the bravest actions we have heard in connection with the difficulties we have encountered abroad in the past few months.

Certainly, to have thwarted the attack on the International School with nothing other than a few baseball bats and students they rallied to their support should go down as one of the bravest things that has happened. Had they not taken this action, I am convinced that the American students in the International School of Islamabad would have suffered grievous harm and might even be hostages.

The PRESIDING OFFICER. Without objection, the resolution is agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 343

Whereas on November 21, 1979, approximately fifteen rioters rushed the International School of Islamabad where forty students were present;

Whereas, at the same time the rioters rushed the school compound, the attack on the United States Embassy, seven miles away, was in progress;

Whereas Colonel Ishmail Kahn and Mr. Bill Hamidullah, risking their own lives, led the school staff in defending the compound against the rioters and averted the sort of tragedy which took place at the Embassy; and

Whereas all students and staff were unharmed due to the courage and presence of mind of Colonel Ishmail Kahn, and Mr. Hamidullah: Now, therefore, be it

Resolved, That, in recognition of the steadfastness and forceful action of Colonel Ishmail Kahn and Mr. Hamidullah in repelling the attackers of the International School of Islamabad, the Senate expresses gratitude and appreciation.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TIME-LIMITATION AGREEMENT—HOUSE CONCURRENT RESOLUTION 272, SENSE OF CONGRESS TO RELEASE ANDREI SAKHAROV FROM EXILE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as Calendar No. 611, House Concurrent Resolution 272, a sense of Congress to release Andrei Sakharov from exile, is called up and made the pending business, there be a time limitation thereon, overall, of 1 hour, to be equally divided between Mr. CHURCH and Mr. JAVITS.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF CERTAIN SENATORS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders or their designees have been recognized under the standing order, Messrs. PERCY and HARRY F. BYRD, JR., be recognized, each for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the orders for the recognition of the two Senators on tomorrow, there be a brief period for the transaction of routine morning business, not to extend beyond 30 minutes, and that Senators may speak therein up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION TOMORROW OF HOUSE CONCURRENT RESOLUTION 272, SENSE OF CONGRESS TO RELEASE ANDREI SAKHAROV FROM EXILE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of the two Senators tomorrow for whom orders have been entered previously, rather than for morning business at that point, the Senate then proceed to the consideration of Calendar No. 611, House Concurrent Resolution 272, a sense of Congress to release Andrei Sakharov from exile.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I anticipate a rollcall vote on that resolution tomorrow.

ORDER FOR RECESS UNTIL 1:30 P.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 1:30 p.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 1:30 P.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until 1:30 p.m. tomorrow.

The motion was agreed to; and at 5:08 p.m., the Senate recessed until tomorrow, Tuesday, February 19, 1980, at 1:30 p.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate on February 11, 1980, under authority of the order of the Senate of February 8, 1980:

NATIONAL RAILROAD PASSENGER CORPORATION

The following-named persons to be Members of the Board of Directors of the National Railroad Passenger Corporation for terms expiring July 18, 1982:

James R. Mills, of California (reappointment).

Frank H. Neel, of Georgia (reappointment).

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Guy Feliz Erb, of California, to be Deputy Director of the U.S. International Development Cooperation Agency (new position).

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

LINE OF THE AIR FORCE

Major to lieutenant colonel

Abby, Darwin G., xxx-xx-xxxx.
Abel, Franklin G., xxx-xx-xxxx.
Abraham, Gary W., xxx-xx-xxxx.
Ackerman, Ronald R., xxx-xx-xxxx.
Adame, Frederick, P., Jr., xxx-xx-xxxx.
Adams, George T., xxx-xx-xxxx.
Adams, James L., xxx-xx-xxxx.
Adamson, Derry A., xxx-xx-xxxx.
Adee, Donald P., xxx-xx-xxxx.
Adelman, Philip J., xxx-xx-xxxx.
Aglio, Carl J. xxx-xx-xxxx.
Ahl, Gilbert W., xxx-xx-xxxx.
Albright, Edward L., xxx-xx-xxxx.
Alexander, James W., xxx-xx-xxxx.
Alie, Jean R., xxx-xx-xxxx.
Allen, Ernest G., Jr., xxx-xx-xxxx.
Allen, Lacy A., xxx-xx-xxxx.
Allen, Lawrence W., xxx-xx-xxxx.
Allen, Robert L., xxx-xx-xxxx.
Allison, Gary G., xxx-xx-xxxx.
Alnwick, Kenneth J., xxx-xx-xxxx.
Alspaugh, James D., xxx-xx-xxxx.
Anderson, Allen S., xxx-xx-xxxx.
Anderson, Calvin C., xxx-xx-xxxx.
Anderson, Harold W., xxx-xx-xxxx.
Anderson, Jackie L., xxx-xx-xxxx.
Anderson, Paul J., Jr., xxx-xx-xxxx.
Andrews, Leonard E., xxx-xx-xxxx.
Ankley, Donald C., xxx-xx-xxxx.
Anselmo, Robert J., xxx-xx-xxxx.
Aparicio, Arthur J., Jr., xxx-xx-xxxx.
Arellano, Gustavo O., xxx-xx-xxxx.
Arnold, John K., III, xxx-xx-xxxx.
Arter, Gerald R., xxx-xx-xxxx.
Arthur, Paul M., xxx-xx-xxxx.
Ashworth, Pratt D., xxx-xx-xxxx.
Athas, Charles P., xxx-xx-xxxx.
Atkins, Benny J., xxx-xx-xxxx.
Ator, Robert A., xxx-xx-xxxx.
Augustine, Leonard J., xxx-xx-xxxx.
Austin, James L., xxx-xx-xxxx.

Austin, Roger J., xxx-xx-xxxx.
Austin, William R., II, xxx-xx-xxxx.
Auten, Jimmie D., xxx-xx-xxxx.
Avery, Richard D., xxx-xx-xxxx.
Avis, Bertram, xxx-xx-xxxx.
Avitabile, James J., xxx-xx-xxxx.
Baak, Jerome A., xxx-xx-xxxx.
Babione, William P., xxx-xx-xxxx.
Babos, Sandor, xxx-xx-xxxx.
Bachellor, Burton P. C., II, xxx-xx-xxxx.
Baddley, Benny H., xxx-xx-xxxx.
Bagley, Thomas J., III, xxx-xx-xxxx.
Bailey, Glenn B., xxx-xx-xxxx.
Bailey, Jerry T., xxx-xx-xxxx.
Bailey, John R., xxx-xx-xxxx.
Bailey, Thomas F., xxx-xx-xxxx.
Bainbridge, Thomas A., xxx-xx-xxxx.
Baker, James P., xxx-xx-xxxx.
Baker, Mary E., xxx-xx-xxxx.
Baldassano, Robert S., xxx-xx-xxxx.
Baldock, Jessie C., xxx-xx-xxxx.
Baldwin, Claude R., xxx-xx-xxxx.
Baldwin, Rey D., xxx-xx-xxxx.
Ballou, James R., xxx-xx-xxxx.
Barber, Lawrence W., xxx-xx-xxxx.
Barnhart, Rodger L., xxx-xx-xxxx.
Barnhill, Howard M., xxx-xx-xxxx.
Barnwell, Ules L., Jr., xxx-xx-xxxx.
Baron, David A., xxx-xx-xxxx.
Barth, Roland E., xxx-xx-xxxx.
Bartine, Harris V., xxx-xx-xxxx.
Bartlett, Robert R., xxx-xx-xxxx.
Bartrand, Louis E., xxx-xx-xxxx.
Bartunek, Robert D., xxx-xx-xxxx.
Bassett, David H., xxx-xx-xxxx.
Batchelder, Diane, xxx-xx-xxxx.
Bates, Franklin D., xxx-xx-xxxx.
Batten, Virgil F., xxx-xx-xxxx.
Baty, Richard S., xxx-xx-xxxx.
Bauknight, Gerald C., xxx-xx-xxxx.
Baumann, Carl W., xxx-xx-xxxx.
Bean, Donald W., xxx-xx-xxxx.
Beatty, John D., xxx-xx-xxxx.
Beaulieu, Leo J., xxx-xx-xxxx.
Beckham, Wesley E., Jr., xxx-xx-xxxx.
Beekman, Ralph E., xxx-xx-xxxx.
Beezley, Ronnie W., xxx-xx-xxxx.
Beland, Richard J., xxx-xx-xxxx.
Bell, James R., xxx-xx-xxxx.
Bellanca, Thomas J., xxx-xx-xxxx.
Bellg, Bruce J., xxx-xx-xxxx.
Bender, Eduard, xxx-xx-xxxx.
Bender, Walter W., xxx-xx-xxxx.
Benfield, Garland W., xxx-xx-xxxx.
Benner, William H., Jr., xxx-xx-xxxx.
Bennett, Forrest H., Jr., xxx-xx-xxxx.
Bennett, Frank J., xxx-xx-xxxx.
Bennett, Russell H., xxx-xx-xxxx.
Berg, Donald J., xxx-xx-xxxx.
Bergmann, Joseph I., xxx-xx-xxxx.
Berle, Terence H., xxx-xx-xxxx.
Bernard, Albert R., Jr., xxx-xx-xxxx.
Bernard, Samuel T., xxx-xx-xxxx.
Bessette, Carol S., xxx-xx-xxxx.
Bevans, John P., xxx-xx-xxxx.
Bezek, George M., xxx-xx-xxxx.
Biancur, Andrew W., xxx-xx-xxxx.
Biehle, Kenneth H., xxx-xx-xxxx.
Biggs, Dennis M., xxx-xx-xxxx.
Billings, John H., xxx-xx-xxxx.
Billingsley, James T., xxx-xx-xxxx.
Bima, William J., Jr., xxx-xx-xxxx.
Bingham, Clifford W., xxx-xx-xxxx.
Birkholz, John C., Jr., xxx-xx-xxxx.
Bishop, Marvin L., xxx-xx-xxxx.
Bisset, David G., xxx-xx-xxxx.
Black, Harry W., Jr., xxx-xx-xxxx.
Blackburn, Gerald M., xxx-xx-xxxx.
Blaes, Omer J., xxx-xx-xxxx.
Blahous, Edward G., xxx-xx-xxxx.
Blair, Dean H., xxx-xx-xxxx.
Blais, David N., xxx-xx-xxxx.
Blaker, Philip C., xxx-xx-xxxx.
Bland, Julian P., xxx-xx-xxxx.
Blasingame, Frank E., xxx-xx-xxxx.
Blatter, Richard W., xxx-xx-xxxx.
Bliss, George W., xxx-xx-xxxx.
Blount, Charles F., xxx-xx-xxxx.
Blue, Harry G., Jr., xxx-xx-xxxx.
Blumenthal, Morris C., Jr., xxx-xx-xxxx.
Bobek, Andrew S., xxx-xx-xxxx.
Bobick, James C., xxx-xx-xxxx.
Boehme, Robert E., xxx-xx-xxxx.
Bohmfalk, Frederick H., xxx-xx-xxxx.
Boles, Dyek R., xxx-xx-xxxx.
Boles, Robert H., xxx-xx-xxxx.
Bond, Charles C., xxx-xx-xxxx.
Bond, Robert I., xxx-xx-xxxx.
Booker, Sylvester, Jr., xxx-xx-xxxx.
Bookout, William G., xxx-xx-xxxx.
Boone, Donald, xxx-xx-xxxx.
Boutchyard, Fred R., xxx-xx-xxxx.
Bowen, Danny M., xxx-xx-xxxx.
Bowers, Glen L., xxx-xx-xxxx.
Bowman, Buddy L., xxx-xx-xxxx.
Bowser, James D., xxx-xx-xxxx.
Boyce, James W., Jr., xxx-xx-xxxx.
Boyd, Charles G., xxx-xx-xxxx.
Boyer, George K., xxx-xx-xxxx.
Boyer, Winston M., xxx-xx-xxxx.
Boyle, John J., xxx-xx-xxxx.
Boys, William W., xxx-xx-xxxx.
Bozzuto, Charles D., xxx-xx-xxxx.
Braden, Richard P., xxx-xx-xxxx.
Bradley, Donald L., xxx-xx-xxxx.
Brady, Tim, xxx-xx-xxxx.
Brand, Joseph R., xxx-xx-xxxx.
Brandner, Eugene, xxx-xx-xxxx.
Brandt, William H., xxx-xx-xxxx.
Branson, Claude L., Jr., xxx-xx-xxxx.
Brattland, Harold A., xxx-xx-xxxx.
Braun, Ralph A., xxx-xx-xxxx.
Brawley, Horace M., xxx-xx-xxxx.
Brazelton, Donald E., xxx-xx-xxxx.
Breen, Paul F., xxx-xx-xxxx.
Brennan, William E., xxx-xx-xxxx.
Briesacher, Herbert A., xxx-xx-xxxx.
Bright, Edward G. D., xxx-xx-xxxx.
Brill, Frank Z., Jr., xxx-xx-xxxx.
Brink, Ronald H., xxx-xx-xxxx.
Brinker, Michael P., xxx-xx-xxxx.
Broadwell, Charles L., xxx-xx-xxxx.
Broderick, Thomas D., xxx-xx-xxxx.
Bronson, Howard F., III, xxx-xx-xxxx.
Brooks, John J., Jr., xxx-xx-xxxx.
Brost, Harold G., xxx-xx-xxxx.
Brown, Bruce L., xxx-xx-xxxx.
Brown, Donald L., xxx-xx-xxxx.
Brown, Garnett C., Jr., xxx-xx-xxxx.
Brown, Kenneth L., xxx-xx-xxxx.
Brown, Lester P., Jr., xxx-xx-xxxx.
Brown, Marvin F., xxx-xx-xxxx.
Brown, Robert L., xxx-xx-xxxx.
Brown, Roger A., xxx-xx-xxxx.
Brummett, William E., xxx-xx-xxxx.
Brunner, Richard A., xxx-xx-xxxx.
Brzozowski, Thomas S., xxx-xx-xxxx.
Buchan, William E., xxx-xx-xxxx.
Buchen, Michael G., xxx-xx-xxxx.
Buck, Edward F., xxx-xx-xxxx.
Buck, Virgil A., xxx-xx-xxxx.
Buckner, Lynn E., xxx-xx-xxxx.
Budzinski, Norbert L., xxx-xx-xxxx.
Bugeda, Richard B., xxx-xx-xxxx.
Burba, James G., xxx-xx-xxxx.
Burke, Michael F., xxx-xx-xxxx.
Burke, Thomas E., xxx-xx-xxxx.
Burney, David L., xxx-xx-xxxx.
Burnshnick, Anthony J., xxx-xx-xxxx.
Buschmann, John R., xxx-xx-xxxx.
Bush, Robert W., xxx-xx-xxxx.
Busko, George, Jr., xxx-xx-xxxx.
Butler, Jack V., xxx-xx-xxxx.
Butler, James A., xxx-xx-xxxx.
Butler, Jon D., xxx-xx-xxxx.
Butt, David W., xxx-xx-xxxx.
Butters, Jerrold L., xxx-xx-xxxx.
Cable, Dick A., xxx-xx-xxxx.
Cain, James E., xxx-xx-xxxx.
Caldwell, William B., xxx-xx-xxxx.
Callahan, James E., xxx-xx-xxxx.
Campbell, Clarence C., xxx-xx-xxxx.
Campbell, Donald F., xxx-xx-xxxx.
Campbell, John F., xxx-xx-xxxx.
Canaga, Joseph R., xxx-xx-xxxx.
Cannon, Edward L., xxx-xx-xxxx.
Carey, Charles C., xxx-xx-xxxx.
Cargill, Robert L., xxx-xx-xxxx.
Carleton, James E., xxx-xx-xxxx.
Carman, Dean C., xxx-xx-xxxx.
Carnes, Frederick E., xxx-xx-xxxx.
Carpenter, John H., xxx-xx-xxxx.
Carpenter, Robert A., xxx-xx-xxxx.
Carpenter, Thomas G., xxx-xx-xxxx.
Carroll, Paul L., Jr., xxx-xx-xxxx.
Carron, Edward L., xxx-xx-xxxx.
Carruth, James R., xxx-xx-xxxx.
Carver, Jimmy D., xxx-xx-xxxx.
Caskey, Jerry L., xxx-xx-xxxx.
Cavender, Bill R., xxx-xx-xxxx.
Cavender, Henry J., xxx-xx-xxxx.
Centala, Martin D., xxx-xx-xxxx.
Ceruti, Robert E., xxx-xx-xxxx.
Chace, Henry V., xxx-xx-xxxx.
Chaffin, Harry J., xxx-xx-xxxx.
Chambers, Otis G., xxx-xx-xxxx.
Chandler, Jack D., Jr., xxx-xx-xxxx.
Chandler, Robert G., xxx-xx-xxxx.
Cheney, William E., xxx-xx-xxxx.
Cheney, William F., IV, xxx-xx-xxxx.
Cherry, Edward D., xxx-xx-xxxx.
Cheshire, Frank E., Jr., xxx-xx-xxxx.
Chesnut, Jack E., xxx-xx-xxxx.
Chuvala, Bruce A., xxx-xx-xxxx.
Cilvik, Reginald M., xxx-xx-xxxx.
Clark, Lynn L., xxx-xx-xxxx.
Clark, Robert O., xxx-xx-xxxx.
Clark, Walter L., xxx-xx-xxxx.
Clarke, Colin A., xxx-xx-xxxx.
Clarke, Michael A., xxx-xx-xxxx.
Clarke, Michael J., xxx-xx-xxxx.
Clarkson, Rolland F., Jr., xxx-xx-xxxx.
Clement, Robert O., xxx-xx-xxxx.
Clifton, Larry D., xxx-xx-xxxx.
Cloutier, Frank L., xxx-xx-xxxx.
Cloutier, Richard A., xxx-xx-xxxx.
Clowers, James L., xxx-xx-xxxx.
Clyde, John R., xxx-xx-xxxx.
Coady, Thomas J., xxx-xx-xxxx.
Cobb, James W., xxx-xx-xxxx.
Cody, Richard D., xxx-xx-xxxx.
Cofod, Robert K., xxx-xx-xxxx.
Cole, Richard J., xxx-xx-xxxx.
Coleman, Donald P., xxx-xx-xxxx.
Collier, George M., xxx-xx-xxxx.
Collins, Charles V., xxx-xx-xxxx.
Collins, Willie R., Jr., xxx-xx-xxxx.
Colter, Craig G., xxx-xx-xxxx.
Colwell, John E., xxx-xx-xxxx.
Congdon, Norman B., xxx-xx-xxxx.
Connaughton, John M., xxx-xx-xxxx.
Conner, William B., xxx-xx-xxxx.
Conover, James H., xxx-xx-xxxx.
Conrad, Robert L., xxx-xx-xxxx.
Conrad, Theodore J., xxx-xx-xxxx.
Cook, Darvan E., xxx-xx-xxxx.
Cook, James D., xxx-xx-xxxx.
Cook, Lee R., xxx-xx-xxxx.
Cooke, Garth R., xxx-xx-xxxx.
Cooke, Phillip A., xxx-xx-xxxx.
Coolidge Kenneth B., xxx-xx-xxxx.
Coon, Charles R., xxx-xx-xxxx.
Coon, James L., xxx-xx-xxxx.
Copenhaver, Howard W., Jr., xxx-xx-xxxx.
Corder, John A., xxx-xx-xxxx.
Cornwell, Jefford R., xxx-xx-xxxx.
Cotton, Austin G., xxx-xx-xxxx.
Cox, Harla D., xxx-xx-xxxx.
Cox, James E., xxx-xx-xxxx.
Cox. Samuel J., xxx-xx-xxxx.
Craft, Wayne J., xxx-xx-xxxx.
Craig, James R., Jr., xxx-xx-xxxx.

Creel, Joel D., xxx-xx-xxxx.
Crew, Gary F., xxx-xx-xxxx.
Crockett, Richard H., Jr., xxx-xx-xxxx.
Crook, Henry M., Jr., xxx-xx-xxxx.
Crow, Richard R., xxx-xx-xxxx.
Crum, John M., xxx-xx-xxxx.
Cudd, George S., xxx-xx-xxxx.
Cumberland, Frank G., xxx-xx-xxxx.
Cummins, Jack B., xxx-xx-xxxx.
Cunningham, Richard R., xxx-xx-xxxx.
Currey, John R., Jr., xxx-xx-xxxx.
Currie, Tom P., xxx-xx-xxxx.
Curtis, Jack M., xxx-xx-xxxx.
Cuskey, Russell J., Jr., xxx-xx-xxxx.
Custer, Robert H., xxx-xx-xxxx.
Cutforth, Richard E., xxx-xx-xxxx.
Daily, James W., xxx-xx-xxxx.
Dalton, John F., xxx-xx-xxxx.
Daniels, George E., xxx-xx-xxxx.
Darco, Silvio V., xxx-xx-xxxx.
Davidson, Carl L., xxx-xx-xxxx.
Davidson, James R., xxx-xx-xxxx.
Davidson, John K., xxx-xx-xxxx.
Davis, Jerry F., xxx-xx-xxxx.
Davis, Richard E., xxx-xx-xxxx.
Dawson, John E., xxx-xx-xxxx.
Day, David F., xxx-xx-xxxx.
Daylor, Joseph E., xxx-xx-xxxx.
Debellis, Leonard M., xxx-xx-xxxx.
Decarlo, Louis N., xxx-xx-xxxx.
Decker, Meredith A., xxx-xx-xxxx.
Deep, Ronald, xxx-xx-xxxx.
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Hitt, William R., xxx-xx-xxxx
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Kastl, Joseph W., xxx-xx-xxxx
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Anderson, Edgar R., Jr., xxx-xx-xxxx
Beck, Roger A., xxx-xx-xxxx
Borden, Lester L., xxx-xx-xxxx
Buethe, Robert A., Jr., xxx-xx-xxxx
Cloyd, Dale E., xxx-xx-xxxx
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Dichsen, Donald V., xxx-xx-xxxx
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Suter, Darvin K., xxx-xx-xxxx
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Wagner, Grant H., xxx-xx-xxxx
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Adams, Mary E., xxx-xx-xxxx
Anderson, Rhea S., xxx-xx-xxxx
Ault, Mary M., xxx-xx-xxxx
Bailes, Mary E., xxx-xx-xxxx
Beachert, Evelyn S., xxx-xx-xxxx
Bennett, Carol J., xxx-xx-xxxx
Bruner, Judith H., xxx-xx-xxxx
Chambless, Rosalie B., xxx-xx-xxxx
Corrado, Carol J., xxx-xx-xxxx
Dye, Beverly J., xxx-xx-xxxx
Graves, Nancy L., xxx-xx-xxxx
Kendall, Nora M., xxx-xx-xxxx
Kennedy, Joan A., xxx-xx-xxxx
Kirn, Georgia A., xxx-xx-xxxx
Knuth, Betty A., xxx-xx-xxxx
Korach, Margaret M., xxx-xx-xxxx
Kujawa, Dolores M., xxx-xx-xxxx
Lopalo, Salvatore, xxx-xx-xxxx
McElwee, Catherine F., xxx-xx-xxxx
McGuire, Shirley E., xxx-xx-xxxx
Morton, Carol A., xxx-xx-xxxx
Piccolella, Joseph A., xxx-xx-xxxx
Pulda, Roger L., xxx-xx-xxxx
Purvis, Lorena J., xxx-xx-xxxx
Ruotsala, Eila M., xxx-xx-xxxx
Russell, Ann S., xxx-xx-xxxx
Shinn, Patsy F., xxx-xx-xxxx
Sturim, Constance R., xxx-xx-xxxx
Wagner, Kathleen F., xxx-xx-xxxx
Whitley, Helen B., xxx-xx-xxxx
Young, Marva P., xxx-xx-xxxx

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Bingham, Thomas W., xxx-xx-xxxx
Cauley, Jerry D., xxx-xx-xxxx
Chapman, Samuel B., Jr., xxx-xx-xxxx
Conley, Raymond P., xxx-xx-xxxx
Curtis, Keith W., xxx-xx-xxxx
Edmonds, Robert D., xxx-xx-xxxx
Frient, Gerald J., xxx-xx-xxxx
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Rieckhoff, Elmer C., xxx-xx-xxxx
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Turner, Charles E., xxx-xx-xxxx
Williams, Robert S., xxx-xx-xxxx

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Dougherty, Jerry P., xxx-xx-xxxx
Esters, Lavada, xxx-xx-xxxx
Fortune, Miriam W., xxx-xx-xxxx
Garver, Richard B., xxx-xx-xxxx
Gokelman, John J., xxx-xx-xxxx
Good, Merrill R., xxx-xx-xxxx
Heckman, Gerald R., xxx-xx-xxxx
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Markland, Darryl T., xxx-xx-xxxx
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Patterson, Lucille G., xxx-xx-xxxx
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Spence, William E., Jr., xxx-xx-xxxx
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The following-named officer for promotion in the U.S. Air Force in the temporary grade indicated, under the appropriate provisions of chapter 839, title 10, United States Code, as amended.

MEDICAL CORPS

Major to lieutenant colonel

Taylor, Steven L., xxx-xx-xxxx

IN THE ARMY

The following-named persons for appointment in the Regular Army of the United States, in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be major

Adkinson, Michael H., xxx-xx-xxxx
Brown, Charles D., xxx-xx-xxxx
Bryant, Wilbert, xxx-xx-xxxx
Doolittle, Douglas R., xxx-xx-xxxx
Doscinski, Leonard E., xxx-xx-xxxx
Dutko, Thomas M., xxx-xx-xxxx
Edgar, Michael W., xxx-xx-xxxx
Goodman, David L., xxx-xx-xxxx
Holtz, Douglas J., xxx-xx-xxxx
Houston, Clifton, xxx-xx-xxxx
Huber, John H., xxx-xx-xxxx
Huffman, Dennis G., xxx-xx-xxxx
Hun, Nicholas J., xxx-xx-xxxx
Hunter, Richard W., xxx-xx-xxxx
Jones, Willie J., xxx-xx-xxxx
Kalowski, Paul J., xxx-xx-xxxx
Krueger, Arthur G., xxx-xx-xxxx
Little, Charles J., xxx-xx-xxxx
Macwillie, Stephen S., xxx-xx-xxxx
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O'Neil, David C., xxx-xx-xxxx
Parker, Dean L., xxx-xx-xxxx
Phillips, Dean A., xxx-xx-xxxx
Reynolds, Edward J., Jr., xxx-xx-xxxx
Ridley, Leon H., xxx-xx-xxxx
Slimowicz, Charles J., Jr., xxx-xx-xxxx
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White, Robert A., xxx-xx-xxxx
Willis, Richard C., xxx-xx-xxxx
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Abell, Charles S., xxx-xx-xxxx
Alberg, Wayne C., xxx-xx-xxxx
Aldrich, William F., xxx-xx-xxxx
Allen, Thomas S., xxx-xx-xxxx
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Ardison, Larry G., xxx-xx-xxxx
Armstrong, James R., xxx-xx-xxxx
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Bauer, William B., xxx-xx-xxxx
Bellamy, Lonnie J., xxx-xx-xxxx
Barczel, David J., xxx-xx-xxxx
Gogema, James A., xxx-xx-xxxx
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Tallas, John C., xxx-xx-xxxx
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Weaver, Malcolm G., xxx-xx-xxxx
Wellisch, Lawrence R., xxx-xx-xxxx
West, Andrew C., xxx-xx-xxxx
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Wiley, William S., III, xxx-xx-xxxx
Wilkerson, Richard L., xxx-xx-xxxx
Williams, Bennie E., xxx-xx-xxxx
Williams, Gene W., xxx-xx-xxxx
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Aikens, Bernard, xxx-xx-xxxx
Allen, William Y., xxx-xx-xxxx
Bakken, Harold L., xxx-xx-xxxx
Barr, Harley C., II., xxx-xx-xxxx
Barthelemy, Richard E., xxx-xx-xxxx
Balm, Howard W., III, xxx-xx-xxxx
Beck, Lenora H., xxx-xx-xxxx
Beghtol, Michael D. xxx-xx-xxxx
Benedict, Craig F., xxx-xx-xxxx
Bird, John E., xxx-xx-xxxx
Bowers, George E., xxx-xx-xxxx
Bragg, Frank B., Jr., xxx-xx-xxxx
Brinn, Harriett L., xxx-xx-xxxx
Brooks, Steven G., xxx-xx-xxxx
Brown, Michael, xxx-xx-xxxx
Brunson, Ralph T., xxx-xx-xxxx
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Burt, Nancy J., xxx-xx-xxxx
Caldwell, Michael P., xxx-xx-xxxx
Carpenter, Walter R., Jr., xxx-xx-xxxx
Carroll, Thomas R., xxx-xx-xxxx
Cassella, Robert A., xxx-xx-xxxx
Cerrone, James A., xxx-xx-xxxx
Chilton, Robert S., Jr., xxx-xx-xxxx
Clemen, Gerald T., xxx-xx-xxxx
Collins, James L., xxx-xx-xxxx
Conners, Cynthia S., xxx-xx-xxxx
Cooper, David L., xxx-xx-xxxx
Coy, Bernie D., xxx-xx-xxxx
Crawford, William B., xxx-xx-xxxx
Daly, Michael P., xxx-xx-xxxx
Dasilva, Anthony F., xxx-xx-xxxx
Deal, John W., xxx-xx-xxxx
Durgin, David M., xxx-xx-xxxx
Erickson, Edward J., xxx-xx-xxxx
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Fillman, William G., xxx-xx-xxxx
Fricke, James R., xxx-xx-xxxx
Fuentes, Manuel, xxx-xx-xxxx
Garver, Randy, xxx-xx-xxxx
Granger, Dale R., xxx-xx-xxxx
Grant, Peter A., xxx-xx-xxxx
Hackerson, Catherine A., xxx-xx-xxxx
Hamilton, Mitchell W., xxx-xx-xxxx
Hammond, Charles R., xxx-xx-xxxx
Hampson, Michael N., xxx-xx-xxxx
Hankins, James C., xxx-xx-xxxx
Harmatz, Howard F., xxx-xx-xxxx
Hart, Hampton, Jr., xxx-xx-xxxx
Hatley, Jerry D., xxx-xx-xxxx
Hendricks, Robert M., xxx-xx-xxxx
Hockman, Lee J., xxx-xx-xxxx
Hudson, Randy F., xxx-xx-xxxx
Jahn, Sheldon L., xxx-xx-xxxx
Jenkins, Ronald L., xxx-xx-xxxx
Johnson, Ervin, Jr., xxx-xx-xxxx
Kalafian, Jon P., xxx-xx-xxxx
Key, William H., II, xxx-xx-xxxx
Kline, Vernon W., xxx-xx-xxxx
Komo, Eugene J., Jr., xxx-xx-xxxx
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Lafleur, James A., xxx-xx-xxxx
Larouche, Setsy S. S., xxx-xx-xxxx
Lewis, Billy J., xxx-xx-xxxx
Lewis, John L., xxx-xx-xxxx
Long, Franklin A., xxx-xx-xxxx
Mainville, Richard J., xxx-xx-xxxx
McCully, Melita E., xxx-xx-xxxx
McGuffin, Stephen C., xxx-xx-xxxx
McMahon, Jim, xxx-xx-xxxx
Monge, Jose F., xxx-xx-xxxx
Murdock, Daniel R., xxx-xx-xxxx
Nazario, Richard, xxx-xx-xxxx
Newman, Billy W., xxx-xx-xxxx
Nicholls, Gregory P., xxx-xx-xxxx
Orr, Joseph E., xxx-xx-xxxx
Osweiler, John R., xxx-xx-xxxx
Patykula, Thomas J. xxx-xx-xxxx
Polk, Ursula S., xxx-xx-xxxx
Rail, Richard A., xxx-xx-xxxx
Richards, Harold D., xxx-xx-xxxx
Robinson, Donald R., xxx-xx-xxxx
Ross, Robert W., xxx-xx-xxxx
Schultz, Larry D., xxx-xx-xxxx
Scott, Walter G., xxx-xx-xxxx
Simmons, Peter, xxx-xx-xxxx
Slusar, Robert T., xxx-xx-xxxx
Smith, David E., xxx-xx-xxxx
Smith, Diana W., xxx-xx-xxxx
Smith, John N., Jr. xxx-xx-xxxx
Sparrow, James M., xxx-xx-xxxx
Spille, Karen E., xxx-xx-xxxx
Steen, Alvonne M., xxx-xx-xxxx
Stransky, Norbert J., xxx-xx-xxxx
Strickland, Joey, xxx-xx-xxxx
Swacina, Daniel J., xxx-xx-xxxx
Thomas, Dwight E., xxx-xx-xxxx
Thomas, Richard B., xxx-xx-xxxx
Throop, William H., xxx-xx-xxxx
Umberger, John K., xxx-xx-xxxx
Varner, Daniel L., xxx-xx-xxxx
Weatherby, David J., xxx-xx-xxxx
Wolboldt, Clinton G., xxx-xx-xxxx
Wolframm, Christine G. M., xxx-xx-xxxx

To be second lieutenant

Budden, Christopher, W., xxx-xx-xxxx
Mamont, Bruce P., xxx-xx-xxxx
Stevens, Charles R., xxx-xx-xxxx
Ward, Rodney G., xxx-xx-xxxx

IN THE NAVY

The following-named ensigns of the U.S. Navy for temporary promotion to the grade of lieutenant (junior grade) in the staff corps as indicated, pursuant to title 10, United States Code, sections 5784 and 5791, subject to qualification therefor as provided by laws:

SUPPLY CORPS

Abramowitz, Larry
Ahern, Robert F., Jr.
Alekson, David W.
Anastos, Ernest G.
Arcement, Larry H., Jr.
Barranger, Harry F.
Bates, John W.
Bechtol, David J.
Bell, Charles W.
Bentler, Jerome F.
Bradley, Shaun G.
Brown, Joseph T.
Brown, Walter W.
Burchill, Gary W.
Christopher, John J., Jr.
Clark, Nicholas B.
Class, John C.
Connery, Robert J., III
Craigie, John W.
Crean, Sean F.
Curtis, William E., Jr.
Ray, John P.
Deshurley, Joe R.
Dixon, Steven P.
Duke Lawrence K.
Evans Mark D.
Ferraro, Eric L.
Ferree, Stephen D.
Fischer, Mark F.
Fittro, Bill D.
Fricke, Michael W.
Gardner, Rodney V.
Godwin, Jacob H., Jr.
Harper, Thomas J.
Hart, Keith E.
Haskins, Edward B.
Herring, John W., Jr.
Holland, James F.
Hollis, Roy A., Jr.
Holstein, Augustine C.
Iverson, Douglas W.
Johnson, Stanley H.
Jones, Stephen E.
Jubert, Gregory A.
Keeter, John W.
Klump, Paul L.
Koronka, Stephen J.
Leach, Vern P.
Lenartz, Robert D.
Lengel, Daryl A.
Love, Charles R.
Lucy Kenneth S.
Lyden, Michael J.
Lynch, Paul F.
Marden, Charles J. Jr.
Mason, Robert
McPheron, Jonathan W.
Mercado, Generato S.
Moore, Virgil V., IV
Moreno, Mariano O., Jr

Myers, Edward S.
Nienhaus, Andrew M.
Olson, Stephen J.
Oshida, Gary A.
Osieski, Robert M.
Ott, Edwin D., Jr.
Pigeon, Roger E.
Price, Larry D.
Ralls, John D.
Richmond, John W.
Robbins, Paul H., Jr.
Robinson, Darryl S.
Schwaneke, Robert L.
Shattuck, Richard B.
Siazek, Walter J.
Slusher, Mark H.
Space, Robert K.
Stamper, Dallas E.
Stabile, Michael E.
Storrey, Richard A.
Suleer, Thomas G.
Thomas, Michael J.
Travis, Glen A.
Tress, William A.
Villanueva, Danilo C.
Vogt, Brian J.
Walter, Frank J., III
Weirich, Dwight S.
Wilmore, Roderick W.
Zeni, David

CIVIL ENGINEER CORPS

Bastile, David G.
Battle, Mark A.
Best, Billie J.
Calhoun, Thomas G.
Cellon, Richard E.
Eichert, George E.
Fretz, Robert J., Jr.
Gildon, Michael E.
Hays, John A.
Kelly, James M.
King, Robert H.
Kirby, Robert M.
Kowalik, Jeremi L. J.
Lehr, Daniel L.
Long, Gregory R.
McVicar, Douglas J.
Maley, Kevin J.
Patterson, Michael J.
Plourde, Alfred E., Jr.
Powers, George W.
Raney, Carl D.
Sachuk, Robert J.
Salling, Elmer C.
Savant, Craig R.
Siffert, John A.
Stranix, John J.
Thigpen, Willard M., Jr.
Wright, Rex W.
Zeoli, Nicholas F., Jr.

The following-named women ensigns of the U.S. Navy for temporary promotion to the grade of lieutenant (junior grade) in the line and various staff corps, as indicated, pursuant to title 10, United States Code, sections 5787b and 5791, subject to qualification therefor as provided by law:

LINE

Albers, Martha A.
Beckman, Patricia L.
Bell, Saundra M.
Burgess, Lynn M.
Cunningham, Janet L.
Hackney, Norma L.
Hagerson, Nancy L.
Hashimoto, Cheryl C.
Hatcher, Millicent G.
Figou, Janeen W.
Flesueur, Mary H.
McPheeters, Nina P.
Myers, Kay A.
Pennington, Shelley
Porcari, Mary V.
Pritchett, Rebecca J.
Provance, Marcia E.
Rahmes, Kristen N.
Rutledge, Leslie C.
Smart, Martha J.
Thrower, Pamela E.
Tichenor, Suzanne P.
Travis, Sandra L.
Walbert, Karen D.
Yoshihashi, Ann K.
Youngblood, Martha M.

MEDICAL SERVICE CORPS

Daly, Patricia A.
Day, Patricia R.

SUPPLY CORPS

Davis, Francis R.
Hawkins, Donna M.

The following named lieutenant (junior grade) of the line, of the U.S. Navy for appointment in the Supply Corps as permanent ensign and temporary lieutenant (junior grade), pursuant to title 10, United States Code, sections 5582(b) and 5791, subject to qualification therefor as provided by law:

Warmington, Jeffery A.

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Lt. John A. Tobia, U.S. Navy, for temporary promotion to the grade of lieutenant commander, in the line of the U.S. Navy, pursuant to title 10, United States Code, sections 5769 and 5791, subject to qualification therefor as provided by law.

Lt. (junior grade) Arthur V. Pitman, U.S. Navy, for temporary promotion to the grade of lieutenant, in the line, of the U.S. Navy, pursuant to title 10, United States Code, sections 5769 and 5791, subject to qualification therefor as provided by law.

The following-named lieutenants of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and various staff corps, as indicated, pursuant to title 10, United States Code, sections 5769 (line), 5773 (staff corps), and 5791, subject to qualification therefor as provided by law:

LINE

Hodgkinson, John H.

SUPPLY CORPS

McCorkendale, Don B.

NURSE CORPS

Schryer, Vernon L.

Lt. Cmdr. Douglas J. Kohlan, Dental Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander, in the Dental Corps of the U.S. Navy, pursuant to title 10, United States Code, sections 5793 and 5791, subject to qualification therefor as provided by law.

Comdr. Leslie V. Shaffer, II, U.S. Navy, for permanent promotion to the grade of commander, pursuant to the provisions of title 10, United States Code, sections 5780 and 5791, subject to qualification therefor as provided by law.

Lt. Comdr. Thomas C. Lynch, U.S. Navy, for permanent promotion to the grade of lieutenant commander, pursuant to the provisions of title 10, United States Code, sections 5780 and 5791, subject to qualification therefor as provided by law.

The following-named ensigns of the line, of the U.S. Navy for appointment in the Supply Corps, as permanent ensign, pursuant to title 10, United States Code, sections 5582(b) and 5791, subject to qualification therefor as provided by law:

Doswell, John M.
Lulton, Timothy V.

The following-named ensign of the Supply Corps, of the U.S. Navy for appointment in the line, as a permanent ensign, pursuant to title 10, United States Code, sections 5582 (a) and 5791, subject to qualification therefor as provided by law:

Johnson, Darrel G.

Executive nomination received by the Secretary of the Senate on February 13, 1980, under authority of the order of the Senate of February 8, 1980:

DEPARTMENT OF DEFENSE

William Eldred Peacock, of the District of Columbia, to be an Assistant Secretary of the Army, vice Robert L. Nelson, resigned.

Executive nominations received by the Secretary of the Senate on February 14, 1980, under authority of the order of the Senate of February 8, 1980:

DEPARTMENT OF STATE

Rozanne L. Ridgway, of the District of Columbia, a Foreign Service officer of class 1, to be Counselor of the Department of State.

DEPARTMENT OF EDUCATION

Betsy Levin, of North Carolina, to be General Counsel, Department of Education (new position).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Helen S. Astin, of California, to be a Member of the National Council on Education Research for a term expiring September 30, 1982, vice John C. Weaver, term expired.

Executive nominations received by the Secretary of the Senate on February 15, 1980, under authority of the order of the Senate of February 8, 1980:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

John L. Palmer, of Virginia, to be an Assistant Secretary of Health, Education, and Welfare, vice Benjamin W. Heineman, Jr., resigned.

Cesar A. Perales, of New York, to be an Assistant Secretary of Health, Education, and Welfare, vice Arabella Martinez, resigned.

UNITED STATES COURT OF MILITARY APPEALS

Robinson O. Everett, of North Carolina, to be a judge of the U.S. Court of Military Appeals for the remainder of the term expiring May 1, 1981, vice Matthew J. Perry, Jr., resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 18, 1980:

DEPARTMENT OF STATE

James W. Spain, of California, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

Philip Mayer Kaiser, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Austria.

Matthew Nimetz, of New York, to be Under Secretary of State for Coordinating Security Assistance Programs.

Charles Conway Flowerree, of Virginia, a Foreign Service officer of class 1, for the rank of Ambassador while serving as the U.S. Representative to the Committee on Disarmament.

The above nominations were approved subject to the nominees' commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, February 19, 1980, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 20

8:00 a.m.
Environment and Public Works
Environmental Pollution and Resource Protection Subcommittees
To continue joint mark up of S. 1480, to provide for the adequate and safe treatment of hazardous substances released into the environment.
4200 Dirksen Building

Governmental Affairs
Permanent Subcommittee on Investigations
To hold hearings on the national security implications of the transfer of technology to the Soviet Union.
6226 Dirksen Building

9:00 a.m.
*Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S.J. Res. 139, S. 2246, and 2253, bills to provide additional financial assistance to provide for the continuation of rail service by the Chicago, Rock Island, and Pacific Railroads.
318 Russell Building

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on S. 2238, authorizing additional funds for fiscal year 1980, and S. 2240, authorizing funds for fiscal year 1981, both for research and development programs of the National Aeronautics and Space Administration.
235 Russell Building

Judiciary
Improvements in Judicial Machinery Subcommittee
To hold hearings on S. 739 and 1472, bills to require that certain cases with the Federal Government are brought in the court of the district where the impact or injury occurred.
5110 Dirksen Building

10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up S. 2269, authorizing additional funds for and to extend the Emergency Agricultural Credit Adjustment Act through September 30, 1981; S. 1650 and S. 1408, bills to provide for the development of aquaculture in the U.S.; and Amendment No. 1631, authorizing the recovery of wood residues in the national forests for use as fuel, and for conversion to use as petrochemical substitutes or wood products, to S. 1996, to pay timber purchasers for cost in the removal and processing of wood residues from national forest system timber sales areas.
324 Russell Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for Vocational Education, Student Assistance programs, and Student Loan Insurance Fund.
S-128, Capitol

Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Commission on Security and Cooperation in Europe, International Communications Agency, and the Japan-U.S. Friendship Commission.
S-146, Capitol

Armed Services
To continue closed hearings on proposed fiscal year 1981 authorizations for DOD.
212 Russell Building

Conferees
On H.R. 3919, to impose a windfall profits tax on domestic crude oil.
1100 Longworth Building

Energy and Natural Resources
Business meeting, to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15; and other pending calendar business.
3110 Dirksen Building

Foreign Relations
To hold hearings on energy and political security issues in Southwest Asia.
4221 Dirksen Building

Labor and Human Resources
Health and Scientific Research Subcommittee
To hold hearings on S. 1652, proposed Nutrition Labeling and Information Amendments of 1979 to the Federal Food, Drug, and Cosmetic Act.
4232 Dirksen Building

Rules and Administration
To continue hearings on resolutions requesting additional funds for Senate committees.
301 Russell Building

10:30 a.m.
Banking, Housing, and Urban Affairs
Business meeting, to mark up S. 2177 and 2178, to promote homeownership opportunities for moderate income families, and to provide an increase in the statutory limits on interest rates for mortgages under the program.
5302 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for Education for the Handicapped, Rehabilitation Services and Handicapped Research, and Special Institutions.
S-128, Capitol

FEBRUARY 21

8:00 a.m.
Environment and Public Works
Environmental Pollution and Resources Protection Subcommittees
To continue joint mark up of S. 1480, to provide for the adequate and safe treatment of hazardous substances released into the environment.
4200 Dirksen Building

8:30 a.m.
Energy and Natural Resources
To resume closed hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.
S-407, Capitol

9:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold oversight hearings on the activities of the Commodity Futures Trading Commission.
324 Russell Building

9:15 a.m.
Veterans' Affairs
To hold hearings on the Federal Government's efforts to assist Vietnam-era veterans in readjusting to society and finding employment opportunities.
318 Russell Building

9:30 a.m.
*Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To continue hearings on S. 2238, authorizing additional funds for fiscal year 1980, and S. 2240, authorizing funds for fiscal year 1981, both for research and development programs of the National Aeronautics and Space Administration.
5110 Dirksen Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Agency for International Development, Congressional Research Service, and the Senate Legal Counsel (Sec. 115, Public Law 95-481).
1114 Dirksen Building

Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Consumer Product Safety Commission.
1318 Dirksen Building

Appropriations
Labor-HEW Subcommittee

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

To hold hearings on proposed budget estimates for fiscal year 1981 for higher and continuing education, educational activities overseas; higher education facilities loan and insurance, and college housing loans.
S-128, Capitol

Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Small Business Administration.
S-146, Capitol

Armed Services
To continue hearings on proposed fiscal year 1981 authorizations for DOD.
3110 Dirksen Building

*Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To resume hearings on title I, proposed privacy protection amendment, and title II, proposed Fair Authorization Information Practices Act, to S. 1928, proposed Fair Financial Information Practices Act.
5302 Dirksen Building

Commerce, Science, and Transportation
To hold hearings on S. 2245, proposed Motor Carrier Reform Act.
235 Russell Building

Finance
Business meeting, to consider committee budget.
2221 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for special projects of the Department of Education.
S-128, Capitol

Select on Intelligence
To hold hearings on S. 2284, proposed legislative charter governing the intelligence activities of the United States.
5110 Dirksen Building

2:30 p.m.
Foreign Relations
To continue closed hearings on energy and political security issues in Southwest Asia.
S-116, Capitol

FEBRUARY 22

9:00 a.m.
Commerce, Science, and Transportation
To hold hearings on a proposed amendment to establish standards for developing a cost ratio trigger for burden of proof in rate cases, to S. 1946, to provide railroads with more pricing rate flexibility and contract provisions.
235 Russell Building

9:30 a.m.
Finance
Social Security Subcommittee
To hold oversight hearings on social security financing.
2221 Dirksen Building

Foreign Relations
To continue closed hearings on energy and political security issues in Southwest Asia.
S-116, Capitol

Labor and Human Resources
To hold joint hearings with the House Committee on Education and Labor on proposed legislation to institute a youth employment program.
2175 Rayburn Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Consumer Cooperative Bank, Office of Consumer Affairs, and Consumer Information Center.
1318 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for programs of the Department of Education.
S-128, Capitol

Banking, Housing, and Urban Affairs
International Finance Subcommittee
To hold oversight hearings on the activities of the Export-Import Bank of the United States.
5302 Dirksen Building

Energy and Natural Resources
Parks, Recreation, and Renewable Resources Subcommittee
To hold oversight hearings to review wilderness and rangeland management programs of the Bureau of Land Management.
3110 Dirksen Building

Environment and Public Works
To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Environmental Protection Agency.
4200 Dirksen Building

*Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To resume hearings of S. 1938, proposed Federal Radiation Protection Management Act.
3302 Dirksen Building

Joint Economic
To hold hearings on the Consumer Price Index figures for January.
5110 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for programs of the Department of Education.
S-128, Capitol

Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on the application which Sea-Land Service has formally filed with the Maritime Administration to trade in eight SL-7 class containerships for allowances of credit for new ship construction.
235 Russell Building

FEBRUARY 25

9:30 a.m.
Environment and Public Works
Resources Protection Subcommittee
Business meeting, to begin mark up of S. 2181, authorizing funds through fiscal year 1982 to assist States in developing fish and wildlife conservation programs.
4200 Dirksen Building

Special on Aging
Business meeting, to discuss the committee's work plan for the 2d session of the 96th Congress.
154 Russell Building

10:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 2199, 2258, and 2264, bills to alleviate the economic effect of the Soviet grain embargo on American farmers.
324 Russell Building

Banking, Housing, and Urban Affairs
To hold oversight hearings on the conduct of monetary policy.
5302 Dirksen Building

Energy and Natural Resources
To hold hearings on S. 1280, proposed Energy Management Partnership Act.
3110 Dirksen Building

Labor and Human Resources
Health and Scientific Research Subcommittee
To resume hearings on S. 1652, proposed Nutrition Labeling and Information Amendments of 1979 to the Federal Food, Drug, and Cosmetic Act.
4232 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for Human Development Services.
S-128, Capitol

Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the administration of foreign affairs within the Department of State.
S-146, Capitol

Finance
Social Security Subcommittee
To resume oversight hearings on social security financing.
2221 Dirksen Building

FEBRUARY 26

9:00 a.m.
*Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To hold hearings on proposed legislation to increase the authority of the President and Congress in postal operations and to provide a sound financial base for the future of the Postal Service.
3302 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation
To continue hearings on S. 2245, proposed Motor Carrier Reform Act
235 Russell Building

Environment and Public Works
Resource Protection Subcommittee
Business meeting, to continue mark up of S. 2181, authorizing funds through fiscal year 1982 to assist States in developing fish and wildlife conservation programs.
4200 Dirksen Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury, and the Export-Import Bank of the United States.
1114 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Health Care Financing Administration.
S-128, Capitol

Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for international organizations and conferences within the Department of State.
S-146, Capitol

Banking, Housing, and Urban Affairs
To continue oversight hearings on the conduct of monetary policy.
5302 Dirksen Building

Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1981 congressional budget.
6202 Dirksen Building

Energy and Natural Resources
To continue hearings on S. 1280, proposed Energy Management Partnership Act.
3110 Dirksen Building

Labor and Human Resources
To consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15.
4232 Dirksen Building

Select on Indian Affairs
To hold hearings on S. 2066, to convey certain land in Colorado to the Ute Mountain Ute Indian Tribe.
5110 Dirksen Building

11:00 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1981 from Disabled American Veterans.
318 Russell Building

2:00 p.m.
*Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for International Commissions of the Department of State.
S-128, Capitol

Budget
To continue closed hearings in preparation for reporting the first concurrent resolution on the fiscal year 1981 congressional budget.
6202 Dirksen Building

Environment and Public Works
To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Economic Development Administration and the Appalachian Regional Commission.
4200 Dirksen Building

FEBRUARY 27

9:30 a.m.
Commerce, Science, and Transportation
To continue hearings on S. 2245, proposed Motor Carrier Reform Act.
235 Russell Building

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To resume hearings on S. 2238, authorizing additional funds for fiscal year 1980, and S. 2240, authorizing funds for fiscal year 1981, both for research and development programs of the National Aeronuatics and Space Administration.
6226 Dirksen Building

10:00 a.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Social Security Administration
S-128, Capitol

*Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the International Trade Commission, and the Legal Services Corporation.
S-146, Capitol

Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold oversight hearings to examine the scope of rental housing.
5302 Dirksen Building

Energy and Natural Resources
Energy Conservation and Supply Subcommittee
To hold hearings on S. 1934, proposed Municipal Solid Waste to Energy Act.
3110 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To continue hearings on proposed legislation to increase the authority of the President and Congress in postal operations and to provide a sound financial base for the future of the Postal Service.
3302 Dirksen Building

Labor and Human Resources
Education, Arts, and the Humanities Subcommittee
Business meeting, to consider S. 1839, authorizing funds through fiscal year 1985 for programs under the Higher Education Act.
4232 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Inspector General, Office of Civil Rights, Policy Research, and Departmental Management.
S-128, Capitol

FEBRUARY 28

9:00 a.m.
Veterans' Affairs
To hold hearings on S. 1188, to revise the vocational rehabilitation programs administered by the Veterans' Administration.
412 Russell Building

9:30 a.m.
Environment and Public Works
To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Nuclear Regulatory Commission.
4200 Dirksen Building

Governmental Affairs
*Energy, Nuclear Proliferation, and Federal Services Subcommittee
To continue hearings on proposed legislation to increase the authority of the President and Congress in postal operations and to provide a sound financial base for the future of the Postal Service.
3302 Dirksen Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Veterans' Administration.
1318 Dirksen Building

Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Community Services Administration, and the Railroad Retirement Board.
S-128, Capitol

Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Board for International Broadcasting, and the Securities and Exchange Commission.
S-146, Capitol

Banking, Housing, and Urban Affairs
Insurance Subcommittee
To hold hearings on proposed authorizations for fiscal year 1981 for the crime and riot-reinsurance program of the Federal Emergency Management Administration.
5302 Dirksen Building

Energy and Natural Resources
Energy Conservation and Supply Subcommittee
To continue hearings on S. 1934, proposed Municipal Solid Waste to Energy Act.
3110 Dirksen Building

Labor and Human Resources
Education, Arts, and the Humanities Subcommittee
Business meeting, to continue consideration of S. 1839, authorizing funds through fiscal year 1985 for programs under the Higher Education Act.
4232 Dirksen Building

Select on Indian Affairs
To hold hearings on S. 2223, to allow members of Indian tribes to transfer restricted Indian lands to heirs who are not members of the reservation where the land is located.
457 Russell Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Commission on Libraries and Information Services, Corporation for Public Broadcasting, Occupational Safety and Health Review Commission, Mine Safety Review Commission, and the Soldiers' and Airmen's Home.
S-128, Capitol

FEBRUARY 29

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology and Space Subcommittee
To resume hearings on S. 2238, authorizing additional funds for fiscal year 1980, and S. 2240, authorizing funds for fiscal year 1981, both for research and development programs of the National Aeronautics and Space Administration.
235 Russell Building

Labor and Human Resources
*Employment, Poverty, and Migratory Labor Subcommittee
Business meeting, to consider proposed legislation authorizing funds for fiscal year 1981 for the Legal Services Corporation.
4232 Dirksen Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Veterans' Administration, and for the American Battle Monuments Commission, and U.S. Army cemeterial expenses.
1318 Dirksen Building

Appropriations
Labor-HEW Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for domestic programs of ACTION, National Labor Relations Board, Federal Mediation and Conciliation Service, and the National Mediation Board.
S-128, Capitol

Banking, Housing, and Urban Affairs
Insurance Subcommittee
To continue hearings on proposed authorizations for fiscal year 1981 for the crime and riot-reinsurance program of the Federal Emergency Management Administration.
5302 Dirksen Building

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 2156, proposed Northeast Corridor Completion Act.
457 Russell Building

Environment and Public Works
To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Army Corps of Engineers, the Water Resources Council and the Office of Water Research and Technology.
4200 Dirksen Building

MARCH 3

9:30 a.m.
Labor and Human Resources
Handicapped Subcommittee
To hold oversight hearings on the implementation of the Education for All Handicapped Children Act (P.L. 94-142).
4200 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
To resume hearings on proposed legislation to renew the Home Mortgage Disclosure Act.
5302 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To review those programs administered by the Department of Labor.
S-128, Capitol

MARCH 4

8:00 a.m.
Veterans' Affairs
To resume hearings on the Federal Government's efforts to assist Vietnam-era veterans in readjusting to society and finding employment and education opportunities.
412 Russell Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs administered by the Department of State.
1318 Dirksen Building
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Indian Health Service.
1223 Dirksen Building
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for public service jobs, special youth programs, the Job Corps, and jobs for the elderly.
1223 Dirksen Building
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings on proposed legislation authorizing funds through fiscal year 1985 for the Urban Mass Transportation program.
5302 Dirksen Building
Energy and Natural Resources
Business meeting, to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15; and other pending calendar business.
3110 Dirksen Building

11:30 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1981 from Veterans of Foreign Wars.
318 Russell Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for general manpower training programs, private sector initiatives, State employment security agencies.
1114 Dirksen Building

MARCH 5

9:00 a.m.
Labor and Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To hold hearings on S. 1129, 2021, and 2218, bills to provide career employment opportunities for disadvantaged youth; and S. 1312, proposed Work and Training Opportunities Act.
4232 Dirksen Building

9:30 a.m.
Environment and Public Works
Business meeting, to mark up S. 2181, authorizing funds through fiscal year 1982 to assist States in developing fish and wildlife conservation programs; S. 1882, to provide for the control of interstate and foreign commerce in fish and wildlife, and to explore the preservation of wildlife on an international level; and to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15.
4200 Dirksen Building

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Surface Mining Reclamation and Enforcement.
1223 Dirksen Building
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Labor-Management Services Administration, Pension Benefit Guaranty Corporation, Occupational Safety and Health Administration, and the Mine Safety and Health Administration.
1114 Dirksen Building
Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the U.S. Trade Representative, and the Federal Trade Commission.
S-146, Capitol
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To continue hearings on proposed legislation authorizing funds through fiscal year 1985 for the urban mass transportation program.
5302 Dirksen Building
Commerce, Science, and transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on S. 2248, authorizing funds for fiscal year 1981 for the U.S. Travel Service.
235 Russell Building
Energy and Natural Resources
Business meeting, to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15; and other pending calendar business.
3110 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Employment Standards Administration, Bureau of Labor Statistics, and President's Committee on Employment of Handicapped.
1114 Dirksen Building

MARCH 6

8:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 2249, to increase the minimum level of price support on quota peanuts for the 1980 and 1981 crops.
324 Russell Building

9:00 a.m.
Labor and Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To continue hearings on S. 1312, proposed Work and Training Opportunities Act.
4232 Dirksen Building

9:30 a.m.
Environment and Public Works
Business meeting, to continue consideration of those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15.
4200 Dirksen Building
Veterans' Affairs
Business meeting, to consider those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and to consider recommendations which it will make thereon to the Budget Committee by March 15.
412 Russell Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain international security assistance programs of the Department of State.
1114 Dirksen Building
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Credit Union Administration,

and Neighborhood Reinvestment Corporation.
1318 Dirksen Building

Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Endowment for the Humanities.
1223 Dirksen Building

Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To continue hearings on proposed legislation authorizing funds through fiscal year 1985 for the urban mass transportation program.
5302 Dirksen Building

Energy and Natural Resources
Business meeting, to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15; and other pending calendar business.
3110 Dirksen Building

Select on Indian Affairs
To hold hearings on S. 1507, to provide for the purchase of certain facilities, lands, and water rights in and around the San Luis Rey River, San Diego, Calif., to be held in trust for, and operated and maintained by certain boards of Mission Indians.
5110 Dirksen Building

MARCH 10

9:30 a.m.
Labor and Human Resources
Health and Scientific Research Subcommittee
To hold hearings on S. 2144, proposed Health Professions Educational Assistance and Nurse Training Act.
4232 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To resume hearings on S. 1928, proposed Fair, Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfer Act.
5302 Dirksen Building

2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for general administration and legal activities of the Department of Justice.
S-146, Capitol

MARCH 11

8:30 a.m.
Energy and Natural Resources
To resume closed hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.
S-407, Capitol

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Selective Service System (Registration).
1318 Dirksen Building

Appropriations
Interior and Related Agencies Subcommit-tee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs administered by the Secretary of Energy.
1114 Dirksen Building

Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Bureau of Investigation, Department of Justice.
S-146, Capitol

Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To continue hearings on S. 1928, proposed Fair, Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfers Act.
5302 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To hold hearings on S. 1699, proposed Energy Impact Assistance Act.
3302 Dirksen Building

Labor and Human Resources
Business meeting, to mark up S. 1076, to improve the regulation of multiemployer pension insurance plans, and to provide sufficient funds to pay benefits.
4232 Dirksen Building

2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Immigration and Naturalization Service, Department of Justice.
S-146, Capitol

MARCH 12

9:00 a.m.
Labor and Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To resume hearings on S. 1129, 2021, and 2218, bills to provide career employment opportunities for disadvantaged youth.
5110 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for the National Bureau of Standards.
235 Russell Building

Labor and Human Resources
*Health and Scientific Research Subcommittee
To resume hearings on S. 2144, proposed Health Professions Educational Assistance and Nurse Training Act.
4232 Dirksen Building

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Indian Education, and the Institute of Museum Services.
1223 Dirksen Building

Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Drug Enforcement Administration, Department of Justice.
S-146, Capitol

Banking, Housing, and Urban Affairs
Business meeting, to consider those matters and programs which fall within the committee's jurisdiction with a view to submitting its views and budgetary recommendations to the Committee on the Budget by March 15.
5302 Dirksen Building

Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To continue hearings on S. 1699, proposed Energy Impact Assistance Act.
3302 Dirksen Building

2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Prison System, and Office of Justice Assistance, Research and Statistics, Department of Justice.
S-146, Capitol

MARCH 13

9:00 a.m.
Labor and Human Resources
Child and Human Development Subcommittee
To hold hearings on proposed legislation to establish Commissions on National Youth Service and Volunteerism.
4232 Dirksen Building

Labor and Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To continue hearings on S. 1129, 2021, and 2218, bills to provide career employment opportunities for disadvantaged youth.
6226 Dirksen Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the International Development Cooperation Agency, and certain programs of the Agency for International Development.
1114 Dirksen Building

Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of the Secretary, and the Office of the Solicitor.
1223 Dirksen Building

MARCH 14

8:30 a.m.
Energy and Natural Resources
To resume closed hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.
S-407, Capitol

9:00 a.m.
*Veterans' Affairs
To hold hearings on the recruitment and retention of qualified health-care professionals to staff the Veterans' Administration's health-care facilities.
412 Russell Building

10:00 a.m.
*Banking, Housing, and Urban Affairs
International Finance Subcommittee
To resume hearings on S. 864, 1499, 1663, 1744, bills to facilitate the formation of U.S. export trading companies to expand export participation by smaller U.S. companies.
5302 Dirksen Building

MARCH 17

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee

To hold hearings on S. 2097, proposed Joint Export Marketing Assistance Act, and on the substance of S. 2040, proposed Small Business Export Expansion Act and S. 2104, proposed Small Business Export Development Act.
5302 Dirksen Building

MARCH 18

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Agency for International Development.
1114 Dirksen Building
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for alternative fuels program of the Department of Energy
1223 Dirksen Building
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To continue hearings on S. 2097, proposed Joint Export Marketing Assistance Act, and on the substance of S. 2040, proposed Small Business Export Expansion Act and S. 2104, proposed Small Business Export Development Act.
5302 Dirksen Building
Energy and Natural Resources
Energy Resources and Materials Production Subcommittee
To hold oversight hearings on the implementation of the Outer Continental Shelf leasing program.
3110 Dirksen Building

MARCH 19

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for programs under the National Climate Program Act.
235 Russell Building
10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Bureau of Indian Affairs.
1224 Dirksen Building
Energy and Natural Resources
Business meeting, to consider pending calendar business.
3110 Dirksen Building

MARCH 20

9:00 a.m.
Veterans' Affairs
Business meeting, to consider S. 1188, to revise the vocational rehabilitation programs administered by the Veterans' Administration.
412 Russell Building
10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Agency for International Development, and for the Peace Corps.
1114 Dirksen Building
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Environmental Protection Agency.
1318 Dirksen Building
Appropriations
Interior and Related Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Bureau of Indian Affairs.
1223 Dirksen Building
Energy and Natural Resources
Energy Resources and Materials Production Subcommittee
To resume oversight hearings on the implementation of the Outer Continental Shelf leasing program.
3110 Dirksen Building
2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on proposed authorizations for fiscal year 1981 for the Department of Energy.
3110 Dirksen Building

MARCH 21

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To resume hearings on proposed legislation authorizing funds for fiscal year 1981 for programs under the National Climate Program Act.
235 Russell Building
10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Environmental Protection Agency, and for the Council on Environmental Quality.
1318 Dirksen Building

MARCH 24

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To resume hearings on the U.S. embargo of grain and technology exports to the Soviet Union.
5302 Dirksen Building
Energy and Natural Resources
To hold oversight hearings on the activities of the Department of Energy.
3110 Dirksen Building
2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Bureau of Census, general administration, and economic and statistical analysis, Department of Commerce.
S-146, Capitol

MARCH 25

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Agency for International Development; the international narcotics control program of the Department of State; and for the Inter-American Foundation.
1318 Dirksen Building
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Department of Energy.
1223 Dirksen Building
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Economic Development Administration, and Regional Planning Commission, Department of Commerce.
S-146, Capitol
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.
5302 Dirksen Building
Energy and Natural Resources
Parks, Recreation, and Renewable Resources Subcommittee
To hold hearings on S. 2233, to permit the Forest Service to acquire lands outside the boundaries of the Los Padres National Forest in California.
3110 Dirksen Building

MARCH 26

9:00 a.m.
Labor and Human Resources
Child and Human Development Subcommittee
Business meeting, to mark up S. 1843 and H.R. 2977, proposed Domestic Violence Prevention and Services Act; and proposed legislation to establish Commissions on National Youth Service and Volunteerism.
4232 Dirksen Building
10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Water Research and Technology.
1223 Dirksen Building
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Industry and Trade Administration, Minority Business Development Agency, and the U.S. Travel Service, Department of Commerce.
S-146, Capitol
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To continue hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.
5302 Dirksen Building
Energy and Natural Resources
Business meeting, to consider pending calendar business.
3110 Dirksen Building
2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Oceanic and Atmospheric Administration, Department of Commerce.
S-146, Capitol

MARCH 27

9:30 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1981 from AMVETS, Paralyzed Veterans, Blinded Veterans, WWI Veterans, and Military Order of the Purple Heart.
1202 Dirksen Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Science Foundation.
1318 Dirksen Building
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Smithsonian Institution.
1223 Dirksen Building
*Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Patent and Trademark Office, and science and technical research, Department of Commerce.
S-146, Capitol
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To resume hearings on S. 1928, proposed Fair Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfers Act.
5302 Dirksen Building
Energy and Natural Resources
To hold hearings on S. 1784, to improve the electric generating efficiency of joint Federal-civilian pooling practices in Alaska.
3110 Dirksen Building

2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Telecommunications and Information Administration, and the Maritime Administration, Department of Commerce
S-146, Capitol

MARCH 28

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the National Science Foundation, and for the Office of Science and Technology Policy.
1318 Dirksen Building
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To continue hearings on S. 1928, proposed Fair Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfers Act.
5302 Dirksen Building

MARCH 31

2:00 p.m.
Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Chrysler loan guarantee program.
S-146, Capitol

APRIL 1

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for foreign assistance programs.
1318 Dirksen Building
Appropriations
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Commerce.
S-146, Capitol
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To resume hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.
5302 Dirksen Building

APRIL 2

9:30 a.m.
Veterans' Affairs
To resume hearings on the Federal Government's efforts to assist Vietnam-era veterans in readjusting to society, and the use of excepted appointments for disabled veterans.
412 Russell Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Selective Service System, and the National Commission on Air Quality.
1318 Dirksen Building
Banking, Housing, and Urban Affairs
Housing and Urban Affairs Subcommittee
To continue hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs, and the urban development action grant of the Department of Housing and Urban Development.
5302 Dirksen Building
Energy and Natural Resources
Business meeting, to consider pending calendar business.
3110 Dirksen Building

APRIL 3

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Home Loan Bank Board, and the National Institute of Building Sciences.
1318 Dirksen Building
Energy and Natural Resources
To hold hearings on the environmental effects of carbon dioxide present in the atmosphere.
3110 Dirksen Building

APRIL 15

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To hold hearings on proposed authorizations for fiscal year 1981 for the international affairs programs of the Department of the Treasury; and on proposed legislation to increase the U.S. quota in the International Monetary Fund.
5302 Dirksen Building

APRIL 16

9:30 a.m.
Veterans' Affairs
Business meeting, to consider proposed legislation on the recruitment and retention of qualified health-care professionals to staff the Veterans' Administration health-care facilities, S. 759, to provide for the right of the United States to recover their costs of hospital, nursing home, or outpatient, medical care furnished by the Veterans' Administration to veterans for non-service-connected disabilities to the extent that they have health insurance or similar contracts, and S. 1523 and H.R. 4015, proposed Veterans Senior Citizen Health Care Act.
412 Russell Building

10:00 a.m.
Banking, Housing, and Urban Affairs
International Finance Subcommittee
To continue hearings on proposed authorizations for fiscal year 1981 for the international affairs programs of the Department of the Treasury; and on proposed legislation to increase the U.S. quota in the International Monetary Fund.
5302 Dirksen Building

APRIL 17

9:30 a.m.
*Labor and Human Resources
Child and Human Development Subcommittee
To hold oversight hearings on the development of children who benefit from adoption by facilitating their placement in adoptive homes.
4232 Dirksen Building

APRIL 18

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Emergency Management Agency.
1318 Dicksen Building

APRIL 24

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Aeronautics and Space Administration.
1318 Dirksen Building

APRIL 25

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the National Aeronautics and Space Administration.
1318 Dirksen Building

MAY 1

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the De-

partment of Housing and Urban Development.

1318 Dirksen Building

*Labor and Human Resources
Child and Human Development Subcommittee
To hold hearings on issues Congress might consider which would affect youth in the coming decade.

6226 Dirksen Building

MAY 2

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development.

1318 Dirksen Building

MAY 15

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development, and Independent Agencies.

1318 Dirksen Building

MAY 16

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development, and Independent Agencies.

1318 Dirksen Building

MAY 22

9:30 a.m.
Labor and Human Resources
Child and Human Development Subcommittee
To hold oversight hearings to examine issues affecting infant mortality, and preventable birth defects.

4232 Dirksen Building

MAY 29

9:30 a.m.
Veterans' Affairs
To hold hearings on proposed legislation to establish a cost-of-living increase for service-connected disability compensation.

412 Russell Building

JUNE 11

9:30 a.m.
*Veterans' Affairs
To hold oversight hearings on the activities of the Inspector General of the Veterans' Administration.

412 Russell Building

CANCELLATIONS

FEBRUARY 20

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Navajo and Hopi Indian Relocation Commission, Advisory Council on Historic Preservation, and the Woodrow Wilson International Center for Scholars.

1224 Dirksen Building

Governmental Affairs
To hold hearings on S. 2164 and 2165, bills to protect the confidentiality of certain export information required by the Bureau of the Census for statistical purposes.

3302 Dirksen Building

Judiciary
To hold hearings on pending nominations.

2228 Dirksen Building

FEBRUARY 21

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1981 for the Pennsylvania Avenue Development Corporation, National Capital Planning Commission, and the Franklin Delano Roosevelt Memorial Commission.

1224 Dirksen Building

Governmental Affairs
To continue hearings on S. 2164 and 2165, bills to protect the confidentiality of certain export information required by the Bureau of the Census for statistical purposes.

5302 Dirksen Building