# HOUSE OF REPRESENTATIVES—*Wednesday, February 4, 1981*

The House met at 3 p.m.

The Reverend James M. Demske, S.J., president, Canisius College, Buffalo, N.Y., offered the following prayer:

Let us pray:

God of all nations and God of our hearts, God of Abraham and Isaac and Jacob and our Lord Jesus Christ, look with favor on these men and women, Your servants and the servants of our Nation.

Make them worthy of those giants of the past who have inhabited these hallowed Halls, men and women who have led these United States to greatness for more than 200 years, giants on whose shoulders they now stand.

Teach them to do the right, to love the good and to walk humbly with You and their fellow citizens.

Teach them to grasp the opportunity of a new beginning, to create in our beloved land a new spirit of unity, a higher sense of purpose, a willingness to sacrifice for the common good of us all.

Help them to lead us in the great enterprise of establishing a world of justice and compassion, of strength and purpose, of peace and prosperity.

Help them to know that their work is Your work, that their efforts are really a collaboration with You in the building of Your kingdom on Earth.

Lord, help and inspire and guide us all, both now and forever.

We ask these blessings in Your holy name. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## A MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 272. An act to increase the membership of the Joint Committee on Printing.

## FATHER JAMES M. DEMSKE, S.J.

(Mr. NOWAK asked and was given permission to address the House for 1 minute.)

Mr. NOWAK. Mr. Speaker, it is a special pleasure to welcome to the House Father James M. Demske, S.J., the president of Canisius College, who offered the opening prayer at today's session.

Father Demske is the 22d president of Canisius College, which is his alma mater as well as mine, located in our hometown of Buffalo, N.Y., in the 37th Congressional District which I am privileged to represent.

In addition to being a good friend, Father Demske is also a constituent of mine. I know that our fellow alumni from Canisius, my colleague from New York, JOHN J. LAFALCE, and the Doorkeeper of the House, the Honorable James T. Molloy, join me in bidding Father Demske a warm welcome.

In July, it will be 15 years that Father Demske has been at the helm at Canisius. He has kept it on a steady course, maintaining its impeccable academic standards and reputation as a community treasure. In the process he has enhanced his reputation as an outstanding educator, author, and innovative administrator, in addition to exercising his musical talents in his spare time. Most importantly, for Father Demske Canisius College is no ivory tower. He has worked successfully to insure that his urban college is an active part of the mainstream of modern life in the city—not above it or apart from it. It is a privilege, therefore, to welcome one of Buffalo's most creative, thoughtful, and vibrant citizens, Father James Demske.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1553 TO PROVIDE FOR TEMPORARY INCREASE IN THE PUBLIC DEBT LIMIT

Mr. BOLLING, from the Committee on Rules, submitted a privileged report (Rept. No. 97-2), on the resolution (H. Res. 54) providing for consideration of the bill (H.R. 1553) to provide for a temporary increase in the public debt limit, which was referred to the House Calendar and ordered to be printed.

## RULES OF COMMITTEE ON RULES FOR 97TH CONGRESS

(Mr. BOLLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BOLLING. Mr. Speaker, pursuant to clause 2(a) of rule XI, I submit for printing the rules of the Committee on Rules for the present Congress, which were adopted at the committee's organizational meeting on February 3:

RULES OF THE COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, 97TH CONGRESS

RULE 1—APPLICABILITY OF HOUSE RULES

The Rules of the House of Representatives are the rules of the Committee on Rules (hereafter in these rules referred to as the "Committee") so far as applicable, together with the rules contained herein.

RULE 2—SCHEDULING AND NOTICE OF MEETINGS AND HEARINGS

*Regular meetings*

(a)(1) The Committee shall regularly meet at 10:30 a.m. on Tuesday of each week when the House is in session.

(2) A Tuesday meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair or by the filing of a written request, signed by a majority of the members of the Committee, with the Staff Director of the Committee.

*Notice for regular meetings*

(b) The Chair shall notify each member of the Committee of the agenda of each regular meeting or hearing of the Committee at least 48 hours before the time of the meeting or hearing and shall provide to each such member, at least 24 hours before the time of each regular meeting or hearing—

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of (A) the bill or resolution, (B) any Committee reports thereon, and (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda, a copy of (A) the bill, resolution, report, or materials relating to the other matter in question, and (B) any report on the bill, resolution, report, or other matter made by any subcommittee of the Committee.

*Emergency meetings and hearings*

(c)(1) The Chair may call an emergency meeting or hearing of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the Ranking Minority Member.

(2) As soon as possible after calling an emergency meeting or hearing of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting or hearing and shall particularly make an effort to consult the Ranking Minority Member of the Committee or, in such Member's absence, the next ranking minority party members of the Committee.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting or hearing and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting or hearing was a regular meeting or hearing.

RULE 3—MEETING PROCEDURES

*In general*

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the Ranking Majority Member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

*Voting*

(b)(1) No measure or recommendation shall be reported, deferred, or tabled by the Committee unless a majority of the members of the Committee is actually present.

(2) A rollcall vote of the Committee shall be provided on any question before the Committee upon the request of any member of the Committee.

(3) A record of the vote of each member of the Committee on each rollcall vote on any matter before the Committee shall be available for public inspection at the offices of the Committee.

(4) Notwithstanding subsection (f)(3), the members of the Committee, or one of its subcommittees, present at a meeting or hearing of the Committee or the subcommittee, respectively, may, by majority vote, limit the duration of debate, testimony, or Committee or subcommittee consideration with respect to any measure or matter before the Committee or subcommittee, respectively, or provide for such debate, testimony, or consideration to end at a time certain.

*Media coverage of committee and subcommittee proceedings*

(c)(1) The Committee and each of its subcommittees may permit, by majority vote for each day of an open meeting or hearing of the Committee or of that subcommittee, respectively, the coverage of that meeting or hearing, in whole or in part, by television broadcast, radio broadcast, or still photography.

(2) Any media coverage under this subsection shall be subject to all the requirements and limitations set forth in clause 3 of rule XI of the Rules of the House of Representatives, and the provisions of subparagraphs (1) through (13) of paragraph (f) of such clause are hereby incorporated as part of the rules of the Committee applicable to such coverage.

*Quorum*

(d)(1) For the purpose of hearing testimony on requests for rules, seven members of the Committee shall constitute a quorum.

(2) For the purpose of hearing and taking testimony on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) For the purpose of the Committee's ordering a measure or recommendation reported, closing any of its meetings or hearings to the public, sitting in executive session, or issuing a subpoena, a majority of the members of the Committee shall constitute a quorum.

*Subpoenas and oaths*

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee, on its own initiative or on behalf of any subcommittee thereof, in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee, may administer oaths to witnesses before the Committee.

*Hearings on rules*

(f) The following procedures shall apply, as determined by the Chair, acting on behalf of the Committee, in cooperation with the Ranking Minority Member of the Committee, to Committee meetings and hearings on rules:

(1) A measure or matter before the Committee which is determined to be non-controversial as to both type of rule and substantive content may be scheduled for consideration by the Committee without any hearing.

(2) A measure or matter before the Committee which is determined non-controversial as to substantive content but controversial as to type of rule may be the subject of a Committee hearing at which the principal proponents and opponents of the rule will be provided an opportunity to testify only as to the type of rule to be granted.

(3) A measure or matter before the Committee which is determined to be controversial as to substantive content by at least six members of the Committee will be the subject of a Committee hearing at which all interested Members of Congress who are proponents or opponents of the measure or matter will be provided a reasonable opportunity to testify.

*General oversight responsibility*

(g)(1) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(2) Upon direction of the Chair, the Committee shall meet to discuss and formulate oversight plans for each new Congress, as described in clause 2(c) of rule X of the Rules of the House of Representatives.

RULE 4—SUBCOMMITTEES

*Application of House and committee rules*

(a)(1) As provided by clause 1(a)(2) of rule XI of the Rules of the House of Representatives, subcommittees of the Committee are a part of the Committee and are subject to its authority and direction.

(2) Subcommittees of the Committee shall be subject (insofar as applicable) to the Rules of the House of Representatives and, except as provided in this rule, to the rules of the Committee.

*Establishment and responsibilities of subcommittees*

(b)(1) There shall be subcommittees of the Committee as follows:

(A) *Subcommittee on the Legislative Process,* which shall have general responsibility for measures or matters related to relations between the Congress and the Executive branch.

(B) *Subcommittee on the Rules of the House,* which shall have general responsibility for measures or matters related to relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(2) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

*Reference of measures and matters to subcommittees*

(c)(1) In view of the unique procedural responsibilities of the Committee—

(A) no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee, and

(B) all other measures or matters shall be subject to consideration by the full Committee except for those measures or matters referred by the Chair to one or both subcommittees of the Committee.

(2) The Chair may refer a measure or matter, which is within the general responsibility of one of the subcommittees of the Committee, jointly or exclusively to the other subcommittee of the Committee where the Chair deems it appropriate.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Chair or a majority of the members of the Committee may recall for full Committee consideration any measure or matter referred to a subcommittee of the Committee.

*Subcommittee membership*

(d) The size and ratio of each subcommittee shall be determined by the Committee at its organizational meeting at the beginning of each Congress. Members of the Committee shall be appointed to subcommittee by the Chair in accordance with the rules applicable to each party.

*Subcommittee leadership*

(e)(1) The majority party members of the Committee shall have the right, in order of full Committee seniority, to bid to be the chairman of one of the subcommittees of the Committee. Any such bid shall be subject to approval by secret ballot of a majority of the members of the majority party caucus of the Committee. If such members reject a member's bid to chair a subcommittee, the next most senior majority member of the Committee may bid for the chair as in the first instance.

(2) The Ranking Minority Member of the Committee shall designate one of the minority party members appointed to each subcommittee of the Committee to serve as ranking minority member for that subcommittee.

*Subcommittee meetings and hearings*

(f)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may, without the Chair's approval, meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chair of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

(4) A member of the Committee who is not a member of a particular subcommittee of the Committee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

*Quorum*

(g) A quorum of each subcommittee of the Committee shall consist of a majority of the members of the subcommittee for purposes of closing a meeting or hearing of the subcommittee to the public or for ordering a measure or recommendation reported to the full Committee. For all other purposes, one-third of the members of a subcommittee shall constitute a quorum. Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

*Records*

(h) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 5—BUDGET AND TRAVEL

*Budget*

(a) The Chair, in consultation with other members of the Committee, shall prepare for each session of Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

*Travel*

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 6—STAFF

*In general*

(a)(1) Except as otherwise provided in this rule, a Staff Director of the Committee, professional and clerical staff of the Committee, and investigating staff of the Committee compensated from funds provided by any expense resolution, shall be appointed, and may be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) Except for any staff appointed by the ranking minority party member of a subcommittee (pursuant to subsection (c)) or by any other minority party member of the Committee (pursuant to subsection (b)), all professional and clerical staff provided to the minority party members of the Committee under paragraphs (a)(2) and (b)(2), respectively, of clause 6 of rule XI of the Rules of the House of Representatives, shall be appointed, and may be removed, by the Ranking Minority Member of the Committee and shall work under the general supervision and direction of such Member.

*Associate staff*

(b) Each member of the Committee is authorized to designate one person, whom the Chair shall appoint to the professional or clerical staff of Committee and who shall work under the general supervision and direction of the member. The type of staff to which such a person is appointed shall be determined by the Chair, in the case of a person recommended by a majority party member, and shall be determined by the Ranking Minority Member of the Committee, in the case of a person recommended by a minority party member.

*Subcommittee staff*

(c)(1) The chair and ranking minority member of each subcommittee of the Committee are each authorized to designate one person, whom the Chair shall appoint to the professional staff of the Committee and who shall work under the general supervision and direction of the Chair or the ranking minority member, respectively, of the subcommittee.

(2) The Chair may assign investigating staff of the Committee compensated from funds provided by any expense resolution to assist in work of a subcommittee of the Committee to the extent the Chair determines it to be appropriate, and any such staff to the extent so assigned shall work under the general supervision and direction of the Chair of the subcommittee.

*Compensation of staff*

(d)(1) Subject to paragraph (2), the Chair shall fix the compensation of all professional, clerical, and investigating staff of the Committee, as provided by clause 6(c) of rule XI of the Rules of the House of Representatives.

(2) Except upon the Chair's recommendation to the Committee, compensation paid to associate staff appointed under subsection (b) shall not exceed a maximum rate of pay per annum determined by the Committee at its organizational meeting at the start of each new Congress, except that such maximum rate of pay shall be subject to adjustment by the Chair within the term of a Congress in accordance with section 5 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 60a-2).

*Certification of staff*

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the supervision and direction of the Chair, the member of the Committee who supervises and directs the staff member's work shall file with the Staff Director of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 6 of rule XI of the Rules of the House of Representatives.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made (A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and (B) on his own responsibility to the extent the staff is under the Chair's supervision and direction.

RULE 7—COMMITTEE ADMINISTRATION

*Reporting*

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or Acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

*Records*

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing.

(2) The minutes of each executive meeting of the Committee shall be available to all Members of the House of Representatives in compliance with clause 2(e)(2) of rule XI of the Rules of the House of Representatives.

(3) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

*Calendars*

(c)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other Committee on which a rule has been granted or formally requested. The Calendar shall contain (A) the number, a brief description, and the name of the principal sponsoring Member of each such

bill or resolution, (B) the name of the committee or committees which reported such bill or resolution (in the case of measures on which a rule has been granted or formally requested), and (C) such further information as the Chair may direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each member of the Committee with a list of all bills or resolutions on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session and shall contain (A) the number, a brief description, and the name of the principal sponsoring Member, of each such bill or resolution, (B) the name of the committee or committees which reported such bill or resolution and the dates of such reports, (C) the date on which a rule was formally requested, and (D) a description (if any) of the rule requested by each such committee.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the chairman of a committee which has reported a bill or resolution (or a member of such committee authorized to act on the chairman's behalf) (A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and (B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

*Other procedures*

(d) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees.

RULE 8—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed by a vote of a majority vote of its members, but only if written notice of the proposed change has been provided to each such member at least 48 hours before the time of the meeting at which the vote on the change occurs.

## PERMISSION FOR EACH COMMITTEE OF HOUSE TO HAVE UNTIL FRIDAY, FEBRUARY 27, 1981, TO PUBLISH COMMITTEE RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that each committee of the House may have until Friday, February 27, to publish committee rules in the RECORD in compliance with clause 2(a) of rule XI.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, there is no unusual procedure in this?

Mr. BOLLING. The rule requires each committee to publish its rules within 30 days after the Congress convenes. That period will expire after today and many committees will need additional time because of the late start in organizing committees this year. This request simply extends today's deadline to the end of this month.

Mr. ROUSSELOT. Late start?

Mr. BOLLING. Late start.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

## FATHER JAMES M. DEMSKE, S.J.

(Mr. LAFALCE asked and was given permission to address the House for 1 minute.)

Mr. LAFALCE. Mr. Speaker, I, too, want to welcome Father Demske here this afternoon, and join in the remarks of my distinguished colleague from New York, HENRY NOWAK.

I, too, graduated from Canisius College, of course many, many years after Father Demske and Congressman NOWAK did, but I have come to know and admire, respect, and very, very much appreciate the friendship of Father Demske over the years. As a mark of the esteem in which he is held in our community, we have got at least two other great universities in the city of Buffalo, the University of Buffalo itself and State University of New York College at Buffalo. Both of them in different years have named Father Demske as the Man of the Year.

We have two newspapers in Buffalo, the Courier Express and the Buffalo Evening News. In two different years they have named him as Buffalo's Man of the Year, so, indeed, we are very, very proud to have him here in the Halls of the House of Representatives today.

## A CLOSER LOOK AT STUDENT LOAN COSTS

(Mr. RATCHFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RATCHFORD. Mr. Speaker, I rise to voice my deep concern regarding discussions of major reductions in the guaranteed student loan program.

While I know that the rising costs of the student loan program make it an attractive target for budget cuts, I must urge my colleagues to look closely at the reasons for the sharp increase in costs.

By far the greatest cause of the recent jump in student loan costs has been high interest rates. The only other significant factor behind the cost increase has been a gradual growth in the number of students participating—with the vast majority of new students coming from the middle-income families who most need Federal student aid.

The most effective approach to rising student loan costs would be a return to affordable interest rates. We certainly cannot afford to slash student aid budgets without concern for the ability of middle-income Americans to pursue a college education.

□ 1510

## AMERICA HELD HOSTAGE

(Mr. LANTOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANTOS. Mr. Speaker, the American hostages are free, and all Americans are thankful. But now we find an attempt to hold America itself hostage.

Last week, the Oil Minister of Saudi Arabia implied that his country would cut its oil production unless the United States changed its Middle East policy. Saudi officials and their American spokesmen are now warning that unless Saudi Arabia receives every sophisticated, offensive weapon it seeks, America will have failed this latest test of friendship, and Saudi Arabia will retaliate.

Well, Mr. Speaker, like most Americans, I am tired of America being tested by countries that rely on the United States for their very existence. We should be putting those countries like Saudi Arabia to the friendship test.

Has Saudi Arabia supported American peace efforts in the Middle East? Has Saudi Arabia renounced PLO terrorism? Has Saudi Arabia assisted the United States in building up our vital strategic petroleum reserve?

The answer to all these questions, of course, is a resounding "no." Oil supply, oil price, and American interests are all being held hostage by Saudi Arabia.

I fully understand the need for defending Saudi security, but I question the need to appease Saudi threats.

Therefore, Mr. Speaker, as the administration moves toward a decision on the sale of offensive equipment to the Saudi kingdom, I call on it to reject the sale. We must remember that friendship—and the test of friendship—must work in both directions.

## JUDICIAL TENURE BILL

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PEASE. Mr. Speaker, the functions of the Federal judiciary in our constitutional government are critical. The power residing in the justices of the Supreme Court and the Federal judges is great. The importance of the independence and integrity of the Federal judiciary cannot be overestimated. The size of the Federal judici-

ary has far outgrown that contemplated by the Founding Fathers. And there exists a compelling need to reinforce public confidence in the character and the professional conduct of Federal judges.

All of these factors point toward the need for legislation to establish within the judicial branch of government a system for dealing with allegations of misconduct or disability among Federal judges.

I venture to guess that most of us at one time or another have heard from disgruntled constituents, litigants, and attorneys concerning Federal judges. For lack of anywhere else to file their complaints, they come to us. Today I am introducing a bill that would fill this void by creating a system whereby allegations about Federal judges could be filed with a responsible, judicial body that has both the means and the ability to investigate and take appropriate action.

Briefly, this bill establishes a procedure within the Federal judiciary for investigation and resolving allegations that a Federal judge is not conforming to good behavior or is suffering from a permanent mental or physical disability that seriously interferes with the performance of his official duties. This is accomplished through a two-tiered judicial disciplinary system which investigates and takes appropriate action on complaints filed against a judge of the United States. Allegations could only be considered if they related to the conduct or condition of a judge which are connected with the judicial office or which prejudice the administration of justice by bringing the judicial office into disrepute. Complaints filed by persons unhappy with a judge's procedural rulings or stemming from personal disagreements with the merits of a judge's decision could not be considered.

An investigation of a complaint against a judge could result in the involuntary retirement, removal, or censure of the judge or the dismissal of the complaint.

There is a school of thought which contends that Federal judges can only be removed from office by impeachment for bribery, treason, or other high crimes, and misdemeanors. On the other hand, a competing school of thought argues that the good behavior clause of article III, section 1 of the Constitution needs to be defined by law so as to provide supplementary grounds for removing Federal judges from office.

Much scholarly debate has centered on these divergent constitutional interpretations. Ample historical and legal precedents have been cited in defense of each interpretation. Now is the time for the Congress to give thoughtful consideration to the approach provided in this bill as a way of establishing the constitutional parameters under which the conduct and conditions of Federal judges can be evaluated. The public is criticizing the Federal judiciary as never before, so the need for arriving at a delineation of the constitutional standard of good behavior is greater now than ever before.

Personally, I am persuaded there are strong arguments in defense of the constitutionality of this bill. It does not undermine the separation of powers doctrine, in my opinion, since that doctrine refers to the independence of the judiciary as an institution from the two other branches of Government. It does not refer to the independence of judges from their peers. After all, under the procedures established in this bill, judges suspected of misconduct or disability would be judged by other Federal judges.

This bill is also practical. The system that would be established for handling allegations of misconduct or disability among Federal judges parallels those already in use in 47 States, the District of Columbia, and Puerto Rico.

In reintroducing this bill today, I hope to elicit support from my colleagues for what I feel is a responsible approach to coping with a growing public concern. The following newspaper articles bear witness to the need for the 97th Congress to consider several issues related to judicial conduct and disability.

[From the Americans for Legal Reform, Sept. 3, 1980]

JUDGES WHO SHOULD NOT JUDGE

It has been estimated that 10% of the nearly 850 federal judges are unfit for public service on account of senility, alcoholism, abuses of power, corruption, or misconduct. The "checks and balances" of our constitution are simply not addressing the increasing public dissatisfaction with this growing problem. Impeachment, the one mechanism for disciplining judges, has been used successfully only eight times in U.S. history. The most recent one was 40 years ago!

In the past few years the media and groups such as HALT have focussed more and more attention on judicial behavior. Reform is clearly needed to "check" federal judges without lessening the integrity of their politically sensitive, and therefore sound, positions.

Congress is slowly acting on judicial tenure. The Senate passed the Judicial Conduct and Disabilities Act in 1979. This measure allows any person alleging judicial misconduct to file a complaint with the Judicial Council of the Judicial Circuit in which the complaint arises. This Council of federal judges can implement a number of sanctions short of impeachment, ranging from a private censure to a request that a judge voluntarily retire. The Senate Act allows the complainant and judge to appeal the Judicial Council's action to a Court on Judicial Conduct and Disability.

On the House side, Judicial Tenure legislation is still in the formative stages. What appeared to be a dead issue in the Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice regained momentum through the efforts of HALT's staff. By providing facts and information demonstrating significant public concern, arguing the relevance of independent review of unfit judges, and stressing the original intent of prompt and efficacious disciplinary procedures, HALT has been instrumental in keeping this legislation alive.

In Subcommittee, the House is now discussing a draft similar to the Senate Act with a few significant differences. Unlike the Senate version, the House draft gives the Chief Judge of the Judicial Council the power to accept or reject each complaint. If he accepts the complaint, the Chief Judge appoints a fact-finding body that recommends action to the full Judicial Council of the Judicial Circuit wherein the complaint arises. The complainant may appeal the Chief Judge's action of dismissal, but only to the Judicial Council—of which the same Chief Judge is a member!

The House Bill allows for rejection of complaints without further investigation, but requires a fact-finding committee to investigate them. By making investigation inherently more difficult than rejection, the House version makes dismissal not only more likely, but harder to effectively review.

HALT is now working on reconciling the House and Senate versions of Judicial Tenure and proposing amendments to the House for subcommittee implementation.

The first change needed is limitation of the Chief Judge's power of dismissal. Discretionary power is necessary to eliminate unwarranted complaints, but only upon the consideration of the full Council.

Also crucial is the inclusion of a public participant in the fact-finding body that decides on the merits of the complaint. Presently the review bodies are composed entirely of federal judges.

The third amendment that HALT is actively lobbying for is the public's right to peruse the disposition and facts surrounding these complaints after final action is taken.

The House Bill is a compromise measure worthy of support as a first step in setting up procedures for judicial discipline. By writing your representative, House Judiciary, and Subcommittee members in support of strong judicial tenure legislation, federal judges will at last be held accountable for unethical or incompetent behavior on the bench.

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[From the New York Times]

TO REMOVE A FEDERAL JUDGE FOR MISCONDUCT

To the EDITOR:

Permit me to dissent from your editorial "Protecting Judges—and the Public" (Jan. 22), which views proposals that Federal judges be removable by a judicial council as posing "severe constitutional problems" and considers that "modern scholars, impatient with the purposely cumbersome impeachment process, have spun out defenses for the constitutionality of quicker removal." Your views seem to me mistaken.

Impeachment was made "purposely cumbersome" because it was conceived for the removal of the President; "other officers" were added to the impeachment clause at the last minute, almost as an afterthought. Whether "other officers" included judges, who were the object of a special provision, is at least debatable.

Soon it was determined that "other officers" could be removed by the President without resort to impeachment. Judges were protected from similar removal by

tenure "during good behavior," a technical phrase imported from the common law, where tenure was terminated on bad behavior declarable by judges, without resort to impeachment. In short, "good behavior" tenure was accompanied by removal of judges. Impeachment may be regarded as an additional remedy if the judiciary fails to clean house or in the flagrant case.

To insist on impeachment of judges is to seal misbehaving judges into office, because Congress simply will not take three to five weeks off from momentous affairs to try a judge for bribery or the like. This is not a matter of speculation but of historical record. What you acknowledge to be the "cumbersome impeachment process" Senator William McAdoo, after an attempted judicial impeachment, found to constitute "a standing invitation for judges to abuse their authority with impunity"—because Congress is loath to paralyze its lawmaking function in order to remove a petty crook.

Insistence that removal of judges by a judicial council constitutes a "serious threat to judicial independence" attributes less than ordinary fortitude to judges. What upright judge would regard the "prospect of censure by judicial elders" as "intimidating"? His fortitude would not desert him because a fellow judge might be removed for bribery or habitual drunkenness or neglect of duty.

In an earlier editorial (July 28, 1978) you posed the peril that removal by judges could "intimidate merely weak judges who must decide whether to desegregate schools in hostile communities." They are now subject to reversal of their desegregation decisions but have not been deterred from handing down such decisions in "hostile communities."

The implication that a district judge will suspect that the 12-judge panel will remove him for deciding in favor of desegregation is unworthy both of the judge and of the removing panel. We entrust issues of gravest moment to appellate courts. Are we to distrust them when they adjudicate whether a judge is unfit for office?

To object to a trial of a judge for misconduct by his judicial peers is to throw doubt on the fairness of the judicial process. Surely if it is good enough in matters of life or death for the common man, it is good enough for judges. Finally, it is a strange taste which prefers an impeachment by Congress, often swayed by political passions, often inattentive to the evidence, to a hearing by judges who sit and listen and are schooled to evaluate evidence and to strive for its dispassionate appraisal.

RAOUL BERGER.

CONCORD, MASS., *January 24, 1979.*

(The writer was Charles Warren, Senior Fellow in American Legal History at the Harvard Law School from 1971 to 1976.)

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[From the Elyria Chronicle-Telegram]

FEDERAL JUDGES ABOVE THE LAW?

A U.S. district judge in New Orleans has clouded the Ethics in Government Act of 1978 by issuing a temporary injunction exempting federal judges from its provisions.

Judge Robert Collins issued the order Tuesday shortly before the deadline for thousands of federal government officials, including judges, to file statements of their personal finances.

Public disclosure is an important national trend requiring most federal and state officials from the executive, legislative and judicial branches to disclose their private finances.

The district judge's ruling likely to be appealed by the Justice Department and may eventually end up at the Supreme Court where the justices will be called on to make a decision directly involving them.

Six southern judges contended in the case before Judge Collins that the ethics law was "an unconstitutional encroachment upon the separation of powers in the federal government."

If this argument holds up, it seems that Congress would be unable to pass any law affecting the federal judiciary which the judges didn't like. They don't seem to object when Congress raises their pay or increases their retirement benefits.

Most judges have abided by the law without challenge. It is fortunate that none of the Supreme Court justices has used the lower court ruling to escape making their financial statements public.

If the case reaches them, it is hoped that a majority can see that a ruling which places federal judges above the law will make the entire judiciary "look bad."—Nashville Tennessean.

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[From the Washington Post, Apr. 23, 1978]

WHAT CAN BE DONE ABOUT UNFIT JUDGES?

ONLY FOUR HAVE EVER BEEN REMOVED FROM THE FEDERAL BENCH

(By Clark Mollenhoff and Greg Rushford)

Late in the afternoon of Friday, Dec. 12, 1975, Chief Judge Willis W. Ritter of the U.S. District Court in Utah notified U.S. Attorney Ramon M. Child to be ready to try 23 criminal cases by the following Thursday.

It was an impossible order. Three of the first four cases were criminal tax prosecutions involving approximately 100 witnesses, many of whom lived outside Utah. Even if subpoenas could be prepared and served and the Christmas travel crush surmounted, an airline strike made it impossible to get the witnesses to Salt Lake City in time. Child asked for 21 more days to prepare.

But the judge refused, and for several weeks the frustrated U.S. attorney and his staff struggled to try the cases properly. Ritter dismissed four cases outright that Thursday morning because the government witnesses were not present.

These decisions were later reversed by the 10th U.S. Circuit Court of Appeals in Denver, which declared that Judge Ritter's behavior "was utterly unreasonable and constitutes a gross abuse of discretion." It was not the first unreasonable action by Ritter, whose controversial career spanned nearly three decades until his death last month. Nor is his case an isolated example.

While there is no reason to doubt the ability or integrity of the vast majority of our nearly 700 federal judges, some unquestionably are unfit to serve, whether because of abuses of power, misconduct, corruption, senility, alcoholism or other reasons. The problem is that it is impossible to remove such judges from the bench short of going through the cumbersome impeachment process.

Attorney General Griffin Bell, himself a U.S. circuit judge for more than 14 years, told a Senate Judiciary subcommittee last September that "there is an urgency" about the need to create a workable mechanism to remove unfit judges. "Not every judge who perhaps should be impeached can be impeached," Bell added. "Congress does not have that much time."

Presumably referring to several criminal investigations conducted by the Justice Department against federal judges in the past two years, Bell also said, "Not everyone who perhaps should be can be indicted. There are some things that judges might do that might cause me to think that they ought to be indicted. However, that is a serious business, particularly since you have got to indict somebody in their own court."

Testifying after Bell, John A. Sutro, chairman of the American Bar Association's standing committee on judicial selection, quoted a 10-year-old statement by Chief Justice Warren Burger, then a Court of Appeals judge, that "I would not presume to say many United States judges now in active service are not physically able to perform their work adequately, but every observer knows there are more than a few." Sutro said Burger's announcement "unquestionably is true" today as well.

Bell and Sutro were both endorsing the judicial tenure bill which the Senate Judiciary Committee is expected to approve this spring. The legislation, sponsored by Democratic Sens. Sam Nunn of Georgia and Dennis DeConcini of Arizona, would create within the judiciary a commission to investigate complaints against federal judges, who are appointed for life, and it would also create a special court to hear cases of misconduct or inability to serve. The court could dismiss the complaint or censure, involuntarily retire or remove the judge from office.

Only nine federal judges in our history have been impeached, and only four have been convicted and removed from office, the last more than four decades ago. This is chiefly because the impeachment process is so cumbersome and time-consuming.

A House Judiciary Committee report in 1940 termed it a "governmental absurdity" when applied to a single judge. Last fall Democratic Rep. Robert W. Kastenmeier of Wisconsin, a leading Judiciary Committee sponsor of judicial tenure legislation, said that "although instances of judicial misconduct are often brought to our attention, the Judiciary Committee's heavy workload makes it difficult, if not impossible, for us to set aside all other legislative activity to conduct an impeachment inquiry."

Impeachment also carries political liabilities. Federal judges by tradition are appointed under the patronage of Senators. The resulting close judicial ties to Congress, as former Maryland Sen. Joseph Tydings acknowledges, make dealing with the unfit judge "a very sticky political thicket." In past impeachment trials the final votes were often divided on partisan grounds.

A more fundamental and still-unresolved issue is the belief that an unfit judge still could be immune to impeachment. Harvard's Raoul Berger, a prominent impeachment authority, for example, contends that a judge may breach the constitutional "good behavior" standard by "abuse of office, neglect of duty, nonattendance and the like." But the constitutional grounds for impeachment are treason, bribery and "other high crimes and misdemeanors," a more exacting standard. Berger says that "while all high crimes and misdemeanors might constitute a breach of good behavior, not all breaches of good behavior amount to high crimes and misdemeanors."

*Rising to the occasion*

The career of Judge Ritter reveals how difficult it is to curtail even bizarre judicial conduct, or what Washington attorney and

author Joseph Borkin has called the "morbid legal tradition" of not moving against unfit judges.

Ritter, a Phi Beta Kappa from the University of Chicago and Harvard, was a law professor when appointed to the bench in 1949 by President Truman. Ritter was a strong individualist who frequently took the side of the "little guy" against the federal government.

From the moment he was appointed, Ritter became embroiled in squabbles. One of the more famous was his 1951 threat to jail a group of federal postal workers with whom the court shared office quarters; he was angered by their noisy elevators. Last year he ordered U.S. marshals to jail some noisy courthouse workers. But it was Ritter's injudicious attitude toward the law which became the most serious problem.

Salt Lake City lawyers who were friendly to Ritter almost always won the cases they tried in his court. One Utah attorney says that Ritter's "attitude toward justice was based on tremendous personal emotions. If he didn't like you, you would lose, and in effect be disbarred from representing clients in Utah. The only way justice was reached was when two lawyers appeared before Ritter and he liked them both; then he would rise to the occasion."

Over the years the 10th Circuit Court in Denver fought Ritter's excesses by reversing many of his decisions. The circuit's Judicial Council took control of the assignment of cases in Ritter's court. (Each of the nation's 11 regional judicial circuits has a council headed by the chief judge and empowered to supervise court administration).

But Ritter continued to try cases, and his conduct became a Utah scandal. By the late 1960s U.S. attorneys and their staffs were in frequent contact with the Justice Department "about the Ritter problem," says a former prosecutor. "But we learned how reluctant Washington is when discussing legal moves against a federal judge. We were always told to try to live with the situation."

After the 1975 Christmas trial episode, U.S. Attorney Child urged the Justice Department to file a petition with the 10th Circuit Court to bar Ritter from trying federal cases. But the Ford Justice Department did not approve such a strong step.

In the meantime, the Ritter problem intensified. In 1976 Ritter didn't wait until Christmas. For eight months prior to October he set no criminal cases for trial. Then, on Oct. 5, he scheduled 50 trials beginning four days later. When Child obtained an order from the Judicial Council directing Ritter to schedule trials with at least 15 days' notice, the judge held no criminal trials at all for the first six months in 1977.

*Arbitrary and erratic authority*

Finally, Washington agreed with Child that piecemeal methods would no longer contain Ritter. Solicitor General Wade H. McCree, a former 6th Circuit judge from Detroit, painted a damning portrait of Ritter last July in a six-page letter to the 10th Circuit's chief judge, David T. Lewis.

The solicitor general stated bluntly that for 28 years Judge Ritter's conduct had been "inimical to the standards of judicial conduct that ought to be observed." Step-by-step countermeasures, McCree said, "cannot be truly effective so long as Judge Ritter continues to exercise arbitrary and erratic authority in individual cases. The power of a trial judge is too great and the opportunities for abuse of that power too frequent to allow effective appellate supervision in the run of cases."

McCree told Judge Lewis that Ritter had "paralyzed" the administration of criminal justice, and said he would petition Lewis for a writ of mandamus to bar Ritter's participation in any federal cases. But in a paragraph reflecting the legal establishment's sensitivities, McCree wrote:

"I have deferred authorizing the filing of these formal requests, however, because I am concerned that the publicity attendant on requests might go far toward bringing the administration of justice into disrepute. They would publish, for the world to see, a story of judicial indiscretion that ought not lightly be broadcast, and the attendant publicity would place both the court of appeals (in passing upon the requests) and the Department of Justice (in presenting them) in unfortunate positions: any legal action, for any reason, would be a subject for public scrutiny and to questions about motivation."

The solicitor general told Judge Lewis an experience from his service on the 6th Circuit. A judge's behavior, although "not by any stretch of the imagination as improper" as Ritter's, became intolerable. The circuit's chief judge, after consulting with his fellow judges, "approached the district judge informally" and asked him to step down "before it was necessary to institute public proceedings that could only hurt his reputation and stature in the community." The offending judge retired.

McCree asked Lewis to consider applying similar pressure on Ritter. But Lewis made no such attempt because he felt it would be fruitless.

Finally, on Oct. 5, 1977, McCree and Child petitioned the 10th Circuit to remove Ritter from all federal cases. Ritter died March 4 while the 10th Circuit was considering the petition.

*Justice Department investigations*

Before Ritter's death, the Justice Department also had investigated whether he had defrauded the government. For four months in 1974 Vickey Jolley, Judge Ritter's clerk and secretary, allegedly was absent from work following an auto accident, but Ritter instructed the clerk of the court to continue paying her full salary. For another six weeks in 1975, and at various unknown times since 1970, Jolley allegedly was absent from work but continued to receive her full salary.

The Justice Department dropped this aspect of the investigation for lack of evidence directly inculpating Judge Ritter. Child complained that the investigation wasn't aggressive enough, and he later stepped down as U.S. attorney to practice law in Salt Lake City.

At least three other federal judges have been investigated by the Justice Department in the past two years.

In one case a cloud over the judge's reputation was removed only because he himself requested the investigation. Robert E. Varner, 56, a former Montgomery, Ala., bar association president, was appointed to the federal bench in 1971 by President Nixon. Varner was suspected of judicial misconduct amounting to bribery. The allegation stemmed from a four-year probation sentence Varner imposed on James Payton Judge III, who pleaded guilty to interstate transportation of stolen property. Before the sentencing Judge Varner had purchased 630 acres of land at $300 an acre from the defendant's great aunt. After questions were raised in the Alabama press about whether the lenient sentence was in exchange for the land deal, Varner asked the 5th Circuit Judicial Council in New Orleans to investigate.

On June 10, 1976, the council issued a report criticizing Varner for not having stepped down in the case. But it found the charges of misconduct "groundless," even though the land price was "possibly favorable." The council noted that there was no evidence of collusion and that the relationship between the offender and his great-aunt was distant. Moreover, federal prosecutors had recommended the sentence of probation. That recommendation appeared "thoroughly responsible, and made probation the advisable and likely sentence," the council said.

The Justice Department agreed and did not seek to indict Varner.

No official acknowledgment has been made that John V. Singleton Jr. was even investigated or why. Singleton, 60, a Houston lawyer and longtime associate of John Connally, was appointed by President Johnson in 1966 to the Southern District of Texas in Houston.

A Houston television station reported on June 9, 1977, that a federal grand jury was "believed to be looking into allegations concerning" Singleton, and that "apparently this grand jury has been investigating banking matters involving Judge Singleton for some time." Justice Department sources confirmed that Singleton had testified before the grand jury but refused to elaborate on the nature of the testimony or to confirm reports that the department had sought an indictment.

The Singleton case raises important questions. Singleton's rulings have often angered Justice Department officials. In 1970, for instance, Organized Crime Strike Force officials were upset when the judge reduced a two year prison term for New Orleans mobster Carlos Marcello, who had assaulted an FBI agent, to six months. Is the judge the target of a vendetta by unknown Justice officials who simply resent his liberal (by Texas standards) record?

When a judge is accused of some conduct serious enough to justify calling him before a grand jury, should there be a public explanation? If the suspected conduct was not indictable, should the Justice Department have notified the House Judiciary Committee of possible misconduct which might violate the constitutional "good behavior" standard? The committee has not been so notified.

Judge Singleton has declined to comment.

*The speedy confirmation*

Another federal judge known to have been the subject of a Justice Department criminal investigation is Herbert A. Fogel, 48, a former political fundraiser and Philadelphia law partner of former Senate minority leader Hugh Scott. Fogel was appointed to the Eastern District of Pennsylvania in 1973 by President Nixon.

He was investigated for his actions as a private attorney before his appointment to the bench, and his case raises serious questions about the judicial confirmation process.

Fogel was the lawyer for and part owner of the Gateway Corp., which won a controversial February 1971 contract from the General Services Administration. The contract was worth $78 million for 30 years' rent to federal offices in a Gateway building in West Philadelphia.

Because Gateway's winning bid was $27 million higher than the lowest bid submitted to GSA, and because key GSA officials were also close to former Sen. Scott, the contract raised eyebrows. In March 1972, the General Accounting Office, Congress' watchdog, reported the award had been "improper" because Gateway had failed to comply with various criteria in its bid submission.

Despite widespread publicity surrounding the Gateway case, the Senate Judiciary Committee confirmed Fogel in a routine 10-minute hearing in February 1973. Republican Sen. Roman Hruska of Nebraska, who chaired the hearing, asked Fogel no question about Gateway. The only other senators present were Pennsylvania's Richard Schweiker and Scott, who took up most of the 10 minutes with effusive praise of the nominee.

But a civil lawsuit brought by a losing bidder, John W. Merriam, brought out additional facts about Gateway. Judge Fogel admitted in a sworn deposition that he had backdated documents submitted to GSA, and Justice launched a criminal investigation in 1975. Although the exact date is still obscured in secret grand jury proceedings, sometime in late 1975 or early 1976 Fogel refused to cooperate with a grand jury by invoking his Fifth Amendment rights against self-incrimination.

The Justice Department dropped the investigation in 1976, but the Carter administration revived it last year. Attorney General Bell wrote Rep. Allen Ertel of Pennsylvania on Oct. 19 that he was reviewing the evidence to see if the case should be referred to the House Judiciary Committee for impeachment proceedings or "other possible alternatives."

Bell never referred the case to the committee and he will not comment on what he meant by "other possible alternatives." But on Jan. 20 Fogel announced his resignation, effective May 1. The announcement came eight days after two former Philadelphia policemen who were convicted of robbery filed a petition in federal court accusing Fogel and two other federal judges of being "owned" and on their lawyer's "payroll." Those charges are currently under investigation.

*Unexamined complaints*

Each year dozens of complaints against federal judges go unexamined for lack of an appropriate investigative mechanism.

Judicial councils in the regional federal circuits have no investigative staffs and are not capable of dealing with complex cases. Although a review committee established by the policy-making Judicial Conference of the United States has been diligent and effective in resolving simpler conflict-of-interest and ethical questions, it too is not equipped to deal with difficult cases.

Nor is the Supreme Court able to police the federal judiciary, as illustrated by one 1976 complaint lodged with it by a Pennsylvania businessman named John A. Nard. Nard complained about alleged political corruption by several federal judges in Pennsylvania, but Supreme Court Clerk Michael Rodak Jr. replied: "I regret to inform you that this court has no authority to institute or conduct investigations as mentioned in your letter. Neither can we suggest an investigative body."

It is precisely such mechanisms that would be set up by the pending judicial tenure legislation, which has also been endorsed in principle by the Judicial Conference. Indeed, the value of such a procedure has already been demonstrated at the state level. Since adopting such legislation in 1961, California has become the model for over 44 state judicial tenure commissions. Rather than face formal hearings, 67 California judges have resigned since 1961. Five others have been censured by the California Supreme Court, and three more have been removed from office.

## KEEP UDAG

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, I am deeply disturbed to hear press reports that the administration wants to kill the urban development action grant program—one of the most successfilled, innovative programs we have. As chairman of the Subcommittee on Housing, I am giving notice that I believe it would be an egregious wrong to kill this productive and useful program, which has enjoyed support from both parties.

To eliminate the urban development action grant program immediately flies in the face of bipartisan support for this most effective urban grant program. Since its inception in 1977 the UDAG program has achieved a success beyond the expectations of many of us who participated in the legislative effort that culminated in the final adoption of the UDAG program. It is a simple, well-administered, and highly successful Federal-grant program to our most distressed urban communities. To simply wipe it out at the command of OMB Director Stockman will, in my opinion, do serious damage to the credibility of President Reagan's commitments during his campaign to continue a Federal commitment to assist distressed urban areas.

OMB Director Stockman, while a Member of the House, strongly opposed the UDAG program and carries his prejudices toward the UDAG program in his new capacity as the President's chief budget cutter. I would suggest that Mr. Stockman might visit some of our large urban communities that have received urban development action grants and walk the streets and talk to both business people and citizens to see the promise and the initiative that the UDAG program has offered in terms of new investment to our distressed cities being made by the private business sector in conjunction with Federal UDAG funds. To casually dismiss these efforts in a wave of the budget-cutting wand fails to comprehend the difficult economic circumstances that our urban communities are experiencing.

If these press reports are correct, that the $675 million authorized by my subcommittee and appropriated by the Congress last year are to be eliminated, I plan on summoning Secretary of HUD Samuel Pierce and OMB Director David Stockman before the Subcommittee on Housing and Community Development promptly for their justification of such an unfortunate decision.

## INTRODUCTION OF GUAM PRESIDENTIAL VOTE BILL

(Mr. WON PAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WON PAT. Mr. Speaker, it is my great pleasure to again introduce legislation which seeks to give the American citizens of Guam and other U.S. territories the right to vote in future Presidential elections.

The passage of this legislation has been one of my highest priorities since I first came to Congress in 1973. I am joined in this quest for equality for the American residents of the territories by their congressional representatives. While I fully recognize the extreme difficulty this legislation faces in its way to becoming public law, nevertheless, my pride as an American citizen will not let me rest until my fellow citizens in the terrritories share a basic right of democracy; the right to participate in the selection of who will lead our Nation as President and Vice President.

What I ask today is not a radical change in the American system of government. Rather, I ask only that this Nation correct a serious flaw in our laws which deny certain Americans the ability to vote for the President solely on the grounds that they choose to reside in Guam or another American territory. It is ironic that should these same citizens decide to live in one of the 50 States they can enjoy the Presidential franchise. Surely, on a matter of such major importance to the rights of all Americans to have a free voice in the selection of our Chief Executive, their choice of residence should not be used to forbid them a voice in their Government.

The denial of a vote in Presidential elections to residents of Guam and other American territories is an arbitrary act which I do not believe would have the blessings of the Founding Fathers of this great country. Nor do I believe that it is in the best interests of the United States to exclude our fellow Americans from participating in Presidential elections on the basis of such spurious grounds as residence.

Speaking for my own constituents in Guam, I can say without hesitation that we want to vote for our future Presidents. We are proud of our American citizenship and truly desire to see an end to the present situation which, in effect, puts us in the category of second-class citizens. Throughout our Nation's history, Congress has put

an end to all the various mechanisms which have been used to deny Americans the franchise: Slavery, landownership, literacy tests. All of these are now history. Let us proceed to put the final block to full citizenship to rest by extending the Presidential vote to Americans living in the U.S. territories.

Last November, the people of Guam chose to add to local ballots the names of the major Presidential candidates. This was done for the first time in the island despite our recognition that our tally would not count in the national selection process. Nevertheless, we went ahead because we were no longer content to stand aside while the rest of America goes to the polls and votes for our future president. President Reagan is our President. His actions affect the people of Guam every bit as much as they do in New York or San Francisco. The time has come for Congress to give territorial Americans the vote for President and Vice President.

Over 2,000 years ago, the Greek philosopher, Aristotle, perhaps had the final word on democracy when he said:

If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in government to the utmost.

This is all we who live in American territories really ask—the right to share in this Nation's Government to the utmost. Thank you.

## WOMEN'S RIGHTS DAY

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, today is Women's Rights Day. Women today do not have to stand outside the polling place in ankle-length skirts while men cast their ballots inside. In this Chamber and in the other House votes are cast by a growing number of women. Whatever the field of endeavor, it is no longer strange to find a woman working in what was once thought the world of men.

But we are reminded every day of how far women still have to go before achieving real equality. Few leading business executives are women, as are few Members of Congress. Women earn an average of just 59 cents for every $1 men are paid. And women must contend with repeated attacks against the woman's right to choose, and assert her own reproductive freedom. Eight years ago the Supreme Court upheld the constitutional right of every woman to have an abortion in the early stages of pregnancy. Since that decision we have seen the steady erosion of that right by congressional efforts blocking access to abortion services for poor women in need of medicaid assistance. The fight has now expanded once again to threaten the right of all women to a safe abortion and indeed, the so-called prolife forces are now widening their campaign to attack many of the most effective and widely used methods of contraception.

Today, on Women's Rights Day, we should remember such basic issues in the march for equal rights and equal opportunity for each sex. I hope each of my colleagues will think for a moment of just one woman he, or she may know who has been denied full participation in our society due primarily to her sex. And we can all think of men, I am sure, who have suffered from the sometimes stifling grasp of role models they had assumed fit them, but instead brought misunderstanding and pain to their personal and professional lives.

Women's rights for women, but also for men. Let us remember that today and every day.

## THANKS FROM AMERICAN SAMOA

(Mr. SUNIA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SUNIA. Mr. Speaker, under Public Law 95-556 and Public Law 95-584 of 1978, the territory of American Samoa was granted a seat in the House of Representatives in the Congress of the United States. The territorial legislature has passd a unanimous resolution with Senate Concurrent Resolution 1 which speaks to that point.

I am thanking the U.S. Congress for granting that seat to the territory.

Mr. Speaker, the certification is as follows:

LEGISLATURE OF AMERICAN SAMOA

CERTIFICATION

SENATE CHAMBER,
*January 13, 1981.*

I certify that Senate Concurrent Resolution No. 1 passed this date in the Senate during its 1st Regular Session of the 17th Legislature of American Samoa.

(MRS.) SALILO K. LEVI,
*Secretary of the Senate.*

HOUSE CHAMBER,
*January 14, 1981.*

I certify that Senate Concurrent Resolution No. 1 passed this date in the House of Representatives during its 1st Regular Session of the 17th Legislature of American Samoa.

PULELEIITE M. F. TUFELE,
*Chief Clerk,*
*House of Representatives.*

SENATE CONCURRENT RESOLUTION NO. 1

A senate concurrent resolution commending and thanking the United States Congress for the new nonvoting delegate to the U.S. House and thanking all who worked for that goal

Whereas on 5 January 1981, Delegate Fofô I. F. Sunia was sworn in as the Territory's first non-voting Delegate to the U.S. House under Public Law 95-556 and Public Law 95-584 (1978); and

Whereas this has been a long and arduous struggle for many years through many Fono's and Congresses by many interested and dedicated individuals; and

Whereas special praise should go to former Delegate A. P. Lutali under whose Delegate's administration the bill was eventually passed and signed into law by the 95th Congress; and

Whereas of course, the Governor at that time, Peter Tali Coleman and his administration are to be thanked for their efforts; and

Whereas our many friends in Congress, both in the House and Senate—to them we extend our heartfelt gratitude over this expression of trust and confidence in our evolving political maturation—but in passing we must thank Congressman Phillip Burton and his aide Enk F. Hunkin for their unique contributions to this endeavor; and

Whereas we always owe special thanks to Senator "Spark" Matsunaga and the rest of the Hawaii Congressional Delegation—Senator Daniel Inouye, Representative Dan Akaka, and Representative "Cec" Heftel—for all their ever present assistance; and

Whereas we would like to also extend our blessings and wish him Godspeed to the newly elected as well as former Delegate, High Talking Chief Fofo I. F. Sunia, for through his initial efforts the Territory of American Samoa will grow and be recognized within Congress, the United States, and even the world—to him and his staff go our best wishes; Now, therefore, be it

*Resolved by the Senate of the Territory of American Samoa, the House of Representatives concurring,* That, the entire United States Congress is most humbly and generously thanked and commended for the honor they have bestowed on our Territory by elevating our representation in Congress to that of a full-fledged non-voting Delegate to the U.S. House of Representatives; and be it further

*Resolved,* That High Talking Chief Fofo I. F. Sunia is commended for the manner in which his campaign was run and the fact that he will be American Samoa's first Delegate to Congress with all the importance that special event entails; and be it further

*Resolved,* That the following are especially commended and thanked for their tireless efforts to accomplish the task of managing the appropriate bills through the 95th Congress and previous attempts:

Hon. Senator Henry M. Jackson
Hon. Representative Morris K. Udall
Hon. Representative Phillip Burton
Hon. Senator "Spark" Matsunaga
Hon. Senator Daniel K. Inouye
Hon. Representative Dan Akaka
Hon. Representative "Cec" Heftel
Secretary of the U.S. Senate
Clerk of the U.S. House of Representatives
Mr. Enk. F. Hunkin, Staff Attorney to the U.S. House Subcommittee on National Parks & Insular Affairs
Hon. Former Delegate A. P. Lutali
Hon. Delegate Fofô I. F. Sunia; and
Hon. Peter Tali Coleman, Governor of American Samoa; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to: the Honorable Secretary of the Interior; the Honorable Senator Henry M. Jackson; Honorable Representative Morris K. Udall, Chairman, U.S. House Committee on Interior and Insular Affairs; Honorable Representative Phillip Burton,

U.S. House Subcommittee on National Parks and Insular Affairs; Honorable Senator "Spark" Matsunaga; Honorable Senator Daniel Inouye; Honorable Representative Dan Akaka; Honorable Representative "Cec" Heftel; Secretary of the U.S. Senate; Clerk of the U.S. House of Representatives; Mr. Enk F. Hunkin, Staff Attorney to the Subcommittee on National Parks and Insular Affairs; Honorable Former Delegate A. U. Fuimaono; Honorable High Chief A. P. Lutali, former Delegate to the U.S. Government; Honorable High Talking Chief Fofo I. F. Sunia, Delegate to the U.S. House of Representatives; and to Honorable Peter Tali Coleman, Governor of American Samoa.

## ILLEGAL POLITICAL AND LOBBYING ACTIVITIES OF LEGAL SERVICES CORPORATION

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SENSENBRENNER. Mr. Speaker, today I have asked the General Accounting Office and the Department of Justice to investigate what I believe to be illegal political and lobbying activities that have been carried out by the Legal Services Corporation.

These activities are detailed in two memorandums written on Legal Services Corporation letterheads. The memorandums focus on efforts by the Corporation to lobby the Reagan administration and the 97th Congress. The memorandums state that the Corporation expected greater difficulty in dealing with the new administration and Congress and termed the situation "a struggle for our own survival," while proposing a political plan of action on the National, State, and local levels.

In addition to the investigation, I have also asked Dan Bradley, President of the Legal Services Corporation, to turn over supporting memorandums and documents to aid in the probe.

Copies of these memorandums can be obtained from my office. I include the texts of my letters to Dan Bradley, Elmer Staats, and William Smith for the RECORD.

WASHINGTON, D.C., *February 4, 1981.*

Hon. WILLIAM FRENCH SMITH,

*Attorney General of the United States, Department of Justice, Washington, D.C.*

DEAR MR. SMITH: I am hereby requesting the Department of Justice to investigate the possible misuse of appropriated funds by the Legal Services Corporation (LSC).

It appears that appropriated monies have been used for political and lobbying purposes.

As evidence, written on LSC letterhead, I submit the two enclosed memoranda dated December 10, 1980, and December 29, 1980. They were written by Alan W. Houseman, Director of the LSC's Research Institute.

These documents clearly detail a plan for lobbying and political activity by the Legal Services Corporation, its employees and grantees to influence legislation reauthorizing that agency which the 97th Congress will be considering.

I look forward to your prompt attention to this matter.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
*Member of Congress.*

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WASHINGTON, D.C., *February 4, 1981.*

Mr. DAN BRADLEY,

*Legal Services Corporation, Washington, D.C.*

DEAR MR. BRADLEY: Enclosed are two memoranda written by Alan W. Houseman, Director of the Research Institute of the Legal Services Corporation. These memoranda, written on Legal Services Corporation letterhead, clearly detail the lobbying and political activities which have been and will be carried out by the Corporation, its employees, and grantees in an effort to influence legislation reauthorizing the Legal Services Corporation that the 97th Congress will consider.

I am hereby requesting copies of all memoranda drafted by the Legal Services Corporation staff which concern legislative and/or political activities.

Additionallly, I am requesting that the lobbying and political activities that were enumerated in the memoranda of December 10th and December 29th be immediately terminated.

Additionally, an investigation should be conducted to determine whether further administrative action needs to be taken against any of the employees involved which, according to the December 10th memorandum, could be quite extensive.

I will be looking forward to your prompt attention to this matter and to your early reply.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
*Member of Congress.*

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WASHINGTON, D.C., *February 4, 1981.*

Mr. ELMER STAATS,

*Comptroller General of the United States, Washington, D.C.*

DEAR MR. STAATS: I am hereby requesting the General Accounting Office to investigate the possible misuse of appropriated funds by the Legal Services Corporation (LSC).

It appears that appropriated monies may have been intended and used for lobbying and political purposes by the LSC, which is expressly prohibited from doing so by the Legal Services Corporation Act (42 USC, Section 2996e, Section 2996f).

As evidence, written on LSC letterhead, I submit the two enclosed memoranda, dated December 10, 1980 and December 29, 1980. They were written by Mr. Alan W. Houseman, Director of LSC's Research Institute.

These documents clearly outline a plan for lobbying and political activities by the Legal Services Corporation, its employees and grantees, to influence legislation reauthorizing that Agency which the 97th Congress will be considering.

I look forward to your prompt attention to this matter.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
*Member of Congress.*

## LEASE OF DULLES INTERNATIONAL AIRPORT TO VIRGINIA

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLF. Mr. Speaker, today I am introducing legislation to authorize the Secretary of Transportation, through the Federal Aviation Administration—FAA—to enter into negotiations for the lease of Dulles International Airport to the Commonwealth of Virginia. While I hope that this legislation will eventually lead to a leasing arrangement for Dulles between the Secretary and the Commonwealth, it is intended to allow flexibility to both parties in the decisionmaking processes.

Located on 10,000 acres of land in the Commonwealth of Virginia and built with many of the world's most advanced safety systems, Dulles International Airport offers unlimited potential benefits to both Virginia and the Nation. In concert with hundreds of other airports throughout the country, Dulles could become a key interchange point in this country's system of air transportation and a gateway for air passenger and cargo traffic to and from all parts of the world. If fully utilized, it could become a major center of business development and thereby generate new employment for thousands of individuals. As a foreign trade zone, it could effectively complement the Virginia Port Authority in promoting exports and encouraging investment from abroad.

Unfortunately, Dulles' tremendous economic potential has so far been wasted. Designed to serve more than 14 million passengers annually, Dulles served less than 3 million passengers in 1980—a drop of over 20 percent from the previous year. With fewer flights and fewer airlines using Dulles than ever before, the airport is at a critical stage in its long history.

One major reason for this gross underutilization of Dulles is the fact that it is owned and operated by the Federal Government through the Department of Transportation's Federal Aviation Administration. Unlike other airport-operating authorities, the FAA is restricted from marketing and advertising the airport to airlines, businesses, and the general public.

In contrast, the State of Maryland—which took over the ownership and operation of Baltimore-Washington International Airport—BWI—in 1972—has created an aggressive marketing and promotion program for that airport with an annual budget of almost $1 million. Largely as a result of this effort, BWI now handles almost one-half of the total aircargo moved through the three Washington area airports and has increased its passenger traffic more than 25 percent since the State took over its operation. The State of Maryland's promotion of BWI is an excellent example of how a State

can turn an underutilized operation into a successful air traffic system. In view of the Commonwealth of Virginia's vital interest in Dulles' future, I believe it can play a similar role in the promotion of Dulles as a key hub airport providing service between Virginia, the Nation, and the world.

But there is another equally important benefit that would result from this legislation; one which goes beyond the successful utilization of an economic resource and the improvement of this country's air traffic system. The 1980 elections were a mandate for a reduction in the size of Federal Government and an increase in State and local influence over those resources closest to the people. In his inaugural address, President Reagan reaffirmed this mandate when he said:

It is my intention to curb the size and influence of the Federal Establishment and to demand recognition of the distinction between the powers granted to the Federal Government and those reserved to the States and to the people.

Mr. Speaker, I believe that the transfer of control over the operation of a major airport is in total harmony with this principle.

I would like to again emphasize the fact that this legislation does not bind either the Secretary or the Commonwealth of Virginia to a leasing arrangement, but instead provides them with the opportunity to work together to determine what is best for Dulles Airport. I urge my colleagues to lend it their full support.

□ 1320

## WOMEN'S RIGHTS DAY

(Mrs. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SMITH of Nebraska. Mr. Speaker, today is Women's Rights Day. The idea behind Women's Rights Day is to provide a constructive program which enables American women to reaffirm their commitment to women's issues.

In my mind, one of the most important women's issues is that of economic security for elderly women. Because women outlive men by an average of 7.8 years, the majority of older Americans are female.

Considering only their numerical dominance, the needs of older women merit attention. In addition, there are significant differences between older women and men that indicate the need for special attention to the particular situations in which so many older women live.

Large numbers of older women are widows and many live alone. Many of these women do not know how the Federal tax laws discriminate against them until they become widowed. The economic problems for women upon the death of the husband are often devastating. Income from the husband's employment, upon which the wife may be dependent, is lost. The financial resources of the couple may have been greatly diminished or totally exhausted by the high cost of the husband's final illness and death. And, if the wife inherits property from her husband, she may be forced to pay confiscatory taxes on that property.

Mr. Speaker, I have introduced legislation, H.R. 917, to establish a long-deserved measure of equity between spouses in our Federal estate tax laws. Under current law, if a husband and wife hold property in joint tenancy and the husband dies first, the estate value of the property is assumed to be that of the husband and is subject to estate taxes.

The wife is forced to prove that over her lifetime she personally has contributed money or money's worth to the estate. Most wives cannot produce canceled checks with their names on them or mortgage receipts.

It is not right that the wife, especially the farm wife, who works all her life alongside her husband to build an estate should have to prove that she has contributed to its formation.

The estate tax affects not only farmers and small business owners but also millions of working Americans who have accumulated a modest estate over a lifetime. My bill seeks to make changes that would give due recognition to the contribution each spouse makes in building a family's business or savings.

The bill permits a husband to leave an unlimited amount of property to his wife and deduct the value of this property from the total value of the estate.

The key to allowing widows to keep the small business or family farm is to structure the estate tax in such a way as to provide liquidity for these operations so that estate tax does not cause their forced sale.

My bill seeks to achieve this result by raising the level of the estate tax exclusion to $500,000 by 1985 and by revising the deferred payment provisions in the estate tax law.

My bill recognizes once and for all the importance of a working spouse in a family enterprise. By providing for an unlimited marital deduction, the proposal establishes a long deserved measure of equality between spouses.

## TAX CUTS MUST BE LINKED TO SPENDING REDUCTIONS

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PANETTA. Mr. Speaker, next week President Reagan is expected to propose to the Congress a far-reaching economic recovery program. Two of the primary features of that program will be a major tax cut and a package of spending reductions to be incorporated in a reconciliation bill. I think most of the Congress would agree that a targeted tax cut is necessary at this time to help revitalize the economy. And there is certainly agreement on the need to enact significant spending cuts. But today we are receiving mixed signals from the administration as to the necessity of actually linking a tax cut with spending reductions.

The American people have let it be known without much doubt that they see a balanced Federal budget as one of the primary tools in the fight against inflation. Indeed, a recent New York Times/CBS News poll indicates that 70 percent of the people would prefer a balanced budget to a large tax cut. Most economists, too, agree upon a balanced budget as an important economic goal for the Nation.

The Congressional Budget Office tells us that we are already looking at a combined budget deficit for fiscal years 1981 and 1982 of $88.6 billion. Frankly, that is probably a low estimate. With the need to move toward a balanced budget so clear, I don't believe the American people will accept any action that moves the 2-year-deficit figure well beyond the $100 billion range.

Given these facts, I am very concerned about the contrary views being expressed by some members of the administration. In particular, Treasury Secretary Regan's statements in recent days suggest that he believes tax cuts should precede spending reductions. Yet the tax proposal to be introduced by the administration is likely to reduce revenues, and raise the deficit, by at least $30 billion and probably a great deal more over the next several years.

I believe we must link any tax cut to spending reductions in order to avoid an increase in the Federal deficit. In addition, I do not think the tax cut should exceed the spending reductions that are enacted. This is the only way to insure that we stay on the course toward a balanced budget.

Despite Secretary Regan's statements, it seems to me that the President and Dave Stockman, Director of the Office of Management and Budget, do support linkage of spending and tax cuts. President Reagan stated very clearly in his first press conference that a tax cut must be combined with spending cuts. And Mr. Stockman has also said that the tax and spending cuts will be an integral part of the same package.

I agree with this intent to link spending and tax reductions, but I think the House of Representatives has to make a clear statement that it will only consider these packages to-

gether, or, as Mr. Stockman puts it, as an integral part of the same package.

Therefore, I am introducing today a resolution expressing the sense of the House that the two packages should be combined. Specifically, my resolution establishes the goal of requiring that any tax bill with the effect of reducing revenues that is reported out of the Ways and Means Committee in the months ahead should be made a part of the first budget reconciliation bill of this Congress. In addition, the resolution states that the revenue loss from the tax bill should not exceed the spending reductions contained in the legislation. While this resolution would not be binding on the Congress, I intend to work in the Budget Committee and on the floor of the House to combine the tax cut with a reconciliation bill and to prevent the tax cut from surpassing the spending reductions in the bill.

Mr. Speaker, it is imperative that our Nation not retreat in the fight against inflation. Only a steady drive toward a balanced budget will help us bring about the economic stability that the American people so desperately need. Paul Volcker, the Chairman of the Federal Reserve Board, has cited the dangers of enacting tax cuts without completing action on the necessary spending reductions. My resolution will help to prevent the Congress from taking any precipitate action that could result in massive deficits, a new dose of inflation, and even higher interest rates. I hope that my colleagues will join me in sponsoring this vital proposal.

Following is the text of my resolution:

H. RES. 55

Resolution expressing the sense of the House that all internal revenue bills providing a decrease in revenues to the Treasury should be made part of the first reconciliation bill of the 97th Congress, and that the aggregate revenue loss from such revenue bills should be limited to the aggregate net spending reductions under such reconciliation bill

Whereas one of the primary goals of the American people today is to restore economic stability to the Nation;

Whereas the President, a majority of Congress, economists, and the people agree that reducing the Federal deficit is one of the vital tools for achieving economic stability;

Whereas the projected budget deficit over the next two years is approaching $100 billion;

Whereas the Congress is being asked to enact a major tax cut proposal which could increase the budget deficit by at least $30 billion in the next two years; and

Whereas the vast majority of the American people believe that tax reductions should not be made without comparable spending reductions: Now, therefore, be it

*Resolved,* That it is the sense of the House of Representatives that—

(1) all internal revenue bills—

(A) which are reported from the Committee on Ways and Means during the 97th Congress and before the first reconciliation bill is reported from the Committee on the Budget during the 97th Congress, and

(B) which result in a decrease in revenues to the treasury,

should be made part of such reconciliation bill, and

(2) the aggregate revenue loss from such revenue bills shall not exceed the aggregate net spending reductions under such reconciliation bill.

## THE SOVIET GRAIN EMBARGO

The SPEAKER. Under a previous order of the House, the gentleman from Kansas (Mr. JEFFRIES) is recognized for 15 minutes.

Mr. JEFFRIES. Mr. Speaker, a special order was called yesterday to discuss the embargo on sales of U.S. grain to the Soviet Union. More specifically, this time was set aside with the thought in mind that the embargo should not be lifted.

Mr. Speaker, I disagree. The embargo should be lifted immediately. It has failed in its purpose of punishing the Soviets for invading Afghanistan. Instead, it has succeeded primarily as a means of punishing American farmers. It is as if we slapped ourselves in the face and said, "Take that, Soviet Union."

The time has come to end this charade and to provide relief to our farmers.

Let me review for a minute this hapless embargo.

On January 4, 1980, in response to the Soviet invasion of Afghanistan, President Carter canceled contracts for the sale of 17 million tons of U.S. corn, wheat, and soybeans to the Soviet Union. On January 2, 1981, President Carter officially extended the embargo on grain shipments for another year. In addition to canceling the 17 million metric tons of grain sales, the administration also suspended the sale of grain sorghum, seeds, soybean meal, meat, poultry, dairy products, and some animal fats. Later the sale of several fertilizers was halted as well.

This embargo has clearly caused harmful uncertainty and confusion. Objectives were clouded by changing policies during the first year of the embargo regarding what was and was not allowed to be sold to the Soviets by U.S. companies. The effectiveness of the embargo was obliterated after President Carter allowed the delivery of 8 million metric tons of U.S. grain which he felt was obligated under the 1975 United States-Soviet grain agreement. The decision to ship this load of grain seriously affected the impact of the embargo, as it added a loophole which helped neutralize the embargo's effectiveness.

Another event which led to the lack of credibility associated with the embargo was President Carter's decision on June 20—without lifting the embargo—to allow the grain companies' subsidiaries to sell non-U.S. grain to the Soviet Union. This determination threatened to destroy the effect of the partial embargo, weaken the administration's objectives, and produce the impression that the embargo was no longer a reality and that it should be terminated.

One key question is in connection with the amount of grain the Soviets have been able to buy from other suppliers. Many of the leading grain producing countries were tempted by the high prices offered by the Soviets, and have gone ahead and sold more than their usual amount of grain to them. To meet these new demands, they drew down surplus stocks in 1980 to meet Soviet needs. In addition, they diverted grain from the traditional customers to the Soviet Union and thus restructured the world trade patterns in doing so.

While there has indeed been some distortion in the Soviet economy due to the embargo, the Soviets have, by and large, been able to obtain most of the grain they need. Instead, repercussions of the embargo have been felt principally by the American farmer. Leaving the question of duration unclear has had a negative impact on the farmer, as it has created uncertainty about the market conditions over the next year. Farmer's reactions to the producer held reserve program, which was heavily utilized to offset the embargo's effects, have been negative for chiefly two reasons. First, they felt a sense of humiliation in taking their grain off the market in return for a loan from the Government, and second, they would rather sell the grain to the Government at parity prices or prices that would provide the farm sector with real purchasing power. In fact, many farmers believe the only effect of the embargo has been lower farm prices.

With these factors and events in mind, I believe it is clear the grain embargo has proven to be more of an economic problem for our country than for the Soviet Union. It is also clear that we failed in our objective. The Soviets are still in Afghanistan.

Rather than embargo grain or boycott Olympics, perhaps a more effective solution would have been to provide arms and aid to the Afghani rebels, much as the Soviets supplied the North Vietnamese invaders of South Vietnam. But in any event, continuance of the present embargo is an exercise of futility. It should be abandoned promptly.

## WOMEN'S RIGHTS DAY

The SPEAKER pro tempore (Mr. SMITH of Iowa). Under a previous order of the House, the gentleman from Nebraska, (Mr. DAUB) is recognized for 5 minutes.

● Mr. DAUB. Mr. Speaker, on this fourth day of February 1981, we recognize Women's Rights Day to pay tribute to the women of America. Never before in our Nation's history have women attained the degree of equality that now exists. However, though women have choices today that were virtually nonexistent only 10 years ago, barriers still exist.

This is an appropriate time to ask my colleagues to join me in addressing the significant problems still confronting women—problems such as assuring equal pay for equal work; obtaining the equal credit that is guaranteed by law; making certain adequate child care is available to the working mother; reforming the income tax that penalizes those families where both spouses must work. As Members of the 97th Congress, we can and must address these and many other of the serious problems that are impeding women from their full participation and contribution to society.

Mr. Speaker, the women's movement has raised our consciousness, furthered individual opportunity, and changed our way of life. I am proud to ask the entire House today to join in honoring and encouraging the women of America in their progress toward equality.●

## PRODUCTIVITY AND PROFITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. BEDELL) is recognized for 5 minutes.

● Mr. BEDELL. Mr. Speaker, a number of major American companies currently are engaged in a great shell game with their shareholders and the American public. They are paying out dividends with cash they do not have, and they are jeopardizing the long-term health of our economy for the short-term benefit of a few.

Last September 15, in the CONGRESSIONAL RECORD, I noted that much of the debate over the decline in industrial productivity in this country has been misdirected. The problem, I contended, stems in large part from the fixation many corporate managers seem to have on short-term profits instead of long-term growth. With more and more of the capital assets of America controlled by large institutional investors, management increasingly is concerned with current payouts, rather than reinvestment in modernization and research.

A classic illustration of this point can be found by looking at our ailing auto industry. For example, last year the General Motors Corp. suffered a loss of over three-quarters of a billion dollars and had negative discretionary cash flow of almost $5 billion. Nevertheless, the company continues to issue its quarterly dividends.

Last week, a CBS news special on the Japanese auto industry included an interview with Masaga Hanai, chairman of the board of Toyota. Asked why, in his opinion, the U.S. auto industry was falling behind its Japanese competitors, he responded:

> In this respect, it would seem that the management people in the United States are too busy with the pursuit of the short-term profits or with the need to satisfy shareholders eager for dividends. That is, they take less care about yearly investments needed to make profits in the future.

Mr. Hanai is not speaking only of GM, of course. In 1980, Ford Motor Co. showed record losses of almost $1½ billion. Yet they, too, managed to keep up their quarterly dividend payment without interruption. Ford's treasurer, John Sagan, recently gave this explanation for why they did not withhold a dividend and reinvest the money in the firm:

> We certainly would want to think of ourselves as being an investment quality company that provides a return to the owners of the business. If you drop the dividend entirely, you obviously don't have investment quality.

The editors of Business Week magazine view the situation from a somewhat different perspective, however. In an editorial in the February 9 issue of Business Week, they offer this observation:

> The auto industry is in trouble primarily because the managers of U.S. (auto) companies played for huge short-term profits rather than long-term strength.

This brings us to the point that the pressure of seeking immediate returns has replaced concern for the long-term health of an enterprise in the minds of today's investors who, increasingly, are the asset managers for banks, pension funds, mutual funds, and so forth. Necessary reinvestment in productive assets and technological innovation may be sacrificed, but that does not seem to disturb these institutional investors.

The auto industry is not alone in this practice of paying out dividends when it should be husbanding its cash for reinvestment. An article in the February 2 issue of Forbes magazine, entitled "Are More Chryslers in the Offing?" makes this point rather dramatically. Commenting on the recent trend by many blue chip companies toward short-term profit maximization instead of reinvestment for long-term growth, the Forbes article states:

> We're probably coming to the end of what could be called "The Time of the Bottom Line". For a long time now most corporate attention has been focused on the profit-and-loss statement, on earnings per share. But a company can show a very nice earnings per share and still go bankrupt. Penn Central is only one example. Chrysler Corp. showed a huge profit in 1976. A mask of profitability can easily be superimposed upon a mess of insolvency.

This is consistent with a theme that first surfaced last year at hearings conducted by the House Small Business Subcommittee on Antitrust, which I chaired. In the course of our study of conglomerate mergers and their effects, we found that much of the economic activity of some of our Nation's largest corporations—assets rearrangement, liquidation of profitable operations, mergers, acquisitions and divestitures—seems to be directed at maintaining a high stock price and sustaining the illusion of health and profitability. Unfortunately, it appears that these efforts increasingly are incompatible with the goals of increasing productivity and stimulating technological innovation.

Many feel that a principal reason for the trend away from an emphasis on long-term growth and productivity and toward short-term profit maximization can be traced to the various incentives now given to corporate management. The Forbes article notes:

> Emphasizing earnings while ignoring cash flow actually rewards companies for putting off needed capital investment. The smaller the depreciation charge, the higher the earnings. In turn, higher earnings produce better stock prices. Finally, the stock price is often reflected in a fatter pay check for the CEO. Is that one important reason for the notoriously low level of capital spending in the U.S.? CEO's are only human.

Witnesses who testified at the Antitrust Subcommittee's merger hearings also seemed to believe that when professional managers replace entrepreneurs in top leadership positions of American industry, the emphasis of economic activity tends to shift from long-term capital investment and research to short-term profit taking. Securities and Exchange Commission Chairman Harold Williams told the subcommittee that when mergers and acquisitions are concerned:

> The immediate results of a takeover are particularly attractive to a corporate executive who seeks the ego satisfaction, prestige, and remuneration associated with size and the appearance of growth.
>
> In contrast, the impact of investment spending on earnings, and the deferred nature of its rewards, may not seem to be of benefit to current managers or fit with their short-term horizon in office.

Finally, Mr. Speaker, I wish to return to the Forbes article I mentioned earlier. Forbes reports that the financial analysts at Kidder, Peabody reviewed 20 of the 30 companies on the Dow Jones industrial index, calculating cash flow positions and taking into account the effects of inflation and of historic depreciation schedules. They found that 14 of the 20 companies surveyed last year paid out dividends with cash that they did not have. Here, we are talking about more than just the automobile manufacturers.

United States Steel and Bethlehem Steel both have been closing plants and laying off large numbers of workers lately. Both somehow managed to

pay out dividends of $1.60 per share in 1980, despite the Kidder, Peabody estimate that they had a combined discretionary cash flow of negative $2 billion. United States Steel even announced an increase in its dividend rate last week.

International Harvester, a company that made news recently by forgiving more than $1 million in loans to its chief operating officers, had a negative discretionary cash flow of over $1 billion last year. Yet, Harvester paid a dividend of $1.20 on each share of common stock in 1980.

I urge my colleagues to consider this information and ponder its troubling implications for the long-term health and growth of our economy. For your use and information, I am inserting at this point in the RECORD a table of the data developed by Kidder, Peabody:

THE AWFUL TRUTH

The extent to which major corporations are neglecting their plant and equipment, and paying dividends with cash they don't have, becomes painfully clear by looking at cash flow.

Kidder, Peabody & Co. recently calculated cash flow numbers for 20 of the 30 companies that make up the Dow Jones Industrial Average. Although many people think of cash flow as a simple addition of pretax earnings and depreciation, Kidder goes a giant step further. It recalculates the depreciation figure to take into account the ravages of inflation on historical depreciation schedules.

With this adjustment, 11 of the 20 companies came out of Kidder's computer with negative distributable cash flow for 1980. (That's the number showing how much money a firm really has control over, to spend on either growth or dividends.) On a cumulative basis for 1975 to 1979, 8 of these firms showed negative distributable cash flow.

You'd think that companies with negative distributable cash flow wouldn't continue giving dividends. Not so. In fact, the discretionary cash flow figure—distributable cash flow minus dividends—shows that 14 of these firms were paying dividends in 1980 with cash that, by Kidder's hard test, they do not have.

Some firms, of course, may be letting their plants run down deliberately—in effect, liquidating those assets—preparing to move into new, more lucrative businesses. But such decisions in specific cases hardly explain away the broadly negative results of Kidder's calculations.

[In millions of dollars]

| Company | Net income (estimated) | Distributable cash flow | Discretionary cash flow |
|---|---|---|---|
| 1980 | | | |
| Alcoa | $445.0 | $58.3 | −$57.7 |
| American Brands | 389.0 | 184.3 | 42.1 |
| American Can | 95.7 | −165.7 | −225.5 |
| Bethlehem Steel | 95.0 | −399.2 | −469.2 |
| Du Pont | 670.0 | −35.3 | −455.3 |
| General Electric | 1,490.0 | 852.4 | 152.4 |
| General Foods | [1]262.0 | 133.8 | 23.9 |
| General Motors | −880.0 | −4,069.1 | −4,947.1 |
| Goodyear | 169.0 | −488.2 | −581.3 |
| Inco | 200.0 | −86.5 | −166.5 |
| IBM | 3,500.0 | 5,390.6 | 3,390.6 |
| International Harvester | [2]−397.3 | −948.9 | −1,030.9 |
| Johns-Manville | 73.2 | −51.2 | −119.2 |
| Merck | 431.0 | 293.8 | 113.8 |
| Owens-Illinois | 127.3 | 2.8 | −40.7 |

[In millions of dollars]—Continued

| Company | Net income (estimated) | Distributable cash flow | Discretionary cash flow |
|---|---|---|---|
| Procter & Gamble | [3]642.8 | 319.5 | 38.4 |
| Sears, Roebuck | [4]475.0 | −220.6 | −649.6 |
| Union Carbide | 885.3 | −154.4 | −360.4 |
| United States Steel | 353.0 | −1,333.7 | −1,472.7 |
| United Technologies | 390.0 | 96.4 | −79.6 |

[1] Year ending March 1981.
[2] As reported, year ending October 1980.
[3] As reported, year ending June 1980.
[4] Year ending January 1981.

[In millions of dollars]

| Company | Net income as reported | Distributable cash flow | Discretionary cash flow |
|---|---|---|---|
| 1975–79 (cumulative total) | | | |
| Alcoa | $1,221.1 | −$185.4 | −$493.9 |
| American Brands | 978.6 | 495.4 | −29.1 |
| American Can | 533.7 | −141.6 | −390.6 |
| Bethlehem Steel | 462.6 | −1,660.8 | −2,082.2 |
| Du Pont | 2,997.6 | 1,016.1 | −517.0 |
| General Electric | 5,345.8 | 3,396.6 | 906.8 |
| General Foods | 985.1 | 146.5 | −268.8 |
| General Motors | 13,894.1 | 5,393.5 | −2,127.6 |
| Goodyear | 861.7 | −1,144.4 | −1,445.3 |
| Inco | 646.3 | −515.6 | −986.6 |
| IBM | 13,229.3 | 19,500.5 | 11,972.1 |
| International Harvester | 1,085.1 | −170.8 | −475.1 |
| Johns-Manville | 430.6 | 46.5 | −140.7 |
| Merck | 1,451.1 | 1,056.2 | 446.2 |
| Owens-Illinois | 528.0 | −16.7 | −184.7 |
| Procter & Gamble | 2,285.5 | 1,455.2 | 425.4 |
| Sears, Roebuck | 3,786.6 | 1,272.5 | −437.0 |
| Union Carbide | 2,158.5 | 30.8 | −819.6 |
| United States Steel | 673.4 | −4,883.1 | −6,622.6 |
| United Technologies | 1,030.6 | 694.1 | 264.5 |

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## NATIONAL COIN WEEK RESOLUTION INTRODUCED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, today I have introduced a resolution that would authorize the President to issue a proclamation designating April 19 to April 25, 1981, as National Coin Week. I urge my colleagues in the House to join with me as cosponsors.

Millions of Americans in all parts of the country are coin collectors. Thousands of coin shops are scattered about in our towns and cities. The Americans who engage in this hobby help preserve valuable mementos of our Nation's past. Coins educate Americans of their history. Few Americans who have ever held a penny or a quarter in their hand can fail to know Lincoln and Washington.

Americans are very interested in coins and their Nation's coinage. Approximately one-half million Americans sent in orders last year to purchase silver dollars offered for sale by the General Services Administration, even though the prices begin at $45 per coin. Every year the mint sells millions of sets of uncirculated and proof coins, even though it does no advertising.

The theme for National Coin Week this year is "Coins: An Enduring Reflection of Man." Coins show the hopes and aspirations of the nations that issue them. All coins issued in the first days of our Republic displayed the head of Liberty, reflecting our newly won freedom and the Nation's determination to stay free. The appearance of the motto "In God We Trust" on 2-cent pieces in 1864 reflected the terrible strain of the Civil War and the Nation's reaffirmation of our faith in God.

National Coin Week has been celebrated every year for the past 57 years. This year, local coin clubs will put on exhibitions and educational displays throughout the country. Many of these displays will highlight topics of interest to the community where the clubs are located.

Mr. Speaker, National Coin Week is a celebration worthy of recognition by the Congress. I hope all Members will join me as cosponsors to this resolution.●

## DOMESTIC VIOLENCE PREVENTION AND SERVICES ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Ms. MIKULSKI) is recognized for 5 minutes.

● Ms. MIKULSKI. Mr. Speaker, today is a proud day for me. It is a day when women have come to the Capitol from all over the country to talk about the unfinished agenda awaiting the Congress and the President. And it is a day when I am reintroducing one of the most important parts of that agenda—the Domestic Violence Prevention and Services Act.

This desperately needed legislation passed the House twice in the 96th Congress by virtual 3 to 1 margins. Were it not for a threatened filibuster in the last days of the Congress by a small group of rightwing Senators, this bill would now be law.

As a result, thousands of women who live in terror of their lives still have no place to go. The longer enactment of this legislation has to wait, the greater financial hardship shelters find themselves in, and the more the need grows for their services. Wife-beating is a national epidemic, and we must take this modest first step if we are to begin making a dent in the problem.

Opponents have claimed this legislation represents Government interference in the family. Yet, the greatest threat to the health of the American family comes from violence—and this bill, with its emphasis on voluntarism and the values that have made America great, will actually serve to strengthen the family.

Opponents have claimed that this legislation will be an additional, unnecessary Government expense. Yet, this fiscally responsible bill represents only two one-hundred-thousandths of the total budget. The administration

has announced that stopping terrorism and violence is one of its top priorities—but if we don't start ending terrorism in the home, how are we ever going to stop it in the world? Surely, there is no more important priority for Government than this.

We must say that no longer will the woman who has to flee her home in the middle of the night in fear of her life and that of her unborn child, get to the shelter to find the doors have been closed because there was no money to pay the rent. We must say that no longer will the policeman be killed because he had to answer a family disturbance call. We must say that no longer will grandfather have to submit to physical and mental torture in silence and anguish. And we must say that no longer will the narrow, misnamed forces of reaction, representing only a few, thwart the will of the people.

So today, I call on my colleagues to join with Congressman GEORGE MILLER; Congresswoman LINDY BOGGS; a broad range of church, police, legal, labor, business, and women's groups; and myself in cosponsoring the Domestic Violence Prevention and Services Act, and working to insure its passage. I can think of no legislation for which there is a greater, more urgent need—and one in which we can do so much for so many at such little expense.●

## EXPORT TRADING COMPANY ACT OF 1981

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LAFALCE) is recognized for 20 minutes.

● Mr. LAFALCE. Mr. Speaker, amid all the genuine concern over Federal budget deficits, there is another deficit which is equally as alarming. During the past 4 years, this country has amassed an estimated $147.1 billion in trade deficits; and that distressing pattern could very well continue throughout the 1980's, unless drastic action is taken.

One avenue for that drastic action could be restrictions on imports, but recourse to trade protectionism would be very ill-advised and would be exceedingly counterproductive in the end. If this country established tariff barriers against the goods and services of other countries, those countries would swiftly retaliate; and the end result would be relentless trade wars. The last example of worldwide trade wars helped deepen and prolong the Great Depression and helped lay the groundwork for the Second World War.

The other avenue for that drastic action is positive and effective encouragement for U.S. exports of goods and services. Today, I, my distinguished colleague from Florida (Mr. GIBBONS), and my distinguished colleague from Mississippi (Mr. HINSON) are introducing the Export Trading Company Act of 1981. A very similar bill received the unanimous endorsement of the Senate last fall, and a companion bill has already been introduced this year in the Senate with 54 cosponsors.

Mr. Speaker, this bill is not a panacea for this country's trade deficits, but it is a necessary first step toward increasing U.S. exports and reducing the chronic trade deficit. The purpose of this bill is to facilitate the formation and operation of U.S. export trading companies and the expansion of U.S. export trading services. At the present time, many small businesses, medium-sized companies, and smaller agricultural cooperatives do not export, despite the fact that their goods and services would be very competitive in world markets. The major reason for that failure is the lack of experience in world trade and the lack of access to financial, technical, and informational services.

The Department of Commerce has conservatively estimated that there are at least 20,000 small- and medium-sized firms that could be exporting but are not doing so. This bill would help correct that lamentable situation by creating viable entities which could provide the vital types of assistance in the private sector of the economy. Without that assistance, the United States will continue to neglect billions of dollars in potential export business, because small- and medium-sized corporations cannot afford the costs and risks associated with developing opportunities to market their goods and services abroad.

Title I of this bill would: First, increase the financial leverage of all exporters by directing the U.S. Export-Import Bank to develop an improved guarantee program to back commercial loans to U.S. exporters; second, direct the Secretary of Commerce to promote export trading companies by providing information about those companies to U.S. producers; third, permit financial institutions to make limited and strictly regulated investments in export trading companies; fourth, authorize additional appropriations to the Small Business Administration and the Economic Development Administration for increased loans and loan guarantees for export trading companies.

Title II would amend the Webb-Pomerene Act of 1918 to clarify the antitrust provisions applicable to export trade associations and export trading companies. It would also establish a reasonable certification process which would enable these associations and companies to obtain antitrust preclearance for specified export trade operations. That provision would facilitate exports by allowing companies to determine in advance which export trade activities would be exempt from antitrust suits and which would not be. The existing provisions of the Webb-Pomerene Act have long been an irritant to U.S. exporters, because of conflicting interpretations of its provisions.

I believe that the most important provision of this bill is its approval for participation in export trading companies by financial institutions. Without that participation, an export trading company bill would be little more than a sense-of-Congress resolution.

At the present time there are three basic legislative prohibitions against investments in export trading companies by financial institutions. First, the Edge Act prohibits an Edge Act corporation from investing in any corporation "engaged in the general business of buying or selling goods, ware, merchandise or commodities in the United States." Second, the Glass-Steagall Act generally prohibits a National or State bank from acquiring for its own account "any shares of stock of any corporation." Third, the Bank Holding Company Act generally prohibits a bank holding company from engaging in nonbanking activities or from owning or controlling shares of any company that is not a bank.

The Export Trading Company Act would override those specific prohibitions, but only in the case of export trading companies. I want to emphasize that this would otherwise leave intact the general prohibitions. I also want to emphasize that this would not establish a new precedent. For example, the Small Business Investment Corporation Act of 1958 allowed financial institutions to become financially and corporately involved in the area of small business because of a compelling need for capital for small businesses. Export trading companies are a very similar case to small business investment corporations.

The Export Trading Company Act contains strict provisions to insure that bank involvement in these companies does not lead to conflicts of interest, unsound banking procedures, or unfair methods of competition.

As a further safeguard, the Comptroller of the Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board would be authorized to strictly regulate financial institutions which participate in export trading companies. Investments by financial institutions could not exceed 5 percent of the institution's capital, and all controlling investments and all investments over $10 million would be subject to prior approval and conditions imposed by the respective Federal bank regulatory agency.

Mr. Speaker, I believe that these restrictions will effectively protect the fiduciary integrity of banks, bank holding companies, and Edge corporations, while permitting them to provide suitable assistance to export trading companies. This would not only help increase U.S. exports, but it would also allow U.S. financial institutions to compete on a more equal basis with their foreign counterparts. At the present time, foreign banks do control trading companies, as, for example, Barclays Bank, Ltd., which owns a trading company in this country.

I realize that these provisions constitute a conscious change of historical policy of separating banking from commerce; but I also realize that the inadequate rate of U.S. exports demands such a dramatic departure under carefully controlled conditions.

As I stated earlier, this bill is not presented as a panacea for this country's international trade problems. However, it would be an important first step toward solving those problems and eliminating the trade deficit. I hope that all of my colleagues will join with me to support this worthy bill.●

## PRIVATE PENSION SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. FERRARO) is recognized for 10 minutes.

● Ms. FERRARO. Mr. Speaker, today I am introducing legislation to remedy some of the inequities and inadequacies women face under the private pension system. My bill will amend the Internal Revenue Code and the Employee Retirement Income Security Act (ERISA) to provide greater protection to women under private pension plans. Although the private pension system is regulated by the Federal Government under ERISA, there remain inequities that women, in particular, face.

Private pensions are an integral part of the retirement income system for workers in this country. According to a recent study by the President's Commission on Pension Policy, however, only 42 percent of the private sector employees in this country were covered by a pension plan in 1979. For women workers, the figure is even lower—around 32 percent. And, of course, being covered by a pension plan does not guarantee a benefit at retirement. Because of typical career patterns for women, it is less likely that a woman covered by a pension plan will ever be vested than it is that a man will reach vesting. Furthermore, current pension laws offer scant protection for the rights of women to survivor annuities from pension plans contributed to by their husbands. The pension is viewed as the property of the worker, and the contribution of his spouse to his career is virtually ignored.

The importance of insuring equitable pension benefits cannot be overstated. As the Commission noted, individuals who receive pension benefits are significantly better off at retirement than those who do not—so much so that the existence of one pension benefit often was the difference between poverty and nonpoverty. With unmarried women comprising 72 percent of the elderly poor, the time has come to remedy the private pension system so that it responds to these women's needs and recognizes their contributions.

The legislation I am introducing proposes practical, inexpensive solutions to some of the most serious problems women face in the private pension system. For example, although women's labor force participation rates are increasing, those participation rates are still highest for women aged 18 to 24. Under current Federal pension law, however, a person cannot participate in a pension plan until age 25. While workers are eligible for coverage retroactive to age 22 if they remain with the same employer until age 25, this policy frequently leaves women workers without pension protection for a major portion of their careers. My bill lowers the minimum age requirement from 25 to 21 to allow these women—and all workers—to participate in a pension plan continuously from age 21.

Working women also suffer under the current breaks-in-service rules. Despite the increased incidence of women working, women are still responsible for the maintenance of their families, especially the rearing of children. These family responsibilities tend to interrupt a woman's working life. Therefore, I am proposing that a parent should receive vesting, benefit, and participation accrual credits for a 1-year approved maternity or paternity leave, as is currently the case with military service.

As spouses, women also face many barriers to receiving survivor's benefits. The notion that the pension is the property of the worker alone has contributed to the lack of financial protection many widows experience. The President's Commission on Pension Policy viewed pensions as the property of the family and recognized the woman as wife, mother, and homemaker to the earning of the pension. I have proposed four changes to make the law recognize these contributions.

First, my bill will require that survivor protection be automatic for married spouses unless the spouse consents in writing to waive the option. This waiver must be either notarized or witnessed by a plan representative. Currently, participants may elect out of a joint and survivor option without notifying their spouse.

Second, my bill provides that survivors of employees who die before retirement with a vested benefit will receive the survivors benefit to which they would have been entitled if the employee died after retirement. Under current law, survivor benefits can be denied a spouse if the participant dies before retirement.

Current law also provides that if an employee dies from nonaccidental causes within 2 years of electing a joint and survivor option, the survivor option can be withdrawn. My bill eliminates this provision and guarantees that a pension that has been earned is paid to the survivor.

Finally, my bill provides that pension benefits can be assigned to divorced spouses upon order of a divorce court. ERISA currently contains language prohibiting assignment of benefits to anyone other than the participant. My bill would amend this prohibition to allow State divorce courts to assign a portion of pension benefits earned during a marriage to a spouse as part of a settlement.

In addition to the amendments to ERISA, I am proposing two amendments to the current law regarding individual retirement accounts (IRA's). As inflation rages on, more and more Americans are finding themselves financially strapped during their retirement years. I am proposing that a married individual with no income or with an income lower than that of his or her spouse be allowed to use the spouse's income to calculate the amount the individual could contribute to an IRA. As another means of encouraging people to save for their retirement, I am proposing that alimony payments be included in a person's total income for purposes of determining their maximum allowable contribution to an IRA.

Mr. Speaker, this bill is a practical, cost-effective approach to some of the problems women face under the private pension system. In a time when the incentive to prepare for retirement is overshadowed by the realities of inflation and economic hardship, we must make all reasonable efforts to help people achieve financial security for their retirement.●

## THE PAUL VOLCKER RETIREMENT ACT OF 1981

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. DORGAN) is recognized for 5 minutes.

● Mr. DORGAN of North Dakota. Mr. Speaker, when an elected official does not measure up to the expectations of his or her constituents, that official finds himself or herself out of office after the next election.

And when the head of a private business leads that business into losses, the business head is removed.

Performance and accountability go together.

Yet the Chairman of the Federal Reserve Board, the individual in this Nation who is most responsible for one-half our economic policy—our monetary policy—is not accountable to anyone. No matter how much hardship the Fed's policies inflict upon the American people, the President and Congress can do virtually nothing about it.

Today, I am proposing that we change that. I am introducing a very simple measure which would enable the Congress, by a three-fifths vote of each House, to remove the Fed Chairman from that office.

Mr. Speaker, the high interest policies over which the current Fed Chairman, Mr. Paul Volcker, has presided, have been a disaster for the American people. They have brought an epidemic of small business bankruptcies, scorched the auto and homebuilding industries, burdened farmers with 45 percent more interest payments than they had 1 year ago, increased the Federal deficit, worsened inflation and generally have made life miserable for millions of Americans.

The lawmakers who wrote the Federal Reserve Act in 1913 never intended for the Fed and its Chairman to have this kind of power. President Woodrow Wilson, who guided the act through Congress and signed the act, warned that—

> The contol of the system of banking and of (issuing money) * * * must be vested in the Government itself so that the banks may be the instruments, not the masters, of individual initiative and enterprise.

Mr. Speaker, I propose that we take President Wilson's advice.

We need a long and hard debate over the structure and policies of the Federal Reserve System. My bill is intended to sharpen this debate.

The extension of my remarks explains the Paul Volcker Retirement Act and the reasons for it, in more detail.

Thank you, Mr. Speaker.●

## ANNIVERSARY OF THE UKRAINIAN DECLARATION OF INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 5 minutes.

● Mr. ADDABBO. Mr. Speaker, it is with great pleasure that this body today commemorates with all Ukrainians the 63d anniversary of the Ukrainian Declaration of Independence and Self-Determination.

In taking the time to acknowledge this important date in history, we are celebrating the strength, wisdom, and character of the Ukrainian people, a people who have courageously maintained their individual and collective identities in the face of Soviet oppression. Indicative of their spirit, the more the Soviet Union takes steps to suppress their cultural, historical, and intellectual traditions, the stronger all Ukrainians have become.

As we observe the Ukrainian anniversary of independence, we must take the time to remember that it was the Ukraine to be the first nation to fall into the grasp of Soviet imperialism, an imperialism which has been characterized by broken promises in countless treaties signed in good faith by numerous nations. It is an imperialism which has been continuously seeking to expand the sphere of influence of the Soviet Union, and in most recent months, into Afghanistan and possibly in the future, well into the Persian Gulf. The United States must continue to demonstrate its role as the champion of all free people of the world, but more importantly, it must continue to support the people of the Ukraine and all other people who live under Soviet oppression, in their goals for political as well as religious freedom.

With all this in mind, we join the Ukrainian people in paying homage to their never ending goal of freedom, human rights, and the true national independence of the Ukraine.●

## RECOGNIZING SRI LANKA'S NATIONAL DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. FOLEY) is recognized for 5 minutes.

● Mr. FOLEY. Mr. Speaker, I have the pleasure to rise today, February 4, to recognize the National Day of Sri Lanka. Today marks the 33d anniversary of Sri Lanka's nationhood. It also represents the third year in office for His Excellency, J. R. Jayewardene, the First Executive President of Sri Lanka.

Sri Lanka's success in meeting basic human needs, and recognizing fundamental human liberties, stands as an example within the community of developing and developed nations alike. Life expectancy and literacy remain remarkably high, as does the index which measures the quality of life overall.

This nation has been subject to many of the difficulties which are normally associated with the transition to independence from European dominance. Its economy has labored under the usual disadvantages of an undue dependence on a small number of commodities, which are vulnerable to abrupt price shifts in the international market. However, through an innovative economic development plan which involves agricultural self-sufficiency, energy independence, and the attraction of foreign investment for industrial development, Sri Lanka is facing up to these problems.

For the richly diverse and independent country of Sri Lanka, today will be a day when the past is reviewed with pride, and the future anticipated with confidence. Our two countries have enjoyed a long and happy relationship. I have every hope and expectation that they will continue to do so in the upcoming years. It is a pleasure to extend my congratulations to the entire country of Sri Lanka on this important date.●

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. BROWN of Colorado) to revise and extend his remarks and include extraneous material:)

Mr. DAUB, for 5 minutes, today.

(The following Members (at the request of Mr. MOAKLEY) to revise and extend their remarks and include extraneous material:)

Mr. BEDELL, for 5 minutes, today.
Mr. GONZALEZ, for 15 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Ms. MIKULSKI, for 5 minutes, today.
Mr. LAFALCE, for 20 minutes, today.
Ms. FERRARO, for 10 minutes, today.
Mr. DORGAN of North Dakota, for 5 minutes, today.
Mr. ADDABBO, for 5 minutes, today.
Mr. FOLEY, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MOAKLEY) and to include extraneous matter:)

Ms. MIKULSKI.
Mr. ZEFERETTI.
Mr. MONTGOMERY.
Mr. FLORIO.
Mr. NOWAK.
Mr. FORD of Michigan.
Mr. NATCHER in two instances.
Mr. HAMILTON.
Mr. DYSON.
Mr. MAVROULES.
Mr. VENTO in two instances.
Mr. YATRON.
Mr. PEPPER.
Mr. LUNDINE in two instances.
Mr. LAFALCE.
Mr. DORGAN of North Dakota.
Mr. BEILENSON.
Mr. FOUNTAIN in two instances.
Mr. APPLEGATE.
Mr. MOAKLEY in two instances.
Mr. HAWKINS.
Mr. LANTOS.

Mr. McDONALD in five instances.
Mr. WEISS in 15 instances.
Mr. WON PAT.
(The following Members (at the request of Mr. BROWN of Colorado) and to include extraneous matter:)
Mr. HINSON.
Mr. GRISHAM.
Mr. MOORHEAD.
Mr. MCCLOSKEY in two instances.
Mr. PORTER.
Mr. GREEN.
Mr. WOLF.
Mr. ROUSSELOT in three instances.
Mr. GILMAN.
Mr. FINDLEY in two instances.
Mr. DERWINSKI in three instances.
Mr. KINDNESS.
Mr. SMITH of New Jersey in three instances.
Mr. COLLINS of Texas.
Mr. FIEDLER.
Mr. BEREUTER in two instances.
Mr. RUDD in three instances.
Mr. HANSEN of Idaho in three instances.
Mr. HYDE.
Mr. MCCLORY.

## ADJOURNMENT

Mr. MOAKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 32 minutes p.m.), the House adjourned until tomorrow, Thursday, February 5, 1981, at 11 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

464. A letter from the Acting Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics), transmitting a report on the performance of Defense Department commercial and industrial-type functions, pursuant to section 502(c) of Public Law 96-342; to the Committee on Armed Services.

465. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a report reviewing economic relations between the United States and Taiwan in 1980, pursuant to section 12(d) of Public Law 96-8; to the Committee on Foreign Affairs.

466. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

467. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on NASA's disposal of foreign excess property during fiscal year 1980, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

468. A letter from the Clerk, U.S. Court of Claims, transmitting a certified copy of the court's judgment order No. 363, The Lower Sioux Indian Community in Minnesota against The United States; to the Committee on Interior and Insular Affairs.

469. A letter from the Acting Commissioner, Immigration and Nationalization Service, Department of Justice, transmitting copies of orders suspending deportation under the authority of section 244(a)(1) of the Immigration and Nationality Act, together with a list of the persons involved, pursuant to section 244(c) of the act; to the Committee on the Judiciary.

470. A letter from the Acting Commissioner, Immigration and Nationalization Service, Department of Justice, transmitting a copy of the order suspending deportation under the authority of section 244(a)(2) of the Immigration and Nationality Act, pursuant to section 244(c) of the act; to the Committee on the Judiciary.

471. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting a report on the North Atlantic Treaty Organization's Acquisition and Cross-Servicing Agreement, for fiscal year 1981, pursuant to section 2330 of 10 U.S.C.; jointly, to the Committees on Armed Services and Foreign Affairs.

472. A letter from the Comptroller General of the United States, transmitting a report on the performance of fiscal intermediaries in processing claims and providing other services under the Department of Defense's civilian health and medical program of the Uniformed Services (HRD-81-38, Feb. 2, 1981); jointly, to the Committees on Government Operations and Armed Services.

473. A letter from the Comptroller General of the United States, transmitting a report on accounting changes that are needed in the Railroad industry (AFMD-81-26, Feb. 4, 1981); jointly, to the Committees on Government Operations and Energy and Commerce.

474. A letter from the Comptroller General of the United States, transmitting a report to the Secretary of Health and Human Services to improve the identification and monitoring of assets of Supplemental Security Income Recipients (HRD-81-4, Feb. 4, 1981); to the Committees on Government Operations and Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 54. Resolution providing for the consideration of H.R. 1553. A bill to provide for a temporary increase in the public debt limit (Rept. No. 97-2). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BREAUX (for himself and Mr. FORSYTHE):

H.R. 1638. A bill to provide for the control of illegally taken fish and wildlife, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORRADA:

H.R. 1639. A bill to authorize the Secretary of the Army, acting through the Chief of Engineers, to carry out a project along the Martin Pena Canal in the area of San Juan, Puerto Rico; to the Committee on Public Works and Transportation.

By Mr. DORGAN of North Dakota:

H.R. 1640. A bill to amend the Federal Reserve Act to provide that the Chairman of the Board of Governors of the Federal Reserve System may be removed from such position by the adoption of a concurrent resolution by a three-fifths vote of both Houses of the Congress; to the Committee on Banking, Finance and Urban Affairs.

By Ms. FERRARO:

H.R. 1641. A bill to amend the Internal Revenue Code of 1954 and the Employee Retirement Income Security Act of 1974 to provide greater protection to women under private pension plans; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. FITHIAN:

H.R. 1642. A bill to amend the Internal Revenue Code of 1954 to provide estate and gift tax equity for family enterprises, and for other purposes; to the Committee on Ways and Means.

By Mr. GRISHAM:

H.R. 1643. A bill to prohibit the use of Federal housing assistance with respect to certain aliens; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HANCE (for himself, Mr. PICKLE, and Mr. LOEFFLER):

H.R. 1644. A bill to repeal the crude oil windfall profit tax; to the Committee on Ways and Means.

By Mr. HANCE:

H.R. 1645. A bill to terminate the Department of Energy; jointly, to the Committees on Government Operations and Rules.

By Mr. HAWKINS:

H.R. 1646. A bill to extend the authorization of youth training and employment programs and improve such programs, to authorize intensive and remedial education programs for youth, and for other purposes; to the Committee on Education and Labor.

By Mr. KINDNESS (for himself and Mr. SAM B. HALL, JR.):

H.R. 1647. A bill to revise title 18 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. LAFALCE (for himself, Mr. GIBBONS, and Mr. HINSON):

H.R. 1648. A bill to encourage exports by facilitating the formation and operation of export trading companies, export trade associations, and the expansion of export trade services generally; jointly, to the Committees on Foreign Affairs, Banking, Finance and Urban Affairs, and the Judiciary.

By Mr. LUNGREN (for himself and Mr. MAZZOLI):

H.R. 1649. A bill to amend title 28 of the United States Code to provide for reassignment of certain Federal cases upon request of a party; to the Committee on the Judiciary.

By Mr. LUNGREN (for himself, Mr. BADHAM, Mr. DANNEMEYER, Mr. RAILSBACK, Mr. BURGENER, Mr. BUTLER, Mr. DERWINSKI, and Mr. WHITEHURST):

H.R. 1650. A bill to amend the Immigration and Nationality Act to establish a program to permit nationals of Mexico to enter the United States to perform temporary services or labor; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself, Mr. MILLER of California, and Mrs. BOGGS):

H.R. 1651. A bill to provide for Federal support and encouragement of State, local, and community activities to prevent domestic violence and assist victims of domestic violence, to provide for coordination of Federal programs and activities relating to domestic violence, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of California:

H.R. 1652. A bill to amend the Clean Air Act; to the Committee on Energy and Commerce.

By Mr. NEAL:

H.R. 1653. A bill to amend the Federal Reserve Act to control the growth of the money supply and promote stable prices, reasonable interest rates, and maximum employment; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1654. A bill to provide that the interest rate on federally insured mortgages under section 203(b) of the National Housing Act shall be the rate charged for uninsured mortgages; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1655. A bill to limit the acquisition and use of motor vehicles; to the Committee on Government Operations.

H.R. 1656. A bill to increase the rates of duty on certain tobacco and to prohibit the payment of substitution drawback with respect to imports of such tobacco; to the Committee on Ways and Means.

By Mr. NOWAK:

H.R. 1657. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit States to pay extended benefits on the basis of area triggers; to the Committee on Ways and Means.

By Mr. PEASE:

H.R. 1658. A bill to establish a procedure, in addition to impeachment, for the removal of certain members of the judiciary of the United States whose conduct is or has been inconsistent with the good behavior required by article III, section 1 of the Constitution of the United States, to establish additional procedures for the retirement of certain disabled members of the judiciary of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. RUDD:

H.R. 1659. A bill to enhance U.S. intelligence-collecting capabilities by prohibiting the unauthorized disclosure of information concerning individuals engaged or assisting in foreign intelligence or counterintelligence activities, and for other purposes; jointly, to the Committees on Intelligence, Post Office and Civil Service, and Veterans' Affairs.

By Mr. RUDD (for himself, Mr. BEVILL, Mr. DANIEL B. CRANE, Mr. JEFFRIES, Mr. LOTT, Mr. MOLLOHAN, and Mr. MOTTL):

H.R. 1660. A bill to repeal the Metric Conversion Act of 1975 (89 Stat. 1007; 15 U.S.C. 205a et seq.); to the Committee on Science and Technology.

By Mr. VANDER JAGT:

H.R. 1661. A bill to amend title II of the Social Security Act to provide that child's insurance benefits may not be paid to a stepchild on the basis of an insured individual's wage record for any period in which such individual neither has custody of the child nor is responsible for his or her support; to the Committee on Ways and Means.

By Mr. WEISS (for himself, Mrs. CHISHOLM, Mr. MILLER of California, Mr. GIBBONS, Mr. MOFFETT, Mr. RICHMOND, Mrs. SCHROEDER, Mr. WALGREN, and Mr. DIXON):

H.R. 1662. A bill to require certain information be provided to individuals who take standardized educational admission tests, and for other purposes; to the Committee on Education and Labor.

By Mr. WEISS (for himself, Mr. ADDABBO, Mr. CORRADA, Mr. SHAMANSKY, Mr. RICHMOND, Mr. SOLARZ, Mr. RINALDO, Mr. VENTO, Mr. MITCHELL of Maryland, Mr. WALGREN, Mr. SCHEUER, Mr. KILDEE, Mr. YATRON, Mr. PRICE, Mr. HOWARD, Mr. GUARINI, Mr. SIMON, Mr. ROE, and Mr. TRAXLER):

H.R. 1663. A bill to establish an office in the National Institutes of Health to assist in the development of drugs for diseases and conditions of low incidence; to the Committee on Energy and Commerce.

By Mr. WOLF (for himself, Mr. WAMPLER, Mr. ROBINSON, Mr. TRIBLE, and Mr. BLILEY):

H.R. 1664. A bill to direct the Secretary of Transportation to enter into negotiations with the State of Virginia to lease Dulles International Airport to the State of Virginia, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. YOUNG of Florida:

H.R. 1665. A bill to amend title 10 of the United States Code in order to provide that no veteran may be denied care or treatment under the CHAMPUS program for any service-connected disability solely because care or treatment for such disability is available at Veterans' Administration medical facilities; to the Committee on Armed Services.

H.R. 1666. A bill to terminate age discrimination in employment; to the Committee on Education and Labor.

H.R. 1667. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and Labor.

H.R. 1668. A bill to require public disclosure by certain recipients of Federal funds of information required to be kept by such recipients as a condition of receiving such funds; to the Committee on Government Operations.

H.R. 1669. A bill to require candidates for Federal elective office to resign any elective public office the term of which ends after the beginning of the term of such Federal office before filing in the general election for such Federal office; to the Committee on House Administration.

H.R. 1670. A bill to amend section 700 of title 18, United States Code, relating to desecration of the flag of the United States; to the Committee on the Judiciary.

H.R. 1671. A bill to regulate lobbying and related activities; to the Committee on the Judiciary.

H.R. 1672. A bill to amend the Marine Mammal Protection Act of 1972 in order to prohibit the issuance of general permits thereunder which authorize the taking of marine mammals in connection with commercial fishing operations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1673. A bill to provide that pay adjustments for Members of Congress may take effect no earlier than the beginning of the Congress next following the Congress in which they are approved; to the Committee on Post Office and Civil Service.

H.R. 1674. A bill to eliminate automatic cost-of-living pay adjustments for Members of Congress; to the Committee on Post Office and Civil Service.

H.R. 1675. A bill to amend title 38, United States Code, to provide that remarriage of the widow of a veteran after age 60 shall not result in termination of dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 1676. A bill to amend the Internal Revenue Code of 1954 to provide income tax incentives for the modification of certain facilities and vehicles so as to remove architectural and transportational barriers to the handicapped and elderly; to the Committee on Ways and Means.

H.R. 1677. A bill to amend title II of the Social Security Act to reaffirm the fact that benefits payable thereunder are exempt from all taxation; to the Committee on Ways and Means.

H.R. 1678. A bill to amend title 5 of the United States Code to establish a uniform procedure for congressional review of agency rules which may be contrary to law or inconsistent with congressional intent, to expand opportunities for public participation in agency rulemaking, and for other purposes; jointly, to the Committees on the Judiciary and Rules.

H.R. 1679. A bill to require the Secretary of Transportation to prescribe regulations requiring certain modes of public transportation in interstate commerce to reserve some seating capacity for passengers who do not smoke; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

H.R. 1680. A bill to amend title XVI of the Social Security Act to provide that certain aliens may not qualify for supplemental security income benefits unless they not only are permanent residents of the United States but have also continuously resided in the United States for a period of 5 years, and to provide that an alien may not be admitted to the United States unless a citizen of the United States agrees to provide support to such alien for a period of 5 years after admission, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. ANNUNZIO (for himself and Mr. BAILEY of Pennsylvania):

H.J. Res. 160. Joint resolution to provide for the designation of April 19 to April 25, 1981, as "National Coin Week"; to the Committees on Post Office and Civil Service.

By Mr. PHILLIP BURTON (for himself, Mr. WON PAT, Mr. DE LUGO, and Mr. SUNIA):

H.J. Res. 161. Joint resolution proposing an amendment to the Constitution of the United States to provide a Presidential vote for the insular areas; to the Committee on the Judiciary.

By Ms. MIKULSKI:

H.J. Res. 162. Joint resolution designating the week beginning March 8, 1981, as "Women's History Week"; to the Committee on Post Office and Civil Service.

By Mr. WON PAT:

H.J. Res. 163. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.J. Res. 164. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 165. Joint resolution proposing an amendment to the Constitution of the United States to provide that Members of Congress who have been convicted of a felony and who have exhausted all judicial appellate procedures shall cease to hold office; to the Committee on the Judiciary.

H. Con. Res. 56. Concurrent resolution calling for full freedom and independence for the Baltic States; to the Committee on Foreign Affairs.

H. Con. Res. 57. Concurrent resolution expressing the sense of the Congress that the United States should seek, through diplomatic channels, the withdrawal of certain personnel of the Soviet Union from Estonia, Latvia, and Lithuania and the release by the Soviet Union of political prisoners of Estonian, Latvian, and Lithuanian descent; to the Committee on Foreign Affairs.

By Mr. PANETTA:

H. Res. 55. Resolution expressing the sense of the House that all internal revenue bills providing a decrease in revenues to the Treasury should be made part of the first reconciliation bill of the 97th Congress, and that the aggregate revenue loss from such revenue bills should be limited to the aggregate net spending reductions under such reconciliation bill; to the Committee on Ways and Means.

By Mr. BOLLING (for himself and Mr. QUILLEN):

H. Res. 56. Resolution to provide for the expenses of investigations and studies to be conducted by the Committee on Rules; to the Committee on House Administration.

By Mr. YOUNG of Florida:

H. Res. 57. Resolution to reaffirm the use of our national motto on coins and currency; to the Committee on Banking, Finance and Urban Affairs.

H. Res. 58. Resolution to reaffirm the use of the phrase, "Under God," in the Pledge of Allegiance to the flag of the United States; to the Committee on Post Office and Civil Service.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. YOUNG of Florida:

H.R. 1681. A bill for the relief of Andre Bartholo Eubanks; to the Committee on the Judiciary.

H.R. 1682. A bill for the relief of Dr. Virgilio Follosco Floresca and Thelma Pulido Floresca; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. CHAPPELL.

H.R. 55: Mr. EDWARDS of Alabama.

H.R. 146: Mr. DUNN.

H.R. 374: Mr. RICHMOND, Mr. BOLAND, Mr. MOAKLEY, Mr. YATES, Mr. ADDABBO, Mr. FAUNTROY, Mr. MARKEY, Mr. PEPPER, Mr. BARNES, Mr. NOWAK, Mr. DORNAN of California, Mr. MILLER of California, Mr. ST GERMAIN, Mr. ROSENTHAL, Mr. JACOBS, Mr. OTTINGER, Mr. BEARD, Mr. STARK, Mr. CLAY, Mr. BINGHAM, Mr. WEISS, Mr. JOHN L. BURTON, Mr. HOLLENBECK, Mr. EDWARDS of California, Mr. MCKINNEY, Ms. MIKULSKI, Mr. KEMP, Mr. COLLINS of Texas, Mr. WAXMAN, Mr. GRAY, Mr. PANETTA, Mr. GRISHAM, Mr. EDGAR, Mr. REUSS, Mr. YOUNG of Missouri, Mr. MINISH, Mr. DIXON, Mr. RATCHFORD, Mr. MITCHELL of Maryland, and Mr. MINETA.

H.R. 1003: Mr. TAYLOR, Mr. BROWN of Ohio, Mr. MITCHELL of New York, Mr. GUYER, and Mr. HINSON.

H. Con. Res. 43: Mr. RALPH M. HALL, Mr. HINSON, Mr. MCDADE, Mr. HOWARD, Mr. MARRIOTT, Mr. HANSEN of Idaho, Mr. FAUNTROY, Mrs. FENWICK, Mr. DUNCAN, Mr. LAGOMARSINO, Mr. WHITEHURST, Mr. LUNGREN, Mr. WINN, Mr. BOWEN, and Mr. ROSE.

H. Res. 13: Mr. LAGOMARSINO, Mr. ADDABBO, Mr. ROE, Mr. BARNARD, Mr. HYDE, Mr. CONYERS, Mr. CORRADA, Mr. ANDREWS, Mr. SCHUMER, Mr. WINN, Mr. SOLARZ, and Mr. JAMES K. COYNE.

H. Res. 50: Mr. HOLLENBECK, Mr. OBERSTAR, Mrs. COLLINS of Illinois, Mr. TRAXLER, Mr. WEISS, Mr. LAFALCE, Mr. CLAY, Mr. KASTENMEIER, Mr. RANGEL, Mr. HOWARD, and Mr. NOWAK.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

23. The SPEAKER presented a petition of the city council, Philadelphia, Pa., relative to an urban development action grant application; which was referred to the Committee on Banking, Finance and Urban Affairs.

# EXTENSIONS OF REMARKS

## DEFENSE ECONOMIC ADJUSTMENT ACT

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, a formidable obstacle to effective arms control initiatives is the belief that cutbacks in defense spending will cause serious economic dislocation in communities. The cause of world peace and mutual disarmament is hindered by such fears that the conversion of military facilities to peaceful purposes will result in significant job losses and industrial disruption.

To counter these claims and to facilitate a smooth transition from unnecessary defense activity to essential human service production, I recently introduced the Defense Economic Adjustment Act. This legislation lays out a sound and reasonable method of encouraging arms limitation and promoting both economic expansion and, with it, the national welfare.

My bill would provide economic assistance to those communities, industries, and workers affected by significant reductions in defense expenditures. The legislation would create a Defense Economic Adjustment Council in the Executive Office of the President and would establish an economic adjustment trust fund to finance conversion of defense facilities to peaceful production. Alternative use committees would be formed under the bill to undertake careful economic planning and research in affected communities. Workers displaced by reductions in defense contracts would receive financial assistance and employment training by this bill.

The Defense Economic Adjustment Act is an essential step toward a more secure world and a more prosperous United States. I urge my colleagues to join me in supporting this effort to accomplish the urgent goals of arms limitation and socially and economically beneficial production.●

## ON RACIAL AND RELIGIOUS BIGOTRY

### HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. ROUSSELOT. Mr. Speaker, as I am sure you know, our country in recent months has been suffering from a resurgence of racial and religious bigotry, vandalism, and crime.

In my own district, in the San Gabriel Valley suburbs of Los Angeles, several acts of anti-Semitic vandalism and destruction have taken place in the past few months.

Nazi swastikas and anti-Semitic graffiti have desecrated synagogues, Jewish-owned businesses, and homes. Temple Beth David, of Temple City in my district, suffered extensive and tragic destruction in an arson fire during the Jewish festival of Hanukkah in December. Two self-professed members of the American Nazi Party have been arrested and are scheduled for trial for this horrible act.

Jews and gentiles alike are alarmed by these and other desecrations of houses of worship, Jewish institutions and Jewish cemeteries. Public officials, clergymen and leaders of other ethnic and religious groups have shown their outrage as well.

America is the greatest country in the world because she has blended the genius and talent of the many peoples who have made up the mosaic of our Nation. Only in a free republic can this happen successfully. And freedom of the expression of religious beliefs is a part of that mosaic. We cannot allow racial and religious hatred to destroy what we have in America.

It is time that we, as elected representatives, provide significant leadership for our country by speaking out in condemnation of this disturbing trend.

I urge my colleagues to review the following article that appeared in the Los Angeles Jewish Community Bulletin of the Jewish Federation-Council of Greater Los Angeles, Jan. 12, 1981:

A sharp increase in assaults and vandalism against Jewish institutions, houses of worship, cemeteries and private property occurred last year, compared to 1979, according to a nation-wide survey conducted by the Anti-Defamation League of B'nai B'rith.

The findings revealed 377 reported anti-Semitic incidents in 1980 as against 129 in '79. These included firebombings, swastika daubings, anti-Jewish graffiti and other acts of vandalism in 29 states and the District of Columbia.

The largest number of incidents—120—was reported from New York State, with 69 in New York City's five boroughs and 39 in Nassau and Suffolk counties. New Jersey came next with 69, Massachusetts with 34, California with 27, Michigan 21, Illinois and Rhode Island with 12 each.

In addition, there were 112 anti-Semitic incidents involving bodily assaults against Jews, harassments or threats by phone or mail directed at Jewish institutions, their officials or private Jewish citizens.

Mr. Speaker, I would also like to share with my colleagues a letter I sent to Rabbi Alan R. Lachtman after the demolition of the sanctuary in his Temple Beth David of the San Gabriel Valley:

I was appalled to learn that temples in my district in recent months have been defiled with swastikas on the synagogue walls, broken windows and other acts of violence. I am outraged at the recent demolishing of your sanctuary. It is not only shocking but it must be considered a malicious affront to the avowed precepts of our nation.

The Hispanic-Jewish Action Committee is to be commended for its immediate response to this act of racist and anti-Semitic activity. It is my understanding that a letter writing campaign has been launched by them to encourage citizens in the San Gabriel Valley to indicate their displeasure at the destruction of houses of worship.

I have read with pride the open letter to the community by Father Craig Cox, President of the Temple City Ministerial Association, pledging support to your temple and opening the doors of worship to the Jewish community until it once again has full use of its facilities.

This action is indeed an indication of the true Christian/Judeo brotherhood spirit. I join Father Cox and the Hispanic-Jewish Action Committee in letting our Jewish friends know that they have our support and concern during this period of crisis.●

## ALVIN NELSON LOSKAMP, A CIVIC LEADER

### HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. MOORHEAD. Mr. Speaker, there is an old Chinese proverb which suggests, "It is better to light a candle than to curse the darkness." An unfortunate aspect of the contemporary scene is that many of us seem to spend our time cursing the darkness rather than lighting candles.

This, however, is not the case with Alvin Nelson Loskamp, a civic leader and a source of civic pride in the city of Burbank. He is an achiever and an optimist. He is a man who gives of his time and energies and expertise. He chooses not to waste his time cursing darkness but instead seeks to light candles.

Since moving to Burbank in 1970, Mr. Loskamp has held numerous positions of leadership in the community. Most recently, he was the president of the Burbank Chamber of Commerce, on whose board of directors he served for 4 years.

He has also been president and a member of the Burbank Planning Board, the Burbank Bar Association, the YMCA, the Burbank Noon Lions

Club, and the alumni association of the Loyola Law School of Los Angeles. Further, he is a member of Phi Alpha Delta law fraternity and the Los Angeles Alumni Chapter Justice.

Within each of these organizations, he has made significant contributions. He has not stood still, complaining loudly, about the current condition. Rather, he has become involved deeply with his society. As a result, we have all benefited.●

## SOVIET JEWRY EFFORTS MUST CONTINUE

### HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. GREEN. Mr. Speaker, I am sure that all my colleagues are painfully aware of the harsh policies the Soviet Union has imposed on Soviet Jews wishing to emigrate. The number of people allowed to emigrate has declined and the treatment of those forced to stay has deteriorated. The recent issue of Currents, a monthly publication from the Greater New York Conference on Soviet Jewry, provides an interesting look at this problem. The article points out that even though 1980 was not a good year for Soviet Jews we must look forward; 1980 should not result in us giving up on our efforts. Instead, we must press ahead with greater fervor. I am sure that my colleagues will find this article quite useful and, as a result, I have included it in the RECORD.

TRENDS IN SOVIET JEWISH EMIGRATION

The dramatic decline in the number of Soviet Jews permitted to emigrate in 1980 was one facet of widespread Soviet crackdown on dissent. While Western attention focused on Afghanistan, the Persian Gulf, and Poland, the Soviet authorities sent Andrei Sakharov into internal exile, made sweeping arrests of Helsinki monitors and other "troublemakers" before the Moscow Olympics, created new procedural obstacles to Jewish emigration, and detained one of the leading Jewish activists, Viktor Brailovsky.

As 1981 begins, international tensions show no sign of easing, and the Soviets' internal crackdown shows no sign of abating. Between East and West, the level of competition has increased, the level of cooperation has decreased, and the spirit of accommodation has almost completely vanished. For Soviet Jews, the picture is now bleaker than it has been since the early 1970's, before the advent of detente.

However, the discouraging trends of 1980 should not overwhelm the positive accomplishments of the Soviet Jewry movement in the past ten years. In 1971, there was little expectation that a quarter of a million Jews would be permitted to leave the Soviet Union in the course of the decade. The combination of the politics of detente and the successful efforts of organizations such as the Greater New York Conference on Soviet Jewry to influence Western leaders by mobilizing broad-based, non-partisan, grassroots support demonstrated the ability of concerned Americans to influence Soviet policy. The frustrations of 1980 were greater because of the achievements of 1979. The lesson of 1980 must be that Western concern and Western pressure have to be even greater in 1981.

The urgency of the issue of Soviet Jewish emigration has not diminished. Regardless of the fluctuations in annual emigration totals, the Western world cannot rest while the right of any Jew to leave the Soviet Union is denied unreasonably. The West cannot simply accept decreased emigration as one of the by-products of the new "Cold War."

The right to leave one's country has been a recognized part of international law since the United Nations General Assembly adopted the Universal Declaration of Human Rights in 1948. As Nobel Peace Prize winner Andrei Sakharov stated in 1971: "The freedom to emigrate . . . is an essential condition of spiritual freedom. A free country cannot resemble a cage, even if it is gilded and supplied with material things."

Soviet authorities granted 58 percent fewer exit visas to Soviet Jews in 1980 than in 1979. New barriers in the emigration process caused this sharp decline. They include:

restricting eligibility of visa applicants by accepting Israeli invitations from first-degree relatives only;

arresting key emigration and culture activists to intimidate potential visa applicants;

closing OVIR offices frequently;

confiscating or delaying delivery of invitations;

insisting on typed documents accompanied by a notarized statement of parental approval of emigration;

varying regulations from city to city to confuse refusenik spokesmen.

These regulations have deterred many thousands of Soviet Jews from applying, have caused a substantial drop in requests for invitations and have significantly increased the number of refuseniks.●

## TRADE DEFICIT

### HON. JON HINSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. HINSON. Mr. Speaker, the United States is on the threshold of recording the largest annual trade deficit in its history. To reverse the unfavorable trend of the last few years, a national export policy to reestablish the competitiveness of U.S. businessmen in international markets is essential. Legislation to facilitate and promote the formation of export trading companies and associations would provide one vital element of such a policy. I am pleased today to join with my colleagues Mr. LAFALCE of New York and Mr. GIBBONS of Florida in introducing the export trading company bill, legislation which revises laws and policies, particularly in the banking and antitrust areas, which have discouraged the establishment of export trading companies.

Our competitive position in world markets is at stake. There is a critical need to convince businessmen and the public that the country needs to export to maintain our standard of living. Companies that export increase employment opportunities in the United States, reduce the trade deficit, and add to the value of the dollar. Opportunities for more sales of U.S.-made products and services should be created. The world market for goods and services is growing—faster than our own domestic market—and we should be more involved in it rather than seeking to reduce our involvement in it.

The Commerce Department reports that only 10 percent of the 250,000 U.S. manufacturing firms export their products and that total U.S. exports account for the lowest percentage of gross national product of any industrialized nation. Also 95 percent of U.S. manufacturing firms are small- or medium-sized companies which employ less than 1,000 persons.

Our success in global competition is determined not just by the resources and efforts of individual enterprises, but also by the entire structure of our business system and the framework of laws and policies in which businesses operate. The purpose of this bill is to strengthen the international competitiveness of the United States by providing small- and medium-sized U.S. firms increased opportunities to export.

By authorizing the Export-Import Bank to provide financial assistance in the form of direct loans or loan guarantees to export trading companies and by authorizing the Department of Commerce and the Small Business Administration to provide startup and operating assistance to these companies, this legislation will remove a number of the structural obstacles and disincentives to exporting which are difficult for the independent firm to overcome.

By extending the antitrust provisions under the Webb-Pomerene Act to the export activities of export trading companies, as this legislation does, we can abate certain business uncertainties and enable export trading companies to establish a close relationship with domestic manufacturers to exploit the traditional U.S. strength in producing new and innovative products.

By allowing for participation in export trading companies by financial institutions, perhaps one of the most important features of this bill, U.S. banking organizations through their systems, skill, and experience will be able to provide one-stop export services to U.S. firms. Furthermore, by addressing entry and aggregate investment limitations, by establishing certain restrictions of banking organiza-

tion investors and ETC's, and by providing substantial regulatory flexibility to the Federal financial supervisory agencies to control investments by banking organizations in ETC's, the Export Trading Company Act insures the necessary safeguards against conflict of interest, unsound banking practices, or unfair methods of competition.

Increased exports sales would benefit the entire economy, and I urge support for this legislation which represents a positive step toward insuring our Nation's ability to earn its keep in world markets.●

## NATIONAL COMMISSION ON SOCIAL SECURITY FAVORS USING INCOME TAX TO PARTIALLY FINANCE SOCIAL SECURITY-MEDICARE SYSTEM

**HON. TED WEISS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, social security is one of our Nation's most important institutions.

In one form or another, it touches the lives of almost every American family.

More than 9 out of 10 persons 65 years or older either receive or are eligible to receive social security benefits.

About 115 million individuals work in social security covered employment. In return, they are building retirement, survivor, and disability protection for themselves and their families.

Social security, of course, is much more than just a retirement program for older Americans. In a very real sense, it is family security for younger and middle-aged workers, as well as their spouses and children.

These facts underscore the importance of social security. A program as large and as vital as social security must be built upon the soundest financial foundation. Social security must also continue to remain soundly conceived, equitable, and responsive to changing developments in our society.

A few weeks ago, the National Commission on Social Security submitted a summary of recommendations aimed at bolstering this vital system.

I am pleased that the Commission urged that general revenues should be used to finance one-half of the cost of medicare hospital insurance. I would hope that this would be only the first step toward greater general revenue financing of social security.

Partial general revenue financing for the social security-medicare system is a concept that I have long supported because: General revenues would make social security financing more progressive; the current payroll tax has clearly passed its limits of political acceptability; and general revenues would make it possible to ease the payroll tax burden both for employers and employees.

For these reasons, I plan to sponsor legislation during this Congress to provide partial general revenue financing for social security and medicare.

I am deeply concerned, however, about two Commission recommendations that would cut back social security protection. The first would raise the eligibility age for full social security benefits from 65 to 68 beginning in the year 2001. This proposal would have an especially harsh impact upon persons forced to take early retirement because they have exhausted their unemployment benefits or they have a disabling condition which may not meet the stringent requirements for social security benefits. It would be most harmful for minorities because of their shorter life expectancy. There are more effective and equitable alternatives to encourage people to work to more advanced ages than to raise the social security eligibility age. For example, the social security earnings limitation could be liberalized, the delayed retirement credit could be increased, or mandatory retirement could be abolished.

I am also opposed to the Commission recommendation to limit the social security cost-of-living adjustment to the lower of rising prices or wages. I favor taking strong steps to control inflation, but I believe that this can be achieved without thrusting the elderly into the front ranks as inflation fighters. Instead of calling for cutbacks in social security protection, we should explore options to improve their income position.

Nearly 400,000 persons 65 or older were added to the poverty rolls in 1979. This represents the largest increase for the elderly since poverty statistics were first tabulated nearly 20 years ago.

Poverty is, of course, a bare-bones existence under the Government's definition—less than $3,472 a year for a single aged person in 1979 and less than $4,364 for an elderly couple.

The Census Bureau poverty statistics for 1980 will not be known for several months. However, many experts are projecting another poverty increase for older Americans in 1980.

A recent article in the Washington Post provides an excellent description of the major recommendations of the National Commission on Social Security.

Mr. Speaker, I commend this article to my colleagues, which I include in the RECORD at this point.

[From the Washington Post, Jan. 13, 1981]

HILL ADVISERS SUGGEST USING INCOME TAX FOR SOCIAL SECURITY

(By Spencer Rich)

Congress' own special advisory committee on Social Security yesterday recommended a financing proposal that Congress has resisted for 45 years: using income tax revenues to help fund the Social Security system.

The National Commission on Social Security, set up by Congress in 1977, also proposed that the normal retirement age for benefits be raised from 65 to 68 gradually after the turn of the century.

In addition, it said that to save money in times of very high inflation, benefits should not automatically be increased exactly as much as the cost of living, as they are now. This concept and a retirement age increase have already been discussed on Capitol Hill as possible ways to cut system costs.

The commission said in its report to Congress yesterday that half of Medicare hospital costs should be financed from income tax revenues starting in 1983. It said that this, combined with a few benefit adjustments, would allow a slight decrease in scheduled payroll taxes and still keep the system on a sound financial footing for the next 40 years.

If half hospital costs under Medicare came from income tax revenues, the commission said, the overall Social Security payroll tax, which has just risen to 6.65 percent each on employers and employes and is scheduled to rise to 7.65 percent each in stages by 1990 and stay at that level, could be held slightly lower. The commission estimated that with help from income taxes, rates could range from 6.3 percent to about 7 percent at various times from 1990 to 2020. However, after 2024 it would have to go up to 9 percent each to maintain solvency.

The commission also made these recommendations to help strengthen the system:

Social security coverage should be made compulsory in 1982 for all federal, state and local government employes not now covered by any retirement system, and for the president, vice president, Cabinet members, Social Security commissioner and members of Congress and employes of nonprofit organizations. In 1985, all new government employes joining civil service should be included on a mandatory basis. But persons already in jobs covered by civil service retirement could stay in that program.

Congress should retain the rule that reduces benefits if the retiree earns more than $5,500 a year, but should grant a small tax credit to help compensate for benefits lost. The earnings limit has been criticized by some, including President-elect Ronald Reagan.

Congress should repeal reductions in disability benefits voted in the last Congress. It should write catastrophic insurance into Medicare, limiting total out-of-pocket health payments by a Medicare client to $2,000 a year.

Congress should boost the welfare payment for the aged, blind and disabled under the supplemental security income program, now $238 for a single person and $358 for a couple, by 25 percent, eliminate food stamps for this group and eliminate the assets test for benefits. It should also require all states to extend Medicaid to anyone with income under two-thirds of the poverty line or whose medical outlays reduced income to that level or lower.

## NO FEDERAL HOUSING FOR ILLEGAL ALIENS

### HON. WAYNE GRISHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. GRISHAM. Mr. Speaker, today I am introducing legislation to prohibit illegal aliens from receiving Federal housing assistance. Preliminary inquiries conducted by the General Accounting Office indicate that there are large numbers of illegal aliens currently receiving housing subsidies.

The extent of this problem was first revealed through GAO interviews with various resident managers of public housing projects in southern California. One manager of a 487-unit project estimated that illegal aliens comprised 36 percent of the population of the project. Another manager of a 685-unit project estimated that 100–125 units were occupied by illegal aliens.

The difficulty in obtaining hard facts as to the extent to which illegal aliens are taking advantage of public housing assistance is precisely the reason this problem exists at all. Unlike other Federal agencies which deliver subsidy programs, such as AFDC, SSI, medicaid, food stamps, and CETA, the Department of Housing and Urban Development lacks the statutory authority to inquire into the citizenship status of persons applying for Federal housing subsidies. As a result, no data concerning the occupancy of subsidized units by illegal aliens is maintained by public housing agencies, public housing managers, or HUD.

The clear purpose of the various Federal housing subsidy programs is to provide decent, safe, and sanitary housing to low-income families. Obviously, Federal housing assistance is in high demand. The long waiting lists for existing public housing units illustrate that many eligible persons are not currently receiving needed assistance. Given the limitations on the amount of funds available for Federal housing programs, I see no reason why assistance should be provided to illegal aliens to the detriment of otherwise eligible low-income families.

The bill I have introduced would correct this problem by amending section 214 of the Housing and Community Development Act of 1980. This legislation would prohibit the Secretary of HUD from making financial assistance available for the benefit of any alien unless he or she is a resident of the United States and is lawfully present in the United States. HUD programs affected by my bill include the United States Housing Act of 1937, which established both the traditional public housing and the section 8 rental housing assistance programs, sections 235 and 236 of the National Housing Act, and section 101 of the Housing and Urban Development Act of 1965. Section 214 currently limits only nonimmigrant student aliens from receiving the benefits of these programs.

Mr. Speaker, I urge my colleagues to join me in bringing the same limitations to our Federal housing assistance programs that already exist in other Federal subsidy programs. At the same time, we can insure that the benefits from these programs remain available to those who are most in need.●

## CRIMINAL CODE REVISION

### HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. KINDNESS. Mr. Speaker, over the last 10 years, the U.S. Congress has been grappling with the question of how our Federal criminal laws should be revised. There is clearly a need to rationalize the different types of conduct we define as criminal with appropriate penalties for that behavior, to more clearly delineate the respective law enforcement responsibilities of the Federal Government on the one hand and State and local governments on the other, and to bring some needed certainty to the sentencing process.

The 96th Congress made significant progress in this effort, with legislation being reported for the first time from the House Judiciary Committee. That legislation, H.R. 6915, was hailed not only for the amount of painstaking work that went into it but also for the balance it achieved between the legitimate needs of Federal law enforcement authorities and the protection of civil and constitutional rights.

Unfortunately, time ran out in the 96th Congress and so today I am introducing the same bill as reported from the House Judiciary Committee last year with the hope that we will pick up where we left off last year, making such corrections as are necessary and proceeding to enactment in this Congress.●

## THE MILITARY'S FATAL FLAWS

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. GINGRICH. Mr. Speaker, the failure of the American military in Vietnam, and the *Mayaguez*, and Iranian rescue missions tells us something: The U.S. military is not working.

It is not able to do what we have it for—fighting and winning wars. Clearly our survival requires finding out why.

Richard Gabriel's analysis, which follows, points us in the right direction. He argues that the military fails to meet its mission for three reasons.

First, the military's outlook has been distorted, narrowed, and made rigid by the cult of managerialism.

Second, the armed services substitute technological innovation for tactical and strategic thought.

Third, the current military ethos is a plodding stand-pat bureaucratism rather than an inventive and daring entrepreneurial search for American survival.

His short essay is powerful. I urge all my colleagues to look at the problem Richard Gabriel sees.

MILITARY DISPLAYS BAD FLAWS

(By Richard A. Gabriel)

American military forces have been committed to action three times since 1960—and each time they have failed us. The failures in military decision-making and execution in Vietnam are well known. Less publicized, but equally obvious, are the operational failures in the Mayaguez operation. And most recently, we have had the failure of the raid in Iran.

Perhaps military forces simply get out of practice between engagements. More likely, they develop bad habits born of bureaucratic self-interest and the pressure to build a successful career. Rather than accurately assessing the real conditions under which military forces must operate, our military men tend to accept courses of action which can advance their careers, please their political superiors, or protect their institutional interests. Of all this shortsightedness, the Iranian raid provides a classic example.

Only eight helicopters were launched from the Nimitz. Given the long distances they would have to fly, the failure to anticipate the rate of mechanical breakdowns—and the failure to compensate for them—was a major error in planning. The military's own experience with the RH-53 Sea Stallion should have warned them that mechanical failure would be a major consideration. In normal fleet operations, the RH-53 on the average is considered "mission capable" only 47 per cent of the time—and "fully mission capable" only 17 per cent of the time. Indeed, during the rehearsals for the raid two helicopters suffered mechanical failures. That the initial estimates of seven and then eight helicopters was accepted as adequate for the final plan was a mistake that doomed the mission from the start.

Another basic flaw was the manner in which the operation was rehearsed. It was both over-rehearsed, and not rehearsed enough. No less than 24 rehearsals were carried out prior to execution. But only four of those involved most elements of the force, and even these did not exercise all elements of the force. Some elements of the plan were rehearsed as many as 20 times—but never in conjunction with other elements. Thus the force became fragmented and isolated. Few members of the team knew more than their own narrow tasks, and even fewer has a grasp of the overall plan.

As a consequence, both cohesion and coordination of the force were placed at risk. The emphasis on compartmented rehearsal reduced the capacity of the force for innovation, flexibility and daring. When events turned out not to go exactly as planned, there was no ability to improvise. For exam-

ple, the need for six helicopters was predicated on the lift capacity required to extract the five hostage "packets" and the rescue force. Yet five helicopters would still have had sufficient lift capacity if the hostage packets were consolidated into four larger groups. Despite this, the plan called for six machines. When the "objective" conditions of the plan were not met, no thought was given to improvising by consolidating the packets. The way in which the mission plan was rehearsed produced a force rigidly tied and committed to an anticipated scenario so that its ability to deal with changing circumstances was lost.

The plan violated the principle of simplicity—especially in its reliance upon gimmickry, technical skills and non-military elements to compensate for a realistic assessment of battle conditions. While it is certainly true that any plan would have had to contain elements of the unconventional, the Iranian plan seemed particularly unrealistic in that some of its important elements ran contrary to basic military experience and design. The plan was far too complex. For example:

The requirement that the guards around the embassy compound not be killed but "neutralized" by technical means served no military purpose.

The packet plan was not justifiable in military terms and added another unnecessary risk.

The division of forces to rescue three high-ranking hostages in the foreign ministry put the larger mission in peril.

The assault force—chosen largely on the grounds that it would have been difficult to keep the infrastructure of a larger force secret in the planning stages—was too small to begin with.

The decision of the planners to refuel at Desert I with all aircraft engines running seems a foolish and needless risk to have run. The rationale for this decision—the fear that once shut down, some aircraft engines could not be restarted—was marginal, compared to the risks associated with refueling six helicopters; in the dead of night; with no lights; with their engines running; creating localized dust storms and severe air turbulence through which the helicopters would have to fly in order to refuel. Moreover, the noise of ten aircraft with their engines running must have been deafening. As events turned out, the failure to execute the refueling maneuver proved crucial.

SYSTEMS WITHOUT SENSE

Finally, the command and control structure of the plan violates basic military experience. In typical "system" fashion, the operation was conceived and assembled in components, each with its own commander. At Desert I there were no less than four commanders: the rescue force commander, the air group commander, the helicopter force commander, and the on-site commander. Incredibly, the Joint Task Force Commander was not on the ground with his elements; instead he was located aboard ship in the Persian Gulf. Direct radio links back to the White House divided command authority even further.

In short, no one with the actual team had overall operational control. No one had the ability or authority to innovate in the face of changing circumstances. And, as could be expected, no one assumed responsibility beyond his own narrow area specified in the plan. In these circumstances, rigid adherence to pre-arranged scenarios was the most likely course of action. It was also the one that was followed.

The Iranian rescue raid is a classic example of an operation planned and executed by a bureaucracy. It placed many military requirements second to others. It was over-officered, but under-focused in command responsibility. It was over-rehearsed, in systems fashion, to the point of inflexibility. As a result of the planners' excessive cloak of secrecy, there was no one left to critique the plan except those who formulated it. It relied far too heavily upon technological gimmicks. Finally, it rested heavily upon pre-agreed "objective" conditions to dictate decisions, and thus removed responsibility for failure from those who executed it.

One finds in the planning and execution of the Iranian rescue mission clear indicators of the glaring weaknesses that characterize much of American military planning and execution. For example:

The trend toward managerialism, toward the bureaucrat who follows prearranged rules and avoids judgment. Even the language of the plan reflected the tendency to avoid judgment and to "revalidate prior agreements" made by planners.

An excessive reliance upon technology and gimmicks as substitutes for assessing realistic battle conditions and costs. This reliance is further evidenced in such notions as "invisible paint" for our bombers or using the "aluminum bridge" to sustain forces in Europe.

An oversensitivity to institutional and civilian considerations, to the point where military expertise is compromised or ignored. It is increasingly difficult for the military to make its point in the planning process on the basis of evidence and its experience. Politics is primary.

A bureaucratic style of decisionmaking that neutralizes and discourages dissent by making it costly to the career of the dissenter once plans have gathered momentum within the bureaucracy. As a consequence, operational plans are often unrealistic but adopted anyway, because they are "acceptable" from the perspective of institutional interests.

A tendency toward overofficering any project, while at the same time limiting the judgment of officers by diffusing responsibility through pre-arranged agreements. This tendency toward "resource management" is a major characteristic of American military planning and execution.

All these shortcomings are to be found in one degree or another in the Iranian mission plan. That they should have been found in so small an operation suggests that they will certainly characterize any larger operations our military may have to undertake—probably with all too similar results. In this sense the failure of the Iranian raid was the logical consequence of a planning and execution style that needs serious reform.●

## THE ECONOMY

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, during the past 2 years, the rate of inflation has ranged between 12 and 13 percent, and over 7 percent of the work force has been unemployed. Clearly the economic stability of this Nation is in serious jeopardy.

Two effective methods of dealing with this double-barreled problem of high inflation and rising rates of unemployment are to increase Federal funding for domestic services, and impose mandatory controls on prices, wages, profits, rents, and interest rates.

Unfortunately, instead of advocating controls, and expanding budgets for health care, employment, and human service needs, the Carter administration and the Congress failed to enact wage and price controls and Federal funding in these areas has been drastically reduced.

A reduction in essential Federal spending will not substantially curb inflation. The Congressional Budget Office recently found that a reduction in the Federal budget of $20 billion would reduce the annual rate of inflation by only one-tenth of 1 percent. Difficult economic conditions will instead be aggravated not only for the people of New York, but all areas of the country which suffer under a staggering rate of inflation. Indeed, for each 1-percent increase in the rate of unemployment, the Congressional Budget Office estimates that Federal, State, and local expenditures will increase by over $44 billion.

A fair and strict administration of controls, which has worked well in the past, could help break the price spiral, and lessen the widening gap between wages and the cost of living. Every sector of the economy is being damaged by this continuing, overwhelming rate of inflation. Food and health costs are soaring, prices for other goods and services grow almost at the same rate, and the purchasing power of the dollar continues to decline. The National Center for Economic Alternatives estimates that the annual rate of inflation for necessities—food, shelter, medical care, and energy—is at 13.7 percent. And those who can afford the least, people with low, moderate, and fixed incomes, suffer the most.

During the 96th Congress, the President did respond by implementing a voluntary wage and price standard program, but these clearly did not work. Double-digit inflation has now become the norm.

The President must have the authority to impose mandatory controls. Only a mandatory system can reestablish economic equilibrium, and eliminate the newly popular practice of constantly raising interest rates.

Passage of the Budget Control Act in 1974 was heralded as an important step by the Congress to impose discipline in the budgetmaking process. In recent years, however, this new budget procedure has become increasingly rigid, with more and more power concentrated in the Budget Committee. And this is at the expense of other

committees, and the programs they authorize.

The Budget Control Act provides that the Congress must pass two budget resolutions which provide sufficient Federal funds to meet the needs of the populace.

Recent budget resolutions, however, have not met this goal. Their passage instead has been contingent upon an agreement for a balanced Federal budget, notwithstanding hefty increases in military spending. I support a balanced budget, and believe it could have a positive impact on inflation. I do not believe it is the great panacea for the economic problems of the Nation. Flexibility must be provided within these two resolutions to meet the current needs of the economy, and the people. The Federal Government must not be straitjacketed by a balanced budget which causes economic instability and human suffering.

In the 96th Congress, restricted by this demand for a balanced budget, reductions were made in social programs such as the manpower training program, CETA—the Comprehensive Employment and Training Act—school lunch programs, social security disability benefits, and others. As economic conditions deteriorated the need for these programs increased and additional funding should have instead been provided. Military outlays meanwhile increased $10 billion. Serious thought must be given to the effectiveness of the current process, and possible revision.

Initially, a realistic assessment must be made of Federal spending. One method is to adopt common accounting methods which are used by most State, city, and private industry spending plans. The Federal budget, unlike these other sectors, makes no distinction between capital outlays and operating expenses. Borrowing to pay for a capital project is a standard way of maintaining a physical plant, making additions, or improvements. But running a deficit to meet operating costs, such as salaries, and regular program expenses, is not sound fiscal policy. I have therefore introduced a bill to divide future budgets into capital and operating sections.

The 97th Congress, and the entire Nation, confront an enormous challenge. Can the Federal deficit be reduced without the impoverishment of social programs? Can the Federal budget be balanced and a tax cut accomplished this year? Finally, can economic stability be restored? These issues, and many others, which will determine the future of this Nation will be debated by the 97th Congress.●

## IN RECOGNITION OF MISS SANDY SHOEMAKER

### HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. FLORIO. Mr. Speaker, I would ask my colleagues to join with me today in recognizing the exemplary achievement of a constituent of mine, Miss Sandy Shoemaker, a ninth grade student at Pitman High School.

Miss Shoemaker has recently won an essay contest on the topic "What My Family Means to Me." These essays were submitted by students from a number of south Jersey school districts as part of the Festival for Families, an event sponsored by the Church of Jesus Christ of Latter-day Saints in connection with National Family Week.

At this time I would like to add my congratulations, as well as those of my colleagues, to Miss Shoemaker for her fine performance, and I insert her winning essay into the CONGRESSIONAL RECORD:

WHAT MY FAMILY MEANS TO ME

(By Sandy Shoemaker)

A family is a very important thing to a person whether he is an only child or has many brothers and sisters. A family can supply many things to a person. It can supply love and caring when needed.

It also supplies the necessities such as a house to live in, clothes to wear, and food to eat. A family makes it possible to travel places where a person and his friends cannot go alone. One can do different things with one's family.

My family is important and very special to me. I have five people in my family and all of them are special in many ways. My parents have put up with me and have taught me right from wrong.

Sometimes they can be over-protective and not let me do things most people my age do, but that just shows that they care what happens to me. From this concern I gain a feeling of security which affects me positively in life.

My parents raised me from an infant and they will care for me until I am old enough to set out in the world on my own. They have always taught me right from wrong and all of the other things I have to know about the world around me.

I also have two brothers and from them I gain a few things. The older of the two is 13 and I meet friends of his. I also make friends with their families.

My younger brother is seven and he reminds me what it is like to grow up and go through the learning process. He learns from all of us and we have fun with him. Even though we may fight at times, we still appreciate each other.

When we do things as a family, we have good times. We go walking and jeep riding in the woods, go out to dinner and vacation together. My dad knows all about the woods because he grew up learning about it.

Without my family I wouldn't have experienced as many pleasant things. But even more than that, I would have missed the chance to learn as much as I have from my family members.●

## THANKS, THEY MADE IT BACK

### HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DYSON. Mr. Speaker, much has been said of the return of the American hostages. Television and newspaper coverage of the event portrayed the incredible expression of the American people's concern for the safety and well-being of the hostages. The House is considering having congressional gold medals struck in honor of the hostages and we have also introduced a resolution expressing the thanks of the House to former President Carter, former Deputy Secretary of State Christopher, and the Government of Algeria. But, the greatest contributions that have been made to the country's expression of gratitude, both to the safe return of the hostages and to the former President, have been made by the many thousands of people here in the United States who joined in the celebration of the hostages safe return.

I insert into the RECORD an editorial by John Wilmer Cronin, in the January 21 Harford Democrat. Mr. Cronin's editorial is representative of the kind of responses that so many people in the First District of Maryland have felt, thanks to former President Carter's efforts:

THANKS, THEY MADE IT BACK

President Carter leaves the White House, perhaps with sadness in the hearts of many, who realized that he was an honest man, earnestly attempting to do what he could for a nation and the world. He met the challenge of a nation governed by religious fanatics who broke all of the traditions of civilized nations, entered the U.S. Embassy, placing all representatives and employees of the United States in the position of prisoners and hostages. President Carter was finally successful, although an hour or two after his presidency ended, in having the hostages released, without the use of force, which could have involved this country in a war, perhaps the most disastrous in which it had ever engaged.

Perhaps his program of diplomacy gave this country the excuse for placing our Navy and other limited forces in patrolling the Persian Gulf, where there still may be need for additional forces to defend our desperately needed supply of oil.

No doubt his continuous insistence on human rights in this country and throughout the world will be proven in history as one of his greatest contributions to the United States and the world.

In his farewell to the nation he emphasized three paramount issues with which America must continue to grapple in the years ahead—the threat of nuclear holocaust, the quality of the world in which we live; the need to persevere in insuring

human rights and equality for all, and above all else, he warned us against the increasing threat of "single-issue groups and special-interest organizations."●

## THE NEW ADMINISTRATION: THE CABINET AND THE INAUGURAL ADDRESS

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. HAMILTON. Mr. Speaker, I insert my Washington report for Wednesday, February 4, 1981, into the CONGRESSIONAL RECORD:

THE NEW ADMINISTRATION: THE CABINET AND THE INAUGURAL ADDRESS

My impression of the Reagan Cabinet is that it is an able, efficient, pragmatic, hard-working, and rather conventional group. It is overwhelmingly white, male, and professional. Each member possesses a solid reputation in his own field of endeavor. The cabinet is also "mainstream" Republican. Its two top-ranking members, Secretary of Defense Weinberger and Secretary of State Haig, are major figures from the Nixon Administration. Other key appointees of the administration are old and loyal friends of the President (Attorney General Smith), persons with appeal beyond Mr. Reagan's natural political base (Chief of Staff Baker), persons in tune with the President's conservative campaign rhetoric (Secretary of Interior Watt), a surprise selection (United Nations Ambassador Kirkpatrick, who is a Democrat), and an audacious one (Budget Director Stockman, who is young and strongly identified with specific views on the economy). These appointments show Mr. Reagan to be a balancer of interests within his party.

Like many of his predecessors, the President promises a revival of "cabinet government" in which the entire cabinet would be used as a sounding board when the time comes for critical decisions. It would function like a corporate board of directors, helping Mr. Reagan with the formulation of basic policy. Cabinet members would not be representatives of their traditional constituencies, nor would they run their departments independently. This concept of managing the executive branch has eventually been rejected by most Presidents, but each should be given the chance to organize and administer the bureaucracy in the manner he prefers. Cabinet members of experience and stature can be used beyond the areas of their respective departments, and they should be able to contribute to Mr. Reagan's judgment on important issues. I have some questions about the members of Mr. Reagan's economic team. They are not personally close to the President, and I am not sure how the team will function, where the responsibilities will fall, or who will emerge from it as Mr. Reagan's key economic advisers.

I believe that the President's principal White House aides (Messrs. Meese, Baker, and Deaver) will come to have extremely powerful positions in the Reagan Administration. Despite his emphasis on cabinet government, Mr. Reagan will rely on them more and more as his term in office progresses.

At this stage, no one knows how the cabinet will perform. By wanting its members to work as a team, Mr. Reagan is setting a high standard for it. The first steps of the new administration have been deliberate, even cautious. High posts in various departments remain to be filled. Budgetary revisions intended for congressional action are being delayed. The President seems to have decided that bold, forceful action need not be taken right away. He may change his mind later, but we will have to wait and see.

Many of us in Washington were struck by Mr. Reagan's detachment from the process of choosing the cabinet. In my view, it is important for the President to dispel any public perception of disengagement from any aspect of his administration. He must commit himself fully and vigorously to the task of governing. He must be, and be seen to be, firmly in control.

In an inaugural address remarkably free of rhetoric, Mr. Reagan dwelt on the same theme that elected him to office. He clearly hopes it will become the hallmark of his administration. To the President, the cause of America's ills is the size of the government. He wants to rein the government in and reduce its influence in American life, thereby giving a troubled nation hope that it can become as great as its citizens want it to be. Mr. Reagan rejects any suggestion that we are in an "era of limits" or that we are suffering from a "national malaise." He stresses the importance of robust economic growth. In the view of the President, America is a special nation where freedom has unleashed the genius of the people and resulted in great accomplishments. Although he frequently refers to President Roosevelt, Mr. Reagan does not accept the legacy of the New Deal—the idea that government must intervene to achieve justice and social progress for the people. His faith is that with private enterprise unshackled, America will experience an economic revival.

The expression of foreign policy in the speech was not belligerent. Rather, the President spoke of the need to rely on the moral strength of "free men and women." He wants America to serve freedom by example, not by imposition of doctrine. Mr. Reagan is very impressed by the heroism of ordinary Americans. In a passage that was particularly moving to me, he described that heroism as the source of American greatness. The President seeks to reverse what he sees as the vulnerability of the nation's defense and a policy of vacillation and retreat around the globe. He calls for a "margin of safety," not superiority, in America's strategic affairs.

During the inauguration there was a sense of optimism both in Washington and throughout the country. It was heightened by the release of the hostages. The inauguration was a time of renewed faith in ourselves and our nation. All of us know that our problems will not be solved quickly, but we take heart in Mr. Reagan's aspirations and wish him the very best.●

## IN TRIBUTE TO CARL T. NOLL

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

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. MONTGOMERY. Mr. Speaker, it was with great sadness that I learned of the death of Carl Noll, the head of the VA's National Cemetery System. Mr. Noll had served his Government faithfully, providing unique and invaluable assistance for servicemen, veterans, and their families during a 35-year period that spanned three major wars and armed conflicts.

Perhaps one of the most valuable assistance programs our Government can provide to those who have served in defense of our Nation is the right to an honorable and proper burial. In this final demonstration of respect we show our gratitude, not only for their service, but also our willingness to insure that that service and sacrifice will never be forgotten. During his career, Mr. Noll had served with the U.S. Army as a civilian directing programs and services which cared for the combat dead from World War II, Korea, and Vietnam. He joined the Veterans' Administration in 1973 when the National Cemetery System was transferred to the VA from the Department of the Army. He became Deputy Director to the Department of Memorial Affairs in 1975, and was named to the top position in 1977 as the Director of the 107 cemeteries within the system.

During his tenure, Mr. Noll was instrumental in the first expansion of the cemetery system in nearly a quarter of a century. Since 1973 seven new cemeteries have been added in a new regional design across the country. This expansion saw the development of 4,831 acres and an additional 2 million grave sites. It is a credit to Mr. Noll's skill as an administrator that this growth went forward on schedule and with the utmost attention to detail. It is also a testament to his outstanding management ability that he was able to maintain quality services at a time of shrinking budgets and personnel levels within his Department and the VA as a whole.

Mr. Noll came to Capitol Hill on a regular basis to testify on the status of the memorial affairs programs under his direction. As the former chairman of the House Veterans' Affairs Subcommittee on Compensation, Pension, Insurance, and Memorial Affairs, I can personally attest to his good judgment and sound advice.

Mr. Noll was a charter member of the Government Senior Executive Service, and among his many achievements and awards, he was a recipient last year of the President's Meritorious Rank Award. Earlier this year he received the Exceptional Service Award, the highest honor the VA can bestow. The Veterans' Administration and our Government will sorely miss a public servant of such quality. The Congress and the American people, especially the thousands of bereaved families he assisted throughout his career, will always be in his debt.●

## CURTAILING IMPORTS

### HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. ZEFERETTI. Mr. Speaker, one of the major factors contributing to our economic woes is the rising number of imports in many areas of manufacturing. This trend is particularly evident in America's textile and apparel industry. The textile and apparel trade, which is the largest of the Nation's manufacturing industries, is vital to the economy of the United States. Including the business related to the garment industry, nearly 3 million of our workers depend on the textile, apparel, and fiber trades for employment.

The doleful state of the apparel industry has been aggravated by tariff loopholes that reward the export of U.S. jobs and the exploitation of foreign labor. Technically known as items 806.30 and 807.00 of the Tariff Schedules of the United States, these provisions allow garments that are cut in the United States and assembled in another country to escape American import duties. These loopholes have cost at least 500,000 U.S. jobs directly. Indirectly these loopholes have been a forerunner for the transfer of production abroad, at additional loss of hundreds of thousands of jobs yearly. In the 11-year period from 1965 through 1976, the dollar volume of imported apparel entering the United States under these items increased a staggering 14,880 percent. During the same period the dollar volume of our own garment industry shipments increased by only 64 percent.

A company can qualify under item 807 by opening a small cutting room anywhere in the United States. The garments are cut, then shipped to, say, the Dominican Republic where workers are paid 30 cents an hour. They return as American goods. The Dominicans are exploited and Americans are put out of work.

Mr. Speaker, the immediate repeal of these items in our Tariff Schedules is in the best interests of both the worker whose job is in jeopardy and the consumer who pays exorbitant markups on foreign-made products. I have again introduced legislation which repeals items 806.30 and 807.00 to slow down the foreign assault on this crucial American industry. H.R. 660 would take the cheap profits out of the flight of jobs. It would eliminate our part in the exploitation of foreign workers. The result will mean more jobs for American workers, more production for American industry, and more strength for the American economy.●

## CONSUMER TIPS ON APPLYING FOR SOCIAL SECURITY RETIREMENT BENEFITS

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, social security is the economic mainstay for the vast majority of older Americans.

Nearly three out of four aged individuals who receive social security and more than one out of two similarly situated elderly couples depend upon social security for at least half of their support.

Many older Americans, however, experience problems when they apply for social security because they do not know what records to bring to their district office to establish their entitlement to benefits.

Some encounter delays in receiving their monthly benefits. Others actually lose payments because they wait too long to complete their applications.

Elderly persons can minimize these problems if they keep these pointers in mind.

First, those who want to receive benefits at an earlier age should apply about 3 months before retiring. The earliest age that a worker can receive retirement benefits is 62.

Second, it is usually wise to call the local social security office to find out what proof is necessary. People ordinarily make an application at a district office in their community. However, applications can be made by mail in some areas. If necessary, a social security representative can go to the applicant's home.

Third, retired workers should bring first, proof of age and second, their W-2 statement for the preceding year. If they were self-employed, they should bring their income tax return for the previous year, including schedules C and SE, and proof of payment of the self-employment tax if they received no Federal income tax refund.

An original or certified copy of a birth certificate is the best proof of age. Other evidence, though, is permissible if no birth certificate is available. Some examples include:

A baptismal certificate, preferably within 5 years of birth;

Insurance policies;

School, employment, or military records;

Marriage certificates; or

Voter registration cards.

Fourth, if a retired worker wants to provide benefits to an eligible spouse and children on his or her earnings records, it is necessary to provide documentation of the dependents' age and relationship.

Finally, Social Security usually needs about 6 to 8 weeks to process an application. A check ordinarily arrives the third day in the month following the benefit month. A check for June, for example, arrives on July 3.

People who follow these consumer tips can help to assure that their monthly checks are received in a timely manner.●

## TO SAVE A CHILD

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. SMITH of New Jersey. Mr. Speaker, recently a series of articles appeared in a major Trenton newspaper, the Trentonian; this series, entitled, "To Save a Child," was written by Ed Leefeldt and Mary Coleman Coffey, and concerns the problems of foster care and child abuse in our society.

Mr. Speaker, the series graphically depicts the plight of two battered children who must be removed from the care of their mother and given to a foster family. It shows how the State of New Jersey can protect a child, when the child suffers abuse from his or her parents.

Five grounds exist in New Jersey law for removing a child from his or her parents: abandonment, abuse, failure to thrive, neglect, or incest. We are forced to depend on our hard-pressed caseworkers to investigate each case and make their decisions, determining whether to remove a child or otherwise.

Yet being a foster parent is not the easiest thing in the world, Mr. Speaker. New Jersey law treats foster parents in a position comparable to that of vendors, with no set interest in the child.

Mr. Speaker, many, many people want children and cannot have them. There are many children who need the loving care of adoptive parents. There are many couples who would find a void in their life filled by the adoption of a child. On both sides, love, warmth, and life would be found.

As children grow older, Mr. Speaker, it is harder to find foster parents. Teenagers looking for foster homes rarely, if ever, find them.

Mr. Speaker, in order that my distinguished colleagues can reflect on these grave matters, I am submitting the following article, the first in a five-part series, for their consideration. The remaining articles in this series are equally enlightening. Any of my colleagues or fellow citizens who should like to read these articles, are invited to obtain copies from my office.

The article follows:

[From the Trentonian, Dec. 9, 1980]

TO SAVE A CHILD

(By Ed Leefeldt and Mary Coleman Coffey)

This story is based on true events that occurred in the authors' experience. The characters are not any one family. Names and identifying information have been changed to protect those involved.

Addie Davis is a survivor of the city. She has seen teenage junkies nod their way to eternal sleep in the back alley. She has stepped over the sprawled legs of the bodies that collect in the downstairs hallway on cold nights, not caring if they are drunk or dead. She has fought off a mugger with her nail file.

In her 62 years she has learned the basic lesson: Mind your own business. Don't go out of your way to help anyone. It won't be appreciated. You'll probably make enemies. It may be a set-up.

But she can't help hearing the banging, the crash of broken glass and the child's scream that comes from the third-floor apartment above her. She looks up, hesitates, but now the September night is quiet.

Then someone half-runs, half falls down the stairs of the tenement. Then, again, nothing. She hesitates once more, slowly opens the door into the dark landing, and goes upstairs.

The door to the third-floor apartment is open, the bottom panel kicked out. Inside a naked light bulb swings on a chain, casting weird shadows on an over-stuffed couch, an upturned kitchen table, and a television set with its screen kicked in, the sound still blaring. A second lamp lies on the floor, and its glare blinds her. It takes a few seconds before she sees them, sobbing in the darkest corner.

"Oh, you poor babies . . ." she whispers.

The emergency room is quiet at 2 a.m. when Addie and the two kids rush in. Addie is holding 10-year-old Melinda in her arms, dragging four-year-old Kismet behind her. Melinda is holding a wet rag to the gash over her eye.

The emergency room nurse pries the rag loose, swabs out the cut and calls an intern. He closes it with eight stitches. She makes a note to have Melinda's vision checked. Then she picks up the wall phone and dials the OCAC.

The New Jersey Division of Youth and Family Services (DYFS) responds to all cases of child abuse. Last year it handled over 47,000.

They reach DYFS in many ways. Mothers committed to mental hospitals; kids left parentless by death or desertion; an unwed mother who wants to give up her child, or a complaint of sexual abuse by a mother or daughter against a father.

Sometimes parents will file "status offenses" such as incorrigibility against their own children to have them put away in the JINS (Juveniles in Need of Supervision) shelter—even though they have committed no crime. After a stay of up to six months, when the parents refuse to take them back, the judge dumps them on DYFS.

But DYFS also gets complaints from neighbors, relatives, hospitals, schools and police who witness cases of abuse. Some call DYFS direct through a toll-free hotline number.

The number leads to OCAC (the Office of Child Abuse Control), a white clapboard house on the Whitehorse-Mercerville Road in Hamilton Township. There, amid piles of books, papers and files, sleepy-eyed DYFS caseworkers on overtime man the bank of telephones.

When an emergency call comes in, it is relayed to the SPRU (Special Response Unit), where a caseworker is on duty at nights and on weekends.

SPRU workers frequently get calls at 2 a.m., the hour when the bars close and people go home and beat hell out of their kids. Sometimes they ride with police while the radio crackles: "Father has gun. Is holding it on children." Other times they go alone into the worst sections of town, walking into the middle of drunken family bloodlettings to drag out the innocents and the casualties—kids with their clothes ripped open and their faces swollen shut.

The case then goes to the division's Crisis Intervention Unit. Because child abuse is so serious, each DYFS office is required by law to investigate all complaints within 72 hours (24, if there is a specific complaint of danger).

Crisis intervention workers are the shock troops of DYFS. They must argue their way into ghetto and upper-class homes, confront angry and anguished parents, strip children to see if they have been bruised or battered, and convince parents to turn them over—or get a court order if they refuse.

They must be part bully and part priest, part friend and part judge, part inquisitor and part Good Samaritan. They carry with them the awesome power of the state to invade a home and remove the most valuable thing in a person's life. They also bear the weight of their own feelings and the legacy of their own childhoods. The burnout rate is high. Most of them last an average of two years.

Pat Beauclair is a Crisis Intervention worker. She arrives at the district office at 9 a.m. the morning after Melinda is stitched up. She dresses informally in jeans and a wool pullover, her auburn hair combed down over her shoulders, a swatch of freckles across the bridge of her nose. Dress styles are informal at DYFS, and Pat feels she can get more out of people if she doesn't look like an authority figure. She wears a gold heart medallion around her neck. "Better than wearing it on your sleeve," she jokes.

Pat is 26 and the survivor of one bad marriage, but looks much younger. She invariably gets carded at bars. She is regarded as one of the best of the 60 case workers in her district office.

Pat's supervisor calls her in. The Tradesmith file, just started, sits on the desk. Pat gets a quick briefing.

After the call from the nurse, the local SPRU worker went to the hospital. Melinda was admitted for further treatment; a hold was placed on her to prevent her release without DYFS approval. The SPRU worker interviewed Addie Davis. She had nothing to say, not uncommon for a middle-aged ghetto woman dealing with The Man.

Melinda would say only that her mother hit her for no reason. "I was watchin' television when she came up and hit me," the girl sobbed. When the SPRU worker pressed for details, she was silent. "Protecting mother," the case notes read. Also not uncommon.

Within an hour the hospital located the girls' grandmother, Mrs. Essie Burns, and the younger daughter, Kismet, was released to her.

Now it is Pat's case. She likes her work. There is the unraveling of a mystery: what did happen on the third floor of that brick row home and why? There is the chance to get out on the street and meet people, and the opportunity to do something useful instead of just pushing paper as she did in her two previous state jobs.

But she knows that most of her questions will never be answered, even if there are answers. She knows that the solutions she offers will be passed through higher echelons, changed and compromised to meet the demands of parents, lawyers, judges and bureaucrats.

And she knows that the kids, who should be helped by DYFS, could be lost in the paperwork of a top-heavy bureaucracy and end up as a footnote in a file drawer, a statistic in an annual report.

The starting point is the hospital. Melinda is watching a TV game show in the children's ward. She gets most of the answers right, even the ones Pat has trouble with. But she won't talk about her mother—or what happened last night.

Then Pat visits the Tradesmiths' third-floor walk-up. The place is as Addie Davis found it. The door, its bottom panel kicked out, is still open: the sightless TV is still on. The apartment is stifling. The gas jets and oven are on—the landlord was not providing heat. There are two bedrooms, bare mattresses in both of them. Ripped shades shadow the windows.

The cupboards are empty except for a box of stale crackers and a half bottle of Hiram Walker. There is no evidence that children live here; no toys, no books, no crayons, no pictures on the wall. Anyone, even a mother on welfare, can get toys from Goodwill or the Salvation Army.

Unless her money is going somewhere else.

The next stop is the grandmother's house. On the way Pat detours to Melinda's school. She finds what she expected. Melinda is bright—her I.Q. is 125. She is a good student, but lately her grades have fallen, and she has become lonely and introverted. She goes to the library and reads all the time, her teacher says.

The grandmother opens the door reluctantly. Pat's white face means authority has come to call. Essie Burns' home is clean and the furniture has plastic slip covers. There are pictures of John F. Kennedy and Martin Luther King on the wall. A small yard in back ends with an old maple and a treehouse. The smell of pork chops pervades the house. There is a corner for toys and books where Kismet is busy coloring.

Pat steps through the doorway. "I'm Pat Beauclair and I'm a caseworker with the Division of Youth and Family Services," she says.

Essie moves back and looks at her disapprovingly. "I knew you was the state before you opened your mouth," she says. "Well, I guess you want to see my daughter."

Essie leads her to the kitchen. There, sitting at the table, is Melinda's mother, Wanda Tradesmith. Pat has come face to face with a child abuser.

She is beautiful. Her hair is pulled back. It emphasizes her high cheekbones. She is small and slender. But at 26 she looks older than her years. The first thing Pat notices are her eyes. They are blank. Pat checks to see if her pupils are dilated. They aren't.

Essie dominates the conversation. "Now child," she says, "you don't have to tell her anything!

Pat takes an unoffered chair and sits down beside Wanda. "I'm trying to help, Mrs. Tradesmith. We are trying to find out what happened to your little girl."

Again the blank stare, flavored slightly by fear. "I don't know how my kids got hurt," says Wanda slowly. "Melinda must have fallen down the steps."

"Where were you when it happened?"

"I went out," says Wanda. "I . . . I went out for something."

The questioning is useless. Pat is known for her skill in easing parents into admitting they have struck their children ("It must be very hard for you to manage . . ."), but none of it works.

Then Pat sees something only a woman would notice. Wanda's blouse does not go with the rest of her outfit. In fact, it looks as though it was borrowed from her mother. It is long-sleeved, even though the day is warm, and has elastic at the cuffs.

"Are you taking any drugs?" Pat asks.

Wanda reacts by reaching for her arms and pulling the sleeves down. "No," she says unconvincingly. "I mean no physical harm, the caseworker's job is to undress the child to see if she has been bruised or beaten.

"What for?" asks Essie bluntly. "She's not your kid. I don't want you touchin' her. Why are you messing with other people's children?"

Pat gets tough. She warns Essie that, if she has to, she can bring back a warrant—and the police. Essie shrugs reluctantly.

"Your kind's all alike," she tells Pat. "You start out smiling, but sooner or later you show your back teeth." In Essie's list of evils, Pat ranks somewhere between the loan company and the landlord.

Pat takes Kismet into the bedroom with Essie along and examines her, paying particular attention to the wrists and ankles. If they are tender, it could mean previous breaks where a parent twisted arms or legs. She checks the back of the legs for "switching." People frequently use an electric cord to beat their child. She looks at the upper arms where finger mark bruises could show the child was grabbed and shaken. She checks for bite marks and cigarette burns.

"You found nothing, right?" the grandmother challenges Pat. "I knew it. My family's all right. Melinda just had a little accident."

Pat rushes out. What happened to Melinda was no "little accident." Children who fall down the stairs don't have bruises on only the left side of their face. Wanda is a drug addict, Pat thinks. The barrenness in both her house and her eyes show that she lives in an artificial reality. Coming down off her high with no smack around to regain it, Wanda slipped into psychosis and struck out at everything around her—her television, her home, even those she loves.

And there is every reason to believe it will happen again.

Pat goes back to the office. Trying to ignore the other 40 cases clamoring for attention, she spends the better part of a day typing out an affidavit telling what she saw, a complaint of child abuse, and a court order for the judge to sign.

The order will place both Melinda and Kismet in the legal custody of the state.●

## BUDGET-HACKERS TAKE AIM AT THE DEFENSELESS POOR

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. BINGHAM. Mr. Speaker, in the Los Angeles Times of Tuesday, February 3, Marian Wright Edelman, president of the Children's Defense Fund, argues against budget cuts at the expense of the poor. Mrs. Edelman points out that poor children, and especially black children, will be the helpless victims of budget cuts in the health and welfare areas. According to Mrs. Edelman:

Twice as many black as white women now lack prenatal care at almost every stage of pregnancy, and there is a high correlation between a lack of such care and infant mortality and illness. A black infant is twice as likely as a white infant to die during the first year of life. Growing up, black children are more likely to be sick. One of seven black children under age 15 lacks a regular source of health care. Two of every five black children from ages 5 to 9 in central cities are not immunized against polio, tetanus, diphtheria, and whooping cough.

This is an appalling situation which can only become worse if the social welfare area is hit heavily by the budget cutters. Marian Wright Edelman has distinguished herself over the years by her effective work for poor people and especially for suffering children. I commend her article to all my colleagues:

BUDGET-HACKERS TAKE AIM AT THE DEFENSELESS POOR

(By Marian Wright Edelman)

When the Reagan Administration's budget-cutters wield their axes, an utterly defenseless group—children, especially black children—will be among their prime targets.

Even now, before the cuts start, black children are twice as likely as white children to suffer from poverty, parental unemployment, inadequate schooling and poor health.

Many black children already are ineligible for services that they badly need. Millions more are not receiving services for which they are eligible, simply because programs fail to adequately deliver services to the black community. Capricious eligibility standards and poor administration of benefits keep black families from getting the help that they need before their problems become serious, requiring costlier solutions.

A result of this deplorable situation is that a black child today has nearly one chance in two of being born into poverty, is more than 2½ times as likely as a white child to live in dilapidated housing and is twice as likely to be on welfare.

What is being created is a growing permanent "underclass" in American society. It should come as no surprise to anyone that young people unfairly treated grow up lacking respect for the premises of equality espoused by adults. Their alienation and resentment are built-in time bombs that threaten all of us. And the prospects are not good.

Almost 41% of all black children are recipients of Aid to Families With Dependent Children, a federally funded program whose payments are already abysmally low. The national average, which typically covers a mother and two children, is $241.35 per month, or $2.74 a day per person. Moreover, despite rhetoric about the importance of keeping families together, many states deny support to families unless no unemployed father lives in the home.

Richard S. Schweiker, the new secretary of health and human services, has proposed turning AFDC into a bloc grant to states and tightening eligibility requirements. Both these policies would take children off the AFDC rolls, and could reduce payments ever further.

Health care is another area that could suffer with social-program cuts. Twice as many black as white women now lack prenatal care at almost every stage of pregnancy, and there is a high correlation between a lack of such care and infant mortality and illness. A black infant is twice as likely as a white infant to die during the first year of life. Growing up, black children are more likely to be sick. One of seven black children under age 15 lacks a regular source of health care. Two out of every five black children from ages 5 to 9 in central cities are not immunized against polio, tetanus, diphtheria and whooping cough—diseases that we know how to prevent.

Eligibility for Medicaid and the services that it offers varies from state to state. In 17 states, Medicaid does not cover prenatal care during the first pregnancy. In more than half the states, a family in which the father lives at home is ineligible.

Medicaid's preventive program to find and stem children's health problems before they become serious serves only about one-fourth of all eligible children. Other support services that would enable parents and children to use this and other federal and state programs are poor.

If Medicaid eligibility requirements become even stiffer, or if AFDC eligibility is tightened, poor black and pregnant women will receive even fewer services and less timely medical care than they do now. They will cost the taxpayers thousands of dollars in unnecessary last-minute treatment in hospital emergency rooms.

The other crucial area at stake for poor children is nutrition. On any given day, among 6-to-11-year-old black children, one in 10 eats less protein than the established minimum standards. One in five black children does not get enough calcium; two in three do not get enough iron.

Approximately one out of every two black AFDC families does not receive free school lunches for their children; more than one in four do not get food stamps—this, despite the fact that their income would make them eligible for these programs.

Schweiker and John Block, the secretary of agriculture, have suggested cutting back the food-stamp program by reducing the number of beneficiaries. Senate Finance Committee Chairman Robert Dole (R-Kan.) wants to do this without depriving the really "needy." One would hope that the many poor black children and their families who depend on food stamps to eat will qualify for Dole's needy list.

There are specific federal budget cuts and changes that can be made without denying people important benefits. For example, a black child is three times as likely as is a white child to be labeled educable mentally retarded. Besides being unfair to the child, this overrepresentation is costly to taxpayers. Also, when Congress considers reauthorizing the Vocational Education Act, it should ensure that funds are targeted at youths with the highest risk of unemployment.

Reforms such as these can set us on the road to fiscal soundness. But scissors-happy public officials should eschew belt-tightening that is more show than substance. Each year that black children lack adequate food, health care and other items needed for survival will cost the nation billions of dollars in lost productivity and expensive remedial efforts. We must factor that future cost into

any ostensible "savings" that we hope to achieve now at the expense of the poor.●

## A DECISION ON GENERAL JONES

### HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1980*

● Mr. MAVROULES. Mr. Speaker, one of the first decisions President Reagan and the Secretary of Defense must make is whether Gen. David Jones should remain as Chairman of the Joint Chiefs of Staff.

To request the resignation of General Jones—or to put it more bluntly, to fire him—would be a serious mistake. General Jones, confirmed by the Senate to his present position, should complete the remaining months of his 2-year term.

When the general's term is completed, President Reagan will be free to nominate his own candidate as Chairman.

Conservative critics of General Jones point to his actions on SALT II, the Panama Canal Treaty, and his failure to break with Jimmy Carter after the Presidential decision on the B-1.

The general termed SALT II "a modest but useful step," and was joined in this position by Adm. Thomas Hayward, Chief of Naval Operations, and Robert H. Barrow, Commandant of the Marine Corps.

All three military leaders tempered their support for the treaty with a corresponding commitment to a massive revitalization of our military capabilities.

To quote the General's testimony before the Senate on the proposed SALT II treaty:

> None of us is totally at ease with all the provisions of the agreement. . . . We believe, though, that the risks in this area are acceptable, provided we pursue vigorously challenges to questionable Soviet practices, improvements in the capability of our monitoring assets, and modernization of our strategic forces.

On the merit of the treaty itself, General Jones, speaking for the Chiefs of Staff, stated:

> We believe it is essential that the nation and its leadership view SALT II as a modest but useful step in a long range process which must include the resolve to provide adequate capabilities to maintain strategic equivalence coupled with vigorous efforts to achieve further substantial reductions.

This is a careful and very qualified statement. It represents, not so much an opinion, but instead, an assessment of conflicting options.

The Panama Canal treaties were controversial but, with the advice and consent of the Senate, including the vote of the Senate's majority leader, were ratified.

I question whether critics are upset with General Jones or simply looking for another chance to challenge the policies of the Carter administration.

One editorial on this subject states:

> Military misjudgments of Presidents, when they occur, are their own. They are not the responsibility of the Joint Chiefs or their Chairman. To suppose otherwise is incompatible with the principles of civilian control of the military.

Whether the Chairman of the Joint Chiefs agrees or disagrees with the President, it is essential that the Chairman implement the decisions and policies of the President with sound and professional judgment. In critical times, or under normal circumstance, it is not the responsibility of the Chairman, not the Joint Chiefs, to second guess the President.

Under the Constitution, the role of second guessing the President is a power reserved to the legislature.

Behind closed doors, the Chairman is free and should persuasively express himself on all subjects. But, once the debate is over and the question decided, personal reservations must be put aside. We have only one President. Whether it be Jimmy Carter or Ronald Reagan, their orders as Commander in Chief must be followed to the letter.

At issue here is not the worthiness of one military officer, but rather, a constitutional process. Civilian leaders, and an elected Commander in Chief make the policy decisions on defense. The professional military offers their recommendations and advice, but their constitutional role is to implement the decisions, not make them.

General Jones should complete his 2-year term.●

## PROTECTING OLDER AMERICANS AGAINST OVERPAYMENT OF INCOME TAXES

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, in recent years the House and Senate Committees on Aging have published checklists of itemized deductions to alert older and younger taxpayers about tax relief measures which can assist them.

The committees hearings have provided compelling and disturbing evidence that large numbers of elderly persons pay more taxes than the law requires.

This year the Senate committee has prepared another useful summary to assist taxpayers, whether they are old or young.

This checklist can be helpful in other ways as well. A taxpayer, for example, may be able to determine whether it would be more advantageous to itemize deductible expenses or simply claim the standard deduction.

Even individuals who have already filed their tax returns may find the summary to be beneficial if they overlooked an allowable deduction. They may obtain a refund by filing an amended return—Form 1040X—for the year in question. However, the amended return must be filed within 3 years after the original return was due or filed, or within 2 years from the time the tax was paid, whichever was later.

Many Americans have found these summaries to be important safeguards in protecting them from overpaying their Federal income tax. It is with the expectation of providing still further assistance to our constituents that I call this summary to the attention of my colleagues in the House.

Mr. Speaker, I ask unanimous consent that portions of the checklist of itemized deductions be printed in the RECORD.

CHECKLIST OF ITEMIZED DEDUCTIONS FOR SCHEDULE A (FORM 1040)

MEDICAL AND DENTAL EXPENSES

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

INSURANCE PREMIUMS

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

DRUGS AND MEDICINES

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

OTHER MEDICAL EXPENSES

Other allowable medical and dental expenses (subject to 3% limitation):

Abdominal supports (prescribed by a doctor), acupuncture services, ambulance hire, anesthetist. Arch supports (prescribed by a doctor). Artificial limbs and teeth, back supports (prescribed by a doctor), braces.

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

Cardiographs, chiropodist, chiropractor, Christian Science practitioner, authorized, convalescent home (the entire cost, if the main reason for being there is to get medical care), crutches.

Dental services (e.g., cleaning, X-ray, filling teeth), dentures, dermatologist, eyeglasses.

Food or beverages specially prescribed by a physician (for treatment of illness, and in addition to, not as substitute for, regular diet; physician's statement needed).

Gynecologist, hearing aids and batteries, home health services, hospital expenses, insulin treatment, invalid chair, lab tests, lipreading lessons (designed to overcome a handicap).

Medicare A, voluntarily paid, if you are 65 or older and not entitled to social security

benefits. Medicare B, supplementary medical insurance,

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

Occupational therapist, ophthalmologist, optician, optometrist, oral surgery, osteopath, licensed.

Pediatrician, physical examinations, physical therapist, physician, podiatrist, psychiatrist, psychoanalyst, psychologist, psychotherapy.

Radium therapy, sacroiliac belt (prescribed by a doctor). Seeing-eye dog and maintenance, speech therapists, splints, surgeon.

Telephone/teletype special communications equipment for the deaf. Transportation expenses for medical purposes (actual or 9¢ per mile plus parking and tolls; but not general repair and maintenance expenses, insurance, or depreciation in either case; or actual fares for taxi, buses, etc.).

Vaccines, vitamins prescribed by a doctor (but not taken as a food supplement or to preserve general health).

Wheelchairs, whirlpool baths for medical purposes. X-rays.

Expenses may be deducted only in the year you paid them. If you charge medical expenses on your credit card, the expenses are deducted in the year the charge is made regardless of when the bill is paid.

TAXES

Real estate, general sales, State, local, or foreign income, and personal property.

CONTRIBUTIONS

In general, contributions may be deducted up to 50 percent of your adjusted gross income (line 31, Form 1040). However, contributions to certain private nonoperating foundations, veterans organizations, fraternal societies, or nonprofit cemetery companies, are limited to 20% of adjusted gross income.

Cash contributions to qualified organizations for (1) religious, charitable, scientific, literary or educational purposes, (2) prevention of cruelty to children or animals, or (3) Federal, State or local governmental units (tuition for children attending parochial schools is not deductible).

Fair market value of property (e.g., clothing, books, equipment, furniture) for charitable purposes. (For gifts of appreciated property, special rules apply. Contact local IRS office.)

Travel expenses (actual or 9¢ per mile plus parking and tolls) for charitable purposes (may not deduct general repair and maintenance expenses, insurance, or depreciation in either case).

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

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

Out-of-pocket expenses (e.g., postage, stationery, phone calls) while rendering services for charitable organizations.

Care of unrelated student in your home under a written agreement with a qualifying organization (deduction is limited to $50 per month).

INTEREST

Personal loan.

Home mortgage.

Auto loan.

Installment purchases (television, washer, dryer, etc.).

Bank credit card—can deduct the finance charge as interest if no part is for service charges, loan fees, credit investigation fees, or similar charges.

Other credit cards—you may deduct as interest the finance charges added to your monthly statement, expressed as an annual percentage rate, that are based on the unpaid monthly balance.

CASUALTY OR THEFT LOSSES

Casualty (e.g., tornado, flood, storm, fire, or auto accident provided not caused by a willful act or willful negligence) or theft losses—the amount of your casualty loss deduction is generally the lesser of (1) the decrease in fair market value of the property as a result of the casualty, or (2) your adjusted basis in the property.

MISCELLANEOUS

Appraisal fees to determine the amount of a casualty loss or to determine the fair market value of charitable contributions.

Union dues.

Cost of preparation of income tax return.

Cost of tools for employee (depreciated over the useful life of the tools).

Dues for Chamber of Commerce (if as a business expense).

Rental cost of a safe-deposit box used to store taxable income-producing property records.

Fees paid to investment counselors (if the fees relate to investments that produce taxable income.)

Subscriptions to business publications.

Telephone and postage in connection with investments.

Uniforms required for employment and not generally wearable off the job.

Maintenance of uniforms required for employment.

Special safety apparel (e.g., steel toe safety shoes or helmets worn by construction workers; special masks worn by welders).

Business entertainment expenses.

Business gift expenses not exceeding $25 per recipient.

Employment agency fees under certain circumstances.

Cost of a periodic physical examination if required by employer to keep your job or in order to get the job.

Cost of bond if required for employment.

Expenses of an office in your home if used regularly and exclusively for business purposes.

Educational expenses that are: (1) required by your employer to maintain your position; or (2) for maintaining or sharpening your skills for your employment.

POLITICAL CAMPAIGN CONTRIBUTIONS

You may claim a credit (line 38, Form 1040, or line 12a, Form 1040A) for campaign contributions; The amount of tax credit is one-half of the political contribution, with a $50 ceiling ($100 for couples filing a joint return).

PRESIDENTIAL ELECTION CAMPAIGN FUND

Additionally, you may voluntarily earmark $1 of your taxes ($2 on joint returns) for the Presidential Election Campaign Fund.

OTHER TAX RELIEF MEASURES

*Additional Exemption for Age*

Besides the regular $1,000 exemption, you are allowed an additional exemption of $1,000 if you are age 65 or older on the last day of the taxable year. If both a husband and wife are 65 or older on the last day of the taxable year, each is entitled to an additional exemption of $1,000 because of age.

*Credit for the Elderly*

You may be able to claim this credit and reduce taxes by as much as $375 (if single), or $562.50 (if married filing jointly), if you are:

(1) Age 65 or older, or

(2) Under age 65 and retired under a public retirement system.

For more information, see instructions for schedules R and RP.●

## FUTURE HOMEMAKERS OF AMERICA—1981

## HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. NATCHER. Mr. Speaker, as we delve into a new and promising decade, so does the Future Homemakers of America organization as it prepares to celebrate National FHA/HERO Week, February 8 to 14, with its theme, "Know How for the 80's."

In its 35 years of existence, Future Homemakers of America has established itself as a vital and integral part of America's youth community. Organized in 1945, the organization was born into a climate that nourished anew the importance and meaning of family life, for in that year, the year of 1945, America's men—her husbands, fathers, sons, and brothers—were returning home from World War II, and her heart and eyes were focused upon her families. Now, 35 years later, with the added advancement of this age, our family patterns have changed; the interest of our family and each of its individual members has expanded. However, the FHA program chose to be guided by this change—not extinguished by it. The role of the homemaker is changing, and the FHA/HERO (home economics related occupations) is part of that change.

FHA/HERO projects encourage democracy and cooperative action in the home and the community. It encourages individual and group involvement in helping to achieve worldwide brotherhood; it encourages a greater understanding between our youth and adults; it encourages decisionmaking and responsibility. All of these goals are put into action when we consider the many programs that FHA/HERO chapters have carried out in your community and mine. They work with children, peers, adults, and the elderly of all ages, races, and status, They work in day care centers, schools, and hospitals. They supervise playgrounds and tutor the hard of hearing. They assist in immunization programs, vocational home economics education, elderly visitation and care programs. They give their time and service in love of their fellow man.

As we embark on our journey into this new decade, may the experiences gained up till now only lend themselves to an increased "Know How for the 80's."

I am honored to be part of the FHA/HERO organization as an honorary member, and on this anniversary occasion I would like to applaud your outstanding efforts and to extend my best wishes to each one of you as you meet the challenges which await you.●

## UKRAINIAN INDEPENDENCE: THE 63D ANNIVERSARY

### HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. NOWAK. Mr. Speaker, it is a pleasure to participate in the observance of the 63d anniversary of the establishment of the independence of Ukraine.

The Soviet invasion of Afghanistan has shocked the world since we last marked the independence of Ukraine and adds special meaning to our commemoration today. In effect, the Soviets have added to the list of captive nations by their aggression in the last year.

Prof. Lev E. Dobriansky of Georgetown University, president of the Ukrainian Congress Committee of America, Inc., detailed the significance of our continuing observance of Ukrainian independence in a recent letter to me. I would like to share his comments with my colleagues at this point in the RECORD.

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
*New York, N.Y., January 23, 1981.*

DEAR REPRESENTATIVE: With the 97th Congress, I extend in behalf of this national committee and myself our warmest felicitations for your most successful leadership in the years ahead. Hopefully, I also look forward to work with you in an area which seems alien to our people and yet is very basic to our national security as well as to our American ideals and principles. UCCA represents the convictions and values of over 2 million Americans of Ukrainian ancestry, small in percentage but long in ideas and experience.

For a quarter of a century Members in every Congress have observed the Independence of Ukraine. This is its 63rd anniversary. Upon the collapse of the Tsarist Russian Empire, the Ukrainian National Republic was established on January 22, 1918, highlighting another phase of independence for the Ukrainian nation. By 1920 it was destroyed in the first wave of Soviet Russian imperialism that in a succession of waves has reached in our day into Afghanistan. January 22nd is the date, but because of our Presidential Inauguration and its aftermath, this singular commemoration has been scheduled for the first week of February.

As Americans, why do we observe this historic event of declared national independence in the area of our prime enemy? The clear answer is seen in these few facts: (1) our America was primarily born in severance from an empire, and those nations today, like Ukraine, seeking independence from the Soviet Russian empire cannot but magnetize our instinctive, spiritual affinity, (2) in fact, Ukraine is the largest non-Russian nation both within the USSR and all of Eastern Europe, with a population and territory easily comparable with France, (3) its long record of opposition to Soviet Russian domination, marked today by widespread human rights dissidence, is documentarily incomparable in contemporary times and (4) its strategic position in relation to Poland and others in Moscow's outer empire and to the Mideast and South-Asia adds substantially to its Achilles Heel status in the last remaining, major empire.

Through our VOA, Radio Liberty and many other media your address on these and other facts during the "63rd" will doubtlessly go a long way in intensifying our natural alliance with the 50 million Ukrainian nation. It will certainly signal the dire need for policy in this direction. To this day we have no strategy for Ukraine and the other captive non-Russian nations in the USSR—not to irritate or provoke Moscow into any hot war, but to preclude any such confrontation by meeting their primary challenge on the ideological plane. Though we have to recoup our military posture across-the-board, this is not the decisive answer to the Soviet Russian challenge. To put it simply, when we had clear-cut military superiority, Moscow advanced nevertheless. Hopefully, the new Administration will address itself to this most basic problem.

I most warmly invite you to speak out on this fundamental issue of national independence in your respective chamber. . . . For, in truth, we haven't begun to realize the opportunities that face us in terms of peace and expanded freedom.

Your participation in this event will be greatly appreciated and with all best wishes,

Sincerely,

LEV E. DOBRIANSKY,
*Georgetown University.*

Mr. Speaker, as with our annual observance of Captive Nations Week, our remembrance of an independent Ukraine is one way—an important way—we can lend moral support to the ongoing efforts of our freedom-loving brothers and sisters across the world.

By constantly reminding the world of the state of captivity under which these people exist, we provide a source of hope to help fuel opposition to such tyranny, as evidenced by continuing resistance in Afghanistan, widespread dissidence on human rights issues in Ukraine, and the still unfolding events in Poland.

I join with my colleagues in the sincere hope that these efforts will lead to achievement of our human rights goals for all peoples and that one day soon we will be celebrating a truly independent Ukraine.●

## FOREIGN AID: ENLIGHTENED SELF-INTEREST

### HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DIXON. Mr. Speaker, the recent proposal by the Director of the Office of Management and Budget (OMB) for a $2.6 million reduction in the 1982 fiscal year aid submission has the potential to do serious harm to America's foreign policy interests. A reduction on the magnitude suggested would severely limit the flexibility available to our foreign policymakers, undercut and possibly even destroy certain international lending institutions which serve to keep many underdeveloped countries afloat economically, and raise doubts in the world about our pledges across a wide range of negotiations.

Since the end of the Second World War and beginning with the extraordinary success of the Marshall plan, bilateral economic assistance has been recognized by all administrations as a valuable tool in the implementation of our foreign policy. It has been used to reward friendly governments, to promote stability, and to influence the political course a government might choose in a direction which would accord with our own interests. While the history of our assistance efforts includes episodes of failure, on balance our investments have been wisely made and our policy objectives achieved.

Jamaica, whose Prime Minister was honored by the President here last week, represents a concrete recent example of a nation where an increasing drift toward the political left and economic chaos has been offset, at least in part, by our intelligent extension of bilateral economic aid. This aid has helped guide Jamaica to a more centrist course and away from a dangerous dependency on Cuba.

The present crises in Central America also present clear opportunities for the application of economic and food assistance in a way which could contribute to the restoration of peace and stability. No one can question that continuation or interruption of our aid commitments to the governments in El Salvador and Nicaragua are matters of serious moment there or doubt that our decisions can affect policy courses chosen by the juntas which rule in those countries.

Multilateral development banks have often provided a cost-effective and efficient means by which the United States could help developing countries help themselves and it is in the area of curtailments in our contributions to these institutions where the OMB proposal has the potential to do the most widespread harm, all of it in the Third World. The action suggested by OMB would adversely affect development prospects in a large number of countries at a time of greatly growing need. Certain regional development banks like the African Development Bank, the Inter-American Development Bank, and the Asian Development Bank would, over time, be cut off from U.S. funds altogether. Par-

ticularly sensitive is the suggested reduction by half in our contributions to the International Development Association where it is generally conceded a U.S. revocation of its pledge would lead to the organization's collapse. What would that mean? As the OMB documents notes, "* * * the reduction in aid would mainly affect the poorer countries of Africa and the Asian subcontinent."

How can we explain this action to ourselves or to others? What message do we convey to the world by a rejection of altruism as an element of our foreign policy? What would be the impact on Africa for example, where two-thirds of the world's poorest people live and which contained a refugee population of 5 million at the end of 1980? How does a withdrawal from the community of aid donors of the degree proposed by OMD square with the American tradition of responsible humanitarianism? Can we believe that an abdication of our role as providers of assistance now will serve our long-term interests?

Enlightened aid giving with appropriate regard for the needs of the world's destitute serves pragmatic ends as well. Economic assistance to poor and developing nations, when viewed in the larger sense, is never a give away. This excerpt from an editorial in the Christian Science Monitor for November 11, 1980, is relevant and persuasive on this point:

. . . humanitarianism also serves the national interest. The industrialized countries of the West have a growing stake in the development of third-world nations—as suppliers of raw materials, as trade partners and markets, as fellow earth inhabitants in addressing such global problems as nuclear proliferation, pollution, population growth. As West German Foreign Minister Genscher has said, "Our peace and prosperity depend upon whether or not we succeed in overcoming hunger in the third world and in achieving development based on stability.

Mr. Reagan believes the U.S. must have a strong export policy. He is right. An it bears mentioning in this regard that in 1978 almost 40% of total U.S. exports went to developing nations; and of that amount a high 26% went to non-OPEC nations. If American exports to the third world are to continue booming, however, it is necessary that the third world continue to develop as well. That is why foreign assistance is so essential; when effective and properly administered, it promotes economic growth for everyone.

Continued foreign economic assistance, both bilateral and multilateral, at reasonable levels is very much in America's self-interest. As an early initiative of the new administration, severe cutbacks in this assistance as proposed by OMB limit the flexibility of our policymakers and send a dangerous signal to the world. They represent an abandonment of responsibility which is both unworthy and unwise.●

## RELATIONSHIP BETWEEN U.S. SKI TEAM AND SUBARU OF AMERICA, INC.

### HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. APPLEGATE. Mr. Speaker, several days ago, I approached this House with a matter that concerned me a great deal. The U.S. ski team, whose purpose it is to support America, has for some time been using the Japanese produced Subaru automobile as their official car. This disturbed me as I represent an area heavily dependent on steel products that goes into the production of American cars. I felt that to promote a foreign made product over one produced here, considering the large numbers of unemployed auto workers and those in related industries, would be wrong.

I wrote to the U.S. ski team and asked them to reconsider their position. In response to my request, I have received a letter from the administrative secretary, Lisa Hovey. For the consumption of the Members of this House and in fairness to the team, I wish to have the text of the reply printed following these remarks.

While the letter is quite interesting, I would like to call particular attention to the third paragraph in which Ms. Hovey points out that the ski team had solicited the American auto manufacturers on the matter of an official car, but there was apparently no interest on the part of any domestic producer. I would, indeed, welcome any response on this from any of our auto producers.

Mr. Speaker, the reply that I received follows:

U.S. SKI TEAM,
*Park City, Utah, January 26, 1981.*

Hon. DOUGLAS APPLEGATE,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR MR. APPLEGATE: Your letter of January 6, 1981 concerning the relationship between the U.S. Ski Team and Subaru of America, Inc. has been referred to me. I appreciate your concern and would like to take this opportunity to introduce you to the U.S. Ski Team, our methods of funding and our relationship with commercial sponsors.

As one of the few national ski teams in the world not funded by government subsidy, the U.S. Ski Team has developed commercial licensing programs in order to generate the revenues necessary to finance our athletic endeavors. Our licensing agreement provides that in exchange for a supply of product and an annual licensing fee, the Ski Team grants a corporation the right to use our name, registered logo, and athletes for advertising and promotional purposes.

The U.S. Ski Team has solicited the automobile manufacturers in this country in pursuit of an "official car" supplier. We had hoped to support the U.S. automobile industry and in turn have them support us. However, none of them were interested in entering into a licensing agreement with us.

Subaru of America, Inc., on the otherhand, approached us for a relationship. They have entered into a four year contract as the official car of the United States Ski Team. In return for making that claim they supply our national ski team with 32 Subarus, 8 Chevrolet and Dodge vans and 4 Chevrolet trucks (Subaru purchased these vehicles from the American manufacturers for the team). They also pay us a six figure licensing fee each year of the contract.

The United States Ski Team represents youth, sport and patriotism, but it also represents the American ideal of free enterprise. The travesty here is not that the U.S. Ski Team "picked" a Japanese made car as the official vehicle, but rather that a foreign automobile manufacturer was the only manufacturer interested in supporting our national ski team.

Subaru of America, Inc. has been a loyal and generous supporter of our organization and we are proud to have them as a sponsor. In time, we hope the American manufacturers will also make the decision to support the U.S. Ski Team so that we may also support them. In the meantime, we are forced to accept funding from foreign industry so our American athletes can proudly defend and represent the United States in international ski competitions.

Sincerely,

LISA HOVEY,
*Administrative Secretary.*●

## THE LACEY AND BLACK BASS ACTS

### HON. JOHN B. BREAUX

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. BREAUX. Mr. Speaker, I am today introducing legislation to amend the Lacey and Black Bass Acts, acts which deal with the interstate transportation of illegally taken fish or wildlife. This legislation is almost identical to H.R. 5604, which passed the House under suspension of the rules with no opposition on July 30, 1980. A similar bill was reported out of the Environment and Public Works Committee in the Senate but was not considered on the Senate floor.

The current Lacey and Black Bass Acts restrict the importation and interstate transportation and sale of illegally taken fish and wildlife. These two statutes serve as the major Federal effort to assist other States and foreign nations in the enforcement of their wildlife statutes. The theory of these statutes is simple. The Federal Government should attempt, where it can, to prohibit interstate transportation of fish and wildlife products when the products are taken in violation of a State or foreign law.

Each of these acts has a long history. The Lacey Act was one of our first Federal wildlife laws, passed in 1900 to combat the so-called pot-hunter, those people who killed large amounts of wildlife for sale. It was viewed then, and should be viewed now, not as in-

creasing the Federal role in managing wildlife, but as a Federal tool to aid the States in enforcing their own laws concerning wildlife. The Black Bass Act of 1926 was based on the same philosophy as the Lacey Act. It provided Federal sanctions against interstate transportation of black bass taken, purchased, sold, or possessed in violation of State law. The Black Bass Act was subsequently expanded to cover all fishes, and in 1969 was amended to encompass foreign commerce. Although both of these acts have been amended throughout the years, a number of problems have developed that have limited their effectiveness as wildlife enforcement tools. In addition, having two statutes with differing enforcement and penalty provisions makes little sense when the problems encountered in the control of illegal commerce in fish are nearly identical to those encountered in the control of illegal commerce in wildlife.

This bill would correct the present insufficiencies in both the Lacey and Black Bass Acts and combine them into one statute to simplify administration and enforcement and promote public understanding. This legislation would make the following substantive changes in the law:

First, the legislation would raise both the civil and criminal penalties of the current laws. The $200 maximum fine in the current Black Bass Act is no deterrent to those who can make $100,000 per year trafficking in illegally caught salmon. The legislation would establish a two-step civil penalty remedy for violations. A modest maximum civil penalty of $500 is provided as a strict liability penalty. For violations committed by a person who in the exercise of due care should know he is in violation of the law, the legislation provides the maximum civil penalty be raised to $10,000 per violation to enable the Government to cope with those violations in which the profits are so great that the deterrent must reflect reality. The legislation also provides maximum criminal penalties of $20,000 or 5 years imprisonment, or both, per violation.

Second, the present Lacy Act contains a criminal culpability standard which renders its criminal penalties virtually useless. The legislative history of the act can be read to require the Government to show that the defendant had knowledge of the act itself as well as the State or foreign laws being violated. The amendments change this culpability standard to make clear that the Government need only prove knowledge of the facts or elements of a violation and not knowledge of the act itself.

Third, the current Black Bass Act does not prohibit interstate transportation of fish into a State that prohibits their entry. As an example, California strongly objects to shipments of live white amur carp into California from Arkansas. California has no remedy against the shipper in Arkansas, and the Federal Government cannot intervene in California's behalf under the present law. This problem is solved by the proposed legislation.

Fourth, it is desirable to extend protection to species of wildlife not now covered by the Lacey Act. States and foreign governments are encouraged to protect a broad variety of species. Legal mechanisms should be supportive of those governments. For example, in 1969 coverage of migratory birds was removed from the Lacey Act. Such protection should be restored to provide a more adequate remedy for some violations involving massive numbers of birds.

Fifth, because of the resource management responsibilities of Indian tribes on tribal land, the legislation proposes that, like the current Black Bass Act, the provisions of the act apply to fish and wildlife taken in violation of Indian tribal law or regulations relating to management of tribal land.

Sixth, the legislation adds rare plants that are the subject of State conservation laws to the coverage of the Lacey Act. This provision would provide Federal enforcement assistance to States that have adopted laws regulating the taking and sale of rare plants. This provision is structured in such a way that it focuses attention on only those plants that have been recognized as being in a specially precarious biological condition.

Finally, both the current Lacey and Black Bass Acts contain rigid language concerning the marking of packages and containers in interstate commerce that contain fish and wildlife products. It has become necessary to depart from this language for a number of reasons. One is the potential for theft of valuable furs or other merchandise for which an alternative marking has been provided. Another example is the tropical fish business in which a single shipment may contain a hundred species. Marking of kinds and numbers on the outside of the package is impractical and available packing lists or invoices suffice. Still another example is the commercial fish business in which a shipment may consist of numerous packages or containers. The present law, if strictly enforced, would conflict with industry practices. For these reasons the legislation proposes that marking be done in accordance with regulations promulgated by the Secretary which may be more flexible and accommodate current industry practices.

The only change that I have made in the legislation is to omit the legislative veto of regulations contained in the House-passed bill. Congressman FORSYTHE, who originally recommended such a veto, has agreed that we should leave it out of the bill we introduce. We will, however, examine the need for a legislative veto when we consider the legislation in committee.

This legislation would not constitute a broadening of Federal authority under the act, but merely would allow the Federal Government to provide more adequate support for the full range of State, foreign, and Federal laws that protect wildlife. With the exception of the marking provisions, none of the substantive provisions of the act stand on their own. In order to prosecute a case under both the current Lacey and Black Bass Acts and this revision, it is necessary to first prove that there has been a State, foreign, or another Federal violation.

Mr. Speaker, the need for this legislation becomes more apparent with each passing day. Not only do we need it to protect the ever-diminishing wildlife resources of the world, we need it to protect our own poultry industry. Last fall there were several outbreaks of Newcastle's disease, an extremely contagious disease that affects domestic fowl. It is usually caused by diseased imported birds. The Department of Agriculture quarantines birds brought in legally, but the large volume of smuggled exotic birds pose a real threat. Without substantial penalties to deter smugglers, the enforcement effort is meaningless. This bill, by providing a meaningful penalty structure, will provide that deterrence.●

## MONKEY WRENCH IN THE MIDDLE EAST

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. BINGHAM. Mr. Speaker, in the Washington Post of February 3, Philip Geyelin reported that our European allies are about to reveal a master plan for Arab-Israeli peace. According to Geyelin, the plan calls for, among other things, Israel's withdrawal from all the occupied territories, Israeli negotiation with the PLO, an international or binational Jerusalem, and the reduction of Israeli and Arab forces to be replaced by a United Nations peacekeeping force.

Such an absurd proposal, if it were in fact to be used, would represent not only a European attack against Israel, but also against the United States. The Camp David approach, which the Europeans would abandon, is the favored approach of both the former Carter administration and now more importantly, of the new Reagan administration. It would hardly behoove our allies to attack Camp David even before the new administration has had a chance to use that framework in the

cause of Arab-Israeli peace. I would remind the Europeans that the Camp David process has worked remarkably well and that their own proposal is, in Philip Geyelin's apt phrase, "an obvious nonstarter." I would also suggest that the submission of this type of proposal would indicate that some of our allies are so anxious to maintain the oil flow that they would prostrate themselves before the oil producers and yield to any Arab demand, no matter how extreme. I commend this piece to my colleagues and other readers of the RECORD:

MONKEY WRENCH IN THE MIDDLE EAST

The Europeans are winding up to throw another, bigger monkey wrench into the works of the "Camp David Framework" for settling the Arab-Israeli conflict.

Of course, that's not how they would put it. As with last summer's "fact-finding" tour of the Mideast by Luxembourg's foreign minister, Gaston Thorn, the Europeans will insist they are only trying to help fill a dangerous vacuum with their latest "initiative." But "monkey wrench" would be the inescapable effect on Camp David of a new "peace plan" that was secretly agreed to in considerable detail by the nine (now 10, with the inclusion of Greece) members of the European Economic Community last December.

The plan goes well beyond fact-finding: it's a blueprint for a whole new framework. No point was seen in pushing it publicly while the United States was changing presidents. But now, with the new, untested Reagan administration in charge, a heavy campaign is about to get under way.

British Prime Minister Margaret Thatcher and her foreign minister, Lord Carrington, are said to be ready to make a big pitch when they come to Washington toward the end of February. France is another loud advocate of anything-but-Camp David, and French Foreign Minister Jean Francois-Poncet, who is due in town about the same time, will doubtless add his voice.

There are also reports that Foreign Minister Herman J. duMarchie Sarvass of the Netherlands, who has replaced Luxembourg's Thorn as EEC chairman, is angling for an invitation to Washington to help break the ground for Thatcher—and planning a tub-thumping tour of the Middle East as well.

The Europeans will argue that they mean Camp David no harm but that it's going nowhere and that their formula offers a promising alternative. Yet the plan they have come up with, as it has been described to me by diplomats in a position to know, is far removed from anything that any foreseeable Israeli government could conceivably accept. So much so, in fact, that you have to wonder whether the Europeans are not a lot less interested in settling the Palestine question than they are in ingratiating themselves with Arab producers of petroleum and Arab customers of European industries.

Consider the principal features of the European master plan for Arab-Israeli peace.

Item: Israel would be required to withdraw from all the territory it has occupied since the 1967 war, including not only the West Bank and Gaza but the Golan Heights and East Jerusalem, over a two-year "transitional period." This goes far beyond requirements of the carefully ambiguous language of the basic "peace" document, U.N. Resolution 242.

Item: With only a few exceptions, all Jewish settlements implanted on occupied territory since 1967 would have to be removed.

Item: In the course of the "transition" period, a referendum would somehow be conducted of all of the estimated four million former inhabitants of Palestine—worldwide. They would be asked to choose between creation of an independent Palestinian state, or a federation arrangement with Jordan and/or Israel.

Item: As a matter of principle, Palestinian refugees would have the right to return to their original homeland, including what is now Israel, or receive appropriate compensation.

Item: Armed forces, both those of Israel and its Arab neighbors, would be reduced and a U.N. peace-keeping force would be established—with the Europeans participating.

Item: The city of Jerusalem would either be completely internationalized or divided between Israel and Jordan, with international status accorded to the old city.

You will instantly recognize that these terms (which would include direct dealings with the PLO) violate just about every tenet of Israeli policy. Prime Minister Menachem Begin takes fierce pride of authorship of the much more modest "automony" plan. It would gradually grant a measure of self-rule to the West Bank and Gaza over a five-year period, with just about everything else held up for further negotiation. Even Begin's heavily favored opponent in this year's elections, Labor Party leader Shimon Peres, has accepted this Camp David "autonomy" approach.

More to the point, so has the Reagan administration.

So why are the Europeans pushing what looks like an obvious non-starter? Not only Israeli officials but some American authorities, as well, see it largely in terms of transatlantic power politics—a bid for European influence in the Middle East at the expense of the United States. "A reduced American role in the peace-making means less American influence across the board—and greater economic, commercial and political opportunity for Europe," says one knowledgeable diplomat.

True or not, if Thatcher and other European leaders play out their new initiative, it will put the Reagan administration's foreign policy makers to an early and, one would suppose, unwanted test. Sworn to sweeten Alliance relations, they will be caught between that worthy aim and their equally firm devotion to the security interests of Israel.●

## BOY SCOUTS OF AMERICA—1981

### HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. NATCHER. Mr. Speaker, the Boy Scouts of America, the first and largest youth organization to be chartered by Congress, is preparing to celebrate, during the week of February 8 through February 14, their 71 years of existence since the year 1910. This anniversary week will mark the end of another year of achievement and the beginning of a new one for our Scouts.

Last year's theme, "Scouting—the Better Life," has been incorporated into this year's theme, "Volunteers Who Help To Lead in Scouting—the Better Life," as Scouts from Florida to Hawaii pay homage to those individuals who have rendered their services to Scouting over the past 71 years.

The impressive growth and accomplishments of Scouting would not be possible without the services of thousands of men and women who give unstintingly of their time and effort to make this fine organization work. The high caliber of the people who dedicate themselves to the Scouting movement is noteworthy, as we owe them a debt of gratitude for the outstanding job they are doing.

Another event scheduled this year by the Boy Scouts of America is their 10th National Scout Jamboree, to be held the week of July 29 through August 4 at Fort A. P. Hill, Va. Fort A. P. Hill is 100 miles from the site where Cornwallis surrendered to George Washington in the last major battle of the Revolutionary War. From that time, our Nation prospered and grew into one of the great nations of the world.

During the course of this Scout jamboree, emphasis will be placed on the skills of Scouting, the Nation's heritage, physical fitness, conservation, and the spirit of brotherhood.

Numerous other events scheduled to take place through the course of the year are public speaking contests, sailing championships, law enforcement conferences, and Scouting energy days and environmental days.

With every passing year, our Boy Scouts continue to be among out greatest assets, and I consider myself both fortunate and privileged to have this opportunity to again congratulate them and wish each and every one of them continued success in all their future endeavors.●

## PROUD TO BE POLISH

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DERWINSKI. Mr. Speaker, in light of recent developments in Poland, a great respect for the strong determination of the Polish people is being demonstrated by all freedom-loving peoples and especially by Americans of Polish decent. As a first-generation American of Polish ancestry, I was especially pleased to note an editorial commentary by Jeff M. Hulewicz which appeared in the New York Times of February 2, which I insert at this point:

PROUD TO BE POLISH

(By Jeff M. Hulewicz)

SCOTTSDALE, Ariz.—The courage that the Poles have demonstrated by standing up to

the Russians is being applauded everywhere. Nowhere is this approval being expressed more strongly than in the United States. As a second-generation American of Polish ancestry, I can personally attest to this fact. Everywhere I go, there seem to be infectious outbursts of pride among Poles. On a personal level, after years of enduring witless Polish jokes and hearing my last name badly mispronounced, I am experiencing something strange and new: a sense of dignity in my Polish heritage.

Just the other day, a co-worker approached me and said: "That's really something about what those Polish people are doing, isn't it? My prayers are with them. You're Polish aren't you?"

My usual response to questions about my nationality always was a meek "yeah" followed by a quick change of subject. Although I never denied or tried to hide the fact, the endless derogatory jokes had conditioned me to feel embarrassed about being Polish. But this time I felt a flush of satisfaction when I answered: "Why, yes, I am Polish."

Such feelings have been a long time in coming. Growing up Polish in America has been for many a trying experience. After always hearing that the people of your country or origin are supposedly dimwitted, even when the joke is made in a lighthearted manner, you almost begin to believe it yourself. Unlike most fads such as hula hoops and streaking, Polish jokes seem to be a tradition that is passed on from generation to generation. I have been hearing them for at least 15 years.

Over the years, I have developed several defense mechanisms for dealing with the Polish joke. At first, I would get angry. But this only seemed to encourage the person who told the joke. This person knew that he had gotten my goat and would delight in it and learn more Polish jokes. When the indignation approach didn't work, I tried getting even. I would take the current Polish joke and switch the nationalities involved. This didn't offer me any relief, either. I would just feel as if I had descended to the vulgar level of the offending "comedian." After exhausting every possible avenue of escape, I finally decided to be a good sport. I would laugh along with everyone else and hope that no one in the group remembered I was Polish. However, this strategy often backfired when someone recalled, and the howls of laughter quickly dissolved into muffled titters and embarrassed, insincere apologies.

Ever since the Polish workers' labor victories began, I have yet a fourth response to Polish jokes. When I hear one, I simply shrug and say: "Tell that one to the Russians. I don't think they find the Poles to be a laughing matter anymore." This almost invariably results in total agreement and quick contrition.

Another disadvantage associated with being Polish is the constant mispronounciation and misspelling of the last name. The combination of "cz" at the end of my name manages to tangle the tongue of even the most practiced elocutionist. It has been pronounced in every possible way except the right one. And the misspellings are even more numerous. I used to envy the way a Smith or Jones could breeze through life without ever having to correct pronunciations and spellings of their names. Not any more.

I hope the struggle in Poland will be resolved peacefully and positively. And I don't mean to make light of its seriousness by relating my trivial problems in comparison. But I can't ignore the heartening implications these developments have had in my life. Bravo, Poland!

[Jeff M. Hulewicz edits technical-training publications for an airplane-engine manufacturer.]●

## UKRAINIAN INDEPENDENCE DAY

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. HYDE. Mr. Speaker, On January 25 the Ukrainian Congress Committee of America, Illinois division, was kind enough to name me "Man of the Year" at a banquet celebrating Ukrainian Independence Day.

I am very proud of this honor and pleased to provide my remarks on that occasion:

REMARKS BY CONGRESSMAN HENRY J. HYDE

My dear friends, I am greatly honored to be named your "Man of the Year." It is a distinction I shall always be proud of. Though I do not share your ethnic heritage, I do share your hatred of the most dehumanizing and cruel governmental system ever devised by man—Soviet communism.

On Jan. 22, we celebrate Ukrainian Independence Day and our minds and hearts go back to 1918, when, with the collapse of the Tsarist government and the subsequent seizure of power by the Bolsheviks, the Independent Republic of Ukraine was declared.

We all know the sad and bloody history of the times that followed—where Bolsheviks turned Ukraine into a battleground—and where the famine of 1921-22 devastated the land even more.

In 1922 the Ukrainian Soviet Socialist Republic was forced on these brave people—one is reminded of the crown of thorns being forced onto the head of a suffering Christ—and there followed one of the darkest chapters in the history of mankind—the death by starvation of from 3 to 5 million Kulaks, when Stalin forcibly collectivized the farms.

Stalin, who once said, "A single death is a tragedy, a million deaths is a statistic," proceeded to pile up the grisly statistics in a manner the like of which was not to be seen again until Dante's inferno sent us Pol Pot who also, in the name of St. Karl Marx turned the gentle land of Cambodia into a graveyard.

Today, these same anti-human forces are at work in Ukraine where the cultural elite are purged, religion is suppressed and russification of the language is advanced with demonic vigor.

But the tradition of Ukrainian independence—a tradition that goes back centuries before Catherine the Great—will not be stamped out nor obliterated. As early Christianity flourished in direct proportion to the zeal of its persecutors, so does the spirit of freedom surge in the hearts of all who endure Soviet threats, persecution, cultural and political manipulation, propaganda, discrimination and suppression. We are here today to re-assert our relentless dedication to freedom and independence for Ukraine and all the captive nations and to call upon freedom loving people everywhere to join the struggle for human dignity that history has made our burden and our glory.

We hear so often that the Soviet Union is only seeking peace, and our own halting efforts at strengthening our military capabilities are a threat to that peace. But peace is a word of many colors—the peace of the victor is not that of the vanquished. The brave Afgan people now know that too well. There is the peace of the prison and of the grave and the peace of the slave. Such peace is beneath the contempt of honorable men.

Those of us who have known war—counted its wounded and buried its dead—have wept over its smoking cities and scorched earth, its hungry young and its homeless old—do not cherish peace any less—but we must insist that if the price of this peace is submission to the dehumanization of communism, then it is a price we will not pay.

Our capacity for self-deception was never more clear than on August 1, 1975, when we and 34 other nations signed the Helsinki accords. Have not the Soviets told us incessantly that only those acts are moral which further the class struggle? We had no right to expect them to respect the basic rights of man set forth in these accords. But we believe what we want to believe, and so once more the hopes and prayers of the people in the captive nations go unfulfilled. We lament this—and we shall remember.

We must understand that the grand fallacy of Marxism is its doctrine of historical determinism—its notion that the future is determined, not by ideas and individuals—but by the iron laws of its own definition of history and the immutable dictates of dialectical materialism.

But in 1967—The 50th anniversary of the Communist revolution (and the 100th anniversary of the invention of barbed wire) Aleksandr Solzhenitsyn finished writing his tragic epic, "The Gulag Archipelago."

Solzhenitsyn's 3 volumes of recollections of resistance, of the heroic rebellion of those who refuse to be only victims must be read if one is to learn the depths of horror the Communist system is all too capable of.

What caused this Soviet captain, in the forests of East Prussia in the year 1945 to begin to doubt and then reject the Soviet system—a system into which he was born and in which he lived? This one man—this single event—this "light from the East"—surely wasn't contemplated—wasn't even thinkable—in the Soviet system. But the moral squalor, the barbarism of the worker's paradise of Marx, Lenin, Stalin and now Brezhnev has been laid out in a casket of its own contrivance by Solzhenitsyn and a few others for all the world to see and to shudder.

It is a disturbing and ironic fact, however, that the inherent cruelties of communism as a system of government—whether Soviet or that of Mao Tse tung, Ho Chi Minh or Pol Pot—so often fail to sink in to the consciousness of our political leaders. In April 1976 the President of the United States at Notre Dame University announced that we Americans had gotten over our "inordinate fear of communism." President Carter's dangerous euphoria was shattered by the invasion of Afghanistan—an awakening that was too long in coming.

The West has too many writers and leaders who think that Soviet leaders share the same values, perspectives and goals that we do. The writer George Will has remarked that "rivers of blood and mountains of other evidence, constantly expanding" confirm the view that the Communist system

"presupposes and produces coarse cruel leaders".

Will has written in the June 12, 1978 issue of Newsweek:

"The alarming and sorrowful fact is not that evidence for the correct view is scanty, but that such evidence must be produced so constantly, in such abundance, with such genius, and at such terrible cost, in order to convince the West, which is eager to disbelieve. The unimaginable bravery and suffering of Soviet dissidents is indispensable to the West because it forces the Soviet regime to advertise its essential nature, and Solzhenitsyn's relentless light from the East illuminates the indissoluble connection between the internal aims of the terrible and forbidding men who constitute it."

You here today—and countless other defenders of freedom—remind us in America that freedom is not easily won nor painlessly maintained. Teach us, by your example and your unremitting love of liberty and self determination to cherish our own freedom all the more—and to be willing to pay whatever price we must to maintain that freedom for ourselves and our children.

Our 52 former hostages, held by Iranian barbarians for 444 agonizing days, have returned to American soil but a few hours ago. They will teach us vividly of what you have been quietly and persistently reminding us for so many years—that freedom is under attack and on the defensive in many places in the world.

The "light from the East" now shines on the brave Polish labor leaders who, with enormous courage, are struggling for more human dignity against a system that denies humanity itself.

The brave Afgan rebels are fighting with knives and rocks and any sort of weapons they can find—fighting our fight against Communist totalitarianism.

Can we in America learn from all of this?

A writer with the gift of prophecy once said that we in the West stand on the only island of freedom that is left in the whole world * * * "there is no place to flee to * * * no place to escape to. We defend freedom here or it is gone. There is no place for us to run, only to make a stand. And if we fail, I think we face telling our children, and our children's children, what it was we found more precious than freedom. Because I am sure that someday—if we fail in this—there will be a generation that will ask."●

## ABOLISH THE U.S. METRIC BOARD

### HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. RUDD. Mr. Speaker, I am today reintroducing a bill to repeal the Metric Conversion Act of 1975 and abolish the U.S. Metric Board, in order to halt further Federal promotion and imposition of changeover to metric measurement in the United States.

The overwhelming majority of Americans do not want their customary U.S. system of weights and measures to be replaced by metric units, which are foreign to many people and no better for everyday use than our own familiar measuring units.

Voluntary use of the metric system has been an option in the United States since 1866. Our Nation had operated well under this dual system of customary and metric measurement for more than 100 years before the Metric Conversion Act, and there is no good reason for the Federal Government to be embarked on an effort to promote a changeover to metric.

The U.S. Metric Board—created by the 1975 law—is supposed to be neutral on the use of customary or metric measurement. The intent of Congress was for the Board to help coordinate conversion only when a private sector industry made a voluntary decision to change over to metric and asked for Federal Government assistance. However, the Board's members and staff—frequently drawn from the American National Metric Council—a metric advocacy group—have frequently used their positions within this Federal agency to promote and advocate metric conversion.

One member of the Metric Board who is opposed to promotional activities of the Board is the Honorable Thomas A. Hannigan, a labor union representative.

Addressing the First National Council on State Metrication last year, Mr. Hannigan said:

Legislative history of the Metric Conversion Act clearly reveals that Congress repeatedly rejected a policy of the Federal Government facilitating and encouraging conversion. The [General Accounting Office] reports that the 1975 Act and its legislative history show that national policy is not to prefer one either to predominate on the basis of the voluntary actions of those affected, thus the role of the U.S. Metric Board is not to advocate conversion but to assist various sectors if and when they choose to convert. * * * Clearly, a national decision to convert to the metric system has not been made.

Unfortunately, Mr. Hannigan's voice within the Metric Board has been ignored by zealous metric proponents anxious to put the force and resources of the Federal Government behind metrication.

For instance, the Metric Board held hearings in 1979 on the feasibility of converting gasoline pump sales to liters rather than gallons. The Board was attempting to take advantage of rapidly rising gas prices, then approaching $1 per gallon, which confronted retail gas dealers with the prospect of having to replace gas pump computers on a wide scale. The Board got behind a propaganda campaign for metric sales by the liter as a supposedly less expensive alternative—of course ignoring the enormous cost ramifications of such a decision throughout the petroleum industry, as well as dislocations and confusion for the motoring public.

In this and other examples, the Metric Board totally ignored the findings of the General Accounting Office, whose 5-year study released in 1978 outlined the tremendous costs associated with conversion to the metric system. Cited within the GAO report was the example of the impact on the petroleum industry.

The GAO reported that conversion to the metric system will cost many billions of dollars, which would ultimately have to be paid by American consumers. Additionally, metric conversion is of little usefulness to the great majority of American citizens and business—particularly small business.

Another example of the Metric Board's recent promotional activities was the establishment of the Interagency Committee on Metric Policy, a committee of official representatives from the various Federal departments and agencies who meet together to discuss ways to implement increased metric usage and conversion through Government operations. The ICMP operates with Metric Board support, but outside the Board's jurisidiction, making this interagency group virtually unaccountable to the agencies involved or the Congress.

The Interagency Committee on Metric Policy even went so far as to issue regulations in the Federal Register on January 8, 1980, instructing all Federal agencies to adopt and promote the use of metric measurements in their own activities, in Federal procurement and contracting, and so forth. This action was totally beyond the authority granted to the Federal Government under Public Law 94-168, the so-called Metric Conversion Act.

A good example of the way that metric usage is being imposed on the public under these regulations is recent action by the U.S. Department of Transportation to require metric specifications on highway construction. The Department recently advertised for bids on a highway project in the Eugene, Oreg., Register-Guard, using metric measurements. The advertisement even announced that the project will be constructed using SI metric specifications, which means that companies wanting to do the work must convert to metric—voluntarily, of course.

This, in effect, is mandatory imposition of metric on the public through the actions of Federal Government agencies, and is far beyond the purview of the enabling legislation which created the U.S. Metric Board.

At a time when President Reagan is seeking efficient ways to tighten the Federal budget, Mr. Speaker, I would suggest that the U.S. Metric Board and its Interagency Committee on Metric Policy could easily be among the first unnecessary Government agencies to go. It provides no essential services to the public.

In fact, despite its $2.7 million annual budget, the Metric Board has failed to assist the public to become familiar with the meaning and applicability of metric measures in daily life, and has failed to coordinate voluntary metric conversion initiated in the private sector involving private industry and the Federal Government—two of its three responsibilities required by law.

What functions the Board could provide can and are being done by the private sector without this agency's help. The Metric Board has disregarded its charge for volunteerism and is nothing more than an unwanted metric advocacy organization. It should be abolished outright.

Mr. Speaker, I invite cosponsors for my bill to abolish the Metric Board and to terminate the Federal Government's promotion and imposition of metric conversion. I would like to include the text of the bill at this point in the RECORD:

H.R. 1660

A bill to repeal the Metric Conversion Act of 1975 (89 Stat. 1007; 15 U.S.C. 205a et seq.)

*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 "Metric Conversion Repeal Act of 1981".

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds that—

(1) the majority of the American people do not favor conversion from customary United States weights and measures to the metric system, despite United States involvement as an original signatory party to the 1875 Convention—Weights and Measures (20 Stat. 709), and the fact that voluntary use of metric measurement standards in the United States has been authorized by law since 1866 (Act of July 28, 1866; 14 Stat. 339);

(2) the Metric Conversion Act of 1975 (89 Stat. 1007; 15 U.S.C. 205a et seq.) has conveyed to the American public and to the business community the erroneous impression that United States conversion to the metric system is national policy, which it is not;

(3) no country in the world has converted its economy to the International System of Units (SI), the wavelength-based metric system adopted by the General Conference of Weights and Measures in 1960 and cited as the optional system of metric measurement in the Metric Conversion Act of 1975.

(4) the United States Metric Board, created by the Metric Conversion Act of 1975, exists as an unnecessary promotional vehicle within the Federal Government, using the resources and power of the Government to influence and encourage conversion to the metric system throughout the United States in violation of the intent of Congress;

(5) Federal bureaucratic imposition of metric conversion has been fostered by the U.S. Metric Board's ad hoc Interagency Committee on Metric Policy (ICMP), which has promulgated Federal Metric Policy and Guidelines (Federal Register, Jan. 8, 1980) instructing all Federal agencies to implement increasing metric usage through Government procurement, contracting, and other policy initiatives in violation of the intent of Congress;

(6) several Federal departments and agencies have provoked widespread public opposition by attempting to impose use of metric measurement on highway signs, in weather reporting, in marketing beverages and other products, and through school curriculum materials, also not in keeping with the intent of Congress that use a metric measurement by any sector in the United States be strictly voluntary, as provided under the 1866 statute, and not imposed by the Federal Government;

(7) according to an exhaustive study by the Comptroller General of the United States, the cost and disruption of metric conversion to the American people would be enormous, while the purported benefits of such conversion are nonexistent or questionable in practically every area;

(8) standardization and rationalization of measurements, and other purported benefits ascribed to metric measurement, have occurred throughout the world under the customary system without metric conversion;

(9) there is no evidence that a solely metric system would be better for the United States economy, and United States economic activity and world trade have not been hampered or injured by a dual system of customary and metric measurement according to the Comptroller General's report;

(10) the U.S. Metric Board has failed to "assist the public . . . to become familiar with the meaning and applicability of metric measures in daily life," and has failed to coordinate metric conversion initiated in the private sector involving private industry and the Federal Government, two of its three responsibilities required by law;

(11) it is in the interests of the United States to eliminate Federal Government entities or programs, such as those continuing and expanding beyond the intent of Congress under the Metric Conversion Act of 1975, when it is clear that such entities or programs are detrimental or unnecessary to public need.

(b) The Congress declares that it is the policy of the United States—

(1) to continue a dual system of customary and metric measurement in the United States, as dictated by the needs and desires of the private sector, and to prevent Federal Government promotion or imposition of metric conversion;

(2) to pursue a vigorous effort to avoid wherever possible undue or harmful socioeconomic dislocations as the result of Federal Government programs or actions, such as those needlessly imposed by efforts being advanced under the Metric Conversion Act of 1975; and

(3) to eliminate Federal Government entities or programs that would cause undue socioeconomic dislocations, or whose existence or objectives are not supported or needed by the American people.

REPEAL OF METRIC CONVERSION

SEC. 3. The Metric Conversion Act of 1975 (89 Stat. 1007; 15 U.S.C. 205a et seq.) is repealed.●

## KOREA MOVE PLEASES

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DERWINSKI. Mr. Speaker, one of the first positive foreign policy moves that the new administration initiated was to cement U.S. relations with the South Korean Government by inviting President Chun Doo Hwan to Washington. As a result, we may expect more cordial military and trade relations between our Government and that of the South Koreans.

An outstanding publication serving my congressional district in south suburban Chicago, the Southtown Economist Newspaper, recognized this fact in an editorial in their January 29 edition. I insert it at this point:

KOREA MOVE PLEASES

The action of South Korean President Chun Doo Hwan in commuting the death sentence of Kim Dae Jung, the opposition political leader, to life imprisonment removes a major obstacle toward restoring warm and cordial relations between the United States and South Korea.

President Chun also has announced the end of martial law, another pleasing move, and has set the stage for his visit with President Reagan in Washington on Feb. 2.

The United States has maintained a force of some 40,000 troops in South Korea, which faces a continuing threat from the fanatic North Korean Communists against which such a bitter war was fought in the early 1950s. We hope there are many more such steps in the months ahead.●

## PROTEST PSYCHIATRIC REPRESSION IN SOVIET UNION

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. LANTOS. Mr. Speaker, a remarkable series of reports appeared in last weekend's Washington Post describing the grim reality of life in the Soviet Union and the official use of psychiatric repression against dissidents. The report, written by Post foreign service reporter Kevin Klose, comes from the Ukrainian mining city of Donetsk.

I commend the entire three-part series to my colleagues. In his final report, Klose details the use of punitive political psychiatry to control dissent. This new variety of torture allows the Soviets to claim any undesirable person "insane" and imprison him or her in a psychiatric hospital without charges or trial. Even more frightening is the use of potent drugs on the "patients." I hope all of my colleagues will read the following article:

SOVIETS FIND NICHE FOR LABOR GADFLY: PSYCHIATRIC JAIL

(By Kevin Klose)

DONETSK, U.S.S.R.—Alexei Nikitin said he never thought of himself as a man looking for trouble or as a man with a mission. At

first, he said, he only wanted to right a wrong.

But when he took up the cause of fellow workers who had been cheated of wages and who worked without adequate safety precautions in the pit, Nikitin came into a conflict with the authorities in this coal-mining city. He eventually was judged insane and kept in psychiatric hospitals and prisons for seven of the last 10 years. This is his story. Soviet authorities have refused to discuss his case.

Freed in May from a police-run mental hospital, where Nikitin said he was injected with hallucinatory drugs meant to bring on a robot-like submissiveness, Nikitin was examined by Dr. Anatoli Koryagin, a psychiatrist from Kharkov who has aided political activists imprisoned on grounds of alleged mental illness. Koryagin pronounced the mining engineer perfectly sane.

"He is totally healthy," Koryagin said in an interview last week, adding that he had studied Nikitin exhaustively using every available and accepted test of modern psychiatry.

In contrast to the enormous successes achieved by Poland's Lech Walesa in establishing trade unions to defend workers free of party control, the harsh treatment meted out to Nikitin underscores the futility of similar labor activism under Soviet conditions.

Nikitin, 41, is a stocky, balding mining engineer who spent most of his working life at the Butovka-Donetsk works, one of 49 coal mines in this eastern Ukrainian city of 1 million residents.

But apparently because of his stubborn pursuit of vindication, he lost his family, as well as his freedom. He has seen that there are many ways to break the human spirit and that after 63 years in power, the Soviet state knows many of them.

Nikitin's early biography is the stuff of state propagandists—10th child of a collective farm peasant, pioneer and League of Young Communists, member with good grades. He spent two years in military service, earned a degree in electro-mechanical engineering from Donetsk Polytechnic Institute, married and had one daughter. He also belonged to the Communist Party.

"I was raised in the idea that the party really senses people in the best spirit. I never listened to foreign radio stations, I read Soviet newspapers and assumed they were truthful," he remarked during a series of exhaustive interviews here several weeks ago.

By the mid-1960s, Nikitin was working full time at the Butovka mine. He was a trade union and party activist seemingly headed for some of the privileges and power available to successful bureaucrats. But life was not that simple or satisfying. Party meetings seemed meaningless, for workers' concerns were deflected or rudely shoved aside by the leaders.

"I began to understand that all questions were decided in advance," he said.

As his views matured, he began to stand up for men arbitrarily fired.

"I had nothing against the Soviet Union," he explained. "From childhood, I defended the downtrodden and humiliated, out of my Russian heart. I had always helped people in trouble."

He warned of a possible disaster from lax safety precautions, such as improper use of explosives and inadequate tunnel shoring. Mine leaders rebuffed him, he asserted, talking "only of the need to fulfill the plan. They said, 'Victors aren't judged. Nothing else is important.' "

When he pressed higher, Donetsk Central Committee officials said: "How could you, a simple engineer, predict an explosion? We sent experienced safety engineers to the mine, and we trust them."

The showdown with mine director Viktor Savitch, an in-law of a powerful Donetsk party member, came in June 1969, when Nikitin and 19 other miners complained about unpaid bonuses, a practice that continues here today.

Savitch threw the petitioners out of his office. With 129 others, Nikitin sent a collective letter to Communist Party Central Committee headquarters in Moscow. Moscow bounced the letter back to the Donetsk party, which promptly expelled Nikitin. In February 1970, he was fired from his job. Threatened with similar reprisals, most of the others renounced their signatures.

Repeated attempts to contact Butovka mine officials to get their side of this story have been unsuccessful.

Unable to find permanent work, Nikitin did odd jobs and searched for vindication repeatedly in Moscow, being shunted to the Soviet Supreme Court, the national legislature, procurator's office, Central Committee and back again. In turn, each claimed no knowledge of his case.

There were always new forms to be completed, long lines for officials who then proved to be "unavailable." Or they told him to "settle this in the local organization," which had originally fired him.

In the endless queues, Nikitin found himself part of the hidden army of "truth-seekers," a decisive czarist-era term, come to Moscow in fruitless search for justice.

Once, he got to see Politburo member Arvid Pelshe, now 81, the gaunt Latvian who heads the party's Control Commission to review such complaints. Pelshe's severe expression and utter silence, Nikitin said, "betrayed a desire to punish." An assistant proclaimed, "Your appeal is not satisfied."

Meanwhile, his marriage rapidly deteriorated under what he believes were pressures from party officials on his wife, herself a party member, and her relatives. After months of domestic tension because of his inability to find a good job and his single-minded pursuit of getting his name cleared, his wife left him, taking their five-year-old daughter. Nikitin has not seen them since and has not tried to contact them, for fear it would only bring trouble to his child.

Clinging to hope of finding a meaningful response somewhere, the stubborn Nikitin next took an extraordinary step for a Russian. He slipped into the Norwegian Embassy in Moscow with written appeals to the United Nations and world labor agencies. The diplomats took his petitions and showed him out.

"I am a Russian, and I was raised in a patriotic family," Nikitin said. "I deeply love my people, our land, our folk songs. But I began to believe that to live in this country is impossible. There is unlimited control by the authorities, without any law. This happened to me because I started to defend workers without official permission."

A short time later, he was seized by Moscow police, sent to City Psychiatric Hospital No. 14 for brief observation "to frighten me," then shipped back to Donetsk.

There, the city party leader, a man named Kubishkin, had jeered: "You defend the people! You're a literate fellow, you've read history. Well, in history, it's written that those who tried to lead the masses [such as Cossack rebel heroes Stenka Razin and Yemelyan Pugachev], they cut their heads off!"

One morning in late December 1971, when the Butovka night shift was leaving and the morning crews had not yet descended, Nikitin recalled, a powerful blast shook the mine. Families and friends rushed to the shaft, some of them screaming, "Nikitin warned you!" KGB security agents and police assembled and, without violence, cleared the grounds.

Seven miners had died, and more than 100 were injured. There is no known public mention of the mishap in Soviet records. The official media does not make public such matters except when many have died, or when foreigners lose their lives, thus forcing the authorities to acknowledge that an accident has occurred.

An effort last week to verify the story failed when a secretary in the office of the chief safety engineer of the Ukrainian Coal Production Ministry in Donetsk said on the telephone that none of her superiors was available for comment and that all were out of town until further notice. She refused to give the names of the officials and abruptly hung up.

When former Butovka workers began seeking out Nikitin to tell him he had been right after all, he knew his own days of freedom were numbered. On Jan. 13, 1972, police arrested him at a relative's apartment where he was sleeping. He was charged with spreading anti-Soviet propaganda.

He sat undisturbed until June 19, when he was suddenly driven in a padlocked vehicle to a forbidding place he had never known existed: the Dniepropetrovsk Special Psychiatric Hospital, established in 1968 by the Interior Ministry inside the double, barbed wire-topped walls of the city's prison. It is one of 13 such police-run hospitals for criminally insane known to exist in the Soviet Union.

He learned the charge of antistate activities had disappeared. He was now diagnosed as dangerously insane, even though he had never been seen by a psychiatrist.

As attendants dressed him in black prison trousers and striped prison shirt, he was told, "Dear comrade, you're going to be here for life."

"How do you know this is for life?" Nikitin recalled asking.

"Little friend, they've decided you're a fool and you've got a political offense. So don't worry, you're here for life."

It took the hospital prison two weeks, by Nikitin's recollection, to conform their opinions to this judgment. He said he was subjected to interviews by three white-jacketed men who said they were psychiatrists. One of them customarily took off his doctor's outfit at the end of daily sessions to reveal a KGB colonel's uniform underneath, Nikitin said.

After two weeks of tests, he was diagnosed as "psychopathological—simple form," he said.

Nikitin was confined to a 26-by-20 foot room where 30 men lived, with not enough beds for all. Yellowed from long incarceration, the inmates had contorted limbs and faces, lolling tongues and vacant stares from compulsory drug treatments. The room was alive with groans, cries, sobbing and aimless murmurs.

"It was horrible to look at them," Nikitin said.

He spent four years there. The most dreaded treatment was injection of sulphazin, a form of purefied sulfur that brings on intense fever, excruciating pain, convulsions and disorientation.

In their authoritative 1977 work, "Russia's Political Hospitals," Sidney Bloch and Peter Reddaway report that sulphazin was used for psychiatric treatment in the West in the 1930s, "but fell into disfavor when it was shown to have no therapeutic effect. Sulphazin has no place in contemporary medicine, and certainly does not feature in Western pharmacopoeias."

They add, "Its application as a punitive measure has been cited by many dissenters."

According to Nikitin, the drug was an effective punishment in the prisons because "if they torture you and break your arms, there is a certain specific pain and you can somehow stand it, but sulphazin is like a drill boring into your body that gets worse and worse until it's more than you can stand—it's impossible to endure."

He remembers seeing immates injected with sulphazin "groaning and sighing with pain, in horrible convulsions, cursing with everything in their hearts, cursing the psychiatrists and Soviet power."

Nikitin said that the doctors, nurses and orderlies seldom failed to threaten the use of various drugs against patients who were caught discussing political matters and that he thus came to know the names of each of the substances used.

He said that in addition to sulphazin, used to control and disorient the patients, he was forced to take aminazin [largactil or thorazine in the West] and haloperidol [serenace and haldol in the West]. Both are used to treat severe schizophrenia and other mental disorders and frequently disrupt normal body movements.

He said he believes that up to 85 percent of all the inmates were sane. Most were murderers, he said, "convinced they were imprisoned to be used as guinea pigs in experiments." Some of these men, who frequently admitted their crimes, dreamed of getting their hands on an AK47 assault rifle.

"'Give me that *'balalaika,'* and I'll settle with them,' they said."

He also met Ukrainian nationalists, Baptists who had circulated religious tracts and a Soviet marine who said he had shot several pursuing Soviet soldiers while trying to escape to Israel from Egypt when he was stationed there.

Nikitin also found other worker activists like himself there, including Vladimir Klebanov, a former Donetsk miner, who was imprisoned after trying to organize the first independent trade union in modern Soviet times in 1977.

In March 1976, Nikitin was released and he returned to Donetsk. He moved in with a relative and tried to have himself declared an invalid because of his drug treatments. Officials refused to sign any documents admitting he had ever been at Dniepropetrovsk, he said.

Again, he could find no permanent work, and he returned to Moscow and the Norwegian Embassy, where he sought political asylum in February 1977. The embassy refused.

When Nikitin left, he was arrested and within days, sent back to the prison hospital. He spent three more years there and at a Donetsk psychiatric hospital, a Health Ministry facility and was released from there in May.

Last autumn, Nikitin went to Moscow to see friends, and during that time, invited me and Western colleague to visit him in Donetsk, where he offered to show us his city, tell us of his life in detail and have us meet other mine workers willing to speak candidly of their lives.

We came to Donetsk in early December and found him living with one of his relatives in a small, spotless apartment in a rundown building in a small community of miners here. We spent 3½ days with him and said goodbye on Dec. 8.

Four days later, Nikitin was arrested again. According to reliable sources, authorities arrived in an ambulance at the apartment on Denisenko Street in Donetsk where Nikitin was staying and ordered him taken to Donetsk Psychiatric Hospital No. 2 to undergo a new psychiatric evaluation.

"Something was done to him," the sources said, and instead of vigorously defending himself, Nikitin was said to have fallen into a sudden unconsciousness. He was "swaddled like an infant" by the orderlies and loaded into the ambulance.

These sources are convinced Nikitin was drugged. They said that when the engineer's relatives finally got to see him a few days later at the hospital, they found him in poor condition, unable to eat, dazed and suffering from an extremely high temperature after a series of injections he said he had been forced to take.

Since then, the family has not heard from him or been allowed to see him again and they do not know his whereabouts. Soviet authorities refuse to discuss the case.

Observers here believe that the Kremlin, agitated by the Polish crisis and uncertain of its long-term impact on the cowed Soviet labor force, has no intentions to permit open calls for independent trade unions here. Psychiatric imprisonment seems almost tailor-made for the authorities in dealing with dissident workers.

By using this form of repression, they preclude the possibility of dissidents using the courts to question overall economic goals or such practical issues as food shortages, workplace safety and arbitrary firings. It also eliminates the need to call witnesses and thus spread the knowledge about dissatisfaction.●

## THE PAUL VOLCKER RETIREMENT ACT

### HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DORGAN of North Dakota. Mr. Speaker, Paul Volcker. Many Americans would not recognize the name. He is not an elected official. But he has played a big role in our lives. He has led the Federal Reserve Board on a series of roller coaster monetary policies resulting in 20 percent interest rates, a dramatic increase in business failures, and an American economy that is suffering seizures between recessions.

Double-digit inflation is slowly burning our economy at the stake, and Paul Volcker is carrying the wood, and I think it is time to put a stop to it.

That is the reason I am introducing a bill that I refer to as the Paul Volcker Retirement Act. It is time we talk about some changes at the Federal Reserve Board, and I think it is appropriate to start talking about changing the Chairman.

Who does Paul Volcker report to? Nobody—and that is the problem.

Mr. Volcker, the Chairman of the Federal Reserve Board, has, in my opinion, led the Federal Reserve down a stairway of trouble that has compounded rather than relieved the problems in the American economy. Their actions have caused dramatic increases in small business failures, scorched the housing and automobile industries, heightened inflation, and generally made life worse for most Americans.

Why is Paul Volcker still in charge of the Federal Reserve Board? Because unlike most other public officials, he is not held accountable to the President who appointed him, to the Congress, or to the people of this country. He has failed and we—the people's representatives—can do virtually nothing about it.

I want to change that. It is time for a coordinated fiscal and monetary strategy in this country, and as a way to begin discussing what we have to do to accomplish that, I am introducing legislation that would provide a means for holding the Chairman of the Federal Reserve Board accountable for his performance by providing a means for his removal.

#### WHO'S IN CHARGE?

Imagine a football team that has two signal callers. One tells the quarterback to call a pass play, while the other tells the line to pull out for an end sweep.

No way to run a football team, you say. You are right. It is no way to run an economy either, but this is precisely what we do now in this country.

Of the two principal tools of economic policy, only one—fiscal policy, or Government taxing and spending—is under the control of the elected Representatives of the people. The other tool, monetary policy—the size of the money supply—is managed and controlled by the Federal Reserve Board and the American banking community. This system of having one American economy, but two signal callers on economic policy is just not working.

Fed Chairman Paul Volcker is calling the signals for the Fed, and it is time to make him listen to the wishes of the American people.

While the Federal Reserve Board itself may be obscure to most Americans, the effect of the Reserve's actions are decidedly concrete. The fortunes or misfortunes of farmers, business persons, consumers, and units of government often hinge directly on the actions of the Federal Reserve Board, and of late, the Fed's actions have meant misfortune for most Americans.

A CASE OF THE WRONG MEDICINE

High interest rates are breaking the back of the domestic auto industry, forcing over 1,600 auto dealers to close, and putting hundreds of thousands of auto-related workers out of work. Thirty percent of the homebuilders in the country went out of business in the last 2 years, which resulted in another 757,000 building trades workers being tossed out on the street. Family farmers are paying 45 percent more in interest charges this year than they were last year and they cannot afford it.

If policies of the Federal Reserve System were truly "wringing inflation out of the economy," to cite the bankers' favorite metaphor, that would be one thing. But in practice, the Volcker-Fed high interest rates have done just the opposite. They have helped wrap inflation snugly into the economy. High interest rates have become part of the price of cars, houses, tractors, and washing machines that we buy. Just ask Mr. Iacocca, or ask any farmer.

Worse, high interest rates mean the Treasury has to shell out more to finance deficits. These deficits, at the same time, grow larger, because, when Volcker and company throw their wet blanket on the U.S. economy, tax receipts go slack. Then Treasury borrows more, at the higher interest rates, to plug the gap, and the downward spiral of self-defeating economic policy spins out.

It is time for us to stop entrusting a full half of the Nation's economic policy to an insulated clique of big bankers and money brokers called the Federal Reserve System.

SOME HISTORY

The lawmakers who wrote the original Federal Reserve Act in 1913 labored to insure the Fed would never become what, in fact, it has become—a powerful central bank accountable to no one.

More important, the Reserve System was designed for an economic world that does not exist today. In 1913, the Federal Government took no general responsibility for the health and productivity of the U.S. economy. In this setting, the Federal Reserve was designed primarily as a custodial institution, acting to stabilize what has been a maverick and volatile banking system.

For that limited, custodial function, some political insulation might be tolerable, if not advisable.

Since World War II, however, the scene has changed radically. Though they disagree on the particulars, neither Republicans nor Democrats disclaim the role of a national economic policy in promoting productivity, growth, profit, and national well-being.

In this new setting, the insulated, big-banker-controlled Federal Reserve System, with its tight grip on half of the Nation's economic policy, is an anachronism, and a dangerous one.

INDEPENDENCE OR ACCOUNTABILITY?

Proponents of this system say that the Fed's autonomy is a virtue, that an independent Fed is necessary to keep pristine matters of money out of the sordidness of politics. To say that a Federal Reserve System controlled by big bankers is independent is surely a curious use of that word. Would we say that an Interstate Commerce Commission controlled by railroad presidents was an independent ICC? That a Department of Agriculture owned and operated by multinational grain dealers was an independent Department wonderfully removed from politics?

The money supply is a public issue just like taxing and spending are public issues. Some groups think the money supply should be expanded; others think it should be contracted. And as long as someone must decide between them, that decision will be the people's business.

The problem today is that the Fed is deciding public issues without being accountable to the public.

When the Federal Reserve Act was under consideration in 1913, President Wilson said, emphatically:

> The control of the system of banking and of (issuing money) must be public, not private. * * * It must be vested in the Government itself so that the banks may be the instruments, not the masters of individual initiative and enterprise.

It is time that we followed President Wilson's advice.

I submit that a little job insecurity does wonders where entrenched power is concerned, and I am proposing a little job insecurity for Mr. Volcker and his sucessors. Specifically, I am proposing that Congress, by a simple 60-percent vote of both Houses, have the power to remove the Chairman of the Federal Reserve Board.

Such a step would not, of course, solve this Nation's monetary problems. Nor would it, alone, correct the fundamental weakness in the way our central bank operates. But it would make the Fed Chairman listen. It would give the people of this Nation a silent seat in the closed room in which the Fed's Open Market Committee meets to decide how much money we will have.

If Congress is to insist, as many say it should, upon a "legislative veto" over every item or regulatory minutiae which issues forth from the FTC and other regulatory agencies, should it not likewise insist upon at least some check over the Federal Reserve System which determines half the Nation's economic policy?

In summary, it is time to begin a serious debate about the performance and structure of the Federal Reserve Board, and this debate should begin with a discussion of the performance of Board Chairman Paul Volcker.●

## OTTINGER PRAISES THE READER'S DIGEST FOR ENLIGHTENED ARTICLE ON ENERGY

### HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. OTTINGER. Mr. Speaker, the debate over energy policy will continue in the 97th Congress and in the new administration. Many books and articles have been written which have sought to shed light on the difficult energy policy choices and assist us and the American people in gaining greater understanding of the nature of the problem. I am particularly pleased that the Reader's Digest has published an article entitled "Which Path to Our Energy Future?" by James Nathan Miller. With its wide circulation and loyal readership the Reader's Digest article will expose many people for the first time to the potential of energy conservation and solar energy technologies. I commend this article to my colleagues and include an excerpt in the RECORD:

[From the Reader's Digest, January 1981]

WHICH PATH TO OUR ENERGY FUTURE?

(By James Nathan Miller)

The problem is not shortage. It's how we select the best, most economic combination of existing fuels and new technologies to carry us to a solar/fusion era, just over the horizon, when the world should have all the cheap, clean energy it will ever need.

The present synfuels program is not the answer.

It's staggering in its size—the biggest peacetime project the United States Government has ever undertaken. Jimmy Carter proudly called it "greater than the sum total of the interstate highway system, the Marshall Plan and the space program combined." It's the "synfuels" project, now gearing up to spend at least $88 billion (and probably far more) to create from scratch an industry capable of manufacturing America's gas and oil.

But there's another way of describing this massive effort. It may well be the most wasteful program in the country's history, and it could cause the nation to repeat a profoundly serious mistake in energy planning that we made a quarter of a century ago, whose effects haunt us to this day. To understand what's involved, start with a brief look at what the program is supposed to accomplish.

According to its backers, the synfuels project will make America independent of Arabian oil—a "declaration of energy independence," in Carter's words. Its $88 billion—if Congress appropriates that entire sum—will subsidize industry efforts to synthesize oil and gas from two resources that the United States owns in enormous abundance: coal and oil shale. By 1978, says the synfuels law, American companies will pro-

duce one quad[1] of synfuels a year, and by 1992 an enormous four quads.

"There's not a chance of meeting these deadlines," says Gordon MacDonald, chief scientist for the Mitre Corporation, a leading scientific study group in Washington. Practically no one in Washington or in the energy industry thinks we can come anywhere near the law's production targets. Consider a few of the problems involved:

Several mountain ranges in the Rockies are saturated with oil—more oil than the Arab nations possess. But how do we get it? A plant capable of mining the needed quantities of rock and melting out the oil would be one of the world's largest industrial facilities. Today, we have only a half dozen small pilot plants. There are thousands of unanswered questions about how to scale these operations up to commercial size.

It takes at least eight years to build a conventional electric-generating plant. No one knows how long a shale-oil plant will take. Indeed, the government hasn't even signed a contract for such a plant; it's just now beginning to spend hundreds of millions of dollars for "feasibility studies." Even when the first plant is finished it will produce only 50,000 barrels of oil a day. This means ten such huge plants will be needed to meet the 1987 target of a single quad, and a host of studies show that just this first quad's worth of construction will require one third of the nation's current industrial construction capacity.

But building the plants is just part of the project. Dams will be needed to provide water, and pipelines to take the oil to refineries. Billions of dollars will be required to improve the nation's coal-handling railroads, and new highways and towns will have to be built for the 200,000 people brought to the sparsely settled Rockies to get the project started.

Isn't there a quicker, surer way of achieving oil independence? In fact, there is, and it's called conservation. Every major energy study of the past three years has pointed to dozens of methods for improving the efficiency of our cars, houses, offices, factories.[2] Energy experts now agree that conservation could cut our oil imports in half by 1990—an eight-quad saving—and eliminate them altogether by the turn of the century.

Where, then, should we turn to resolve our energy future? In fact, there are several sources to choose from. The most promising involve technologies that aren't yet perfected; when they are perfected (in some cases this is very close), they will produce energy that is clean, virtually free and theoretically limitless. But that's at the end of the energy rainbow; to get us there we will have to rely on more conventional fuels. Let's look at the "future fuels" first.

WIND FARMS

When the sun heats the earth's surface, the warmed air rises and new air is sucked in to replace it. The result is wind. At 22 m.p.h., each square yard of wind carries enough energy to light five 100-watt bulbs; in all, there is an estimated 3000 quads' worth of energy in the winds that blow across the United States each year.

Many observers feel that in the next few years windmills will be the first solar technology to take off in a big way. Last year a windmill firm signed a $240-million contract to supply the Hawaiian Electric Company with electricity from 32 windmills, each with blades as high as a 30-story building. By 1984 they are expected to provide about eight percent of the electricity for the island of Oahu and the city of Honolulu. With constant winds, Hawaii is the first state to go the windmill route. But there are comparable winds on the coasts and plains of the mainland, and utilities in California and New England are now considering similar wind farms.

Take the experimental windmill that went into operation last fall for the Bonneville Power Administration in Oregon. Paid for by the government and built by Boeing, its 300-foot blades (the world's largest) spin a generator that produces 2.5 million watts (enough to power a large office building) whenever the wind blows at 17 m.p.h. The cost of this power will be about eight cents a kilowatt hour—two cents more than for a brand-new generating plant. But the windmill needn't worry about rising fuel costs since wind is free, and its construction expense will almost certainly drop as Boeing graduates to large-scale production.

SUPER CELLS

When the paper-thin, four-inch-wide silicon eyeball of a photovoltaic cell looks directly at the sun, its surface electrons become agitated, and a little more than watt of electricity dribbles from its terminals. You can buy one of these cells today at electronic-equipment stores, but there wouldn't be much point. At the present minimum price of $7 a watt, it would cost $700 to buy the ten-square-foot array of cells needed to light a single 100-watt bulb.

Researchers at Massachusetts Institute of Technology's Energy Laboratory calculate that the price will have to come down to about $2 a watt before it will begin to pay homeowners to install these cells on their roofs. Then, if you lived in sunny Phoenix, Ariz., a $6,000 investment in solar cells would give you a 300-square-foot array that would generate all your electricity when the sun was shining. (When it wasn't shining, your house would switch automatically to the utility's power.) That $6,000 would be your only cost for this electricity over the cells' estimated 20-year life. In addition, you'd be able to recoup part of the investment (up to 40 percent currently) through tax credits, and still more by selling some of the power. During peak sunlight hours, when your rooftop was giving off more electricity than you needed, excess power would automatically feed back to the utility—for which you'd get credit on your bill.

In 1954, when the photovoltaic cell was invented by Bell Telephone Laboratories, it cost $1000 a watt. Three years ago, the cost was down to $15 a watt. Today several companies are in a neck-and-neck race to perfect an approach that will cut the price to below $1. When that happens, the era of the tireless super cell will be here.

FLOWER POWER

Every year, the croplands, pastures and forests of America soak up between 25 and 50 quads' worth of energy through the process of photosynthesis. In effect, these annual charges of energy convert about half the country's land area into a gigantic storage battery containing 650 to 1000 quads of energy. How much of this so-called biomass can we turn into fuels? Probably a great deal, but the question of exactly how much is a matter of "on-the-one-hand, on-the-other-hand" speculation.

On the one hand, despite all you hear about running our cars on alcohol distilled from grain, a massive new industry would be required to produce this fuel in significant quantities. Last year, for instance, "gasohol" (10 percent alcohol, 90 percent gasoline) was sold at filling stations in 28 states—but it replaced less than 0.1 percent of our gasoline consumption.

On the other hand, it takes only half an acre to produce the alcohol component of enough gasohol to run the average car for a year. This means that we have enough unused farmland (about 50 million acres) to produce all the alcohol needed to fuel 100 million cars with gasohol.

But on still another hand, nobody knows at what point the diversion of crops to industrial use would start raising the price of food. So many unpredictables are involved—population growth, export demand, farm technology, etc.—that economists can't even agree among themselves about the long-term potential.

SOLAR STRUCTURES

In the last dozen years, architecture has gone through a quiet revolution in the way it can use the sun's energy. Today an architect is able to eliminate about 35 percent of a house's future heating bill without adding a cent to its construction cost—merely by orienting the structure and its main windows to within 15 degrees of due south. When other features are added—triple-glazed windows, insulating curtains, rock walls that store heat, etc.—it may be possible to knock another 35 percent off the fuel bill for only a few thousand extra dollars.

This is what's known as "passive" solar design—passive because it uses no moving parts and lets the sun do all the work. If you take a passive solar house and add water-filled glass panels on the roof, then use pumps and fans to spread the water's heat around to radiators, storage systems, etc., you have an "active" system. (As with photovoltaic cells, investment in these solar techniques produces a 40 percent tax credit.)

The long-term savings that could be reaped by putting such techniques into our homes and offices are enormous. About 1.5 percent of America's housing is replaced each year, which means a 30-percent turnover between now and the end of the century. If this 30 percent contained all the new solar techniques, combined with the best insulation, these new houses alone could save an annual four quads by the year 2000.

That's the good news. The bad news is that only two or three percent of our new homes could be called "solar" in design. "Just go through any new housing development," says Bruce Baccei, a Department of Energy (DOE) solar-design specialist, "and count the houses oriented toward the south. That will give you an idea."

What's wrong? For one thing, the building industry is made up mainly of small, old-fashioned contractors; together with materials makers, they fight any changes in archaic building codes that actually outlaw some of the best new materials and design techniques. But the main blame has to fall on DOE, the agency that's supposed to get the building codes changed and inform both builders and the public about the potential of solar design. Last year an exhaustive Congressional study concluded that DOE's lack of enthusiasm for conservation and solar techniques was "crippling" their development. "We know what we can do," says

[1] A quad is a quadrillion British thermal units, equal to the oil carried by 170 supertankers; in 1979, America's total energy consumption came to 79 quads, and our oil imports totaled 16 quads.

[2] See "The Energy Crisis: There Is an Easy Answer," Reader's Digest, June '80.

one official at DOE's Solar Energy Research Institute, "but they won't give us the budget to tell anyone."

FUSION'S FIRE

The process that creates new atoms by melting them together instead of splitting them apart is called fusion. We already know how to do this, in an uncontrolled way, with the fusion bomb. But the bomb merely illustrates the difficulty of controlling fusion inside a reactor. The heat given off in the bomb explosion is between 10 million and 100 million degrees Fahrenheit, and there seems to be no way of fusing atoms without generating these unimaginable temperatures. Optimists think that a fusion process in which the heat can be contained at a local generating plant may be achieved in the first half of the next century.

So if you look far into the future—say, to the year 2050—what you see is the end of the energy rainbow: an era in which perfected solar and fusion technologies will provide all the energy the world will need. From that perspective, the present debate takes on a new meaning. It's not over what our permanent fuel will be for the future, but over the choice of a "transitional" fuel or fuels to span the gap between the end of oil and gas abundance [3] and the beginning of the solar/fusion era. Almost everybody's choice as the key transitional fuel is coal.

BLACK GOLD

The United States possesses gargantuan reserves of coal—6000 quads known to be recoverable, with a potential for 15,000 more. And these reserves can do anything oil and gas can do. They can be converted to a gas and piped to our stoves and furnaces, turned into a liquid synfuel to run our transportation system or burned to produce electricity.

Now the bad news. Coal has always been our dirtiest fuel from mine to chimney top, and in the last decade scientists have discovered two new pollution problems. In Scandinavia, Canada and the northeastern United States, fish spawns and other aquatic life have been wiped out by rain that's laden with sulfuric and nitric acid. The Scandinavians say their acid comes from England's coal-burning generators, and the northeast pollution is blamed primarily on generators in the Ohio River Valley.[4]

Even more ominous is a discovery made at an observatory in Hawaii. Readings of the earth's upper atmosphere show an alarming buildup of carbon dioxide. Some scientists suspect much of it comes from coal- and oil-burning plants. They also fear that if the buildup continues at its present rate, it could slow down the venting of the earth's heat into space and, by the end of this century, warm earth's atmosphere by several degrees. This could mean a noticeable melting of the polar ice cap, leading to raised ocean levels and inundation of coastal areas around the globe.

NEED FOR NUCLEAR

Despite its abundance, coal alone won't get us across the gap. For the short term, we will still need the nuclear plants we have today, operating under the strictest safeguards.

As anyone who can read a bumper sticker knows, nuclear energy has a good side and a bad side. The good side is that our nuclear plants work and are competitive with coal plants. The bad side is the much-publicized safety question. And there's an even worse controversy brewing for their future: the battle over a plan to shift to a new kind of atomic plant, the so-called breeder reactor.

The breeder's advantage is that when it burns uranium it converts the uranium to plutonium—which it can then use as a fuel. Thus it actually breeds more fuel than it consumes. The problem is that plutonium is one of the world's most toxic substances. An invisible speck of it causes cancer in laboratory animals, and the speck keeps its virulence for 20,000 years. Each breeder would produce several hundred pounds of plutonium a year, which would have to be transported from the reactors to processing plants and back again.

Moreover, if a terrorist group got hold of as little as 20 pounds of it they'd be able to produce an atomic bomb.

When you consider all the energy sources available for the long pull, it's obvious that our problem is not an energy shortage. On the contrary, we have a whole spectrum of sources to choose from. The critical question is this: given the different economic uncertainties and environmental side effects of the choices, what combination of technologies makes the most sense? This brings us, finally, to the mistake we made 25 years ago.

In 1954, Lewis Strauss, chairman of the Atomic Energy Commission, said that atomic reactors might someday produce such an abundance of energy that electricity would be "too cheap to meter." The industry's trade group, the Atomic Industrial Forum, now admits that many industry officials felt this was unrealistic. But they didn't share their feeling with the public. As a result, Strauss's phrase—along with safety assurances from government and industry—convinced Congress that nuclear plants were the energy source of the future, and that they should receive virtually all of the government's energy-research subsidies.

After a decade or so, it became apparent that we were subsidizing an industry with severe problems. But by that time so many billions of dollars has been spent that the process had become self-fulfilling: Because Congress assumed that nuclear energy was the only new energy source worth backing, it became the only new energy source.

Were there other new sources Congress could have backed? For one, the photovoltaic cell was invented in the same year that Strauss made his "too-cheap-to-meter" prediction. If Congress had given solar cells a fraction of what it invested in nuclear development, the United States would now possess a solar-energy industry ready to expand as rapidly as needed—and unemcumbered by the economic and environmental problems that plague the nuclear industry.

The parallel between that chain of events and the present synfuels situation is striking. We are now building a new industry whose economics and technology are not known and whose effects on the environment could be severe. And while we gear up for this massive commitment, we are allowing conservation and solar technologies to develop at a far more leisurely pace, even though they show at least as much economic promise and almost certainly carry fewer environmental risks. In other words, we are poised on the brink of another self-fulfilling process.

Fortunately, it's not too late to step back. The synfuels program has not yet grown big enough to develop an irresistible momentum. Only $20 billion of the proposed $88 billion has been authorized—and only a fraction of that has been spent.

So write your Representative in Washington. Tell him that Congress should immediately begin debate on how to (a) scale down the synfuels program, and (b) scale up conservation and solar programs.

It's still possible for America to develop a balanced energy policy for both the short-term crisis and the long-term problem. The basic question is not whether we have the fuels to cope with our energy dilemma. It's whether our political system has the foresight to use the fuels we do possess in the wisest way.●

[3] Experts agree that our oil reserves will continue to decline. Recent discoveries, however, indicate that we may have far more natural gas than anyone imagined. These discoveries will be the subject of a future Digest article.

[4] See "Acid Rain: Scourge From the Skies," page 109.

## A GUIDE TO HEALTH INSURANCE FOR PEOPLE WITH MEDICARE

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, enactment of medicare in 1965 represented a major legislative achievement for older Americans.

Today medicare provides valuable protection for elderly and disabled persons against the high cost of hospitalization and other covered medical services.

But, gaps in coverage still exist, including reimbursement for out-of-hospital prescription drugs, physical checkups, eyeglasses, dentures, hearing aids, and others.

In addition, older and disabled Americans are subject to deductible and coinsurance charges for most covered services under medicare.

Many senior citizens have purchased private health insurance to fill in the medicare gaps.

In fact, the House Committee on Aging estimates that about two out of every three persons 65 or older have medigap policies.

This coverage helps to supplement medicare protection for most elderly persons.

However, some insurance agents use pressure tactics and other unscrupulous practices to induce senior citizens to purchase insurance policies of questionable value or inappropriate for their needs.

The House Committee on Aging estimates that older persons spend about $4 billion for medigap protection, and one-fourth of this total—or $1 billion—is for unnecessary or duplicative coverage.

The Congress recently enacted, with my support, legislation to help assure that supplemental health insurance policies provide effective protection for aged consumers.

The new law establishes a voluntary certification program. States are responsible for developing a certification

program which: First, complies substantially with the National Association of Insurance Commissioners' model regulation; and second, imposes minimum loss ratios of at least 75 percent for group medigap policies and 60 percent for individual and mail order policies. A loss ratio compares benefits paid by insurance companies to premiums paid by the insured.

If States do not establish a satisfactory program by July 1, 1982, a Federal certification program will become applicable.

To provide further protection for consumers, the Health Care Financing Administration and the National Association of Insurance Commissioners have developed a Guide to Health Insurance for People with Medicare.

This pamphlet provides helpful tips on shopping for private health insurance and practical information about medicare. The full pamphlet can be obtained from my office or directly from the Health Care Financing Administration, Department of Health and Human Services, Washington, D.C.

I am including, however, an updated summary of present medicare benefits for the use of my colleagues in advising their constituents in this important matter.

WHAT MEDICARE PAYS AND DOESN'T PAY

Medicare is divided into two parts—hospital insurance (Part A) and medical insurance (Part B). This page describes Part A benefits and page 7 describes Part B benefits. The chart on page 5 gives brief outlines of both Part A and Part B. Please refer to Your Medicare Handbook or any Social Security Office for more information.

Medicare does not pay the entire cost for all covered services. You pay for deductibles and co-payments. A deductible is an initial dollar amount which Medicare does not pay . . . a co-payment is your share of expenses for covered services above the deductible.

MEDICARE HOSPITAL INSURANCE BENEFITS (PART A)

WHAT MEDICARE PART A PAYS

When all program requirements are met, Medicare Part A will help pay for medically necessary in-hospital care . . . and after a hospital stay, for medically necessary inpatient care in a skilled nursing facility or for home health care.

Part A covers all services customarily furnished by hospitals and skilled nursing facilities. Part A does not cover private duty nursing, charges for a private room unless medically necessary, or convenience items such as telephones or television. Part A also does not cover the first 3 pints of blood you receive during an inpatient stay (but you cannot be charged for blood if it is replaced by a blood plan or through a blood donation in your behalf).

BENEFIT PERIODS

Medicare Part A benefits are paid on the basis of benefit periods. A benefit period begins the first day you receive Medicare covered service in a hospital and ends when you have been out of a hospital or skilled nursing facility for 60 days in a row. If you enter a hospital again after 60 days, a new benefit period begins. All Part A benefits (except for lifetime reserve days you have used) are renewed. There is no limit to the number of benefit periods you can have.

INPATIENT HOSPITAL CARE

Part A pays for all covered services for the first 60 days of inpatient hospital care in a benefit period except for $204, the current Part A deductible. For the next 30 days, Part A pays for all covered services except for $51 a day. Every person enrolled in Part A also has a 60-day lifetime reserve for inpatient hospital care which can be drawn from if more than 90 days are needed in a benefit period. When lifetime reserve days are used, Part A pays for all covered services except for $102 a day. Once used, lifetime reserve days are not renewable.

SKILLED NURSING FACILITY CARE

A skilled nursing facility is a special kind of facility which primarily furnishes skilled nursing and rehabilitation services. It may be a separate facility or a part of a hospital. Medicare benefits are payable only if the skilled nursing facility is certified by Medicare. Most nursing homes in the United States are not skilled nursing facilities and many skilled nursing facilities are not certified by Medicare.

Part A pays for all covered services for the first 20 days of medically necessary inpatient skilled nursing facility care during a benefit period. For the next 80 days, Part A pays all except $25.50 a day.

Medicare Part A will not cover your stay in a skilled nursing facility if the services you receive are mainly personal care or custodial services, such as help in walking, getting in and out of bed, eating, dressing, bathing and taking medicine.

HOME HEALTH CARE

Part A pays the entire cost of up to 100 medically necessary home health visits, after a hospital stay, for each benefit period. These visits must be used within 1 year from your most recent discharge. Part A covers part-time services of a visiting nurse or physical or speech therapist from a Medicare certified home health agency. If you receive any of these services, Part A can also cover part-time home health aide services, occupational therapy, medical social services and medical supplies and equipment. Part A does not cover full-time nursing care, drugs, meals delivered to your home or homemaker services that are primarily to assist you in meeting personal care or housekeeping needs. Beginning July 1, 1981, Medicare will pay for unlimited medically necessary home health visits. In addition, the prior 3-day hospitalization requirement will be eliminated, and occupational therapy will be a primary service to qualify for home health care.

MEDICARE—HOSPITAL INSURANCE BENEFITS

PART A

*For covered services—Each benefit period*

*Service*

Hospitalization: Semiprivate room and board, general nursing and miscellaneous hospital services and supplies. Includes meals, special care units, drugs, lab tests, diagnostic X-rays, medical supplies, operating and recovery room, anesthesia and rehabilitation services.

Benefit: First 60 days; medicare pays all but $204; you pay [1] $204.

Benefit: 61st to 90th day; medicare pays all but $51 a day; you pay [1] $51 a day.

Benefit: 91st to 150th day; [2] medicare pays all but $102 a day; you pay [1] $102 a day.

Benefit: Beyond 150 days; medicare pays nothing; you pay all costs.

A Benefit Period begins on the first day you receive services as an inpatient in a hospital and ends after you have been out of the hospital or skilled nursing facility for 60 days in a row.

Posthospital skilled nursing facility care * * * In a facility approved by Medicare. You must have been in a hospital for at least 3 days and enter the facility within 30 days after hospital discharge.

Benefit: First 20 days; medicare pays 100 percent of reasonable costs; you pay [1] nothing.

Benefit: Additional 80 days; medicare pays all but $23.50 a day; you pay [1] $23.50 a day.

Benefit: Beyond 100 days; medicare pays nothing; you pay [1] all costs.

Medicare and private insurance will not pay for most nursing home care. You pay for custodial care and most care in a nursing home.

Posthospital home health care:

Benefit: Up to 100 visits, unlimited (July 1, 1981); medicare pays 100 percent of reasonable costs; you pay [1] nothing.

Blood:

Benefit: Blood; medicare pays all but first 3 pints; you pay [1] for first 3 pints.

PART B

*For covered services—Each calendar year*

*Service*

Medical expense: Physician's services, inpatient and outpatient medical services and supplies, physical and speech therapy, ambulance, etc.

Benefit: Medicare pays for medical services in or out of hospital. Some insurance policies pay less (or nothing) for hospital outpatient medical services or services in a doctor's office; medicare pays 80 percent of reasonable charge (after $60 deductible); you pay $60 deductible [3] plus 20 percent of balance of reasonable charge (plus any charge above reasonable) [4]

Home health care:

Benefit: Up to 100 visits unlimited (July 1, 1981); medicare pays 100 percent of reasonable charge (after no $60 deductible (July 1, 1981) $60 deductible); you pay subject to deductible nothing (July 1, 1981).

Outpatient hospital treatment:

Benefit: Unlimited as medically necessary; medicare pays 80 percent of reasonable charge (after $60 deductible); you pay subject to deductible plus 20 percent of balance of reasonable charge.

Blood:

Benefit: Blood; medicare pays 80 percent of reasonable charge (after first 3 pints); you pay for first 3 pints plus 20 percent of balance of reasonable charge.

EXPENSES NOT COVERED BY MEDICARE

Medicare does not cover certain kinds of care. Most private insurance does not cover them either. Among them are:

Private duty nursing.

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[1] These figures are for 1981 and are subject to change each year.

[2] 60 Lifetime Reserve Days may be used only once; days used are not renewable.

[3] Once you have had $60 of expense for covered services in a calendar year, the Part B deductible does not apply to any further covered services you receive in that year.

[4] You pay for charges higher than reasonable charges allowed by Medicare unless the doctor or supplier agrees to accept Medicare's reasonable charge as the total charge for services rendered.

Skilled nursing home care costs (beyond what is covered by Medicare).

Custodial nursing home care costs.

Intermediate nursing home care costs.

Home health care (above number of visits covered by Medicare). Unlimited (July 1, 1981)

Physician charges (above Medicare's reasonable charge).

Drugs (other than prescription drugs furnished during a hospital or skilled nursing facility stay).

Care received outside the U.S.A.

Dental care or dentures, checkups, routine immunizations, cosmetic surgery, routine foot care, examinations for and the cost of eyeglasses or hearing aids.●

## TRIBUTE TO OLIN E. TEAGUE

### HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 28, 1981*

● Mr. FOUNTAIN. Mr. Speaker, my good friend Tiger Teague was the embodiment of true courage. He was a larger than life American hero. Since the 1940's, as a highly decorated and severely wounded battlefield commander in World War II—he was awarded three Silver Stars, three Bronze Stars, and three Purple Hearts—Tiger exemplified the very heart and soul of American bravery and honor.

Although he wore a built-up shoe and bore the suffering of numerous other scars from the battlefields of Europe, Tiger was the rare sort of person who endured his pains uncomplainingly and with great dignity.

As a legislator, Tiger Teague was a tough infighter for the causes for which he felt great concern; and thus, he was a natural as the chairman of the Veterans' Affairs Committee.

As a compassionate man, Tiger fought hard to help shepherd through the GI bill of rights and important educational benefits for the veterans of Korea and Vietnam.

And in a time when patriotism was out of fashion, this great American patriot's sincere concern for the families of those who were prisoners of war or missing in action during the Vietnam conflict was unfailing.

Mr. Speaker, Tiger's hard work for countless numbers of American veterans was tremendously effective.

Fortunately, Tiger's valued leadership was not confined solely to the Veteran's Affairs Committee. As a man of great vision, it was appropriate that Tiger was appointed to the Space Committee.

And it was appropriate that he chaired the crucial Subcommittee on Manned Space Flight. This subcommittee, under Tiger's tireless leadership, was instrumental in our ascendancy in space travel, culminating when Americans first set foot on the Moon.

Mr. Speaker, I am proud to have served in the House of Representatives with Tiger Teague. I join my colleagues who have expressed their grief at his passing, and my prayers go out to his lovely wife Freddie and their children. But, while we are all saddened by the loss of a dear friend, we are much the better for having known such a dedicated, responsible, and courageous American as Tiger Teague.●

## POSITION ON INCREASING THE FEDERAL DEBT LIMIT

### HON. STANLEY N. LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. LUNDINE. Mr. Speaker, because of a longstanding commitment in my district, I will not be present tomorrow to vote on the resolution increasing the Federal debt limit. I made this district commitment after assurances from those who set the House calendar that the debt limit vote would occur today rather than tomorrow, and I regret that the schedule has been changed. Generally, I have supported debt limit increases in the past and I would probably vote in favor of the extension pending tomorrow.

I am struck, however, by the extraordinary irony in Mr. David Stockman's appearance before the Ways and Means Committee yesterday on behalf of a debt limit increase. Not long ago, when Mr. Stockman was still a Member of this body, he was a consistent opponent of debt-limit resolutions. As such, Mr. Stockman was a party to the irresponsible, partisan game playing which has occurred whenever a debt-limit increase was necessary.

We all know that the real decisions about Government deficits are made when we approve budgets and appropriations bills. We all know, therefore, that increasing the debt limit is nothing more than a financial adjustment which is required by actions which Congress has previously taken. It amounts to paying the bill on services for which we have already contracted.

I, for one, have long since grown tired of watching the Republican members of this body refuse to pay America's bills and then use that as a campaign issue on which to grandstand each November. Now that Mr. Stockman has become head of the Office of Management and Budget and must assume responsibility for making the Government work, I am pleased that he has adopted a more responsible position on this issue. I sincerely hope that the Republicans in the House will follow suit.

If, however, we encounter only a continuation of the old game playing with the debt limit, I know of at least one Member who is prepared to give Republicans what they profess to want. Treasury Secretary Regan has informed us that there will be other debt-limit increases required before the year is out, and I will be prepared to vote against some of those increases, should the Republicans renew that tack in the coming months.●

## THE PATIENT HONING OF GILLETTE

### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. MOAKLEY. Mr. Speaker, I would like to share an article that appeared in Forbes magazine, February 16, 1981, on the Gillette Co., whose international headquarters are located in Boston, Mass. The article focuses on the success Gillette has achieved in the wide range of consumer products it offers to both the American public and the international community.

The text of the article follows:

THE PATIENT HONING OF GILLETTE

(By Robert J. Flaherty)

Has Gillette finally broken out of the earnings doldrums and become a blue chip worth buying again? Merrill Lynch says yes. L. F. Rothschild says no. Most of Wall Street sits firmly on the fence, pleading, like the analyst at Bear Stearns, "Gillette is a tough company to call."

That it is. But the closer you look at the changes taking place in the $2.2 billion [sales] company, the more convinced you become that the turnaround is real. On the surface, the record is certainly not promising. Earnings hit $2.83 in 1974 and didn't make it to $3.14 until 1978. Net margins shrank from a generous 9.8% in 1970 to a mediocre 5% in 1977. The stock has mostly hovered around 25 or 30 since 1974, and touched a 15-year low of 17⅝ as recently as last March. Lately it has been about 27½ again. But what really frightens most analysts, because of its unpredictability, is a long history of disappointing acquisitions and product failures.

Still, margins have begun a comeback, and there have been two good earnings gains back to back: to $3.67 in 1979 and to about $4.10 in 1980. Another gain to maybe $4.50 is in prospect for 1981. Just how dramatic it will be depends heavily on the depth and length of the recession.

To understand whether those gains are mirage or reality, you must know what has been going on underneath the surface at Gillette for the past decade and a half. In the early Sixties, Gillette was one of the premier blue chips. It had a seemingly permanent lock on the American razor blade market, one of the most profitable large businesses on earth. The company had earned enormous success with its Blue Blades promotion, beating down Schick and Personna, and was sitting fat and happy up in Boston, raking in the chips and settling into a highly prosperous, if stodgy, middle age.

The halls were filled with studious M.B.A.s analyzing everything to within an inch of its life, and of course generally finding little that needed to be changed. Gillette's return on equity routinely ran to 30% and up. A price/earnings ratio of 22 seemed about right.

Then, Wilkinson Sword and its stainless steel blade burst upon this blissful scene like a thunderbolt from a clear blue sky. The king of blades was completely unprepared for the onslaught, despite its carefully polished image of technical excellence. In the bitter marketing struggle that ensued, what was needed was not studious M.B.A.s, but someone with the instincts of a gut fighter. Fortunately for Gillette there was such a person on hand. His name was Vincent C. Ziegler.

Ziegler, then 54, was the antithesis of what much of the corporate culture admired. Not only was he no M.B.A., he was a college dropout who had begun as a used-car salesman, worked his way up through Chrysler, then through Hiram Walker and finally, starting in 1946, through Gillette. Ziegler's big coup had been the Blue Blades promotions in the Fifties, keeping him at the top of Gillette's North American razor operation, which is to say in charge of most of the company. He was an instinctive ally of the sample-case salesman, as opposed to the marketing mandarin at headquarters, and he never hesitated to say so. He palled around with Stephen Griffin, also a nongraduate, who was Gillette president until the first of this month. Ziegler felt a certain distance from some of the rest of the second and third lines of management. "In the Boston area you are bound to accumulate them," he would say to Griffin of those M.B.A.s he considered timid and uncreative.

Ziegler did not quite rout Wilkinson Sword, but he fended it off enough to recover much of Gillette's lost market share. His strategy was simplicity itself. He waited until he was sure he had a better stainless blade, then pushed it with promotional budgets in the multimegaton class. The company was impressed. ("Actually it was never a problem of the dimensions everybody spoke about back in those days," he would laugh long afterward. "Miami, Los Angeles and New York were the only three areas where the pressure was on.") Ziegler became chairman and CEO in 1966.

So far, so good. Return on equity stayed around 30 percent for the balance of the Sixties. But then Ziegler embarked on a series of diversifications and acquisitions for which he has been much criticized ever since. While Gillette had a couple of fair-size sidelines—Paper Mate pens, acquired in 1955, and Toni home permanents, acquired in 1948—and internally developed Right Guard deodorant, all together they added up to 48 percent of sales, and only 30 percent of profits. Ziegler proceeded to spread out in almost every conceivable direction at once. He:

Aggressively expanded the international razor distribution into practically every corner of the world.

Forced International into aggressive introduction and sale of Gillette toiletry products.

Pushed Paper Mate pens overseas.

Bought Braun, a German electric shaver and appliance company.

Bought S. T. Dupont, a French manufacturer of luxury items and expensive lighters and used it to introduce the Cricket disposable lighter.

Acquired Eve of Roma high-fashion perfume, Buxton leather goods, Sterilon hospital razors, Jafra Cosmetics, Welcome Wagon, Inc., companies that made wigs and plant care products as well as six other outfits.

Brought out a series of Toni hair coloring products, which failed.

Brought out Earthborn shampoos, which failed; Nine Flags colognes, which failed; an electric hair untangler called "Purr," which, you guessed it. . . .

Tried making digital watches, hand-held calculators, smoke alarms and fire extinguishers—losers all.

And talked out loud about diversifying into such things as soft drinks and geriatric products, and even considered an acquisition of Becton, Dickinson, the hospital supply outfit.

Not surprisingly, corporate overhead soared as Ziegler added battalions of accountants and managers to oversee his global empire and his myriad tiny acquisitions. The acquisitions, mostly for cash, were individually inexpensive, being very small companies. But all in all they added $100 million in debt and $10 million pretax in annual interest costs to the corporate burden.

As corporate margins shrank, Ziegler took a chance and cut back on the advertising budget to bolster profits. This did not hurt the Paper Mate pen operation, which was stagnating from a lack of new ideas rather than ad dollars. The razor blade operation, then headed up in the U.S. by Joseph F. Turley, now Gillette president, adapted by putting all its ad chips behind one product, its new Trac II twin-blade shaving system, with dramatic success. But the toiletries, full of new products and lacking the overwhelming consumer franchise that blades enjoyed, became a disaster area. By the end of 1975, when Ziegler retired, earnings' return on equity had slipped to under 18%.

But Vin Ziegler had also been busy building a top management team that suited him. Despite his prejudice against M.B.A.s, he did it mainly through promotion from within. He switched his mostly young executives from post to post, country to country, trying to blood them, constantly searching for the right combination of man and job. Here Ziegler built well.

The shining star was Paul Cuenin, a brilliant executive who had lost a leg in World War II, but had overcome the handicap with his business accomplishments. "Yeah," said Ziegler once, "I used to express the worry to Cuenin that new shaving competition was going to give us even worse trouble than we thought. He was a very wise young man and he said that men don't make rapid changes in product usage and the name Gillette is a pretty strong name. Furthermore, it takes a pretty sizable capital investment to get into this kind of business. People who have the distribution capability usually aren't used to these tremendous machines. He was right." Cuenin was going to be Ziegler's successor, but in 1970 he died of a heart attack on a business trip to Germany, at the age of 48.

Forced to look for another successor, Ziegler reluctantly turned outside the company, hiring a new hotshot product man away from Norton Simon. This was Edward "Cranapple Ed" Gelsthorpe, whose name had become legend in some circles for coming up with new products like the idea of mixing cranberry juice and apple juice. Thus the Cranberry Association could sell cranberries the other 11 months of the year. Gelsthorpe was a maverick, an unconventional personality even more alien to the staid atmosphere inside Gillette than was Ziegler. Torpedoed by the organization, Gelsthorpe left after 15 months as president.

Which put Ziegler back on square one. This time Ziegler reached again into the Gillette organization for an executive who seemed in most ways entirely his opposite. Colman Mockler was patrician and thoughtful in manner where Ziegler was, well, the image of a successful used-car salesman. Mockler's background was financial not sales, and he had gone to Harvard and the Harvard Business School. But there was no overlooking Mockler's ability. He had gotten off to an auspicious start at Gillette in 1957, down in the depths of the company's financial department, and by the mid-Sixties revamped the company's international accounting system. By the 1970s he was financial executive vice president, very near the top of the ladder. He was boosted up to vice chairman as a sop, when passed over for Gelsthorpe.

When Mockler took over the reins in 1976 it was hard on the heels of the OPEC oil shock and the 1974 recession, fine excuses to call a halt to Gillette's era of acquisition. There was no opposition.

The centerpiece of Mockler's strategy was to cut costs dramatically and pour the money saved into ad and product development budgets. It meant a shift of $70 million.

First, Mockler set out to cut all the marginal products and businesses accumulated under Ziegler. Some were marginal only because they didn't fit. Gillette simply did not have the hang of selling high-fashion perfumes, for example, so Eve of Roma went. Welcome Wagon turned out to be a fine vehicle for the local dry cleaning establishment but not, as Ziegler had thought, for setting up a nationwide network for peddling things like homeowners' insurance. Leather goods needed very different distribution channels. The hospital razors went to the wrong market. "You don't advertise Sterilon razors to the patient," remarks Gillette Treasurer Milton Glass. "You know, 'ask for it by name when you enter the surgical ward' sort of thing!"

Second, Mockler slashed corporate overhead. This year, though sales have doubled since 1974, Gillette has no more employees than it did in 1974.

Third, and perhaps more important, Mockler went after cost-cutting in the divisions with a messianic zeal. Every Gillette operation has had to cut its direct costs at least 4% a year. That may not sound like much but it adds up. And Mockler doesn't plan to ease up until overall direct costs are cut 40%. The company is already halfway there. Mockler figured Gillette's technical people, led by new Vice Chairman Alfred M. Zeien, would be particularly helpful in finding ways to reduce the production costs. He was right. It turned out, for example, that if Gillette's old South Boston factory were properly reautomated, it could turn out every cutting edge Gillette needed to produce domestically (this year, 1.5 billion) and keep direct labor costs under 5% for the shaving division.

Mockler also decentralized the company for the first time in its postwar history, giving his executives free rein in managing their businesses and selling their products. There was a price for this new freedom, of course. By his own estimate, Mockler found himself spending 55% of his time during the

first two years simply tinkering with the organizational chart, trying to find the best matches between man and job. Of the top 50 jobs in the company, 38 went to new incumbents during those two years. But remarkably few throats were cut. Nearly all the changes merely involved shuffling and reshuffling the executives Ziegler had groomed. "Every minute devoted to putting the proper person in the proper slot is worth weeks of time later," Mockler says.

Mockler's skillful pruning also revealed some of Ziegler's important winners. One of them was Braun, the German small appliance maker. Among other things, it produced electric shavers, a much more popular item in Europe than in the U.S. Braun was doing $69 million in sales in 1967, the year Ziegler bought it and took it worldwide. Between Ziegler and Mockler, it has since mushroomed into $500 million a year, even though an old antitrust decree prohibits Gillette from introducing its shavers into the U.S. market until 1984 and Braun profits could be better.

Today Gillette has a huge overseas distribution network and production base that accounts for half or more of the company's operating profits. Where once the company depended almost entirely on the U.S. market for earnings, its products now go regularly to 1 billion customers in 200 nations and territories.

As Mockler's executives began to reap the cost-cut benefits in their advertising budgets, they were not shy in putting them to use. Take razors. The safety razor division, did not sit around waiting for the next Wilkinson Sword. The French parent of Bic Pen Corp., the latter an upstart, one-eleventh the size of Gillette, had introduced in Europe its Westernized version of the Japanese bathhouse razor. The idea of a disposable razor was catching on big.

So Gillette launched its version, called Good News, in the U.S. before Bic could move in. Suddenly Sam Schell, who took over the division in late 1976, discovered a whole new market—women. The psychology of being able to shave your legs with a seemingly cheap razor that you're only supposed to use once, and then throw away along with the unwanted hair—that proved irresistible. Schell found himself generating the first sustained big unit growth in the domestic blade market in a decade. He introduced the next-generation double-blade razor, the Atra, with a movable head to reduce nicks. He followed up with a disposable version called the Swivel. And lately, an improved ladies' disposable in feminine pink, called Daisy, at two for 49 cents. Bic came into the U.S. all right, but in recent months Gillette has captured a 70 percent share of the U.S. disposable market.

Thanks to Zeien's increases in capacity for low-cost production, Gillette has been able to develop the widest price range of products in its history. Add up the Daisy, the Good News, the Swivel, the traditional stainless steel blades and the old Blue Blades, the much-ballyhooed Trac II (with two cutting edges to slide down the face in close tandem, giving an allegedly closer shave), the Atra and the Just Whistle (a reusable razor for women), and Gillette has over 60 percent of the total U.S. market. Schell believes he can increase market share and maintain pretax margins over 33 percent.

Don't miss the significance of all this. Gillette hasn't. "Quality at a low price," says President Joe Turley. "Gillette was not able to do that before. Now we can." That means Paper Mate pens won't suffer again what the Bic Pen people did in the late Fifties. Paper Mate, of course, was the standard product in the middle-price, retractable, refillable ball-point pen market. In pens, it was the Chevy. But Bic owned the disposable, cheaper-by-the-dozen stick pen business—the Volkswagen. This new intruder took business away from Paper Mate, dropping its market share from more than 50% to 30% at its low.

Mockler enabled Paper Mate to rethink the pen business. It didn't need to stay in its niche anymore. Paper Mate boss William Holtsnider successfully launched a competitive stick pen and Gillette broadened the sales of the line of luxury pens brought with Ziegler's French acquisition, Dupont. Gillette also launched Eraser Mate, a pen with erasable ink, at $1.98 and the more expensive TW 200. (What would you have paid for one of these in high school?) Now, Holtsnider has just come out with Eraser Mate 2, the stick pen erasable selling for 98 cents. He can even dream now. Would you believe a Paper Mate pen using chip technology? You wouldn't? Draftsmen and commercial artists, who would dearly love a single pen that could remember to change width and intensity of line in midstroke, could be the first big market for it. Meanwhile, Paper Mate's operating margin has swelled from 10% in 1974 to 19% last year. Since 1975 domestic writing sales have gone up 2½ times, and pen profits 4½ times. All the while Bic's margins and market share have been dropping.

The next big boost to profits could come from the toiletries division. Already it has reversed its disastrous decline of the early Seventies, when the scare about fluorocarbons from aerosol cans polluting the atmosphere sank Gillette's aerosol-oriented Right Guard deodorants, and advertising cuts sank potentially valuable new products.

For this business Mockler merged two sagging divisions and made a flamboyant Canadian named Derwyn Phillips head. Phillips made a pact with his wife that she shouldn't expect to see much of him for two years; he practically set up housekeeping in the office. "Every brand in the joint was grossly underspent, judged by competitive standards," he recalls. "We could have been indicted in years past for developing products the consumer didn't want."

Although Phillips knew he would have big bucks from the cost-cutting program at his disposal, he had the wits to concentrate: 225 product ideas have become 27 products. Depressed by some big bets—$18 million for Dry Idea roll-on antiperspirant and $30 million behind Silkience shampoo—operating profits were only 9% of sales last year. But the worst seems over. Phillips figures from now on he'll gain a profit point a year at least until he hits 15%.

Or maybe the next big profits boost will come from a business created under Ziegler and retained under Mockler: disposable lighters. The original idea of acquiring Dupont in France was to exploit what became the Cricket lighter. Mockler is still convinced it was a good idea. The Cricket was an instant success when it came out in 1972. It was almost instantly profitable too, until Bic Pen came along with a competitor and started a long-term price war that has meant years of red ink for the Cricket, and a 60% market share for, ah, Flick My Bic. Bic had used the same strategy as in pens: Attack Gillette in its vulnerable high-cost underbelly. Now Gillette is ready to play that game too, with a redesigned Cricket Jr. that cuts manufacturing costs 38% and comes out this year in the U.S. The price war has stimulated volume a bit: Worldwide unit sales of disposable lighters have risen from 45 million in 1971 to 800 million in 1980. Let smaller and weaker Bic tire of its war of attrition, and Gillette can start calculating the profits on several hundred million lighters rather than the losses.

Is the long-awaited turnaround finally at hand? There was no quick payoff from all of Mockler's changes because the cost-cutting was feeding the business. But that payoff got under way two years ago and it shows no signs of slackening.

Mockler is budgeting another $150 million capital spending program, as large as last year's, aimed at cutting production costs still further and expanding overseas operations. A Gillette blue- and stainless-blade factory is being planned near the Pyramids, and management is dickering for entry into India, where the blade market is the same unit size as in the U.S., and perhaps into China.

Mockler figures he'll face a pleasant decision sometime in 1982. By then his capital spending needs should fall sharply, and Gillette should be enjoying a cash-flow surge. Should it go to reduce his debt, now higher than most competitors' at 26.7% of capital? Or to make acquisitions? Or some of both?

Mockler, who won't be 65 until 1996, anticipates years of increasing margins, returns and earnings per share. However, he refuses to put any finite number on his long-range plan because he says none exists. "I can't predict the future," he remarks. "We are now trying to do those things that will give us sustained growth rather than those things which will give a burst, then a slack."●

## FAMILY VIOLENCE

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. MILLER of California. Mr. Speaker, today I am introducing legislation to address a serious and growing concern among families throughout this Nation: Violence and victimization among family members. This legislation is identical to the compromise hammered out by a House-Senate conference committee last year and overwhelmingly approved by the House. The Domestic Violence Prevention and Services Act provides for Federal support and encouragement of State, local, and community activities to prevent domestic violence and to assist victims of abuse. It requires coordination of Federal program activities which could be better utilized to serve battered families.

I have been working for 4 years to develop these solutions to the problems of battered women and children in the homes of America. Together with my colleagues, Congresswomen MIKULSKI and LINDY BOGGS, with whom I am again introducing this legislation, I have worked tirelessly to gain wider recognition of the grave

extent of domestic violence affecting men and women of every income level, social class, and geographical area.

Our proposal enjoyed wide bipartisan support from over 100 Members of the House. There was also broad organizational endorsement from groups representing interests as diverse as the police, health and mental health professionals, attorneys, churches and religious organizations, coalitions of family organizations, women's groups, and shelter operators. The list of more than 80 organizations includes the General Federation of Women's Clubs, the YWCA, the National Conference of Catholic Churches, Rural America, the International Brotherhood of Police Officers, the American Nurses Association, and the American Bar Association.

The Domestic Violence Prevention and Services Act authorizes a limited 3-year program of grants to assist States and public and nonprofit private organizations in the development of services for victims of domestic violence. The majority of the funds appropriated would be allotted to States to supplement inadequate State and local resources. Major responsibility for funding community-based services and administering the program rests where it justly belongs—at the local level. Furthermore, the bill requires that Federal funding of each local program must be matched by contributions from the community so that the Federal investment will serve as a catalyst for local investment and resources.

The conference agreement which is being reintroduced today builds on the most recent evaluation by the Inspector General of the Department of Health and Human Services which confirms that community-based shelter programs lead to better utilization of community and other governmental resources, consolidation and coordination of services by existing public and private agencies, and innovative approaches to working with battered spouses and their families. The major problems identified by the Inspector General are that the number of shelters is too low and that where shelters do exist they are embryonic and tenuous. Our fiscally responsible legislation would provide minimal matching assistance to enable these emergency family support programs to establish firmer financial footing, without becoming dependent on Federal aid.

I urge my colleagues to join with me today to support the millions of victims of family violence who currently have no place to turn for refuge and protection. As a member of the Subcommittee on Select Education, I will continue to seek help for the men, women, and children who find themselves in these life-threatening circumstances without any resources, and I hope the House continues to vote its strong bipartisan support for this legislation as it twice did in the last Congress.●

## EDUCATIONAL TESTING ACT OF 1981

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, I am today reintroducing, along with my colleagues Mrs. CHISHOLM, Mr. MILLER of California, Mr. GIBBONS, and a number of cosponsors the Educational Testing Act of 1981. This legislation was the subject of extensive hearings during the 96th Congress, which highlighted the acute need for passage of a Federal truth-in-testing bill.

The hearings provided substantial evidence that a handful of testing companies exercise enormous power over the educational and occupational future of millions of Americans. Despite this influence over vital aspects of individuals' lives, the testing industry operates in a most unaccountable fashion. Like utilities, testing corporations perform a public function. Unlike utilities, they are almost totally exempt from public scrutiny.

Test results can change the course of a person's life, but that person cannot now examine the test and the correct answers afterward to learn from his mistakes or to rectify any mistakes in scoring.

At the same time, the way in which tests are prepared and their accuracy are not publicly known. Such information is treated by the testing industry as if it were classified material. Neither test taker nor researchers interested in assessing the tests are given meaningful access.

Yet the tests these groups offer are the one national standard for evaluating applicants to institutions of higher learning in this country. Grades given by schools in different sections of the Nation may reflect widely varied educational systems. But the tests provide a benchmark, a measure interpreted as a reliable standard, according to admissions officers themselves. The tests accordingly are of very great importance and any evidence of bias or lack of accountability is of very great concern.

The President's Commission on Privacy in 1977 shared this concern, and their observation about the testing companies struck to the heart of this issue. The Commission noted that:

> • • • although such organizations deal directly with individual applicants, and collect and process mountains of information about them, they are less accountable to the individuals on whom they keep records than any other type of recordkeeping institution in higher education.

This bill would neither dictate what should or should not be asked on a test, nor alter in any way the admissions criteria developed by colleges, graduate, and professional schools. It merely seeks to open up the testing process in the interests of goals the testing agencies also say they hold dear: Accountability, and long-range improvement in validity and fairness.

The legislation is basically a disclosure measure. It would require national testing organizations to provide the Secretary of Education with the results of any studies or statistical analyses they prepare on their tests, and the actual questions, answers, and scoring procedures used on each particular test they administer within 30 days after test results are released. Testing organizations would also be required to share with the Secretary information about their fee structures and expenditures. A statement of purpose and methodology would be required to appear on the test itself, in clear language, similar to that required by truth-in-lending laws.

Finally, and just as important, our bill would permit test takers to obtain copies of their answer sheets and the correct answers from the testing agency.

In my opinion, allowing test takers to obtain tests and answers is a matter of basic fairness. I agree with the conclusion 2 years ago of the National Institute on Education's Conference of Research in Testing, that full disclosure is a "fundamental human right and necessity."

Disclosure is also of great importance to research on test validity, providing material for realistic appraisal and routes to improvement. Openness should bring increased credibility through public-spirited examination by a wide variety of experts.

Two courses of events contributed to the introduction of this bill: Increasing evidence that the tests do contain bias against certain groups and enactment of two State laws designed to open up the testing process.

The first such legislation was passed in California in 1978. That bill, S.B. 2005, required a test sponsor to disclose information about the limitations and appropriate use of tests; income and costs related to test administration; and general material about the test's content.

New York State enacted its own truth-in-testing law 1 year later. This measure, more comprehensive than the California bill, closely resembles the legislation I am reintroducing today. Its central provisions required release of specific test questions, answers and individual test takers' answer sheets, and of research information about testing that was previously not available to the public or outside researchers. Questions not

used in computing the raw score were exempted from disclosure, as in this Federal legislation.

Several studies have recently indicated the possible presence of bias in these tests, and showed that test results can be improved through preparation.

One study, by David White of the National Conference of Black Lawyers, indicated that an average of 120 points separated scores of black and white students taking the law school admissions test (LSAT). The highest possible score on the LSAT is 800.

Two studies from the University of California at Berkeley show further cause for concern. One shows that students with family incomes below $6,000 scored 92 points lower on the scholastic aptitude test (SAT) than those from families earning $30,000 or more a year. The second study found that high school students with high grade point averages but low SAT scores did just as well in college as students with high SAT scores.

In addition, data compiled by the Federal Trade Commission in 1979 and later studied by the National Education Association showed that preparatory courses for the standardized exams do tend to improve scores. This conclusion contradicted the long-stated denial by testing agencies that coaching was effective. Indeed, in December 1980 a high official at the Educational Testing Service conceded that coaching could be more effective in raising scores that ETS had previously acknowledged.

These events reinforced my strong concern for openness in testing, and demonstrate that truth-in-testing is rooted in a solid foundation of concern for the integrity of testing, for individual rights, and for educational equality. The extensive hearings held by the Subcommittee on Elementary, Secondary, and Vocational Education during the 96th Congress have reinforced these concerns and made the need for passage that much stronger. During these hearings additional evidence of test bias was presented. We also learned that a very high percentage of new questions appear on many of the standardized tests, undercutting the argument that disclosure of every test would require formulating many more questions than are now developed at great expense and lower test quality.

The hearings also confirmed the positive effects of truth-in-testing for students. It would help students understand their scores in light of test margin of error and the test's success in predicting future performance. It would additionally help students detect their areas of weakness. And it would lessen inequities among students created by expensive coaching schools by giving everyone equal access to information about the test and the questions themselves—not widen the gap between students.

Bias would be eliminated in question selection, not by Government decrees, but by this increased accessibility and the informed dialog that would ensue. Hard examination of the exam itself will serve to increase its validity, a goal we all strive for.

Legislators in some 20 States in addition to New York and California share my belief in the value of truth-in-testing, and have introduced similar bills. I applaud their efforts, but it is clear that passage of varying State laws may make it difficult, if not impossible, for testing companies to offer national tests and still comply with all the different State statutes. Passage of a Federal standard will eliminate the dangers of this varied legal landscape.

I am optimistic about the future of truth-in-testing. It is a nationwide movement with nationwide force, a vital reform of a process that cries out for openness. It addresses the need for improvement in tests which in 1977 the testing expert Oscar Buros marked as showing "very little improvement" over the 50 years he had observed them. In an area such as testing, which has been subject to relatively little public scrutiny yet exerts a powerful influence over millions of citizens, the reform for openness is long overdue.

I urge my colleagues to join me and the other sponsors of this bill in passing this important legislation.

The bill follows:

H.R. 1662

A bill to require certain information be provided to individuals who take standardized educational admissions tests, and for other purposes.

*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 "Educational Testing Act of 1981".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress of the United States finds that—

(1) education is fundamental to the development of individual citizens and the progress of the Nation as a whole;

(2) there is a continuous need to ensure equal access for all Americans to educational opportunities of a high quality;

(3) standardized tests are a major factor in the admission and placement of students in postsecondary education and also play an important role in individuals' professional lives;

(4) there is increasing concern among citizens, educators, and public officials regarding the appropriate uses of standardized tests in the admissions decision of postsecondary education institutions;

(5) the rights of individuals and the public interest can be assured without endangering the proprietary rights of the testing agencies; and

(6) standardized tests are developed and administered without regard to State boundaries and are utilized on a national basis.

(b) It is the purpose of this Act—

(1) to ensure that test subjects and persons who use test results are fully aware of the characteristics, uses, and limitations of standardized tests in post-secondary education admissions;

(2) to make available to the public appropriate information regarding the procedures, development, and administration of standardized tests;

(3) to protect the public interest by promoting more knowledge about appropriate use of standardized test results and by promoting greater accuracy, validity, and reliability in the development, administration, and interpretation of standardized tests; and

(4) to encourage use of multiple criteria in the grant or denial of any significant educational benefit.

INFORMATION TO TEST SUBJECTS AND POSTSECONDARY EDUCATIONAL INSTITUTIONS

SEC. 3. (a) Each test agency shall provide to any test subject in clear and easily understandable language, along with the registration form for a test, the following information:

(1) The purposes for which the test is constructed and is intended to be used.

(2) The subject matters included on such test and the knowledge and skills which the test purports to measure.

(3) Statements designed to provide information for interpreting the test results, including explanations of the test, and the correlation between test scores and future success in schools and, in the case of tests used for postbaccalaureate admissions, the standard error of measurement and the correlation between test scores and success in the career for which admission is sought.

(4) Statements concerning the effects on and uses of test scores, including—

(A) if the test score is used by itself or with other information to predict future grade point average, the extent, expressed as a percentage, to which the use of this test score improves the accuracy of predicting future grade point average, over and above all other information used; and

(B) a comparison of the average score and percentiles of test subjects by major income groups; and

(C) the extent to which test preparation courses improve test subjects' scores on average, expressed as a percentage.

(5) A description of the form in which test scores will be reported, whether the raw test scores will be altered in any way before being reported to the test subject, and the manner, if any, the test agency will use the test score (in raw or transformed form) by itself or together with any other information about the test subject to predict in any way the subject's future academic performance for any postsecondary educational institution.

(6) A complete description of any promises or covenants that the test agency makes to the test subject with regard to accuracy of scoring, timely forwarding or score reporting, and privacy of information (including test scores and other information), relating to the test subjects.

(7) The property interests of test subject in the test results, if any, the duration for which such results will be retained by the test agency, and policies regarding storage, disposal, and future use of test scores.

(8) The time period within which the test subject's test score will be completed and

mailed to the test subject and the time period within which such scores will be mailed to test score recipients designated by the test subject.

(9) A description of special services to accommodate handicapped test subjects.

(10) Notice of (A) the information which is available to the test subject under section 5(a)(2), (B) the rights of the test subject under section 6, and (C) the procedure for appeal or review of a test score by the test agency.

(b) Any institution which is a test score recipient shall be provided with the information required by subsection (a). The test agency shall provide such information with respect to any test prior to or coincident with the first reporting of a test score or scores for that test to a recipient institution.

(c) The test agency shall immediately notify the test subject and the institutions designated as test score recipients by the test subject if the test subject's score is delayed ten calendar days beyond the time period stated under subsection (a)(8) of this section.

REPORTS AND STATISTICAL DATA AND OTHER INFORMATION

SEC. 4. (a)(1) In order to further the purposes of this Act, the following information shall be provided to the Secretary by the test agency:

(A) Any study, evaluation, or statistical report pertaining to a test, which a test agency prepares or causes to be prepared, or for which it provides data. Nothing in this paragraph shall require submission of any reports or documents containing information identifiable with any individual test subject. Such information shall be deleted or obliterated prior to submission to the Secretary.

(B) If one test agency develops or produces a test and another test agency sponsors or administers the same test, a copy of their contract for services shall be submitted to the Secretary.

(2) All data, reports, or other documents submitted pursuant to this section will be considered to be records for purposes of section 552(a)(3) of title 5, United States Code.

(b) Within one year of the effective date of this Act, the Secretary shall report to Congress concerning the relationship between the test scores of test subjects and income, race, sex, ethnic, and handicapped status. Such report shall include an evaluation of available data concerning the relationship between test scores and the completion of test preparation courses.

PROMOTING A BETTER UNDERSTANDING OF TESTS

SEC. 5. (a) In order to promote a better understanding of standardized tests and stimulate independent research on such tests, each test agency—

(1) shall, within thirty days after the results of any standardized test are released, file or cause to be filed in the office of the Secretary

(A) a copy of all test questions used in calculating the test subject's raw score;

(B) the corresponding acceptable answers to those questions; and

(C) all rules for transferring raw scores into those scores reported to the test subject and post-secondary educational institutions together with an explanation of such rules; and

(2) shall, after the test has been filed with the Secretary and upon request of the test subject, send the test subject—

(A) a copy of the test questions used in determining the subject's raw score;

(B) the test subject's individual answer sheet together with a copy of the correct answer sheet to the same test with questions counting toward the test subject's raw score so marked; and

(C) a statement of the raw score used to calculate the scores already sent to the test subject if such request has been made within ninety days of the release of the test score to the test subject.

The test agency may charge a nominal fee for sending out such information requested under paragraph (2) not to exceed the marginal cost of providing the information.

(b) This section shall not apply to any standardized test for which it can be anticipated, on the basis of past experience (as reported under section 7(2) of this Act), will be administered to fewer than five thousand test subjects nationally over a testing year.

(c) Documents submitted to the Secretary pursuant to this section shall be considered to be records for purposes of section 552(a)(3) of title 5, United States Code.

PRIVACY OF TEST SCORES

SEC. 6. The score of any test subject, or any altered or transferred version of the score identifiable with any test subject, shall not be released or disclosed by the test agency to any person, organization, association, corporation, post-secondary educational institution, or governmental agency or subdivision unless specifically authorized by the test subject as a score recipient. A test agency may, however, release all previous scores received by a test subject to any currently designated test score recipient. This section shall not be construed to prohibit release of scores and other information in a form which does not identify the test subject for purposes of research leading to studies and reports primarily concerning the tests themselves.

TESTING COSTS AND FEES TO STUDENTS

SEC. 7. In order to ensure that tests are being offered at a reasonable cost to test subjects, each test agency shall report the following information to the Secretary.

(1) Before March 31, 1983, or within ninety days after it first becomes a test agency, whichever is later, the test agency shall report the closing date of its testing year. Each test agency shall report any change in the closing date of its testing year within ninety days after the change is made.

(2) For each test program, within one hundred and twenty days after the close of the testing year the test agency shall report—

(A) the total number of times the test was taken during the testing year;

(B) the number of test subjects who have taken the test once, who have taken it twice, and who have taken it more than twice during the testing year;

(C) the number of refunds given to individuals who have registered for, but did not take, the test;

(D) the number of test subjects for whom the test fee was waived or reduced;

(E) the total amount of fees received from the test subjects by the test agency for each test program for that test year;

(F) the total amount of revenue received from each test program; and

(G) the expenses to the test agency of the tests, including—

(i) expenses incurred by the test agency for each test program;

(ii) expenses incurred for test development by the test agency for each test program; and

(iii) all expenses which are fixed or can be regarded as overhead expenses and not associated with any test program or with test development;

(3) If a separate fee is charged test subjects for admissions data assembly services or score reporting services, within one hundred and twenty days after the close of the testing year, the test agency shall report—

(A) the number of individuals registering for each admissions data assembly service during the testing year;

(B) the number of individuals registering for each score reporting service during the testing year;

(C) the total amount of revenue received from the individuals by the test agency for each admissions data assembly service or score reporting service during the testing year; and

(D) the expenses to the test agency for each admissions data assembly service or score reporting service during the testing year.

REGULATIONS AND ENFORCEMENT

SEC. 8. (a) The Secretary shall promulgate regulations to implement the provisions of this Act within one hundred and twenty days after the effective date of this Act. The failure of the Secretary to promulgate regulations shall not prevent the provisions of this Act from taking effect.

(b) Any test agency that violates any clause of any provision of this Act shall be liable for a civil penalty not to exceed $2,000 for each violation.

(c) If any provision of this Act shall be declared unconstitutional, invalid, or inapplicable, the other provisions shall remain in effect.

DEFINITIONS

SEC. 9. For purposes of this Act—

(1) the term "admissions data assembly service" means any summary or report of grades, grade point averages, standardized test scores, or any combination of grades and test scores, of an applicant used by any postsecondary educational institution in its admissions process;

(2) the term "Secretary" means the Secretary of Education;

(3) the term "postsecondary educational institution" means any institution providing a course of study beyond the secondary school level and which uses standardized tests as a factor in its admissions process;

(4) the term "score reporting service" means the reporting of a test subject's standardized test score to a test score recipient by a testing agency;

(5) the term "standardized test" or "test" means—

(A) any test that is used, or is required, for the process of selection for admission to postsecondary educational institutions or their programs, or

(B) any test used for preliminary preparation for any test that is used, or is required, for the process of selection for admission to postsecondary educational institutions or their programs,

which affects or is conducted or distributed through any medium of interstate commerce, but such term does not include any test designed solely for nonadmission placement or credit-by-examination or any test developed and administered by an individual school or institution for its own purposes only;

(6) the term "test agency" means any person, organization, association, corporation, partnership, or individual which devel-

ops, sponsors, or administers a standardized test;

(7) the term "test preparation course" means any curriculum, course of study, plan of instruction, or method of preparation given for a fee which is specifically designed or constructed to prepare a test subject for, or to improve a test subject's score on, a standardized test;

(8) the term "test program" means all the administrations of a test of the same name during a testing year;

(9) the term "test score" means the value given to the test subject's performance by the test agency on any test, whether reported in numerical, percentile, or any other form.

(10) the term "test score recipient" means any person, organization, association, corporation, postsecondary educational institution, or governmental agency or subdivision to which the test subject requests or designates that a test agency reports his or her score;

(11) the term "test subject" means a individual to whom a test is administered; and

(12) the term "testing year" means the twelve calendar months which the test agency considers either its operational cycle or its fiscal year.

EFFECTIVE DATE

SEC. 10. This Act shall take effect one hundred and eighty days after the date of its enactment.●

## CARL T. DURHAM

## HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. FOUNTAIN. Mr. Speaker, I would like to draw the following address to the attention of my colleagues. It honors the accomplishments and memory of the late Carl T. Durham, a distinguished Member of the House for 22 years representing the Sixth District of North Carolina.

This address was given by Gilbert S. Goldhammer, consultant to the House of Representatives Subcommittee on Intergovernmental Relations and Human Resources, which I have the honor to chair. It was the keynote address on December 1, 1980, when Mrs. Louise Durham presented her husband's portrait to his alma mater, the University of North Carolina at Chapel Hill School of Pharmacy, as part of the centennial celebration of pharmaceutical education on the campus of that illustrious university. The portrait unveiling commemorated the Honorable Carl T. Durham's outstanding contributions in both pharmacy and health care nationwide.

The address was as follows:

THE DURHAM-HUMPHREY AMENDMENT—A PERSPECTIVE

It is indeed a pleasure for me to participate in this notable occasion to honor the memory of Congressman Durham and his noteworthy contributions to the pharmacists of this nation during the period of his tenure as a member of Congress. Before I begin my talk, I want to tell you that before I left Washington I spoke with Congressman L. H. Fountain, who, as you know, has just been reelected for a fifteenth term to represent the Second Congressional District of North Carolina, including Chapel Hill. From our conversation I can say that he is here with us, albeit in spirit only, to participate in this remembrance. He and Mrs. Fountain were personal friends of Mr. and Mrs. Durham during the period they both served in the Congress. Mr. and Mrs. Fountain greatly cherish that friendship.

Congressman Durham was best known to those, who like myself, were FDA officials at the time, for his sponsorship of a 1951 amendment to the Federal Food, Drug and Cosmetic Act known as the Durham-Humphrey Amendment. It was intended to govern the dispensing of prescription drugs which hitherto had not been covered by law. It was the result of the workmanship of two skilled and dedicated professional pharmacists serving the Congress—Congressman Durham on the House side and Senator Hubert Humphrey on the Senate side. Because of their skillful management of the bills they introduced in their respective houses, they were able to bring together the diverse, and often conflicting, groups involved—namely, the drug manufacturers, the druggists, the physicians, the FDA, and the consumers—and obtain their agreement. The law had the immediate effect of resolving the confusion and uncertainty plaguing the Nations' pharmacists concerning the legal requirements for dispensing prescription drugs.

What was the situation in 1951 that motivated Congressman Durham to introduce his bill and press for its enactment?

To find the answer one must go back to the Federal Food and Drug Act of 1906, and its successor, the Federal Food, Drug and Cosmetic Act of 1938. First let me say that both statutes were enacted under the powers of Congress granted by the Constitution to regulate interstate commerce. Before a drug becomes subject to the Federal law it must have been shipped in interstate commerce, or have been delivered for introduction into interstate commerce. A purely local transaction is beyond the jurisdiction of the Federal laws. Such transactions are regulated by the appropriate State and local regulatory agencies.

The 1906 Federal law was brief, compact, easily understood and easily enforced. Its brevity and simplicity makes that law a curiosity—a museum piece—for it stands in stark contrast to today's Federal food and drug laws which are notable for their complexity, expansiveness, and difficulty of enforcement. Whereas the 1906 act required just a few pages of regulations for its efficient enforcement, the current laws have required several thousand pages. Despite that, the enforcement of the law is still not efficient, in my opinion.

For its time, the 1906 law was a good one which served the public well. I had the good fortune of participating in enforcing that law for a period of time after I joined the FDA in 1935 to begin a career with that organization that covered more than three decades.

But times change and conditions change, and laws which are appropriate at one stage of history are not appropriate for another. The law cannot be static—it must adjust to new problems by periodic updating. Actually, by 1935 it was already apparent that the 1906 law had become inadequate and needed change.

For instance, the 1906 law said very little about dangerous drugs. Although it outlawed the addition to food products of poisonous or deleterious substances which might render the foods injurious to health, there was no similar provision applicable to drugs. Practically all drugs contain poisonous or deleterious substances which might render them injurious to health, and thus all drugs are inherently potentially dangerous. To prohibit poisonous substances in drugs would, in effect, outlaw all of them. FDA in those days concerned itself primarily with false and fraudulent labeling claims of effectiveness, and false labeling statements of the strength and purity of drugs shipped for dispensing by physicians in their practice, or by druggists. FDA did not attempt to regulate the practice of medicine or pharmacy. They did not check on druggists to determine whether prescription drugs were being dispensed without prescriptions, although many druggists freely engaged in the practice. These were regarded as local transactions. The 1906 law provided no authority to FDA to control the retail dispensing of prescription drugs either with or without a prescription.

When the 1938 act was passed, many of the deficiencies in the old law were corrected. But, again, the new law made almost no mention of drugs to be sold on prescription only, and failed to define drugs which should be dispensed only on prescription. However, Congress did adopt the following provision which helped force many of the dangerous over-the-counter drugs on the market prior to that time into the category of prescription drugs:

"A drug is deemed to be misbranded if it is dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof."

This enabled the Food and Drug Administration to proceed against those over-the-counter drugs that were dangerous to health when used in accordance with the labeling directions, and insist that such dangerous drugs be used only under the supervision of a physician.

In the early 1940's FDA made a momentous decision. The problems associated with the indiscriminate sales of dangerous drugs to the public, particularly the barbiturates, and the growing toll of accidental deaths and injury from barbiturate overdoses, required FDA to stretch the law to heed the urgings of local authorities who could not cope with the problem, and from health officials and consumers generally, to involve itself in attempting to control the abuses so prevalent at the time. For the first time in its history, FDA agents began to gather evidence against druggists, physicians, and others who sold the dangerous drugs without prescriptions and outside the legitimate practice of medicine without genuine doctor-patient relationships. Hundreds of prosecution actions were brought against druggists and others who sold these drugs to the public without restrictions, and many, many, pharmacists suddenly found themselves criminals in the eyes of the courts. Some were fined but others were jailed, depending upon the flagrancy of the offenses. To make its program work, FDA devised regulations which had the effect of greatly stretching the law. It was a calculated risk. The courts, after all, would have their final word.

But in 1947, in a case against Jordan James Sullivan, Columbus, Georgia, trading as Sullivan's Pharmacy, the U.S. Supreme Court upheld the FDA regulations which served as a basis for the action and FDA's

authority was established. The lid was off after the Sullivan decision, and FDA did its utmost to enforce the law, primarily against druggists, but also others selling dangerous drugs indiscriminately. Furthermore, in about 1950, FDA declared its intention to expand its operations to include unauthorized refills of prescriptions.

By 1951 the industry was in turmoil. There was great confusion because druggists were unclear as to what the law required. There was no clear definition in the law which would tell the druggists which drugs required a physician's prescription for sale. The label declarations on the drugs they received from the manufacturer or wholesaler could not be relied on for this information, because many nonprescription drugs bore prescription legends, while many prescription drugs did not bear such legends.

Clearly, the druggists needed help. The Food and Drug Administration needed help, too, to clarify the law and delineate and specify the law's requirements so that the manufacturer, the physician, and the pharmacist would know how to comply. The aid of Congress was enlisted and the result was the Durham-Humphrey Amendment. The report of the Durham Committee which accompanied the amendment when it went to the floor of the House for debate and vote, had this to say, in part, about the purpose of the bill:

"This bill amends the Federal Food, Drug and Cosmetic Act to accomplish two broad objectives—(1) To strengthen the protection of the public health against dangerous abuses in the sale of potent prescription drugs: (2) To relieve retail druggists and the public from burdensome and unnecessary restrictions on the dispensing of drugs which may be safely used without supervision by a physician.

"The bill * * * is designed to solve these labeling and dispensing problems in the following ways: (1) By providing for a clearcut method of distinguishing between 'prescription' drugs * * * and 'over-the-counter' drugs * * * and by requiring that drugs be so labeled as to indicate to the retail druggist and the general public into which of these two classes they fall. * * * Lack of uniformity among manufacturers in interpreting the present law and regulations has led to great confusion in the labeling of drugs for prescription sale and for over-the-counter sale."

The Durham-Humphrey amendment made a number of other changes. However, it is sufficient to say that one very important end result was that for the first time retail pharmacists had clear guidelines, spelled out by statute, for a course of action in dispensing drugs which would not subject them to the penalties of the law.

FDA continued to bring cases against retail druggists after 1951, but it was limited to those who opted consciously and knowingly to risk the penalties for a few quick bucks. Unfortunately, every profession and every field of endeavor, no matter how noble, have their share of bad apples. But for the drug industry as a whole, the intent of the law was now clear and understandable.

Of course, that amendment passed in 1951. We are now in the '80's. The passage of time has again brought changes in the drug field to which FDA has once again reacted, with resultant seemingly inevitable problems for retail druggists. The difficulties now facing them concern a subject that was completely unheard of in 1951, namely, patient package inserts—or patient labeling—furnished by pharmacists with the dispensed drug and providing warnings and cautionary statements to fully inform the user of the possibility of certain specified injuries, and even death, by the use of the drug. No one can quibble with FDA's efforts to protect consumers, but are warnings against hazards of use provided by the druggist when he dispenses a drug prescribed by a treating physician the best way to inform the patient? What will the effects be on the patient of such cautionary statements? Will there be more harm than good from such patient labeling? Should it be the physician only who should adequately instruct the patient concerning the use of the drug and its dangers at the time he writes the prescription and hands it to the patient? Is the Federal Government preempting the physician by making patient labeling with warning mandatory?

On the economic front we may question whether patient labeling will not increase the cost of prescription drugs to the patient. If so, by how much?

I don't think I need to elaborate further on the nature of this problem before this audience. Congressman Fountain is well aware of the problem and has received many letters from retail druggists and their trade associations, not only from North Carolina, but from many other parts of the country. Many have requested an investigation of FDA policies. Congressman Fountain, as many of you know, is chairman of a subcommittee which has oversight responsibility for FDA and has been active over the years as a "watchdog" to make sure FDA is operating efficiently, economically, and fulfilling its mission as set forth by Congress. He has, over the years, chaired many hearings covering FDA's enforcement philosophy and policy, which have resulted in improved enforcement to the benefit of both the public and industry.

Congressman Fountain had decided in October 1979 to hold hearings to define the problems and to probe the legal questions associated with such patient labeling. However, he decided to await the verdict in a case then pending in the U.S. District Court in Wilmington, Delaware, brought by the Pharmaceutical Manufacturers Association and the National Association of Chain Drug Stores, Inc., which concerned the legality of FDA's 1977 regulation requiring patient labeling for products containing estrogenic hormones. Ultimately, the Delaware Court upheld the legality of the regulation. Only last month its decision was affirmed by the U.S. Third Circuit Court of Appeals in Philadelphia on an appeal by the National Association of Chain Drug Stores. The association has already filed a petition for a rehearing by the Appellate Court.

I would like to add a brief thought on the impact of the decision on the Durham-Humphrey Amendment. That amendment specifically and with deliberate forethought, in my opinion, exempted drugs dispensed by filling or refilling written or oral prescriptions from the general requirement for warnings. However, to be eligible for the exemption, the dispensed drug must bear a label containing the name and address of the dispenser, the serial number and date of the prescription or its refilling, the name of the prescriber, and, if stated in the prescription, the name of the patient and the directions for use and any cautionary statements contained in such prescription.

Knowing the history of the Durham-Humphrey Amendment, and having a sense of what Congress was attempting to do because of my association with FDA at that time, there is no doubt in my mind that Congress specifically intended to exempt all drugs dispensed on prescription from carrying cautions and warnings, except those which the prescribing physician asked for. The exemption plainly indicates, in my opinion, that Congress believed that the question of informing patients concerning the purposes, directions for use, side effects, and hazards of prescribed drugs is the responsibility of the treating physician. He should make the determination of what the patient should be told and what, for the good of the patient, in his expert opinion, should be withheld. It was not intended that the bureaucracy take on that function.

However, in 1970 the then-FDA Commissioner informed Congressman Fountain during an oversight hearing that the practice of medicine has become too impersonal and that reliance can no longer be placed on the patient-doctor relationship to provide the information the patient needs about the drugs prescribed. If that is so, should we accept that situation, or should we strive to restore a satisfactory physician-patient relationship?

It is difficult for me to believe that Congress would provide such a clear exemption under the Durham-Humphrey Amendment intending that another section of the law which Congress wrote at a different time—thirteen years earlier—and in a different context, could be used—and I quote in the words of the Appellate Court's decision—as "A separate passageway through which FDA may require warnings and cautionary statements."

However, the Appellate Court has ruled, thus nullifying to a significant degree this Durham-Humphrey Amendment exempting provision. And so, for the present, the industry must resign itself to the realization that FDA may under certain circumstances require warnings despite the express exemption of the Durham-Humphrey Amendment. FDA will now have a free hand in the enforcement of its most recent and broader PPI regulations recently published. Unless the Court of Appeals grants a rehearing and reverses itself, or the Supreme Court reverses the lower court, the regulations are now law and will have to be obeyed.●

## THE ACTION GRANT PROGRAM

### HON. STANLEY N. LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. LUNDINE. Mr. Speaker, I was disappointed to read in this morning's newspapers that in his conversations yesterday with the Nation's urban leaders, President Reagan indicated that he was considering recommendations to severely restrict or terminate HUD's urban development action grant program. The administration's reported alternative for the program is a shift in funding to the community development block grant program.

Such action would be extremely unwise. The action grant program, one of the most innovative approaches to community revitalization in many years, has proven itself as an effective means of mobilizing resources to meet

urgent local needs at minimal cost to the Federal Treasury. The program illustrates the kind of results and savings that can be produced by mobilizing the tremendous potential of local initiative.

The action grant program has had a significant impact on revitalization efforts throughout my own district in New York. During the past 2 years, more than $9 million in grant funds have been received by Jamestown, Elmira, Olean, Hornell, and other small cities which previously had only a limited capacity to meet urgent public needs. Action grants enabled these communities to mobilize more than $30 million in private investment to provide urgently needed industrial expansion and commercial revitalization. These projects alone created thousands of new permanent jobs while saving many jobs that would otherwise have been lost.

I would think that the ideas underlying this program would closely coincide with the President's philosophic orientation. Instead of simply offering Federal dollars to local communities to finance projects, the UDAG program provides, on a highly competitive basis, the funding needed to make local public and private initiatives feasible. Project selections are based upon a potential to maximize private investment and job creation while minimizing Federal costs and involvement.

During the first 2 years of the program, HUD awarded 521 grants to 382 cities representing $967 million in Federal investment. These funds generated $5.2 billion in private sector commitments and an additional $862 million in State and local funding. This leveraging factor is an extremely important element of the UDAG program. During these years the program generated more than $6 in local public and private support for every dollar provided by HUD.

These 521 projects also produced a total of 375,000 new jobs, nearly the equivalent of the number of jobs estimated to be lost if Chrysler were permitted to collapse. Roughly two-thirds of this figure were permanent job opportunities, with the remainder shorter term construction jobs. Projects to provide or expand industrial capacity alone accounted for over half the new permanent jobs provided by these projects in smaller cities like those in my district.

The capacity of the program to leverage private investment and create new jobs has increased during the past year. The first round of action grant awards for fiscal year 1981, which HUD announced last month, provided 73 grants which are expected to mobilize $1.25 billion in private investment, generating $7.52 in private funding for every Federal dollar. These grants are expected to finance 23,544 new jobs while retaining 6,318 current positions.

I would hope that these reports are inaccurate and that the President has no intentions of eliminating the action grant program. It seems totally inconsistent with the emphasis the Reagan administration has placed on economic revitalization and increased industrial productivity to eliminate one of the few Federal programs which has proven effective in meeting these goals in hundreds of communities across the Nation. Certainly there must be other ways of reducing Federal spending without completely eliminating the very programs best designed to meet urgent national needs.

If there are flaws in the current UDAG program or if the President wishes to continue the principles of the program in another format, I stand ready to assist him. As a member of the Banking Committee's Housing and Community Development Subcommittee, I would make every effort to revise and improve this program and urge my colleagues to do likewise.

But if the President does intend to destroy the program, I stand ready to use this same forum to fight him and to make every effort to save this vital and needed program.

The administration's suggested alternative of shifting some of the action grant money to HUD's block grant program seems to me both a more costly and ineffective approach. Given the small amount of funding involved and the hundreds of communities participating in the block grant program, such an effort would be like carrying a bucket of water to a parched grainfield. It would have to be spread so thinly that very little would result. Lost would be the important targeting and leveraging potential which characterizes the action grant program.

I urge the President to seek another means of reducing Federal costs than eliminating this relatively small, but extremely useful program. The problems confronting the Nation require innovative solutions. The action grant program represents the kind of imaginative and cost-effective approach to problems that should not be eliminated, but expanded into other areas of Federal activity.●

## HEALTH CARE ISSUES

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, today I am submitting for the RECORD my legislative summary of health care and social services issues during the 96th Congress:

HEALTH CARE ISSUES

One of the major disappointments of the 96th Congress was its failure once again to enact a comprehensive national health insurance program. Although soaring health care costs are a substantial contributor to the nation's inflation rate, recent attempts in the Congress to balance the federal budget by cutting social programs make passage of a strong health insurance policy more difficult. As a co-sponsor of the original Kennedy-Corman health insurance legislation, I remain a strong supporter of a comprehensive program which would ultimately cost less and deliver far better health care for millions of Americans than our present fragmented system. I will continue my efforts in the 97th Congress for enactment of this vital legislation.

Another disappointment resulted from Congress' failure to approve effective hospital cost containment legislation. Attempts by the House to pass a program of mandatory national cost controls produced only a rubber stamping of existing voluntary efforts to keep health expenditures down. It is essential that Congress enact a strong bill to control one of the chief causes of the spiralling inflation rate. Such legislation must ensure high quality care and wage protection for hospital workers.

The crisis in health care is no more evident than in the threat posed in recent years to skilled nursing homes in New York State. The situation is partially a result of serious disagreements between State and Federal health authorities over Medicaid rates of payment to such facilities and the application of Federal regulations limiting those rates. I will continue my efforts in Congress to insure that vital services for the elderly and the facilities themselves are maintained at full capacity.

The 96th Congress did vote to extend and revise federal funding of community mental health programs and authorized $85 million for 1981 increasing each year to $270 million in 1984. The Mental Health Systems Act will provide grants and services to priority populations such as the chronically mentally ill, severely disturbed adolescents and children, and the elderly. Strong emphasis was given to expanding State and local control in mental health care and incentives are provided for greater community involvement. For example, the role of the State Mental Health Authority would be extended by requiring the Authority's review of new grants made under the Act. In addition, important strides were made regarding the rights and legal protections of mental health patients. This includes the right to appropriate and humane treatment and to the confidentiality of and access to medical records. The legislation contains a recommended bill of rights and encourages the establishment of advocacy systems by the States to protect the rights of mentally ill persons.

Also included in the Mental Health Systems Act were provisions for the National Center for the Prevention and Control of Rape to study related issues such as the effectiveness of existing laws, the treatment of rape victims, the causes and effects of rape, and sexual assaults in prisons. Federal funds will be made available to private nonprofit organizations to help meet the costs of providing counseling for rape victims and their families and in assisting them in getting mental health, medical and legal services.

The 96th Congress moved again toward even more restrictive provisions for Medicaid funding of abortions. Debate continued in the House and Senate on this sensitive issue in connection with the passage of several major pieces of legislation. The Departments of Labor and Health and Human Services are currently funded under a Continuing Appropriations Resolution which provides Medicaid funding for abortions only when the life of the woman is endangered and in cases of promptly reported rape and incest. This language has grown more regressive in recent years and no longer provides abortion funding even for women who would suffer severe and long lasting physical health damage if the pregnancy were carried to term. The targets for the "Hyde Amendments" have expanded and abortion riders were passed on appropriation bills funding the Departments of Defense and Justice, the Peace Corps and the District of Columbia, among others. I believe the denial of Medicaid funding to be economic discrimination and an infringement on a woman's right to privacy in this personal decision. I will continue to work actively in the 97th Congress to assure all women access to safe, legal abortion services.

Legislation was signed into law which would reauthorize federal assistance to alcohol and drug abuse programs. This included grants to States for research and treatment programs and made the drug problems of women, the elderly and adolescents a special priority for federally supported activities. The bill requires States to coordinate their treatment and prevention services for drug abuse with those of alcohol abuse and to promote programs in the workplace through local governments and private businesses. In addition, a new study commission on alcohol problems was created to recommend national alcohol abuse policy to the president.

The Health Planning and Resources Development Amendments also cleared the Congress. The legislation modifies the operation of health planning agencies and strengthens the link between policymaking at the Federal level and at the State and local levels. Assistance and loan guarantee programs in the bill also make monies available for improvements and modernization of health care facilities.

Because of the severe lack of reliable consumer information on contraceptive products, I introduced the Contraceptive Labeling and Advertising Act. Manufacturers would be required to label all drugs and devices with effectiveness ratings, specific directions for use, and advice that a health professional be consulted on the most appropriate method of contraception. Hearings before the House Commerce Subcommittee on Health are expected early in the first session of the new Congress.

Legislation which assures the safety and nutrition content of infant formula products was approved by the 96th Congress and a second bill is being considered in the House Foreign Affairs and Commerce Committees. The Infant Nutrition Act, the bill still under consideration, would restrain U.S. companies' activities in the many areas of the world where low incomes, poor water, and widespread illiteracy make the use of the products hazardous to infant health.

The Child Health Assurance Program, passed by the House but not acted upon by the Senate, would have extended greater Medicaid coverage to low income children and to needy women during and after pregnancy. The legislation set the national eligibility for women at 80 percent of the poverty line and would have added 220,000 women to the program for pre and post natal care. CHAP's emphasis on preventive and primary care rather than more expensive treatment later on, was expected to save 40 percent of children's health costs.

Legislation to postpone a ban on saccharin for 18 months had been passed by the 95th Congress. Although this food additive has been shown in laboratory testing to be cancer-causing, the House voted overwhelmingly in 1979 to permit diet foods and soft drinks sweetened with saccharin to stay on the market for two more years.

Domestic violence legislation was passed by the House and established a much needed program of federal aid for spouse abuse shelters and other community based services. The bill also encouraged state and local governments to develop longer range plans to combat the high incidence of domestic violence nationwide. Though this legislation was not approved by the Senate, I will continue my efforts in the 97th Congress to provide federal assistance for victims of domestic abuse.

In the attempt to reduce federal expenditures, an ill-considered proposal was put forth to tax Social Security benefits. These benefits are not gifts from the government, rather they are earned by working people who already contribute a part of their income to finance the system. I believe that taxing the actual benefits would be a form of double taxation that is both unfair and unnecessary. I am pleased to report that last year the House passed, with my support, a resolution by an overwhelming majority which opposes any form of taxation on Social Security benefits. Bolstering the Social Security system and examining the alternate means of financing will be a priority task of the new Congress.

During the 96th Congress I introduced three bills which sought to improve the living conditions of former mental patients and to provide Federal assistance to the communities in which they reside. Former mental patients, thousands of whom have been "deinstitutionalized" in recent years under changing Federal and State policies, are often the most vulnerable members of our society. Government at all levels has not provided the comprehensive follow-up services which are indispensable for insuring that these former patients can function as independent, productive citizens. The first bill would provide Medicaid assistance to patients in mental institutions regardless of their age. At present, only patients between the ages of 22 and 64 are eligible for coverage. The second bill would increase Federal payments to States for services in the community to assist former patients. Aid would be provided for sheltered employment, alternative housing, counseling and therapeutic treatment. A third bill would assure that Supplemental Security Income payments would be continued for three months after a person enters an institution enabling the patient to maintain their home or apartment. In addition, it would eliminate the benefit reduction under SSI that now occurs when a former patient is receiving some financial support from other persons with whom they are residing.●

## IN COMMEMORATION OF THE NATIONAL DAY OF SRI LANKA

### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1980*

● Mr. McCLORY. Mr. Speaker, today, February 4, marks the national day of Sri Lanka. This year, Sri Lanka will be celebrating the 33d year of the regaining of independence. In addition, 1981 will be a special year of commemoration in Sri Lanka because it marks to 50th anniversary of the institution of a universal adult franchise. This democratic system has been the basis of all elections held in Sri Lanka, formerly Ceylon, since 1931.

Sri Lanka has achieved a commendable record in modern times of being a successful multiparty democracy. Seven general elections have been held since 1948 and in six of these the government in power has been voted out of office. Few other nations can match this record of political tolerance and democratic procedure.

Sri Lanka has set economic development and improving the lot of its people as high priority national goals. One innovative program recently adopted sets up free trade zones as an attraction for foreign investment. Through these and similar programs, the government is making progress on its commitment to economic growth.

Mr. Speaker, I am pleased to salute the people of Sri Lanka and to wish them well as they celebrate national day.●

## IS THE ALL-VOLUNTEER ARMY READY TO FIGHT?

### HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. McCLOSKEY. Mr. Speaker, last December, the Washington Star published a series of articles on the current state of readiness of the All- Volunteer Army—AVF. The first two of those articles are inserted in the RECORD today for review in connection with the forthcoming debate on renewal of the draft versus retention of the AVF versus adoption of the National Youth Service—NYS.

[From the Washington Star, Dec. 15, 1980]

THE REPORT NO ONE WANTS TO TALK ABOUT

CAN THE U.S. ARMY FIGHT?

(By John Fialka)

After eight years of experimentation, the all-volunteer U.S. Army is faltering under the burden of increasingly severe manpower, morale and management problems. The Army's own internal studies indicate that it may now be dangerously unprepared for combat.

The problems faced by the Army, as the Reagan administration takes command of the Pentagon, are deep seated. They present strong evidence that not all of the nation's major defense problems are going to be solved by simply spending more money.

The deterioration of the Army's manpower situation has been measured and reported repeatedly by the Army in a complex, worldwide system of opinion sampling and surveys. Aimed at assessing the attitudes of officers and men, the program is known as the Human Readiness reporting system.

That system, according to sources in the Army and Defense departments and on Capitol Hill, was quietly dismantled last January when the Secretary of the Army, Clifford L. Alexander Jr., read and angrily rejected the dismal conclusions of the latest report: "Human Readiness Report No. 5."

The sources, several of them highly placed, said that Alexander was so angry that he barred anyone in the Army from talking about the report. He has also imposed the same restriction on himself.

The most devastating portrait of the all-volunteer Army to emerge from the Army's own statistics, the study says that the concern over the competence of the junior noncommissioned officers has grown steadily since 1975.

It says the feeling is strongest among officers of combat units, especially in Europe where the Army has two corps—about 215,000 men—that are supposed to be the most combat-ready U.S. military units in the world.

There is considerable evidence that the officers are not alone in their concern. Among enlisted men who were asked by the Army whether their unit would "do a good job" in combat, there has also been a steady decline in optimism since the mid-1970s.

The lowest levels of optimism are indicated by junior enlisted men in Europe, where only 39 percent agreed that their units would do well in combat.

The study was prepared by the Army's Human Resources Directorate and signed by the man who was the unit's director last year, Maj. Gen. Walter F. Ulmer Jr., a former commandant at West Point.

Late last fall, the study and Ulmer found themselves on a collision course with Alexander. According to Army sources, the result was not only the shelving of Ulmer's report but the abolition of the entire "Human Readiness" reporting system, which has collected survey information and published annual reports based on it since 1974.

"There will be no Human Readiness Report No. 6," explained one well-placed Army source, who pointed out that in the normal course of events that study should have been ready this summer.

He said that the study raised Alexander's anger partly because it linked soldierly competence to intelligence and education levels, a sore point with the Secretary of the Army. Alexander ordered intelligence scores removed from the field files of 400,000 soldiers last summer to prevent their use in personnel decisions by combat officers.

The source said that "pressure" was put on Ulmer to rewrite the conclusions of the report but that Ulmer—an officer who is regarded by his peers as an extemely stubborn and courageous man—did not rearrange the data to fit the much rosier view projected by Alexander.

In a classified letter accompanying the report, Ulmer notes that it draws on an accumulation of five years of data from questionnaires regularly given to thousands of officers and enlisted men throughout the Army.

"That the current report indicates a gradual decline in human readiness during the last 18-24 months will no doubt cause some controversy," Ulmer wrote. "Many of the problem areas discussed already are controversial and our 'measures' of them will be a subject of debate.

"I am convinced, however, that the data used for this report are acceptably reliable and permit a reasonably accurate assessment about trends in active Army human readiness. These trends are consistent with, and reinforce, findings from other recent studies and analyses."

Ulmer has since been given command of the 3rd Armored Division in Germany and he could not be reached for comment.

Through his Army spokesmen, Alexander repeatedly warned a Washington Star reporter that he would only consent to an interview on Army manpower problems if Human Readiness Report No. 5 were not discussed. Later Alexander grudgingly consented to the interview, but he adamantly refused to answer any questions about the report.

ALEXANDER QUASHES REPORT THAT SHOWS ARMY MANPOWER SITUATION DETERIORATING

"Why don't you get away from the report?" said the departing secretary of the Army. Calling the document "outdated," he added, "I can't comment about the report, because I thought we are not going to be discussing the report at this time. I haven't reviewed the report and don't intend to at this time for this interview."

Maj. Gen. Robert A. Sullivan, the Army's chief of public affairs, said no other Army official would talk about the report, which he called "unscientific." Asked repeatedly for evidence that would show how the report's conclusions are either outdated or scientifically unsupportable, Sullivan and other Army spokesmen have not been forthcoming.

"This," explained one of them wearily, "is a very, very sensitive subject."

The controversial report states that three key indicators of "unit climate," or the attitudes of enlisted men, have been declining since 1976. Unit morale, measured on a worldwide basis, has dropped steadily, with the lowest readings showing up among enlisted men in Europe.

Troop motivation, or the willingness of soldiers to "work hard to get things done," has shown a similar decline since 1976, with the exception of units stationed in Korea, where indicators of motivation were driven sharply upward after the ax-murder of two American officers in the demilitarized zone in August 1976. Soldier motivation, the study states, is "lowest in Europe."

"The percent of commanders and other officers serving in troop units who state that motivation, discipline and morale are a problem in their unit has increased steadily since 1977," the study says. "About 10-15 percent more currently cite each of these as problems than was the case in 1977."

While reportable incidents of crimes and disciplinary problems have dropped sharply since the beginning of the all-volunteer force, the study says that part of the decline is related to the "prudent use of the various expeditious discharge programs" that simply remove the soldier from the Army, rather than apply punishment.

According to Army statistics, 35.2 percent of new soldiers are now leaving the Army before their first three-year terms are completed.

Interestingly, the study notes that the Army's drug problem, which hit a high point during the late 1960s and early 1970s, appears to be dropping. In its place, however, is an increasing concern about alcoholism, especially among Army units in Europe.

Army commanders listed alcohol abuse as their second most serious problem—coming just a few percentage points behind their concern about junior NCO leadership. Marijuana abuse ranked in fourth place among 13 problem categories, and the use of hard drugs ranked last.

The central concern of the study—that officers are most concerned about what they see as declining competence of their corporals and younger sergeants—points up an extremely serious problem because it affects the "cohesion" of small units, or their ability to stick together under fire. Military analysts have long regarded unit cohesion as one of the prime measures of the fighting potential of an army.

The study suggests that the officers' worries about their men may be mirrored by their troops in another ominous statistic. Among first-term soldiers, the percentage of those who believe their officers "care about their welfare" has dropped from 50 percent to 40 percent in three years. The percentage of first-termers who believe that most of their officers are competent "has declined from over 60 percent to less than 45 percent."

The study notes another probably related statistic: The percentage of young captains and lieutenants who agree to stay in the Army after their first tours of duty has "declined substantially," with the sharpest rate of decline being in front-line combat units.

In 1975, 70 percent of the younger officers in combat units opted to stay on. By 1979, only 44 percent would make that decision. Among regular Army officers, the study noted, the percentage resigning after their first term doubled during those four years.

Among West Point graduates, generally regarded as the cream of the U.S. Army officer corps, the number of younger officers "voting with their feet," or opting out of the all-volunteer Army after their first term, was still higher, rising from 10 percent in 1975 to 25 percent in 1978.

The flap over the intelligence and education levels of enlisted troops first surfaced last spring when it was revealed that another major Army research effort, called the Army Training Study, concluded that there was a definite relationship between low intelligence scores and the inability of tank and air defense missile gunners to hit targets. (The Army Training Study also was shelved by Army officials.)

Secretary Alexander, testifying before the House Armed Services Committee in June, flatly rejected the thesis, "No one, no expert, has been able to state what difference it makes," he said, referring to intelligence scores.

Human Readiness Report No. 5, based on five years worth of Army behavioral data, takes the intelligence argument one step further. Scores of the Enlisted Efficiency Report, the basic annual "report card" for enlisted soldiers, and AWOL (absent without leave) records show that education level and mental aptitude often are accurate predictors of how well a soldier will perform in his unit, the report says.

"There is evidence that these indicators do in fact measure potential for military performance (not precisely, but not trivially either) and it would be imprudent to ignore

them in the absence of other measures," the study says.

It notes that since 1976 the mental aptitude of the average Army male recruit has dropped by 5 percentage points. Twenty-eight percent of soldiers training at Forts Benning, Dix, Knox and Leonard Wood, it says, "read at or below the seventh-grade level." About a third of this group, it adds, actually read "at or below the fifth-grade level."

The Army, in its official response to The Star's request for a comment on the study, said that "numerous actions and programs initiated since that time have had an impact on a number of aspects of the issues treated by the study, altering many of the conditions observed and the analysis and conclusions made by the author."

Alexander, who announced last week that he is resigning, effective Jan. 20, is certain that intelligence scores and the matter of having or not having a high school degree has no bearing on the performance of his soldiers.

Recently, he explained, he visited the Army's sergeant-majors academy, training grounds for the cream of the non-commissioned officers in the Army, and asked how many of the trainees were high school dropouts. Nearly half raised their hands.

Later, Alexander noted, a group of sergeant-majors visited him in his office, and he asked how many scored in Category IV, the Army's lowest intelligence category.

"Over a third of them admitted they did, as a matter of fact. They raised their hands," Alexander said.

He cited their response as proof of his success in office. He appears to be serene in his confidence that after four years of running the Army he has won the manpower debate, regardless of what the reports he has shelved may say.

The data, he says, "does not amount to a hill of beans. It is quite irrelevant."

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## U.S. Posts Dismal Record in NATO Competitions

### Can the U.S. Army Fight

(By John Fialka)

The U.S. Army must prepare its units to fight outnumbered, and to win.—Excerpt from FM 100-5, the Army's basic field manual.

Soldiers from the best, most combat-ready U.S. Army units have run up a dismal record of losses in recent competitions against other NATO armies in Europe.

Handpicked U.S. armor crews have been outgunned and outmaneuvered repeatedly by crews from the Netherlands, Belgium, Great Britain, Canada and West Germany in competitions designed to simulate armored warfare on the plains of Central Europe.

The results of the competitions—obtained by The Washington Star through the Freedom of Information Act and from NATO sources—are not widely known in the United States, not even among senior Pentagon officials. That is not, however, the case in Europe, where the Army's failures are causing politicans and military men alike to discount heavily U.S. rhetoric about defense readiness.

The record begins in 1977, when U.S. tank crews finished sixth out of six in NATO's most prestigious competition, a tank gunnery contest called the Canadian Army Trophy. They were beaten by the Canadians, West Germans, Belgians, British and Dutch, in that order.

In 1979 the Army overhauled its training program and fielded another team of elite tank crews. That year it finished fourth out of five, beaten by West Germany, Belgium and Great Britain.

For NATO cavalry units, the big contest is a German-sponsored event, called the Boeselager Armored Cavalry Competition, four crews were beaten by six West German crews and teams from Canada and the Netherlands.

Spokesmen insist that these competitions do not indicate the Army's overall readiness and skills because other NATO units allegedly relieve their competition teams from daily chores and give them special training.

Secretary of the Army Clifford L. Alexander Jr. dismissed the scores as "marginal differences between crack units." He added, "Now I don't know of the particular events you're talking about, but I assume that they were all crack units."

U.S. allies, however, take a different view.

"We do not look at this with schadenfreude (gloating)," said one German armored division commander. "Our safety and our lives depend on that (the American) army."

The German general would only agree to discuss the matter with a reporter if his identity were withheld. He said his impressions were not entirely based on the contests, but on a recent conversation with a German civilian, a foreman at a tank shooting range who has been in the business for 23 years.

The civilian, a connoisseur of precision tank gunnery, had this to say about the American crews that now train regularly at his range: "Forget the Americans. We don't talk about the Americans anymore. They use a tremendous amount of ammunition. They claim a remarkable number of hits. And then when we go out to renew the targets we see that the number of hits they claim is completely wrong. They simply missed the targets."

The general went on to admit that his private doubts about the competence of the American Army might be unfounded and that the contest results might be anomalous.

But, he explained, because the doubts are widely shared by officers of other NATO armies, the doubts themselves have military significance.

"Reputation and prestige are very important things, even if it may be wrong," the general said. "Part of the deterrence is credibility, and if an army doesn't have any credibility any more, that is bound to be a factor in deterrence."

One of the few senior West Germany military men willing to talk openly about the dismal U.S. competitive showing is Gen. Franz-Joseph Schulze, former NATO commander of 80,000 allied soliders in Germany's central region.

"The last time, the American unit participating in the competition (the Canadian Cup) took the matter rather well. They had the feeling that at least they had knowledge of where the deficiencies were," explained Schulze.

"It was more serious the time before. There was such a disappointment that it was difficult for me to convince the 7th (U.S.) Army that they had to continue, that it would not be right for them to withdraw from the competitions," added Schulze, who retired a year ago.

After the 1979 contest, Schulze recalls, he walked among the tank crews and discovered that while it took the German crews an average of 2.3 seconds to identify targets, the American crews in the competition were taking twice that long.

In modern combat, accuracy and quickness may mean the difference between life or death. In a duel against the best anti-tank weapon—another tank—a near miss doesn't count. A successful tank "kill" requires a direct hit.

It takes approximately six seconds for the second-best anti-tank weapon, a wire-guided missile, to hit its target. Assuming the tank gunner sees the telltale back blast when the missile is fired, he can save himself only if he can fire and hit the enemy missile crew within that six seconds.

For younger American officers, filled with the can-do enthusiasm radiated by Secretary Alexander and enforced by the official Army doctrine of "fight outnumbered and win," a defeat at the hands of the Belgians, the Dutch, the Canadians, the British and then West Germans can be a shocking experience.

Consider this story, by the lieutenant colonel who was in charge of the U.S. tank crews picked for the 1977 Canadian Cup contest.

The officer, now a full colonel who commands a desk in the Pentagon, agreed to talk about the contest only if his name was withheld.

That summer, 12 of the U.S. Army's newest heavy tanks were loaded on special railroad flatcars in Bavaria and shipped to Bergen-Hohen, a desolate but well-equipped tank gunnery range in Northern Germany.

Along with the tanks went the 12 best four-man tank crew teams from a unit that had been designated the best U.S. tank battalion in Europe.

For the colonel, tanks were a lifelong passion. He was sure he knew good tankers, and he was extremely confident of the men he had picked. They would show the other members of the NATO alliance a thing or two.

The Canadian Cup contests, held at Bergen-Hohen since 1963, are the Olympics of NATO. For almost two generations, the measure of steel in a Central European army has begun with the quality of its tanks and the skill of its crews.

The stakes for the 1977 contest were high. There had been persistent rumors among the other NATO armies that the quality of the U.S. soldier had deteriorated since the All-Volunteer Army experiment began in 1972.

A tank victory would put that to rest.

The colonel's team had over $7 million worth of military hardware. Each M-60A1 tank, equipped with the latest diesel engine and the last word in night vision devices, costs $600,000.

Confident as he was the colonel knew he faced serious obstacles. At that time U.S. Army tank units did not train regularly at Bergen-Hohen because they were primarily located in southern Germany, near a less sophisticated gunnery range on the Czech border called Grafenwoehr.

While U.S. training at Grafenwoehr emphasized firing at stationary targets, the NATO units at Bergen-Hohen performed simulated tank battles between numbers of maneuvering tanks, the kind of battles that most military planners envision if the tank-heavy forces of the Warsaw Pact ever cross the West German border.

But the colonel had done his best to drill his men on the differences between the two ranges, and they were all fired up for the

contest. In other words, they were totally unprepared for the disaster that followed.

As his tanks manuevered in teams of three down the range, the young colonel stood watching on the sidelines with his heart in his mouth. Targets were popping up over a mile away. They were small, six-by-six foot targets, enemy tank silhouettes. They appeared with a telltale puff of smoke, as if a tank round had been fired.

"My guys were just not seeing some of the targets," recalls the colonel. "I was standing there jumping up and down yelling things like 'over there!' 'Over There!' but of course they couldn't hear me. They were on their own. One gunner missed nearly all of his targets. I still can't explain that. I thought he was really good, one of my best."

Some people who know the American colonel say he was shattered by the experience. He admits that he still broods about it. "Before that," he told a reporter, "I had never come in second place in anything in my life."

Schulze and several other German senior officers suspect that one of the things that is showing up in the tank contests is a fundamental difference between the West German and the American Army. The West German army is a draftee force, drawing on a full spectrum of intelligence ranges. The 18-year-old German male has a 70 percent chance of being drafted, but he will not appear as a gunner or the commander of a tank unless he scores in the upper 40 percent range of intelligence tests.

He is also tested for mechanical aptitude and the psychomotor skills that allow quick target recognition and response. Furthermore, West Germany tries to keep tank crews together, while U.S. crews are constantly shifting.

In the U.S. Army, a majority of tank gunners and commanders ranks below the upper 40 percentile range of intelligence, according to a 1978 Army survey called the Army Training Study.

The survey of 1,288 tank crewmen, found that many of the gunners and commanders rapidly forgot what they had learned in training and that field training in Europe did not improve their situation. According to the survey, tank crew proficiency among U.S. units in Europe was 40 percent lower than combat-ready requirements and was 50 percent lower in U.S.-based armored units.

The Army's official position, as dictated by Secretary Alexander, is that such studies are "irrelevant," and Alexander's message has been heard down through the chain of command.

Brig. Gen. Frederic J. Brown, who was the director of the study, is now the chief training officer for the 8th Mechanized Infantry Division in Baumholder, Germany. He refused to discuss the implications of the study during a recent interview, saying he could only discuss his current assignment.

Brown's current job is critical because the 8th Division is the unit that would defend the Fulda Gap, one of the main invasion routes from the east into West Germany.

Because the Warsaw Pact forces have a 4-1 superiority in tanks, Brown admitted that the requirements for the survival of a U.S. tank crew in any battle to defend Fulda Gap are very stiff. They require tanks to hide in depressions of the terrain and then pop out to hit and "kill" as many as three enemy tanks at once.

"I expect the crews to get three target hits and get back down—all in 15 seconds," said Brown, asserting that for some of his crews, those who have studied the border terrain, the assignment "is a piece of cake."

"Of course," Brown added, "not all of them can do that."●

## PROBLEMS OF DRUGS OF LIMITED COMMERCIAL VALUE

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WEISS. Mr. Speaker, I am introducing today with a number of cosponsors, a bill to establish within the National Institutes of Health a new office to stimulate the development of drugs for serious diseases that afflict relatively small numbers of people. At present, these drugs are not being developed or marketed because they are unprofitable for potential producers. This legislation was introduced during the 96th Congress by Representative Elizabeth Holtzman and received the strong support of many Members of the House and of public and private organizations concerned with health issues. As a cosponsor of the bill in the last Congress, I would like to take this opportunity to commend her outstanding leadership in focusing efforts in this area.

Over the past few years the problem of drugs of limited commercial value—called orphan drugs—have received increased attention by the Department of Health and Human Services, private groups, and drug companies. While the problem has been studied at length, no coordinated attempt to solve it has emerged.

The problems are numerous. It is a cold fact of life that for most pharmaceutical companies there is just not sufficient profit in developing drugs for rare diseases to justify the high development costs. Compounding this situation are issues of legal liability, complex and costly Food and Drug Administration drug approval requirements, shortage of research funds, concerns over the patentability of certain compounds, lack of coordination of research and information on rare diseases, and the small size of the possible test population. In response, this bill seeks to establish a framework under which these problems can be addressed and to provide funds which would support research where there is a proven potential and to remove impediments to further development of promising drugs.

The bill would establish within the National Institutes of Health an office to further these purposes. The Director would be the Director of the Office of the National Institutes of Health and would be advised by a board composed of representatives of the public, pharmaceutical manufacturers, the medical profession, and scientists involved in the development of new drugs.

The bill confines the term "drug of limited commercial value" as one which may provide an advance in the diagnosis, prevention, or treatment of the disease and is commercially unavailable.

The Director of the Office would have a wide variety of methods for providing financial assistance for new drug development. These include loans, grants, contracts, purchase of liability insurance, undertaking studies to determine the scientific and therapeutic need for these drugs, coordinating efforts of public and private entities in drug development, and collecting and making available information on possible sources of financial assistance.

In order to receive assistance, applicants must show that there is a scientific basis for the proposed drug. Should the developed drug produce substantial profits, the bill provides for recapturing them for the Federal Government.

This bill will aid many who suffer from rare diseases, people whose suffering continues not because an effective treatment cannot be found, but because its production is deemed unprofitable. I invite the support and sponsorship of all my colleagues for this important legislation.

A list of additional sponsors and a copy of the bill follows:

ADDITIONAL SPONSORS

Mr. ADDABBO, Mr. CORRADA, Mr. SHAMANSKY, Mr. RICHMOND, Mr. SOLARZ, Mr. RINALDO, Mr. VENTO, Mr. MITCHELL of Maryland, Mr. WALGREN, Mr. SCHEUER, Mr. KILDEE, Mr. YATRON, Mr. PRICE, Mr. HOWARD, Mr. GUARINI, Mr. SIMON, Mr. ROE, and Mr. TRAXLER.

H.R. 1663

A bill to establish an office in the National Institutes of Health to assist in the development of drugs for diseases and conditions of low incidence

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

ESTABLISHMENT OF OFFICE

SECTION 1. (a) There is established in the National Institutes of Health the Office of Drugs of Limited Commercial Value (hereinafter in this Act referred to as the "Office"). The Office shall be under the direction of a Director who shall be the Director of the National Institutes of Health.

(b)(1) There shall be in the Office an advisory council to advise the Director with respect to the Director's functions under this Act. The members of the advisory council shall be appointed by the Director. The membership of the advisory council shall not exceed nine members and shall include representatives of the pharmaceutical industry, medical profession, scientists involved in the development of drugs, and public interest groups.

(2) The advisory council shall, as appropriate, make recommendations to the Secretary of Health and Human Services respecting changes to shorten the time required for drug approval under the Federal Food, Drug, and Cosmetic Act.

FUNCTIONS OF THE DIRECTOR

SEC. 2. (a) The Director of the Office—

(1) may provide financial assistance to entities for the development of drugs of limited commercial value;

(2) may undertake the development of such drugs;

(3) may purchase for the developers of such drugs liability insurance for claims by the users of such drugs if the Director determines that the drugs would not be developed without such insurance;

(4) shall undertake studies to determine the scientific potential and the therapeutic need for the development of specific drugs of limited commercial value and the economic requirements involved in the development of such drugs;

(5) shall coordinate the efforts of public and private entities engaged in the development of such drugs and shall make recommendations to Federal entities with respect to their programs for the development of such drugs; and

(6) shall collect and make available information respecting public and private sources of financial assistance for the development of drugs of limited commercial value.

(b) The Director of the Office shall compile and keep current a list of drugs of limited commercial value. The Director shall publish guidelines for the submission of recommendations to the Director for inclusion of a drug on such list.

REQUIREMENTS FOR ASSISTANCE

SEC. 3. (a) No financial assistance may be provided under section 2(a)(1) unless an application therefor has been submitted to and approved by the Director. Such an application shall be in such form and submitted in such manner as the Director may require and shall contain—

(1) the scientific basis for the development of the drug with respect to which the financial assistance will be provided, the proposed therapeutic use of the drug, and the significance of such use;

(2) a detailed statement of—

(A) the basis for the determination by the applicant that the drug cannot be developed without financial assistance under section 2(a)(1);

(B) the expected expenses to be incurred in the development of the drug and the expected revenues from the drug during the ten-year period (or such other period as the Director shall specify) beginning on the date the drug is approved under the Federal Food, Drug, and Cosmetic Act;

(C) any unpredictable legal liability, shortages of personnel, facilities, or materials, special consultations, reviews, or tests, packaging, shipment, storage, or other distribution problems, or any other special or unusual circumstance affecting the development of the drug; and

(D) any drug development undertaken under previous financial assistance under section 2(a)(1);

(3) assurances satisfactory to the Director that the applicant is qualified to develop the drug and is capable of developing the drug in a cost effective manner.

(b) Financial assistance provided under section 2(a)(1) shall be subject to such terms and conditions as the Director may prescribe to protect the financial interests of the United States and to assure that funds paid out will be efficiently and effectively used. The Director may require that—

(1) any agreement entered into for financial assistance will, at the option of the Director, be subject to revision to reflect changed circumstances; and

(2) the recipient of funds will reimburse the United States for all or part of such funds (as specified by the Director) if the revenue from the drug developed with such funds exceeds such level as the Director may specify at the time the funds are first made available.

RECORDS AND AUDITS

SEC. 4. (a) Each entity which receives funds under section 2(a)(1) shall establish and maintain such records as the Director shall by regulation or order require. Such records shall include records which fully disclose (1) the amount of funds received and the disposition made of such funds by such entity, (2) the total cost of the project or undertaking for which such funds were made available, and (3) such other records as will facilitate an audit conducted in accordance with generally accepted auditing standards.

(b) Each entity which receives funds under section 2(a)(1) shall provide for a biennial financial audit of any books, accounts, financial records, files, and other papers and property which relate to the disposition or use of the funds and such other funds received by or allocated to the project or undertaking for which the Federal funds were made available. For purposes of assuring accurate, current, and complete disclosure of the disposition or use of the Federal funds received, each such audit shall be conducted in accordance with such requirements concerning the individual or agency which conducts the audit, and such standards applicable to the performance of the audit, as the Director may by regulation provide. A report of each such audit shall be filed with the Director at such time and in such manner as the Director may require.

(c) The Director may specify, by regulation, the form and manner in which the records required by subsection (a) shall be established and maintained.

(d)(1) Each entity which is required to establish and maintain records or to provide for an audit under this section shall make such books, documents, papers, and records available to the Director or the Comptroller General of the United States, or any of their duly authorized representatives, for examination, copying, or mechanical reproduction on or off the premises of such entity upon a reasonable request therefor.

(2) The Director and the Comptroller General of the United States, or any of their duly authorized representatives, shall have the authority to carry out the purposes of this subsection.

DEFINITION

SEC. 5. For purposes of this Act, the term "drug of limited commercial value" means a drug for a disease or condition of low incidence which drug—

(1) is or may be unique or provide an advance in the diagnosis, prevention, or treatment of the disease or condition; and

(2) is commercially unavailable because—

(A) the estimated revenue from the sale of such drug is not sufficient for the development of the drug by private drug companies without Federal financial assistance;

(B) the estimated revenue from the sale of such drug is not sufficient for a private drug company to assume the cost of establishing the safety and efficacy of the drug for purposes of section 505 of the Federal Food, Drug, and Cosmetic Act; or

(C) exclusive rights to the development of the drug cannot be obtained.

EVALUATION

SEC. 6. The Director shall report to Congress not later than two years after the date of the enactment of this Act on the effectiveness of this Act in furthering the development of drugs of limited commercial value.●

## NATIONAL WOMEN'S HISTORY WEEK

### HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Ms. MIKULSKI. Mr. Speaker, it is with great pleasure that I reintroduce a joint resolution designating the week of March 8, 1981, as "Women's History Week." It is especially appropriate to reintroduce this bill which aims to reclaim and rediscover the rich, proud history of American women on this day which is an historic event in itself. For today is Women's Rights Day in Congress, for which women have come from all over the country to make sure that the progress made by and for women in the last decade will not fade in the next. Today, women everywhere in this Nation will celebrate the gains we have made, and dedicate ourselves anew to the many challenges we face. Today, we pledge even more strongly our commitment to women's equity in employment, in education, in health care, in domestic relationships, in retirement, and in our old age. We look forward to celebrating Women's History Week in March with a deep sense of pride in the contributions women have already made to the life, thought, and institutions of this great Nation. We intend to continue this proud tradition into the future.

Mr. Speaker, I insert the resolution in the RECORD:

H.J. RES. 162

Joint resolution designating the week beginning March 8, 1981, as "Women's History Week"

Whereas American women of every race, class, and ethnic background helped found the Nation in countless recorded and unrecorded ways as servants, slaves, nurses, nuns, homemakers, industrial workers, teachers, reformers, soldiers, and pioneers;

Whereas American women have played and continue to play a critical economic, cultural, and social role in every sphere of our Nation's life by constituting a significant portion of the labor force working in and outside of the home;

Whereas American women have played a unique role throughout our history by providing the majority of the Nation's volunteer labor force and have been particularly important in the establishment of early charitable philanthropic and cultural institutions in the country;

Whereas American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement, not only to secure their own right of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor union movement, and the modern civil rights movement;

Whereas despite these contributions, the role of American women in history has been consistently overlooked and undervalued in the body of American history: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the week beginning March 8, 1981, is designated as "Women's History Week", and the President is requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.●

## WOMEN'S RIGHTS LOBBY DAY

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. OBERSTAR. Mr. Speaker, Women's Rights Lobby Day is an opportunity to reaffirm the fundamental commitment of this Nation that the rights of any citizen shall not be abridged because of sex. Today's observance of the need to rededicate our efforts to assure equal rights comes at an important juncture in America's history.

More women are serving in this 97th Congress than in any previous Congress. Yet not enough were elected. No woman has served on the U.S. Supreme Court and none has been President. The U.S. Senate counts only two women among its Members. Equality cannot be achieved when women are politically and economically disadvantaged.

Most of us are aware of the inequalities which exist between men and women in our country. Women earn an average of 58 cents for every dollar earned by a man. Women continue to face obstacles in pursuit of career opportunities. Inequitable laws and prejudicial attitudes affecting the treatment of women in the courts, employment, homeownership, social security, retirement, and childrearing need to be reformed.

I remain committed to the goal of ratification of the equal rights amendment. I am pleased that the Minnesota State Legislature acted early to ratify the amendment. Just over 1 year remains for the ERA to be ratified. We must redouble our efforts to secure the ratification by three more States of this guarantee of equality.

The 97th Congress dawns in a new decade and under a new administration—one that claims to be in favor of equal rights for women, but one that does not support the equal rights amendment. I challenge this new administration and this new Congress to work for the reforms espoused during the Presidential election campaigns. We must persist in changing those laws and regulations which perpetuate obstacles and stereotypes and which foster continued discrimination against a major segment of our population.

In this Congress and in past Congresses I have introduced legislation to reform laws blocking the achievement of equality by women. Recently, I reintroduced legislation in the 97th Congress to end discrimination against women in both the Railroad Retirement Act and the Social Security Act. Proposed amendments to each would grant full spouse or widow's benefits to disabled women. Amendments to the Railroad Retirement Act would continue benefits to remarried widows and would provide benefits to divorced spouses of railroad workers.

In the near future, I plan to introduce legislation addressing inequities women face in the armed services entrance standards and legislation supporting alternatives to abortion, including aid to unwed mothers, and prenatal and postnatal maternal and child health care assistance. I continue to support those programs which aid the welfare of women such as the Domestic Violence Prevention and Services Act and the child health assistance program.

I applaud the efforts of the women from across the country who have arrived in Washington to participate in the hearings and to lobby for women's rights. I also congratulate the Congresswomen's Caucus for inviting experts and spokespersons from so many fields to testify and highlight the needed changes in the law and the attitudes of society.

Our work toward the goal of equal opportunity for all must not start and stop on this day. This day of education should cause us to renew and reaffirm with increased vigor our commitment to equal rights for all persons in American society.●

## WORLD FREEDOM DAY

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. DERWINSKI. Mr. Speaker, an annual event in Taipei, Taiwan, Republic of China, is World Freedom Day. This commemoration encompasses a series of programs and rallies which are held in support of freedom for those peoples held captive under communism. It is important for us to note the grassroots spirit that emanates from the people of the Republic of China. In view of this tremendous significance, I wish to insert the "Declaration of Freedom" from the rally held in Taipei on January 23:

DECLARATION

1981 WORLD FREEDOM DAY RALLY OF THE REPUBLIC OF CHINA, TAIPEI, JANUARY 23, 1981

Together with freedom-fighters from all the world regions, we the representatives of the Republic of China's various circles have today assembled in Taipei to further promote the "World Freedom Day" Movement. This symbolizes the mighty strength of freedom and justice that will, like thunder and gale, ever more sternly challenge Red tyranny and bring unlimited light to the future of anti-Communist endeavor.

The dark current of international appeasement in the 1970s fanned the fires of Communist aggression and expansion, pushing the free world toward wars. But the fully exposed evil characteristics of Communists and their communization ambition made free nations wake up from delusions and see unequivocally that so long as Red forces persist, threats to man's freedom will not cease.

Results of these experiences and lessons are:

—The strength of all those who love freedom became converged. Voices are unanimous that freedom no longer permits infringement by Communists. Opposition has been raised to Moscow's aggressive moves and threats against East Europeans, Latin Americans, and Africans, to the Red Chinese enslavement and oppression of Chinese mainland people, and in particular to the insidious Soviet suppression of the Polish workers' campaign for freedom.

—The steps of all those who love freedom became orderly. Voices are unanimous that world peace no longer permits destruction by Communists. Opposition has been raised to Moscow-directed proxy wars, to Chinese Communist infiltration and subversion against free nations, and in particular to the Soviet invasion of Afghanistan and the accompanying mounted threats of war to free nations.

—The will power of all those who love freedom became enhanced. Voices are unanimous that free nations no longer will stand Communist deceit. Opposition has been raised to Moscow's unending armament drive, to further pursuance of the evil-breeding policy of "alliance with Chinese Reds for the checking of Russians," and in particular to imposition of pressures on free nations with double-standard human rights policies.

The 1980s will be the decade to decide the rise and fall of free forces and Red forces. The "World Freedom Day" Movement must continue towards its established lofty goal, guiding man's struggle for freedom and assuring stepped-up development of the new anti-Communist situation.

We are convinced that man's freedom, national unity and world peace are indivisible. If mankind is to have adequate human rights and freedom, national integrity must be free from destructive forces. If the world is to rid itself of troubles and wars, man's strength for freedom must be pooled and brought against Red tyrannies for their decisive end.

We are convinced that peace, security and prosperity are not possible in the absence of freedom. If all the world regions are to be genuinely peaceful, the independence and security of all free nations must be positively assured. If all people of the world are to enjoy lasting well-being in prosperity, man's strength for freedom must be pooled and brought against Red trouble-makers for their decisive end.

We are convinced that history, culture and ethics are the lifelines of peoples, that land, people and sovereignty are the fundamental elements of nations, and that man's common wishes are for harmony, progress and happiness. If each and every people is

to live long in harmonious, progressive and happy society, with freedom for all from fear and want, man's strength for freedom must be pooled and brought against Communism and Communist systems for their decisive end.

That tyranny shall perish is the rule of history, repeatedly proven down through the centuries. The rift and struggle of the international Communists and the rise and growth of those who stand for freedom conclusively indicate that the split Red bloc will fall apart.

We have seen the development of liberalization campaigns within the Soviet Union and the growth of East European drives toward national independence. The Polish workers are vehemently challenging Communism. The Afghans are resolutely opposed to aggression. These are large-scale demonstrations of national potentialities. Moscow has nuclear weapons but will be engulfed and washed away by the surge for freedom.

We have seen the Chinese Communist regime, one that rules with totalitarian force, torn apart and pushed to the verge of a total collapse by the endless cycle of internal power struggle. The recent trial of the Lin Piao and Chiang Ching cliques has further exposed the crimes and ugly faces of the rulers. The internecine dispute will bring another ruthless series of purges and struggles. The bankrupt "four modernizations" will seriously aggravate the social confusion. People on the Chinese mainland will rise for ever fiercer steps against Communism and for freedom. The Red Chinese regime will be crushed under the weight of free forces.

We have seen that although the Communists of Korea, Vietnam, Cambodia and Cuba are ambitiously attempting to have their bellicose ways and fish in the troubled waters of the world, free nations have risen for the cause of anti-Communism, are forging unity for common defense, and will keep on checking Red expansion on many fronts. The collapse of the Communist pillars will be accompanied by the defeat of those Red lackeys before the battle formation of the freedom camp.

We also have seen the United States reviving her stand for freedom and justice, as indicated in President Reagan's inaugural warning to the "enemies of freedom" that as for peace, the United States will negotiate for it, sacrifice for it, but will not surrender for it—now or ever. We earnestly hope that President Reagan will give full play to his determination to defend freedom, reverse the situation of the 1970s when the Russians and the Chinese Communists were allowed to deal as they wished with free nations, and furthermore take active steps to repulse willful Red international united front moves.

We furthermore have seen the Republic of China making rapid progress through adversities, growing vigorously in unity and stability with effective democratic constitutional rule. Our successful national construction has brought increasingly better life to the people and enhanced the confidence of our compatriots, including those abroad and those behind the mainland enemy line, that our anti-Communist national revival mission will succeed. Our brilliant accomplishments are in sharp contrast with the backwardness, autocracy, poverty and chaos under the tyrannical Red Chinese rule. Quite clear is the inevitability of the regime's defeat by all the Chinese who stand for freedom.

International developments are rapidly unfolding. Freedom forces are growing remarkably. This is an opportune moment for the Republic of China to pool strength for freedom and justice and carry out her mainland recovery mission. The growth of the "World Freedom Day" Movement is a forceful support to our anti-Communist national mission.

At this advantageous juncture, all the Chinese and other freedom-fighters of the world shall strengthen unity and strive on as follows:

We must make the "World Freedom Day" Movement ever more effective, spread our voices condemning the Chinese Communists for their crimes against the nation and people, bring together all those of Chinese blood at home and abroad who oppose slavery, and push further political landing to destroy the Peiping rebels.

We must, as we make the "World Freedom Day" Movement ever more effective, spur an all-out anti-Communist revolution of our 900 million compatriots on the mainland. We must help them destroy Communist tyranny and tear down the Iron Curtain from behind it.

We must, as we made the "World Freedom Day" Movement ever more effective, bring together all the other freedom-loving and justice-respecting nations and peoples, particularly the United States of America, and strive with them for Asian-Pacific common security and for the freedom of the region's inhabitants.

We must, as we make the "World Freedom Day" Movement ever more effective, assure that the new U.S. Administration abides by President Reagan's pledge to strengthen historic ties with all those neighbors and allies who share America's ideal of freedom, and see that the United States returns to normalized relations with the Republic of China, abandons the mistaken policy of "allying with the Chinese Reds for the checking of the Soviets," and suspends all forms of aid—weapons, other military supplies, knowhow or economic assistance—that may help the Chinese Communists grow and join hands with the Soviets for treacherous steps against Americans.

Fellow countrymen and all the freedom-fighters of the world: The opportunity of our Chinese mainland compatriots' return to freedom is growingly riper. The future of the free world is increasingly brighter. Let us strive together ever harder. Let us put a decisive end to Communist slavery and rule of force. Let us make the 1980s begin a lasting era of victorious freedom.●

## DR. VIKTOR BRAILOVSKY

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. WEISS. Mr. Speaker, the plight of jailed Soviet refusenik Dr. Viktor Brailovsky raises issues of concern to all Americans. Public discussion of these matters will help all of us better understand the urgency of Dr. Brailovsky's situation, and of others who suffer the same treatment.

When Dr. Brailovsky was arrested by Soviet authorities November 13, 1980, the historically poor response to the rights of Jews by the Soviet Union dipped still lower. Brailovsky first began speaking out against Soviet harassment of Jews wishing to emigrate in 1972 after his application to leave with his family had been denied. His knowledge of so-called scientific secrets was cited as the reason his exit visa was denied. As a result of this experience, Brailovsky began working on the unofficial journal, "Jews in the U.S.S.R.," which is devoted to Jewish history, culture, and religion in the Soviet Union, Israel, and around the world. He also became active in refusenik programs and was a leader of the Moscow Sunday Seminar, created to facilitate discussion of scientific and other matters among Soviet Jews who had been prevented from emigrating.

When he was granted permission to leave in 1976, his wife—also a scientist—was denied the right to emigrate for the same reason her husband had been prevented from leaving 4 years earlier. He refused to leave without his family. Soviet authorities later admitted that Irina Brailovsky had never been involved in secret work. This attempt to separate the Brailovskys violates the Helsinki accords and is a gross abuse of fundamental international human rights. The claims of safeguarding state secrets used by Soviet authorities were nothing more than a smokescreen to hide injustices in Soviet emigration policy. The mistreatment of Viktor and Irina Brailovsky, which I have merely outlined briefly, opens on to a broader picture of abuse of rights and mistreatment of Soviet Jews.

All the world knows of the injustices suffered by Soviet Jews, who constantly struggle with Soviet authorities for freedom to practice their religion and for the basic human right of freedom to emigrate. Only in the last 12 years have Jews been able to emigrate without indiscriminate opposition and harassment by Soviet authorities. And even now that an official process for emigration has been established, the Soviet Government continues to make emigration a difficult and exhausting ordeal, often practically unobtainable for Jews. And there is no clearly foreseeable end in sight to this struggle.

This is why Viktor Brailovsky's ordeal is important to us. This courageous man has been singled out by Soviet authorities for daring to stand up to injustice. Brailovsky now is languishing in a Moscow prison, apparently poorly cared for and in failing health. His wife has not been allowed to visit him, and her inquiries regarding his health have been ignored.

The case of Viktor Brailovsky deserves close attention by all Members of Congress. So long as the rights of Soviet Jews are abused, there can be no assurance of freedom or justice in the Soviet Union.●

## SRI LANKA'S ANNIVERSARIES

### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. YATRON. Mr. Speaker, February 4 is a day of great importance to the people of Sri Lanka. Not only is this day the 33d anniversary of their independence, but it is their 50th anniversary of the granting of universal adult franchise. In 1931 elections were held at the national level in Sri Lanka for the first time. Since that date, all elections in the country have been held on this basis. Today, every citizen of Sri Lanka has the right to vote when they reach the age of 18.

The people of Sri Lanka—meaning resplendent land—are committed to establishing a growing economy while maintaining democratic liberties and providing a wide spectrum of needed government services. In recent years, great gains have been made in the fields of political development and awareness, education, health, and other basic needs. Their economy has made significant gains due to the liberalization of trade and a concentration of major development projects.

I know my colleagues will join me in congratulating the people of Sri Lanka on their 33d anniversary of independence and in wishing them every success in the future. They are certainly to be commended for their continued dedication to democracy and liberty.●

## THE FUTURE OF METRO

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. WOLF. Mr. Speaker, the Metro public transit system provides vital service to communities in the Washington metropolitan area. I fully support the present system and its expansion into more communities because I believe that local taxpayers who fund Metro deserve an integral and efficient service for their tax dollars.

I would like to bring to the attention of my colleagues a recent article in the Washington Post that discusses the possibility of local governments in Virginia and Maryland replacing Metrobus with county-owned or chartered bus systems. Local governments are considering this possibility because they can no longer afford to subsidize transit workers' costly labor contracts that are usually a product of binding arbitration.

As the article indicates, the binding arbitration provision in the Metro compact has not only failed to fulfill its purpose of preventing transit strikes, it has also taken away Metro's right to bring up the issue of its ability to pay during the collective bargaining process. As a result, Metro's labor costs have skyrocketed and the burden on local taxpayers and users of public transportation has drastically increased.

Mr. Speaker, it is essential that Metro remain a financially healthy, unified system for the communities that support it. For this reason, I will soon introduce legislation that provides congressional consent for the elimination of the binding arbitration requirement from the Metro compact.

The article follows:

[From the Washington Post, Feb. 1, 1981]

SUBURBS SPURNING METRO BUS SERVICE

(By Douglas B. Feaver)

Montgomery County is forsaking federal aid and spending $12 million of its own money for 155 new buses to expand its neighborhood Ride-On system and retain the option of replacing Metrobus service in the county. Ride-On is not small potatoes; it carries 20,000 passengers a day.

Fairfax County is studying how to replace Metrobus service east of Shirley Highway and south of the Capital Beltway with county-owned or chartered buses.

Prince George's County is talking to private bus companies to see if they would like to replace Metrobus on some routes, perhaps with a county subsidy.

These events have been spurred by the costly contract Metro has with its 5,000 unionized transit workers and, may spell the beginnings of a major change in transit here. Instead of one Metro system to serve D.C. and the Maryland and Virginia suburbs, there could well be Metro's subway and five or six different bus systems, each marching to a different local drum.

Fares, schedules, availability of information and the quantity and quality of bus service differ confusingly from section to section of Metro's service area today. One only can imagine it getting worse with many little systems, doing different things at different times, charging different fares, but each ultimately centered on a subway station.

As local governments consider their alternatives, the questions they face are these:

The price of leaving Metro would be to do without federal aid for the purchase of buses, building of garages and salaries of drivers. Would enough be saved in labor costs over the long term to offset that price?

Would the escape from the types of costs and problems Metro faces be real, given the probability that labor will organize county-owned bus operations?

That is half the story. On another front, state Sens. Adelard Brault (D-Fairfax) and Thomas Patrick O'Reilly (D-Lanham) are pushing bills in the Virginia and Maryland legislatures that would amend the law requiring Metro and its unions to settle disputes through binding arbitration. In the opinion of Metro management and local government analysts, the provision gives the union a great advantage.

It was vigorously sought by the Amalgamated Transit Union in 1972, when Congress was writing legislation to permit Metro's takeover of four privately owned area bus companies. The purpose was to guarantee the absence of transit strikes in the nation's capital.

It has not done that. There have been several wildcat strikes, including one that tied up the city for eight days during a heat wave in 1978. But the provision has deprived Metro of the classic management right to insist it will pay no more than a certain figure. Exercise of that right, of course, would imply willingness to accept a strike.

Walter Bierwagen is international vice president of the Amalgamated Transit Union, a former leader of Local 689, which represents most of Metro's transit workers, and a skillful Capitol Hill lobbyist. "The greatest things we have achieved have been in negotiation or in arbitration," he said. "I can't think of anything significant we have won out of a strike situation."

A change in the binding arbitration requirement would have to be adopted by the Maryland and Virginia legislatures, the D.C. City Council and Congress. Only in Virginia would passage of something perceived as antilabor be automatic.

But this is the year of Ronald Reagan and of the new conservative Congress, the year of mounting budget problems in the District of Columbia, which pays dearly for Metro service, and the year of heavy cutbacks in the rural Maryland highway program because of heavy transit demands on the state transportation fund from both the Baltimore and Washington areas.

Metro General Manager Richard S. Page has decided to push for the change, but it is not certain he will be backed by the Metro board, some of whose members talk tough in public but become panicky at the prospect of a transit strike.

"Lots of people say this is not the practical thing to do," Page said. "I didn't think it was either, but times have changed. I'm not anti-union; I am anti-compulsory arbitration. . . . I believe in collective bargaining, because in collective bargaining one of the primary issues that must be considered is the employer's ability to pay. . . . It was not considered in this [most recent] arbitration, and I don't think compulsory arbitration permits it to be considered. . . ."

As a result of the arbitration award in January, Metro's bus drivers and subway train operators make $22,000 a year before overtime. While inflation continues, their raises come without regard to local government budgets. They automatically get a raise four times a year, and it matches the rate of inflation for the first 9 percentage points, then matches approximately two-thirds of each additional point.

Local and state governments are paying more than $110 million in subsidies for Metro this year and are being asked to pay about $160 million next year. Almost two-thirds of that subsidy is for bus service. The salary protections for Metro's employes exceed those for schoolteachers, policemen and firemen and thus raise difficult fairness issues for local governments.

While some of the talk about leaving Metro is political saber rattling, much of it is real. Montgomery County's Ride-On has demonstrated the success of a locally controlled and operated bus system that concentrates on neighborhood service and feeds a regional subway system. Ride-On's ridership has shown a 10 percent increase in the past year.

In 1980 it cost Montgomery County $20.50 per hour (without subtracting fares) to operate Ride-On and $37 per hour to operate Metrobuses on Montgomery County routes. Ride-On cost 80 cents per passenger per trip to operate; the passengers paid an average of 28 cents. Metro cost 95 cents per passenger per trip; passengers paid an average fare of 51 cents.

The salaries for Ride-On drivers start at $12,900 per year and reach a maximum of $17,443. Ride-On can use as many part-timers and substitutes as it wants. These are categories unions traditionally oppose.

Metrobus drivers start at $16,827 and in 30 months are eligible for the maximum, before overtime, of $22,432. With bonuses for night work, snow days, overtime, charters and the other goodies, many take home $25,000. Last year, 142 drivers made $28,000 or more and two drivers made more than $40,000.

Total part-timers at Metro cannot exceed 10 percent of the full-time force, and there is no such thing as a substitute; Metro must employ enough drivers at full-time salaries to run the schedule even if there are several absences.

Thus, savings are possible in labor. What about other costs?

By buying its own buses, Montgomery County is foregoing $9.6 million in federal aid. On the other hand, county taxpayers avoid two federal strings; they do not have to guarantee that the buses will not take jobs away from unionized employes (Metro drivers) and they do not have to equip every other bus with a wheelchair lift.

"I regard Ride-On as a positive, constructive adjunct to Metro," said Montgomery County Executive Charles Gilchrist, before dropping the other shoe. "Inevitably, as the cost of Metro increase, I think Ride-On does become significant as a potential alternative to a greater or lesser degree."

In addition to the loss of federal aid, there is another reason the long-term savings of Ride-On might not be as real as the short-term ones. Both the Amalgamated Transit Union and the American Federation of State, County and Municipal Employees are attempting to unionize Ride-On drivers.

Despite right-to-work laws, bans on collective bargaining and other devices that governments, particularly in Virginia, devise to keep public employes in line, aggressive unions have found ways to recruit and bargain. Local governments will have to ask themselves if there is really a gain if they leave Metro and wind up with a more vigorous, more militant labor union (AFSCME) than the one they have now (ATU).

John F. Herrity, chairman of Fairfax County's board of supervisors, said his biggest problems with Metrobus are work rules such as those that limit part-timers and forbid substitutes. He hopes to avoid them in the county's plan to replace Metrobus south of the Beltway and east of Shirley Highway, the area that will feed the future Huntington subway station.

Prince George's County Executive Lawrence J. Hogan gets at the gut issue for many politicians. "Within a few years, a Metrobus driver is going to make $42,000," Hogan said. "That's absurd. The public is not going to stand for it."

Talk by suburban governments about leaving Metrobus has traditionally bothered District of Columbia politicians. Sterling Tucker, former chairman of the D.C. City Council, put it best. "We would have what's left," he said.

Metro has been stuck with the cost-of-living protection clause guarded by binding arbitration since it began running the buses in 1973. It happened like this:

In December 1972, with service deteriorating rapidly, Congress approved a $70.8 million grant for Metro to take over four area bus systems, but required Metro to honor existing labor contracts and to use binding arbitration.

The contract was expiring between the drivers and mechanics at the D.C. Transit System, the biggest of the four companies, and a strike appeared imminent. Congress permitted Metro to observe the negotiations but not to participate. The union pursued full cost-of-living protection as its first priority, and the company resisted for a while. But with no financial stake other than to remain whole until the takeover, D.C. Transit agreed to Local 689's demand for the clause.

Metro labor relations specialist Peter Sheehan was the official observer, and he sat by helplessly, although he protested the union's cost-of-living proposal.

"I have felt like a castrated bull in a cow barn," Sheehan's notes say he said after the settlement was reached. "I would like to have done something, but haven't got the equipment. Considering the situation [Metro] finds itself in, it seems fair to say that you have resolved the differences between you in a fair and equitable manner . . ."

Senior staff members at Metro, including General Manager Jackson Graham, considered rejecting the contract because of the clause, but the debate never reached the board in public session. The pressures to accept the contract were too great. The money for the takeover, complete with federal strings, was in the bank. Transit service in the Washington area was disintegrating, and the first small subway line was still at least three years away.

There was another factor. "Cost-of-living wasn't as big a deal at that time," Graham said in a recent interview. "We were talking only about 5 or 6 percent annual inflation." In a recent quarterly adjustment. Metro had to pay its drivers the equivalent of an 18-percent increase.

Metro has tried to modify or eliminate that cost-of-living clause in every subsequent contract, and the issue always has gone to arbitration. The recent contract guarantees full quarterly cost-of-living protection for the first 9 percentage points of inflation before there is any reduction in full percentage protection. That contract contains the first modification of the cost-of-living clause since the takeover.●

## REBUILD U.S. DEFENSES NOW

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. FINDLEY. Mr. Speaker, even before the United States rebuilds its defenses through increased spending, there is talk of avoiding those spending increases through arms control negotiations. This, of course, was the policy pursued in the seventies which has now left us militarily inferior to the U.S.S.R. While the United States believed that SALT I had brought the nuclear arms race under control and steadily decreased the percentage of its GNP devoted to defense, the Soviets increased defense spending and built a strategic military arsenal many believe to be superior to our own.

The first priority of the Reagan administration and of the 97th Congress should be to enhance U.S. defense forces to provide a margin of safety for the United States. Only when we are sure that we have arrived at that point can we then discuss East-West arms control negotiations or defense budget cuts.●

## VIKTOR BRAILOVSKY, WORLD RENOWNED SCIENTIST

### HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. GONZALEZ. Mr. Speaker, it has again come to my attention that a Russian refusenik, Viktor Brailovsky, a world renowned scientist, has endured serious hardships and undue suffering after making a formal request for permission to leave the U.S.S.R. and emigrate to Israel with his family. Their first request came in October 1972, and in January 1973, the Brailovskys received their first refusal.

Viktor lost his teaching position at Moscow University in 1973, and subsequently joined a scientific seminar for unemployed Jewish scientists awaiting permission to emigrate. In 1976, the Soviets used a common tactic of granting permission to Viktor to emigrate, but he refused to leave without his wife and children. Since 1972, he has been harassed repeatedly with several arrests and home searches. The searches resulted in the confiscation of books on Jewish culture and history. He was arrested again in April 1980 for his role as an editor of the unofficial journal, Jews in Russia. Although released, he remained under investigation for allegedly slandering the Soviet State. If officially charged it could mean up to 3 years of imprisonment in a labor camp.

Still imprisoned, this long-time refusenik and prominent scientist has become seriously ill. The investigation has stopped since his condition has deteriorated so greatly.

Brailovsky's real crime is his desire to emigrate, with his wife and two children, to Israel. His plight is evidence that the Soviet Government is not adhering to the provisions of the Helsinki accords.

Those who want cultural and religious freedom, such as the Brailovskys, should not be silenced and forced to subsist in such an environment as the Soviet Union. Therefore, a constant vigil and awareness of the predicament facing Soviet Jews who wish to emigrate must be maintained. The 100,000 who have asked permission to emigrate must be allowed to practice their basic human rights. To stop such oppression many steps must be taken—we must first begin by recognizing and showing our concern for Viktor Brailovsky. Everything within

our power must be done to assure that countries who are part of the Helsinki accord abide by their word and prevent such atrocities and harassment carried out by the Soviet Union.●

## THE ECONOMICS OF AUSTERITY—OR JOY

### HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. LaFALCE. Mr. Speaker, the postelection period has been characterized by wide swings from uninhibited euphoria to dark calls for a Dunkirk economic emergency. Although this has provided the media with grist for undernourished mills during this traditionally news-short period, it has contributed very little to a comprehensive examination of what the issues really are and what are possible solutions.

Fortunately, Prof. Herbert Stein, Chairman of the Council of Economic Advisers under Presidents Nixon and Ford, has provided a sobering assessment and analysis of the real issues and possible solutions to our real economic problems in the December 30, 1980 edition of the Wall Street Journal. I want to particularly emphasize Professor Stein's warning: "But economists who are candid will admit that they don't really know what is best. If they understand the problem, politicians, political philosophers, and editorial writers will also admit they do not know the answers but have only opinions." Such humility may be painful, but it is necessary for a constructive approach to this Nation's serious economic problems.

The article, entitled "The Economics of Austerity—or Joy," follows:

THE ECONOMICS OF AUSTERITY—OR JOY

(By Herbert Stein)

We are all conservatives now—since November 4. And now it is necessary, of course, to have two or more schools of conservatism, since universal agreement would be intolerable. In the field of economic policy, the press has identified two schools for us. They are variously described as demand-siders versus supply-siders, old-time religionists versus new populists, expansionists versus contractionists, believers in the economics of austerity versus believers in the economics of joy.

These labels both exaggerate and confuse the real issues. Clarification begins, I believe, with recognizing the distinction between the real world and the nominal world—between the world of the volume of output and inputs on the one hand, and the world of the value of the output and inputs in changing prices, which in our experience means rising prices.

In what mainly concerns economic policy today we have a big real-world problem and a big nominal-world problem. The real-world problem is that real output per hour of work has been growing too slowly. From 1973 to 1979 it rose at an annual rate of only 0.7%, compared to 2.9% per annum between 1948 and 1973. This slowdown curtails the ability of people to enjoy higher living standards and most of the other things they expect from an effective economy.

CHIEF CAUSE OF RECENT INFLATION

The nominal-world problem is that total expenditures for the purchase of goods and services—by consumers, businesses and households—have been rising too rapidly. This total—which equals nominal gross national product—rose at an annual rate of 10.4% from 1973 to 1979, compared to 6.7% per annum from 1948 to 1973. This rapid rise of nominal GNP is primarily responsible for the recent high rate of inflation.

Thus, we have two requirements. We want to speed up the rise of productivity. On this we are all agreed, and in this sense we are all expansionists. We want to slow the rise of nominal GNP. On this we are all agreed, and in this sense we are all contractionists.

To some degree the pursuit of either of these two objectives helps achieve the other. Speeding the growth of productivity will help reduce the amount of inflation. Reducing the rate of inflation will help to speed the growth of productivity. Insofar as this is true there is no conflict between the two objectives.

There would also, I believe, be agreement about some of the measures needed to achieve the two objectives. There would be widespread agreement about the need to reduce tax rates as a way to accelerate productivity growth and about the need for monetary restraint as a way to slow down the rise of nominal GNP and so reduce the inflation.

But conflicts do exist between the two objectives. The appraisal of these conflicts accounts for most of the main issues of policy today, including how far and how fast to proceed with tax reduction and with monetary restraint. Three issues are most important:

*Question 1.* If the revenue loss from tax rate reduction outruns the reduction of government expenditures, so that budget deficits remain large or increase, will that prevent an anti-inflation program from succeeding? This is partly a question of the relation between the budget deficit and Federal Reserve policy. Conventional wisdom holds that the Fed can restrain inflation only if assisted by fiscal policy. Empirical studies of the relation between the Federal budget deficit and the policy of the Federal Reserve are inconclusive. There does not seem to be any economic reason why a budget deficit should force the Fed into more monetary expansion than it wants. There may, however, be political or psychological reasons.

Another relation between the budget deficit and the anti-inflation side of the policy is possible. The anti-inflation effort is more likely to succeed if it is generally expected to succeed than if it is not. If the private sector interprets the prospects of continued large deficits as a sign that the inflation will continue, that will obstruct the anti-inflation effort, even though that interpretation has no valid economic foundation.

*Question 2.* If a reduction of tax rates increases the budget deficit will the result be to speed the growth of productivity or to slow it? A reduction of tax rates will increase the incentive to invest and to save and will also increase the after-tax incomes out of which savings come. This stimulates productivity. On the other hand, the deficit "crowds out" private investment, and that tends to slow productivity growth. Whether the positive or the negative effect predominates will depend on the character of the tax cut. The positive effect is more likely to predominate if the cut applies to the 70% top rate on personal income or to the taxation of corporate profits than if it applies to the bottom 14% rate of personal income tax. But whether the net effect of the broad-based tax cuts now under consideration is positive or negative is uncertain.

*Question 3.* Is it possible to slow the growth of nominal GNP at a rate that will produce a satisfactory and credible decline of inflation without causing a decline in the rate of growth of productivity? The conventional view of the disinflationary process runs like this: Slowing down monetary growth slows the growth of nominal GNP. The rise of prices and wages does not, however, slow down as much as the rise of nominal GNP, because of existing contracts and continuing inflationary expectations. As a result there is a period during which *real* demand, and therefore real output, grow more slowly. After a time the behavior of prices and wages does respond more to the slowdown of demand, the inflation rate falls, and real output regains its former growth path.

In fact, output may grow more rapidly after this transition than before, as the lower inflation creates an atmosphere more conducive to increasing productivity. But during this transition the rise of productivity will be retarded, because capacity utilization and profits will be down, and for other reasons. The duration of this transition is uncertain.

There is a more optimistic scenario. It starts with tax cuts and regulatory reform increasing the rate of productivity growth. Given the rate of wage increase, this reduces the rise of unit labor costs, which in turn reduces the rise of prices. With prices increasing more slowly wages will also increase more slowly and this will further reduce the rate of price increase. Observation of the fact that prices are rising more slowly will generate expectations of an approach to greater price stability, and this change of expectations will help the process along.

This process has to be accompanied by gradual restraint of monetary expansion and of the rise in nominal GNP, so that the process is not derailed by the emergence of excess demand. But the engine of disinflation in this process is the acceleration of productivity, which initiates a downward spiral of cost increases, rather than restraint of money and demand to enforce a decline of cost increases. In this scenario there need be no transitional recession and no transitional retardation of productivity growth.

The trouble with this scenario is that the disinflationary trend will be quite shallow if, as seems probable, the acceleration of productivity comes slowly. The result will not be to generate great confidence that we are on the way to a significantly and permanently lower inflation rate. This skepticism will be heightened if the government's policy is interpreted as implying extreme aversion to tolerating any increase of unemployment, because that aversion has been the Achilles' heel of anti-inflation policies in the past. It may be too late for the degree of gradualism implied by this scenario.

Differences of opinion about these issues can lead to a number of strategies for policy, which may be summed up in a matrix of two instruments—tax cuts and

monetary restraint—and two modes of their use—hard commitment and gradualism.

Strategy A: Hard commitment to large, prompt tax cuts and tentative gradualism on monetary restraint. If large tax cuts, implying large budget deficits, do not interfere with anti-inflationary policy or retard productivity, and if the country can stand a very slow reduction of the inflation rate this is the proper policy combination. It will presumably do what can be done to accelerate productivity growth and will tailor monetary policy to accommodating the rate of cost decline that results.

Strategy B: Gradualism on tax cuts and hard commitment to monetary restraint. Tax cuts would be confined to those likely to have the highest payoff in productivity, for fear that large deficits would obstruct monetary restraint and crowd out private investment. Monetary policy would be committed to getting the inflation rate down to a negligible level in a visible period, not longer than four or five years, regardless of the transitional costs in unemployment, lost output and retarded productivity growth. This would reflect the belief that further gradualism and apparent indecision about inflation will lead to an inflationary explosion.

TREADING A TIGHTROPE

Strategy C: Gradualism on both tax cuts and monetary restraint. There would be another effort by monetary policy to walk the narrow path between accelerating inflation and a transitional recession, and tax cuts would be limited in order to avoid the possible adverse effects of deficits on monetary policy and inflationary expectations in this context.

Strategy D: Hard commitment on both monetary restraint and tax cuts. This policy would involve the same commitments on the monetary side as in strategy B, and for the same reasons. It does not however, accept the notion that large budget deficits need to divert monetary policy from this restrictive course. It prefers to push forward with tax cuts now to lay the groundwork for a later revival of productivity growth, even though the rigorous anti-inflation policy means that there will have to be a transitional period of slow growth first.

Economists will have different opinions about the issues outlined here and different preferences among the four strategies. I would rank the strategies in the order B, D, C, A. But economists who are candid will admit that they don't really know what is best. If they understand the problem, politicians, political philosophers and editorial writers will also admit they don't know the answers but have only opinions. The first requirement of a constructive discussion is to try to decide what the issues are, and not to sort people into irrelevant categories.●

## FREE VIKTOR BRAILOVSKY

### HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Ms. FIEDLER. Mr. Speaker, I am happy today to join with my colleague from New York (Mr. FISH) in denouncing the treatment being given to Dr. Viktor Brailovsky. This scientists, whose only crime was that of wishing to leave the oppression and tyranny of the Soviet Union, languishes today in a Soviet jail gravely ill.

While we, as Americans, hail the return of our hostages from Iran, we should be ever mindful that there are many other hostages held in many other places in this world. Our compassion for them should be no less than our compassion for our countrymen.

I am happy today to join with my colleagues in sponsoring the concurrent resolution calling for the immediate release of Dr. Brailovsky and calling for the strongest possible actions on the part of the United States to insure that those who wish to leave the clutches of oppressive regimes be allowed to do so.●

## FREE VIKTOR BRAILOVSKY

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. HYDE. Mr. Speaker, I want to join my colleagues in the House in expressing my concern over the plight of Dr. Viktor Brailovsky, the prominent Soviet scientist and leader of the Soviet Jewish emigration movement, who has been imprisoned since last November. According to his wife, Dr. Irina Brailovsky, the doctor is not receiving adequate medical attention and care for a serious liver ailment and his health is deteriorating rapidly.

Dr. Brailovsky has been subjected to 8 years of continuous harassment by Soviet authorities. He has lost his job and been arrested and jailed numerous times; his home has been ransacked by the KGB.

In an article published in the Los Angeles Times of December 5, 1980, Mrs. Brailovsky writes:

Viktor Brailovsky was arrested because he wanted to remain true to himself; he did not want to deteriorate spiritually or to submit to the order that he abandon his scientific calling. He was arrested because he hung on and helped others to hang on—dozens of our friends. He was arrested because he remained a pure and honorable man.

My husband is in prison for a reason simple enough to be understood by a child: The authorities failed in their attempts to frighten him, to crush him morally and to entangle him in the sticky cobweb of the KGB.

This case reminds us, yet again, of the cruelties practiced by the Soviet totalitarian state. We have a grave responsibility to speak out for Dr. Brailovsky and others like him and help focus world attention on the inhumane and oppressive activities of the Soviets who make a mockery of the human rights provision of the Helsinki accords.●

## WESTWOOD WELCOMES HOME THE FORMER HOSTAGES

### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday February 4, 1981*

● Mr. MOAKLEY. Mr. Speaker, the outpouring of good will to our fellow Americans who had been held hostage in Iran for 444 days has reaffirmed our sense of patriotism. I would like to share with my colleagues the town of Westwood, Mass., a resolution welcoming home the 52 former hostages.

The resolution follows:

RESOLUTION

Whereas, fifty-two Americans, who in the course of their occupations, were in the American embassy on the day that Iranian students took over that building, and were held hostages by that nation for four hundred and forty-four days;

Whereas, these Americans suffered humiliation and degradation at the hands of their captors;

Whereas, eight servicemen gave their lives in April, in a rescue attempt to free their fellow Americans, for whom we offer our prayers;

Whereas, on January 20, 1981, on the four hundred and forty-fourth day of captivity, negotiations were completed and the fifty-two American hostages were flown to freedom;

Whereas, in the words of former President Jimmy Carter, "We've kept the faith with our principles and our people . . . we have reached this day of joy and thanksgiving" . . . and with the words of President Ronald Reagan, "Let us renew our faith and our hope . . . we have every right to dream heroic dreams". Be it *Resolved*, That we, the Board of Selectmen of Westwood, Massachusetts, for ourselves, and on behalf of all the residents of Westwood, offer our prayers and give joyous welcome home to America to our fifty-two fellow Americans. And be it further

*Resolved*, That this resolution be placed in the official records of the Town of Westwood, and copy be forwarded to our Congressman with the request that it be read into the Congressional Record of the United States of America.●

## SUBCOMMITTEE GROWTH

### HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. COLLINS of Texas. Mr. Speaker, as we come closer to approving investigative committee budgets, let's reexamine the proliferation of staff and the increased number of subcommittees. This increase over the past decade has overloaded Congress with too many staff, diffused the legislative focus and removed Members from the prime issues. Decisionmaking has been delegated to the staff of these specialized subgroups. It is no wonder we have been unable to achieve a coher-

ent energy, economic, or defense program. We have fragmented the system and destroyed our ability to establish public policy.

Committees and subcommittees have grown from 130 in the 92d Congress to 170 in the 96th Congress. As the number of standing full committees has remained fairly constant, it is the subcommittees which are growing by leaps and bounds. Subcommittees are too narrowly conceived. More equitable, reasonable policies would be produced by broadly based panels. We must consolidate in order to achieve the best utilization of our time and to eliminate overcrowded schedules.

In the entire 95th Congress, the Subcommittee on Investigations—Post Office and Civil Service Committee—met only 15 hours. The Banking Subcommittee on Historic Preservation and Coinage held meetings which lasted 17 hours. In the 95th Congress, also, the Select Subcommittee on WASPS was in session 18 hours. The Subcommittee on International Development met for 20 hours.

Not only have the subcommittees increased in number, but their majority/minority ratios are inequitable. For a case in point, examine the Committee on Post Office and Civil Service. Of a total of 14 investigative staff assigned to the general committee, 10 are classified as majority and 4 are classified as minority. But look at what happens in the subcommittees. The 8 subgroups of the Post Office Committee employ 37 investigative staff. Of these, not a single one is designated as a minority staff. Thirty-seven to zero is not fair.

Let's cut Government spending. The best place to start is with the temporary, supplementary, investigative staff which create legislation to perpetuate these subcommittees. Let's make a strong stand to eliminate staff duplication and save all Americans hard-earned tax dollars.●

## THE ELECTORAL COLLEGE: ONE EDITORIAL VIEWPOINT

### HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. BEREUTER. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial that appeared in the Lincoln Journal. Titled, "One Good Electoral College Result," it offers an opposing view to those who would be eager to junk the electoral college in favor of a direct election of the President.

In our eagerness to reform, let us not overlook some of the strengths of our present system. The Lincoln Journal editorial states the case well.

The article follows:

[From the Lincoln Journal, Dec. 9, 1980]

ONE GOOD ELECTORAL COLLEGE RESULT

Mr. Gallup's latest finding that two of every three adults would vote to abolish the Electoral College should be tempered with this additional knowledge:

Twelve years ago, eight of 10 would have so voted, according to the Gallup Poll at the time.

What we seem to have here is a moderating of the public fever for direct election of the American president, not an increase in the reform temperature.

Always, constitutional reformers point out the potential dangers of an Electoral College breakdown, of no candidate securing a simple majority necessary for election. Or the risk that some candidate may gain a narrow national ballot majority or plurality, but still fail of Electoral College victory.

What is not said nearly as frequently is what would be lost in having direct popular elections of the president.

One such property is the definiteness of result. That is a condition of enormous importance in a political democracy because it deals with the issue of legitimacy.

In a multi-candidate field, the victor more than likely will be the one with the greatest plurality. Simple majorities are hard to fashion in a fractured land, such as America has become.

The common wisdom is that Ronald Wilson Reagan won a landslide triumph on Nov. 4. In the Electoral College, he captured 90 percent of the prospective 538 votes. That's a landslide, sure enough.

The common wisdom is that Ronald Wilson Reagan won a landslide triumph on Nov. 4. In the Electoral College, he captured 90 percent of the prospective 538 votes. That's a landslide, sure enough.

But the truth also is that 49 out of every 100 voters last month preferred someone other than the former governor of California. Almost half the country didn't want and didn't vote for the Republican nominee.

Yet the size of the Electoral College margin leaves no doubt about the clear-cut, sharp result and Reagan's constitutional authority to hold executive office for four years.

Winner-take-all elections obviously can be faulted in the sense the minority, no matter how great, is totally shut out by the result. Within their party machinery, Democrats have sought to minimize that in presidential primary processes.

The result may be more diverse representation in preliminary affairs for the Democrats, but it's hard to argue that another result is a political party of increased and emboldened factions which have had vast troubles finding a unifying core.

There are other justifications—"liberal" as well as "conservative"—for keeping the Electoral College structure. If the move to liquidate the college really was serious, those reasoned arguments could be trotted out. But the need isn't present, happily, despite Mr. Gallup's latest finding.●

## UNITED STATES-GERMAN RELATIONS

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. FINDLEY. Mr. Speaker, I am very proud to call to the attention of my colleagues the following observations on United States-German relations by one of my constituents, Larry D. Kuster of Jacksonville, Ill.

Mr. Kuster is a capable young lawyer who gives unselfishly of himself to his family, friends, and community. He is, in every sense of the word, a young leader. The American Council on Germany, in fact, selected Larry to participate in the 1980 German-American Young Leaders Conference held in Tutzing, Bavaria, in the Federal Republic of Germany last August. He has since prepared a summary of the issues discussed in the bilateral conference which is a cogent, insightful analysis of the problems in United States-German relations and the prospects for their resolution. Since good United States-German relations are extremely important to this country, I have excerpted two sections from Larry's paper to place in the RECORD. I strongly urge all those interested in our ties with Bonn to read this analysis.

DEFENSE POLICIES IN THE EIGHTIES

(By Larry D. Kuster)

The discussion started on the premise that the shift in military power over the last 10 years has been away from the U.S. toward the Soviet Union. This shift has been in all phases of the military, conventional and nuclear.

One exchange at this session demonstrated the extent of this shift and the general decline of U.S. power. A question was raised by an American about the most effective way in which the U.S. should spend its defense dollars. This person queried whether it would be better to spend our funds on programs like the Rapid Deployment Force rather than $30 billion on the MX Missile program. The German response was quick. It was in unison. It was intense. "The only thing the United States has got is its nuclear deterrent! It must spend its money on programs like the MX Missile." This exchange is one of my most vivid recollections of the conference. It demonstrated to me the thin defense line upon which we walk.

This exchange also emphasized the debate between the U.S. and West Germans over how resources should be spent for defense. The West Germans seemed willing for the FRG to assume a greater share of the NATO defense budget but within definite limits. Any increase in West German military spending had to be coordinated within Britain and France so that they increased in rough parity. If this parity is not maintained, the Germans expressed the fear that the specter of German militarism might arise again in the minds of other NATO countries. These fears might do more harm to the Western alliance than the added defense capability.

The Germans, however, expressed some concern about the commitment of the U.S. to defend Western Europe. If the Germans and other allies increase their defense spending too drastically and assume a substantially greater percentage of their overall defense, the U.S. might further weaken its commitment in terms of ground and air forces stationed in Westen Europe.

One indication of this concern about America's commitment centered around the draft. The Germans found it difficult to understand why the U.S. did not have a peace-

time draft. The Americans responded that this was an outgrowth of our historical perspective as well as the post-Viet Nam period. The American consensus appeared to be that the peacetime draft would probably return in several years. The political climate was not currently right for institution of a peacetime draft in the U.S.

America's commitment was called into question in another area, the vacillation of U.S. foreign policy. The Germans gave an example of how harmful this vacillation can be. When the U.S. was considering the development of the neutron bomb, the Bonn government was convinced to participate in the program. After a fairly difficult effort on the part of the Bonn government to allocate German resources for the program, Washington decided not to go ahead with the program. This U.S. decision undercut those in Germany who want higher defense spending and procurement of new weapons systems.

The Germans, however, seemed to stress that FRG debate over increased defense spending and its policy of Ostpolitik did not mean a policy of Self-Finlandization was being followed.

CONCLUSION

At the close of the conference, one American participant made a salient observation. Thirty-five years earlier many of the parents of the participants were locked in a great world war. Germany and the U.S. were bitter enemies. For the sons and daughters of the earlier combatants to meet and amiably discuss their nation's problems is a hallmark of how much the world has changed.

The constant evolution of our nations' interests and situations was reflected in every discussion. Some of these interests coincide. Others do not. The most dramatic change is the way in which the Germans view themselves. As one German commented, "For the first time in thirty years the average German believes he is somebody again." This view of self-esteem reflects the assertiveness of the Bonn government's actions in foreign affairs. It is a view which American policy makers must take into account in dealing with the German government and developing our common response to the Soviet Union.

To expect the Germans to follow us blindly belies their accomplishments and integrity as a people. But while the realities of the world force the U.S. to re-evaluate its role in the world vis-a-vis its allies, at the same time these realities limit the options of our allies, especially the West Germans. As long as the Soviet Union poses a real or imagined threat, they have need for us and we have need for them. The most disturbing trend would be a gradual weakening of West Germany's economic dependence on the western world and a greater dependence on the east.

What role West Germany is to play in the world is not clear. The role of junior partner to the U.S. no longer fits, while the role of equal partner is not possible. The economic realities and German public opinion do not support global responsibilities. For the foreseeable future, one can expect for there to be periods in which relations between Washington and Bonn are strained while the period of adjustment continues.

The economic success of West Germany is solid but its future may not always be smooth. The FRG survives economically as an import/export nation. It has neither the large domestic market nor the potential natural resources of the U.S. The German competitive edge depends upon careful marshaling of its resources and productivity of its workers. Several Germans indicated concern over maintaining their country's productivity. A comment which has been heard in the U.S. for some time was echoed by these Germans when they said, "The only thing the German worker wants is shorter hours, more holidays and higher wages." Another concern expressed was the growing cost of social welfare benefits in the FRG. The danger is that the country could spend more in this area than it can afford.

There is no doubt that the U.S. could learn much from the West Germans in how they have handled their economy. The danger, however, is adopting too generously the German policies and trying to superimpose them on the larger and more diverse U.S.

These factors of geographic size and ethnic diversity of the U.S. pose real conceptual problems for both Americans and Germans. It often seemed difficult for Germans to conceive of the distances in this country, especially in terms of commuting. Likewise, the American response was how small everything was in Germany.

The difficulty of achieving a consensus in the U.S. on a matter of public policy was not appreciated by the Germans. Frequently, throughout the conference, Germans said, "We have reached a consensus on this subject." There seemed to be a real need on the part of the Germans to find consensus in every area. The Americans, on the other hand, did not seem to recognize the need for consensus building within this country on important public policy matters.

One last observation focuses on the general approach of the Germans and Americans in discussing various topics. As a general rule the Germans seemed polite and guarded in their criticisms of American policy. The Americans generally were outspoken, frank and direct in their comments about both U.S. and German policies.

The tendency of the "American" to speak his mind no doubt frequently leaves the impression of brashness. While this outspokenness may be so perceived, it represents a security on the part of Americans that we can say what we feel, when we feel it, wherever we are. Such tendency can, of course, be carried too far. Nevertheless, we take for granted 200 years of an evolving liberal tradition. Our German counterparts, while secure in a liberal democracy, do not have the strength of our tradition. We, as Americans, should not forget such an important asset.●

## INTRODUCTION OF YOUTH EMPLOYMENT ACT

### HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. HAWKINS. Mr. Speaker, today I am introducing a bill to extend and consolidate the youth employment programs authorized under title IV-A of the Comprehensive Employment and Training Act. During the 96th Congress the House passed similar legislation, H.R. 6711, by a vote of 337 to 51. This bill—H.R. 6711—expanded existing youth employment programs and provided a new program of assistance to local education agencies for remedial education and other programs to improve the employability of youth. Unfortunately, no action was taken by the Senate on this measure before the adjournment of the 96th Congress.

The legislation authorizing youth employment programs under title IV-A of CETA expired at the end of fiscal 1980. These programs are currently operating under the authority of the resolution continuing appropriations for fiscal 1981.

Recognizing the confusion, hardship and inefficiency which result from the uncertainty surrounding the authorization and funding of our major Federal youth employment programs, I am introducing this measure early in this session so that final action can be taken before the expiration of the continuing resolution on June 5, 1981.

The measure I am introducing today is a modified version of H.R. 6711, as passed by the House. The major difference is that the revised bill does not authorize a separate program for education. In the absence of a major commitment of funds for a new education initiative I believe it would be dishonest for us to hold out hope for the economically disadvantaged and minority youth who suffer the most from inadequate education and preparation for the world of work. My bill does, however, expand upon the requirement in current law for a reservation of funds for joint education/CETA programs. Twenty-five percent of the prime sponsor's funds would be set aside for such joint efforts. The bill explicitly provides that alternative education programs, as well as public education agencies would be included in the 25-percent setaside.

Other major provisions of the bill include:

Extending the authority for title IV-A programs through fiscal year 1985.

Consolidating the existing youth programs into a single program with a uniform definition of economically disadvantaged. Yet, flexibility is provided to serve other youth in need. Twenty percent of the funds are made available for youth who do not meet the income eligibility, but who face substantial barriers to employment such as handicapping condition, drug abuse, language barriers or other similar barriers to employment.

Authorizing the youth incentive and supplemental work project to fund part-time and full-time employment of eligible youth in selected poverty areas to encourage return to or completion of high school or equivalent education.

Removing the requirement under title IV-A of CETA for a maintenance of effort for youth in other titles of CETA. This change is being proposed to address the concern that other target groups are not being adequately

served and that prime sponsors are being held to an unnecessarily rigid service level for youth.

The bill also retains the current authority for forward funding of youth employment programs. The committee has repeatedly been told by program operators that inadequate notice of funding has prevented appropriate coordination with education activities and proper planning for effective delivery of training services.●

## INVESTIGATE THE TRILATERAL COMMISSION AND THE COUNCIL ON FOREIGN RELATIONS

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. McDONALD. Mr. Speaker, I have long felt that the policies advocated by the Council on Foreign Relations and the Trilateral Commission were not in the best interests of the United States. The American Legion, during its national convention in August of last year agreed and passed a resolution calling for an investigation of these two organizations and their influence on U.S. policy. I applaud the initiative of the American Legion and commend the text of the resolution to the attention of my colleagues. I strongly support this effort:

American Legion Resolution 773 Concerning the Trilateral Commission and the Council on Foreign Relations

Whereas international friendship depends on trust, mutual respect and integrity; and

Whereas the present Administration has placed the United States in a position where our friends now question our will and our determination; and

Whereas the present Administration strongly promoted the giveaway of our Panama Canal; and

Whereas President Carter in strong support of the SALT treaty appointed Trilateralist Paul Warnke to be our chief negotiator of a second SALT treaty which would perpetuate the military superiority of the Soviets; and

Whereas the present Administration is dominated by a disproportionate number of elitist members of the Council on Foreign Relations and its offspring, the Trilateral Commission; and

Whereas the Council on Foreign Relations and Trilateral Commission have espoused and promulgated domestic and foreign policies which are judged to be inimical to America's best interests: Now, therefore, be it

*Resolved*, by The American Legion in National Convention assembled in Boston, Massachusetts, August 19, 20, 21, 1980, that we demand in the best interests of our country that the Congress of the United States launch a comprehensive investigation into the Trilateral Commission and its parent organization, the Council on Foreign Relations, to determine what influence has been and is being exerted over the foreign and domestic policies of the United States.●

## DR. VIKTOR BRAILOVSKY

### HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. SENSENBRENNER. Mr. Speaker, I am proud to join my colleagues today in bringing the terrible injustice suffered by Dr. Viktor Brailovsky to public attention, and to voice my sincere concern for the plight of all Soviet Jews.

In 1979, a total of 51,000 Jews emigrated from the Soviet Union. In 1980, this number was cut in half to approximately 25,000. This decrease is a result of the Soviets' stepping up their efforts to hinder emigration. In order to apply for emigration, one must not only have an affidavit of invitation from the sponsor country, but the invitation must come from a first degree relative, that is, father, mother, sister, brother, son, or daughter. However, while emigration is falling off, the number of refuseniks is growing. These families are harassed and threatened repeatedly merely because of their desire for freedom.

Dr. Viktor Brailovsky is a typical example of such harassment. Upon his initial request to emigrate in 1972, he lost his job. His home was searched twice and his personal papers, invaluable to science, were confiscated. After losing his job, Dr. Brailovsky organized the Moscow Seminar of Jewish Scientists who met to discuss recent advances in their various fields. As a result of his leadership in the Soviet emigration movement and his request for free emigration for Soviet Jews, he was imprisoned on November 13, 1980. In ill health, he has been refused proper medical care. Dr. Brailovsky's case is another glaring example of the denial of legal and human rights, in direct violation of the Helsinki accords.

While reassessing our relations with the U.S.S.R., we must address these issues, human rights and equitable emigration system in the Soviet Union. In addition, we should call upon the other nations of Western Europe to help us in our efforts to enforce compliance to the Helsinki accords by the Soviet Union.●

## UKRAINIAN INDEPENDENCE DAY

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. FORD of Michigan. Mr. Speaker, I am proud to help mark the 63d anniversary of Ukrainian Independence Day, which we are celebrating at this time.

What the Afghans experienced on December 7, 1979, the Ukrainian nation suffered shortly after January 22, 1918. Alone and without aid from Western nations, the Ukrainian people waged a gallant struggle to defend the sovereignty of their country, but were ultimately overpowered by numerically stronger and better equipped armed forces. If Afghanistan, like the Ukraine, becomes yet another captive nation, its people can expect reprisals for any resistance to Soviet rule and the subversion and destruction of their heritage as a free country.

I take this opportunity to mention one of the great Ukrainians of our day. I speak of Mykola Danylovych Rudenko who was the founder of the Ukrainian Public Group to Promote Observance of the Helsinki accords. Mr. Rudenko formed this monitoring group in November 1976, and a year later, after police searches and harassment, he was arrested. Rudenko was sentenced at a closed trial on July 1, 1977, to 7 years in strict regimen labor camps followed by 5 years of internal exile under article 62 of the Ukrainian Criminal Code, anti-Soviet agitation and propaganda. He is in extremely poor health. Although the Soviets signed the Final Act at Helsinki, the human rights provisions of the Final Act have never—not even for 1 day—been observed in Ukraine.

At this time when the right to national self-determination is being threatened in other areas of the world, we will not forget the Ukrainian struggle of 63 years ago, or overlook the ongoing question of the Ukrainian people. I pay tribute to them and to their never ending goals of freedom, human rights, and independence.●

## CUTTING FEDERAL BUDGET: THE EDITORS SPEAK UP

### HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. BEREUTER. Mr. Speaker, as those of us in Congress prepare to receive President Reagan's recommendations for budget-cutting, I think it is appropriate to examine what the editorial writers have to say about specific proposals. I have just read a most interesting editorial in the Lincoln Journal that I would like to share with my colleagues.

Titled "Reagan Budgeters May Cut Back on the Development Bonds Bloat," the editorial gives credit to OMB Director Dave Stockman who has shown a willingness to examine some of the off-budget programs that have ballooned beyond our expectations. In this particular instance, the editorial discusses industrial and housing development bonds which have become very popular in my own State of Nebraska.

I believe the editorial makes some good observations—points certainly worthy of our serious consideration as we prepare to make the very tough decisions that lie ahead. I include the editorial at this point in the RECORD:

[From the Lincoln Journal, Jan. 24, 1981]

REAGAN BUDGETERS MAY CUT BACK ON THE DEVELOPMENT BONDS BLOAT

The federal budget which Jimmy Carter left behind for Ronald Reagan's drastic reduction surgery is being credited as worthwhile for at least one reason. It contains an unusually candid explanation how we got into such a fiscal fix.

One small part of that explanation is of immediate concern here. It has to do with "off-budget" programs by which the federal government subsidizes interest rates—to students, small towns, farmers, et al.—and abides the marketing of an enormous number of tax-exempt state and local securities, costing Uncle Sam billions in lost tax revenue annually.

David Stockman, the eat-'em-alive conservative who is now Reagan's director of the Office of Management and Budget, has taken special aim at these credit subsidies. On this score, the Journal conditionally admits to some sympathies with Stockman.

Consider the industrial and housing development bonds which Nebraska and virtually all other states presently float. Their justification is that economic competition forces them to do so.

The "beauty" of these public debt instruments is that they are merchandised as government securities—even though none of the money goes for government projects and the governments involved explicitly forswear all financial responsibility in the event of default. But being state or local government bonds, there is no federal tax liability on the interest income.

That being so, the bonds can be and are sold at interest rates well below those attached to essentially identical bonds peddled by a private corporation struggling to finance new facilities.

Alas, in America, excess tends to quickly overtake anything that's a good deal. So you aren't stunned to learn that great abuses have been found in the industrial-development bond area.

The McDonald Corp., a private outfit the last time we looked, reportedly financed 53 new restaurants in Ohio and Pennsylvania in 1979 using tax-free local government bonds. Minnesota's governments are said to have issued $673 million worth of these bonds the same year, underwriting everything from dentist offices to racquet clubs.

Minnesota also is the state where tax-increment financing has gone out of control.

Last year Nebraska expanded its venture in the field. It issued public housing bonds, supposedly to help contractors and the low- and moderate-income get out of the slums. Actually, the bond issues temporarily rescued the depressed real estate industry, while helping sweeten the accounts of bond firms and bond lawyers. That a number of Nebraskans also improved their housing situations is true, too.

Now, with the blessing of Gov. Thone, which is surprising, Sens. Loran Schmit and John Decamp are pushing a further expansion of the idea: they want to sell public bonds to provide backstop money for lending to farmers.

How droll, watching "conservative" politicians demanding that government get off the people's backs while simultaneously working creatively to exploit government for what they want to achieve.

The federal objection to this situation is at least twofold.

The avalanche of industrial-development bonds is, as was said earlier, costing the national government billions in lost tax revenue. That contributes to the national deficit.

The other objection—Stockman's—is that state and local governments, acting as frontmen for private operators in the issuance of the development bonds, directly increase inflation. They do this by increasing competition in the money markets. The competition pressures other private firms who also want a shot at the limited capital funds. The inevitable result in this kind of rat race is higher interest rates, a known inflationary component.

Sic 'em, Stockman.●

## A CUBAN'S LETTER: NO HUMAN RIGHTS

### HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. PEPPER. Mr. Speaker, today, as the Congress is faced with difficult decisions affecting the welfare of our country and the well-being of our constituents, we should be sure to pay special attention and not lose sight of the plight of those less fortunate than us who suffer every day under the unbearable conditions brought about by a Communist regime. Of particular note, is the woeful situation that exists on the island of Cuba. Few can imagine the extent to which those, held against their will, suffer at the hands of a government that believes solely in the institution of fear as a method of functioning.

The following letter, which appeared in a recent edition of the New York Times, serves as a useful reminder to us all that there are indeed many less fortunate than ourselves. This letter has come to us by way of a newly arrived Cuban refugee and describes all too well the abhorrent conditions that exist under Castro's Cuba. I submit this letter to my colleagues in the hopes that it may further enlighten people of the horribleness that permeates the air on this once, so-called, jewel of the Caribbean.

A CUBAN'S LETTER: NO HUMAN RIGHTS

First of all let me tell you that I am a dissident; however, (I don't know where is exactly the majority) because here in Cuba is impossible to live if you are not a communist, if you do not think like a communist or if you don't act like them; the word communist and what it means in Cuba is impossible to describe in a letter, you ought to live here—I don't hope so—to understand me better. Could be the communism be good in another place—I don't think so—but here in its concept is a terrible thing. The ideas in some way are good, the philosophy is in the same way pretty and fascinating, but the practice is a farce till the point nobody can imagine. Here we have no human rights, no peace and no even the right to subsist, if you are not an actor ready to play their comedy trying to show the world that we are free and owners of our decision and future; thousands—even me—had played this play during twenty one years but no more for me, and no more for more than two millions like me that want to run away to any place where we can be persons and no machines or robots. I wish to go to the U.S.A., because a big part of my family is there; if not our only right is a place in the cemetery, and be careful.

That's the Cuban tragedy, the tragedy of "our" communist country, and in a little part, my tragedy; Of course.

Here everbody is afraid of everyone and you can't believe in no one, because they—the leaders of this government—use to make everyone watching one another, so can't believe in nobody as I told before.

Here we can't think in a different way of the official one. If you do so, you are taking a big risk. We have not nothing to fight against this system, but the pen. I am not a politican and not even an international well known man, so my pen is not strong, but this is the truth and the truth gives it the strength. As Marti said:

"The word was made to tell the truth and not to hide it."

Well I do not know what is going to happen to me and my family—if we are going to be in jail, to be dead or if at last we will be free. We need your help and the U.S.A. help in the general concept. And for me and my family we need your help to go the U.S.A. please.

Would you be so kind to give this story—that is our nowadays history—to the President of the United States of America?

I do not know if it is possible that He can do something for me and my family; however me—an insignificant person—will be very grateful about the efforts He can do for me and my family. Thanks a lot.

Please try to send this letter to the President; this is not a personal one, but an open letter to whole the world and of course to Him.

I am so much sorry because of the disturbance that this letter make to you and to the President.

Finally only one last word that express all what I tell you.

Help.●

## FAMILY ENTERPRISE ESTATE AND GIFT TAX EQUITY ACT

### HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. FITHIAN. Mr. Speaker, I am today introducing the Family Enterprise Estate and Gift Tax Equity Act, a bill which will overhaul the Nation's outmoded estate tax laws. The bill was originally drafted and introduced in the 96th Congress by Senator Gaylord Nelson, of Wisconsin, whose expertise and diligent work over the years on reforming Federal estate and gift tax law is gratefully acknowledged.

The measure I am introducing today would provide estate tax relief to more than 95 percent of our Nation's family

owned farms and businesses, allowing them to continue their many contributions to the American economy—creating more jobs, advancing technology and innovation, and increasing our productivity. The major features of the bill are:

An increase from $175,000 to $500,000 in the amount of property that may pass free of Federal estate and gift taxes;

A provision which exempts from estate and gift taxes all property inherited by or transferred to a spouse;

A provision which doubles the amount of property which an individual may give tax free annually to another individual from $3,000 to $6,000; and

A simplification of the so-called special-use-valuation rule for farms and closely held businesses to take into consideration the problems of those who are disabled, receiving old age benefits, elderly spouses, minors, and students.

Clearly, there is a need to reduce estate taxes.

Inflation has driven up the value of many assets, particularly land, to record high levels.

Thirty or forty years ago productive agricultural land could be purchased for less than $100 per acre. At these levels farms and businesses could pass from one generation to another with few estate tax problems. By way of comparison, the national average price for acreage in 1979 was $559, ranging from a low of $100 per acre in New Mexico to a high of over $2,000 an acre in New Jersey.

In 1942, the estate tax applied to only 1 estate out of 60. But, by 1976, this had increased to 1 out of 10, significantly broadening the application of the law. Because of inflation, the same farm or business that was worth $60,000 in 1942 has come to be valued at about $250,000.

In 1976, extensive changes were made in the estate tax law to accommodate for inflation and reduce the estate tax burden. These included:

A tripling of the amount of property that may pass free of Federal estate taxes from $60,000 to $175,000;

An exemption of up to one-half the value of the family farm or small business for surviving spouses in recognition of their working contribution to the enterprise; and

A provision—commonly referred to as the special-use valuation rule—which allows farms and closely held businesses to be valued for estate tax purposes on their value as farms or small businesses. Prior to this reform, the property was valued at its highest and best use, which often meant that land farmed for many years might be highly taxed on the basis of what it would be worth as a shopping center or housing development.

The development of the special-use rule for the valuation of farms and small business is particularly noteworthy. As the following table demonstrates, it significantly reduced the amount of Federal estate tax on these enterprises.

ESTATE TAX SAVINGS RESULTING FROM THE MAXIMUM ACTUAL USE VALUATION REDUCTION

| Taxable estate [1] | Estate tax bracket on top dollar (percent) | Estate tax savings | Savings as percentage of taxable estate |
|---|---|---|---|
| $750,000 | 37 | $177,500 | 24 |
| $1,000,000 | 39 | 190,000 | 19 |
| $1,250,000 | 41 | 200,000 | 16 |
| $1,500,000 | 43 | 210,000 | 14 |
| $2,000,000 | 45 | 225,000 | 11 |
| $2,500,000 | 49 | 245,000 | 10 |
| $3,000,000 | 53 | 265,000 | 9 |
| $3,500,000 | 57 | 285,000 | 8 |
| $4,000,000 | 61 | 305,000 | 8 |
| $4,500,000 | 65 | 325,000 | 7 |
| $5,000,000 | 69 | 345,000 | 7 |
| Over $5,000,000 | 70 | 350,000 | 7 |

[1] Taxable estate equals the adjusted gross estate minus any marital deduction, assuming no taxable gifts had been made since 1976.

However, as beneficial as they are, the reforms of the past 5 years do not go far enough. At the time these changes in Federal estate and gift tax law were made 5 years ago, no one anticipated the continuing record high inflation levels.

An example of the effect of inflation is the Federal estate tax exclusion. In 1976, the exclusion was increased, through the mechanism of an estate tax credit, to a maximum of $175,625, or a credit of $47,000 in 1981. Today, just to compensate for inflation, the $175,000 exclusion should be adjusted upward to over $250,000.

Unfortunately, the likelihood is that inflation will continue for many years in the future. This means that an asset which today is worth $70,000 at an inflation rate of 9 percent for the next 20 years would be worth over $420,000 with no real increase in value.

The sad fact is that double-digit inflation pushed family businesses which were too small to pay estate taxes into extremely high tax brackets. The result has been that heirs of these enterprises have been forced out of business in order to pay stiff Federal estate taxes.

Inflation and the increase of economic concentration through conglomerate mergers has seriously imperiled the maintenance of family farms and businesses of all kinds. Our existing tax structure has the effect of subsidizing the growth of big business usually at the expense of small and independent enterprise. Present tax laws encourage those who own an interest in small business to sell out to large companies because the acquiring company may exchange its stock for the stock of the small business. The entire transaction is tax free. What we are witnessing today is a major threat to the very survival of our free and independent enterprise system.

Family owned businesses are an integral and vital component of our economy and society. As a source of entrepreneurial spirit and for their many contributions in the fields of technology, innovation, and social advancement, family owned small businesses must be preserved and protected. The family business is a source of pride which gives the family a personal sense of freedom, accomplishment, and pride in ownership. The perpetuation of the family business in America is of significant importance to the survival of free enterprise that has built the foundation of our country and economy. The increase from $175,000 to $500,000 in the amount of property which may pass free of Federal estate taxes will greatly reduce the unfair tax burden now confronting family-run small businesses and farms.

Another significant change called for in this legislation pertains to the special-use valuation provisions for family farms and machines, previously mentioned.

Unfortunately, many restrictions placed on those wishing to use special-use valuation prevent this provision from being fully effective. The material participation restriction requires a farmer to materially participate in the management of the farm for 5 out of the 8 years prior to death. Unfortunately, this leaves many farmers with the difficult choice between retiring and collecting social security benefits that are rightfully theirs, or continuing to work so that they can qualify for the special-use valuation.

The original law also prevents farmers who become disabled in the course of their labors from qualifying for the estate tax break. This bill would address these problems by applying the material participation test with reference to the 8 years immediately preceding the year in which they become eligible for old age benefits or in which they become disabled. This change will provide estate tax relief to many farmers who are disabled or wish to retire. Other changes are called for in this bill that will help preserve the family farm and keep scenic, productive farmland in agriculture.

In addition to making substantial changes in the special-use-valuation provisions that benefit small farmers and family owned businesses, this bill would provide tax relief to the average taxpayer by increasing the annual gift tax exclusion from $3,000 to $6,000. Again, we have an example of how inflation has a profound effect on taxes.

In 1943 the Congress reduced the annual gift tax exclusion to $3,000. Compared to the purchasing power of $3,000 in 1943, $3,000 now has the purchasing power of only $810. If Congress were to give the gift tax exclusion the same purchasing power it had

when the $3,000 level was established it should be set at approximately $14,000. The legislation we introduce today provides only a first step toward reaching the goal of restoring the purchasing power of the annual gift tax exclusion.

The proposal also recognizes once and for all the importance of a working spouse in a family enterprise. By providing for an unlimited marital deduction, the proposal establishes a long deserved measure of equality between spouses.

The unlimited marital deduction would also remove the fear on the part of many couples that they must trace gifts made over a lifetime of home and car purchases, stock or land exchanges, in an effort to calculate their estate and gift tax liabilities. This legislation will not only add simplicity to the estate tax laws as they relate to exchanges between husbands and wives, but it would also give due recognition to the contribution each spouse makes in building a family's business or savings. A 100-percent deduction means that a husband and wife would be able to transfer property without facing the estate tax burden. This bill would give legal truth to the often expressed attitude of married couples that the property is "ours" whatever the Federal Government may say or try to devise.●

## UKRAINIAN INDEPENDENCE DAY

### HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 1981*

● Mr. SENSENBRENNER. Mr. Speaker, in the past year we have seen the Soviet Union continue its struggle for domination of Afghanistan and daily read of Soviet threats to the Polish workers to stifle their efforts for independent unions. The extent of repression within the U.S.S.R. and internal discontent is brought to our attention frequently by prominent dissidents. In the midst of these much publicized events, we sometimes tend to forget the tyranny exercised against the peoples of the once independent Ukraine. For this reason, I would like to join my colleagues in commemorating the 63d anniversary of the independence of Ukraine.

It was January 22, 1918, that Ukraine declared its autonomy from the long period of Russian hegemony. Their independence was short lived, falling to Soviet domination by 1920. However, the Ukrainian people have never lost their desire for freedom. They continue their resistance against the Soviet occupation. In their fight, they look to the United States as a source of moral support and strength. As a nation which stands for the principles of the protection of individual human rights and the independence and the sovereignty of nationalities, we Americans must do all we can to preserve the national consciousness of Ukrainians. In our attempt to promote the respect for and the freedom of the people of Ukraine, I endorse the continuation of the present U.S. policy of refusing to recognize the Soviet occupation of Ukraine.

It is good to be reminded today that this noble country, which once was free, is now the subject of the violent repression of the Soviet Union. The 2 million Ukrainians living in this country certainly have not forgotten this fact. For it is only by remembering their repression that we can strive to alleviate the conditions of this satellite of Soviet hegemony and prevent further encroachment. And, perhaps, one day we will be commemorating another day of Ukrainian independence.●

## AN AMERICAN HERO IN KENYA

### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. VENTO. Mr. Speaker, I would like to share with my colleagues this article about the courage and bravery of a young Peace Corps volunteer from Minnesota. I think you will agree that Kevin Ciresi's actions are a wonderful tribute to the strength of the human spirit. The article by Ozzie St. George appeared in the January 27, 1981, issue of the St. Paul Pioneer Press.

PEACE CORPS MAN CITED FOR SAVING SEVEN

(By Ozzie St. George)

A Peace Corps volunteer from Eagan who plunged into the flaming wreckage of the Norfolk Hotel in Nairobi, Kenya, to help rescue victims of a New Year's Eve terrorist bombing has been cited for his courage.

Kevin Ciresi, 23, the son of Mr. and Mrs. Sam A. Ciresi, 3296 Sibley Memorial Highway, Eagan, is credited with saving seven persons. The bomb blast and ensuing fire killed 20 persons, injured nearly 100 and destroyed the Norfolk, a famous resort hotel since 1904.

Cora Lee Turbitt, Peace Corps director in Kenya, wrote Ciresi to commend him for his courage. She called his action "the very essence of bravery" and said she is "exceedingly proud to have you in the Peace Corps."

Copies of her letter went to Richard Celeste, overall Peace Corps director in Washington, and William Harrop, U.S. ambassador in Kenya.

Ciresi, a 1979 graduate of the College of St. Thomas who plans to go to medical school, worked at Miller and St. Joseph's hospitals and in the Ramsey County medical examiner's office before joining the Peace Corps last October. He was completing a crash course in Swahili in Nairobi at New Year's.

In a taped letter to his parents, he said he and a friend were having dinner a short distance from the Norfolk when they "heard an explosion, guessed it was a bomb and ran right over there."

For a time, Ciresi said, "I was the only one there with any medical training at all." He put this training to use amid the flames and wreckage inside the Norfolk, "doing triage"—that is, deciding which of the injured could be saved and should be rescued and which were beyond help—while carrying seven of the former to safety himself.

Ciresi's father, a Target Stores director and proprietor of the Q Restaurant in the Lowry Medical Arts Building, said he and his wife, Monica, were afraid at first that Kevin might have been staying at the Norfolk.

"But then," he added, "knowing Kevin, we knew he'd be there anyway if he were anywhere close."

At present, Kevin is in Kisii, Kenya, teaching high school biology and chemistry—in Swahili.●

## AGENTS' PROTECTION BILL

### HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. RUDD. Mr. Speaker, our Nation's critical intelligence-gathering capability has been severely reduced in recent years. Despite all of the modern technology—including satellite and computerized information—utilized by our intelligence agencies, a significant portion of our intelligence effort must rely on human informers and agents.

This human intelligence effort is increasingly threatened by the deliberate disclosure of the identities of our undercover agents. Publication of these names not only terminates the effectiveness of these agents, but endangers their lives as well.

The most infamous example was the identification in "Counter Spy"—published by former CIA employee Philip Agee—of Richard S. Welch as the station chief for the Central Intelligence Agency in Athens, Greece. Shortly after this disclosure, Welch was assassinated.

Nor is this an isolated disclosure. Agee has published the names of some 1,200 alleged CIA personnel.

Another anti-intelligence publication, Covert Action Information Bulletin, has also been initiated with Agee's assistance. Its function is the same as that of "Counter Spy"—to crusade against the CIA and other U.S. intelligence agencies, and to publish information and identities of purported CIA officers and informers, thus ending their effective service and exposing them to possible retaliation by kidnapers or assassins.

The most recent example—and a major impetus for this legislation—was the identification in 1980 by Covert Action Information Bulletin of 15 CIA agents serving in Marxist Ja-

maica. Again, this revelation was followed by a July 4, 1980, machinegun attack on the home of the CIA station chief, although fortunately he and his family were unharmed.

It should be clearly recognized that these publications' ultimate intent is nothing less than the total elimination of the intelligence-gathering capacity of the U.S. Government.

Indeed, those associated with these publications and supporting organizations held a national organizing conference to stop Government spying September 22-24, 1978, at the University of Michigan, Ann Arbor, sponsored by the Campaign To Stop Government Spying.

The objectives of the Campaign To Stop Government Spying were announced as continued worldwide publication of anti-U.S. intelligence information, suits directed against Government agencies and private companies whose security departments cooperate with law enforcement and intelligence agencies, use of the Freedom of Information Act for forced disclosure of Government intelligence information, and political efforts to end all U.S. domestic and foreign intelligence operations.

The House should be aware that there is a well-orchestrated attempt to totally abolish not only the effectiveness, but the very existence, of our Nation's intelligence system.

These efforts are a conscious part of an international effort designed ultimately to destroy our Nation's ability to stop Marxist-oriented revolutionary activities and terrorism, and to provide defensive countermeasures to protect our own people.

We must act surely and swiftly to protect our intelligence community from these assaults. Certainly, swift and sure penalties must be meted out to any person who discloses the identity of an intelligence officer, who performs under already dangerous conditions.

I am reintroducing in the 97th Congress a bill—the Intelligence Agents Protection Act of 1981—which would prohibit the disclosure of information identifying an intelligence agent to an unauthorized person. Penalties under this bill would be a $100,000 fine and/or 20 years in prison for anyone convicted of this offense.

Furthermore, the bill would provide a $50,000 fine and/or 10 years in prison for any person who falsely identifies an individual as an intelligence agent.

The bill does not limit prosecution to those individuals having or having had authorized access to classified information, but rather includes anyone publishing or otherwise revealing the identity of an intelligence agent.

Injunctive relief is provided within my bill to require the Attorney General to take action to prevent the publication of such identification if its imminent publication is known.

The House Committee on the Judiciary and the Permanent Select Committee on Intelligence reported legislation addressing the disclosure of agents' identities during the last Congress. I believe that this issue must receive early consideration during the 97th Congress.

I offer this approach as one which deals sternly with those who would endanger the lives of those who serve in sensitive intelligence positions.●

## JOHN LENNON: THE BEATLE LEGACY

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 4, 1981*

● Mr. McDONALD. Mr. Speaker, now that some time has elapsed since the passing of John Lennon and the great stir in the media has waned, it is necessary to share some facts and comments which may have been little mentioned at the time. The following articles "The Lennon Legacy" by John F. McManus, and "Which Was the Greatest Tragedy: Lennon's Life or His Death?" by Bob Spencer, published in The North Side News, Atlanta, Ga., January 8, 1981, demonstrate clearly that the eulogies given in the press and the actual facts which John Lennon's life and music represent are in fact quite different. Far from being an "orchestration of a generation's best hopes and fondest dreams," his life and the music of the Beatles led an entire generation astray. Beatlemania was a 20th century siren to many of the youth of the sixties leading their lives and ideals to drugs, promiscuity, and disrespect for timetested standards. So that the record may stand corrected on these little known facts and balance be given to a biased media picture, I commend the following to the attention of my colleagues:

THE LENNON LEGACY

(By John F. McManus)

BELMONT, MASS.—There can hardly be anyone left in the United States who is unaware that Beatle John Lennon has been murdered. Over and over again, we have been told that the man stood only for peace and joy. Typical of the gushing tributes to his memory was the following from Time magazine:

"The world wide appeal of the Beatles had to do with their perceived innocence, their restless idealism that stayed a step or two ahead of the times. . . . (Their) songs became, altogether, an orchestration of a generation's best hopes and fondest dreams."

THEY ATTACKED EVERYTHING

The truth is that the Beatles waged a frighteningly successful war on the values of Western civilization. Our own nation has reaped a sordid harvest from the seeds planted by Lennon and his companions. If the editors of Time had taken time to refer to their own magazine for September 22, 1967 they would have seen the Beatles' album "Sgt. Pepper's Lonely Hearts Club Band" characterized as "drenched with drugs"; the song "Lucy in the Sky with Diamonds" identified as an inducement to the hallucinogenic LSD; and, the Beatles themselves indicted for their attitudes about "drugs, the war in Vietnam and religion."

At the height of Beatlemania in the 1960s, retired popular songwriter Peter Udell commented that the lyrics in popular music may be hard for adults to fathom, but "the kids understand them." What young America understood told them to "turn on (with drugs), tune in (to new attitudes about sex), and drop out (of church, society, etc.)." Was this really our nation's "best hopes and fondest dreams"?

In "Yellow Submarine," the Beatles suggested the use of a yellow submarine-shaped barbiturate. "Strawberry Fields Forever" referred to the fact that marijuana has often been planted in a strawberry field. And "Magical Mystery Tour" urged rolling up one's sleeve for a needle.

NOTHING SACRED

The Beatles freely admitted that their "Penny Lane" had sexual implications. Other tunes with indecent sexual overtones included "Finger Pie," "I'm Only Sleeping," and "Baby You Can Drive My Car." Lennon and his Yoko Ono would later appear naked on the cover of their album "The Two Virgins."

In his publication "A Spaniard in the Works," Lennon's many blasphemies included the description of a character meant to be Jesus Christ as "a garlic-eating, stinking little yellow greasy fascist b*****d Catholic Spaniard," The Beatles hit "Eleanor Rigby" amounted to the hoped-for-death of the Catholic Church.

Inducements to teenagers to run away from home and join the New Left revolution appeared in the Beatles' "She's Leaving Home." They cast all subtlety aside in "Back In The U.S.S.R." as they praised the Soviet Union.

BEATLES LED THE WAY

Silent vigils to honor John Lennon's memory attest to his powerful hold on too many Americans. Many of his fans protest that they only liked his music and were never affected by its varied messages. Statistics about drug abuse, promiscuity, etc., suggest otherwise. The Beatles, led by John Lennon, blazed a trail for today's purveyors of popular music.

A dozen years ago, University of Rochester Professor Howard Hanson noted in an address to the American Psychiatric Association that music "can be soothing or invigorating, ennobling or vulgarizing, philosophical or orgiastic. It has powers for evil as well as good." One man who was deeply affected by the Beatles, who experimented with the drugs they condoned, is Mark David Chapman, Lennon's murderer. Indeed, music possesses powers for evil as well as for good.

(Neither the editor nor any of the staff at The North Side News is a member of The John Birch Society. The editor feels however that the features produced by the society

often expose inequities in government which go otherwise unreported.)

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WHICH WAS THE GREATEST TRAGEDY: LENNON'S LIFE OR HIS DEATH?

(By Bob Spencer)

As I listened to the reports of the death of John Lennon, it occurred to me that although any murder is terrible, in this case, the real tragedy was not in his death, rather, it was in his life. The Rock and Roll editor of ABC News said that the Beatles shaped a generation of young people. How true, but how tragic.

MUSICAL REBELLION

The Beatles represented rebellion against authority, both musically and morally. They promoted release from restraints, both musically and morally. They developed a style of music which broke with that which is constructive. Their music screamed out against order.

Their greatest accomplishment was the exploitation of gullible, impressionable young people. What they sang and what they did appealed to the rebel in youth. They realized that the more exaggerated and socially repugnant they became the greater their popularity. Using the media as their tool, they fashioned a mind-set in teenagers which glorified reaction to and revolution against the moral standards and lifestyles of the Judaeo-Christian culture.

CHILD-PARENT STRIFE

The results of the Beatlemania were to move the drug sub-culture from the basement to the mainstreet, to produce a public toleration of immodesty and illicit sex, to drive a wedge into the homes—dividing parents and children into opposing and warring camps.

As I listened to the interviews of prominent figures who likened Lennon's life and death to that of John F. Kennedy, I wondered why the reporters did not seek out interviews with the parents who watched their children be drawn into the wasteland of the hippies.

BROKEN HEARTS

Why did they not interview the psychiatrists, family counsellors and drug treatment experts who have tried to pick up and put back together the pieces of minds blown apart by drugs and homes destroyed by rebellion? And the broken hearts of parents and friends will never be healed.

Many commentators praised Lennon's "peace" activities as though this would atone for the evil spawned by him and his associates. They neglected to inform us that his activities were on behalf of and in support of a Marxist "peace" with the United States surrendering its sovereignty and freedom to Lennon's socialist comrades.

THE BIBLE SAYS

The Bible says: "Whatever things are true, whatever things are honest, whatever things are just, whatever things are pure, whatever things are lovely, whatever things are of good report; if there be any virtue, and if there be any praise, think on these things." (Philippians 4:8) In his lifestyle, music, philosophy and influence John Lennon failed this test of value and usefulness. His death will soon be forgotten, but his life will continue to yield its unholy fruits because of the many people he helped to influence. Indeed the tragedy of John Lennon was his life.●

## 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 the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, February 5, 1981, may be found in the Daily Digest of today's RECORD.

### MEETINGS SCHEDULED

#### FEBRUARY 6

10:00 a.m.
Joint Economic
To hold hearings on the employment-unemployment situation for January.
2128 Rayburn Building

#### FEBRUARY 17

9:30 a.m.
Banking, Housing and Urban Affairs
International Finance and Monetary Policy Subcommittee
To hold hearings on S. 144, to promote the formation of U.S. export trading companies to expand export participation by smaller U.S. companies.
5302 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Health Services Administration of the Department of Health and Human Services.
1114 Dirksen Building

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings to review those programs administered by the Department of Transportation.
1318 Dirksen Building

Rules and Administration
To hold hearings on committee resolutions requesting funds for operating expenses for 1981.
301 Russell Building

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for certain programs of the U.S. Army Corps of Engineers.
S-128, Capitol

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Center for Disease Control of the Department of Health and Human Services.
1114 Dirksen Building.

#### FEBRUARY 18

9:30 a.m.
Banking, Housing, and Urban Affairs
International Finance and Monetary Policy Subcommittee
To continue hearings on S. 144, to promote the formation of U.S. export trading companies to expand export participation by smaller U.S. companies.
5302 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Institutes of Health of the Department of Health and Human Services.
1114 Dirksen Building

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 271, to repeal the statute barring Western Union from entering international markets.
235 Russell Building

Rules and Administration
To continue hearings on committee resolutions requesting funds for operating expenses for 1981.
301 Russell Building

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for certain programs of the U.S. Army Corps of Engineers.
S-128, Capitol

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the National Institutes of Health of the Department of Health and Human Services.
1114 Dirksen Building

#### FEBRUARY 19

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the National Institutes of Health of the Department of Health and Human Services.
1114 Dirksen Building

Rules and Administration
To continue hearings on committee resolutions requesting funds for operating expenses for 1981.
301 Russell Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Alcohol, Drug Abuse and Mental Health Administration of the Department of Health and Human Services.
1114 Dirksen Building

FEBRUARY 20

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Health Resources Administration of the Department of Health and Human Services.
1114 Dirksen Building
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Panama Canal Commission; and the St. Lawrence Seaway Development Corporation of the Department of Transportation.
1318 Dirksen Building

FEBRUARY 23

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Office of the Assistant Secretary for Health, scientific activities overseas, and retirement pay program for commissioned officers of the Department of Health and Human Services.
1114 Dirksen Building

FEBRUARY 24

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on the Iranian asset settlement.
5302 Dirksen Building
10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Health Care Financing Administration of the Department of Health and Human Services.
1114 Dirksen Building
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on proposed legislation authorizing funds through fiscal year 1985 for the airport development aid program.
235 Russell Building
Rules and Administration
Business meeting, to consider committee resolutions requesting funds for operating expenses for 1981, and other legislative and administrative committee business.
301 Russell Building
11:00 a.m.
Veterans' Affairs
To hold hearings to receive legislative recommendations for fiscal year 1981 from the Disabled American Veterans.
318 Russell Building
2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Office of Human Development Services of the Department of Health and Human Services.
1114 Dirksen Building

FEBRUARY 25

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Social Security Administration of the Department of Health and Human Services.
1114 Dirksen Building
Banking, Housing and Urban Affairs
To hold hearings on the conduct of monetary policy.
5302 Dirksen Building
Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on proposed legislation authorizing funds through fiscal year 1985 for the airport development aid program.
235 Russell Building
2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Office of Inspector General, Office for Civil Rights, policy research programs, and departmental management programs of the Department of Health and Human Services.
1114 Dirksen Building

FEBRUARY 26

9:30 a.m.
Special on Aging
Organizational business meeting, to consider its rules of procedure for the 97th Congress, and other pending committee business.
Room to be announced
10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for certain departmental management programs and the Office for Civil Rights of the Department of Education.
1114 Dirksen Building
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the U.S. Coast Guard of the Department of Transportation.
1318 Dirksen Building
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 270, to provide for the deregulation of the radio broadcasting industry.
235 Russell Building

FEBRUARY 27

10:00 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue hearings on S. 270, to provide for the deregulation of the radio broadcasting industry.
235 Russell Building

MARCH 2

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for elementary and secondary educational programs of the Department of Education.
1114 Dirksen Building

MARCH 3

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the American Battle Monuments Commission, Army Cemeterial Expenses, the Office of Consumer Affairs, and the Consumer Information Center.
1224 Dirksen Building
10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for impact aid programs, and emergency school aid programs of the Department of Education.
1114 Dirksen Building
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Office of Inspector General of the Department of Transportation; and the National Transportation Safety Board.
S-126, Capitol
2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for library and learning resource programs and vocational and adult education programs of the Department of Education.
1114 Dirksen Building

MARCH 4

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for educational, rehabilitation, and research programs for the handicapped of the Department of Education.
1114 Dirksen Building
2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for certain student financial assistance programs of the Department of Education.
1114 Dirksen Building

MARCH 5

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for certain school improvement programs, special institutions, and Howard University of the Department of Education.
1114 Dirksen Building

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Highway Traffic Safety Administration of the Department of Transportation.
1224 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Institute of Education, fund for the improvement of postsecondary education, educational statistics, educational research and training activities overseas of the Department of Education.
1114 Dirksen Building

MARCH 10

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Institute of Building Science, Federal Home Loan Bank Board, National Credit Union Administration, and the Office of Revenue Sharing (NYC).
1224 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Community Services Administration.
1114 Dirksen Building

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for Administration, Research and Special Programs and the Office of the Secretary of the Department of Transportation.
S-126, Capitol

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Federal Mediation and Conciliation Service, the National Labor Relations Board, the National Mediation Board, the Occupational Safety and Health Review Commission, and the Federal Mine Safety and Health Review Commission.
1114 Dirksen Building

MARCH 11

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Railroad Retirement Board, domestic operations programs of ACTION, and the Soldiers' and Airmen's Home.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Corporation for Public Broadcasting, the National Commission on Libraries and Information Science, and the President's Commission on Ethical Problems in Medicine.
1114 Dirksen Building

MARCH 12

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for Civil Aeronautics Board, Interstate Commerce Commission, and the Washington Metropolitan Area Transit Authority (Metro).
1318 Dirksen Building

MARCH 16

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

MARCH 17

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Veterans' Administration.
1224 Dirksen Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Urban Mass Transportation Administration of the Department of Transportation.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

MARCH 18

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

MARCH 19

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Railroad Passenger Corporation (Amtrak).
1318 Dirksen Building

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

MARCH 20

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Departments of Labor, Health and Human Services, and Education.
1114 Dirksen Building

APRIL 1

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 and for the Federal Emergency Management Agency, and the Selective Service System.
S-126, Capitol

APRIL 8

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Office of Science and Technology Policy, Council on Environmental Quality, and the National Regulatory Council.
S-126, Capitol

APRIL 22

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Environmental Protection Agency.
1318 Dirksen Building

APRIL 29

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Consumer Cooperative Bank, and the Consumer Product Safety Commission.
1318 Dirksen Building

APRIL 30

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Science Foundation.
1318 Dirksen Building

MAY 12

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the National Aeronautics and Space Administration.
1224 Dirksen Building

MAY 20

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Department of Housing and Urban Development.
1224 Dirksen Building

MAY 21

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1982 for the Department of Housing and Urban Development, and the Neighborhood Reinvestment Corporation.
1224 Dirksen Building

JUNE 2

9:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1982 for the Department of Housing and Urban Development, and certain independent agencies.
1224 Dirksen Building